CONGRESSIONAL RECORD:

40869

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FIFTY-SECOND CONGRESS, FIRST SESSION.

VOLUME XXIII.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1892.

VOLUME XXIII. PART I.

CONGRESSIONAL RECORD,

FIFTY-SECOND CONGRESS, FIRST SESSION.

CONGRESSIONAL RECORD.

PROCEEDINGS AND DEBATES OF THE FIFTY-SECOND CONGRESS.

FIRST SESSION.

SENATE.

MONDAY, *December 7, 1891.*

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the first session of the Fifty-second Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

The VICE-PRESIDENT of the United States (Mr. LEVI P. MORTON, of the State of New York) took the chair at 12 o'clock noon, and said:

It gives the Chair great pleasure to extend a hearty welcome to the members of this body, who this day resume their official duties after a season of rest from their arduous labor. This being the day designated by the Constitution of the United States for the annual meeting of Congress, the Senate pursuant thereto is now in session and will come to order.

PRAYER.

Rev. J. G. BUTLER, D. D., Chaplain to the Senate, offered the following prayer:

God of our fathers and our God, we seek Thy benediction as we come, amid abounding mercy, to the responsibilities of this hour. Accept our thanks for Thy kind leading, for the blessing that has abode upon us in our persons, in our families, and in our land.

We thank Thee for abundant harvests, for the rewards of labor, for freedom from pestilence, and for continued peace and prosperity in the nation. Thou hast not thus dealt, O Lord, with any other people. We seek Thy continued favor. Make us worthy of our rich heritage, hallowed by the faith and piety, the tears and blood of our fathers.

Bless Thy servants, the President and Vice-President, with the Cabinet council. Pour upon the two Houses of Congress very richly of Thy spirit. Have in Thy holy keeping these Thy servants, blessing them in their persons, in their families, in their social and public relations, so guiding by Thy divine counsel that they may have peace, and that our land may be blessed.

Bless us in the great family of nations, causing our judges to decree righteous judgments, and making the defenders of the nation to be governed by the spirit of the Prince of Peace.

God of Abraham and of Isaac and of Jacob, the God of the nations of the earth, so highly exalting us, look in mercy upon the oppressed of all lands. Pity Thine own ancient people, persecuted and scattered, and so animate their hearts and the hearts of all in authority everywhere with the truth and justice and righteousness of the Prince of Peace that all nations and peoples may soon enjoy the blessings which we so abundantly possess.

Guide us this day by Thy divine counsel. Grant richly of Thy grace and of Thy peace. Restrain from all evil and quicken us in all good, using us for Thy glory, so that finally, when the end of this earthly conflict shall come, we may be gathered to the enjoyment of Thy people's rest.

Our Father who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done upon earth as it is in heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever. Amen.

RESIGNATIONS OF SENATORS.

The VICE-PRESIDENT laid before the Senate the following communications; which were read, and ordered to lie on the table:

UNITED STATES SENATE, *Washington, D. C., April 6, 1891.*

SIR: It becomes my duty to inform you that I have sent to the governor of the State of Vermont my resignation of the office of Senator of the United States, to take effect on the 1st day of November next. Accept, sir, for yourself and the Senate, my parting salutations, embracing personal good wishes for all its members and a confident good hope for the future as "the sheet anchor of the Republic."

I am, sir, very respectfully, yours,

GEO. F. EDMUNDS.

The Hon. LEVI P. MORTON,
Vice-President of the United States,
and President of the Senate, Washington, D. C.

PALESTINE, TEX., *April 24, 1891.*

MY DEAR SIR: Having agreed to accept a place on the railroad commission of Texas, and having tendered my resignation to the governor of the State of Texas of the position of a Senator in the Congress of the United States, to take effect on the 10th of June next, it becomes my duty to advise you of the fact of my resignation.

From a sense of duty to the State and people of Texas I with regret terminate my connection with the Senate to accept a position of less dignity and of less emoluments. And I leave the Senate with my sincerest wishes for the welfare and happiness of yourself and each individual Senator; for my relations have been pleasant with all.

Very truly and respectfully,

JOHN H. REAGAN.

Hon. LEVI P. MORTON,
Vice-President of the United States,
Washington, D. C.

CREDENTIALS.

The VICE-PRESIDENT presented the credentials of Horace Chilton, appointed by the governor of the State of Texas a Senator from that State, to fill, until the next meeting of the Legislature thereof, the vacancy caused by the resignation of John H. Reagan in the term ending March 3, 1893; which were read, and ordered to be filed.

He also presented the credentials of Charles N. Felton, chosen by the Legislature of California a Senator from that State to fill the vacancy caused by the death of George Hearst in the term ending March 3, 1893; which were read, and ordered to be filed.

He also presented the credentials of Redfield Proctor, appointed by the governor of the State of Vermont a Senator from that State, to fill, until the next meeting of the Legislature thereof, the vacancy caused by the resignation of George F. Edmunds in the term ending March 3, 1893; which were read, and ordered to be filed.

He also presented the credentials of John M. Palmer, chosen by the Legislature of Illinois a Senator from that State for the

term beginning March 4, 1891; which were read, and ordered to be filed.

Mr. GORMAN presented the credentials of Charles H. Gibson, appointed by the governor of the State of Maryland a Senator from that State, to fill, until the next meeting of the Legislature thereof, the vacancy caused by the death of Ephraim K. Wilson in the term ending March 3, 1897; which were read, and ordered to be filed.

SENATOR FROM FLORIDA.

The VICE-PRESIDENT presented the credentials of Wilkinson Call, chosen by the Legislature of Florida a Senator from that State for the term beginning March 4, 1891; which were read, as follows:

Transcript of the proceedings of the Legislature of Florida in joint assembly in the election of Wilkinson Call to the Senate of the United States for the term of six years commencing March 4, 1891. Certified under the great seal of the State.

HOUSE OF REPRESENTATIVES,
Tallahassee, Fla., May 26, 1891.

On motion of Mr. Hutchinson, a committee, consisting of Messrs. Hutchinson, Carter, and Atkinson, was appointed to inform the senate that the house of representatives was ready to receive it in joint session.

After a brief absence the committee reported that the duty assigned had been performed, and was discharged.

The senate entered the house and the president thereof took the chair.

The roll of the senate being called, the following senators were present:

Mr. President, Messrs. Broome, Bryant, Calhoun, Coulter, Crosby, Pirrong Roseborough, Smith of thirtieth, Summers, Swearingen, Thomas, Wadsworth, Wolfe, and Yancey—15.

The roll of the house being called, the following members were present:

Mr. Speaker, Messrs. Bates, Berry, Bethel, Beville, Blitch of Levy, Bogue, Brown, Buford, Canty, Carleton, Carson, Clark, Dimick Dykes, Goode, Haddock, Hicks, High, Hutchinson, Johns, King, Lavender, McCaskill, Monroe, Morgan, Morris, Overstreet, Peacock, Pittman, Priest, Rye, Saulsbury, Stapler, Summerlin, Thompson, Usina, Vann, and Wilson—39.

Total number of senators and members of the house of representatives present in joint session, 54.

The chair announced that a majority of all the members elected to both houses of the Legislature being present, a quorum was present and ready to proceed to business.

Upon this announcement by the chair, Mr. Dougherty appealed from the decision of the chair.

Upon a vote of the joint session the decision of the chair was sustained.

On motion of Mr. Wolfe, the reading of the journal was dispensed with, and the journal approved.

Mr. Bogue moved that the joint session proceed to ballot for a United States Senator;

Which was agreed to.

The roll of the senate being called, the following was the vote:

For Wilkinson Call: Mr. President, Messrs. Broome, Bryant, Coulter, Crosby, Pirrong, Roseborough, Smith of thirtieth, Summers, Swearingen, Thomas, Wadsworth, Wolfe, and Yancey—14.

Senator Calhoun was paired with Senator McKinne, and stated if not so paired he would gladly vote for Wilkinson Call.

The roll of the house being called, the following was the vote:

For Wilkinson Call: Mr. Speaker, Messrs. Bates, Berry, Bethel, Blitch of Levy, Bogue, Brown, Buford, Canty, Carleton, Carson, Clark, Dimick, Dykes, Goode, Haddock, Hicks, Hutchinson, Johns, King, Lavender, McCaskill, Monroe, Morgan, Morris, Overstreet, Peacock, Pittman, Priest, Rye, Saulsbury, Stapler, Summerlin, Thompson, Usina, Vann, and Wilson—37.

For D. H. Mays: Mr. High—1.

The whole number of votes cast was 52, of which Wilkinson Call received 51 votes and Dannet H. Mays received 1 vote.

The chair announced that Hon. Wilkinson Call having received a majority of all the votes of the joint Assembly, and a majority of all the members elected to both houses being present and voting, he is duly elected a United States Senator for the term beginning March 4, 1891.

Mr. Shine moved that the joint session adjourn *sine die;*

Which was not agreed to.

On motion of Senator Yancey that a committee consisting of three be appointed to inform Hon. Wilkinson Call of his election as United States Senator and invite him to address the joint session, the president of the joint session appointed Messrs. Yancey, Clark, and Haddock such committee.

After a brief absence, the committee returned with Hon. Wilkinson Call, who was introduced by the president of the joint session and addressed the joint session.

On motion of Mr. Hicks, Messrs. Hicks, Monroe, and Calhoun were appointed to wait upon the governor and to notify him of the election of Wilkinson Call to the United States Senate from the 4th of March, 1891.

On motion of Senator Yancey, the joint session took a recess for five minutes.

After a five minutes recess the joint session was called to order.

After a brief absence the committee appointed to inform the governor of the election of the Hon. Wilkinson Call as United States Senator appeared at the bar of the house and reported that they had visited the governor's office and did not find the governor in.

On motion of Senator Yancey, the journal was read and corrected.

Mr. Yancey moved that the joint sesion do now adjourn;

Which was agreed to, and the joint session adjourned.

The speaker declared the house adjourned until 3 o'clock p. m.

STATE OF FLORIDA,
Office Secretary of State, ss:

I, Jno. L. Crawford, secretary of state, do hereby certify that the foregoing is a correct transcript of the original now on file in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this 28th day of July, A. D. 1891.

[SEAL.] JNO. L. CRAWFORD,
Secretary of State.

Mr. HARRIS. Mr. President, I present the credentials of Hon. Robert H. M. Davidson, who was on the 22d day of September last appointed by the governor of Florida to be a Senator from the State of Florida, to fill an alleged vacancy occasioned by the termination of the term of Wilkinson Call. This appointment is attested by the signature of the governor, the secretary of state, and the great seal of the State.

The credentials just read present the questions as between these claimants to the seat. My own opinion is that the proper course to be pursued is to refer the credentials of both claimants to the Committee on Privileges and Elections, so that the questions may be decided in the light of a thorough investigation of them. But for the present I will ask that both credentials lie upon the table to-day, with the probability that I shall on to-morrow move their reference to the committee, when such committee shall be appointed.

The VICE-PRESIDENT. Without objection it will be so ordered.

Mr. HARRIS. Let the credentials be read.

The VICE-PRESIDENT. The credentials will be read.

The Chief Clerk read as follows:

IN THE NAME OF THE STATE OF FLORIDA.

To all whom these presents may come, greeting:

Whereas the term of office of Wilkinson Call as United States Senator from Florida expired on the 3d day of March, A. D. 1891, during the recess of the Legislature of said State, whereby a vacancy then happened in the office of United States Senator from Florida during such recess as aforesaid; and

Whereas a Senator has not been chosen by the Legislature of the State of Florida to fill such vacancy; and

Whereas the Legislature of the State of Florida is not now in session and a recess thereof exists at this time:

Now, therefore, I, Francis P. Fleming, governor of the State of Florida, by virtue of the authority in me vested by the Constitution of the United States, have appointed, and by these presents do hereby appoint, Robert H. M. Davidson to be United States Senator from the State of Florida until the next meeting of the Legislature of the State of Florida.

In testimony whereof I have hereunto set my hand and caused the great seal of the State to be affixed, at Tallahassee, the capital, this 22d day of September, A. D. 1891, and of the Independence of the United States the one hundred and sixteenth year.

FRANCIS P. FLEMING,
Governor of Florida.

In obedience to the opinion and the decision of the supreme court of Florida, and the peremptory writ thereon, to me issued this day in the case of "The State of Florida *ex rel.* Francis P. Fleming, governor, plaintiff, *vs.* John L. Crawford, secretary of state, defendant," I have affixed the great seal of the State, at Tallahassee, the capital, this 17th day of November, A. D. 1891, hereunto.

Attest:
[SEAL.] JOHN L. CRAWFORD,
Secretary of State.

Mr. GEORGE. Mr. President, I desire simply to remark that I do not now object to the request made by the Senator from Tennessee [Mr. HARRIS] in reference to the credentials of Mr. Call and the alleged credentials of Mr. Davidson, with the understanding that that matter shall come up to-morrow.

Whilst I am on my feet I might as well say that after a very careful examination into that case, both as to the law and the facts, I find that there is no controversy as to the facts, and therefore no necessity for an investigation by the Committee on Privileges and Elections as to the facts. And as to the law of the case, the statute is plain on its face. Besides, it has received the judicial determination of this body. So that there now remains neither a question of law nor a question of fact about which the attention of the committee can be invoked by this body.

One word more. The constitutional right of a State to be represented when she has properly selected her representative in this body is as binding on us to recognize for to-day as for to-morrow.

The equality of the States in this body ought not to be impaired for one single hour when there is no serious question about which there can be any difference among Senators who have looked into the matter. However, in deference to my distinguished friend from Tennessee, I will make no objection to the passing of the case until to-morrow, but I give notice that then I shall insist that the Senate have both the facts and the law, without a single controversy as to either, and ought to proceed at once to seat the legally elected Senator from the State of Florida.

Mr. HOAR. Mr. President, the statement of the governor of Florida, showing the ground on which he relies to support his authority to make an appointment after the Legislature of his State had elected a Senator, in form certainly, has been sent to me during the vacation, and I suppose it has been sent to all the members of the Senate. I have carefully examined it, as has the Senator from Mississippi [Mr. GEORGE], and so far as I can discover it presents simply a question of the constitutionality and construction of the existing law of Congress for the election of Senators. It is a question which has been before the Senate heretofore, and has always, so far as I am aware, been decided in the same way; indeed, I am not aware that there is a difference of opinion in the Senate in regard to that question. Certainly what the Senator from Mississippi says as to the constitutional right of every State to be equally represented here has a great deal of weight. If it shall turn out that the gentleman who filled the seat in the Senate for the recent term is entitled to it, justice to him would require that he should have his title declared at as early a day as possible, in order that his proper share

of the duties of the Senate upon committee and elsewhere may be assigned to and performed by him.

It occurred to me, therefore, that after the oath had been administered to the new Senators it might be proper to move to take up the Florida case at that time, and then it can go over until to-morrow under the rule, if any single Senator prefers. If, in the course of any discussion which may arise upon it to-morrow, it shall turn out that there is such a grave question in the mind of any single Senator as seems to require the service of a committee in aiding us to settle it, I for one should be in favor of the reference; but if, as I suppose, it shall turn out that there is no such question, I do not see why the Senate should not then go on to deal with it and to dispose of it without reference to a committee.

Mr. GEORGE. I entirely agree with what has been said by the distinguished Senator from Massachusetts [Mr. HOAR]. There is only one observation which I desire to make, so that Senators may reflect upon it.

This certificate of the secretary of the State, which is unimpeached and unimpeachable, showing that an election was held, whether legal or not, at this point does establish the fact that the forms of an election were gone through with. That being on the record, that being before the Senate, then the action of the governor appears before us in this light, that he has usurped the constitutional power which has been vested by the Constitution in this body to judge of the election and qualifications of its own members, and has undertaken for this body to decide that grave question for himself, and having decided that question, then to usurp the further power of appointing a member of this body.

I desire simply to call the attention of the Senate to the fact that, an election having been held, it was not competent for the governor of Florida to usurp the functions vested by the Constitution in this body to decide upon the regularity of that election.

The VICE-PRESIDENT. The credentials will lie on the table, in the absence of objection.

SWEARING IN OF SENATORS.

The VICE-PRESIDENT. Senators whose credentials have been heretofore recorded and placed on the files of the Senate and those whose credentials have been presented to-day will please come forward in groups of four to receive the oath of office.

Mr. SHERMAN. Mr. President, before the oath of office is administered to Mr. Brice as a Senator from Ohio, I desire to say that it is contended by large numbers of the citizens of Ohio that he was not an inhabitant of that State when he was elected Senator and therefore not eligible to sit as a Senator from Ohio. I am advised that this contention will be presented to the Senate in due time. As the credentials of Mr. Brice are in due form, he is entitled, according to all the precedents I have been able to find, to admission to the Senate, subject to any contest as to his eligibility hereafter. I simply give this notice that there may be no waiver or misunderstanding in case the Legislature of Ohio or the people of Ohio should establish the fact to the satisfaction of the Senate that he was not an inhabitant of that State when elected.

The VICE-PRESIDENT. The names of the Senators elect will now be read in alphabetical order.

The Chief Clerk read the names of—

William B. Allison, of the State of Iowa.
Joseph C. S. Blackburn, of the State of Kentucky.
Calvin S. Brice, of the State of Ohio.
James Donald Cameron, of the State of Pennsylvania.

The respective Senators elect whose names had been called came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

Horace Chilton, of the State of Texas.
Fred. T. Dubois, of the State of Idaho.
Charles N. Felton, of the State of California.
Jacob H. Gallinger, of the State of New Hampshire.

Mr. HOAR. Mr. President, I desire to say, before the oath of office is administered to Mr. Chilton, the Senator elect from Texas, that his case seems to me to present a very grave constitutional question, whether the governor of Texas was entitled to make the appointment in anticipation of the vacancy occasioned by Mr. Reagan's resignation, or whether, as was carefully and scrupulously done several times in the recent New Hampshire cases, the governor should have waited until the vacancy actually existed. For the reason, however, which has been already stated, that it is desirable that the representation of every State shall be full, I shall interpose no objection to administering the oath to that gentleman, but after the oath has been administered to him I shall move to refer the case to the Committee on Privileges and Elections to report as to the validity of the appointment.

Mr. HALE. Mr. President, I desire an opportunity to examine the credentials of Mr. Dubois as Senator elect from Idaho, and I ask that they lie upon the table until to-morrow.

The VICE-PRESIDENT. The credentials have already been read and placed on file by previous action of the Senate.

Mr. CULLOM. I rose to state that the credentials of Mr. Dubois had been presented at a previous session of the Senate, referred to the Committee on Privileges and Elections, reported back, and placed on file. Under these circumstances, the credentials seeming to be entirely regular, I hope there will be no delay in allowing the Senator elect from that State to be sworn in.

So far as the request of the honorable Senator from Maine is concerned, that the credentials lie over until to-morrow, I am willing that they shall lie over until the other Senators are sworn in against whom there is no objection, if that course will be agreeable to him, and that we dispose of the case at that time.

Mr. HALE. I have no desire, Mr. President, to unduly delay this case on the swearing in of the new Senator from Idaho, if he is to be sworn in. A single objection, of course, will carry it over until to-morrow. I do not care what form that takes. I will ask at present that the Senator elect from Idaho shall not be sworn in with the others until after all the cases that are not excluded are disposed of.

Mr. CULLOM. I have no objection to that.

Mr. PLUMB. Let me make a suggestion to the Senator from Maine. This case, it seems to me, is on all fours with the case about which the Senator from Massachusetts [Mr. HOAR] has just spoken, that of the Senator elect from Texas [Mr. Chilton], in reference to qualification; that is, the authority by which members sit in this body. If there be anything in the suggestion which the Senator from Massachusetts makes, to the effect that the Senate ought to be full, in the case of those persons who appear here for the purpose of admission, it must be just as strong in the case of Idaho as in the case of Texas. Therefore, it seems to me, following that precedent and the suggestion made by the chairman of the Committee on Privileges and Elections, that the Senator from Idaho should be sworn in for the present, leaving the question to be considered afterwards as to the entire regularity of the proceedings of the Legislature by which he was chosen a Senator.

Mr. HALE. I do not seek to go into any controversy, and I do not know that there will be any controversy, about the swearing in of the Senator elect when the proper time comes, but for the present I object, so that the matter may go over until the undisputed cases have been acted upon by the members being sworn in.

The VICE-PRESIDENT. The Senators whose names have been called, with the exception of the Senator elect from Idaho [Mr. Dubois], will please come forward and receive the oath of office.

The respective Senators elect whose names had been called (with the exception of Mr. Dubois) came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

Charles H. Gibson, of the State of Maryland.
John B. Gordon, of the State of Georgia.
Henry C. Hansbrough, of the State of North Dakota.
J. L. M. Irby, of the State of South Carolina.

As their names were called the respective Senators elect came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

James K. Jones, of the State of Arkansas.
John P. Jones, of the State of Nevada.
James H. Kyle, of the State of South Dakota.
John H. Mitchell, of the State of Oregon.

As their names were called the respective Senators elect (with the exception of Mr. Jones of Arkansas and Mr. Jones of Nevada, who were absent) came forward, and the oath prescribed by law was administered to them.

The Chief Clerk read the names of—

Justin S. Morrill, of the State of Vermont.
John M. Palmer, of the State of Illinois.
William A. Peffer, of the State of Kansas.
Orville H. Platt, of the State of Connecticut.
Redfield Proctor, of the State of Vermont.

As their names were called the respective Senators elect came forward, and the oath prescribed by law was administered to them.

The Chief Clerk read the names of—

James L. Pugh, of the State of Alabama.
Watson C. Squire, of the State of Washington.
Leland Stanford, of the State of California.
Henry M. Teller, of the State of Colorado.

As their names were called the respective Senators elect (with the exception of Mr. Stanford) came forward, and the oath prescribed by law was administered to them.

The Chief Clerk read the names of—

Zebulon B. Vance, of the State of North Carolina.

George G. Vest, of the State of Missouri.
William F. Vilas, of the State of Wisconsin.
Daniel W. Voorhees, of the State of Indiana.
Edward D. White, of the State of Louisiana.

As their names were called the respective Senators elect (with the exception of Mr. Vance) came forward, and the oath prescribed by law was administered to them.

SENATORS PRESENT.

The Senators-elect having been sworn and taken their seats in the Senate, the following Senators were present:

From the State of—
Alabama—John T. Morgan and James L. Pugh.
Arkansas—James H. Berry.
California—Charles N. Felton.
Colorado—Henry M. Teller and Edward O. Wolcott.
Connecticut—Joseph R. Hawley and Orville H. Platt.
Delaware—George Gray and Anthony Higgins.
Florida—Samuel Pasco.
Georgia—Alfred H. Colquitt and John B. Gordon.
Idaho—George L. Shoup.
Illinois—Shelby M. Cullom and John M. Palmer.
Indiana—David Turpie and Daniel W. Voorhees.
Iowa—William B. Allison and James F. Wilson.
Kansas—William A. Peffer and Preston B. Plumb.
Kentucky—Joseph C. S. Blackburn and John G. Carlisle.
Louisiana—Randall L. Gibson and Edward D. White.
Maine—William P. Frye and Eugene Hale.
Maryland—Charles H. Gibson and Arthur P. Gorman.
Massachusetts—Henry L. Dawes and George F. Hoar.
Michigan—James McMillan and Francis B. Stockbridge.
Minnesota—Cushman K. Davis and William D. Washburn.
Mississippi—James Z. George and Edward C. Walthall.
Missouri—Francis M. Cockrell and George G. Vest.
Montana—Thomas C. Power and Wilbur F. Sanders.
Nebraska—Charles F. Manderson and Algernon S. Paddock.
Nevada—William M. Stewart.
New Hampshire—William E. Chandler and Jacob H. Gallinger.
New Jersey—Rufus Blodgett and John R. McPherson.
New York—Frank Hiscock.
North Carolina—Matt W. Ransom.
North Dakota—Lyman R. Casey and Henry C. Hansbrough.
Ohio—Calvin S. Brice and John Sherman.
Oregon—Joseph N. Dolph and John H. Mitchell.
Pennsylvania—James Donald Cameron and Matthew S. Quay.
Rhode Island—Nelson W. Aldrich and Nathan F. Dixon.
South Carolina—M. C. Butler and J. L. M. Irby.
South Dakota—James H. Kyle and R. F. Pettigrew.
Tennessee—William B. Bate and Isham G. Harris.
Texas—Horace Chilton and Richard Coke.
Vermont—Justin S. Morrill and Redfield Proctor.
Virginia—John S. Barbour and John W. Daniel.
Washington—John B. Allen and Watson C. Squire.
West Virginia—Charles J. Faulkner and John E. Kenna.
Wisconsin—Philetus Sawyer and William F. Vilas.
Wyoming—Joseph M. Carey and Francis E. Warren.

NOTIFICATION TO THE PRESIDENT.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two members be appointed, to join such committee as may be appointed by the House of Representatives, to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

By unanimous consent, the Vice-President was authorized to appoint the committee, and Messrs. SHERMAN and HARRIS were appointed.

NOTIFICATION TO THE HOUSE.

Mr. CAMERON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

HOUR OF MEETING.

Mr. CULLOM submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the hour of the daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

SENATOR FROM TEXAS.

Mr. HOAR. I move that the Committee on Privileges and Elections be directed to inquire into and report upon the circumstances and validity of the appointment of Mr. Chilton to a seat in the Senate from the State of Texas.

The motion was agreed to.

SENATORS FROM FLORIDA AND IDAHO.

Mr. HOAR. I move that Hon. Wilkinson Call be admitted to take the oath as a Senator from the State of Florida. It is not my purpose to press any action upon this motion to-day, but I propose to have it before the Senate.

Mr. CULLOM. I will make the same motion with reference to the Senator from Idaho, Mr. Dubois, with the understanding (as it seems to be the desire of members) that it lie over until to-morrow, although I should like very much to have had it acted upon to-day.

The VICE-PRESIDENT. The motions will lie over.

Mr. SHERMAN. Pending these motions, I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock p. m.) the Senate adjourned until to-morrow, Tuesday, December 8, 1891, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 7, 1891.*

This day, in compliance with the provision of the Constitution, the members elect of the House of Representatives of the Fifty-second Congress assembled in their Hall, and at 12 o'clock were called to order by the Clerk of the last House, Mr. EDWARD MCPHERSON.

The CLERK. Representatives elect, this is the hour for the meeting of the House of Representatives of the Fifty-second Congress of the United States of America. The Clerk of the House of Representatives of the Fifty-first Congress will proceed, according to law, to read the names of those whose credentials show that they were regularly elected to this body in pursuance of the law of their States, respectively, or of the United States.

The roll was called, showing the presence of the following-named members:

ALABAMA.

Richard H. Clarke.	James E. Cobb.
Hilary A. Herbert.	John H. Bankhead.
William C. Oates.	William H. Forney.
Louis W. Turpin.	Joseph Wheeler.

ARKANSAS.

William H. Cate.	William L. Terry.
Clifton R. Breckinridge.	Samuel W. Peel.
Thomas C. McRae.	

CALIFORNIA.

Thomas J. Geary.	John T. Cutting.
Anthony Caminetti.	Eugene F. Loud.
Joseph McKenna.	William W. Bowers.

COLORADO.

Hosea Townsend.

CONNECTICUT.

Lewis Sperry.	Charles A. Russell.
Washington F. Willcox.	Robert E. De Forest.

DELAWARE.

John W. Causey.

FLORIDA.

Stephen R. Mallory.	Robert Bullock.

GEORGIA.

Rufus E. Lester.	James H. Blount.
Henry G. Turner.	R. William Everett.
Charles F. Crisp.	Thomas G. Lawson.
Charles L. Moses.	Thomas E. Winn.
Leonidas F. Livingston.	Thomas E. Watson.

IDAHO.

Willis Sweet.

ILLINOIS.

Abner Taylor.	Benjamin T. Cable.
Lawrence E. McGann.	Scott Wike.
Allan C. Durborow, jr.	William M. Springer.
Walter C. Newberry.	Owen Scott.
Albert J. Hopkins.	Samuel T. Busey.
Robert R. Hitt.	George W. Fithian.
Thomas J. Henderson.	Edward Lane.
Lewis Steward.	William S. Forman.
Herman W. Snow.	James R. Williams.
Philip S. Post.	George W. Smith.

INDIANA.

William F. Parrett.	Elijah V. Brookshire.
John L. Bretz.	Dan Waugh.
Jason B. Brown.	David H. Patton.
William S. Holman.	Augustus N. Martin.
George W. Cooper.	Charles A. O. McClellan
Henry U. Johnson.	Benjamin F. Shively.
William D. Bynum.	

IOWA.

John J. Seerley.	John A. T. Hull.
Walter I. Hayes.	James P. Flick.
David B. Henderson.	Thomas Bowman.
Walter H. Butler.	Jonathan P. Dolliver.
John T. Hamilton.	George D. Perkins.
Fred. E. White.	

KANSAS.

Case Broderick.
Edward H. Funston.
Benjamin H. Clover.
John G. Otis.
John Davis.
William Baker.
Jeremiah Simpson.

KENTUCKY.

William J. Stone.
William T. Ellis.
Isaac H. Goodnight.
Alex. B. Montgomery.
Asher G. Caruth.
Worth W. Dickerson.
William C. P. Breckinridge.
James B. McCreary.
Thomas H. Paynter.
John W. Kendall.

LOUISIANA.

Adolph Meyer.
Matthew D. Lagan.
Andrew Price.
Newton C. Blanchard.
Charles J. Boatner.
Samuel M. Robertson.

MAINE.

Thomas B. Reed.
Nelson Dingley, jr.
Seth L. Milliken.
Charles A. Boutelle.

MARYLAND.

Henry Page.
Herman Stump.
Harry Welles Rusk.
Isidor Rayner.
Barnes Compton.
William M. McKaig.

MASSACHUSETTS.

Charles S. Randall.
Elijah A. Morse.
John F. Andrew.
Joseph H. O'Neil.
Sherman Hoar.
Henry Cabot Lodge.
William Cogswell.
Moses T. Stevens.
George Fred. Williams.
Joseph H. Walker.
Frederic S. Coolidge.
John C. Crosby.

MICHIGAN.

J. Logan Chipman.
James S. Gorman.
James O'Donnell.
Julius C. Burrows.
Charles E. Belknap.
Byron G. Stout.
Justin R. Whiting.
Henry M. Youmans.
Harrison H. Wheeler.
Thomas A. E. Weadock.
Samuel M. Stephenson.

MINNESOTA.

William H. Harries.
John Lind.
O. M. Hall.
James N. Castle.
Kittel Halvorsen.

MISSISSIPPI.

John M. Allen.
John C. Kyle.
Thomas C. Catchings.
Clarke Lewis.
Joseph H. Beeman.
Thomas R. Stockdale.
Charles E. Hooker.

MISSOURI.

William H. Hatch.
Charles H. Mansur.
Alexander M. Dockery.
Robert P. C. Wilson.
John C. Tarsney.
John T. Heard.
Richard H. Norton.
John J. O'Neill.
Seth W. Cobb.
Samuel Byrns.
Richard P. Bland.
David A. De Armond.
Marshall Arnold.

MONTANA.

William W. Dixon.

NEBRASKA.

William J. Bryan.
William A. McKeighan.
Omer M. Kem.

NEW HAMPSHIRE.

Luther F. McKinney.
Warren F. Daniell.

NEW JERSEY.

Christopher A. Bergen.
James Buchanan.
Jacob A. Geissenhainer.
Samuel Fowler.
Cornelius A. Cadmus.
Thomas Dunn English.
Edward F. McDonald.

NEW YORK.

James W. Covert.
Alfred C. Chapin.
William J. Coombs.
John M. Clancy.
Thomas F. Magner.
John R. Fellows.
Edward J. Dunphy.
Timothy J. Campbell.
Amos J. Cummings.
W. Bourke Cockran.
John De Witt Warner.
Joseph J. Little.
Ashbel P. Fitch.
William G. Stahlnecker.
Henry Bacon.
John H. Ketcham.
Isaac N. Cox.
John A. Quackenbush.
Charles Tracey.
John M. Wever.
N. Martin Curtis.
Henry W. Bentley.
George Van Horn.
James J. Belden.
George W. Ray.
Sereno E. Payne.
Hosea H. Rockwell.
John Raines.
Halbert S. Greenleaf.
James W. Wadsworth.
Daniel N. Lockwood.
Thomas L. Bunting.
Warren B. Hooker.

NORTH CAROLINA.

William A. B. Branch.
Henry P. Cheatham.
Benjamin F. Grady.
Benjamin H. Bunn.
Archibald H. A. Williams.
Sydenham B. Alexander.
John S. Henderson.
William H. H. Cowles.
William T. Crawford.

NORTH DAKOTA.

Martin N. Johnson.

OHIO.

Bellamy Storer.
John A. Caldwell.
George W. Houk.
Martin K. Gantz.
Fernando C. Layton.
Dennis D. Donovan.
William E. Haynes.
Darius D. Hare.
Joseph H. Outhwaite.
Robert E. Doan.
John M. Pattison.
William H. Enochs.
Irvine Dungan.
James W. Owens.
Michael D. Harter.
John G. Warwick.
Albert J. Pearson.
Joseph D. Taylor.
Ezra B. Taylor.
Vincent A. Taylor.
Tom L. Johnson.

OREGON.

Binger Hermann.

PENNSYLVANIA.

Henry H. Bingham.
Charles O'Neill.
William McAleer.
John E. Reyburn.
Alfred C. Harmer.
John B. Robinson.
Edwin Hallowell.
William Mutchler.
David B. Brunner.
Marriott Brosius.
Lemuel Amerman.
George W. Shonk.
James B. Reilly.
John W. Rife.
Myron B. Wright.
Albert C. Hopkins.
Simon P. Wolverton.
Louis E. Atkinson.
Frank E. Beltzhoover.
Edward Scull.
George F. Huff.
John Dalzell.
William A. Stone.
Andrew Stewart.
Eugene P. Gillespie.
Matthew Griswold.
Charles W. Stone.
George F. Kribbs.

RHODE ISLAND.

Oscar Lapham.
Charles H. Page.

SOUTH CAROLINA.

William H. Brawley.
George D. Tillman.
George Johnstone.
George W. Shell.
John J. Hemphill.
Eli T. Stackhouse.
William Elliott.

SOUTH DAKOTA.

(AT LARGE.)

John A. Pickler.
John L. Jolley.

TENNESSEE.

Alfred A. Taylor.
John C. Houk.
Henry C. Snodgrass.
Benton McMillin.
James D. Richardson.
Joseph E. Washington.
Nicholas N. Cox.
Benjamin A. Enloe.
Rice A. Pierce.
Josiah Patterson.

TEXAS.

Charles Stewart.
John B. Long.
C. Buckley Kilgore.
David B. Culberson.
Joseph W. Bailey.
Jo Abbott.
William H. Crain.
Littleton W. Moore.
Roger Q. Mills.
Joseph D. Sayers.
Samuel W. T. Lanham.

VERMONT.

H. Henry Powers.
William W. Grout.

VIRGINIA.

William A. Jones.
John W. Lawson.
George D. Wise.
James F. Epes.
Posey G. Lester.
Paul C. Edmunds.
Charles T. O'Ferrall.
Henry St. G. Tucker.

WASHINGTON.

John L. Wilson.

WEST VIRGINIA.

John O. Pendleton.
William L. Wilson.
John D. Alderson.
James Capehart.

WISCONSIN.

Clinton Babbitt.
Charles Barwig.
Allen R. Bushnell,
John L. Mitchell.
George H. Brickner.
Lucas M. Miller.
Frank P. Coburn.
Nils P. Haugen.
Thomas Lynch.

WYOMING.

Clarence D. Clark.

The following is the list of delegates from the Territories.

ARIZONA.

Marcus A. Smith.

NEW MEXICO.

Antonio Joseph.

OKLAHOMA.

David A. Harvey.

UTAH.

John T. Caine.

The CLERK. Three hundred and twenty-six members have answered to their names, being a quorum of the House; and the Clerk is ready to receive a motion——

Mr. HOLMAN. I move that the House do now adjourn until to-morrow at 12 o'clock m.

The motion was agreed to; and accordingly (at 12 o'clock and 30 minutes p. m.) the House adjourned.

SENATE.

TUESDAY, *December 8, 1891.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM ARKANSAS.

Mr. BERRY. Mr. President, my colleague, Mr. Jones of Arkansas, is present, and I ask that the oath of office be now administered to him.

The VICE-PRESIDENT. The Senator elect from Arkansas will come forward and receive the oath of office.

Mr. James K. Jones, of Arkansas, was escorted to the Vice-President's desk by Mr. BERRY, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

REPORT OF COMPTROLLER OF THE CURRENCY.

The VICE-PRESIDENT laid before the Senate the twenty-ninth annual report of the Comptroller of the Currency; which was referred to the Committee on Finance, and ordered to be printed.

PERMANENT CENSUS BUREAU.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a report prepared by the Superintendent of the Census, recommending the establishment of a permanent census bureau; which, on motion of Mr. HALE, was, with the accompanying papers, referred to the Committee on the Census, and ordered to be printed.

COURT OF CLAIMS REPORT.

The VICE-PRESIDENT laid before the Senate the report of the clerk of the Court of Claims of the conclusions of fact and of law filed by that court in sundry spoliation claims under the act approved January 20, 1885; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF SECRETARY OF SENATE.

The VICE-PRESIDENT laid before the Senate a report of the Secretary of the Senate, communicating, in obedience to law, a statement of the receipts and expenditures of the Senate from July 1, 1890, to June 30, 1891; which was ordered to lie on the table and be printed.

He also laid before the Senate a report of the Secretary of the Senate, communicating, in obedience to law, a full and complete statement of all the property in his possession belonging to the United States December 7, 1891; which was ordered to lie on the table and be printed.

REPORTS OF SERGEANT-AT-ARMS.

The VICE-PRESIDENT laid before the Senate a communication from the Sergeant-at-Arms of the Senate, transmitting a full and complete account of all property belonging to the United States in his possession on the 7th day of December, 1891; which was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Sergeant-at-Arms of the Senate, transmitting a full and complete account of all condemned property sold by him belonging to the United States, and showing the disposition of all money received therefor; which was ordered to lie on the table and be printed.

REPORT OF METROPOLITAN RAILROAD COMPANY.

The VICE-PRESIDENT laid before the Senate a statement of the receipts and disbursements of the Metropolitan Railroad Company, of Washington, D. C., for the year ended June 30, 1891; which was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of Brush Prairie Grange, No. 25, Patrons of Husbandry, of Clark County, Wash., praying for the passage of an act construing the forfeiture act with reference to certain settlers' claims within the limits of the Northern Pacific Railroad's general route; which was referred to the Committee on Public Lands.

He also presented a petition of the General Assembly of Colorado, praying for the passage of an act granting to that State all public lands except mineral lands in the State, for the purpose of aiding in the reclamation of irrigable lands by irrigation; which was referred to the Committee on Public Lands, and ordered to be printed.

He also presented a petition of the Legislature of Montana, praying for the removal of the mineral restrictions upon school lands and the extension of the term of leases; which was referred to the Committee on Public Lands, and ordered to be printed.

He also presented a petition of the General Assembly of Colorado, praying for a donation of part of the Fort Lyon reservation for a home for disabled soldiers; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also presented a petition of the Legislature of Montana, stating the services of Brig. Gen. John Gibbon, and praying that when he be retired from the Army it be with the pay of a major-general; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also presented a petition of the Legislature of California, praying for the passage of a bill to secure the prompt construction of the Nicaragua Canal; which was referred to the Committee on Foreign Relations, and ordered to be printed.

He also presented a series of resolutions adopted at a mass meeting of citizens of Salt Lake City, Utah, and delegates to the Irrigation Congress, extending thanks to Senator WILLIAM M. STEWART and Hon. Francis G. Newlands for their able presentation of the silver question, and pledging support in their efforts to secure the free and unlimited coinage of silver; which were referred to the Committee on Finance.

He also presented a memorial of the Legislature of Montana, requesting the Senators from that State to vote against the passage of the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Legislature of Colorado, remonstrating against the passage of the Conger lard bill and favoring the passage of the Paddock pure-food bill; which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions of the Board of Trade of New London, Conn., favoring the enactment of a law transferring the Revenue Marine Service to the Navy; which were referred to the Committee on Naval Affairs.

He also presented a petition of citizens of Grayville, Ill., praying for the removal of the charge of desertion which stands against the war record of Isaac Parratt, of Company G, Fifth Wisconsin Infantry; which was referred to the Committee on Military Affairs.

He also presented a petition urging the business importance of the passage of the Torrey bankruptcy bill, signed by members of the Master Builders' Exchange of Lowell, Mass.; which was referred to the Committee on the Judiciary.

He also presented a petition of the Ladies' Missionary Society of the First United Presbyterian Church of Kansas City, Mo., praying for the passage of a bill to prohibit the opening of exhibitions on the Sabbath; which was referred to the Committee on the Quadro-Centennial (Select).

SENATORS FROM IDAHO AND FLORIDA.

The VICE-PRESIDENT. The presentation of petitions and memorials is in order.

Mr. SHERMAN. It has been the general custom of the Senate, I believe, not to proceed to the presentation of petitions, the introduction of bills, and the like, until after the annual message is received from the President. I hope that that course will be pursued.

Mr. HOAR. I understand that there is a question before the Senate arising on the credentials of Mr. Dubois, claiming a seat from the State of Idaho. I suppose that under the rules of the Senate that is a question of the highest privilege and goes on until disposed of. I suggest, therefore, that that takes precedence of all other business.

The VICE-PRESIDENT. That is the understanding of the Chair. The Chair calls the attention of the Senator from Massachusetts to the fact that the case of Florida is first in order.

Mr. HOAR. I suppose that under the rule of the Senate, the case of Mr. Dubois being a case of credentials, he having a certificate from the executive of the State, would take precedence of all other business.

Mr. CULLOM. And the credentials were presented during the last session of the Senate.

Mr. HOAR. I do not make any point about that. Will the Chair be kind enough to have the rule of the Senate in regard to questions of credentials read for information? I have not referred to it lately.

The VICE-PRESIDENT. The rule will be read.

The Chief Clerk read as follows:

RULE VI.

PRESENTATION OF CREDENTIALS.

1. The presentation of the credentials of Senators elect and other questions of privilege shall always be in order, except during the reading and correction of the Journal, while a question of order or a motion to adjourn is pending, or while the Senate is dividing; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed of.

The VICE-PRESIDENT. The motion will now be read from the Journal.

The Chief Clerk read as follows:

Mr. HALE having objected to the oath of office being this day administered to Mr. Frederick T. Dubois, whose credentials as a Senator from the State of Idaho were heretofore presented,

Mr. CULLOM submitted a motion that the oath prescribed by law be administered to Mr. Dubois, and

Ordered, That the consideration of the motion be postponed to to-morrow.

Mr. CULLOM. I hope that that order will be carried out, and that Mr. Dubois will now be sworn in.

The VICE-PRESIDENT. The Chair hears no objection. The Senator elect from Idaho will come forward and receive the oath of office.

Mr. Dubois was escorted to the Vice-President's desk by Mr. SHOUP, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

Mr. HOAR. I now ask that the motion in the case of Mr. Call be taken up.

The VICE-PRESIDENT. The motion will be read from the Journal by the Chief Clerk.

The Chief Clerk read as follows:

On motion by Mr. HOAR that the oath prescribed by law be administered to Mr. Wilkinson Call as a Senator from the State of Florida,

Ordered, That the consideration of the motion be postponed until to-morrow.

Mr. HOAR. If that motion should be adopted by the Senate I give notice that I shall move that the credentials or other documents relating to the case of Mr. Davidson and Mr. Call be referred to the Committee on Privileges and Elections, with direction to report in regard to the same. It seems to me that there is a very strong case for administering the oath to Mr. Call at once, yet I think also that there should be a provision for hearing parties hereafter if there should be any claim that the Senate has acted unadvisedly.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

The VICE-PRESIDENT. The Senator elect from Florida will come forward and receive the oath of office.

Mr. Call was escorted to the Vice-President's desk by Mr. PASCO, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

Mr. HOAR. I move that the papers in regard to the claim of Mr. Robert H. M. Davidson to a seat in the Senate from the State of Florida now occupied by Mr. WILKINSON CALL be referred to the Committee on Privileges and Elections, with direction to investigate the matter and report to the Senate at an early day.

The VICE-PRESIDENT. The question is on agreeing to the motion made by the Senator from Massachusetts.

The motion was agreed to.

Mr. HALE. I move that the papers on file in relation to the contest in the State of Idaho by Mr. W. H. Clagett take the same course as that under the motion of the Senator from Massachusetts with reference to Mr. Davidson—that they be taken from the files and referred to the Committee on Privileges and Elections, which committee shall examine the case and report to the Senate at an early day.

The VICE-PRESIDENT. The question is on agreeing to the motion made by the Senator from Maine.

The motion was agreed to.

RECESS.

Mr. SHERMAN (at 12 o'clock and 30 minutes p. m.). I move that the Senate take a recess until 2 o'clock.

The motion was agreed to; and at the expiration of the recess (at 2 o'clock p. m.) the Senate resumed its session.

MESSAGE FROM THE HOUSE.

At 2 o'clock and 35 minutes p. m., Mr. KERR, the Clerk of the House of Representatives, appeared below the bar of the Senate and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has assembled; that CHARLES F. CRISP, a Representative from the State of Georgia, has been elected Speaker; that JAMES KERR, a citizen of the State of Pennsylvania, has been elected Clerk; and that the House is ready to proceed to business.

Also, that the House of Representatives has passed the following resolution:

Resolved, That a committee of three be appointed by the Speaker on the part of the House of Representatives, to join the committee appointed on the part of the Senate, to wait on the President of the United States and notify him that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication he may be pleased to make.

In accordance with the above, the Speaker announced the appointment of Mr. BLOUNT, Mr. BRECKINRIDGE of Kentucky, and Mr. REED as members of said committee.

ORDER OF BUSINESS.

The VICE-PRESIDENT. What is the further pleasure of the Senate?

Mr. SHERMAN. If the Senate choose, I think a recess might be taken for half an hour. The members of the committee on the part of the House of Representatives to wait upon the President have not yet presented themselves. I take it the Senate will probably prefer to conclude the proceeding to-day and have the message communicated from the President rather than wait until to-morrow or later on. If the Senate will take a recess, perhaps within half an hour the answer of the President may be returned.

Mr. HARRIS. I will state to the Senator from Ohio that I was informed a few moments since that the members of the House of Representatives are now engaged in drawing for seats, and it will probably take half an hour or an hour to complete it.

Mr. SHERMAN. I am told that is all completed so far as the three gentlemen whose names have been sent here are concerned, and they will probably be here in a few minutes.

Mr. HARRIS. It may be that they have drawn.

Mr. SHERMAN. However, I have no objection, if the Senate wishes to adjourn, to communicating with the President to-morrow.

Mr. HARRIS. If the committee will wait upon the President this evening it is not probable that at so late an hour as it would be he would likely communicate his message to the two Houses before to-morrow morning.

Mr. SHERMAN. What does the Senator from Tennessee suggest?

Mr. HARRIS. I am strongly inclined to think that the Senate might as well adjourn and let the committee perform its duty to-morrow morning. But of course I am perfectly content to take any course that the Senator from Ohio may choose to suggest under the circumstances.

Mr. SHERMAN. The trouble is, there might be some delay in getting the committee together in the morning, while all are in the building now, and I think the members of the House are expecting to come over at any moment.

RECESS.

The VICE-PRESIDENT. Does the Senator from Ohio submit a motion for a recess?

Mr. SHERMAN (at 2 o'clock and 40 minutes p. m.). I move that the Senate take a recess until 3 o'clock.

The motion was agreed to; and at the expiration of the recess the Senate resumed its session.

Mr. VOORHEES (at 3 o'clock and 19 minutes p. m.). The other House has just adjourned, and I suppose it is not worth while for us to remain here expecting a message from the President this afternoon. I rise for the purpose of moving that the Senate adjourn, unless some Senator on the other side of the Chamber thinks we should remain here for some other purpose. If not, I move that the Senate do now adjourn.

The VICE-PRESIDENT. The Senator from Indiana moves that the Senate do now adjourn.

The motion was agreed to; and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 9, 1891, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 8, 1891.*

The House met at 12 o'clock m., and was called to order by Mr. EDWARD MCPHERSON, Clerk of the House of Representatives of the Fifty-first Congress.

The CLERK. The Journal of the proceedings of yesterday will be read.

The reading of the Journal having been begun,

Mr. SPRINGER said: I ask unanimous consent to dispense with the reading of the Journal of yesterday, at least the formal parts.

The CLERK. By consent, the reading of the names of members present yesterday will be omitted. (There was no objection.) The remainder of the Journal will be read.

The reading of the Journal having been resumed and concluded,

The CLERK said: In the absence of objection the Journal as read will be approved.

There was no objection.

ELECTION OF SPEAKER.

The CLERK. There being obviously a quorum present, the Clerk is ready to receive any motion looking to the organization of the House.

Mr. HOLMAN. I desire to place in nomination for the office of Speaker Hon. CHARLES F. CRISP——

The CLERK. The Clerk desires to suggest that the regular proceeding would be first a motion to proceed to the election of Speaker.

Mr. HOLMAN. I move, Mr. Clerk, that the House proceed to the election of a Speaker.

A MEMBER. And other officers.

The CLERK. The election of a Speaker is first in order.

The motion of Mr. HOLMAN was agreed to.

The CLERK. Nominations for the office of Speaker are now in order.

Mr. HOLMAN. I place in nomination for Speaker of the House of Representatives of the Fifty-second Congress Hon. CHARLES F. CRISP, a Representative from the State of Georgia. [Applause on the Democratic side.]

Mr. HENDERSON of Illinois. I place in nomination for the same office Hon. THOMAS B. REED, a Representative elect from the State of Maine. [Applause on the Republican side.]

Mr. SIMPSON. I place in nomination for Speaker of the House of Representatives of the Fifty-second Congress Hon. THOMAS E. WATSON, a Representative from the State of Georgia.

There being no further nominations,

The CLERK said: The Clerk requests Mr. OUTHWAITE of Ohio, Mr. HENDERSON of Illinois, Mr. OATES of Alabama, and Mr. SIMPSON of Kansas to act as tellers. The roll will now be called; and each member as his name is reached will announce his choice for the office of Speaker. The tellers will please take their places.

The tellers having taken their places, the roll was called, with the following result:

For CHARLES F. CRISP, of Georgia, 228; for THOMAS B. REED, of Maine, 83; for THOMAS E. WATSON, of Georgia, 8; not voting, 12; as follows:

FOR CRISP—228.

Abbott,	Coolidge,	Hooker, Miss.	Patton,
Alderson,	Coombs,	Houk, Ohio	Paynter,
Alexander,	Cooper,	Johnson, Ohio	Pearson,
Allen,	Covert,	Johnstone, S. C.	Peel,
Amerman,	Cowles,	Jones,	Pendleton,
Andrew,	Cox, N. Y.	Kendall,	Pierce,
Arnold,	Cox, Tenn.	Kilgore,	Price,
Babbitt,	Crain,	Kribbs,	Rayner,
Bacon,	Crawford,	Kyle,	Reilly,
Bailey,	Crosby,	Lagan,	Richardson,
Bankhead,	Culberson,	Lane,	Robertson, La.
Barwig,	Cummings,	Lanham,	Rockwell,
Beeman,	Daniell,	Lapham,	Rusk,
Beltzhoover,	De Armond,	Lawson, Va.	Sayers,
Bentley,	De Forest,	Lawson, Ga.	Scott,
Blanchard,	Dickerson,	Layton,	Seerley,
Bland,	Dixon,	Lester, Va.	Shell,
Blount,	Dockery,	Lester, Ga.	Shively,
Boatner,	Donovan,	Lewis,	Snodgrass,
Bowman,	Dungan,	Little,	Snow,
Branch,	Dunphy,	Livingston,	Sperry,
Brawley,	Durborow,	Lockwood,	Springer,
Breckinridge, Ark.	Edmunds,	Long,	Stackhouse,
Breckinridge, Ky.	Elliott,	Lynch,	Stahlnecker,
Bretz,	Ellis,	Magner,	Stevens,
Brickner,	English,	Mallory,	Steward, Ill.
Brookshire,	Enloe,	Mansur,	Stewart, Tex.
Brown,	Epes,	Martin,	Stockdale,
Brunner,	Everett,	McAleer,	Stone, Ky.
Bryan,	Fellows,	McClellan,	Stout,
Bullock,	Fitch,	McCreary,	Stump,
Bunn,	Fithian,	McDonald,	Tarsney,
Bunting,	Forman,	McGann,	Terry,
Busey,	Forney,	McKaig,	Tillman,
Bushnell,	Fowler,	McKinney,	Tracey,
Butler,	Gantz,	McMillin,	Tucker,
Bynum,	Geary,	McRae,	Turner,
Byrnes,	Geissenhainer,	Meyer,	Turpin,
Cable,	Gillespie,	Miller,	Van Horn,
Cadmus,	Goodnight,	Mills,	Warner,
Caminetti,	Gorman,	Mitchell,	Warwick,
Campbell,	Grady,	Montgomery,	Washington,
Capehart,	Greenleaf,	Moore,	Weadock,
Caruth,	Hall,	Moses,	Wheeler, Mich.
Castle,	Hallowell,	Mutchler,	Wheeler, Ala.
Catchings,	Hamilton,	Newberry,	White,
Cate,	Hare,	Norton,	Whiting,
Causey,	Harries,	Oates,	Wike,
Chapin,	Harter,	O'Ferrall,	Willcox,
Chipman,	Hatch,	O'Neill, Mo.	Williams, N. C.
Clancy,	Hayes,	Outhwaite,	Williams, Ill.
Clarke, Ala.	Haynes,	Owens,	Wilson, Mo.
Cobb, Ala.	Heard,	Page, R. I.	Wilson, W. Va.
Cobb, Mo.	Hemphill,	Page, Md.	Winn,
Coburn,	Henderson, N. C.	Parrett,	Wise,
Cockran,	Herbert,	Patterson, Tenn.	Wolverton,
Compton,	Holman,	Pattison, Ohio	Youmans.

FOR REED—83.

Atkinson,	Enochs,	Lodge,	Shonk,
Belden,	Flick,	Loud,	Smith,
Belknap,	Funston,	McKenna,	Stephenson,
Bergen,	Griswold,	Milliken,	Stuart, Pa.
Bingham,	Grout,	Morse,	Stone, C. W.
Boutelle,	Haugen,	O'Donnell,	Stone, W. A.
Bowers,	Henderson, Iowa	O'Neil, Pa.	Storer,
Broderick,	Henderson, Ill.	Payne,	Sweet,
Brosius,	Hermann,	Perkins,	Taylor, Ill.
Buchanan, N. J.	Hitt,	Pickler,	Taylor, Tenn.
Burrows,	Hooker, N. Y.	Post,	Taylor, E. B.
Caldwell,	Hopkins, Pa.	Powers,	Taylor, J. D.
Cheatham,	Hopkins, Ill.	Quackenbush,	Taylor, V. A.
Clark, Wyo.	Houk, Tenn.	Raines,	Townsend,
Cogswell,	Huff,	Randall,	Wadsworth,
Curtis,	Hull,	Ray,	Walker,
Cutting,	Johnson, Ind.	Reyburn,	Waugh,
Dalzell,	Johnson, N. Dak.	Rife,	Wever,
Dingley,	Jolley,	Robinson, Pa.	Wilson, Wash.
Doan,	Ketcham,	Russell,	Wright.
Dolliver,	Lind,	Scull,	

FOR WATSON—8.

Baker,	Davis,	Kem,	Otis,
Clover,	Halvorsen,	McKeighan,	Simpson.

NOT VOTING—12.

Bartine,	Fyan,	O'Neil, Mass.	Watson,
Buchanan, Va.	Harmer,	Reed,	Williams, Mass.
Crisp,	Hoar,	Sanford,	Wilson, Ky.

The Clerk proceeded to recapitulate the vote.

Mr. KILGORE. Mr. Clerk, I ask unanimous consent that we dispense with the recapitulation of this vote.

The CLERK. The Clerk would suggest to the gentleman from Texas that this is an extremely important vote, and perhaps to avoid confusion the names had better be read.

Mr. KILGORE. Very well.

Mr. BLAND. Regular order.

The Clerk resumed and concluded the recapitulation of the vote.

Mr. O'FERRALL. Mr. Clerk, I desire to state that my colleague, Mr. BUCHANAN, is detained from his seat by reason of sickness. If he were present he would vote for Mr. CRISP for Speaker.

Mr. BLAND. My colleague, Mr. FYAN, is also absent on account of sickness.

Mr. OUTHWAITE (one of the tellers). Mr. Clerk, on behalf of the tellers appointed to canvass the vote cast for Speaker of the House of Representatives of the Fifty-second Congress, I have the honor to report that CHARLES F. CRISP, of Georgia, has received, of the total number of votes cast, 228; THOMAS B. REED, of Maine, has received 83 votes, and THOMAS E. WATSON, of Georgia, has received 8 votes.

The CLERK. The tellers report that they agree in their tally, that the Hon. CHARLES F. CRISP, of the State of Georgia, has received 228 votes for Speaker; that THOMAS B. REED, of Maine, has received 83 votes, and THOMAS E. WATSON, of Georgia, has received 8 votes. Hon. CHARLES F. CRISP, of Georgia, having received a majority of all the votes cast, is declared duly elected Speaker of the House of Representatives for the Fifty-second Congress. [Loud and prolonged applause.]

The gentleman from Texas, Mr. MILLS, and the gentleman from Maine, Mr. REED, will please escort the Speaker elect to the chair; and the gentleman from Indiana, Mr. HOLMAN, will administer to him the oath of office.

Mr. MILLS and Mr. REED escorted the Speaker elect to the chair, amid applause and cheers on the floor of the House and in the galleries.

The SPEAKER. Gentlemen of the House of Representatives, for the great honor you have conferred upon me I return you heartfelt thanks.

I shall endeavor to discharge the duties of the office of Speaker with courtesy, with firmness, and with absolute impartiality. [Applause.] Let us unite in the hope that our labors here may result in the advancement of the prosperity, the honor, and the glory of our beloved country. [Loud applause.]

I am now ready to take the oath of office, and request the gentleman from Indiana, Mr. HOLMAN, to administer it.

The oath of office was then administered to the Speaker elect by Mr. HOLMAN of Indiana.

PRAYER.

The SPEAKER. The Chaplain of the last House will now offer prayer.

The Rev. Dr. MILBURN offered the following prayer:

Almighty and Eternal God, in whose hand our breath is, and whose are all our ways. We render Thee devout and hearty thanks that Thou hast brought so many of the Representatives of the people to the halls of this time-honored Capitol, consecrated by the memory of so many patriots, sages, heroes, and statesmen. Breathe into the soul of every man upon this floor a solemn sense of the lofty trust confided to him to maintain the Constitution, the dignity of the Republic, the honor, safety, and welfare of every citizen, the humblest tiller of the soil, the worker in the mine, at the forge, and in the mill, as well as the rich and prosperous.

Endue these Thy servants with largeness of mind, kindliness of temper, catholicity and hospitality of spirit, with courage and devotion to the interests of their constituents and of the whole country.

Grant Thy blessing to Thy servant, the Speaker of the House, who has just taken his oath of office. Uphold him and every member of the House. Keep them in safety, health, and peace, and enable them to so discharge the duties of their trust as that the country may say, "Well done, good and faithful servants," and that the welfare of the nation shall be prospered and carried forward by their labors.

And to Thy name, O Father, shall be all the honor and glory. Through Jesus Christ, our Lord. Amen.

SWEARING IN OF MEMBERS.

The SPEAKER then proceeded to administer the oath of office, the Members and Delegates elect presenting themselves in front of the Speaker's chair as their names were called by States and Territories, and taking the oath of office prescribed by law.

CHANGES IN THE ROLL OF MEMBERSHIP.

The SPEAKER. The Clerk hands to the Speaker a list of changes in the roll of members elect, some of whom have died or resigned since their election, and their places having been

filled by subsequent election. This list will be printed in the RECORD.

The list of changes is as follows:

List of changes since the election of the Fifty-second House of Representatives.

District.	Name.	Date of vacancy.	Name of successor.
		1891.	
Tenth New York	Francis B. Spinola*	Apr. 13	W. Bourke Cockran.‡
Fifth Michigan	Melbourne H. Ford*	Apr. 20	Charles E. Belknap.‡
Second Tennessee	Leonidas C. Houk*	May 25	John C. Houk.
South Dakota	John R. Gamble*	Aug. 14	John L. Jolley.
Twenty-second New York	Leslie W. Russell†	Sept. 11	Newton M. Curtis.
Twelfth New York	Roswell P. Flower†	Sept. 16	Joseph J. Little.
Second New York	David A. Boody†	Oct. 13	Alfred C. Chapin.
Eighth Virginia	William H. F. Lee*	Oct. 15	

* Died. † Resigned. ‡ In a former Congress.

ELECTION OF CLERK AND OTHER OFFICERS.

Mr. HOLMAN. Mr. Speaker, I move the adoption of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That James Kerr, of the State of Pennsylvania, be, and is hereby, elected Clerk of the House of Representatives of the Fifty-second Congress;

That Samuel S. Yoder, of the State of Ohio, be, and is hereby, elected Sergeant-at-Arms of the House of Representatives of the Fifty-second Congress;

That Charles H. Turner, of the State of New York, be, and is hereby, elected Doorkeeper of the House of Representatives of the Fifty-second Congress; and

That Lycurgus Dalton, of the State of Indiana, be, and is hereby, elected Postmaster of the House of Representatives of the Fifty-second Congress.

Mr. HENDERSON of Illinois. Mr. Speaker, I offer the following amendment to the resolution just read, by way of substitute, which I ask the Clerk to read.

The Clerk read as follows:

Amend by striking out all after the word "*Resolved*," and insert the following:

"That Edward McPherson, of the State of Pennsylvania, be, and is hereby, elected Clerk of the House of Representatives of the Fifty-second Congress;

"That Adoniram J. Holmes, of the State of Iowa, be, and is hereby, elected Sergeant-at-Arms of the House of Representatives of the Fifty-second Congress;

"That Charles W. Adams, of the State of Maryland, be, and is hereby, elected Doorkeeper of the House of Representatives of the Fifty-second Congress;

"That James W. Hathaway, of the State of Montana, be, and is hereby, elected Postmaster of the House of Representatives of the Fifty-second Congress;

"That Charles B. Ramsdell, of the city of Washington, D. C., be, and is hereby, elected Chaplain of the House of Representatives of the Fifty-second Congress."

The SPEAKER. The gentleman from Indiana [Mr. HOLMAN] makes a motion, to which the gentleman from Illinois [Mr. HENDERSON] submits a substitute. The question will be first upon the substitute offered by the gentleman from Illinois

The substitute was disagreed to.

The SPEAKER. The question is now upon the original resolution offered by the gentleman from Indiana [Mr. HOLMAN].

The resolution was agreed to.

Mr. SPRINGER. Mr. Speaker, I desire to offer the following resolution——

The SPEAKER. The Chair requests the gentleman from Illinois [Mr. SPRINGER] to suspend until the oath of office is administered to the officers elect.

Mr. SPRINGER. The resolution which I wish to offer is in regard to the Chaplain of the House of Representatives.

The SPEAKER. The resolution will be reported.

The Clerk read as follows:

Resolved, That the Rev. William H. Milburn, of the State of Illinois, be, and is hereby, elected Chaplain of the House of Representatives of the Fifty-second Congress.

The resolution was agreed to.

The oath of office was then administered by the Speaker to the several officers elect of the House of Representatives of the Fifty-second Congress.

NOTIFICATION OF THE PRESIDENT OF THE UNITED STATES.

Mr. MCMILLIN. I offer the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected CHARLES F. CRISP, a Representative from the State of Georgia, Speaker, and James Kerr, a citizen of the State of Pennsylvania, the Clerk of the House of Representatives of the Fifty-second Congress.

The resolution was agreed to.

Mr. BLOUNT. Mr. Speaker, I move the adoption of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That a committee of three be appointed by the Speaker, on the part of the House of Representatives, to join the committee appointed on the part of the Senate to wait on the President of the United States, and notify him that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication he may be pleased to make.

The resolution was agreed to; and the Speaker appointed as such committee Mr. BLOUNT, Mr. MILLS, and Mr. REED.

Subsequently the Speaker said:

If the House will indulge the Chair for one moment, the Chair desires to say that he is informed by the gentleman from Texas [Mr. MILLS] that it is impossible for him to act on the committee to notify the President; and the Chair appoints in the place of the gentleman from Texas [Mr. MILLS] the gentleman from Kentucky [Mr. BRECKINRIDGE].

DRAWING OF SEATS.

Mr. OUTHWAITE. I offer the following resolution, which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the House do now proceed to draw seats for Members and Delegates for the present Congress, in pursuance of Rule XXXII of the last House, and that when the names of absent members are called seats be selected for them by colleagues.

COMMITTEE ON RULES, ETC.

Mr. SPRINGER. Mr. Speaker, I hope the gentleman will withdraw that for one moment. I desire to offer a resolution which is in order at the present time.

Mr. OUTHWAITE. Let it be withdrawn for a moment.

Mr. SPRINGER. I desire to offer the following resolution:

Resolved, That the Speaker appoint a Committee on Rules, on Accounts, on Enrolled Bills, and on Mileage, each to consist of the same number of members as is provided for by the rules of the Fiftieth Congress, and that the rules of the Fiftieth Congress be referred to the Committee on Rules.

The resolution was agreed to.

Mr. HOLMAN. Mr. Speaker——

Mr. HATCH. Mr. Speaker——

Mr. OUTHWAITE. I yield to the gentleman from Indiana [Mr. HOLMAN].

HOUR OF DAILY MEETING.

Mr. HOLMAN. I move the adoption of the resolution which I ask the Clerk to read.

The Clerk read as follows:

Resolved, That until otherwise ordered the daily hour of meeting of the House of Representatives shall be at 12 o'clock m.

The resolution was agreed to.

NOTIFICATION OF THE SENATE.

Mr. HATCH. I offer the following resolution:

Resolved, That a message be sent to the Senate, to inform that body that a quorum of the House of Representatives has assembled; that CHARLES F. CRISP, a Representative from the State of Georgia, has been elected Speaker; that JAMES KERR, a citizen of the State of Pennsylvania, has been elected Clerk; and that the House is ready to proceed to business.

The resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that a quorum of the Senate had assembled, and that the Senate was ready to proceed to business.

The message further announced that a committee consisting of two members had been appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication that he may be pleased to make; and that Mr. SHERMAN and Mr. HARRIS had been appointed on the part of the Senate.

DRAWING OF SEATS.

Mr. OUTHWAITE. Mr. Speaker, I wish to amend the resolution I offered so as to read: "Members absent from the city and on account of illness."

The SPEAKER. The Clerk will read the resolution as modified by the gentleman from Ohio.

The Clerk read as follows:

Resolved, That the House do now proceed to draw seats for Members and Delegates for the present Congress, in pursuance of Rule XXXII of the last House, and that when the names of members absent from the city or on account of sickness are called seats be selected for them by colleagues.

Mr. HERMANN. I will ask the gentleman from Ohio to modify his resolution so that those who may have been requested to draw seats for absent members may be permitted to do so. I have a case of that kind.

Mr. OUTHWAITE. That will be considered as being within the scope of the resolution.

The question was taken on the resolution, and it was agreed to.

Mr. BLOUNT. Mr. Speaker, I beg leave to make a statement to the House. An informal conference between members on both sides of the House has resulted in a suggestion which will be acceptable to members on both sides—that in the drawing of seats this side of the House will take the seats on this side of the

aisle and the first block of seats on the right-hand side of the aisle, or opposite, that the Republicans will take the two next blocks of seats, and the remaining seats will be selected as gentlemen may choose on drawing.

The SPEAKER. The Clerk will now read the rule under which the drawing will proceed.

The Clerk read as follows:

RULE XXXII.

1. At the commencement of each Congress, immediately after the Members and Delegates are sworn in, the Clerk shall place in a box prepared for that purpose a number of small balls of marble or other material equal to the number of Members and Delegates, which balls shall be consecutively numbered and thoroughly intermingled, and at such hour as shall be fixed by the House for that purpose, by the hands of a page, draw said balls one by one from the box and announce the number as it is drawn, upon which announcement the Member or Delegate whose name on a numbered alphabetical list shall correspond with the number on the ball shall advance and choose his seat for the term for which he is elected.

2. Before said drawing shall commence each seat shall be vacated and so remain until selected under this rule, and any seat having been selected shall be deemed forfeited if left unoccupied before the call of the roll is finished, and whenever the seats of Members and Delegates shall have been drawn no proposition for a second drawing shall be in order during that Congress.

Mr. OUTHWAITE. Before proceeding further I ask unanimous consent that ex-Speakers of the House be permitted to select any seats they please.

The SPEAKER. The gentleman from Ohio asks unanimous consent that ex-Speakers who are members of this House be permitted to select their seats before the drawing.

Mr. OATES. Mr. Speaker, I object.

Mr. BLOUNT. I move a resolution to that effect, which I will send to the Clerk's desk.

Mr. BOUTELLE. We will take care of the matter on this side of the House.

Mr. OUTHWAITE. I make that suggestion, because it is the custom, without any breach so far as I know.

Mr. BLAND. I hope the objection will be withdrawn.

Mr. BLOUNT. Then I move that ex-Speakers who are members of this House be permitted to select their seats before the drawing takes place.

Mr. BRECKINRIDGE of Kentucky. I would suggest an addition, which has always been agreed to—that the oldest member, who by courtesy is termed "the father of the House," have the same privilege.

Mr. OUTHWAITE. On each side.

The SPEAKER. The Chair will state to the House that there is a resolution on the Clerk's desk which was prepared by the gentleman from Georgia [Mr. BLOUNT], which proposes to cover both cases, and if there be no objection it will be read by the Clerk.

There was no objection.

The Clerk read as follows:

Resolved, That all ex-Speakers of the House of Representatives, duly elected members of the Fifty-second Congress, and that all Representatives in said Congress who have been elected to fourteen Congresses, shall be called first in the order of their service and allowed to select their respective seats before the regular drawing for seats commences.

The SPEAKER. The Chair suggests that that covers the ex-Speaker, the gentleman from Indiana [Mr. HOLMAN] on the one side, and the gentleman from Pennsylvania [Mr. O'NEILL] on the other. [Cries of "Vote!"]

The question was taken, and the resolution was agreed to.

The SPEAKER. The Chair desires to state to members of the House that there has heretofore been some complaint in respect to this drawing which the Chair thinks can be obviated in this way, that when a member's name is called and until he comes forward and takes his seat no other name be called. [Cries of "That is right!"] Sometimes the rapidity with which the names are called militates really against the object and purpose of the rule, which is that when a gentleman's name is called he can select any unoccupied seat. The Chair will therefore direct the Clerk to call the roll in such a manner that until a gentleman called is seated no other name on the roll shall be called. The Clerk will now call the names of the gentlemen excepted by the resolution.

The names of Mr. REED, Mr. O'NEILL of Pennsylvania, and Mr. HOLMAN were then called, and they selected their seats.

The drawing was then proceeded with, commencing at 1:50 p. m. and concluding at 3:15 p. m., the name of Mr. WHEELER of Michigan being first called and that of Mr. PARRETT being last called.

The SPEAKER. The order of the House under the resolution has been executed.

Mr. DINGLEY. Mr. Speaker, I desire to inform the Chair that I think my name has not been called.

The SPEAKER. The Clerk reports that the gentleman's name was called, and was checked as "called" on the list.

Mr. DINGLEY. I can only say, Mr. Speaker, that I was attending closely to the call and did not hear my name, nor did other gentlemen near me.

The Clerk called Mr. DINGLEY'S name.

The House then, on motion of Mr. SPRINGER (at 3 o'clock and 30 minutes p. m.), adjourned.

SENATE.

WEDNESDAY, *December 9, 1891.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

NOTIFICATION TO THE PRESIDENT.

Mr. SHERMAN and Mr. HARRIS, the committee appointed, in conjunction with a similar committee of the House of Representatives, to wait upon the President of the United States, appeared below the bar, and

Mr. SHERMAN said: Mr. President, the committee on behalf of the two Houses appointed to wait upon the President of the United States, and to inform him that a quorum of the two Houses is present, and that Congress is ready to receive any communication he may be pleased to make, have performed their duty, and are advised that the President will communicate to the two Houses immediately in writing.

PRESIDENT'S ANNUAL MESSAGE.

At 12 o'clock and 15 minutes p. m., Mr. O. L. PRUDEN, one of the secretaries of the President of the United States, appeared below the bar and said:

Mr. President, I am directed by the President of the United States to deliver to the Senate a message in writing.

The message was received from the secretary and handed to the Vice-President.

The VICE-PRESIDENT. The Chair lays before the Senate the annual message of the President of the United States, which the Secretary will read.

The Secretary of the Senate (Mr. ANSON G. MCCOOK) read the message, as follows:

To the Senate and House of Representatives:

The reports of the heads of the several Executive Departments, required by law to be submitted to me, which are herewith transmitted, and the reports of the Secretary of the Treasury and the Attorney-General, made directly to Congress, furnish a comprehensive view of the administrative work of the last fiscal year relating to internal affairs. It would be of great advantage if these reports could have an attentive perusal by every member of Congress and by all who take an interest in public affairs. Such a perusal could not fail to excite a higher appreciation of the vast labor and conscientious effort which are given to the conduct of our civil administration.

The reports will, I believe, show that every question has been approached, considered, and decided from the standpoint of public duty and upon considerations affecting the public interests alone. Again I invite to every branch of the service the attention and scrutiny of Congress.

The work of the State Department during the last year has been characterized by an unusual number of important negotiations and by diplomatic results of a notable and highly beneficial character. Among these are the reciprocal trade arrangements which have been concluded, in the exercise of the powers conferred by section 3 of the tariff law, with the Republic of Brazil, with Spain for its West India possessions, and with San Domingo. Like negotiations with other countries have been much advanced, and it is hoped that before the close of the year further definitive trade arrangements of great value will be concluded.

In view of the reports which had been received as to the diminution of the seal herds in the Bering Sea I deemed it wise to propose to Her Majesty's Government in February last that an agreement for a closed season should be made, pending the negotiations for arbitration which then seemed to be approaching a favorable conclusion. After much correspondence, and delays for which this Government was not responsible, an agreement was reached and signed on the 15th of June, by which Great Britain undertook, from that date and until May 1, 1892, to prohibit the killing by her subjects of seals in the Bering Sea, and the Government of the United States, during the same period, to enforce its existing prohibition against pelagic sealing and to limit the catch by the Fur Seal Company upon the islands to 7,500 skins. If this agreement could have been reached earlier, in response to the strenuous endeavors of this Government, it would have been more effective; but, coming even as late as it did, it unquestionably resulted in greatly diminishing the destruction of the seals by the Canadian sealers.

In my last annual message I stated that the basis of arbitration proposed by Her Majesty's Government for the adjustment of the long-pending controversy as to the seal fisheries was not accept-

able. I am glad now to be able to announce that terms satisfactory to this Government have been agreed upon and that an agreement as to the arbitrators is all that is necessary to the completion of the convention. In view of the advanced position which this Government has taken upon the subject of international arbitration, this renewed expression of our adherence to this method for the settlement of disputes such as have arisen in the Bering Sea will, I doubt not, meet with the concurrence of Congress.

Provision should be made for a joint demarcation of the frontier line between Canada and the United States, wherever required by the increasing border settlements, and especially for the exact location of the water boundary in the straits and rivers.

I should have been glad to announce some favorable disposition of the boundary dispute between Great Britain and Venezuela, touching the western frontier of British Guiana, but the friendly efforts of the United States in that direction have thus far been unavailing. This Government will continue to express its concern at any appearance of foreign encroachment on territories long under the administrative control of American states. The determination of a disputed boundary is easily attainable by amicable arbitration, where the rights of the respective parties rest, as here, on historic facts, readily ascertainable.

The law of the last Congress providing a system of inspection for our meats intended for export and clothing the President with power to exclude foreign products from our market in case the country sending them should perpetuate unjust discriminations against any product of the United States placed this Government in a position to effectively urge the removal of such discriminations against our meats. It is gratifying to be able to state that Germany, Denmark, Italy, Austria, and France, in the order named, have opened their ports to inspected American pork products. The removal of these restrictions in every instance was asked for and given solely upon the ground that we have now provided a meat inspection that should be accepted as adequate to the complete removal of the dangers, real or fancied, which had been previously urged. The State Department, our ministers abroad, and the Secretary of Agriculture have coöperated with unflagging and intelligent zeal for the accomplishment of this great result. The outlines of an agreement have been reached with Germany, looking to equitable trade concessions in consideration of the continued free importation of her sugars, but the time has not yet arrived when this correspondence can be submitted to Congress.

The recent political disturbances in the Republic of Brazil have excited regret and solicitude. The information we possessed was too meager to enable us to form a satisfactory judgment of the causes leading to the temporary assumption of supreme power by President Fonseca; but this Government did not fail to express to him its anxious solicitude for the peace of Brazil and for the maintenance of the free political institutions which had recently been established there, nor to offer our advice that great moderation should be observed in the clash of parties and the contest for leadership. These counsels were received in the most friendly spirit, and the latest information is that constitutional government has been reëstablished without bloodshed.

The lynching at New Orleans in March last of eleven men of Italian nativity by a mob of citizens was a most deplorable and discreditable incident. It did not, however, have its origin in any general animosity to the Italian people, nor in any disrespect to the Government of Italy, with which our relations were of the most friendly character. The fury of the mob was directed against these men as the supposed participants or accessories in the murder of a city officer. I do not allude to this as mitigating in any degree this offense against law and humanity, but only as affecting the international questions which grew out of it. It was at once represented by the Italian minister that several of those whose lives had been taken by the mob were Italian subjects, and a demand was made for the punishment of the participants and for an indemnity to the families of those who were killed. It is to be regretted that the manner in which these claims were presented was not such as to promote a calm discussion of the questions involved; but this may well be attributed to the excitement and indignation which the crime naturally evoked. The views of this Government as to its obligations to foreigners domiciled here were fully stated in the correspondence, as well as its purpose to make an investigation of the affair with a view to determine whether there were present any circumstances that could, under such rules of duty as we had indicated, create an obligation upon the United States. The temporary absence of a minister plenipotentiary of Italy at this capital has retarded the further correspondence, but it is not doubted that a friendly conclusion is attainable.

Some suggestions growing out of this unhappy incident are worthy the attention of Congress. It would, I believe, be entirely competent for Congress to make offenses against the treaty rights of foreigners domiciled in the United States cognizable in the Federal courts. This has not, however, been done, and the Federal officers and courts have no power in such cases to intervene either for the protection of a foreign citizen or for the punishment of his slayers. It seems to me to follow, in this state of the law, that the officers of the State charged with police and judicial powers in such cases must, in the consideration of international questions growing out of such incidents, be regarded in such sense as Federal agents as to make this Government answerable for their acts in cases where it would be answerable if the United States had used its constitutional power to define and punish crimes against treaty rights.

The civil war in Chile, which began in January last, was continued, but fortunately with infrequent and not important armed collisions, until August 28, when the Congressional forces landed near Valparaiso and, after a bloody engagement, captured that city. President Balmaceda at once recognized that his cause was lost, and a provisional government was speedily established by the victorious party. Our minister was promptly directed to recognize and put himself in communication with this Government so soon as it should have established its *de facto* character, which was done. During the pendency of this civil contest frequent indirect appeals were made to this Government to extend belligerent rights to the insurgents and to give audience to their representatives. This was declined, and that policy was pursued throughout which this Government, when wrenched by civil war, so strenuously insisted upon on the part of European nations. The Itata, an armed vessel commanded by a naval officer of the insurgent fleet, manned by its sailors and with soldiers on board, was seized under process of the United States court at San Diego, Cal., for a violation of our neutrality laws. While in the custody of an officer of the court the vessel was forcibly wrested from his control and put to sea. It would have been inconsistent with the dignity and self-respect of this Government not to have insisted that the Itata should be returned to San Diego to abide the judgment of the court. This was so clear to the Junta of the Congressional party, established at Iquique, that, before the arrival of the Itata at that port, the secretary of foreign relations of the Provisional Government addressed to Rear-Admiral Brown, commanding the United States naval forces, a communication from which the following is an extract:

> The Provisional Government has learned by the cablegrams of the Associated Press that the transport Itata, detained in San Diego by order of the United States for taking on board munitions of war, and in possession of the marshal, left the port, carrying on board this official, who was landed at a point near the coast, and then continued her voyage. * * * If this news be correct this Government would deplore the conduct of the Itata, and, as an evidence that it is not disposed to support or agree to the infraction of the laws of the United States, the undersigned takes advantage of the personal relations you have been good enough to maintain with him since your arrival in this port to declare to you that as soon as she is within reach of our orders his Government will put the Itata, with the arms and munitions she took on board in San Diego, at the disposition of the United States.

A trial in the district court of the United States for the southern district of California has recently resulted in a decision holding, among other things, that, inasmuch as the Congressional party had not been recognized as a belligerent, the acts done in its interest could not be a violation of our neutrality laws. From this judgment the United States has appealed, not that the condemnation of the vessel is a matter of importance, but that we may know what the present state of our law is; for, if this construction of the statute is correct, there is obvious necessity for revision and amendment.

During the progress of the war in Chile this Government tendered its good offices to bring about a peaceful adjustment, and it was at one time hoped that a good result might be reached; but in this we were disappointed.

The instructions to our naval officers and to our minister at Santiago, from the first to the last of this struggle, enjoined upon them the most impartial treatment and absolute noninterference. I am satisfied that these instructions were observed and that our representatives were always watchful to use their influence impartially in the interest of humanity, and, on more than one occasion, did so effectively. We could not forget, however, that this Government was in diplomatic relations with the then established Government of Chile, as it is now in such relations with the successor of that Government. I am quite sure that President Montt, who has, under circumstances of promise for the peace of Chile, been installed as President of that Republic, will not desire that, in the unfortunate event of any revolt against his authority, the policy of this Government should be other than that which we have recently observed. No official complaint of the conduct of our minister or of our naval officers during the struggle has been presented to this Government; and it is a matter of regret that so many of our own people should have given ear to unofficial charges and complaints that manifestly had their origin in rival interests and in a wish to pervert the relations of the United States with Chile.

The collapse of the government of Balmaceda brought about a condition which is unfortunately too familiar in the history of the Central and South American States. With the overthrow of the Balmaceda government he and many of his councilors and officers became at once fugitives for their lives and appealed to the commanding officers of the foreign naval vessels in the harbor of Valparaiso and to the resident foreign ministers at Santiago for asylum. This asylum was freely given, according to my information, by the naval vessels of several foreign powers and by several of the legations at Santiago. The American minister, as well as his colleagues, acting upon the impulses of humanity, extended asylum to political refugees whose lives were in peril. I have not been willing to direct the surrender of such of these persons as are still in the American legation without suitable conditions.

It is believed that the Government of Chile is not in a position, in view of the precedents with which it has been connected, to broadly deny the right of asylum, and the correspondence has not thus far presented any such denial. The treatment of our minister for a time was such as to call for a decided protest, and it was very gratifying to observe that unfriendly measures, which were undoubtedly the result of the prevailing excitement, were at once rescinded or suitably relaxed.

On the 16th of October an event occurred in Valparaiso so serious and tragic in its circumstances and results as to very justly excite the indignation of our people and to call for prompt and decided action on the part of this Government. A considerable number of the sailors of the United States steamship Baltimore, then in the harbor at Valparaiso, being upon shore leave and unarmed, were assaulted by armed men nearly simultaneously in different localities in the city. One petty officer was killed outright and seven or eight seamen were seriously wounded, one of whom has since died. So savage and brutal was the assault that several of our sailors received more than two and one as many as eighteen stab wounds. An investigation of the affair was promptly made by a board of officers of the Baltimore, and their report shows that these assaults were unprovoked, that our men were conducting themselves in a peaceable and orderly manner, and that some of the police of the city took part in the assault and used their weapons with fatal effect, while a few others, with some well-disposed citizens, endeavored to protect our men. Thirty-six of our sailors were arrested, and some of them, while being taken to prison, were cruelly beaten and maltreated. The fact that they were all discharged, no criminal charge being lodged against any one of them, shows very clearly that they were innocent of any breach of the peace.

So far as I have yet been able to learn no other explanation of this bloody work has been suggested than that it had its origin in hostility to these men as sailors of the United States, wearing the uniform of their Government, and not in any individual act or personal animosity. The attention of the Chilean Government was at once called to this affair, and a statement of the facts obtained by the investigation we had conducted was submitted, accompanied by a request to be advised of any other or qualifying facts in the possession of the Chilean Government that might tend to relieve this affair of the appearance of an insult to this Government. The Chilean Government was also advised that if such qualifying facts did not exist this Government would confidently expect full and prompt reparation.

It is to be regretted that the reply of the secretary for foreign affairs of the Provisional Government was couched in an offensive tone. To this no response has been made. This Government is now awaiting the result of an investigation which has been conducted by the criminal court at Valparaiso. It is reported unofficially that the investigation is about completed, and it is expected that the result will soon be communicated to this Government, together with some adequate and satisfactory response to the note by which the attention of Chile was called to this incident. If these just expectations should be disappointed or further needless delay intervene, I will, by a special message, bring this matter again to the attention of Congress for such action as may be necessary. The entire correspondence with the Government of Chile will at an early day be submitted to Congress.

I renew the recommendation of my special message, dated January 16, 1890, for the adoption of the necessary legislation to enable this Government to apply in the case of Sweden and Norway the same rule in respect to the levying of tonnage dues as was claimed and secured to the shipping of the United States in 1828 under article 8 of the treaty of 1827.

The adjournment of the Senate without action on the pending acts for the suppression of the slave traffic in Africa and for the reform of the revenue tariff of the Independent State of the Congo left this Government unable to exchange those acts on the date fixed, July 2, 1891. A *modus vivendi* has been concluded by which the power of the Congo State to levy duties on imports is left unimpaired, and, by agreement of all the signatories to the general slave-trade act, the time for the exchange of ratifications on the part of the United States has been extended to February 2, 1892.

The late outbreak against foreigners in various parts of the Chinese Empire has been a cause of deep concern in view of the numerous establishments of our citizens in the interior of that country. This Government can do no less than insist upon a continuance of the protective and punitory measures which the Chinese Government has heretofore applied. No effort will be omitted to protect our citizens peaceably sojourning in China, but recent unofficial information indicates that what was at first regarded as an outbreak of mob violence against foreigners has assumed the larger form of an insurrection against public order.

The Chinese Government has declined to receive Mr. Blair as the minister of the United States on the ground that, as a participant, while a Senator, in the enactment of the existing legislation against the introduction of Chinese laborers, he has become unfriendly and objectionable to China. I have felt constrained to point out to the Chinese Government the untenableness of this position, which seems to rest as much on the unacceptability of our legislation as on that of the person chosen, and which, if admitted, would practically debar the selection of any representative so long as the existing laws remain in force.

You will be called upon to consider the expediency of making special provision by law for the temporary admission of some Chinese artisans and laborers in connection with the exhibit of Chinese industries at the approaching Columbian Exposition. I regard it as desirable that the Chinese exhibit be facilitated in every proper way.

A question has arisen with the Government of Spain touching the rights of American citizens in the Caroline Islands. Our citizens there, long prior to the confirmation of Spain's claim to the islands, had secured by settlement and purchase certain rights to the recognition and maintenance of which the faith of Spain was pledged. I have had reason within the past year very strongly to protest against the failure to carry out this pledge on the part of His Majesty's ministers, which has resulted in great injustice and injury to the American residents.

The Government and people of Spain propose to celebrate the four hundredth anniversary of the discovery of America by holding an exposition at Madrid, which will open on the 12th of September and continue until the 31st of December, 1892. A cordial invitation has been extended to the United States to take part in this commemoration, and, as Spain was one of the first nations to express the intention to participate in the World's Columbian Exposition at Chicago, it would be very appropriate for this Government to give this invitation its friendly promotion.

Surveys for the connecting links of the projected Intercontinental Railway are in progress, not only in Mexico, but at various points along the course mapped out. Three surveying parties are now in the field under the direction of the commission. Nearly 1,000 miles of the proposed road have been surveyed, including the most difficult part, that through Ecuador and the southern part of Colombia. The reports of the engineers are very satisfactory and show that no insurmountable obstacles have been met with.

On November 12, 1884, a treaty was concluded with Mexico reaffirming the boundary between the two countries as described in the treaties of February 2, 1848, and December 30, 1853. March 1, 1889, a further treaty was negotiated to facilitate the carrying out of the principles of the treaty of 1884 and to avoid the difficulties occasioned by reason of the changes and alterations that take place from natural causes in the Rio Grande and Colorado Rivers in the portions thereof constituting the boundary line between the two Republics. The International Boundary Commission, provided for by the treaty of 1889, to have exclusive jurisdiction of any question that may arise, has been named by the Mexican Government. An appropriation is necessary to enable the United States to fulfill its treaty obligations in this respect.

The death of King Kalakaua in the United States afforded occasion to testify our friendship for Hawaii by conveying the King's body to his own land in a naval vessel with all due honors. The Government of his successor, Queen Liliuokalani, is seeking to promote closer commercial relations with the United States. Surveys for the much-needed submarine cable from our Pacific coast to Honolulu are in progress, and this enterprise should have the suitable promotion of the two Governments. I strongly recommend that provision be made for improving the harbor of Pearl River and equipping it as a naval station.

The arbitration treaty formulated by the International American Conference lapsed by reason of the failure to exchange ratifications fully within the limit of time provided; but several of the governments concerned have expressed a desire to save this important result of the conference by an extension of the period.

It is, in my judgment, incumbent upon the United States to conserve the influential initiative it has taken in this measure by ratifying the instrument and by advocating the proposed extension of the time for exchange. These views have been made known to the other signatories.

This Government has found occasion to express, in a friendly spirit, but with much earnestness, to the Government of the Czar, its serious concern because of the harsh measures now being enforced against the Hebrews in Russia. By the revival of antisemitic laws, long in abeyance, great numbers of those unfortunate people have been constrained to abandon their homes and leave the Empire by reason of the impossibility of finding subsistence within the pale to which it is sought to confine them. The immigration of these people to the United States—many other countries being closed to them—is largely increasing and is likely to assume proportions which may make it difficult to find homes and employment for them here and to seriously affect the labor market. It is estimated that over one million will be forced from Russia within a few years. The Hebrew is never a beggar; he has always kept the law—life by toil—often under severe and oppressive civil restrictions. It is also true that no race, sect, or class has more fully cared for its own than the Hebrew race. But the sudden transfer of such a multitude, under conditions that tend to strip them of their small accumulations and to depress their energies and courage, is neither good for them nor for us.

The banishment, whether by direct decree or by not less certain indirect methods, of so large a number of men and women is not a local question. A decree to leave one country is, in the nature of things, an order to enter another—some other. This consideration, as well as the suggestions of humanity, furnishes ample ground for the remonstrances which we have presented to Russia, while our historic friendship for that Government can not fail to give the assurance that our representations are those of a sincere wellwisher.

The annual report of the Maritime Canal Company of Nicaragua shows that much costly and necessary preparatory work has been done during the year in the construction of shops, railroad tracks, and harbor piers and breakwaters, and that the work of canal construction has made some progress.

I deem it to be a matter of the highest concern to the United States that this canal, connecting the waters of the Atlantic and Pacific Oceans and giving to us a short water communication between our ports upon those two great seas, should be speedily constructed and at the smallest practicable limit of cost. The gain in freights to the people and the direct saving to the Government of the United States in the use of its naval vessels would pay the entire cost of this work within a short series of years. The report of the Secretary of the Navy shows the saving in our naval expenditures which would result.

The Senator from Alabama (Mr. MORGAN), in his argument upon this subject before the Senate at the last session, did not overestimate the importance of this work when he said that "the canal is the most important subject now connected with the commercial growth and progress of the United States."

If this work is to be promoted by the usual financial methods and without the aid of this Government, the expenditures, in its interest-bearing securities and stocks, will probably be twice the actual cost. This will necessitate higher tolls and constitute a heavy and altogether needless burden upon our commerce and that of the world. Every dollar of the bonds and stock of the company should represent a dollar expended in the legitimate and economical prosecution of the work. This is only possible by giving to the bonds the guaranty of the United States Government. Such a guaranty would secure the ready sale at par of a 3 per cent bond from time to time as the money was needed. I do not doubt that, built upon these business methods, the canal would, when fully inaugurated, earn its fixed charges and operating expenses. But if its bonds are to be marketed at heavy discounts and every bond sold is to be accompanied by a gift of stock, as has come to be expected by investors in such enterprises, the traffic will be seriously burdened to pay interest and dividends. I am quite willing to recommend Government promotion in the prosecution of a work which, if no other means offered for securing its completion, is of such transcendent interest that the Government should, in my opinion, secure it by direct appropriations from its Treasury.

A guaranty of the bonds of the canal company to an amount necessary to the completion of the canal could, I think, be so given as not to involve any serious risk of ultimate loss. The things to be carefully guarded are the completion of the work within the limits of the guaranty, the subrogation of the United States to the rights of the first-mortgage bondholders for any amounts it may have to pay, and in the meantime a control of the stock of the company as a security against mismanagement and loss. I most sincerely hope that neither party nor sectional lines will be drawn upon this great American project, so full of interest to the people of all our States and so influential in its effects upon the prestige and prosperity of our common country.

The island of Navassa, in the West Indian group, has, under the provisions of Title VII of the Revised Statutes, been recognized by the President as appertaining to the United States. It contains guano deposits, is owned by the Navassa Phosphate Company, and is occupied solely by its employés. In September, 1889, a revolt took place among these laborers, resulting in the killing of some of the agents of the company, caused, as the laborers claimed, by cruel treatment. These men were arrested and tried in the United States court at Baltimore, under section 5576 of the statute referred to, as if the offenses had been committed on board a merchant vessel of the United States on the high seas. There appeared on the trial and otherwise came to me such evidences of the bad treatment of the men that, in consideration of this and of the fact that the men had no access to any public officer or tribunal for protection or the redress of their wrongs, I commuted the death sentences that had been passed by the court upon three of them. In April last my attention was again called to this island, and to the unregulated condition of things there, by a letter from a colored laborer, who complained that he was wrongfully detained upon the island by the phosphate company after the expiration of his contract of service. A naval vessel was sent to examine into the case of this man and generally into the condition of things on the island. It was found that the laborer referred to had been detained beyond the contract limit and that a condition of revolt again existed among the laborers. A board of naval officers reported, among other things, as follows:

> We would desire to state further that the discipline maintained on the island seems to be that of a convict establishment, without its comforts and cleanliness, and that, until more attention is paid to the shipping of laborers, by placing it under Government supervision to prevent misunderstanding and misrepresentation, and until some amelioration is shown in the treatment of the laborers, these disorders will be of constant occurrence.

I recommend legislation that shall place labor contracts upon this and other islands having the relation that Navassa has to the United States under the supervision of a court commissioner, and that shall provide, at the expense of the owners, an officer to reside upon the islands with power to judge and adjust disputes and to enforce a just and humane treatment of the employés. It is inexcusable that American laborers should be left within our own jurisdiction without access to any Government officer or tribunal for their protection and the redress of their wrongs.

International copyright has been secured, in accordance with the conditions of the act of March 3, 1891, with Belgium, France, Great Britain and the British possessions, and Switzerland, the laws of those countries permitting to our citizens the benefit of copyright on substantially the same basis as to their own citizens or subjects. With Germany a special convention has been negotiated upon this subject, which will bring that country within the reciprocal benefits of our legislation.

The general interest in the operations of the Treasury Department has been much augmented during the last year by reason of the conflicting predictions, which accompanied and followed the tariff and other legislation of the last Congress affecting the revenues, as to the results of this legislation upon the Treasury and upon the country. On the one hand it was contended that imports would so fall off as to leave the Treasury bankrupt and that the prices of articles entering into the living of the people would be so enhanced as to disastrously affect their comfort and happiness, while on the other it was argued that the loss to the revenue, largely the result of placing sugar on the free list, would be a direct gain to the people; that the prices of the necessaries of life, including those most highly protected, would not be enhanced; that labor would have a larger market and the products of the farm advanced prices; while the Treasury surplus and receipts would be adequate to meet the appropriations, including the large exceptional expenditures for the refunding to the States of the direct tax and the redemption of the 4½ per cent bonds.

It is not my purpose to enter at any length into a discussion of the effects of the legislation to which I have referred; but a brief examination of the statistics of the Treasury and a general glance at the state of business throughout the country will, I think, satisfy any impartial inquirer that its results have disappointed the evil prophecies of its opponents and in a large measure realized the hopeful predictions of its friends. Rarely, if ever before, in the history of the country has there been a time when the proceeds of one day's labor or the product of one farmed acre would purchase so large an amount of those things that enter into the living of the masses of the people. I believe that a full test will develop the fact that the tariff act of the Fifty-first Congress is very favorable in its average effect upon the prices of articles entering into common use.

During the twelve months from October 1, 1890, to September

30, 1891, the total value of our foreign commerce (imports and exports combined) was $1,747,806,406, which was the largest of any year in the history of the United States. The largest in any previous year was in 1890, when our commerce amounted to $1,647,139,093, and the last year exceeds this enormous aggregate by over one hundred millions. It is interesting, and to some will be surprising, to know that during the year ending September 30, 1891, our imports of merchandise amounted to $824,715,270, which was an increase of more than eleven million dollars over the value of the imports of the corresponding months of the preceding year, when the imports of merchandise were unusually large in anticipation of the tariff legislation then pending. The average annual value of the imports of merchandise for the ten years from 1881 to 1890 was $692,186,522, and during the year ending September 30, 1891, this annual average was exceeded by $132,528,469.

The value of free imports during the twelve months ending September 30, 1891, was $118,092,387 more than the value of free imports during the corresponding twelve months of the preceding year, and there was during the same period a decrease of $106,846,508 in the value of imports of dutiable merchandise. The percentage of merchandise admitted free of duty during the year to which I have referred, the first under the new tariff, was 48.18, while during the preceding twelve months, under the old tariff, the percentage was 34.27, an increase of 13.91 per cent. If we take the six months ending September 30 last, which covers the time during which sugars have been admitted free of duty, the per cent of value of merchandise imported free of duty is found to be 55.37, which is a larger percentage of free imports than during any prior fiscal year in the history of the Government.

If we turn to exports of merchandise the statistics are full of gratification. The value of such exports of merchandise for the twelve months ending September 30, 1891, was $923,091,136, while for the corresponding previous twelve months it was $860,177,115, an increase of $62,914,021, which is nearly three times the average annual increase of exports of merchandise for the preceding twenty years; this exceeds in amount and value the exports of merchandise during any year in the history of the Government. The increase in the value of exports of agricultural products during the year referred to over the corresponding twelve months of the prior year was $45,846,197, while the increase in the value of exports of manufactured products was $16,838,240.

There is certainly nothing in the condition of trade, foreign or domestic, there is certainly nothing in the condition of our people of any class, to suggest that the existing tariff and revenue legislation bears oppressively upon the people or retards the commercial development of the nation. It may be argued that our condition would be better if tariff legislation were upon a free-trade basis; but it can not be denied that all the conditions of prosperity and of general contentment are present in a larger degree than ever before in our history, and that, too, just when it was prophesied they would be in the worst state. Agitation for radical changes in tariff and financial legislation can not help, but may seriously impede, business, to the prosperity of which some degree of stability in legislation is essential.

I think there are conclusive evidences that the new tariff has created several great industries which will, within a few years, give employment to several hundred thousand American working men and women. In view of the somewhat overcrowded condition of the labor market of the United States every patriotic citizen should rejoice at such a result.

The report of the Secretary of the Treasury shows that the total receipts of the Government, from all sources, for the fiscal year ending June 30, 1891, were $458,544,233.03, while the expenditures for the same period were $421,304,470.46, leaving a surplus of $37,239,762.57.

The receipts of the fiscal year ending June 30, 1892, actual and estimated, are $433,000,000 and the expenditures $409,000,000. For the fiscal year ending June 30, 1893, the estimated receipts are $455,336,350 and the expenditures $441,300,093.

Under the law of July 14, 1890, the Secretary of the Treasury has purchased (since August 13) during the fiscal year 48,393,113 ounces of silver bullion at an average cost of $1.045 per ounce. The highest price paid during the year was $1.2025, and the lowest, $0.9636. In exchange for this silver bullion there have been issued $50,577,498 of the Treasury notes authorized by the act. The lowest price of silver reached during the fiscal year was $0.9636, on April 22, 1891; but on November 1 the market price was only $0.96, which would give to the silver dollar a bullion value of 74¼ cents.

Before the influence of the prospective silver legislation was felt in the market silver was worth in New York about $0.955 per ounce. The ablest advocates of free coinage in the last Congress were most confident in their predictions that the purchases by the Government required by the law would at once bring the price of silver to $1.2929 per ounce, which would make the bullion value of a dollar 100 cents and hold it there. The prophecies of the anti-silver men of disasters to result from the coinage of $2,000,000 per month were not wider of the mark. The friends of free silver are not agreed, I think, as to the causes that brought their hopeful predictions to naught. Some facts are known. The exports of silver from London to India during the first nine months of this calendar year fell off over 50 per cent, or $17,202,730, compared with the same months of the preceding year. The exports of domestic silver bullion from this country, which had averaged for the last ten years over $17,000,000, fell in the last fiscal year to $13,797,391; while, for the first time in recent years, the imports of silver into this country exceeded the exports by the sum of $2,745,365. In the previous year the net exports of silver from the United States amounted to $8,545,455. The production of the United States increased from 50,000,000 ounces in 1889 to 54,500,000 in 1890, The Government is now buying and putting aside annually 54,000,000 ounces, which, allowing for 7,140,000 ounces of new bullion used in the arts, is 6,640,000 more than our domestic product available for coinage.

I hope the depression in the price of silver is temporary and that a further trial of this legislation will more favorably affect it. That the increased volume of currency thus supplied for the use of the people was needed and that beneficial results upon trade and prices have followed this legislation I think must be very clear to everyone; nor should it be forgotten that for every dollar of these notes issued a full dollar's worth of silver bullion is at the time deposited in the Treasury as a security for its redemption. Upon this subject, as upon the tariff, my recommendation is that the existing laws be given a full trial and that our business interests be spared the distressing influence which threats of radical changes always impart. Under existing legislation it is in the power of the Treasury Department to maintain that essential condition of national finance as well as of commercial prosperity—the parity in use of the coin dollars and their paper representatives. The assurance that these powers would be freely and unhesitatingly used has done much to produce and sustain the present favorable business conditions.

I am still of the opinion that the free coinage of silver under existing conditions would disastrously affect our business interests at home and abroad. We could not hope to maintain an equality in the purchasing power of the gold and silver dollar in our own markets, and in foreign trade the stamp gives no added value to the bullion contained in coins. The producers of the country, its farmers and laborers, have the highest interest that every dollar, paper or coin, issued by the Government shall be as good as any other. If there is one less valuable than another its sure and constant errand will be to pay them for their toil and for their crops. The money-lender will protect himself by stipulating for payment in gold, but the laborer has never been able to do that. To place business upon a silver basis would mean a sudden and severe contraction of the currency, by the withdrawal of gold and gold notes, and such an unsettling of all values as would produce a commercial panic. I can not believe that a people so strong and prosperous as ours will promote such a policy.

The producers of silver are entitled to just consideration, but they should not forget that the Government is now buying and putting out of the market what is the equivalent of the entire product of our silver mines. This is more than they themselves thought of asking two years ago. I believe it is the earnest desire of a great majority of the people, as it is mine, that a full coin use shall be made of silver just as soon as the coöperation of other nations can be secured and a ratio fixed that will give circulation equally to gold and silver. The business of the world requires the use of both metals; but I do not see any prospect of gain, but much of loss, by giving up the present system, in which a full use is made of gold and a large use of silver, for one in which silver alone will circulate. Such an event would be at once fatal to the further progress of the silver movement. Bimetallism is the desired end, and the true friends of silver will be careful not to overrun the goal and bring in silver monometallism, with its necessary attendants, the loss of our gold to Europe and the relief of the pressure there for a larger currency. I have endeavored by the use of official and unofficial agencies to keep a close observation of the state of public sentiment in Europe upon this question, and have not found it to be such as to justify me in proposing an international conference. There is, however, I am sure, a growing sentiment in Europe in favor of a larger use of silver, and I know of no more effectual way of promoting this sentiment than by accumulating gold here. A scarcity of gold in the European reserves will be the most persuasive argument for the use of silver.

The exports of gold to Europe, which began in February last and continued until the close of July, aggregated over $70,000,000. The net loss of gold during the fiscal year was nearly $68,000,000. That no serious monetary disturbance resulted was most grati-

fying, and gave to Europe fresh evidence of the strength and stability of our financial institutions. With the movement of crops the outflow of gold was speedily stopped and a return set in. Up to December 1 we had recovered of our gold loss at the port of New York $27,854,000, and it is confidently believed that during the winter and spring this aggregate will be steadily and largely increased.

The presence of a large cash surplus in the Treasury has for many years been the subject of much unfavorable criticism and has furnished an argument to those who have desired to place the tariff upon a purely revenue basis. It was agreed by all that the withdrawal from circulation of so large an amount of money was an embarrassment to the business of the country and made necessary the intervention of the Department at frequent intervals to relieve threatened monetary panics. The surplus on March 1, 1889, was $183,827,190.29. The policy of applying this surplus to the redemption of the interest-bearing securities of the United States was thought to be preferable to that of depositing it without interest in selected national banks. There have been redeemed since the date last mentioned of interest-bearing securities $259,079,350, resulting in a reduction of the annual interest charge of $11,684,675. The money which had been deposited in banks without interest has been gradually withdrawn and used in the redemption of bonds.

The result of this policy, of the silver legislation, and of the refunding of the 4½ per cent bonds has been a large increase of the money in circulation. At the date last named the circulation was $1,404,205,896, or $23.03 per capita, while on the 1st day of December, 1891, it had increased to $1,577,262,070, or 24.38 per capita. The offer of the Secretary of the Treasury to the holders of the 4½ per cent bonds to extend the time of redemption, at the option of the Government, at an interest of 2 per cent, was accepted by the holders of about one-half the amount, and the unextended bonds are being redeemed on presentation.

The report of the Secretary of War exhibits the results of an intelligent, progressive, and business-like administration of a Department which has been too much regarded as one of mere routine. The separation of Secretary Proctor from the Department by reason of his appointment as a Senator from the State of Vermont is a source of great regret to me and to his colleagues in the Cabinet, as I am sure it will be to all those who have had business with the Department while under his charge.

In the administration of army affairs some especially good work has been accomplished. The efforts of the Secretary to reduce the percentage of desertions by removing the causes that promoted it have been so successful as to enable him to report for the last year a lower percentage of desertion than has been before reached in the history of the Army. The resulting money saving is considerable, but the improvement in the *morale* of the enlisted men is the most valuable incident of the reforms which have brought about this result.

The work of securing sites for shore batteries for harbor defense and the manufacture of mortars and guns of high power to equip them have made good progress during the year. The preliminary work of tests and plans, which so long delayed a start, is now out of the way. Some guns have been completed, and with an enlarged shop and a more complete equipment at Watervliet the Army will soon be abreast of the Navy in gun construction. Whatever unavoidable causes of delay may arise, there should be none from delayed or insufficient appropriations. We shall be greatly embarrassed in the proper distribution and use of naval vessels until adequate shore defenses are provided for our harbors.

I concur in the recommendation of the Secretary that the three-battalion organization be adopted for the infantry. The adoption of a smokeless powder and of a modern rifle equal in range, precision, and rapidity of fire to the best now in use will, I hope, not be longer delayed.

The project of enlisting Indians and organizing them into separate companies upon the same basis as other soldiers was made the subject of very careful study by the Secretary and received my approval. Seven companies have been completely organized and seven more are in process of organization. The results of six months' training have more than realized the highest anticipations. The men are readily brought under discipline, acquire the drill with facility, and show great pride in the right discharge of their duties and perfect loyalty to their officers, who declare that they would take them into action with confidence. The discipline, order, and cleanliness of the military posts will have a wholesome and elevating influence upon the men enlisted, and through them upon their tribes, while a more friendly feeling for the whites and a greater respect for the Government will certainly be promoted.

The great work done in the record and pension division of the War Department by Maj. Ainsworth, of the Medical Corps, and the clerks under him, is entitled to honorable mention. Taking up the work with nearly 41,000 cases behind, he closed the last fiscal year without a single case left over, though the new cases had increased 52 per cent in number over the previous year by reason of the pension legislation of the last Congress

I concur in the recommendation of the Attorney-General that the right in felony cases to a review by the Supreme Court be limited. It would seem that personal liberty would have a safe guaranty if the right of review in cases involving only fine and imprisonment were limited to the circuit court of appeals, unless a constitutional question should in some way be involved.

The judges of the Court of Private Land Claims, provided for by the act of March 3, 1891, have been appointed and the court organized. It is now possible to give early relief to communities long repressed in their development by unsettled land titles and to establish the possession and right of settlers whose lands have been rendered valueless by adverse and unfounded claims.

The act of July 9, 1888, provided for the incorporation and management of a reform school for girls in the District of Columbia; but it has remained inoperative for the reason that no appropriation has been made for construction or maintenance. The need of such an institution is very urgent. Many girls could be saved from depraved lives by the wholesome influences and restraints of such a school. I recommend that the necessary appropriation be made for a site and for construction.

The enforcement by the Treasury Department of the law prohibiting the coming of Chinese to the United States has been effective as to such as seek to land from vessels entering our ports. The result has been to divert the travel to vessels entering the ports of British Columbia, whence passage into the United States at obscure points along the Dominion boundary is easy. A very considerable number of Chinese laborers have during the past year entered the United States from Canada and Mexico.

The officers of the Treasury Department and of the Department of Justice have used every means at their command to intercept this immigration, but the impossibility of perfectly guarding our extended frontier is apparent. The Dominion Government collects a head tax of $50 from every Chinaman entering Canada, and thus derives a considerable revenue from those who only use its ports to reach a position of advantage to evade our exclusion laws. There seems to be satisfactory evidence that the business of passing Chinamen through Canada to the United States is organized and quite active. The Department of Justice has construed the laws to require the return of any Chinaman found to be unlawfully in this country to China as the country from which he came, notwithstanding the fact that he came by way of Canada; but several of the district courts have, in cases brought before them, overruled this view of the law and decided that such persons must be returned to Canada. This construction robs the law of all effectiveness, even if the decrees could be executed, for the men returned can the next day recross our border. But the only appropriation made is for sending them back to China, and the Canadian officials refuse to allow them to reënter Canada without the payment of the $50 head tax. I recommend such legislation as will remedy these defects in the law.

In previous messages I have called the attention of Congress to the necessity of so extending the jurisdiction of the United States courts as to make triable therein any felony committed while in the act of violating a law of the United States. These courts can not have that independence and effectiveness which the Constitution contemplates so long as the felonious killing of court officers, jurors, and witnesses in the discharge of their duties or by reason of their acts as such is only cognizable in the State courts. The work done by the Attorney-General and the officers of his Department, even under the present inadequate legislation, has produced some notable results in the interest of law and order.

The Attorney-General and also the Commissioners of the District of Columbia call attention to the defectiveness and inadequacy of the laws relating to crimes against chastity in the District of Columbia. A stringent code upon this subject has been provided by Congress for Utah, and it is a matter of surprise that the needs of this District should have been so long overlooked.

In the report of the Postmaster-General some very gratifying results are exhibited and many betterments of the service suggested. A perusal of the report gives abundant evidence that the supervision and direction of the postal system have been characterized by an intelligent and conscientious desire to improve the service. The revenues of the Department show an increase of over five millions of dollars, with a deficiency for the year 1892 of less than four millions of dollars, while the estimate for the year 1893 shows a surplus of receipts over expenditures.

Ocean mail post-offices have been established upon the steamers of the North German Lloyd and Hamburg lines, saving, by the distribution on shipboard, from two to fourteen hours' time in the delivery of mail at the port of entry and often much more than this in the delivery at interior places. So thoroughly has

this system, initiated by Germany and the United States, evidenced it usefulness that it can not be long before it is installed upon all the great ocean mail-carrying steamships.

Eight thousand miles of new postal service has been established upon railroads, the car distribution to substations in the great cities has been increased about 12 per cent, while the percentage of errors in distribution has during the past year been reduced over one-half. An appropriation was given by the last Congress for the purpose of making some experiments in free delivery in the smaller cities and towns. The results of these experiments have been so satisfactory that the Postmaster-General recommends, and I concur in the recommendation, that the free-delivery system be at once extended to towns of 5,000 population. His discussion of the inadequate facilities extended under our present system to rural communities and his suggestions with a view to give these communities a fuller participation in the benefits of the postal service are worthy of your careful consideration. It is not just that the farmer, who receives his mail at a neighboring town, should not only be compelled to send to the post-office for it but to pay a considerable rent for a box in which to place it or to wait his turn at a general-delivery window, while the city resident has his mail brought to his door. It is stated that over 54,000 neighborhoods are, under the present system, receiving mail at post-offices where money orders and postal notes are not issued. The extension of this system to these communities is especially desirable, as the patrons of such offices are not possessed of the other facilities offered in more populous communities for the transmission of small sums of money.

I have, in a message to the preceding Congress, expressed my views as to a modified use of the telegraph in connection with the postal service.

In pursuance of the ocean-mail law of March 3, 1891, and after a most careful study of the whole subject and frequent conferences with shipowners, boards of trade, and others, advertisements were issued by the Postmaster-General for 53 lines of ocean-mail service: 10 to Great Britain and the Continent, 27 to South America, 3 to China and Japan, 4 to Australia and the Pacific islands, 7 to the West Indies, and 2 to Mexico. It was not, of course, expected that bids for all these lines would be received or that service upon them all would be contracted for. It was intended, in furtherance of the act, to secure as many new lines as possible, while including in the list most or all of the foreign lines now occupied by American ships. It was hoped that a line to England and perhaps one to the Continent would be secured; but the outlay required to equip such lines wholly with new ships of the first class and the difficulty of establishing new lines in competition with those already established deterred bidders whose interest had been enlisted. It is hoped that a way may yet be found of overcoming these difficulties.

The Brazil Steamship Company, by reason of a miscalculation as to the speed of its vessels, was not able to bid under the terms of the advertisement. The policy of the Department was to secure from the established lines an improved service as a condition of giving to them the benefits of the law. This in all instances has been attained. The Postmaster-General estimates that an expenditure in American shipyards of about ten millions of dollars will be necessary to enable the bidders to construct the ships called for by the service which they have accepted. I do not think there is any reason for discouragement or for any turning back from the policy of this legislation. Indeed, a good beginning has been made, and as the subject is further considered and understood by capitalists and shipping people new lines will be ready to meet future proposals, and we may date from the passage of this law the revival of American shipping interests and the recovery of a fair share of the carrying trade of the world. We were receiving for foreign postage nearly two millions of dollars under the old system, and the outlay for ocean mail service did not exceed $600,000 per annum. It is estimated by the Postmaster-General that, if all the contracts proposed are completed, it will require $247,354 for this year, in addition to the appropriation for sea and inland postage already in the estimates, and that for the next fiscal year, ending June 30, 1893, there would probably be needed about $560,000.

The report of the Secretary of the Navy shows a gratifying increase of new naval vessels in commission. The Newark, Concord, Bennington, and Miantonomoh have been added during the year, with an aggregate of something more than 11,000 tons. Twenty-four war ships of all classes are now under construction in the navy-yards and private shops, but while the work upon them is going forward satisfactorily the completion of the more important vessels will yet require about a year's time. Some of the vessels now under construction, it is believed, will be triumphs of naval engineering. When it is recollected that the work of building a modern navy was only initiated in the year 1883, that our naval constructors and shipbuilders were practically without experience in the construction of large iron or steel ships, that our engine shops were unfamiliar with great marine engines, and that the manufacture of steel forgings for guns and plates was almost wholly a foreign industry, the progress that has been made is not only highly satisfactory, but furnishes the assurance that the United States will before long attain, in the construction of such vessels, with their engines and armaments, the same preëminence which it attained when the best instrument of ocean commerce was the clipper ship and the most impressive exhibit of naval power the old wooden three-decker man-of-war. The officers of the Navy and the proprietors and engineers of our great private shops have responded with wonderful intelligence and professional zeal to the confidence expressed by Congress in its liberal legislation. We have now at Washington a gun shop, organized and conducted by naval officers, that in its system, economy, and product is unexcelled. Experiments with armor plate have been conducted during the year with most important results. It is now believed that a plate of higher resisting power than any in use has been found and that the tests have demonstrated that cheaper methods of manufacture than those heretofore thought necessary can be used.

I commend to your favorable consideration the recommendations of the Secretary, who has, I am sure, given to them the most conscientious study. There should be no hesitation in promptly completing a navy of the best modern type, large enough to enable this country to display its flag in all seas for the protection of its citizens and of its extending commerce. The world needs no assurance of the peaceful purposes of the United States, but we shall probably be in the future more largely a competitor in the commerce of the world, and it is essential to the dignity of this nation and to that peaceful influence which it should exercise on this hemisphere that its Navy should be adequate, both upon the shores of the Atlantic and of the Pacific.

The report of the Secretary of the Interior shows that a very gratifying progress has been made in all of the bureaus which make up that complex and difficult Department.

The work in the Bureau of Indian Affairs was perhaps never so large as now, by reason of the numerous negotiations which have been proceeding with the tribes for a reduction of the reservations, with the incident labor of making allotments, and was never more carefully conducted. The provision of adequate school facilities for Indian children and the locating of adult Indians upon farms involve the solution of the "Indian question." Everything else—rations, annuities, and tribal negotiations, with the agents, inspectors, and commissioners who distribute and conduct them—must pass away when the Indian has become a citizen, secure in the individual ownership of a farm from which he derives his subsistence by his own labor, protected by and subordinate to the laws which govern the white man, and provided by the General Government or by the local communities in which he lives with the means of educating his children. When an Indian becomes a citizen in an organized State or Territory his relation to the General Government ceases, in great measure, to be that of a ward; but the General Government ought not at once to put upon the State or Territory the burden of the education of his children.

It has been my thought that the Government schools and school buildings upon the reservations would be absorbed by the school systems of the States and Territories; but, as it has been found necessary to protect the Indian against the compulsory alienation of his land by exempting him from taxation for a period of twenty-five years, it would seem to be right that the General Government, certainly where there are tribal funds in its possession, should pay to the school fund of the State what would be equivalent to the local school tax upon the property of the Indian. It will be noticed from the report of the Commissioner of Indian Affairs that already some contracts have been made with district schools for the education of Indian children. There is great advantage, I think, in bringing the Indian children into mixed schools. This process will be gradual, and in the mean time the present educational provisions and arrangements, the result of the best experience of those who have been charged with this work, should be continued. This will enable those religious bodies that have undertaken the work of Indian education with so much zeal, and with results so restraining and beneficent, to place their institutions in new and useful relations to the Indian and to his white neighbors.

The outbreak among the Sioux, which occurred in December last, is as to its causes and incidents fully reported upon by the War Department and the Department of the Interior. That these Indians had some just complaints, especially in the matter of the reduction of the appropriation for rations and in the delays attending the enactment of laws to enable the Department to perform the engagements entered into with them, is probably true; but the Sioux tribes are naturally warlike and turbulent, and

their warriors were excited by their medicine men and chiefs, who preached the coming of an Indian Messiah who was to give them power to destroy their enemies. In view of the alarm that prevailed among the white settlers near the reservation and of the fatal consequences that would have resulted from an Indian incursion, I placed at the disposal of Gen. Miles, commanding the Division of the Missouri, all such forces as were thought by him to be required. He is entitled to the credit of having given thorough protection to the settlers and of bringing the hostiles into subjection with the least possible loss of life.

The appropriation of $2,991,450 for the Choctaws and Chickasaws, contained in the general Indian appropriation bill of March 3, 1891, has not been expended, for the reason that I have not yet approved a release (to the Government) of the Indian claim to the lands mentioned. This matter will be made the subject of a special message, placing before Congress all the facts which have come to my knowledge.

The relation of the five civilized tribes now occupying the Indian Territory to the United States is not, I believe, that best calculated to promote the highest advancement of these Indians. That there should be within our borders five independent states, having no relations, except those growing out of treaties, with the Government of the United States, no representation in the National Legislature, its people not citizens, is a startling anomaly.

It seems to me to be inevitable that there shall be before long some organic changes in the relation of these people to the United States. What form these changes should take I do not think it desirable now to suggest, even if they were well defined in my own mind. They should certainly involve the acceptance of citizenship by the Indians and a representation in Congress. These Indians should have opportunity to present their claims and grievances upon the floor rather than, as now, in the lobby. If a commission could be appointed to visit these tribes to confer with them in a friendly spirit upon this whole subject, even if no agreement were presently reached, the feeling of the tribes upon this question would be developed and discussion would prepare the way for changes which must come sooner or later.

The good work of reducing the larger Indian reservations, by allotments in severalty to the Indians and the cession of the remaining lands to the United States for disposition under the homestead law, has been prosecuted during the year with energy and success. In September last I was enabled to open to settlement in the Territory of Oklahoma 900,000 acres of land, all of which was taken up by settlers in a single day. The rush for these lands was accompanied by a great deal of excitement, but was, happily, free from incidents of violence.

It was a source of great regret that I was not able to open at the same time the surplus lands of the Cheyenne and Arapahoe Reservation, amounting to about 3,000,000 acres, by reason of the insufficiency of the appropriation for making the allotments. Deserving and impatient settlers are waiting to occupy these lands, and I urgently recommend that a special deficiency appropriation be promptly made of the small amount needed, so that the allotments may be completed and the surplus lands opened in time to permit the settlers to get upon their homesteads in the early spring.

During the past summer the Cherokee Commission have completed arrangements with the Wichita, Kickapoo, and Tonkawa tribes, whereby, if the agreements are ratified by Congress, over 800,000 additional acres will be opened to settlement in Oklahoma.

The negotiations for the release by the Cherokees of their claim to the Cherokee Strip has made no substantial progress, so far as the Department is officially advised, but it is still hoped that the cession of this large and valuable tract may be secured. The price which the Commission was authorized to offer—one dollar and a quarter per acre—is, in my judgment, when all the circumstances as to title and the character of the lands are considered, a fair and adequate one and should have been accepted by the Indians.

Since March 4, 1889, about 23,000,000 acres have been separated from Indian reservations and added to the public domain for the use of those who desired to secure free homes under our beneficent laws. It is difficult to estimate the increase of wealth which will result from the conversion of these waste lands into farms, but it is more difficult to estimate the betterment which will result to the families that have found renewed hope and courage in the ownership of a home and the assurance of a comfortable subsistence under free and healthful conditions. It is also gratifying to be able to feel, as we may, that this work has proceeded upon lines of justice towards the Indian, and that he may now, if he will, secure to himself the good influences of a settled habitation, the fruits of industry, and the security of citizenship.

Early in this administration a special effort was begun to bring up the work of the General Land Office. By faithful work the arrearages have been rapidly reduced. At the end of the last fiscal year only 84,172 final agricultural entries remained undisposed of, and the Commissioner reports that, with the present force, the work can be fully brought up by the end of the next fiscal year.

Your attention is called to the difficulty presented by the Secretary of the Interior as to the administration of the law of March 3, 1891, establishing a Court of Private Land Claims. The small holdings intended to be protected by the law are estimated to be more than fifteen thousand in number. The claimants are a most deserving class and their titles are supported by the strongest equities. The difficulty grows out of the fact that the lands have largely been surveyed according to our methods, while the holdings, many of which have been in the same family for generations, are laid out in narrow strips a few rods wide upon a stream and running back to the hills for pasturage and timber. Provision should be made for numbering these tracts as lots and for patenting them by such numbers, and without reference to section lines.

The administration of the Pension Bureau has been characterized during the year by great diligence. The total number of pensioners upon the roll on the 30th day of June, 1891, was 676,160. There were allowed during the fiscal year ending at that time 250,565 cases. Of this number 102,387 were allowed under the law of June 27, 1890. The issuing of certificates has been proceeding at the rate of about 30,000 per month, about 75 per cent of these being cases under the new law. The Commissioner expresses the opinion that he will be able to carefully adjudicate and allow 350,000 claims during the present fiscal year. The appropriation for the payment of pensions for the fiscal year 1890-'91 was $127,685,793.89, and the amount expended $118,530,649.25, leaving an unexpended surplus of $9,155,144.64.

The Commissioner is quite confident that there will be no call this year for a deficiency appropriation, notwithstanding the rapidity with which the work is being pushed. The mistake which has been made by many in their exaggerated estimates of the cost of pensions is in not taking account of the diminished value of first payments under the recent legislation. These payments, under the general law, have been for many years very large, as the pensions, when allowed, dated from the time of filing claim, and most of these claims had been pending for years. The first payments under the law of June, 1890, are relatively small, and as the per cent of these cases increases and that of the old cases diminishes, the annual aggregate of first payments is largely reduced. The Commissioner, under date of November 13, furnishes me with the statement that during the last four months 113,175 certificates were issued, 27,893 under the general law and 85,282 under the act of June 27, 1890. The average first payment during these four months was $131.85, while the average first payment upon cases allowed during the year ending June 30, 1891, was $239.33, being a reduction in the average first payments during these four months of $107.48.

The estimate for pension expenditures for the fiscal year ending June 30, 1893, is $144,956,000, which, after a careful examination of the subject, the Commissioner is of the opinion will be sufficient. While these disbursements to the disabled soldiers of the great civil war are large, they do not realize the exaggerated estimates of those who oppose this beneficent legislation. The Secretary of the Interior shows with great fullness the care that is taken to exclude fraudulent claims, and also the gratifying fact that the persons to whom these pensions are going are men who rendered not slight but substantial war service.

The report of the Commissioner of Railroads shows that the total debt of the subsidized railroads to the United States was, on December 31, 1890, $112,512,613.06. A large part of this debt is now fast approaching maturity, with no adequate provision for its payment. Some policy for dealing with this debt, with a view to its ultimate collection, should be at once adopted. It is very difficult, well-nigh impossible, for so large a body as the Congress to conduct the necessary negotiations and investigations. I therefore recommend that provision be made for the appointment of a commission to agree upon and report a plan for dealing with this debt.

The work of the Census Bureau is now far in advance and the great bulk of the enormous labor involved completed. It will be more strictly a statistical exhibit and less encumbered by essays than its immediate predecessors. The methods pursued have been fair, careful, and intelligent, and have secured the approval of the statisticians, who have followed them with a scientific and nonpartisan interest. The appropriations necessary to the early completion and publication of the authorized volumes should be given in time to secure against delays, which increase the cost and at the same time diminish the value of the work.

The report of the Secretary exhibits, with interesting fullness,

the condition of the Territories. They have shared with the States the great increase in farm products and are bringing yearly large areas into cultivation by extending their irrigating canals. This work is being done by individuals or local corporations and without that system which a full preliminary survey of the water supply and of the irrigable lands would enable them to adopt. The future of the Territories of New Mexico, Arizona, and Utah in their material growth and in the increase, independence, and happiness of their people is very largely dependent upon wise and timely legislation, either by Congress or their own legislatures, regulating the distribution of the water supply furnished by their streams. If this matter is much longer neglected, private corporations will have unrestricted control of one of the elements of life and the patentees of the arid lands will be tenants at will of the water companies.

The United States should part with its ownership of the water sources and the sites for reservoirs, whether to the States and Territories or to individuals or corporations, only upon conditions that will insure to the settlers their proper water supply upon equal and reasonable terms. In the Territories this whole subject is under the full control of Congress, and in the States it is practically so as long as the Government holds the title to the reservoir sites and water sources and can grant them upon such conditions as it chooses to impose. The improvident granting of franchises of enormous value, without recompense to the State or municipality from which they proceed and without proper protection of the public interests, is the most noticeable and flagrant evil of modern legislation. This fault should not be committed in dealing with a subject that will, before many years, affect so vitally thousands of our people.

The legislation of Congress for the repression of polygamy has, after years of resistance on the part of the Mormons, at last brought them to the conclusion that resistance is unprofitable and unavailing. The power of Congress over this subject should not be surrendered until we have satisfactory evidence that the people of the State to be created would exercise the exclusive power of the State over this subject in the same way. The question is not whether these people now obey the laws of Congress against polygamy, but rather, would they make, enforce, and maintain such laws themselves if absolutely free to regulate the subject? We can not afford to experiment with this subject, for when a State is once constituted the act is final and any mistake irretrievable. No compact in the enabling act could, in my opinion, be binding or effective.

I recommend that provision be made for the organization of a simple form of town government in Alaska, with power to regulate such matters as are usually in the States under municipal control. These local civil organizations will give better protection in some matters than the present skeleton Territorial organization. Proper restrictions as to the power to levy taxes and to create debt should be imposed.

If the establishment of the Department of Agriculture was regarded by anyone as a mere concession to the unenlightened demand of a worthy class of people, that impression has been most effectually removed by the great results already attained. Its home influence has been very great in disseminating agricultural and horticultural information, in stimulating and directing a further diversification of crops, in detecting and eradicating diseases of domestic animals, and, more than all, in the close and informal contact which it has established and maintains with the farmers and stock-raisers of the whole country. Every request for information has had prompt attention and every suggestion merited consideration. The scientific corps of the Department is of a high order and is pushing its investigations with method and enthusiasm.

The inspection by this Department of cattle and pork products intended for shipment abroad has been the basis of the success which has attended our efforts to secure the removal of the restrictions maintained by the European governments.

For ten years protests and petitions upon this subject from the packers and stock-raisers of the United States have been directed against these restrictions, which so seriously limited our markets and curtailed the profits of the farm. It is a source of general congratulation that success has at last been attained, for the effects of an enlarged foreign market for these meats will be felt not only by the farmer but in our public finances and in every branch of trade. It is particularly fortunate that the increased demand for food products resulting from the removal of the restrictions upon our meats and from the reciprocal trade arrangements to which I have referred should have come at a time when the agricultural surplus is so large. Without the help thus derived lower prices would have prevailed. The Secretary of Agriculture estimates that the restrictions upon the importation of our pork products into Europe lost us a market for $20,000,000 worth of these products annually.

The grain crop of this year was the largest in our history, 50 per cent greater than that of last year, and yet the new markets that have been opened and the larger demand resulting from short crops in Europe have sustained prices to such an extent that the enormous surplus of meats and breadstuffs will be marketed at good prices, bringing relief and prosperity to an industry that was much depressed. The value of the grain crop of the United States is estimated by the Secretary to be this year five hundred million dollars more than last; of meats, one hundred and fifty millions more, and of all products of the farm, seven hundred millions more. It is not inappropriate, I think, here to suggest that our satisfaction in the contemplation of this marvelous addition to the national wealth is unclouded by any suspicion of the currency by which it is measured and in which the farmer is paid for the product of his fields.

The report of the Civil Service Commission should receive the careful attention of the opponents as well as the friends of this reform. The Commission invites a personal inspection by Senators and Representatives of its records and methods; and every fair critic will feel that such an examination should precede a judgment of condemnation either of the system or its administration. It is not claimed that either is perfect, but I believe that the law is being executed with impartiality, and that the system is incomparably better and fairer than that of appointments upon favor. I have during the year extended the classified service to include superintendents, teachers, matrons, and physicians in the Indian service. This branch of the service is largely related to educational and philanthropic work and will obviously be the better for the change.

The heads of the several Executive Departments have been directed to establish at once an efficiency record as the basis of a comparative rating of the clerks within the classified service, with a view to placing promotions therein upon the basis of merit. I am confident that such a record, fairly kept and open to the inspection of those interested, will powerfully stimulate the work of the Departments and will be accepted by all as placing the troublesome matter of promotions upon a just basis.

I recommend that the appropriations for the Civil Service Commission be made adequate to the increased work of the next fiscal year.

I have twice before urgently called the attention of Congress to the necessity of legislation for the protection of the lives of railroad employés, but nothing has yet been done. During the year ending June 30, 1890, 369 brakemen were killed and 7,841 maimed while engaged in coupling cars. The total number of railroad employés killed during the year was 2,451, and the number injured, 22,390. This is a cruel and largely needless sacrifice. The Government is spending nearly one million dollars annually to save the lives of shipwrecked seamen; every steam vessel is rigidly inspected and required to adopt the most approved safety appliances. All this is good; but how shall we excuse the lack of interest and effort in behalf of this army of brave young men who in our land commerce are being sacrificed every year by the continued use of antiquated and dangerous appliances? A law requiring of every railroad engaged in interstate commerce the equipment each year of a given per cent of its freight cars with automatic couplers and air brakes would compel an agreement between the roads as to the kind of brakes and couplers to be used and would very soon and very greatly reduce the present fearful death rate among railroad employés.

The method of appointment by the States of electors of President and Vice-President has recently attracted renewed interest by reason of a departure by the State of Michigan from the method which had become uniform in all the States. Prior to 1832 various methods had been used by the different States and even by the same State. In some the choice was made by the Legislature; in others electors were chosen by districts, but more generally by the voters of the whole State upon a general ticket. The movement towards the adoption of the last-named method had an early beginning and went steadily forward among the States, until in 1832 there remained but a single State, South Carolina, that had not adopted it. That State, until the civil war, continued to choose its electors by a vote of the Legislature, but after the war changed its method and conformed to the practice of the other States. For nearly sixty years all the States save one have appointed their electors by a popular vote upon a general ticket, and for nearly thirty years this method was universal.

After a full test of other methods, without important division or dissent in any State and without any purpose of party advantage, as we must believe, but solely upon the considerations that uniformity was desirable and that a general election in territorial divisions not subject to change was most consistent with the popular character of our institutions, best preserved the equality of the voters, and perfectly removed the choice of President

from the baneful influence of the "gerrymander," the practice of all the States was brought into harmony. That this concurrence should now be broken is, I think, an unfortunate and even a threatening episode, and one that may well suggest whether the States that still give their approval to the old and prevailing method ought not to secure, by a constitutional amendment, a practice which has had the approval of all. The recent Michigan legislation provides for choosing what are popularly known as the Congressional electors for President by Congressional districts, and the two Senatorial electors by districts created for that purpose. This legislation, was of course, accompanied by a new Congressional apportionment, and the two statutes bring the electoral vote of the State under the influence of the "gerrymander."

These gerrymanders for Congressional purposes are in most cases buttressed by a gerrymander of the legislative districts, thus making it impossible for a majority of the legal voters of the State to correct the apportionment and equalize the Congressional districts. A minority rule is established that only a political convulsion can overthrow. I have recently been advised that in one county of a certain State three districts for the election of members of the Legislature are constituted as follows: One has 65,000 population; one, 15,000, and one, 10,000; while in another county, detached, noncontiguous sections have been united to make a legislative district. These methods have already found effective application to the choice of Senators and Representatives in Congress, and now an evil start has been made in the direction of applying them to the choice by the States of electors of President and Vice-President. If this is accomplished, we shall then have the three great departments of the Government in the grasp of the "gerrymander," the legislative and executive directly and the judiciary indirectly through the power of appointment.

An election implies a body of electors having prescribed qualifications, each one of whom has an equal value and influence in determining the result. So when the Constitution provides that "each State shall appoint" (elect), "in such manner as the Legislature thereof may direct, a number of electors," etc., an unrestricted power was not given to the Legislatures in the selection of the methods to be used. "A republican form of government" is guarantied by the Constitution to each State, and the power given by the same instrument to the Legislatures of the States to prescribe methods for the choice by the State of electors must be exercised under that limitation. The essential features of such a government are the right of the people to choose their own officers and the nearest practicable equality of value in the suffrages given in determining that choice.

It will not be claimed that the power given to the Legislature would support a law providing that the persons receiving the smallest vote should be the electors or a law that all the electors should be chosen by the voters of a single Congressional district. The State is to choose, and, under the pretense of regulating methods, the Legislature can neither vest the right of choice elsewhere nor adopt methods not conformable to republican institutions. It is not my purpose here to discuss the question whether a choice by the Legislature or by the voters of equal single districts is a choice by the State, but only to recommend such regulation of this matter by constitutional amendment as will secure uniformity and prevent that disgraceful partisan jugglery to which such a liberty of choice, if it exists, offers a temptation.

Nothing just now is more important than to provide every guaranty for the absolutely fair and free choice by an equal suffrage, within the respective States, of all the officers of the National Government, whether that suffrage is applied directly, as in the choice of members of the House of Representatives, or indirectly, as in the choice of Senators and electors of President. Respect for public officers and obedience to law will not cease to be the characteristics of our people until our elections cease to declare the will of majorities fairly ascertained, without fraud, suppression, or gerrymander. If I were called upon to declare wherein our chief national danger lies, I should say, without hesitation, in the overthrow of majority control by the suppression or perversion of the popular suffrage. That there is a real danger here all must agree, but the energies of those who see it have been chiefly expended in trying to fix responsibility upon the opposite party, rather than in efforts to make such practices impossible by either party.

Is it not possible now to adjourn that interminable and inconclusive debate while we take, by consent, one step in the direction of reform by eliminating the gerrymander, which has been denounced by all parties, as an influence in the selection of electors of President and members of Congress? All the States have, acting freely and separately, determined that the choice of electors by a general ticket is the wisest and safest method, and it would seem there could be no objection to a constitutional amendment making that method permanent. If a legislature chosen in one year upon purely local questions should, pending a Presidential contest, meet, rescind the law for a choice upon a general ticket, and provide for the choice of electors by the Legislature, and this trick should determine the result, it is not too much to say that the public peace might be seriously and widely endangered.

I have alluded to the "gerrymander" as affecting the method of selecting electors of President by Congressional districts, but the primary intent and effect of this form of political robbery have relation to the selection of members of the House of Representatives. The power of Congress is ample to deal with this threatening and intolerable abuse. The unfailing test of sincerity in election reform will be found in a willingness to confer as to remedies and to put into force such measures as will most effectually preserve the right of the people to free and equal representation.

An attempt was made in the last Congress to bring to bear the constitutional powers of the General Government for the correction of frauds against the suffrage. It is important to know whether the opposition to such measures is really rested in particular features supposed to be objectionable or includes any proposition to give to the election laws of the United States adequacy to the correction of grave and acknowledged evils. I must yet entertain the hope that it is possible to secure a calm, patriotic consideration of such constitutional or statutory changes as may be necessary to secure the choice of the officers of the Government to the people by fair apportionments and free elections.

I believe it would be possible to constitute a commission, nonpartisan in its membership and composed of patriotic, wise, and impartial men, to whom a consideration of the question of the evils connected with our election system and methods might be committed with a good prospect of securing unanimity in some plan for removing or mitigating those evils. The Constitution would permit the selection of the commission to be vested in the Supreme Court, if that method would give the best guaranty of impartiality.

This commission should be charged with the duty of inquiring into the whole subject of the law of elections as related to the choice of officers of the National Government, with a view to securing to every elector a free and unmolested exercise of the suffrage and as near an approach to an equality of value in each ballot cast as is attainable.

While the policies of the General Government upon the tariff, upon the restoration of our merchant marine, upon river and harbor improvements, and other such matters of grave and general concern are liable to be turned this way or that by the results of Congressional elections, and administrative policies, sometimes involving issues that tend to peace or war, to be turned this way or that by the results of a Presidential election, there is a rightful interest in all the States and in every Congressional district that will not be deceived or silenced by the audacious pretense that the question of the right of any body of legal voters in any State or in any Congressional district to give their suffrages freely upon these general questions is a matter only of local concern or control. The demand that the limitations of suffrage shall be found in the law, and only there, is a just demand, and no just man should resent or resist it. My appeal is, and must continue to be, for a consultation that shall "proceed with candor, calmness, and patience upon the lines of justice and humanity, not of prejudice and cruelty."

To the consideration of these very grave questions I invite not only the attention of Congress, but that of all patriotic citizens. We must not entertain the delusion that our people have ceased to regard a free ballot and equal representation as the price of their allegiance to laws and to civil magistrates.

I have been greatly rejoiced to notice many evidences of the increased unification of our people and of a revived national spirit. The vista that now opens to us is wider and more glorious than ever before. Gratification and amazement struggle for supremacy as we contemplate the population, wealth, and moral strength of our country. A trust momentous in its influence upon our people and upon the world is for a brief time committed to us, and we must not be faithless to its first condition—the defense of the free and equal influence of the people in the choice of public officers and in the control of public affairs.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 9, 1891.*

The VICE-PRESIDENT. The message will be printed and lie on the table.

Mr. PLUMB. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 47 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 10, 1891, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 9, 1891.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

NOTIFICATION OF THE PRESIDENT.

Mr. BLOUNT. Mr. Speaker, I have to report that the committee appointed yesterday by the House of Representatives to join the committee appointed by the Senate, to wait upon the President of the United States and notify him that the two Houses of Congress had organized and were ready to receive any communication he might be pleased to make, discharged that duty and were informed by the President that he would make a communication in writing to Congress this morning.

RECESS.

Mr. BLOUNT (at 12 o'clock and 15 minutes p. m.) Mr. Speaker, I move that the House take a recess for fifteen minutes.

The motion was agreed to.

MESSAGE FROM THE PRESIDENT.

The recess having expired, the House (at 12:30 p. m.) resumed its session.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

The message was read in full.

[For the message see Senate proceedings.]

The reading of the message was concluded at 2 o'clock and 10 minutes p. m.

PRINTING THE PRESIDENT'S MESSAGE.

Mr. OUTHWAITE offered the following resolution; which was unanimously agreed to:

Resolved, That the annual message of the President of the United States, just read, be referred to the Committee of the Whole House on the state of the Union, and, with accompanying documents, be printed for the use of the House.

ADJOURNMENT.

Mr. HOLMAN. Mr. Speaker, I move that when the House adjourns to-day it adjourn until Saturday next; and, pending that motion, I ask unanimous consent that when the House meets on Saturday it adjourn, without transacting any business, until the succeeding Wednesday.

Mr. MILLER. Mr. Speaker, I ask the gentleman from Indiana [Mr. HOLMAN] to withdraw his motion for a moment, in order that I may offer a resolution.

Mr. HOLMAN. I yield to the request of the gentleman from Wisconsin.

APPOINTMENT OF COMMITTEES.

Mr. MILLER offered the following resolution:

Resolved, That the Speaker of the House is hereby requested, in making appointments of committees, to distribute the same among the States and Territories according to population, and to appoint at least one chairman of said committees in each State and Territory.

Mr. HOLMAN. Mr. Speaker, I move that that resolution be referred to the Committee on Rules when appointed.

Mr. MILLIKEN. I hope the Speaker will not be embarrassed by any new resolutions or rules. I think we all have confidence in him personally.

The SPEAKER. Does the gentleman from Wisconsin [Mr. MILLER] desire to be heard upon his resolution?

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I raise the question of consideration upon that resolution.

The SPEAKER. The gentleman from Kentucky [Mr. BRECKINRIDGE] raises the question of consideration. That question must be first determined.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, if I may be allowed I will withdraw that, and move that the resolution be referred to the Committee on Rules.

Several MEMBERS. That motion has been made.

The SPEAKER. That motion has already been made by the gentleman from Indiana [Mr. HOLMAN].

Mr. BRECKINRIDGE of Kentucky. Then, Mr. Speaker, I will withdraw the question of consideration, and let the vote be taken upon the reference of the resolution.

Mr. MILLER. I hope the gentleman from Indiana [Mr. HOLMAN] will withdraw his motion until I can state some reasons why this resolution should be adopted.

Mr. HOLMAN. I will say to the gentleman from Wisconsin [Mr. MILLER] that the House has never adopted so important a resolution as this without referring it to a committee.

The motion of Mr. HOLMAN referring the resolution to the Committee on Rules when appointed was then agreed to.

ADJOURNMENT.

The SPEAKER. The question now is upon the motion of the gentleman from Indiana [Mr. HOLMAN] that when the House adjourns to-day it adjourn to meet on Saturday next.

The motion was agreed to.

The SPEAKER. And the gentleman from Indiana asks unanimous consent that when the House meets on Saturday it then, without transacting any business, adjourn until Wednesday next.

There was no objection, and it was so ordered.

The House then, on motion of Mr. HOLMAN (at 2 o'clock and 15 minutes p. m.), adjourned until Saturday.

SENATE.

THURSDAY, *December 10, 1891.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

FINANCE REPORT.

The VICE-PRESIDENT laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances; which, with the accompanying papers, was referred to the Committee on Finance, and ordered to be printed.

REPORT OF THE ATTORNEY-GENERAL.

The VICE-PRESIDENT laid before the Senate the annual report of the Attorney-General; which, with the accompanying papers, was ordered to lie on the table and be printed.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Acting Secretary of War, transmitting, in compliance with law, a statement of the expenditures at the Springfield (Mass.) Armory, and of arms, components of arms, and appendages fabricated, altered, and repaired thereat during the year ended June 30, 1890; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Acting Secretary of War, transmitting, in compliance with the act of Congress approved February 24, 1891, the findings of a board of officers appointed under the provisions of that act to examine and report as to the physical condition of William C. Spencer at the time of his resignation from the Army; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

LIBRARY OF CONGRESS.

The VICE-PRESIDENT laid before the Senate a communication from the Chief of Engineers, transmitting a report on the construction of the building for the Library of Congress during the year ending December 1, 1891; which, with the accompanying report, was referred to the Select Committee on Additional Accommodations for the Library of Congress.

TREASURY ACCOUNTS.

The VICE-PRESIDENT laid before the Senate a communication from the Treasurer of the United States, transmitting, in compliance with law, fair and accurate copies of the accounts rendered to and settled with the First Comptroller for the fiscal year ended June 30, 1891; which was read.

The VICE-PRESIDENT. The documents accompanying this communication being voluminous, the papers will be referred to the Committee on Printing.

REPORT OF COMMISSIONER OF FISH AND FISHERIES.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioner of Fish and Fisheries, transmitting, in compliance with law, a statement of the expenditures for propagation of food fish during the fiscal year ending June 30, 1891, and also under certain other appropriations therein enumerated; which was referred to the Committee on Fisheries, and ordered to be printed.

MARITIME CANAL COMPANY OF NICARAGUA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in compliance with law, the annual report of the Maritime Canal Company of Nicaragua; which, with the accompanying report, was referred to the Committee on Foreign Relations, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial, signed by numerous members of St. George's Methodist Episcopal Church, of Philadelphia, Pa., remonstrating against the opening of the Co-

lumbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WILSON presented a petition of the United Presbyterian Church, of Knoxville, Iowa, praying that the World's Fair be closed on the Sabbath; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the National Farmers' Congress, of Sedalia, Mo., praying that an appropriation be made for the improvement of the Savannah River; which was referred to the Committee on Commerce.

Mr. CASEY presented a petition of the Presbyterian Synod of North Dakota, praying that the United States coöperate with foreign powers to prevent the slave and rum traffic within the limits of the Congo Free State; which was referred to the Committee on Foreign Relations.

He also presented a petition of the National Farmers' Congress, of Sedalia, Mo., praying for an adequate appropriation for the completion of the plan heretofore adopted for securing 26 feet of water in the Savannah River from Savannah, Ga., to the ocean; which was referred to the Committee on Commerce.

Mr. McMILLAN presented a joint resolution of the Legislature of Michigan, favoring legislation to secure the adoption of train brakes and automatic couplers on freight trains; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union and Sons of Temperance, of Tekonsha, Mich., praying that the World's Fair be closed on Sundays, and that the art department be conducted according to American ideas of purity; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of J. B. Vail and 87 other citizens of Weston, Mich., remonstrating against the opening of the World's Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PADDOCK presented a communication from James Milliken, of Bellefonte, Pa., transmitting copy of a statute which has passed the senate of Pennsylvania, relative to the mode of payment of obligations of debt contracted to be paid in money; which was referred to the Committee on Finance.

He also presented the petition of citizens of Chattanooga, Tenn., praying for the prohibition of the slave and rum traffic within the limits of the Congo Free State, as provided for in the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of citizens of Northwestern Nebraska, praying that an appropriation be made for the construction of three irrigation canals to reclaim the arid district of that State; which was referred to the Select Committee on Irrigation and Reclamation of Arid Lands.

Mr. DOLPH presented a petition of the Young People's Society of Christian Endeavor, of McMinnville, Oregon, praying for the passage of a bill to close expositions on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Chamber of Commerce of Portland, Oregon, praying for the passage of a law requiring uniformity in bills of lading; which was referred to the Committee on Commerce.

Mr. DAVIS presented a petition of the Military Order of the Loyal Legion of the United States, Commandery of the State of Minnesota, adopted April 14, 1891, praying Congress to take action to perfect the system of defenses of the United States, and that its naval force be increased; which was referred to the Committee on Military Affairs.

He also presented the petition of Sarah M. Hyatt, a citizen of Minnesota, praying that an amendment of the Indian depredations act be made so as to allow her to prosecute her claim on account of depredations by Indians; which was referred to the Committee on Indian Depredations.

Mr. HOAR presented the petition of John C. Howe, a citizen of Massachusetts, praying to be allowed compensation for the unauthorized use of his patent for certain improvements in cartridges for firearms; which was referred to the Committee on Patents.

He also presented the petition of John Liberty, of Marlboro, Mass., praying for the removal of the charge of desertion from his military record and for his honorable discharge; which was referred to the Committee on Military Affairs.

He also presented the petition of Stephen H. Eames and others, of Upton, Mass., and the petition of the Evangelical Alliance of Roxbury, Mass., praying that any loan to the World's Columbian Exposition shall be on the condition that the Exposition be closed to visitors on the Lord's day; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Ira L. Sanderson, of Sturgis, S. Dak., praying for the passage of a bill appointing him an assistant surgeon in the United States Army; which was referred to the Committee on Military Affairs.

Mr. HALE presented a petition of the Board of Trade of Bangor, Me., praying for the passage of the Torrey bankruptcy bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Methodist Episcopal Conference of Maine, praying for legislation which will promote the efficiency of the chaplain service of the Army and Navy; which was referred to the Committee on Naval Affairs.

He also presented the petition of Charles A. Currier, of Chelsea, Mass., praying that a pension be granted to Henry S. Day; which was referred to the Committee on Pensions.

Mr. SHERMAN presented the following petitions, praying for legislation by Congress looking to the closing of the World's Fair on the Sabbath day; which were referred to the Committee on the Quadro-Centennial (Select):

Petition of the United Presbyterian Congregation of Wellsville, Ohio;

Petition of W. A. Leonard, bishop of the State of Ohio;

Petition of Mary Lyon, C. P. Williams, and 10 other citizens of the State of Ohio; and

Petition of the First Presbyterian Church of Wellsville, Ohio.

Mr. SHERMAN presented the petition of J. Milton Johnson, of Urbana, Ohio, praying that the metric system of weights and measures be used exclusively in the customs service; which was referred to the Committee on Finance.

He also presented a petition, numerously signed by citizens of Ohio, praying for the coöperation of the United States Government with the other great powers for the suppression of the slave and rum trade in the Congo Free State; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Cleveland, Ohio, praying that an immediate appropriation be made by Congress for the improvement of the Savannah River from the city of Savannah to the ocean; which was referred to the Committee on Commerce.

Mr. SAWYER presented a petition of 102 members of the Congregational Church of Union Grove, Wis., praying for legislation providing that the Columbian Exposition to be held in Chicago in 1893 be closed on the Sabbath day; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MITCHELL presented a petition of 2,020 citizens of Oregon, praying Congress to take whatever action may be necessary to invite a conference of the governments of the world to sit during and in connection with the World's Columbian Exposition to be held at Chicago in 1893, for the purpose of devising, discussing, and recommending measures by which the principle of arbitration may be incorporated in treaties, conflicting international laws harmonized, and an international court established having jurisdiction in cases when governments shall fail to settle their differences by negotiation; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Oregon, praying that a pension be granted to P. F. Castleman, late captain and assistant quartermaster in the Indian war of 1855 and 1856 in the State of Oregon; which was referred to the Committee on Pensions.

He also presented the petition of Mrs. Helen A. De Russy, of Fort Wadsworth, N. Y., praying for an increase of pension; which was referred to the Committee on Pensions.

Mr. GRAY presented a petition of the Ministerial Union of Wilmington, Del., praying that the Columbian World's Fair be closed on Sundays; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CARLISLE presented the petition of Elizabeth Parish, of Carter County, Ky., praying for the correction of the military record of Madison Parish; which was referred to the Committee on Military Affairs.

He also presented the petition of Henry S. Cohn, of Louisville, Ky., praying for an amendment of his military record; which was referred to the Committee on Military Affairs.

Mr. CAMERON presented a petition of the members of the Thirteenth Street Methodist Episcopal Church, of Philadelphia, Pa., praying for legislation providing for the closing of the World's Fair on Sundays; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Young People's Christian Endeavor Society, of Heath, Pa., remonstrating against the opening of the World's Fair on Sundays, and also against liquor being sold within the Exposition grounds; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Pittsburg, Pa., praying for the prohibition of the slave and rum traffic within the limits of the Free Congo State, as provided for in the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. FAULKNER presented a petition of 400 officers and members of the United Presbyterian Congregation of Wheeling, W. Va., signed by J. F. McClure, president, and W. J. W. Cowden,

secretary, and a petition of the West Virginia State Sabbath School Convention, signed by the president and secretary, praying for the enactment of legislation to close the Columbian World's Fair to the public on the Christian Sabbath; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented resolutions adopted by the Farmers' Congress assembled at Sedalia, Mo., November 10, 1891, favoring legislation to improve the Savannah River, in the State of Georgia; which were referred to the Committee on Commerce.

He also presented the memorial of Governor D. R. Francis and other State officials and citizens of the State of Missouri, remonstrating against legislation permitting the construction of drawbridges over the Missouri River; which was referred to the Committee on Commerce.

He also presented a petition of the Christian Endeavor Society of the First Presbyterian Church of Kansas City, Mo., praying for the passage of a bill to prohibit the opening of any exhibition or exposition on the Sabbath where appropriations of the United States are expended; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Young People's Society of Christian Endeavor of the North Presbyterian Church of St. Louis, Mo., praying for legislation against opening the World's Fair on Sunday, and also for treaty provisions against introducing alcohol and firearms into Africa; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the General Assembly of the State of Missouri, praying Congress to appropriate $50,000 to the county of Ozark, State of Missouri, for the purpose of constructing and erecting a bridge across the Big North Fork of the White River at or near the town of Somerset, Ozark County, Mo.; which was referred to the Committee on Commerce.

Mr. CULLOM presented a petition of the Ladies' Missionary Societies of the Second United Presbyterian Church of Monmouth, Ill., and a petition of the South Division of the Chicago Christian Endeavor Union, praying for the closing of the Columbian World's Fair on the Sabbath, and for the prohibition of the sale of liquors therein; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. JONES of Arkansas presented the petition of Wallace Carnahan, rector of Christ's Church, Little Rock, Ark., praying for the passage of a bill providing that the World's Columbian Exposition be closed to visitors on the Lord's Day; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PLUMB presented the petition of Charles D. Crego, of Hartford, Conn., praying for the removal of the charge of desertion from his military record and for an honorable discharge; which was referred to the Committee on Military Affairs.

He also presented the petition of James Campbell, of Lakin, Kans., praying for the removal of the charge of desertion from his military record; which was referred to the Committee on Military Affairs.

He also presented the memorial of J. F. Miller Post, No. 399, of Leoti, Kans,, remonstrating against the display or carrying of the Confederate flag; which was referred to the Committee on Military Affairs.

He also presented a petition of 47 citizens of Mitchell County, Kans., praying that the Columbian World's Fair be kept closed on the Sabbath; which was referred to the Committee on the Quadro-Centennial (Select).

ADDITIONAL SESSION EMPLOYÉS.

Mr. ALDRICH. From the Committee on Rules I report a resolution, which I ask may be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, under the rules.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Sergeant-at-Arms is directed to employ during the present session, in addition to the existing force, one messenger, acting as assistant doorkeeper, at the rate of $1,800 per annum; four messengers, at the rate of $1,440 per annum each; one engineer, at the rate of $1,200 per annum; three firemen, at the rate of $800 per annum each; two conductors of elevators, at the rate of $800 per annum each; one watchman, at the rate of $900 per annum; ten additional messengers, at the rate of $720 per annum each; one attendant in ladies' retiring room, Senate wing of the Capitol, at the rate of $720 per annum; said employés to be paid from the miscellaneous items of the contingent fund of the Senate.

PRIVILEGES OF THE FLOOR.

Mr. ALDRICH. By direction of the Committee on Rules, I give notice of a proposed amendment to the rules; which I ask may be printed and lie upon the table.

The notice was read, and ordered to lie on the table and to be printed, as follows:

Notice is hereby given of a motion to amend Rule XXXIII, the purpose being to modify said rule so that it shall read as follows:

"1. No person shall be admitted to the floor of the Senate while in session, except as follows:
"The President of the United States and his private secretary;
"The President elect and Vice-President elect of the United States;
"Ex-Presidents and ex-Vice-Presidents of the United States;
"Judges of the Supreme Court;
"Ex-Senators and Senators elect;
"The officers of the Senate;
"Members of the House of Representatives;
"Ex-Speakers of the House of Representatives;
"The Sergeant-at-Arms and Clerk of the House of Representatives;
"Heads of the Executive Departments;
"Mjnisters of the United States;
"Governors of States and Territories;
"The General commanding the Army;
"The senior Admiral of the Navy on the active list;
"Members of national legislatures of foreign countries;
"Judges of the Court of Claims;
"Commissioners of the District of Columbia;
"The Librarian of Congress and the assistant librarian in charge of the law library;
"The Architect of the Capitol;
"The Secretary of the Smithsonian Institution;
"Clerks to Senate committees and clerks to Senators, when in the actual discharge of their official duties.
"Clerks to Senators to be admitted to the floor must be regularly appointed and borne upon the rolls of the Secretary of the Senate as such."

BILLS INTRODUCED.

Mr. PADDOCK introduced a bill (S. 1) for preventing the adulteration and misbranding of food and drugs, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. COCKRELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 2) for the relief of Ezra S. Havens;
A bill (S. 3) for the relief of Napoleon B. Giddings;
A bill (S. 4) for the relief of Alfred J. Worcester;
A bill (S. 5) for the relief of John S. Neet, jr.;
A bill (S. 6) for the relief of Joseph W. Carmack; and
A bill (S. 7) for the relief of Charles Wagemann.

Mr. COCKRELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Post-Offices and Post-Roads:

A bill (S. 8) for the relief of Moses Pendergrass, of Missouri; and
A bill (S. 9) for the relief of E. R. Shipley.

Mr. COCKRELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Finance:

A bill (S. 10) for the relief of the legal representatives of Douglas Dale, deceased; and
A bill (S. 11) for the relief of Cogswell & Co.

Mr. COCKRELL introduced a bill (S. 12) to authorize the Secretary of the Interior to settle the claims of the legal representatives of S. W. Marston, late United States Indian agent at Union Agency, Ind. T., for services and expenses; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 13) in relation to the binding of certain public documents; which was read twice by its title, and referred to the Committee on Printing.

Mr. COCKRELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 14) for the relief of Charles P. Chouteau, survivor of Chouteau, Harris & Valle;
A bill (S. 15) for the relief of Montgomery Patton;
A bill (S. 16) for the relief of G. M. Hazen and others;
A bill (S. 17) for the relief of John F. W. Dette;
A bill (S. 18) for the relief of Edward S. Armstrong;
A bill (S. 19) for the relief of Davidson Dickson and others;
A bill (S. 20) for the relief of Calvin Gunn;
A bill (S. 21) for the relief of J. C. Irwin & Co. and C. A. Perry & Co.;
A bill (S. 22) for the relief of John S. Logan;
A bill (S. 23) for the relief of Samuel A. Lowe;
A bill (S. 24) for the relief of the Catholic church at Macon City, Mo.;
A bill (S. 25) for the relief of Aaron Bell;
A bill (S. 26) granting jurisdiction and authority to the Court of Claims in the case of the towboat Future City, her barges, cargoes, etc.;
A bill (S. 27) for the relief of Joseph Diehl, of Moniteau County, Mo.;
A bill (S. 28) for the relief of L. W. Pritchett;
A bill (S. 29) for the relief of Wetmore & Brother, of St. Louis, Mo.;
A bill (S. 30) for the relief of St. Charles College;
A bill (S. 31) for the relief of William Wolfe, of Shelbina, Shelby County, Mo.;
A bill (S. 32) for the relief of the legal representatives of Adam Ruebeling, deceased;

A bill (S. 33) for the relief of James Price;
A bill (S. 34) for the relief of D. K. Ponder, of Ripley County, Mo.;
A bill (S. 35) for the relief of William Phipps, William Blankenship, and the legal representatives of Moses Summers, deceased; and
A bill (S. 36) for the relief of Edwin F. Mathews.

Mr. HARRIS introduced a bill (S. 37) to amend section 1014 of the Revised Statutes of the United States, in relation to the arrest of offenders against the United States escaping from one district or State into another; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 38) to provide for the better enforcement of the quarantine laws and regulations of the United States, to prevent the introduction of contagious or infectious diseases into the United States from foreign countries or from one State into another, and to establish within the Treasury Department a national board of health; which was read twice by its title, and referred to the Committee on Epidemic Diseases.

He also introduced a bill (S. 39) granting an honorable discharge to Thomas Fitzgibbon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 40) for the relief of George T. Vance and Guy P. Vance, executors of the estate of William L. Vance, deceased, late of Memphis, Tenn.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 41) for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee;
A bill (S. 42) for the relief of the legal representatives of Henry S. French;
A bill (S. 43) for the relief of the personal representatives of Adelicia Cheatham, deceased;
A bill (S. 44) for the relief of William Clift;
A bill (S. 45) for the relief of W. J. Smith and D. M. Wisdom;
A bill (S. 46) for the relief of William B. Stokes, M. M. Brien, sr., Thomas Waters, and William T. Haskins;
A bill (S. 47) for the relief of the La Grange Synodical College, of La Grange, Tenn.;
A bill (S. 48) for the relief of Pearson C. Montgomery, of Memphis, Tenn.;
A bill (S. 49) for the relief of Samuel Tate; and
A bill (S. 50) for the relief of Payne, James & Co.

Mr. STEWART introduced a bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes; which was read twice by its title, and ordered to lie on the table.

He also introduced a bill (S. 52) to reimburse the States of California, Oregon, and Nevada for moneys by them expended in the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 53) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 54) to amend chapter 6 of Title XXXII of the Revised Statutes, relating to mineral lands and mining resources; which was read twice by its title, and referred to the Committee on Mines and Mining.

He also introduced a bill (S. 55) for the erection of a public building at Virginia City, State of Nevada; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 56) for the erection of a public building at Reno, State of Nevada; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 57) to authorize the sale to aliens of certain mineral lands; which was read twice by its title, and referred to the Committee on Mines and Mining.

He also introduced a bill (S. 58) to increase the pension of Gen. Patrick E. Connor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 59) to authorize the construction of a railroad in Alaska, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 60) for the relief of the estate of James T. Sanford, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 61) for the relief of Mrs. G. H. Brewer; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 62) to refund illegal internal-revenue tax collected of the late Alexander W. Baldwin, as United States district judge for the district of Nevada; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 63) to refund moneys collected from William Schaus at the port of New York on an oil painting not subject to duty; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 64) for the relief of John A. Lynch; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 65) supplemental to an act entitled "An act supplemental to an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved the 6th day of May, 1882," approved October 1, 1888; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. GRAY introduced a bill (S. 66) for the relief of Commodore Oscar C. Badger; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 67) to transfer the Revenue Cutter Service from the Treasury Department to the Navy Department; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also (for Mr. MCPHERSON) introduced a bill (S. 68) for the relief of the New York, Lake Erie and Western Railroad Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

He also (for Mr. MCPHERSON) introduced a bill (S. 69) for the relief of Betts, Nichols & Co.: which was read twice by its title, and referred to the Committee on Finance.

He also (for Mr. MCPHERSON) introduced a bill (S. 70) to increase the limit of cost of the erection of a public building at Hoboken, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also (for Mr. MCPHERSON) introduced a bill (S. 71) for the relief of Daniel Woodson and of the estate of Ely Moore; which was read twice by its title, and referred to the Committee on Claims.

Mr. CASEY introduced a bill (S. 72) providing for a survey of the Red River of the North with a view to its improvement as a navigable stream; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 73) to remove the charge of desertion from the record of Cornelius C. Sullivan; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 74) granting a pension to William Wansbrough; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 75) granting to the State of North Dakota certain lands heretofore set apart as a wood reservation for Fort Totten military reservation, for the use of the militia of North Dakota, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PASCO introduced a bill (S. 76) to define the divisions of the northern district of Florida, and to provide for holding the district and circuit courts therein, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 77) to provide for the punishment of officers and others who shall select persons to serve as jurors in the courts of the United States with reference to their political affiliations, and who shall conspire to draw or summon such jurors with a view to their religious, political, or partisan opinions, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 78) making an appropriation for the improvement of the road to the national cemetery near Pensacola, Fla.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 79) for the erection of a public building at Tampa, Fla.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 80) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 81) to relinquish the interest of the United States in a certain parcel of land in the city of Pensacola, Fla., to Escambia Lodge, No. 15, Free and Accepted Masons; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 82) for the relief of William P. Head, of Plant City, Fla.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 83) for the relief of Salvador Costa; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 84) to suspend the coming of Chinese laborers to the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 85) for the relief of Goff A. Hall; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 86) granting an honorable discharge to Orrin M. Cheney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 87) to correct the military record of and grant an honorable discharge to Isaac H. Fitzmorris, he having served in the Army of the United States three years six months and six days; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 88) for the relief of Hiram Somerville; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 89) to fix the pay and allowances of the veterinarians of the Army of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 90) explanatory of an act entitled "An act to settle certain accounts between the United States and the State of Mississippi and other States," and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 91) for the relief of Robert E. Hemphill; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 92) for the relief of Bvt. Lieut. Col. J. Madison Cutts; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 93) removing the charge of desertion against Charles T. Garrard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 94) to provide for the purchase of a site and the erection of a public building thereon at Jacksonville, in the State of Illinois; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 95) making an appropriation for a public monument to the memory of John Ericsson, the inventor and constructor of the Monitor; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 96) to reduce letter postage to 1 cent per one-half ounce; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 97) for the relief of Mary A. Lewis, widow of Joseph N. Lewis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 98) to place Romeo Friganza on the retired list; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 99) to provide for the settlement of accounts and claims in certain cases; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 100) for the relief of Moses M. Bane; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 101) for the relief of Joseph M. Spahn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 102) granting a pension to John M. Snyder; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 103) granting a pension to Mary O. Foster; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 104) granting a pension to Henry L. Flint; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 105) granting a pension to Charlotte Younes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 106) to increase the pension of Cornelius J. Wiley; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 107) granting a pension to George W. Campbell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 108) granting a pension to Levi C. Mann; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 109) granting an increase of pension to Phillip H. Carr; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 110) granting a pension to Capt. Elihu Jones; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 111) for the relief of Orin R. McDaniel; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 112) granting a pension to John J. Logan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES of Arkansas introduced a bill (S. 113) to establish a military post near Little Rock, Ark.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 114) making an appropriation for the benefit of the estate of William Moss, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 115) for the relief of William W. Burns; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 116) authorizing and directing the Secretary of the Interior to examine certain claims of persons who owned or occupied buildings on the Hot Springs Mountain Reservation which had been condemned by the Hot Springs Commission and afterwards burned, and to fix a reasonable value for each of said buildings from the evidence now on file in the Interior Department; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 117) for the relief of the estate of Albert L. Berry, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 118) for the relief of the estate of Isaac W. Talkington, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 119) for the relief of the heirs of Mark W. Izard, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 120) for the relief of the estate of William Wright; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 121) for the relief of W. Jasper Blackburn; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 122) for the relief of the board of trustees of the Old School Presbyterian Church, of Helena, Phillips County, Ark.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 123) for the relief of Silas F. Feild, one of the sureties on the bond of John G. Halliburton, deceased, late marshal of the United States in and for the eastern district of Arkansas; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 124) to provide for a building for the use of the post-office, the office of the superintendent of the Hot Springs Reservation, and the Government offices; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 125) for the relief of Jacob W. Parker; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 126) to authorize the trustees of Trinity Church, Hot Springs, Ark., to purchase certain lots; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 127) granting an increase of pension to Sylvester Huit; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 128) granting a pension to John S. Elder; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 129) to pension Mathew Lambert for service in the Indian war; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 130) for the relief of Maj. William M. Maynadier, a paymaster in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 131) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852; which was read twice by its title, and referred to the Committee on Patents.

He also (by request) introduced a bill (S. 132) for the relief of Frank Della Torre and Susan F. Della Torre, heirs of Peter Della Torre, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 133) for the relief of Mrs. Sarah Elizabeth Holroyd, widow and administratrix of the estate of John Holroyd, deceased; which was read twice by its title, and referred to the Committee on Patents.

Mr. CHANDLER introduced a bill (S. 134) providing for consular certificates in the country of departure for aliens emigrating to the United States; which was read twice by its title, and referred to the Committee on Immigration.

He also introduced a bill (S. 135) for the relief of D. H. Trefethen; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 136) for the presentation of badges to the officers and men of the Greely relief expedition; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 137) to allow leaves of absence to per diem employés of the Navy Department; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 138) for the relief of Henry E. Rhoades; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 139) terminating the reduction in the numbers of the Engineer Corps of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. GIBSON of Louisiana introduced a bill (S. 140) to deepen the channel, to improve the navigation, and to afford ease and safety to the commerce of the Mississippi River, and to prevent destructive floods by building and repairing and extending the levees and dikes; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 141) for the establishment of a dry dock on the Government reservation near Algiers, La., with an appropriation therefor; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 142) to purchase portrait of Henry Clay painted by Healy in 1845; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 143) to increase the endowment of the Louisiana State University and Agricultural College and for the Southern University of Louisiana; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 144) providing an income tax to pay pensions and the salaries of retired officers; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 145) to authorize the Court of Claims to hear and determine the claim of the Citizens' Bank of Louisiana, etc.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 146) for the relief of the State National Bank of New Orleans, formerly Louisiana State Bank; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 147) for the relief of the Union National Bank of New Orleans, as the successor of the Union Bank of Louisiana; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 148) relative to claims of certain Northern creditors; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 149) to authorize George E. Payne to prosecute his claim before the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 150) for the relief of the heirs of Maurice Grivot; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 151) granting an increase of pension to Betty Taylor Dandridge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 152) for the relief of Francis Masich, of Louisiana; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 153) to provide American registers for the steamers Foxhall and S. Oteri, of New Orleans, La.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 154) for the relief of the receivers of the Towboat Association of New Orleans, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 155) for the relief of the heirs of Sterling T. Austin, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 156) for the relief of John Rhodes and wife; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 157) granting a pension to David Siess; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 158) for the relief of Mrs. Eliza E. Hebert; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 159) to confirm to the heirs of Mrs. Courtney Ann Claiborne the title to a certain tract of land in the State of Louisiana; which was read twice by its title, and referred to the Committee on Private Land Claims.

He also introduced a bill (S. 160) for the relief of the estate of the late Revere W. Gurley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 161) for the relief of the estate of Dr. Jehu Perkins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 162) for the relief of Bertrand and Gaudin Cazes; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 163) for the relief of Georgine Campbell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 164) for the relief of Emma C. Lovelace and Stephen D. Clark; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 165) for the relief of A. Cusimano & Co.; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 166) for the relief of the estate of Odon Deucatte; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 167) for the relief of Florence A. Brown, administratrix of the estate of John M. Brown, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 168) for the relief of Louis Charles Perret; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 169) for the relief of George W. Chapman, administrator of John M. Cook, deceased, of St. Marys Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 170) for the relief of James Higginbotham, of La Fayette Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 171) for the relief of Louisa Schrader, widow of Charles Schrader, and tutrix minor children, of Rapides Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 172) for the relief of Lucius J. Seals; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 173) for the relief of Jeremiah F. Dorris, of Carroll Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 174) for the relief of Mrs. Ann Moreau, of Avoyelles Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 175) for the relief of Emilie L. Major; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 176) for the relief of Arthur Miller, of Madison Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 177) for the relief of Hattie E. Winn, of West Carroll Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 178) for the relief of William W. Watson, of Tensas Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 179) for the relief of Thomas G. Mackie and the heirs at law of William A. Hyde, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 180) to confirm to Lucretia Williams the title to one square league of land in the State of Louisiana; which was read twice by its title, and referred to the Committee on Private Land Claims.

He also introduced a bill (S. 181) for the relief of Eliza E. Phillips, Chesta M. Phillips, Charlean Phillips, and Nora Phillips, of the city of New Orleans, La., and Robert L. Phillips, of the town of Washington, Ark.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 182) for the relief of Charles Car-

penter, administrator of Celia A. Grove, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 183) for the relief of Varina B. Gaither; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 184) for the relief of Caroline L. Maury; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 185) for the relief of Fanny B. Randolph and Dora L. Stark, of Avoyelles Parish, State of Louisiana, for stores and supplies taken by the military forces of the United States; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 186) for the relief of Mrs. Margaret Fuhr; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 187) referring to the Court of Claims the claims for moneys paid as customs duties and as internal-revenue taxes on cigars imported from the Island of Cuba by Francis A. Gonzales and by Francis A. Gonzales and Antonio Gonzales; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 188) for the relief of John F. Kranz; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 189) for the relief of William H. Cook, sr., of St. Marys Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 190) for the relief of Charles Dupre and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 191) for the relief of Joseph Metoyer and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. MANDERSON introduced a bill (S. 192) to establish postal savings banks and to encourage small savings; which was read twice by its title.

Mr. MANDERSON. I ask that the bill may lie on the table for the present. I may desire to submit some remarks in regard to its subject-matter hereafter.

The VICE-PRESIDENT. The bill will lie on the table for the present.

Mr. MANDERSON introduced a bill (S. 193) to establish a branch mint of the United States at Omaha, in the State of Nebraska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

He also introduced a bill (S. 194) to divide the State of Nebraska into two judicial districts; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 195) providing that notice of the sale of real estate sold under the order, judgment, or decree of a United States court shall be published in the county and State where the property is located, and that the property, after notice, be there sold, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 196) to increase the appropriation for the purchase of site and the erection of a public building at Omaha, Nebr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 197) providing for the erection of a public building at the city of Norfolk, Nebr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 198) to prevent the summary cancellation of pension certificates, and providing for hearings in cases relating thereto; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 199) providing for the construction of a military storehouse and offices for army purposes at the Omaha military depot, Nebraska, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 200) to increase the rate of pension in favor of certain persons; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 201) to increase the efficiency of the infantry of the Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BLACKBURN introduced a bill (S. 202) fixing the salaries of the several justices of the supreme court of the District of Columbia; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 203) for the examination and allowance of certain awards made by a board of claims to certain citizens of Jefferson County, Ky.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 204) in relation to the pay of Rear-Admiral James E. Jouett, retired; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 205) to reimburse Maj. Green Clay Goodloe, paymaster, United States Marine Corps; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 206) for the benefit of T. T. Garrard and others; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 207) for the relief of Samuel McKee; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 208) to provide for the settlement of accounts with certain railway companies; which was read twice by its title, and referred to the Committee on Railroads.

He also introduced a bill (S. 209) to place Henry Zell on the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MORRILL introduced a bill (S. 210) to establish a hospital and home for inebriates and dipsomaniacs in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. KENNA introduced a bill (S. 211) for the relief of the sureties of Dennis Murphy; which was read twice by its title, and referred to the Committee on Claims.

Mr. WOLCOTT introduced a bill (S. 212) to provide for coinage at the branch mint at Denver, Colo.; which was read twice by its title, and referred to the Committee on Finance.

Mr. ALLEN introduced a bill (S. 213) granting a right of way across the Scarboro Hill military reservation to the Ilwaco Railway and Navigation Company; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 214) making appropriation for the improvement of the military reservation known as Fort Walla Walla, in the State of Washington; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 215) to provide for the construction of a wagon road through the military reservation of Fort Canby, in the State of Washington, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 216) granting to the State of Washington certain lands therein situated for the purpose of a fish hatchery; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 217) for the relief of the purchasers from the United States of land in even-numbered sections within the forfeited portions of railroad grants; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 218) granting to the county of Clallam, State of Washington, certain public lands in trust, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 219) authorizing citizens of that part of the State of Washington eastward of the Columbia River to fell and remove timber on the public domain for mining and domestic purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 220) for the relief of Thomas J. Miller, of the State of Washington; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 221) for the relief of Henry L. Tilton and Isaac S. Kaufman; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 222) for the relief of Thomas Wright; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 223) for the relief of George A. Barnes; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were respectively read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 224) granting a pension to Jasper N. Warren;

A bill (S. 225) for the relief of William R. Munroe;

A bill (S. 226) granting an increase of pension to James R. Lewis;

A bill (S. 227) granting an increase of pension to John C. Brown;

A bill (S. 228) granting an increase of pension to Augustus T. Pintler;

A bill (S. 229) to increase the pension of Farnham J. Eastman;
A bill (S. 230) granting a pension to Ida Button and May Button; and
A bill (S. 231) granting arrears of pension to P. Q. Healy.

Mr. SAWYER introduced a bill (S. 232) for the relief of Otto A. Risum; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PLATT introduced a bill (S. 233) to amend Title LX, chapter 1, of the Revised Statutes of the United States, relating to patents; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 234) for the relief of the National New Haven Bank of the State of Connecticut; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 235) appointing commissioners to revise the statutes relating to patents, trade and other marks; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 236) for the relief of William Bond & Co. and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 237) for the erection of a public building at Waterbury, Conn.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 238) for the relief of the heirs of Davis B. Bonfoey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 239) for the relief of Eugene D. Crane; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 240) to remove the charge of desertion from the military record of John Lyons; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 241) to remove the charge of desertion from the military record of Thomas Morrison; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. COKE introduced a bill (S. 242) for the relief of the estate of John W. Whitfield; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 243) to remove the charge of desertion from the military record of Charles D. Crego; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 244) for the relief of Theodore Sharts; which was read twice by its title, and referred to the Committee on Patents.

Mr. COKE introduced a bill (S. 245) for the relief of W. T. Scott and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAMERON introduced a bill (S. 246) for the relief of Thomas A. McLaughlin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 247) for the relief of Henry E. Rhoades; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 248) granting a pension to the minor children of George S. McCartney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 249) granting a pension to Schuyler C. Kephart; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 250) to remove the charge of desertion from the military record of George S. Ackerson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 251) concerning the rank and pay of certain officers of the Navy having served a full term as chief of a bureau in the Navy Department; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 252) for the relief of certain senior medical directors on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 253) granting a pension to Charles W. Griest; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 254) for the relief of William B. Reaney, surviving partner of the firm of Reaney, Son & Archbold; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 255) for the relief of the Berks County Agricultural Society, of Berks County, Pa.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 256) for the relief of Augustus Boyd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 257) for the relief of Julius A. Kaiser; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 258) for the relief of Lieut. Col. Michael P. Small, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 259) for the relief of Amanda G. Walter, as executrix of Thomas U. Walter, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 260) for the relief of William Brice & Co., of Philadelphia, and others, which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 261) for the relief of the legal representatives and devisees of James W. Schaumburg; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 262) for the relief of Jabez Burchard; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 263) for the relief of the heir or heirs of John Howard Payne; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 264) for the relief of William B. Morgan; which was read twice by its title, and referred to the Committee on Appropriations.

He also introduced a bill (S. 265) granting an increase of pension to Samuel A. Wehr; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAULKNER introduced a bill (S. 266) to provide for the purchase of a site and the erection of a public building thereon at Huntington, in the State of West Virginia; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 267) for the preservation of the public peace and the protection of property within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FAULKNER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 268) for the relief of C. M. Shaffer;
A bill (S. 269) for the relief of John Pickens, of Barbour County, W. Va.;
A bill (S. 270) for the relief of Elizabeth Mulvehill;
A bill (S. 271) for the relief of Lewis Karrickhoff, of Barbour County, W. Va.;
A bill (S. 272) for the relief of the administrator of Jacob Coplin, deceased, of Harrison County, W. Va.;
A bill (S. 273) for the relief of the trustee of St. Joseph's Catholic Church at Martinsburg, W. Va.;
A bill (S. 274) for the relief of Moses Grathouse, of Harrison County, W. Va.;
A bill (S. 275) for the relief of the trustees of the Methodist Protestant Church of Middleway, Jefferson County, W. Va.;
A bill (S. 276) for the relief of the trustees of the Methodist Episcopal Church of Martinsburg, W. Va.;
A bill (S. 277) for the relief of the administrator of Andrew D. Coplin, deceased, of Harrison County, W. Va.;
A bill (S. 278) for the relief of Nathan Reed, of Barbour County, W. Va.;
A bill (S. 279) for the relief of the trustees of the German Evangelical Church of Martinsburg, W. Va.;
A bill (S. 280) for the relief of the trustees of the Methodist Episcopal Church of Flat Woods, Braxton County, W. Va.;
A bill (S. 281) for the relief of M. C. Davis;
A bill (S. 282) for the relief of Edward Tearney, administrator of William McSherry, deceased;
A bill (S. 283) for the relief of the trustees of Trinity Episcopal Church;
A bill (S. 284) for the relief of William F. Wilson;
A bill (S. 285) for the relief of Robert Thompson;
A bill (S. 286) for the relief of E. C. Trimble;
A bill (S. 287) for the relief of the trustees of the Presbyterian Church of Springfield, Hampshire County, W. Va.;
A bill (S. 288) for the relief of Levi Teets; and
A bill (S. 289) for the relief of Robert C. Murphy.

Mr. FAULKNER introduced a bill (S. 290) granting an increase of pension to John S. Hall; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAULKNER introduced the following bills; which were

severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 291) for the relief of the trustees of the Methodist Episcopal church at Harpers Ferry, W. Va.;

A bill (S. 292) providing for the payment of the amounts due the employés in, and the contractors who furnished castings to, the United States armory at Harpers Ferry, W. Va., from January 1, 1861, to April 19, 1861, inclusive;

A bill (S. 293) for the relief of William M. Morrison; and

A bill (S. 294) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims for the use and occupation of church, college, and school buildings for Government purposes by the United States military authorities during the late war, and the value of any such buildings destroyed during such occupation by the United States, and all claims for repairs to any such buildings and the furniture of same rendered necessary by such occupation by the United States Army.

Mr. MCMILLAN introduced a bill (S. 295) to establish wind signal display stations at Thunder Bay and Middle Islands, Lake Huron; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 296) for the relief of James W. Knaggs; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 298) for the relief of Eunice Tripler, widow of Charles S. Tripler; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 299) granting an honorable discharge to Melancthon Borst, alias Joseph Morgan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 300) for the construction of a public building at Owosso, Mich.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 301) to authorize the Secretary of the Interior to issue a duplicate of a certain land warrant to Emma A. Ripley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Private Land Claims.

Mr. SHERMAN introduced a bill (S. 302) to establish a department of public health; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Epidemic Diseases.

He also introduced a bill (S. 303) to provide for the erection of a public building in the city of Mansfield, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 304) to provide for the erection of a public building in the city of Zanesville, Ohio; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 305) for the relief of Battelle & Evans; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 306) authorizing the Librarian of Congress to purchase "Townsend's Library of National, State, and Individual Records, comprising a collection of historical records concerning the origin, progress, and consequences of the late civil war;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

He also introduced a bill (S. 307) for the relief of Lorain Ruggles; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 308) to remove the charge of desertion from the military record of Enos W. Townsley; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 309) to remove the charge of desertion from the military record of John Hill; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 310) granting an honorable discharge to Phillip Kurtz; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 311) for the relief of Maj. James Belger; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 312) granting an honorable discharge to Levi Beer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 313) granting an increase of pension to Daniel Beers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 314) granting a pension to John P. Bichn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 315) for the relief of the legal representatives of George McDougall, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 316) for the erection of a statue of the late Robert Dale Owen, of Indiana, to be placed in the grounds of the Smithsonian Institution; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 317) granting an increase of pension to John M. Roberts; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 318) for the relief of Joseph Johnson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 319) granting an increase of pension to Fanny L. Davis, widow of John Lee Davis, late rear-admiral of the United States Navy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 320) for the relief of Henry Ayres; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 321) granting a pension to Bennett J. Crowder; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 322) for the relief of Willis Benefield; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 323) granting a pension to Thomas Cooper; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 324) for the relief of Isaac H. Wheat; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 325) for the payment of Sewell Coulson and Porter, Harrison & Fishback for legal services; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 326) granting a pension to Mary A. Carson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 327) for the relief of Calvin Jones; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 328) granting an increase of pension to Jacob Bernhardt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 329) granting an honorable discharge to Luther L. Martin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 330) for the relief of Theophilus Fisk Mills; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

Mr. DAVIS introduced a bill (S. 331) to provide for the settlement of accounts and claims in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 332) to amend paragraph 3 of section 4693 of the Revised Statutes, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 333) for the relief of Henry Unterleiter, alias Cook or Koch; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 334) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 335) for the relief of the Northwestern Express, Stage and Transportation Company; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 336) granting a pension to Mary E. Chamberlain; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 337) to remove the charge of desertion standing against the name of Joseph G. Utter; which

was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 338) for the erection of a public building at Anoka, Minn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 339) for the erection of a public building at Fergus Falls, Minn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 340) for the relief of George A. Fairbanks; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 341) for the relief of the estate of Ramsay Crooks; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 342) for the relief of the estate of Ramsay Crooks; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 343) to authorize the location of a branch home in Minnesota for disabled volunteer soldiers, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 344) for the relief of Niel Nielsson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 345) to increase the appropriation for the erection of a public building at St. Paul, Minn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 346) authorizing the Secretary of Interior to determine and pay certain claims against Fond du Lac Indians; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 347) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 348) to amend an act entitled "An act for the relief of settlers on Northern Pacific Railroad indemnity lands," approved October 1, 1890; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 349) to increase the rate of pensions for certain cases of deafness; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 350) for the relief of Theodor Borup; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TURPIE introduced a bill (S. 351) for the relief of Aquilla Jones, late postmaster at Indianapolis, Ind.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 352) for the relief of George F. Roberts, administrator of the estate of William B. Thayer, deceased, surviving partner of Thayer Brothers, and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 353) for the relief of Benawell Schwartz; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 354) for the relief of John Schierling, administrator *de bonis non* of the estate of Gallus Kerchner, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 355) referring to the Court of Claims the claims of the executors of O. P. Cobb and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 356) for the relief of John W. Blake; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PEFFER introduced a bill (S. 357) to amend the immigration and naturalization laws; which was read twice by its title, and referred to the Committee on Immigration.

He also introduced a bill (S. 358) to grant service pensions to surviving soldiers of the war of the rebellion, with additional amounts to prisoners of war, to provide means for their payment, and to repeal section 2 of the pension act of June 27, 1890; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 359) to reduce the number of pension ratings to ten; to abolish pension agencies; and to lessen the expenses of examining boards; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 360) for the relief of Stacy Matlack, of Arkansas City, Kans.; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GIBSON of Maryland introduced a bill (S. 361) to provide a building site for the National Conservatory of Music of America; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. WOLCOTT introduced a bill (S. 362) to ratify and confirm an agreement with the Southern Ute Indians in Colorado, and to make the necessary appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 363) to restore the lands embraced in the Fort Lewis military reservation in the State of Colorado to the public domain; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GALLINGER introduced a bill (S. 364) for the relief of Barker, Williams, and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 365) for the relief of the estate of James S. Clark; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 366) for the relief of the widow and children of Dr. Lemuel H. Draper; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 367) to provide for the purchase of a site and the erection of a public building thereon at Nashua, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 368) to provide for the purchase of a site and the erection of a public building thereon at Dover, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 369) to increase pensions for loss of both feet or the sight of both eyes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 370) granting an increase of pension to James H. Osgood; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 371) granting a pension to John Chamberlain; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 372) granting a pension to Ralph Waldo Nason; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HIGGINS (by request) introduced a bill (S. 373) for the relief of Daniel Donovan; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. STOCKBRIDGE introduced a bill (S. 374) granting an increase of pension to Daniel F. Mevis, late of Company D, Fourteenth Regiment Michigan Volunteers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 375) for the relief of James and William Crooks, of Canada; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 376) for the relief of John H. Russell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 377) to provide for the purchase of a site and the erection of a public building thereon at Grand Haven, in the State of Michigan; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 378) for the erection of a public building at Menominee, State of Michigan; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PADDOCK introduced a bill (S. 379) to provide for the erection of public buildings for post-offices in towns and cities where the annual post-office receipts for three years preceding have exceeded $3,000 annually; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 380) to provide for the inspection, grading, and storage of grain shipped or intended for shipment from the State or Territory of production into any other State or Territory for sale or consumption, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 381) to amend an act entitled "An act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and provide means for the suppression and extirpation of pleuro-pneumonia and other contagious diseases among domestic animals, and for other pur-

poses;" which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 382) for the protection of trees and other growth on the public domain from destruction by fire; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 383) to create a permanent tariff commission to make investigations and to report facts as a basis for legislation; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 384) to make the Commissioner of Fish and Fisheries an officer of the Department of Agriculture, and for other purposes; which was read twice by its title, and referred to the Committee on Fisheries.

He also introduced a bill (S. 385) to provide for the construction of a public building at Hastings, Nebr.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 386) to provide for the disposal of Fort Hartsuff, Fort Sheridan, and Fort McPherson military reservations, in the State of Nebraska, to actual settlers under the provisions of the homestead laws; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 387) to prohibit the allowing of attorney's fees in cases of foreclosures of mortgages in courts of the United States when it is forbidden by State laws in the courts of the State; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 388) to provide for the construction of a public building at Salt Lake City, Utah Territory; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 389) for the erection of a public building at Lincoln, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 390) authorizing and directing the Secretary of the Treasury to pay to Frank Rother $225 due him for services as route agent; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 391) for the relief of Wesley Montgomery; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 392) for the relief of the heirs of Lieut. Commander Wilson McGunnegle, United States Navy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHOUP introduced a bill (S. 393) to provide for the purchase of a site and the erection of a public building thereon at Boisé City, in the State of Idaho; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CALL introduced a bill (S. 394) to declare that the land granted to the State of Florida by an act entitled "An act granting land to the States of Alabama and Florida," approved May 17, 1856, is public land, and to provide for the settlement of the rights of persons and corporations interested in such grant; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 395) granting a pension to Thomas Cook; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 396) confirming titles to certain lands in Columbia County, State of Florida; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 397) for the relief of Henry B. Plant; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 398) to provide for the removal of saloons, breweries, and distilleries in Washington City on the complaint of persons residing in their immediate vicinity; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 399) granting an increase of pension to P. B. Perry; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 400) granting a pension to Matilda Norton, widow of Lewis Norton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 401) making an appropriation for the purchase of a site and the construction of a light and fog signal at St. Andrews Bay, Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 402) granting a pension to Ann Davenport; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 403) for the relief of Jane Latham Donelly, only surviving daughter and heir of Amos Latham, a soldier of the Revolutionary war; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 404) to provide for the payment of the legal representatives of Alfred A. Fisher, deceased, for the rent of certain property in Tallahassee, Fla., for the use of the Army; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 405) for the relief of Capt. Thomas W. Lund; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 406) to include Dade County in the southern judicial district of Florida, and to provide terms of court in said county, and for the issue and return of process; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 407) granting a pension to Simeon Perry; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 408) to provide for the purchase of a site for and the erection of a public building at Fernandina, in the State of Florida; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HOAR introduced a bill (S. 409) for the relief of John C. Howe; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 410) granting an honorable discharge to John Liberty; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 411) to refer the claim of the owners of the brig Tally-Ho to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 412) granting a pension to George Hayes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 413) granting a pension to Philo L. Morgan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 414) granting a pension to Mary S. Rugg; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 415) granting a pension to Mrs. Annie A. Townsend; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 416) granting a pension to William L. Eddy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VEST introduced a bill (S. 417) to prohibit monopoly in the transportation of cattle to foreign countries; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 418) to change the times for holding the circuit and district courts of the United States for the western district of Missouri; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 419) fixing compensation of United States marshals and deputies, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 420) to regulate the removal of causes by Federal corporations; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 421) for the relief of Joseph Edward Montgomery; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 422) granting an honorable discharge to Harlem Brewer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 423) fixing the compensation of United States district attorneys, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 424) to amend section 1910 of chapter 2, Title XXIII, of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 425) for the relief of the legal representatives of Samuel A. Craddock, late of Audrain County, Mo.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 426) to provide for the erection of a public building for the use and accommodation of the post-office at Mammoth Hot Springs, in the Yellowstone National Park; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 427) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for three years preceding have exceeded $3,000 annually; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 428) to amend sections 2474 and 2475 of the Revised Statutes of the United States, setting apart a certain tract of land lying near the headwaters of the Yellowstone River as a public park; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 429) to authorize the construction of bridges across the Missouri River between its mouth and the mouth of the Dakota or James River, and across the Mississippi River between the port of St. Paul, in the State of Minnesota, and the port of Natchez, in the State of Mississippi, and across the Illinois River between its mouth and La Salle, in the State of Illinois, and to prescribe the character, location, and dimensions of the same; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 430) making appropriation for the purchase of ground and the erection thereon in the city of Washington, D. C., of a building to be used as a hall of records; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 431) to provide for the compulsory education of Indian children; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 432) to amend "An act to regulate commerce," approved February 4, 1887; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 433) to further amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended March 2, 1889; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 434) to place on the pension rolls the name of John J. Chapman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 435) to aid the State of South Dakota to support a school of mines; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 436) to provide for the purchase of a site and the erection of a public building thereon in the city of Deadwood, in the State of South Dakota; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 437) in relation to a farm for the Indian training school at Pierre, S. Dak.; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 438) to prohibit the sale of fire arms and ammunition to the Indians residing upon reservations; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 439) granting to the State of South Dakota 5 per cent of the net proceeds of the sales of public lands in that State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 440) to authorize the construction of a bridge across the Missouri River between the city of Chamberlain, in Brulé County, and Lyman County, in the State of South Dakota; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 441) authorizing and directing the Secretary of Agriculture to cause to be made all necessary field examinations, surveys, and experiments for the purpose of demonstrating the extent, etc., with reference to irrigation, of the underflow waters between the ninety-seventh degree of west longitude and the foothills of the eastern slope of the Rocky Mountains, and making an appropriation therefor; which was read twice by its title, and referred to the Select Committee on Irrigation and Reclamation of Arid Lands.

He also introduced a bill (S. 442) to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 443) granting to the Midland Pacific Railroad Company the right of way through the Crow Creek Indian Reservation, in the State of South Dakota; which was read twice by its title, and referred to the Committee on Indian Affairs

He also introduced a bill (S. 444) granting to the State of South Dakota section No. 36, in township No. 94 north, of range No. 56 west, in the county of Yankton, in said State, for the purpose of an asylum for the insane, to correct an act approved June 16, 1880, attempting to make such grant to the Territory of Dakota, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 445) granting an increase of pension to Patrick E. O'Connor, late a regimental adjutant of the Tenth Regiment Veteran Reserve Corps; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 446) directing the Secretary of the Treasury to reëxamine and resettle the accounts of certain States and the city of Baltimore, growing out of moneys expended by said States and the city of Baltimore for military purposes during the war of 1812; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 447) for the relief of Samuel Marsh; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 448) for the relief of Margaret Kennedy; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 449) for the relief of William Bushby; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 450) for the relief of Alexander Stoddart, of New York; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 451) for the relief of Mrs. C. N. Graves, widow, etc.; which was read twice by its title, and referred to the Committee on Claims.

Mr. HISCOCK introduced a bill (S. 452) granting an increase of pension to Charles D. Stephens; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 453) granting a pension to Eliza Conroy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 454) to authorize the registration of trade-marks and protect the same; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 455) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey; which was read twice by its title, and referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 456) for the relief of Theodore R. Timby; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 457) for the relief of the assignees or legal representatives of John Roach, deceased, to pay balance due on the United States steamer Dolphin; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 458) to remit the penalties on the dynamite-gun cruiser Vesuvius; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 459) granting an honorable discharge to Michael Pfoertner; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 460) for the relief of the legal representatives of George K. Otis, deceased; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also (by request) introduced a bill (S. 461) for the relief of Joseph Hague, of New York City, N. Y.; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 462) for the relief of Alexander Stoddart, of New York; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 463) to provide payment to the legal representatives of the captain and owners of the ship Cadmus for losses and expenses of bringing Gen. de Lafayette and suite to the United States as the nation's guests, in 1824, etc.; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 464) for the relief of Charles Gallagher, of New York; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 465) for the relief of Charles Gallagher, of New York, and to refer his claims to the Court of Claims for adjudication; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 466) authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as he may be justly and equitably entitled to; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 467) for a customs commission; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 468) to provide for the retirement

of national-bank notes, the free coinage of silver, for the promotion of the international free coinage of silver, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 469) granting an honorable discharge to William Mackey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 470) for the relief of William L. Rose; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 471) for the relief of John Glazebrook; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 472) granting a pension to Addison Walker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 473) granting a pension to Lawrence H. Boyle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 474) granting a pension to Clara B. Hoyt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 475) granting a pension to Margaret A. West; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 476) for the relief of John M. Giffin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 477) for the relief of Jane Boller; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 478) for the relief of Mrs. S. B. Duvall, widow of the late Rev. W. P. Duvall, deceased; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 479) for the relief of Mrs. E. Trask; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 480) for the relief of Ezekiel Blankenship; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 481) granting a pension to George B. Edgar; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 482) granting a pension to Hannah A. Durham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 483) to increase the pension of Thomas J. Jackson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 484) granting a pension to John Freidline; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 485) granting an honorable discharge to James Campbell; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 486) granting an honorable discharge to Charles D. Crego; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 487) granting a pension to Jacob R. Shipler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 488) for the relief of the estate of M. F. Downing, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 489) granting a pension to Anna K. Walquist; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 490) granting a pension to William Quiggle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 491) granting a pension to Jonathan H. Glenn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 492) for the relief of John M. Splane; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 493) for the relief of D. W. Boutwell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 494) for the relief of Daniel W. Boutwell; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 495) for the relief of David M. Foltz; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 496) granting a pension to Letistry Parker; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 497) granting a pension to Martha Allen; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 498) for the relief of Thomas F. O'Reilly; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 499) for the relief of Jonathan Myers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 500) for the relief of Stalnaker Marteney, late private Company C, One hundred and thirty-third Regiment West Virginia Militia Volunteers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 501) granting a pension to Isaac Fickle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 502) granting an increase of pension to Prouty J. Dean; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 503) for the relief of William W. Angel; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 504) granting a pension to Harriet S. Seaman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 505) for the relief of Jerome Kunkel; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 506) granting a pension to George W. Spain; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 507) granting a pension to Mrs. Fanny Strain; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions

He also introduced a bill (S. 508) to relinquish the interest of the United States in certain lands in Kansas; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 509) granting an increase of pension to Thomas J. Matlock; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 510) for the relief of W. H. Collards, John A. Elsaser, Peter Johnson, George Shade, N. G Brown, Jonas F. Reitz, and L. H. Boyd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 511) granting a pension to Betty Elmore; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 512) for the relief of Benjamin F. Campbell, late second lieutenant of the Eighteenth Pennsylvania Cavalry; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 513) to muster into the service of the United States as second lieutenant of infantry Joseph B. Samuels; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 514) granting a pension to Mrs. Katie Ramey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 515) granting an increase of pension to Andrew J. Mefford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 516) granting a pension to David Roche; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 517) granting pensions to the members of the State militia of Kansas who are incapacitated for the performance of manual labor, and providing for pensions for their widows and minor children; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 518) for the relief of John Sullivan; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAREY introduced a bill (S. 519) for the relief of Francis Irsch; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 520) granting an increase of pen-

sion to Oliver P. Goodwin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 521) granting to the State of Wyoming certain lands in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 522) for the erection of a public building at Cheyenne, Wyo.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 523) making an appropriation to reimburse the State of Wyoming for moneys expended in the protection of the Yellowstone National Park; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 524) extending the privileges of the free delivery of mails; which was read twice by its title, and referred to the Committee on Post-Offices and Post Roads.

Mr. MITCHELL introduced a bill (S. 525) making an appropriation for the construction of a boat railway at The Dalles and Celilo Falls and Ten Mile Rapids of the Columbia River, and for the improvement of Three Mile Rapids; which was read twice by its title and referred to the Committee on Transportation Routes to the Seaboard.

He also introduced a bill (S. 526) for the relief of the city of Astoria, in the State of Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 527) for the relief of the legal representatives of Chauncey M. Lockwood; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 528) to reduce letter postage to 1 cent per ounce; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 529) granting a pension to Colbert Powell Blair, of Corvallis, Oregon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 530) granting an increase of pension to James D. Kirkpatrick; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 531) granting a pension to William L. Davis; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 532) granting a pension to P. F. Castleman, of Oregon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 533) granting an increase of pension to Mrs. Helen A. De Russy, widow of the late Gen. René E. De Russy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 534) to provide for the construction of a public building at Salem, Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 535) to provide for the construction of a public building at Baker City, Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 536) to increase the number of chaplains in the Army of the United States, to define their duties, and increase their efficiency; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 537) to provide for the establishment of a gun factory for the finishing and assembling of heavy ordnance on the Pacific coast; which was read twice by its title.

Mr. DOLPH. I should like to say in regard to that measure that it is the bill reported favorably from the Committee on Coast Defenses at the last session of Congress and advocated by myself The friends of the measure are supported at this session by the strong favorable report of the Secretary of the Navy, and of the Secretary of War, also. I move that the bill be referred to the Committee on Coast Defenses.

The motion was agreed to.

Mr. DOLPH introduced a bill (S. 538) to provide for the formation and government of municipal corporations in Alaska; which was read twice by its title.

Mr. DOLPH. This bill follows the recommendation of the President in his annual message, which was read yesterday; and I desire to state that I shall, in a few days, introduce two other important measures which, from actual observation in Alaska, I believe ought to become laws. I move that the bill be referred to the Committee on Territories.

The motion was agreed to.

Mr. DOLPH introduced a bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th of July, 1868;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

He also introduced a bill (S. 540) to continue in force an act entitled "An act to execute certain treaty stipulations relating to Chinese," approved May 6, 1882; an act entitled "An act to amend an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved May 6, 1882," approved July 5, 1884, and an act entitled "An act a supplement to an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved the 6th day of May, 1882," approved October 1, 1888; which was read twice by its title.

Mr. DOLPH. This bill proposes no radical changes in the existing laws, but extends the laws on the subject until Congress repeals them, as I suppose the legislation now in force will fall with the expiration of the treaty convention which was made between the United States and China. The bill also provides that Chinese who may be found unlawfully in the United States shall be removed to China, unless they show that they are citizens of some other country. I move that the bill be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. DOLPH introduced a bill (S. 541) making appropriations for the improvement of the Columbia River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. WILSON introduced a bill (S. 542) granting an increase of pension to Ezra A. Miller; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 543) for the relief of the representatives of Daniel C. Rodman, deceased, and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 544) authorizing the Secretary of War to purchase a lot in the city of St. Augustine, Fla., for military purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 545) to define the grade of certain medical officers of the Army, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 546) authorizing the appointment of an assistant swordmaster at the Military Academy; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 547) for the relief of Lieut. Col. Charles G. Sawtelle, deputy quartermaster-general, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 548) to amend the Articles of War relative to the punishment of enlisted men for military offenses committed in time of peace; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 549) to amend Rules and Articles of War 79 and 90, and improve the administration of justice in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 550) to amend section 3709 of the Revised Statutes of the United States, relating to purchase of and contracts for supplies; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 551) to promote the administration of justice in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 552) to amend the act approved March 1, 1887, relating to the hospital corps of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 553) to revive the grade of Lieutenant-General in the Army of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BATE (by request) introduced a bill (S. 554) for the relief of William R. Miller; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 555) increasing the pension of Mrs. Rochie Brien Buell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 556) for the relief of the book agents of the Methodist Episcopal Church South; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 557) for the relief of the city of Nashville, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 558) for the relief of J. Kropp, administrator of Christian Kropp, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 559) for the relief of C. B. Bryan & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 560) for the relief of the trustees of Stewart College, Montgomery County, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 561) for the relief of Caleb Bryan; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 562) for the relief of the heirs of Samuel B. Sparkman, of Nashville, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 563) for the relief of Cummings, Doyle & Co. and Doyle & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 564) for the relief of the county of Davidson, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. POWER introduced a bill (S. 565) to provide for the disposal of the abandoned Fort Shaw military reservation in Montana, under the homestead and mining laws, for agricultural and other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 566) to provide for the disposal of the abandoned Fort Maginnis military reservation in Montana, under the homestead and mining laws, for educational and other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 567) for the relief of Paul McCormick; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 568) granting a pension to Harriet B. Richardson, guardian of the minor child of Edmund Bradley Richardson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WALTHALL introduced a bill (S. 569) for the relief of June Poitevent, administrator of the estate of William J. Poitevent, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 570) to provide for the removal of the remains of the late Ensign D. F. Terrell, United States Navy, from Sitka, Alaska, to his home in the State of Mississippi; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. TELLER introduced a bill (S. 571) for the relief of the legal representatives of A. G. Boone; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 572) granting a pension to Andrew J. McWade; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 573) for the relief of Mrs. Julia A. Humphries; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 574) to change the boundaries of the Umcompahgre Reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 575) for the relief of Edward J. Handly; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 576) explanatory of an act entitled "An act to settle certain accounts between the United States and the State of Mississippi and other States," and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 577) for the relief of W. H. Ward; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 578) for the relief of Marian F. Haynie; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 579) granting a pension to Mrs. Jennie Vaughan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALDRICH introduced a bill (S. 580) to provide a suitable site for a post-office in the city of Providence, R. I.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HISCOCK (by request) introduced a bill (S. 581) to amend and reënact the act entitled "An act to prescribe a national currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof;" which was read twice by its title, and referred to the Committee on Finance.

He also (by request) introduced a bill (S. 582) granting an honorable discharge to Alexander Watts; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 583) for the relief of Daniel W. Perkins; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 584) for the relief of Charles Squire Wood, of the city of New York; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 585) for the relief of Samuel Gorman; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 586) for the relief of Cynthia A. Wood, as executrix, and Charles S. Wood, as executor, of the last will and testament of Charles Squire Wood, late of the city of New York, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 587) granting an honorable discharge to Jeremiah Peters; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 588) granting an honorable discharge to Edward O'Rouke; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HANSBROUGH introduced a bill (S. 589) forbidding the sale of firearms and ammunition to Indians, and for the confiscation of all firearms and ammunition now in possession of certain Indians, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 590) to amend section 22 of an act entitled "An act to regulate commerce," approved February 4, 1887, and as amended March 2, 1889; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 591) to provide for the erection of a public building in the city of Grand Forks, N. Dak.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 592) to provide for the erection of a public building in the city of Bismarck, N. Dak.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 593) to authorize the construction of a bridge across the Red River of the North at Drayton, N. Dak.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 594) for the relief of Israel Kimball; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 595) granting a pension to Eli C. Northrop; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 596) granting a pension to Frank C. Myrick; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARLISLE introduced a bill (S. 597) to carry out the findings of the Court of Claims in the case of James Harvey Dennis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 598) to authorize the appointment of James William Abert to the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 599) authorizing the Secretary of War to remove the charge of desertion from the record of Madison Parish; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 600) authorizing the Secretary of War to correct the military record of Henry S. Cohn; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 601) for the erection of a public building for a post-office and United States land office at the city of The Dalles, Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. DANIEL introduced a bill (S. 602) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also (by request) introduced a bill (S. 603) referring to the Court of Claims the claims of James W. Walsh and others; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 604) for the relief of Margaret

Kennedy; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 605) to provide for the disposal of the interest on the Virginius indemnity fund; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 606) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 607) for the relief of William A. Cowles; which was read twice by its title, and referred to the Committee on Claims.

Mr. BERRY (by request) introduced a bill (S. 608) for the relief of the Little Rock and Memphis Railroad Company; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 609) for the relief of Thomas Boles; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 610) for the relief of James R. Lafferry; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 611) for the relief of the legal representatives of Calvin B. Cunningham; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 612) for the relief of George Hill, jr.; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a joint resolution (S. R. 1) to ascertain conclusively who first projected the proposed Pan-American Railway; which was read twice by its title.

Mr. COCKRELL. In this connection I present the petition of Hinton Rowan Helper, of New York City, praying for authority to the Secretary of State to receive proofs as to priority of claim in conceiving and advocating an intercontinental railway through North, Central, and South America. I move that it, and the joint resolution which I have introduced, be referred to the Committee on Railroads.

The motion was agreed to.

Mr. BATE introduced a joint resolution (S. R. 2) authorizing Musadora, Victoria, Ella, and Frank Wasson, of Tennessee, to present their claim to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Louisiana introduced a joint resolution (S. R. 3) proposing an amendment to the Constitution of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a joint resolution (S. R. 4) proposing an amendment to the Constitution of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a joint resolution (S. R. 5) relative to the confirmation of certain land titles in Louisiana; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. TURPIE introduced a joint resolution (S. R. 6) proposing an amendment to the Constitution of the United States, providing for the election of United States Senators by a direct vote of the people of the several States; which was read twice by its title.

Mr. TURPIE. I desire that the joint resolution for the present shall lie upon the table, and I give notice that on Thursday next I shall move to take it from the table and refer it to the Committee on Privileges and Elections. I wish to give notice that at the same time I shall ask the courtesy of the Senate to make some remarks on the subject-matter of the joint resolution.

The VICE-PRESIDENT. The joint resolution will lie on the table for the present.

Mr. CALL introduced a joint resolution (S. R. 7) authorizing the President to open negotiations with Spain; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. MITCHELL introduced a joint resolution (S. R. 8) proposing an amendment to the Constitution of the United States, providing for the election of Senators by the votes of the qualified electors of the States; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. FAULKNER introduced a joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861;" which was read twice by its title, and referred to the Committee on Claims.

Mr. VEST. I introduce a joint resolution, which I ask may be printed and lie on the table. I give notice that I shall call it up at the next sitting of the Senate or on the day following.

The joint resolution (S. R. 10) in regard to the export trade in cattle was read twice by its title.

Mr. ALLISON. Let the joint resolution be printed at length in the RECORD.

The joint resolution was ordered to lie on the table, and to be printed in the RECORD, as follows:

Resolved, etc., That the President of the United States be requested to cause correspondence and negotiation to be had through the Department of State, or otherwise, with the authorities of the Kingdom of Great Britain, for the purpose of securing the abrogation or modification of the regulations now enforced by said authorities which require cattle imported into Great Britain from the United States of America to be slaughtered at the port of entry, and prohibiting the same from being carried alive to other places in said Kingdom.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. BLACKBURN, it was

Ordered, That the petition and accompanying papers in the case of T. T. Garrard and others, of Clay County, Ky., be taken from the files of the Senate and referred to the Committee on Claims.

On motion of Mr. WILSON, it was

Ordered, That Edward T. Latta have leave to withdraw from the files of the Senate the papers filed by him in connection with the bill (S. 575, Fifty-first Congress, first session) granting a pension to Edward T. Latta.

On motion of Mr. HISCOCK, it was

Ordered, That permission be given to withdraw from the files of the Committee on the Library the papers relating to the erection of a monument at Sacketts Harbor, in the State of New York.

On motion of Mr. DOLPH, it was

Ordered, That Avery D. Babcock and wife, of Oregon, have leave to withdraw their papers.

HON. WILLARD WARNER.

Mr. SHERMAN. I offer a resolution for reference to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Hon. Willard Warner, late a Senator from Alabama, the amount due him from the beginning of his term, on the 4th of March, 1867, until he was paid; said payment to be made from the miscellaneous items of the contingent fund of the Senate.

Mr. HALE. I suggest to the Senator from Ohio that he modify the resolution so that it will not, if it passes, trench upon the general fund of the Sergeant-at-Arms which the Secretary has for current expenses. Such claims have always been paid from specific appropriations.

Mr. SHERMAN. I think the form of the resolution need not be changed. I understand that a specific appropriation is required. If the resolution shall meet with the approval of the committee and shall be passed by the Senate, then, as a matter of course, it will be the duty of the Committee on Appropriations to recommend the appropriation specifically.

Mr. HALE. The resolution had better read, "to be paid from a specific appropriation."

Mr. SHERMAN. I have no objection to that amendment.

Mr. HALE. After the words "said payment to be made from," I suggest that the words "a special appropriation for" be inserted. Then, if the resolution shall be passed by the Senate, the Committee on Appropriations will recommend an appropriation.

The VICE-PRESIDENT. The resolution will be amended as suggested, if there be no objection; and as amended it will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

EXPENSES OF MONEY-LENDING.

Mr. PEFFER. I submit a resolution, and ask that it be read and referred to the Committee on Finance.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolution asking an investigation of the expenses attending the business of money-lending.

Whereas complaint is made that money, when loaned at legal and customary rates of interest, yields larger profit than is realized in industrial pursuits, the law thus affording to money a protection not accorded to any other kind of property; and

Whereas it is alleged that present methods of getting money in circulation through banks and loan agencies is unnecessarily expensive: Therefore,

Be it resolved by the Senate, That the Committee on Finance be instructed to inquire and report as soon as practicable what is the actual expense attending the business of money-lending as it is conducted in the United States by bankers and other persons who lend on short periods of time only—less than one year—and by loan agents, trust companies, and other institutions that lend on long periods—one year and more—including such as negotiate loans for others; also to inquire as to the amount of business done by the persons, companies, or corporations examined, and the proportion which the aggregate expense bears to the amount of money loaned.

In considering expenses the committee will include rent or use of buildings, insurance, taxes, fuel, light, stationery, postage, telegraphing, clerk hire, salaries of officers, and every other item which goes to make up the expense account, the object being to ascertain, approximately, the actual and relative cost of conducting the business of lending money, without reference to the value of the money lent.

The committee is authorized to send for persons and papers and examine witnesses under oath touching any matter involved in the inquiry, and may, by a subcommittee, visit any part of the country to take testimony, to the end that the work may be done efficiently and without unnecessary delay or expense.

The necessary expenses of this inquiry will be paid out of the contingent fund of the Senate.

The VICE-PRESIDENT. Under the rule the resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. PLATT. I understood that the Senator introducing the resolution asked its reference to the Committee on Finance in the first instance.

Mr. SHERMAN. I think it ought to be referred to the Committee on Finance.

The VICE-PRESIDENT. What is the pleasure of the Senator who offered the resolution?

Mr. PEFFER. I suppose that under the rule the resolution will lie over one day if objection is made. I suggested that it be referred to the Committee on Finance.

The VICE-PRESIDENT. It will be so referred if there be no objection. The Chair hears none.

REMOVAL OF REMAINS OF GEN. GRANT.

Mr. PLUMB. I offer a resolution and ask that it lie on the table, giving notice that at some future convenient time I shall ask the Senate to proceed to its formal consideration.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read, and ordered to lie on the table, as follows:

Resolved by the Senate (the House concurring), That Congress desires the removal of the remains of the illustrious soldier and statesman, Ulysses S. Grant, to, and their interment in, Arlington National Cemetery, and that the President be requested to convey to the widow of this eminent man such desire, tendering to her, on behalf of the nation, all necessary facilities for such removal and interment.

MESSAGE FROM THE PRESIDENT.

A message in writing was received from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries.

EXECUTIVE SESSION.

Mr. SHERMAN. If the morning business is concluded, I submit a motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

On motion of Mr. HAWLEY, it was

Ordered, That when the Senate adjourn to-day it adjourn to meet on Monday next.

Mr. SHERMAN. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, December 14, 1891, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate December 10, 1891.

ASSISTANT SECRETARY OF THE TREASURY.

Lorenzo Crounse, of Nebraska, to be an Assistant Secretary of the Treasury, new office created by act of Congress approved July 11, 1890. Mr. Crounse is now serving under a commission issued during the recess of the Senate.

TREASURER OF THE UNITED STATES.

Enos H. Nebeker, of Indiana, to be Treasurer of the United States, to succeed James N. Huston, resigned. Mr. Nebeker is now serving under a commission issued during the recess of the Senate.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

A. Loudon Snowdon, of Pennsylvania, formerly minister resident and consul-general to Greece, Roumania, and Servia, to be envoy extraordinary and minister plenipotentiary of the United States to the above-named countries, to which office he was appointed during the last recess of the Senate.

Richard Cutts Shannon, of New York City, N. Y., to be envoy extraordinary and minister plenipotentiary of the United States to Nicaragua, Costa Rica, and Salvador, to which office he was appointed during the last recess of the Senate.

Romualdo Pacheco, of California, formerly envoy extraordinary and minister plenipotentiary to the Central American States, to be envoy extraordinary and minister plenipotentiary of the United States to Guatemala and Honduras, to which office he was appointed during the last recess of the Senate.

MINISTER RESIDENT AND CONSUL-GENERAL.

John S. Durham, of Pennsylvania, formerly consul at Santo Domingo, to be minister resident and consul-general of the United States to Haiti, to which office he was appointed during the last recess of the Senate, vice Frederick Douglass, resigned.

SECRETARIES OF LEGATION.

Jeremiah Coughlin, of New York City, N. Y., to be secretary of the legation and consul-general of the United States at Bogotá, to which office he was appointed during the last recess of the Senate, vice Edmund W. P. Smith, deceased.

Fenton R. McCreery, of Michigan, to be secretary of the legation of the United States at Santiago, Chile, to which office he was appointed during the last recess of the Senate, to fill a vacancy.

SECOND SECRETARY OF LEGATION.

Larz Anderson, of Ohio, to be second secretary of the legation of the United States at London, to which office he was appointed during the last recess of the Senate, vice Robert S. McCormick, resigned.

MEMBER CONTINENTAL RAILWAY COMMISSION.

Richard C. Kerens, of Missouri, to be a member of the Continental Railway Commission, to which office he was appointed during the last recess of the Senate, vice George M. Pullman, declined.

LAND COMMISSIONER IN SAMOA.

Ebenezer J. Ormsbee, of Brandon, Vt., to be land commissioner in Samoa, under the general act signed at Berlin, June 14, 1889, by the plenipotentiaries of the United States, Germany, and Great Britain, to which office he was appointed during the last recess of the Senate, vice Henry C. Ide, resigned.

ASSOCIATE JUSTICES OF COURT OF PRIVATE LAND CLAIMS.

William W. Murray, of Tennessee, to be associate justice of the Court of Private Land Claims, as provided by section 1, chapter 539, volume 26, laws 1891, United States Statutes at Large. Appointed June 10, 1891, during recess.

Thomas C. Fuller, of North Carolina, to be associate justice of the Court of Private Land Claims, as provided by section 1, chapter 539, volume 26, laws 1891, United States Statutes at Large. Appointed June 10, 1891, during recess.

Henry C. Sluss, of Kansas, to be associate justice of the Court of Private Land Claims, as provided by section 1, chapter 539, volume 26, laws 1891, United States Statutes at Large. Appointed June 10, 1891, during recess.

Wilbur F. Stone, of Colorado, to be associate justice of the Court of Private Land Claims, as provided by section 1, chapter 539, volume 26, laws 1891, United States Statutes at Large. Appointed June 10, 1891.

UNITED STATES ATTORNEY, COURT OF PRIVATE LAND CLAIMS.

Matthew G. Reynolds, of Missouri, to be United States attorney of the Court of Private Land Claims, as provided by section 2, chapter 539, volume, 26, laws 1891, United States Statutes at Large. Appointed June 10, 1891, during recess.

JUDGE OF POLICE COURT, DISTRICT OF COLUMBIA.

Ivory G. Kimball, of the District of Columbia, to be judge of the police court of the District of Columbia, as provided by section 6, chapter 536, volume 26, laws 1891, United States Statutes at Large. Appointed March 24, 1891, during recess.

CHIEF JUSTICE, COURT OF PRIVATE LAND CLAIMS.

Joseph R. Reed, of Iowa, to be chief justice of the Court of Private Land Claims, as provided by section 1, chapter 539, volume 26, laws 1891, United States Statutes at Large. Appointed June 10, 1891, during recess.

UNITED STATES DISTRICT JUDGES.

William W. Morrow, of California, to be United States district judge for the northern district of California, vice Ogden Hoffman, deceased. Appointed September 18, 1891, during recess.

John S. Woolson, of Iowa, to be United States district judge for the southern district of Iowa, vice James M. Love, deceased. Appointed August 14, 1891, during recess.

James H. Beatty, of Idaho, to be United States district judge for the district of Idaho, as provided by section 16, chapter 656, volume 26, laws 1890, United States Statutes at Large. Nominated February 10, 1891; appointed March 7, 1891, during recess.

Henry C. Niles, of Mississippi, to be United States district judge for the northern and southern districts of Mississippi, vice Robert A. Hill, resigned, under provisions of section 714, Revised Statutes of the United States. Appointed August 11, 1891, during recess.

ASSISTANT ATTORNEY-GENERAL OF THE UNITED STATES.

Leonard W. Colby, of Nebraska, to be Assistant Attorney-General of the United States, as provided by section 12, chapter 538, volume 26, laws 1891, United States Statutes at Large. Appointed June 10, 1891, during recess.

UNITED STATES ATTORNEYS.

Beniah Watson, of Delaware, to be attorney of the United States for the district of Delaware, vice Alexander B. Cooper, removed. Appointed July 2, 1891, during recess.

Edgar W. Camp, of North Dakota, to be attorney of the United States for the district of North Dakota, vice John F. Selby, removed. Appointed October 7, 1891, during recess.

Mack A. Montgomery, of Mississippi, to be attorney of the United States for the northern district of Mississippi, vice Henry C. Niles, resigned. Appointed September 19, 1891, during recess.

UNITED STATES MARSHAL.

Alexander Walker, of New York, to be marshal of the United States for the eastern district of New York, vice Daniel Lake, deceased. Appointed July 2, 1891, during recess.

JUDGE OF PROBATE.

Andrew J. Sargent, of Utah Territory, to be judge of probate in Pi Ute County, in the Territory of Utah, vice Jas. A. Stark, deceased. Appointed July 2, 1891, during recess.

SUPERINTENDENT OF IMMIGRATION.

William D. Owen, of Indiana, to be Superintendent of Immigration, a new office created by act of Congress approved March 3, 1891. Mr. Owen is now serving under a commission issued during the recess of the Senate.

UNITED STATES CONSULS.

Henry L. Arnold, of Geneseo, N. Y., to be consul of the United States at Clifton, Ontario, to which office he was appointed during the last recess of the Senate, vice Henry M. Hard, resigned.

Edwin A. Berry, of Cedar Keys, Fla., to be consul of the United States at Santos, to which office he was appointed during the last recess of the Senate, vice Charles R. McCall, resigned.

Philip Carroll, of New York, formerly consul at Palermo, to be consul of the United States at Demerara, to which office he was appointed during the last recess of the Senate, vice William T. Walthall, recalled.

Alonzo Spencer, of New York, to be consul of the United States at Pictou, Nova Scotia, to which office he was appointed during the last recess of the Senate, vice William S. Stanley, declined.

William C. Tripler, to be consul of the United States at Coquimbo, to which office he was appointed during the last recess of the Senate, vice Joseph Grierson, resigned.

William O. Thomas, of Johnson City, Tenn., to be consul of the United States at Bahia, to which office he was appointed during the last recess of the Senate, vice David N. Burke, recalled.

James W. Hine, of Detroit, Mich., to be consul of the United States at Amherstburg, Ontario, to which office he was appointed during the last recess of the Senate, vice Josiah Turner, recalled.

Charles W. Erdman, of Louisville, Ky., to be consul of the United States at Stockholm, to which office he was appointed during the last recess of the Senate, vice Nere A. Elfwing, deceased.

Richard Herbst, of Columbus, Ohio, to be consul of the United States at Antigua, West Indies, to which office he was appointed during the last recess of the Senate, vice John S. Bradford, deceased.

Peter Scandella, a citizen of the United States, to be consul of the United States at Ciudad Bolivar, to which office he was appointed during the last recess of the Senate, vice George E. Underhill, recalled.

William K. Sullivan, of Chicago, Ill., to be consul of the United States at Bermuda, to which office he was appointed during the last recess of the Senate, vice Henry W. Beckwith, deceased.

Hermel de Sallier Dupin, of Cape Vincent, N. Y., to be consul of the United States at Nantes, to which office he was appointed during the last recess of the Senate, to fill a vacancy.

SURVEYOR OF CUSTOMS.

Mark F. Wentworth, of Maine, to be surveyor of customs in the district of Portland and Falmouth, in the State of Maine, in the place of Nathan Cleaves, removed. Mr. Wentworth is now serving under a commission issued during the recess of the Senate.

COLLECTORS OF CUSTOMS.

Edwin T. Hatch, of Oregon, to be collector of customs for the district of Alaska, in the Territory of Alaska, in place of Max Pracht, removed. Mr. Hatch is now serving under a commission issued during the recess of the Senate.

Henry Z. Osborne, of California, to be collector of customs for the district of Wilmington, in the State of California, to succeed Patrick H. Downing, deceased. Mr. Osborne is now serving under a commission issued during the recess of the Senate.

Herbert Morissey, of Massachusetts, to be collector of customs for the district of Plymouth, in the State of Massachusetts, to succeed Charles O. Churchill, deceased. Mr. Morissey is now serving under a commission issued during the recess of the Senate.

Francis Hendricks, of New York, to be collector of customs for the district of New York, in the State of New York, to succeed J. Sloat Fassett, resigned, who served under a commission issued during the recess of the Senate, in place of Joel B. Erhardt, resigned. Mr. Hendricks is now serving under a commission issued during the recess of the Senate.

Jotham C. Haggett, of New York, to be collector of customs for the district of Dunkirk, in the State of New York, in place of John Madigan, removed. Mr. Haggett is now serving under a commission issued during the recess of the Senate.

John C. Dancy, of North Carolina, to be collector of customs for the district of Wilmington, in the State of North Carolina, to succeed Enos J. Pennypacker, deceased. Mr. Dancy is now serving under a commission issued during the recess of the Senate.

David R. Austin, of Ohio, to be collector of customs for the district of Miami, in the State of Ohio, to succeed William H. McLyman, resigned. Mr. Austin is now serving under a commission issued during the recess of the Senate.

Charles D. Eddy, of Rhode Island, to be collector of customs for the district of Bristol and Warren, in the State of Rhode Island, in place of J. Howard Manchester, removed. Mr. Eddy is now serving under a commission issued during the recess of the Senate.

Webster Flanagan, of Texas, to be collector of customs for the district of Paso del Norte, in the State of Texas, to succeed Frank P. Clark, resigned. Mr. Flanagan is now serving under a commission issued during the recess of the Senate.

Andrew Wasson, of Washington, to be collector of customs for the district of Puget Sound, in the State of Washington, in place of Charles M. Bradshaw, removed. Mr. Wasson is now serving under a commission issued during the recess of the Senate.

COMMISSIONER OF THE GENERAL LAND OFFICE.

Thomas H. Carter, of Helena, Mont., who was commissioned March 30, 1891, during the recess of the Senate, to be Commissioner of the General Land Office, vice Lewis A. Groff, resigned.

SURVEYOR-GENERAL.

James Compton, of Fergus Falls, Minn., who was commissioned March 30, 1891, during the recess of the Senate, to be surveyor-general of Minnesota, vice John F. Norrish, term expired.

RECORDER OF THE GENERAL LAND OFFICE.

Dolphin P. Roberts, of Evansville, Ind., who was commissioned November 20, 1891, during the recess of the Senate, to be recorder of the General Land Office, vice James M. Townsend, resigned.

REGISTERS OF LAND OFFICES.

Thomas E. Olsgard, of Fargo, N. Dak., who was commissioned March 9, 1891, during the recess of the Senate, to be register of the land office at Minot, N. Dak., a newly established office.

Iver E. Shelley, of Devils Lake, N. Dak., who was commissioned October 27, 1891, during the recess of the Senate, to be register of the land office at Devils Lake, N. Dak., vice Edward G. Spilman, resigned.

Monroe Nichols, of Duluth, Minn., who was commissioned August 15, 1891, during the recess of the Senate, to be register of the land office at Duluth, Minn., vice William Colville, resigned.

Hugh Thompson, of Fisher, Minn., who was commissioned September 9, 1891, during the recess of the Senate, to be register of the land office at Crookston, Minn., vice Henry H. Dickman, removed.

Henry Kernaghan, of Brandon, Miss., who was commissioned June 30, 1891, during the recess of the Senate, to be register of the land office at Jackson, Miss., vice Richard C. Kerr, deceased.

William W. Boyle, of Folsom, N. Mex., who was commissioned September 12, 1891, during the recess of the Senate, to be register of the land office at Folsom, N. Mex., vice George K. Anderson, deceased.

RECEIVERS OF PUBLIC MONEYS.

Willis L. Thompson, of Leadville, Colo., who was commissioned June 30, 1891, during the recess of the Senate, to be receiver of public moneys at Leadville, Colo., vice Thomas W. Burchinell, deceased.

Henry H. Alpin, of West Bay City, Mich., who was commissioned September 9, 1891, during the recess of the Senate, to be receiver of public moneys at Grayling, Mich., vice S. Perry Youngs, resigned.

Willis G. Clarke, of Carson City, Nev., who was commissioned September 9, 1891, during the recess of the Senate, to be receiver of public moneys at Carson City, Nev., vice George C. Thaxter, resigned.

Warren C. Plummer, of Casselton, N. Dak., who was commissioned June 23, 1891, during the recess of the Senate, to be re-

ceiver of public moneys at Minot, N. Dak., vice Dean W. Hammond, declined.

William H. Hare, of Ellensburg, Wash., who was commissioned June 23, 1891, during the recess of the Senate, to be receiver of public moneys at North Yakima, Wash., vice Thomas M. Vance, resigned.

Joseph C. Painter, of Walla Walla County, Wash., who was commissioned March 25, 1891, during the recess of the Senate, to be receiver of public moneys at Walla Walla, Wash., vice Robert M. McCalley, deceased.

INDIAN AGENTS.

John H. Robertson, of Santa Fé, N. Mex., who was commissioned June 30, 1891, during the recess of the Senate, to be agent for the Indians of the Pueblo and Jicarilla Agency, in New Mexico, a newly established office.

George D. Day, of Glenwood, Md., who was commissioned November 3, 1891, during the recess of the Senate, to be agent for the Indians of the Kiowa Agency, in the Territory of Oklahoma, vice Charles E. Adams, resigned.

Joseph A. Scott, of Holton, Kans., who was commissioned July 1, 1891, during the recess of the Senate, to be agent for the Indians of the Pottawatomie and Great Nemaha Agency, in Kansas, vice John Blair, removed.

John W. Crawford, of Salem, Oregon, who was commissioned June 30, 1891, during the recess of the Senate, to be agent for the Indians of the Umatilla Agency, in Oregon, vice Lee Moorhouse, resigned.

COMMISSIONER OF PATENTS.

William E. Simonds, of Canton, Conn., who was commissioned July 1, 1891, during the recess of the Senate, to be Commissioner of Patents, vice Charles E. Mitchell, resigned.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 12, 1891.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Wednesday last was read and approved.

COMMITTEE APPOINTMENTS.

The SPEAKER announced the appointment of the following committees:

On Accounts—H. W. Rusk, of Maryland, chairman; G. W. Cooper, of Indiana; W. W. Dickerson, of Kentucky; C. L. Moses, of Georgia; J. J. Seerley, of Iowa; A. J. Pearson, of Ohio; J. A. Quackenbush, of New York; Matthew Griswold, of Pennsylvania, and J. T. Cutting, of California.

On Mileage—J. N. Castle, of Minnesota, chairman; W. T. Crawford, of North Carolina; J. W. Kendall, of Kentucky; J. A. Caldwell, of Ohio, and J. P. Flick, of Iowa.

ADJOURNMENT OVER.

Mr. HOLMAN. Mr. Speaker, in pursuance of the agreement heretofore made, I now move that the House adjourn to meet on next Wednesday.

The motion was agreed to; and accordingly (at 12 o'clock and 5 minutes p. m.) the House adjourned.

SENATE.

MONDAY, *December 14, 1891.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

REPORT OF UNION PACIFIC RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting the report of the Government directors of the Union Pacific Railway Company for the year 1890; which, with the accompanying papers, was referred to the Select Committee on the President's Message transmitting the Report of the Pacific Railway Commission, and ordered to be printed.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Acting Secretary of War, transmitting, in response to a resolution of January 28, 1891, a report of the Chief Signal Officer of the Army with reference to temperature and rainfall in the agricultural sections of Texas, etc.; which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in accordance with law, two copies of the general statutes of the Territory of Oklahoma, compiled from the laws passed at the First Legislative Assembly of that Territory; which, with the accompanying papers, was referred to the Committee on Territories.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in accordance with law, two copies of the laws enacted by the Twenty-ninth Legislative Assembly of the Territory of New Mexico; which, with the accompanying papers, was referred to the Committee on Territories.

COURT OF CLAIMS REPORT.

The VICE-PRESIDENT laid before the Senate a communication from the clerk of the Court of Claims, transmitting conclusions of fact and of law filed by that court in French spoliation cases under the act of January 20, 1885; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Legislature of Minnesota, praying for the passage of what is known as the Butterworth bill, preventing the sale of options; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Legislature of Minnesota, praying that the anniversary of the discovery of America by Christopher Columbus be made a day of national thanksgiving; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the General Council of the Choctaw Nation, signed by J. B. Jackson, national secretary of the Choctaw Nation, praying that Congress give to courts of the United States, now established in the Indian Territory, full jurisdiction of all offenses committed there against the United States; which was referred to the Committee on Indian Affairs.

He also presented a petition of citizens of Huntingdon County, Pa., praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States; which was referred to the Committee on Agriculture and Forestry.

Mr. SHERMAN presented the petition of the Hough Avenue Congregational Church of Cleveland, Ohio; the petition of the United Presbyterian Congregation of Cadiz, Ohio; the petition of the United Presbyterian Congregation of Antrim, Ohio; the petition of the United Presbyterian Congregation of Mount Perry, Ohio; the petition of the United Presbyterian Congregation of Hayesville, Ohio; the petition of the United Presbyterian Congregation of Tippecanoe, Ohio, and the petition of the United Presbyterian Congregation of Steubenville, Ohio, praying for legislation by Congress looking to the closing of the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Ohio Yearly Meeting of Friends, and a petition of citizens of Dell Roy, Ohio, praying for legislation prohibiting the slave and rum traffic within the limits of the Free Congo State, as provided for in the so-called Brussels treaty; which were referred to the Committee on Foreign Relations.

Mr. CAMERON presented a memorial of the Susquehanna Synod of the Lutheran Church of Oriole, Pa.; a memorial of the Young People's Society of Christian Endeavor of Granville Center, Pa.; a memorial of the Young People's Society of Christian Endeavor of Canton, Pa.; a memorial of the Young People's Society of Christian Endeavor of Monroeton, Pa.; a memorial of the Young People's Society of Christian Endeavor of Potterville, Pa.; a memorial of the Eastern Bradford Christian Endeavor Union (Eastern Bradford, Pa.); a memorial of the Zion Protestant Episcopal Church of Philadelphia, Pa.; a memorial of the Hancock Street Methodist Episcopal Church of Philadelphia, Pa., and a memorial of the Patterson Memorial Presbyterian Church of Philadelphia, Pa., remonstrating against the opening of the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. ALLISON presented a petition of sundry citizens of Quasqueton and Rowley, in the State of Iowa, praying for a loan of $5,000,000 by Congress to the Columbian Exposition in case it is not to be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of a committee of the Society of the Army of the Tennessee, praying that an appropriation of $50,000 be made for the site, pedestal, and statue of Gen. William T. Sherman, being the same amount appropriated for the sites, pedestals, and statues of Gens. Hancock, Logan, and Sheridan, and asking that such sum be appropriated under the same conditions; which was referred to the Committee on Military Affairs.

Mr. WASHBURN presented a petition of the Minnesota Commandery of the Military Order of the Loyal Legion of the United States, praying Congress to take prompt action in constructing a navy sufficient to enforce the respect due the flag of the nation the world over; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of St. Paul, Minn., praying that an appropriation be made for the improvement of the harbor of St. Paul; which was referred to the Committee on Commerce.

He also presented a petition of citizens representing the Methodist Episcopal Church at Hector, Minn., and a petition of citizens representing the Congregational Church at Morris, Minn., praying Congress to support the bill for a loan of $5,000,000 for the World's Columbian Exposition, provided the same shall contain an impregnable guaranty that it will be closed to visitors on the Lord's Day; which were referred to the Committee on the Quadro-Centennial (Select.)

Mr. DAWES presented the petition of Mrs. F. Selina Buchanan, widow of the late Pay Director McKean Buchanan, of the United States Navy, praying to be reimbursed for certain moneys claimed to be due her by the United States; which was referred to the Committee on Claims.

Mr. CULLOM presented a petition of members of the College Church of Christ, of Wheaton, Ill., and a petition of members of the Congregational Church of Rock Falls, Ill., praying for a loan of $5,000,000 to the World's Columbian Fair, conditioned on the closing of the Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of John J. Logan, of Paris, Ill. praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. MITCHELL. I present a petition indorsed by the Salem Grange, No. 17, Patrons of Husbandry, of Salem, Oregon, praying Congress to pass an act construing the late forfeiture act, as the petitioners say, according to its original and true purpose to forfeit all lands within the 40-mile boundaries and between the terminal limits drawn at right angles with the general course of the unconstructed road for 25 miles next to such terminals; and also further praying the passage of an act resuming and restoring to the public domain all lands opposite to and coterminous with those portions of any railroad line not constructed within the time or according to the terms of the law under which they are claimed. I move that the petition be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. MITCHELL. I present a petition of Salem Grange, No. 17, Patrons of Husbandry, of Salem, Oregon, praying, first, that the free delivery of mail matter be extended to every post-office in the settled portions of the country with free collection of letters; second, that more frequent mails be provided for country districts; and third, that the classes of mail matter be reduced to two, one for correspondence, the other for printed matter and merchandise; and that a parcels post be established and a fractional or postal currency be provided for use in the mails. I move that the petition be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. MITCHELL. I present a petition, numerously signed by citizens of the United States, praying Congress to take whatever action may be necessary to invite a conference of the governments of the world, to sit during and in connection with the World's Columbian Exposition, for the purpose of devising, discussing, and recommending measures by which the principle of arbitration may be incorporated in treaties, conflicting international laws harmonized, and an international court established, having jurisdiction in cases which governments shall fail to settle by negotiations. I move that the petition be referred to the Committee on the Quadro-Centennial (Select).

The motion was agreed to.

Mr. MITCHELL presented a petition of the Legislature of Oregon, praying Congress to reimburse Peter G. Stewart for his claim for improvements on certain lands near the mouth of the Columbia River, in the State of Washington, appropriated by the Government for military and light-house purposes; which was referred to the Committee on Claims.

Mr. GALLINGER presented a petition of Fife & Lancey and 75 other citizens and firms of Suncook, N. H., praying for the passage of a bill to promote the efficiency of the Life-Saving Service; which was referred to the Committee on Commerce.

He also presented papers to accompany the bill granting a pension to John Chamberlain, of Northfield, N. H.; which were referred to the Committee on Pensions.

Mr. FRYE presented a petition of citizens of Portland, Me., praying for the passage of a bill to promote the efficiency of the Life-Saving Service; which was referred to the Committee on Commerce.

Mr. GORMAN presented the petition of Julian Nolan, widow of Charles Nolan, late of Company C, Second United States Dragoons, praying to be allowed a widow's pension; which was referred to the Committee on Pensions.

He also presented the petition of Anna M. Anderson and Charles Y. G. Anderson, executors of George W. Anderson, deceased, late of Washington County, Md., praying that their claim against the United States for stores and supplies furnished to the Army of the United States be referred to the Court of Claims under the provisions of the act of March 3, 1883, commonly called the Bowman act, and of the act of March 3, 1887, commonly called the Tucker act; which was referred to the Committee on Claims.

Mr. PROCTOR presented a petition of the Reformed Presbyterian Church of Craftsbury, Vt., a petition of the Congregational Church of Bennington Center, Vt.; and a petition of the Congregational Church of Norwich, Vt., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PLATT. I present the petition of Edwin Gomez, of New York City, praying for an inquiry, and for compensation for losses which he claims to have been inflicted upon him by the arbitrary action of the United States Government in his arrest during the war of the rebellion, with sundry papers sustaining his claim. I move that the petition and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. SHOUP presented a petition of the Legislature of Idaho, praying that the present duty be retained on lead; which was referred to the Committee on Finance.

He also presented a petition of the National Farmers' Congress, praying that an appropriation be made for the improvement of the river and harbor of Savannah, Ga.; which was referred to the Committee on Commerce.

He also presented the petition of the Legislature of Wisconsin, praying that an appropriation be made to aid in repairing the Sturgeon Bay and Lake Michigan Ship-Canal, and to relieve it from toll; which was referred to the Committee on Commerce.

Mr. PEFFER presented the petition of Ben Loan Post, No. 33, Grand Army of the Republic, of Kingston, Mo., praying that pensions be granted to persons who served with the militia in the war of the rebellion; which was referred to the Committee on Pensions.

He also presented a petition of the Church of God of Topeka, Kans., praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the United Presbyterian Congregation of Fairview, Kans., and the petition of Alfaretta Mitchell and 51 other citizens of Cherokee County, Kans., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. McMILLAN presented a petition of the United Presbyterian Church of Davisville, Mich., praying that the World's Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HOAR presented a petition of the Old Colony Congregational Club of Plymouth, Mass., praying for the ratification of the agreement for the suppression of the African slave trade; which was referred to the Committee on Foreign Relations.

Mr. TURPIE presented a petition of the citizens' committee of Madison, Ind., praying that an appropriation be made for the erection of a suitable building with all necessary mechanism for the measuring of the depth of the Ohio River, and to establish a water gauge at that place; which was referred to the Committee on Public Buildings and Grounds.

He also presented the petition of Martha E. Vandegrift, of Indianapolis, Ind., praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented the petition of George B. Smith, of Brookston, Ind., praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

He also presented the petition of Mrs. Bertha Test, widow of Charles S. Test, deceased, of Indianapolis, Ind., praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented the petition of Thomas Chill, of Indianapolis, Ind., praying that he be allowed a pension; which was referred to the Committee on Pensions.

Mr. McPHERSON presented the petition of Albert Oss, of Newark, N. J., late of Company B., Eleventh Regiment New Jersey Volunteers, praying that he be awarded a gold medal for gallant services in the field; which was referred to the Committee on Military Affairs.

He also presented the petition of Samuel Acker, a citizen of New Jersey, praying that he be allowed a pension; which was referred to the Committee on Pensions.

REPORT OF VISITORS TO MILITARY ACADEMY.

Mr. MANDERSON. On behalf of the members of the Board of Visitors to the West Point Military Academy, appointed under the law by the Vice-President at the last session of Congress, I submit a report, and move that it be printed and referred to the Committee on Military Affairs.

The motion was agreed to.

BILLS INTRODUCED.

Mr. WILSON introduced a bill (S. 613) for the relief of William H. Manning; which was read twice by its title, and referred to the Committee on Claims.

Mr. CASEY introduced a bill (S. 614) authorizing the restoration of the name of Thomas L. Carpenter, late captain Seventeenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 615) granting to the State of North Dakota 5 per cent of the net proceeds of the sales of public lands in that State; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SQUIRE introduced a bill (S. 616) for the erection of a monument and statue of Gen. Ulysses S. Grant on ground belonging to the United States Government in the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 617) providing for the erection of a public building at the city of Spokane Falls, in the State of Washington; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 618) providing for the erection of a public building at the city of Seattle, in the State of Washington; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 619) for the relief of George P. Ihrie; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PROCTOR introduced a bill (S. 620) to amend an act entitled "An act to promote the administration of justice in the Army," approved October 1, 1890; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 621) to provide for the collection, custody, and arrangement of the records of the American Revolution; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 622) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands;" which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DOLPH. I introduce two bills relating to desert lands. One is a bill to amend the existing law upon the subject of the sale of desert lands, the other is a bill looking to aid by the General Government to States and Territories for the reclamation of desert lands. I do not commit myself to the provisions of the latter bill, but introduce it by request. It was not prepared by me; it was prepared by a gentleman who has given great attention to the subject, and I introduce it by way of suggestion on that most important subject, one which is probably as important as any that will come before Congress at this session.

The bill (S. 623) to provide for the sale of desert lands in certain States and Territories was read twice by its title, and referred to the Committee on Public Lands.

The bill (S. 624) to aid the several States and Territories to reclaim the arid lands within their boundaries was read twice by its title, and referred to the Select Committee on Irrigation and Reclamation of Arid Lands.

Mr. DOLPH introduced a bill (S. 625) to grant to the State of Oregon townships 27, 28, 29, 30, and 31 south, in ranges 5 and 6 east of the Willamette meridian, in the State of Oregon, for a public park; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 626) to increase the appropriation for the purchase of site and the erection of a public building at Portland, Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 627) for payment of balance unpaid on Oregon and Washington Territory Indian war claims for suppression of Indian hostilities in 1855 and 1856, as found due by commission appointed by Secretary of War, consisting of Gen. Rufus Ingalls, Capt. A. J. Smith, and Hon. L. F. Grover, pursuant to act of Congress, and disallowed by Third Auditor of the Treasury, as per his report of February 7, 1860; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 628) to enlarge the jurisdiction and to fix the compensation of the United States commissioners in Alaska, to regulate appeals from their judgments, to provide for the appointment of additional commissioners, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. FELTON introduced a bill (S. 629) to amend an act "to provide for ocean mail service between the United States and foreign ports and to promote commerce;" which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 630) to amend an act entitled "An act a supplement to an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved the 6th day of May 1882," approved October 1, 1888; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 631) to provide for the erection of a public building at San Francisco, in the State of California; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 632) to reimburse the Western Beet Sugar Company of California for duties paid on imported machinery; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 633) to authorize the adjustment of certain accounts arising in the Indian service; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 634) to authorize and direct the Secretary of War to investigate the claim made for fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as "Cameron Hill," and to provide for the payment thereof; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 635) for the relief of B. F. Myres; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 636) for the relief of Chester B. Sweet, of California: which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 637) for the relief of John Williams, of California; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 638) for the relief of Ames & Detrick, of San Francisco, in the State of California; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 639) granting an increase of pension to Michael O'Brien; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON (by request) introduced a bill (S. 640) to adjust the pensions of those who have lost eyes, limbs, or the use of them, or have additional disabilities; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 641) to adjust the pensions of those who have lost limbs, or the use of them, or have additional disabilities; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 642) to adjust the pensions of those who have lost eyes, limbs, or the use of them, or have additional disabilities, are totally deaf, or lost one eye, or unable to do any manual labor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 643) to indemnify the State of Pennsylvania for money expended in 1864 for militia called into the military service by the governor under the proclamation of the President of June 15, 1863; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 644) for the relief of the legal owners of the Columbia bridge, at Columbia, Pa.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 645) for the relief of James Jones; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 646) granting an honorable discharge to Francis Galbraith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. DAVIS (by request) introduced a bill (S. 647) to pay Margaret Doyle, administratrix of James Doyle, for certain captured cotton; which was read twice by its title, and referred to the Committee on Claims.

Mr. KENNA introduced a bill (S. 648) for the relief of Mrs.

Anne E. Heiskell; which was read twice by its title, and referred to the Committee on Claims.

Mr. McPHERSON introduced a bill (S. 649) for the relief of Samuel Acken; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 650) granting a pension to Elizabeth H. Neuman, widow of Siegfried Neuman, late acting veterinary surgeon, United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. KENNA introduced a bill (S. 651) for the relief of Aaron Van Camp, and V. P. Chapin & Co.; which was read twice by its title, and referred to the Committee on Claims.

Mr. McPHERSON introduced a bill (S. 652) for the relief of Ralph Deremer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 653) for the relief of Charles W. Cronk; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 654) for the relief of Henry Lane; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 655) for the relief of Emile M. Blum, late commissioner-general, and James M. Seymour, jr. late assistant commissioner, to the Barcelona Exposition; which was read twice by its title, and referred to the Committee on Library.

Mr. FAULKNER introduced a bill (S. 656) for the relief of Nimrod D. Keneaster; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 657) for the relief of the estate of A. H. Herr, deceased, late of the District of Columbia; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAMERON introduced a bill (S. 658) granting a pension to Eliza Bryant; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAWES introduced a bill (S. 659) for the relief of the legal representatives of William Johnnot, Joseph Torrey, and Thomas Blackwell, respectively; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 660) for the relief of the heirs of Erskine S. Allin; which was read twice by its title, and referred to the Committee on Patents.

Mr. MORRILL introduced a bill (S. 661) for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GALLINGER (by request) introduced a bill (S. 662) for the relief of Col. Jesse H. Strickland, Eighth Tennessee Cavalry, United States Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. POWER introduced a bill (S. 663) requiring elevations and additional topography to be taken in all public surveys in arid or mountainous country; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 664) for the sale of timber lands in the State of Montana, and to make the same subject to the provisions of the mineral laws of the United States after their sale as timber lands; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. ALLEN introduced a bill (S. 665) to provide for the purchase of a site for a public building at Walla Walla, in the State of Washington; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 666) to provide for the purchase of a site for a public building at Tacoma, in the State of Washington; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SANDERS introduced a bill (S. 667) changing the boundaries of the Yellowstone National Park, and for other purposes; which was read twice by its title.

Mr. SANDERS. I ask that the bill be referred to the Committee on Public Lands.

Mr. MANDERSON. The bill, I think, should go to the Committee on Territories. That committee has always had jurisdiction of the Yellowstone National Park.

Mr. SANDERS. I suppose that was the case because the Yellowstone Park had been before in Territories which are now States in the Union. I see no reason why the Committee on Territories should longer have jurisdiction. I, however, yield to the superior knowledge of the Senator, and am willing that the bill shall go to the Committee on Territories; but I think that it had better be referred to the Committee on Public Lands.

Mr. MANDERSON. I have no objection to that reference. I was simply calling attention to the precedent in the reference of a measure of this kind.

Mr. SANDERS. The precedent does not apply, the conditions having changed.

The VICE-PRESIDENT. The bill will be referred to the Committee on Public Lands.

Mr. PEFFER introduced a bill (S. 668) to increase the number of chaplains in the Army of the United States, to define their duties, and increase their efficiency; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 669) to regulate the rates of pensions, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 670) to provide for the taking of a special census of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on the Census.

He also (by request) introduced a bill (S. 671) to provide for the biennial publication of a book which shall be known as the Military Register of the United States of America, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HARRIS introduced a bill (S. 672) to repeal all acts and parts of acts discriminating in taxation against the circulating notes of State banks and State banking associations; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 673) for the relief of Sarah A. Etchevarne; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 674) for the relief of Mosby & Hunt, of Memphis, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. COKE introduced a bill (S. 675) to amend the laws in regard to national banking associations, to retire their circulation, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 676) for the erection of a public building at Laredo, Tex.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. VOORHEES introduced a bill (S. 677) for the erection of a public building at Muncie, State of Indiana; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 678) for the relief of Sewell Coulson and Porter, Harrison & Fishback; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 679) to amend an act entitled "An act to provide for the settlement of all outstanding claims against the District of Columbia, and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes;" which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 680) to authorize the purchase of Lawrie's picture of Gen. George H. Thomas; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 681) to authorize the purchase of certain manuscript papers and correspondence of Thomas Jefferson; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 682) for the relief of John Spicer; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 683) granting a pension to Anderson G. Pittman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 684) for the relief of the legal representatives of Nicholas J. Bigley, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. WASHBURN introduced a bill (S. 685) defining "options" and "futures," and imposing special taxes on dealers therein, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 686) granting a pension to Mrs. Charlotte O. Van Cleve; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 687) for the erection of a public building at Stillwater, Minn.; which was read twice by its title and referred to the Committee on Public Buildings and Grounds.

Mr. SAWYER introduced a bill (S. 688) to amend sections 1 and 2 of an act entitled "An act to authorize the sale of timber on certain lands reserved for the use of the Menomonee tribe of Indians in the State of Wisconsin," and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 689) for the relief of Bremer & Co.; which was read twice by its title, and referred to the Committee on Finance.

Mr. HALE introduced a bill (S. 690) to establish a permanent Census Office, and to provide for taking the Twelfth and subsequent censuses; which was read twice by its title, and referred to the Committee on the Census.

He also introduced a bill (S. 691) for the relief of Caroline M. French; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 692) authorizing the Secretary of War to procure and present suitable medals to the survivors of the "forlorn hope storming party" of Port Hudson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 693) granting an increase of pension to Thomas Benson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 694) to equalize the grade of officers of the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PETTIGREW introduced a bill (S. 695) to authorize the Secretary of the Interior to survey and mark the boundary between the State of Nebraska and that portion of the State of South Dakota which is embraced in the Pine Ridge and Rosebud Indian Reservations; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 696) to authorize the Secretary of the Interior to pay the Yankton Sioux Indians who served as scouts under General Sully in 1864 the amount due them, and making an appropriation therefor; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 697) to provide for building and maintaining an Indian industrial school at or near Chamberlain, in the State of South Dakota, and at or near Rapid City, in the State of South Dakota, and to provide a farm in conjunction therewith; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 698) to authorize the Secretary of the Interior to carry out, in part, the provisions of "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes," approved March 2, 1889, and making appropriations for the same, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HOAR introduced a bill (S. 699) for the erection of a public building at Brockton, Mass.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 700) granting an honorable discharge to William Gallagher; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 701) granting a pension to Philip T. Greeley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER (by request) introduced a bill (S. 702) for the relief of the Mo-kaw-ho-ko band of Sac and Fox Indians of Mississippi; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BARBOUR introduced a bill (S. 703) for the relief of Sarah G. Smith, executrix and devisee of Francis L. Smith; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 704) granting arrears of pension to Emelia Mumm; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 705) for the relief of loyal citizens therein named of Loudoun County, Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 706) for the relief of the Potomac Steamboat Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 707) for the relief of George H. Plant, of the District of Columbia: which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 708) for the relief of the residuary legatees of Mark Davis, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 709) to incorporate the District of Columbia Suburban Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GORMAN introduced a bill (S. 710) for the relief of William C. Spencer, of Maryland, late captain Seventeenth Infantry, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 711) to reappoint Warren C. Beach a captain in the Army, and to place him on the retired list in addition to the number now authorized; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 712) for the relief of the estate of Thomas Sherwin, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 713) authorizing and directing the Secretary of War to contract for the purchase of the letters patent granted to the late Beverly Kennon for his invention of a counterpoise battery; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 714) for the relief of Anna M. Anderson and Charles Y. G. Anderson, executors of George W. Anderson, deceased, late of Washington County, Md.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 715) granting a pension to Julia Nolan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 716) for the relief of the owners of the Schillinger patents; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 717) for the relief of Laura E. Maddox, sole executrix of Joseph H. Maddox, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 718) for the relief of night inspectors of the ports of New York and Baltimore; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 719) to absolutely prohibit the coming of Chinese persons into the United States, whether subjects of the Chinese Empire or otherwise; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 720) making an appropriation for the establishment and maintenance of range lights and buoys at thirty-five different points on the Willamette River, between the cities of Salem and Portland, in the State of Oregon; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 721) for the relief of Peter Grant Stewart, of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 722) to amend an act entitled "An act to reorganize and establish the customs-collection district of Puget Sound," approved August 28, 1890; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 723) for the relief of the legal representatives of Mrs. Adeline Shirley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 724) for the relief of William Gallick; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 725) for the relief of Peter Grant Stewart, of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 726) for the relief of P. B. Sinnott, late Indian agent at Grande Ronde Agency, State of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 727) for the relief of H. C. Stanton, of Roseburg, Oregon, administrator of the estate of James Sinclair and his widow, Mary Sinclair; and for the relief of Erastus S. Joslyn, of Colorado Springs, in the State of Colorado; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 728) for the relief of William A. Starkweather, of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 729) for the relief of Sidney W. Moss, of Oregon City, Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 730) for the relief of H. W. Shipley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 731) for the relief of W. L. Adams, of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 732) for the relief of Henry Judge, of Ashland, Oregon; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 733) to reimburse settlers and purchasers on even-numbered sections of public lands within the limits of Congressional grants in cases of forfeiture of odd-num-

bered sections; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 734) for the relief of John McBean, of Umatilla County, Oregon; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 735) for the relief of L. A. Davis; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 736) granting an increase of pension to William Thompson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 737) granting an increase of pension to Thomas Hollister; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 738) granting a pension to Elmore Y. Chase, of Salem, Oregon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 739) for the relief of John A. Rotan, of Salem, Oregon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 740) for the relief of Edward Hughes; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 741) to incorporate the Eclectic Medical Society of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FRYE introduced a bill (S. 742) for the relief of the Grand Trunk Railway Company of Canada; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 743) to establish a marine board for the advancement of the interests of the merchant marine; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 744) to amend "An act to amend section 4400 of Title LII of the Revised Statutes of the United States concerning the regulation of steam vessels," approved August 7, 1882; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 745) admitting to American registry vessels built in the United States and owned by citizens thereof residing abroad, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 746) to settle and adjust the claims of any State for expenses incurred by it in defense of the United States; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 747) to repeal section 4145 of the Revised Statutes of the United States, and to amend section 4146; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 748) to amend the law relating to the residence abroad of the owners of American vessels in the foreign trade; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 749) to provide for a commission on the subject of the alcoholic liquor traffic; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 750) to amend and reënact section 5 of an act entitled "An act to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck," approved May 4, 1882; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 751) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act, and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of the railroads, and to secure to the United States payment of all indebtedness of certain of the companies therein mentioned; which was read twice by its title, and referred to the Select Committee on the President's Message transmitting the Report of the Pacific Railway Commission.

He also introduced a bill (S. 752) to extend the time for filing claims in the Court of Claims under the provisions of an act entitled "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to July 31, 1801;" which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CALL introduced a bill (S. 753) for the relief of William W. Webb; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 754) to authorize the sale of the site of St. Francis Barracks, Fla., the sale or removal of the improvements thereof, and to provide for a new site and the construction of suitable buildings thereon; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STOCKBRIDGE introduced a bill (S. 755) to fix the compensation of inspectors of hulls and boilers in certain districts of the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORGAN (by request) introduced a bill (S. 756) to provide for the appointment of a reporter for the supreme court of the District of Columbia; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 757) to quiet the title to certain lands in the State of Mississippi, and for the relief of Eli Ayres, his legal representatives, etc.; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CARLISLE (by request) introduced a bill (S. 758) to reimburse the several States for interest on moneys expended by them on account of raising troops employed in aiding the United States in suppressing the late rebellion; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 759) to direct the Secretary of War to appoint a commission to ascertain and report the facts concerning the taking of property for the use of the Army of the United States and destroyed at Cynthiana, Ky., on June 11, 1864; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAMERON introduced a bill (S. 760) granting a pension to William U. Mallorie; which was read twice by its title, and with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 761) granting a pension to William Symmonds; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 762) granting a pension to Mrs. Elise Alden McCawley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 763) granting an increased pension to John S. Dill, of Capt. Mayo's company, Black Hawk War; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 764) referring the claim of Mitchell B. Baer and Herman Grau to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 765) for the relief of Robert Tillson and Maitland Boon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 766) for the relief of John C. Phillips; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 767) for the relief of the estate of the late Revere W. Gurley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 768) to confer jurisdiction on the Court of Claims to hear and determine the claim of the heir of Hugh Worthington for his interest in the steamer Eastport; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 769) for the relief of Irvine Carman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 770) for the better protection of the public service; which was read twice by its title.

Mr. GALLINGER. I ask that the bill may lie on the table for the present.

The VICE-PRESIDENT. The bill will lie on the table.

Mr. MANDERSON introduced a bill (S. 771) requiring transcripts of judgments obtained in United States courts to be filed with the county officers having charge of judgment records in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 772) to require United States circuit and district judges to instruct the jury in writing in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 773) to provide for the education of enlisted men of the Army at military posts, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 774) to commission acting assistant surgeons of the United States Army who served as medical officers during the late civil war; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 775) authorizing the Secretary of

War to cause an exploration and survey to be made of the interior of the Territory of Alaska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 776) for the relief of the heirs of Charles B. Smith, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 777) for the relief of Thomas Fletcher Foley, alias Thomas Fletcher; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 778) to remove the charge of desertion from the military record of Jeremiah L. Daly; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 779) to increase the pension of Isabella Morrow, widow of the late Bvt. Col. Henry A. Morrow, United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 780) for the relief of Robert H. Montgomery; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 781) for the relief of John Little and Hobart Williams, of Omaha, Nebr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. PADDOCK introduced a bill (S. 782) to provide for the adjustment of certain sales of lands in the late reservation of the Confederated Otoe and Missouria tribes of Indians in the States of Nebraska and Kansas; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McMILLAN introduced a bill (S. 783) to create the northern judicial district of the State of Michigan, and to provide for the holding of the district and circuits courts therein, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 784) for the relief of Frederick Carlisle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 785) to amend an act "to prohibit any officer, agent, or servant of the Government of the United States of America to hire or contract out the labor of prisoners incarcerated for violating the laws of the Government of the United States of America," approved February 23, 1887; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. POWER introduced a bill (S. 786) to provide for the erection of a public building in the city of Helena, Mont.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 787) to provide for the erection of a public building in the city of Butte, Mont.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WALTHALL introduced a bill (S. 788) for the relief of estate of James H. Estes; which was read twice by its title, and referred to the Committee on Claims.

Mr. HIGGINS introduced a bill (S. 789) for the relief of Warren Hall; which was read twice by its title, and referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 790) to repeal section 1218 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 791) for the relief of the legal personal representatives of Henry H. Sibley, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 792) for the relief of John S. Braxton; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 793) for the completion of the monument to Mary, the mother of Washington, at Fredericksburg, Va.; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 794) for the erection of a monument to Andrew Lewis; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 795) to provide for the erection of a public building at Charlottesville, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 796) to make a public park of the Arlington estate, near Washington, D. C., and for the construction of a bridge thereto; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SHERMAN introduced a bill (S. 797) to provide for fixing a uniform standard of classification and grading of wheat, corn, oats, barley, and rye, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 798) for the relief of the legal representatives of John H. Jones and Thomas D. Harris; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 799) to provide for allotment of lands in severalty to the Quapaw Indians in the Indian Territory, and for other purposes therein named; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 800) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 801) for the relief of the legal representatives of Henry S. French; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 802) to incorporate the Washington and Bennings Street Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 803) for the relief of William P. Buckmaster; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 804) to incorporate the Washington and Great Falls Electric Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GIBSON of Louisiana introduced a bill (S. 805) to deepen the channel, to prevent destructive floods, to improve the navigation of the Mississippi River, and to afford ease and safety to the trade and commerce thereon by the construction, repair, and extension of levees, dikes, jetties, and other works, with an appropriation therefor; which was read twice by its title, and referred to the Committee on Commerce.

Mr. ALLISON introduced a bill (S. 806) for the relief of Ransom L. Harris; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 807) granting an increase of pension to Ransom L. Harris; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 808) establishing a port of delivery at Des Moines, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 809) to remove the charge of desertion against Henry Crangle; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 810) granting an honorable discharge to Julius Seifert; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 811) for the protection of property, trainmen, and other railroad employés in handling locomotive engines, freight trains, and freight cars engaged in interstate commerce; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 812) granting a pension to George W. Jones; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHANDLER introduced a bill (S. 813) granting an honorable discharge to Robert Roby; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 814) to define the route of the Baltimore and Ohio Railroad in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 815) granting a pension to Susan Dwight Yates; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 816) granting a pension to Alexander McKelvie; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 817) granting a pension to Maria S. Whitney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 818) for the relief of John L. Britton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 819) to amend the act of January

16, 1883, to regulate and improve the civil service of the United States; which was read twice by its title, and referred to the Committee on Civil Service and Retrenchment.

He also introduced a bill (S. 820) for the final settlement of the claims of the State of New Hampshire for the reimbursement of national bounties advanced to recruits mustered into the service of the United States under the President's call of October, 1863; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 821) to provide for a term of the circuit and district court at Littleton, N. H.; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 822) for the relief of Lieut. Jerome E. Morse, of the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 823) allowing the pay of rear-admirals to commodores while acting as rear-admirals; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 824) defining the positions and salaries of assistant astronomers at the United States Naval Observatory, and for other purposes; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 825) relating to the pay and retirement of the mates in the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 826) for the relief of the sufferers by the wreck of the United States steamer Tallapoosa; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. MITCHELL introduced a bill (S. 827) pensioning soldiers who served in Indian wars; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOAR introduced a joint resolution (S. R. 11) to provide for the construction of a wharf and roadway as a means of approach to the monument to be erected at Wakefield, Va., to mark the birthplace of George Washington; which was read twice by its title.

Mr. HOAR. I should like to inquire of the Senator from Vermont [Mr. MORRILL] whether the joint resolution should go to the Committee on Public Buildings and Grounds or the Committee on the Library. It is to construct a wharf for access to the monument built in honor of the birthplace of Washington.

Mr. MORRILL. I think it should be referred to the Committee on Public Buildings and Grounds.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Public Buildings and Grounds.

Mr. GIBSON of Louisiana introduced a joint resolution (S. R. 12) to fill vacancies in the Board of Regents of the Smithsonian Institution; which was read twice by its title.

Mr. GIBSON of Louisiana. I ask that the joint resolution lie on the table; and I give notice that I shall call it up in a day or two.

The VICE-PRESIDENT. The joint resolution will lie on the table for the present.

Mr. MORRILL introduced a joint resolution (S. R. 13) to authorize the Secretary of War to issue ordnance and ordnance stores to Howard University; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a joint resolution (S. R. 14) providing for the printing of extra copies of the Army Drill Regulations; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Printing.

CHANGE OF REFERENCE.

Mr. STEWART. By mistake the bill (S. 64) for the relief of John A. Lynch was referred to the Committee on Claims. It should have gone to the Committee on Military Affairs. I ask that an order be made to refer the bill to the Committee on Military Affairs.

The VICE-PRESIDENT. That change of reference will be made.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. GALLINGER, it was

Ordered, That the papers in the case of Ralph Waldo Nason be taken from the files of the Senate and referred to the Committee on Pensions.

Ordered, That the papers in the case of John Chamberlain be taken from the files of the Senate and referred to the Committee on Pensions.

On motion of Mr. MCPHERSON, it was

Ordered, That the papers in the case of the estate of Ely Moore and Daniel Woodson be withdrawn from the files of the Senate under the rules of the Senate.

On motion of Mr. FELTON, it was

Ordered, That E. N. Fish & Co., W. B. Hugus, James M. Barney, and William B. Hooper & Co., of California, have leave to withdraw their papers from the files of the Senate, there not having been any adverse report thereon.

On motion of Mr. MITCHELL, it was

Ordered, That James McGinness be permitted to withdraw from the files of the Senate all papers relating to his application for pension.

UNLAWFUL OBSTRUCTIONS TO NAVIGABLE WATERS.

Mr. DOLPH submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to report to the Senate at the earliest practicable moment whether the provisions of an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved September 19, 1890, intended to prevent unlawful obstructions to the navigable waters of the United States have been enforced; whether the duties required of officers and agents having the supervision on the part of the United States of the works in progress for the preservation and improvement of said navigable waters, and of collectors of customs and other revenue officers by section 11 of said act, concerning the enforcement of said provisions, have been generally performed, and what, if any, further legislation is required to secure the prompt enforcement of said provisions.

PRIVILEGE OF THE FLOOR.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed.

Mr. ALDRICH. I desire, in accordance with previous notice, to move an amendment to the rules, which I send to the desk.

The VICE-PRESIDENT. The proposed amendment to the rules will be read.

The Chief Clerk read as follows:

Amendment intended to be proposed to Rule 33.

Notice is hereby given of a motion to amend Rule 33, the purpose being to modify said rule so that it shall read as follows:

1. No person shall be admitted to the floor of the Senate while in session except as follows:

The President of the United States and his private secretary.
The President elect and Vice-President elect of the United States.
Ex-Presidents and ex-Vice-Presidents of the United States.
Judges of the Supreme Court.
Ex-Senators and Senators elect.
The officers of the Senate.
Members of the House of Representatives.
Ex-Speakers of the House of Representatives.
The Sergeant-at-Arms and Clerk of the House of Representatives.
Heads of the Executive Departments.
Ministers of the United States.
Governors of States and Territories.
The General commanding the Army.
The senior admiral of the Navy on the active list.
Members of national legislatures of foreign countries.
Judges of the Court of Claims.
Commissioners of the District of Columbia.
The Librarian of Congress and the assistant librarian in charge of the Law Library.
The Architect of the Capitol.
The Secretary of the Smithsonian Institution.
Clerks to Senate committees and clerks to Senators when in the actual discharge of their official duties. Clerks to Senators to be admitted to the floor must be regularly appointed and borne upon the rolls of the Secretary of the Senate as such.

Mr. ALDRICH. I ask for the immediate consideration of the proposed amendment.

Mr. HOAR. I should like to have it read once more.

Mr. PLATT. Perhaps the Senator from Rhode Island will state the changes proposed.

Mr. ALDRICH. Certainly. The changes proposed were made necessary on account of the death of Mr. Bancroft, and the General of the Army, and the Admiral of the Navy. There is also a change proposed in regard to clerks to Senators, defining a little more clearly who shall be entitled to admission as such. Those are the principal changes.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Rhode Island that the Senate adopt the proposed amendment to the rules, which has been read.

The motion was agreed to.

Mr. HOAR. Did the Chair put the question on the adoption of the rule or merely on a motion to proceed to its consideration?

The VICE-PRESIDENT. The question was put on the adoption of the amendment as moved by the Senator from Rhode Island.

Mr. SHERMAN. And it was agreed to?

The VICE-PRESIDENT. It was agreed to.

EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 1 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 15, 1891, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate December 14, 1891.

POSTMASTERS.

Adelia E. Frank, to be postmaster at Jacksonville, in the county of Calhoun and State of Alabama, who was commissioned

during the recess of the Senate, April 24, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Walter S. Standifer, to be postmaster at Gadsden, in the county of Etowah and State of Alabama, who was commissioned during the recess of the Senate, September 24, 1891, in the place of Whitley T. Ewing, deceased.

Emanuel L. Buerkle, to be postmaster at Stuttgart, in the county of Arkansas and State of Arkansas, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

William L. Henry, to be postmaster at Monticello, in the county of Drew and State of Arkansas, who was commissioned during the recess of the Senate, May 9, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

George W. Hinchee, to be postmaster at Clarksville, in the county of Johnson and State of Arkansas, who was commissioned during the recess of the Senate, October 7, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

William L. Paine, to be postmaster at Argenta, in the county of Pulaski and State of Arkansas, who was commissioned during the recess of the Senate, November 4, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Charles C. Belknap, to be postmaster at Portersville, in the county of Tulare and State of California, who was commissioned during the recess of the Senate, August 10, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

William J. Bigerstaff, to be postmaster at Lakeport, in the county of Lake and State of California, who was commissioned during the recess of the Senate, July 28, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

John C. Bull, to be postmaster at Arcata, in the county of Humboldt and State of California, who was commissioned during the recess of the Senate, June 24, 1891, in the place of Jasper N. Davies, removed.

Charles H. Gray, to be postmaster at San Leandro, in the county of Alameda and State of California, who was commissioned during the recess of the Senate, October 28, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

George W. Hemenway, to be postmaster at Winters, in the county of Yolo and State of California, who was commissioned during the recess of the Senate, November 2, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

George F. Kernaghan, to be postmaster at Pasadena, in the county of Los Angeles and State of California, who was commissioned during the recess of the Senate, April 14, 1891, in the place of Willis N. Masters, removed.

Oliver E. Moors, to be postmaster at Sisson, in the county of Siskiyou and State of California, who was commissioned during the recess of the Senate, July 30, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Henry K. Smith, to be postmaster at San Jacinto, in the county of San Diego and State of California, who was commissioned during the recess of the Senate, November 2, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Frederick P. Weinman, to be postmaster at Benicia, in the county of Solano and State of California, who was commissioned during the recess of the Senate, August 17, 1891, in the place of William H. Foreman, whose commission expired February 14, 1891.

Newton C. Whims, to be postmaster at Escondido, in the county of San Diego and State of California, who was commissioned during the recess of the Senate, May 14, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

William G. Connely, to be postmaster at Grand Junction, in the county of Mesa and State of Colorado, who was commissioned during the recess of the Senate, November 7, 1891, in the place of John W. Bridges, removed.

Silas M. Jackson, to be postmaster at Salida, in the county of Chaffee and State of Colorado, who was commissioned during the recess of the Senate, June 4, 1891, in the place of Joseph A. Israel, resigned.

Frank P. Mannix, to be postmaster at Highlands, in the county of Arapahoe and State of Colorado, who was commissioned during the recess of the Senate, June 11, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Aaron H. Wade, to be postmaster at Buena Vista, in the county of Chaffee and State of Colorado, who was commissioned during the recess of the Senate, April 10, 1891, in the place of Joseph M. Graham, removed.

Marshall Emmons, to be postmaster at East Haddam, in the county of Middlesex and State of Connecticut, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Miss Ida Willes, to be postmaster at Windsor, in the county of Hartford and State of Connecticut, who was commissioned during the recess of the Senate, April 10, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Edward B. Bennett, to be postmaster at Hartford, in the county of Hartford and State of Connecticut, who was commissioned during the recess of the Senate, May 28, 1891, in the place of John C. Kinney, deceased.

William E. Yates, to be postmaster at Glastonbury, in the county of Hartford and State of Connecticut, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Joseph G. Hyatt, to be postmaster at Westport, in the county of Fairfield and State of Connecticut, who was commissioned during the recess of the Senate, October 12, 1891, in the place of John R. Palmer, deceased.

Severn A. Brown, to be postmaster at Seaford, in the county of Sussex and State of Delaware, who was commissioned during the recess of the Senate, April 1, 1891, in the place of Henry L. Phillips, removed.

John W. Messick, to be postmaster at Georgetown, in the county of Sussex and State of Delaware, who was commissioned during the recess of the Senate, April 14, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

George E. Smith, to be postmaster at Laurel, in the county of Sussex and State of Delaware, who was commissioned during the recess of the Senate July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

John M. Jolley, to be postmaster at Daytona, in the county of Volusia and State of Florida, who was commissioned during the recess of the Senate, June 11, 1891, in the place of Stephen C. Weaver, resigned.

Henry D. Attwood, to be postmaster at Brunswick, in the county of Glynn and State of Georgia, who was commissioned during the recess of the Senate, April 27, 1891, in the place of Ellis Hunter, removed.

Mitchell G. Hall, to be postmaster at Cordele, in the county of Dooly and State of Georgia, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Pickens B. Hall, to be postmaster at Waynesboro, in the county of Burke and State of Georgia, who was commissioned during the recess of the Senate, April 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Miss Ella M. Henry, to be postmaster at Elberton, in the county of Elbert and State of Georgia, who was commissioned during the recess of the Senate, July 28, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

William E. Wheeler, to be postmaster at Idaho Falls, in the county of Bingham and State of Idaho, who was commissioned during the recess of the Senate, November 2, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Horace L. Swift, to be postmaster at Wallace, in the county of Shoshone and State of Idaho, who was commissioned during the recess of the Senate, August 10, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Rhodom H. Fry, to be postmaster at Olney, in the county of Richland and State of Illinois, who was commissioned during the recess of the Senate, November 10, 1891, in the place of Frank P. Gillespie, resigned.

Simon Brink, to be postmaster at Woodstock, in the county of McHenry and State of Illinois, who was commissioned during the recess of the Senate, April 6, 1891, in the place of Joel H. Johnson, removed.

Miss Eliza Brown, to be postmaster at Milford, in the county of Iroquois and State of Illinois, who was commissioned during

the recess of the Senate, April 23, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Charles F. Core, to be postmaster at Homer, in the county of Champaign and State of Illinois, who was commissioned during the recess of the Senate, October 28, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Swan J. Chilberg, to be postmaster at Cambridge, in the county of Henry and State of Illinois, who was commissioned during the recess of the Senate, April 14, 1891, in the place of James Keagz, removed.

James M. Cockrum, to be postmaster at Oakland City, in the county of Gibson and State of Indiana, who was commissioned during the recess of the Senate, October 27, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

John Grierson, to be postmaster at Morrison, in the county of Whiteside and State of Illinois, who was commissioned during the recess of the Senate, April 14, 1891, in the place of Frank H. Robinson, resigned.

John Harper, to be postmaster at Colchester, in the county of McDonough and State of Illinois, who was commissioned during the recess of the Senate, October 15, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Francis A. Jones, to be postmaster at Bement, in the county of Piatt and State of Illinois, who was commissioned during the recess of the Senate, August 5, 1891, in the place of John McNamee, removed.

Henry C. Overman, to be postmaster at Woodlawn Park, in the county of Cook and State of Illinois, who was commissioned during the recess of the Senate, November 7, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

George H. Schmidt, to be postmaster at Yorkville, in the county of Kendall and State of Illinois, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Robert J. Cutts, to be postmaster at Ardmore, in the county of Chickasaw Nation and Indian Territory, who was commissioned during the recess of the Senate, April 10, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1891.

Harrison A. Galloway, to be postmaster at Vinita, in the county of Cherokee Nation, Ind. T., who was commissioned during the recess of the Senate, April 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

John F. Craig, to be postmaster at Haughville, in the county of Marion and State of Indiana, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

John French, to be postmaster at Kentland, in the county of Newton and State of Indiana, who was commissioned during the recess of the Senate, October 12, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

John R. Huffman, to be postmaster at Rockport, in the county of Spencer and State of Indiana, who was commissioned during the recess of the Senate, March 31, 1891, in the place of George Procaskey, removed.

Joel D. Latham, to be postmaster at Fairmount, in the county of Grant and State of Indiana, who was commissioned during the recess of the Senate, October 12, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Michael McGuire, to be postmaster at Rising Sun, in the county of Ohio and State of Indiana, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

William F. Peddycord, to be postmaster at Nappanee, in the county of Elkhart and State of Indiana, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Edward P. Thompson, to be postmaster at Indianapolis, in the county of Marion and State of Indiana, who was commissioned during the recess of the Senate, June 13, 1891, in the place of William Wallace, deceased.

William W. Woods, to be postmaster at Wabash, in the county of Wabash and State of Indiana, who was commissioned during the recess of the Senate, April 14, 1891, in the place of Hezekiah Caldwell, deceased.

Earl Billings, to be postmaster at Ogden, in the county of Boone and State of Iowa, who was commissioned during the recess of the Senate, May 1, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Benjamin F. Bixby, to be postmaster at Walnut, in the county of Pottawattamie and State of Iowa, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

William T. Condron, to be postmaster at Rockwell City, in the county of Calhoun and State of Iowa, who was commissioned during the recess of the Senate, October 15, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Charles F. Le Compte, to be postmaster at Corydon, in the county of Wayne and State of Iowa, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Edward L. Ives, to be postmaster at Manning, in the county of Carroll and State of Iowa, who was commissioned during the recess of the Senate, October 12, 1891, in the place of William F. Carpenter, resigned.

William A. Keister, to be postmaster at Greene, in the county of Butler and State of Iowa, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Lucy L. Lyons, to be postmaster at Lamoni, in the county of Decatur and State of Iowa, who was commissioned during the recess of the Senate, November 2, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Mrs. Annie B. Matthews, to be postmaster at Opdebolt, in the county of Sac and State of Iowa, who was commissioned during the recess of the Senate, October 22, 1891, in the place of Walter C. Matthews, deceased.

Joseph A. McIntire, to be postmaster at Sidney, in the county of Fremont and State of Iowa, who was commissioned during the recess of the Senate, July 21, 1891, in the place of John T. Goode, resigned.

Charles B. Nelson, to be postmaster at Clarksville, in the county of Butler and State of Iowa, who was commissioned during the recess of the Senate, July 30, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Chauncey F. Owen, to be postmaster at Sanborn, in the county of O'Brien and State of Iowa, who was commissioned during the recess of the Senate, October 27, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Charles G. Perkins, to be postmaster at Onawa, in the county of Monona and State of Iowa, who was commissioned during the recess of the Senate, October 22, 1891, in the place of George Underhill, removed.

James Ruth, to be postmaster at Lansing, in the county of Alamakee and State of Iowa, who was commissioned during the recess of the Senate, April 28, 1891, in the place of Robert Huffschmidt, whose commission expired February 22, 1891.

Almer Swift, to be postmaster at Moulton, in the county of Appanoose and State of Iowa, who was commissioned during the recess of the Senate, May 19, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1891.

Anson Tolman, to be postmaster at Rock Rapids, in the county of Lyon and State of Iowa, who was commissioned during the recess of the Senate, June 24, 1891, in the place of S. Larkin Fairlamb, removed.

Allen T. Underwood, to be postmaster at Montezuma, in the county of Poweshiek and State of Iowa, who was commissioned during the recess of the Senate, April 15, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

David C. Battey, to be postmaster at Florence, in the county of Marion and State of Kansas, who was commissioned during the recess of the Senate, April 15, 1891, in the place of Joshua A. Pike, resigned.

William Moyer, to be postmaster at Sabetha, in the county of Nemaha and State of Kansas, who was commissioned during the recess of the Senate, November 4, 1891, in the place of James F. Clough, deceased.

Mrs. Kate Shaw, to be postmaster at Olathe, in the county of

Johnson and State of Kansas, who was commissioned during the recess of the Senate, October 12, 1891, in the place of Henry A. Perkins, resigned.

Edward C. Barlow, to be postmaster at Georgetown, in the county of Scott and State of Kentucky, who was commissioned during the recess of the Senate, July 15, 1891, in the place of Justice Webb, removed.

William T. Davis, to be postmaster at Middlesboro, in the county of Bell and State of Kentucky, who was commissioned during the recess of the Senate, September 24, 1891, in the place of Houston G. Colson, resigned.

James R. Howard, to be postmaster at Lexington, in the county of Fayette and State of Kentucky, who was commissioned during the recess of the Senate, March 27, 1891, in the place of William S. McChesney, removed.

John H. McHenry, to be postmaster at Owensboro, in the county of Daviess and State of Kentucky, who was commissioned during the recess of the Senate, April 1, 1891, in the place of Charles C. Watkins, resigned.

William A. Powell, to be postmaster at Richmond, in the county of Madison and State of Kentucky, who was commissioned during the recess of the Senate, April 13, 1891, in the place of Josiah B. Willis, removed.

Jules L. Chachere, to be postmaster at Opelousas, in the parish of St. Landry and State of Louisiana, who was commissioned during the recess of the Senate, October 2, 1891, in the place of Henry Block, resigned.

Gustave Israel, to be postmaster at Donaldsonville, in the parish of Ascension and State of Louisiana, who was commissioned during the recess of the Senate, June 25, 1891, in the place of J. Cecil Legare, resigned; Emile L. Weber, appointed April 13, 1891, and William D. Park, appointed May 21, 1891, having declined the office.

William H. H. Mullin, to be postmaster at Ruston, in the parish of Lincoln and State of Louisiana, who was commissioned during the recess of the Senate, October 27, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Charles F. Fusting, to be postmaster at Catonsville, in the county of Baltimore and State of Maryland, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Fred. L. Webster, to be postmaster at Sparrows Point, in the county of Baltimore and State of Maryland, who was commissioned during the recess of the Senate, July 30, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

James E. Wimbrough, to be postmaster at Snow Hill, in the county of Worcester and State of Maryland, who was commissioned during the recess of the Senate, October 28, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

James E. Bates, to be postmaster at Whitman, in the county of Plymouth and State of Massachusetts, who was commissioned during the recess of the Senate, September 21, 1891, in the place of Martin L. Harlow, removed.

Edward A. Ellis, to be postmaster at Newton Center, in the county of Middlesex and State of Massachusetts, who was commissioned during the recess of the Senate, April 22, 1891, in the place of George F. Richardson, resigned.

Asa B. Fay, to be postmaster at Northboro, in the county of Worcester and State of Massachusetts, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Nathan W. Fisher, to be postmaster at Walpole, in the county of Norfolk and State of Massachusetts, who was commissioned during the recess of the Senate, March 31, 1891, in the place of Horace C. Metcalf, whose commission expired February 26, 1891.

Dexter Grose, to be postmaster at North Abington, in the county of Plymouth and State of Massachusetts, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Gertrude S. Kenney, to be postmaster at Danvers, in the county of Essex and State of Massachusetts, who was commissioned during the recess of the Senate, April 21, 1891, in the place of George W. Kenney, deceased.

Edwin E. Janes, to be postmaster at Easthampton, in the county of Hampshire and State of Massachusetts, who was commissioned during the recess of the Senate, May 29, 1891, in the place of Lawrence W. Dower, removed.

George H. Morgan, to be postmaster at Newton, in the county of Middlesex and State of Massachusetts, who was commissioned during the recess of the Senate, April 24, 1891, in the place of George H. Morgan, whose commission expired February 22, 1891.

Charles A. Pilling, to be postmaster at North Andover Depot, in the county of Essex and State of Massachusetts, who was commissioned during the recess of the Senate, November 18, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

John F. Robinson, to be postmaster at Vineyard Haven, in the county of Dukes and State of Massachusetts, who was commissioned during the recess of the Senate, August 10, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

John Singer, jr., to be postmaster at Melrose Highlands, in the county of Middlesex and State of Massachusetts, who was commissioned during the recess of the Senate, October 12, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

William M. Smith, to be postmaster at Florence, in the county of Hampshire and State of Massachusetts, who was commissioned during the recess of the Senate, July 10, 1891, in the place of Horace K. Parsons, deceased.

Samuel E. Walker, to be postmaster at East Northfield, in the county of Franklin and State of Massachusetts, who was commissioned during the recess of the Senate, October 22, 1891, in the place of Julia R. Walker, resigned.

George D. Austin, to be postmaster at Phillips, in the county of Franklin and State of Maine, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Jonathan F. Jefferds, to be postmaster at Livermore Falls, in the county of Androscoggin and State of Maine, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

William H. Motley, to be postmaster at Woodfords, in the county of Cumberland and State of Maine, who was commissioned during the recess of the Senate, October 28, 1891, the appointment of a postmaster for said office having, by law, become vested in the President on and after October 1, 1891.

George Plummer, to be postmaster at Lisbon Falls, in the county of Androscoggin and State of Maine, who was commissioned during the recess of the Senate, October 27, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

John C. Small, to be postmaster at Portland, in the county of Cumberland and State of Maine, who was commissioned during the recess of the Senate, November 10, 1891, in the place of Herbert G. Briggs, resigned.

William Spurling, to be postmaster at Brewer, in the county of Penobscot and State of Maine, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Nathan C. Stowe, to be postmaster at Dover, in the county of Piscataquis and State of Maine, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Charles E. Townsend, to be postmaster at Brunswick, in the county of Cumberland and State of Maine, who was commissioned during the recess of the Senate, June 24, 1891, in the place of William B. Woodard, removed.

Charles C. White, to be postmaster at Orono, in the county of Penobscot and State of Maine, who was commissioned during the recess of the Senate, July 30, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

John Amesse, to be postmaster at Lake Linden, in the county of Houghton and State of Michigan, who was commissioned during the recess of the Senate, November 4, 1891, in the place of William Harris, deceased.

Alexander R. Avery, to be postmaster at Port Huron, in the county of St. Clair and State of Michigan, who was commissioned during the recess of the Senate, April 14, 1891, in the place of William Springer, removed.

Clark W. Back, to be postmaster at Blissfield, in the county of Lenawee and State of Michigan, who was commissioned during the recess of the Senate, April 14, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Charles A. Baldwin, to be postmaster at Vicksburg, in the county of Kalamazoo and State of Michigan, who was commissioned during the recess of the Senate, April 16, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Clayton G. Brown, to be postmaster at Fort Gratiot, in the county of St. Clair and State of Michigan, who was commissioned during the recess of the Senate, March 31, 1891, in the place of Julius Granger, removed.

May F. Nicholson, to be postmaster at Decatur, in the county of Van Buren and State of Michigan, who was commissioned during the recess of the Senate, April 17, 1891, in the place of Lyman A. Roberts, deceased.

James H. Skinner, to be postmaster at Cedar Springs, in the county of Kent and State of Michigan, who was commissioned during the recess of the Senate, April 14, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Le Grand E. Slusser, to be postmaster at Mancelona, in the county of Antrim and State of Michigan, who was commissioned during the recess of the Senate, July 30, 1891, in the place of Eugene R. Savage, removed.

Joseph Stafford, to be postmaster at Newberry, in the county of Luce and State of Michigan, who was commissioned during the recess of the Senate, April 29, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

T. Edward West, to be postmaster at Lapeer, in the county of Lapeer and State of Michigan, who was commissioned during the recess of the Senate, October 12, 1891, in the place of Lord W. Hinman, removed.

S. Perry Youngs, to be postmaster at Stanton, in the county of Montcalm and State of Michigan, who was commissioned during the recess of the Senate, November 21, 1891, in the place of Alonzo Gilbert, resigned.

William Durham, to be postmaster at Brainerd, in the county of Crow Wing and State of Minnesota, who was commissioned during the recess of the Senate, April 17, 1891, in the place of Calvin L. Spaulding, resigned.

Alexander Fiddes, to be postmaster at Jackson, in the county of Jackson and State of Minnesota, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Herbert C. Kelley, to be postmaster at Ely, in the county of St. Louis and State of Minnesota, who was commissioned during the recess of the Senate, June 11, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

August T. Koerner, to be postmaster at Litchfield, in the county of Meeker and State of Minnesota, who was commissioned during the recess of the Senate, June 11, 1891, in the place of Alexander D. Ross, removed.

Fannie Vandyke, to be postmaster at Alexandria, in the county of Douglas and State of Minnesota, who was commissioned during the recess of the Senate, September 24, 1891, in the place of James H. Vandyke, deceased.

William A. Wright, sr., to be postmaster at Cloquet, in the county of Carlton and State of Minnesota, who was commissioned during the recess of the Senate, June 4, 1891, in the place of Frank P. Thompson, resigned.

Wesley E. Collins, to be postmaster at Summit, in the county of Pike and State of Mississippi, who was commissioned during the recess of the Senate, September 11, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Mary J. Hancock, to be postmaster at Meridian, in the county of Lauderdale and State of Mississippi, who was commissioned during the recess of the Senate, April 21, 1891, in the place of William M. Hancock, deceased.

James Hill, to be postmaster at Vicksburg, in the county of Warren and State of Mississippi, who was commissioned during the recess of the Senate, May 6, 1891, in place of William Groome, whose commission expired February 28, 1891.

Nathaniel K. Beardslee, to be postmaster at El Dorado Springs, in the county of Cedar and State of Missouri, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Lewis W. Barton, to be postmaster at California, in the county of Moniteau and State of Missouri, who was commissioned during the recess of the Senate, October 12, 1891, in the place of John D. Wood, removed.

Lauriston H. Condit, to be postmaster at Canton, in the county of Lewis and State of Missouri, who was commissioned during the recess of the Senate, April 15, 1891, in the place of Lowry W. Hawkins, removed.

Margaret A. Campbell, to be postmaster at Lees Summit, in the county of Jackson and State of Missouri, who was commissioned during the recess of the Senate, April 1, 1891, in the place of James B. Campbell, deceased.

John D. Dopf, to be postmaster at Rockport, in the county of Atchison and State of Missouri, who was commissioned during the recess of the Senate, November 10, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Stephen D. Ham, to be postmaster at Montgomery City, in the county of Montgomery and State of Missouri, who was commissioned during the recess of the Senate, April 1, 1891, in the place of Irvin P. Powell, whose commission expired February 26, 1891.

Noah L. Hawk, to be postmaster at Willow Springs, in the county of Howell and State of Missouri, who was commissioned during the recess of the Senate, April 18, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Jay W. Higginbottom, to be postmaster at Norborne, in the county of Carroll and State of Missouri, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Sallie H. Haley, to be postmaster at Webster Groves, in the county of St. Louis and State of Missouri, who was commissioned during the recess of the Senate, April 24, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Lewis Lumpee, to be postmaster at Versailles, in the county of Morgan and State of Missouri, who was commissioned during the recess of the Senate, September 24, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1891.

James H. Matthews, to be postmaster at Mount Vernon, in the county of Lawrence and State of Missouri, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Silas A. Beachley, to be postmaster at Great Falls, in the county of Cascade and State of Montana, who was commissioned during the recess of the Senate, November 13, 1891, in place of Charles Taylor, resigned.

Charles F. Little, to be postmaster at Glendive, in the county of Dawson and State of Montana, who was commissioned during the recess of the Senate, July 30, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Mrs. Alice Shannon, to be postmaster at Red Lodge, in the county of Park and State of Montana, who was commissioned during the recess of the Senate, August 17, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

George A. Birdsall, to be postmaster at Chadron, in the county of Dawes and State of Nebraska, who was commissioned during the recess of the Senate, September 3, 1891, in the place of Furman B. Carly, resigned.

William J. Garvin, to be postmaster at Edgar, in the county of Clay and State of Nebraska, who was commissioned during the recess of the Senate, April 25, 1891, in the place of James W. Carson, whose commission expired January 7, 1891.

John W. Haas, to be postmaster at Wymore, in the county of Gage and State of Nebraska, who was commissioned during the recess of the Senate, May 7, 1891, in the place of Benjamin F. Thomas, resigned.

J. Robert Kenney, to be postmaster at Wahoo, in the county of Saunders and State of Nebraska, who was commissioned during the recess of the Senate, September 16, 1891, in the place of Charles J. Harrison, removed.

Otis D. Lyon, to be postmaster at Sidney, in the county of Cheyenne and State of Nebraska, who was commissioned during the recess of the Senate, June 4, 1891, in the place of William J. Brennan, resigned.

Jonathan T. Miller, to be postmaster at Superior, in the county of Nuckolls and State of Nebraska, who was commissioned during the recess of the Senate, October 15, 1891, in the place of Victor E. Taylor, resigned.

Samuel H. Rodabaugh, to be postmaster at De Witt, in the county of Saline and State of Nebraska, who was commissioned during the recess of the Senate, April 24, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

George W. Rutherford, to be postmaster at Winnemucca, in the county of Humboldt and State of Nevada, who was commissioned during the recess of the Senate, October 15, 1891, in the place of Austin T. Gilson, deceased.

Silas G. Clifford, to be postmaster at Derry Depot, in the county of Rockingham and State of New Hampshire, who was commissioned during the recess of the Senate, October 12, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

George B. Gordon, to be postmaster at Ashland, in the county of Grafton and State of New Hampshire, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on after July 1, 1891.

Charles W. Martin, to be postmaster at Pittsfield, in the county of Merrimack and State of New Hampshire, who was commissioned during the recess of the Senate, April 10, 1891, in the place of Frank E. Randall, removed.

Mrs. Emma C. McPherson, to be postmaster at Raton, in the county of Colfax and Territory of New Mexico, who was commissioned during the recess of the Senate, June 11, 1891, in place of Mrs. Emma C. Noble, who has changed her name by marriage.

David S. Allen, to be postmaster at Dover, in the county of Morris and State of New Jersey, who was commissioned during the recess of the Senate, October 12, 1891, in the place of James S. Melick, removed.

Thomas M. Belknap, to be postmaster at Roselle, in the county of Union and State of New Jersey, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

John T. Rosell, to be postmaster at Freehold, in the county of Monmouth and State of New Jersey, who was commissioned during the recess of the Senate, April 16, 1891, in the place of James W. Errickson, removed.

Jennie M. Van Arsdale, to be postmaster at Arlington, in the county of Hudson and State of New Jersey, who was commissioned during the recess of the Senate, October 22, 1891, in the place of Edwin H. Van Arsdale, deceased.

Margaret Andrews, to be postmaster at Franklinville, in the county of Cattaraugus and State of New York, who was commissioned during the recess of the Senate, July 10, 1891, in the place of Stephen T. Andrews, deceased.

Frank W. Barker, to be postmaster at Alexandria Bay, in the county of Jefferson and State of New York, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Frederick H. Coggeshall, to be postmaster at Waterville, in the county of Oneida and State of New York, who was commissioned during the recess of the Senate, July 25, 1891, in the place of Charles M. Felton, removed.

John T. Davison, to be postmaster at Rockville Center, in the county of Queens and State of New York, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Homerr C. Elwood, to be postmaster at Nunda, in the county of Livingston and State of New York, who was commissioned during the recess of the Senate, October 12, 1891, in the place of Harrison Peck, removed.

Henry P. Gardner, to be postmaster at Attica, in the county of Wyoming and State of New York, who was commissioned during the recess of the Senate, April 6, 1891, in the place of Thomas D. Jones, removed.

John W. Howson, to be postmaster at Cazenovia, in the county of Madison and State of New York, who was commissioned during the recess of the Senate, August 10, 1891, in the place of Willard A. Crandall, deceased.

Soloman Ketcham, jr., to be postmaster at Amityville, in the county of Suffolk and State of New York, who was commissioned during the recess of the Senate, July 15, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Miss Annie Larrabee, to be postmaster at Oyster Bay, in the county of Queens and State of New York, who was commissioned during the recess of the Senate, September 21, 1891, in the place of Evelyn Bayles, deceased.

William H. Ludlow, to be postmaster at Rosebank, in the county of Richmond and State of New York, who was commissioned during the recess of the Senate, August 5, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

John A. Merritt, to be postmaster at Lockport, in the county of Niagara and State of New York, who was commissioned during the recess of the Senate, April 17, 1891, in place of S. Wright McCollum, removed.

Alanson H. Meeker, to be postmaster at Unadilla, in the county of Otsego and State of New York, who was commissioned during the recess of the Senate, July 21, 1891, in the place of Frank G. Bolles, removed.

George E. Norris, to be postmaster at Brighton, in the county of Monroe and State of New York, who was commissioned during the recess of the Senate, April 16, 1891, in the place of James M. Holton, whose commission expired February 3, 1891.

Joseph D. Randall, to be postmaster at Ellicottsville, in the county of Cattaraugus and State of New York, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

John J. Reardon, to be postmaster at St. Johnsville, in the county of Montgomery and State of New York, who was commissioned during the recess of the Senate, March 31, 1891, in the place of Martin Walrath, jr., removed.

Josiah Robbins, to be postmaster at Bay Shore, in the county of Suffolk and State of New York, who was commissioned during the recess of the Senate, April 10, 1891, in the place of Perry S. Wicks, removed.

Wilfred A. Robbins, to be postmaster at Mexico, in the county of Oswego and State of New York, who was commissioned during the recess of the Senate, June 11, 1891, in the place of George D. Babcock, removed.

Harvey J. Sarles, to be postmaster at Liberty, in the county of Sullivan and State of New York, who was commissioned during the recess of the Senate, July 28, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

William Spraker, to be postmaster at Allegany, in the county of Cattaraugus and State of New York, who was commissioned during the recess of the Senate, April 10, 1891, in the place of William P. McCarthy, removed.

George P. Schryver, to be postmaster at Port Jefferson, in the county of Suffolk and State of New York, who was commissioned during the recess of the Senate, April 15, 1891, in the place of Sophie J. Gaydon, removed.

John S. Snedeker, to be postmaster at Hempstead, in the county of Queens and State of New York, who was commissioned during the recess of the Senate, June 24, 1891, in the place of Willis L. Brownell, resigned.

Smith Wilbur, to be postmaster at Fairport, in the county of Monroe and State of New York, who was commissioned during the recess of the Senate, April 21, 1891, in the place of Charles J. DeLand, deceased.

Frank R. Utter, to be postmaster at Friendship, in the county of Allegany and State of New York, who was commissioned during the recess of the Senate, June 30, 1891, in the place of Robert A. Scott, resigned.

Peter J. Pederson, to be postmaster at Valley City, in the county of Barnes and State of North Dakota, who was commissioned during the recess of the Senate, June 11, 1891, in the place of David W. Clark, jr., resigned.

Jared C. Thompson, to be postmaster at Dickinson, in the county of Stark and State of North Dakota, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Joseph Fix, to be postmaster at Burlington, in the county of Alamance and State of North Carolina, who was commissioned during the recess of the Senate, April 24, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Oliver P. Brown, to be postmaster at Camden, in the county of Preble and State of Ohio, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Uriah M. Eckhart, to be postmaster at Monroeville, in the county of Huron and State of Ohio, who was commissioned during the recess of the Senate, October 27, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

James W. Grisier, to be postmaster at Port Clinton, in the county of Ottawa and State of Ohio, who was commissioned during the recess of the Senate, August 3, 1891, in the place of William W. Montgomery, removed.

James S. Howard, to be postmaster at Medford, in the county of Jackson and State of Oregon, who was commissioned during the recess of the Senate, July 28, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Mary J. Huntington, to be postmaster at Delta, in the county of Fulton and State of Ohio, who was commissioned during the recess of the Senate, June 11, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Thomas B. Jobe, to be postmaster at Yellow Springs, in the county of Greene and State of Ohio, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Isaiah B. Jones, to be postmaster at Hudson, in the county of

Summit and State of Ohio, who was commissioned during the recess of the Senate, April 10, 1891, in the place of Henry Bristol, removed.

Jessie G. Matott, to be postmaster at La Grande, in the county of Union and State of Oregon, who was commissioned during the recess of the Senate, July 15, 1891, in the place of Jessie G. Baker, who has changed her name by marriage.

Thomas Monteith, to be postmaster at Albany, in the county of Linn and State of Oregon, who was commissioned during the recess of the Senate, April 10, 1891, in the place of Rufus Thompson, whose commission expired February 3, 1891.

Henry Nixon, to be postmaster at Salineville, in the county of Columbiana and State of Ohio, who was commissioned during the recess of the Senate, October 12, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

James Raymond, to be postmaster at Union, in the county of Union and State of Oregon, who was commissioned during the recess of the Senate, November 21, 1891, in the place of Emma A. Alger, resigned.

Richard M. Rilea, to be postmaster at Blanchester, in the county of Clinton and State of Ohio, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Roger Richards, to be postmaster at Shawnee, in the county of Perry and State of Ohio, who was commissioned during the recess of the Senate, November 2, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Clement Russell, to be postmaster at Massillon, in the county of Stark and State of Ohio, who was commissioned during the recess of the Senate, July 28, 1891, in the place of Felix R. Shepley, removed.

George H. Sharp, to be postmaster at Willoughby, in the county of Lake and State of Ohio, who was commissioned during the recess of the Senate, April 6, 1891, in the place of John S. Ellen, whose commission expired February 22, 1891.

Albert B. Smith, to be postmaster at Bellevue, in the county of Huron and State of Ohio, who was commissioned during the recess of the Senate, April 14, 1891, in the place of Gustav Dangeleison, removed.

Edward Spencer, to be postmaster at Waverly, in the county of Pike and State of Ohio, who was commissioned during the recess of the Senate, May 27, 1891, in the place of Henry R. Snyder, resigned.

Horace N. Taylor, to be postmaster at New Carlisle, in the county of Clarke and State of Ohio, who was commissioned during the recess of the Senate, October 27, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

John L. Wolfley, to be postmaster at Delaware, in the county of Delaware and State of Ohio, who was commissioned during the recess of the Senate, April 14, 1891, in the place of Stephen Potter, removed.

Frederick W. Wirth, to be postmaster at Brooklyn Village, in the county of Cuyahoga and State of Ohio, who was commissioned during the recess of the Senate, April 18, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Daniel W. Maquart, to be postmaster at Norman, in the county of Cleveland and Territory of Oklahoma, who was commissioned during the recess of the Senate, August 3, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Howard L. Black, to be postmaster at Duquesne, in the county of Allegheny and State of Pennsylvania, who was commissioned during the recess of the Senate, April 14, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Theodore A. Boak, to be postmaster at Hughesville, in the county of Lycoming and State of Pennsylvania, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

James D. Caldwell, to be postmaster at Sharon, in the county of Mercer and State of Pennsylvania, who was commissioned during the recess of the Senate, April 17, 1891, in the place of John J. Stitt, removed.

James T. Dunfee, to be postmaster at Newville, in the county of Cumberland and State of Pennsylvania, who was commissioned during the recess of the Senate, April 10, 1891, in the place of John M. Woodburn, resigned.

Samuel L. Fisler, to be postmaster at Easton, in the county of Northampton and State of Pennsylvania, who was commissioned during the recess of the Senate, October 22, 1891, in the place of James W. Wilson, removed.

David S. Heebner, to be postmaster at Lansdale, in the county of Montgomery and State of Pennsylvania, who was commissioned during the recess of the Senate, April 14, 1891, in the place of Horace E. Jenkins, removed.

John C. Hilbert, to be postmaster at Lansdowne, in the county of Delaware and State of Pennsylvania, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

William N. Hurlbut, to be postmaster at Westfield, in the county of Tioga and State of Pennsylvania, who was commissioned during the recess of the Senate, April 23, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Daniel S. Jordan, to be postmaster at Mount Pleasant, in the county of Westmoreland and State of Pennsylvania, who was commissioned during the recess of the Senate, April 29, 1891, in the place of John McAdams, resigned.

Albert P. MacDonald, to be postmaster at Altoona, in the county of Blair and State of Pennsylvania, who was commissioned during the recess of the Senate, May 29, 1891, in the place of Theodore B. Patton, resigned.

William A. McDermitt, to be postmaster at Bellwood, in the county of Blair and State of Pennsylvania, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Reuben J. Mott, to be postmaster at Port Allegany, in the county of McKean and State of Pennsylvania, who was commissioned during the recess of the Senate, September 24, 1891, in the place of Waterman J. Davis, removed.

George C. Olmsted, to be postmaster at Coudersport, in the county of Potter and State of Pennsylvania, who was commissioned during the recess of the Senate, April 10, 1891, in the place of Edward N. Stebbins, whose commission expired February 28, 1891.

William H. H. Sieg, to be postmaster at Steelton, in the county of Dauphin and State of Pennsylvania, who was commissioned during the recess of the Senate, September 24, 1891, in the place of Christian Hess, removed.

Jacob B. Way, to be postmaster at Curwensville, in the county of Clearfield and State of Pennsylvania, who was commissioned during the recess of the Senate, April 18, 1891, in place of Francis I. Thompson, whose commission expired February 28, 1891.

Sigmund E. Wisner, to be postmaster at Marietta, in the county of Lancaster and State of Pennsylvania, who was commissioned during the recess of the Senate, June 11, 1891, in the place of Calvin A. Schaffner, deceased.

William E. Wilson, to be postmaster at Mechanicsville, in the county of Bucks and State of Pennsylvania, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Francis B. Butts, to be postmaster at East Providence, in the county of Providence and State of Rhode Island, who was commissioned during the recess of the Senate, October 12, 1891, in the place of James G. Peck, removed.

James H. Walch, to be postmaster at Olneyville, in the county of Providence and State of Rhode Island, who was commissioned during the recess of the Senate, November 2, 1891, in the place of Susan C. Lewis, removed.

Du Bose Egleston, to be postmaster at Winnsboro, in the county of Fairfield and State of South Carolina, who was commissioned during the recess of the Senate, April 15, 1891, in the place of Du Bose Egleston, whose commission expired February 26, 1891.

James O. Ladd, to be postmaster at Summerville, in the county of Berkeley and State of South Carolina, who was commissioned during the recess of the Senate, April 18, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1891.

William C. Nisbet, to be postmaster at Dell Rapids, in the county of Minnehaha and State of South Dakota, who was commissioned during the recess of the Senate, June 25, 1891, in the place of Harry C. Briley, removed.

William H. Skinner, to be postmaster at Brookings, in the county of Brookings and State of South Dakota, who was commissioned during the recess of the Senate, October 12, 1891, in the place of Charles E. Aiken, removed.

Charles F. Mallahan, to be postmaster at Elk Point, in the county of Union and State of South Dakota, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Cyrus W. Hitchcock, to be postmaster at Custer, in the county of Custer and State of South Dakota, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

John Clinton, to be postmaster at Brownsville, in the county of Haywood and State of Tennessee, who was commissioned during the recess of the Senate, April 10, 1891, in the place of Daniel Bond, whose commission expired February 26, 1891.

Green B. Creekmore, to be postmaster at Jellico, in the county of Campbell and State of Tennessee, who was commissioned during the recess of the Senate, October 27, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

James P. Edmondson, to be postmaster at Maryville, in the county of Blount and State of Tennessee, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Asa H. Faulkner, to be postmaster at McMinnville, in the county of Warren and State of Tennessee, who was commissioned during the recess of the Senate, April 14, 1891, in the place of Edmund J. Wood, removed.

Robert F. Haun, to be postmaster at Milan, in the county of Gibson and State of Tennessee, who was commissioned during the recess of the Senate, April 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

George McPherson, to be postmaster at Jonesboro, in the county of Washington and State of Tennessee, who was commissioned during the recess of the Senate, April 14, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

John E. Patton, to be postmaster at Springfield, in the county of Robertson and State of Tennessee, who was commissioned during the recess of the Senate, April 14, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Walter C. Shaw, to be postmaster at Harriman, in the county of Roane and State of Tennessee, who was commissioned during the recess of the Senate, August 10, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Wallace K. Sheddan, to be postmaster at Cleveland, in the county of Bradley and State of Tennessee, who was commissioned during the recess of the Senate, March 27, 1891, in the place of Jesse H. Grant, resigned.

Charles S. Brodbent, to be postmaster at Del Rio, in the county of Val Verde and State of Texas, who was commissioned during the recess of the Senate, April 30, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

William M. Griffith, to be postmaster at Quanah, in the county of Hardeman and State of Texas, who was commissioned during the recess of the Senate, April 28, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

John M. Hickey, to be postmaster at Henderson, in the county of Rusk and State of Texas, who was commissioned during the recess of the Senate, June 4, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1891.

Susie P. Hyman, to be postmaster at Stephenville, in the county of Erath and State of Texas, who was commissioned during the recess of the Senate, April 30, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Martha H. Ingerton, to be postmaster at Amarillo, in the county of Potter and State of Texas, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

George W. Jones, to be postmaster at Navasota, in the county of Grimes and State of Texas, who was commissioned during the recess of the Senate, June 17, 1891, in the place of Benjamin B. Lowrie, removed.

Miss Mary E. Johnson, to be postmaster at Beeville, in the county of Bee and State of Texas, who was commissioned during the recess of the Senate, August 10, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

William Kelly, to be postmaster at Lockhart, in the county of Caldwell and State of Texas, who was commissioned during the recess of the Senate, July 25, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Charles J. Lewis, to be postmaster at Clarendon, in the county of Donley and State of Texas, who was commissioned during the recess of the Senate, October 2, 1891, in the place of Ralph Jefferson, resigned.

William N. Merritt, to be postmaster at Farmersville, in the county of Collin and State of Texas, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Edward Mullen, to be postmaster at Yoakum, in the county of DeWitt and State of Texas, who was commissioned during the recess of the Senate, May 8, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

William McManis, to be postmaster at Baird, in the county of Callahan and State of Texas, who was commissioned during the recess of the Senate, November 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Mrs. Nannie J. Renshaw, to be postmaster at Whitewright, in the county of Grayson and State of Texas, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Nathan L. Stratton, to be postmaster at Uvalde, in the county of Uvalde and State of Texas, who was commissioned during the recess of the Senate, May 8, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Benjamin F. Boothe, to be postmaster at Box Elder, in the county of Box Elder and Territory of Utah, who was commissioned during the recess of the Senate, October 27, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

James P. Driscoll, to be postmaster at Eureka, in the county of Juab and Territory of Utah, who was commissioned during the recess of the Senate, September 3, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

George G. Blake, to be postmaster at Swanton, in the county of Franklin and State of Vermont, who was commissioned during the recess of the Senate, April 6, 1891, in the place of Charles H. Reynolds, whose commission expired February 26, 1891; George B. Blake, who was erroneously nominated, and also confirmed by the Senate, not having been commissioned.

George F. Earle, to be postmaster at Morrisville, in the county of Lamoille and State of Vermont, who was commissioned during the recess of the Senate, April 14, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Jerome T. Flint, to be postmaster at Derby Line, in the county of Orleans and State of Vermont, who was commissioned during the recess of the Senate, November 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Thomas C. Gale, to be postmaster at Newport, in the county of Orleans and State of Vermont, who was commissioned during the recess of the Senate, March 31, 1891, in the place of Moses B. Thrasher, whose commission expired February 26, 1891.

Edwin E. Pierce, to be postmaster at Brandon, in the county of Rutland and State of Vermont, who was commissioned during the recess of the Senate, September 24, 1891, in the place of Frank M. Pierce, deceased.

Charles A. Pierce, to be postmaster at Bennington, in the county of Bennington and State of Vermont, who was commissioned during the recess of the Senate, April 15, 1891, in the place of Herbert W. Martin, removed.

John M. Goodloe, to be postmaster at Big Stone Gap, in the county of Wise and State of Virginia, who was commissioned during the recess of the Senate, April 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

Ezekiel H. Gilbert, to be postmaster at Buena Vista, in the county of Rockbridge and State of Virginia, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Jeremiah E. Hozier, to be postmaster at Berkley, in the county of Norfolk and State of Virginia, who was commissioned during the recess of the Senate, September 3, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

James M. McLaughlin, to be postmaster at Lynchburg, in the county of Campbell and State of Virginia, who was commissioned during the recess of the Senate, April 22, 1891, in the place of Tipton D. Jennings, whose commission expired January 20, 1891.

Robert S. Pritchett, to be postmaster at Shenandoah, in the county of Page and State of Virginia, who was commissioned during the recess of the Senate, November 10, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Benson H. Smith, to be postmaster at East Radford, in the county of Montgomery and State of Virginia, who was commissioned during the recess of the Senate, May 11, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

James Barnes, to be postmaster at Blaine, in the county of Whatcom and State of Washington, who was commisioned during the recess of the Senate, November 13, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Thomas B. Childs, to be postmaster at Anacortes, in the county of Skagit and State of Washington, who was commissioned during the recess of the Senate, October 15, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Jay D. Dean, to be postmaster at Hoquiam, in the county of Chehalis and State of Washington, who was commissioned during the recess of the Senate, April 30, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

William A. Colby, to be postmaster at Burlington, in the county of Racine and State of Wisconsin, who was commissioned during the recess of the Senate, June 25, 1891, in the place of Francis R. Reuschlein, removed.

Haskell E. Coats, to be postmaster at Neenah, in the county of Winnebago and State of Wisconsin, who was commissioned during the recess of the Senate, June 24, 1891, in the place of James McGinn, resigned.

Lewis S. Fisher, to be postmaster at Sparta, in the county of Monroe and State of Wisconsin, who was commissioned during the recess of the Senate, April 22, 1891, in the place of Jacob P. French, whose commission expired January 13, 1891.

William Hurst, to be postmaster at Two Rivers, in the county of Manitowoc and State of Wisconsin, who was commissioned during the recess of the Senate, October 15, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Thomas Porter, to be postmaster at New Richmond, in the county of St. Croix and State of Wisconsin, who was commissioned during the recess of the Senate, April 15, 1891, in the place of Ezra A. Glover, jr., whose commission expired February 14, 1891.

Thomas M. Purtell, to be postmaster at Cumberland, in the county of Barron and State of Wisconsin, who was commissioned during the recess of the Senate, August 5, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Thomas Reese, to be postmaster at Kaukauna, in the county of Outagamie and State of Wisconsin, who was commissioned during the recess of the Senate, July 21, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

Mrs. Elvira C. Smith, to be postmaster at Kilbourn City, in the county of Columbia and State of Wisconsin, who was commissioned during the recess of the Senate, October 15, 1891, in the place of Noyce B. Smith, deceased.

Andrew J. Hearn, to be postmaster at Bluefield, in the county of Mercer and State of West Virginia, who was commissioned during the recess of the Senate, April 17, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1891.

James W. Holt, to be postmaster at Grafton, in the county of Taylor and State of West Virginia, who was commissioned during the recess of the Senate, August 10, 1891, in the place of Andrew J. Nuzum, resigned.

John M. Millan, to be postmaster at Mannington, in the county of Marion and State of West Virginia, who was commissioned during the recess of the Senate, October 22, 1891, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

COLLECTORS OF INTERNAL REVENUE.

William H. Brooks, of Pennsylvania, to be collector of internal revenue for the first district of Pennsylvania, to succed David Martin, resigned. Mr. Brooks is now serving under a temporary commission as collector of internal revenue issued during the recess of the Senate.

John C. Quinn, of California, to be collector of internal revenue for the first district of California, to succeed William H. Sears, deceased. Mr. Quinn is now serving under a temporary commission as collector of internal revenue issued during the recess of the Senate.

REFINER OF THE MINT AT NEW ORLEANS.

J. Cecil Legare, of Louisiana, to be refiner of the mint of the United States at New Orleans, in the State of Louisiana, to succeed Leonard Magruder, removed. Mr. Legare is now serving under a commission issued during the recess of the Senate.

COINER OF THE MINT AT NEW ORLEANS.

Arsemus R. Burkdoll, of Louisiana, to be coiner of the mint of the United States at New Orleans, in the State of Louisiana, to succeed Allen Thomas, removed. Mr. Burkdoll is now serving under a commission issued during the recess of the Senate.

SUPERVISING INSPECTOR OF STEAM VESSELS.

Charles H. Westcott, of Michigan, to be supervising inspector of steam vessels for the eighth district, to succeed Joseph Cook, deceased. Mr. Westcott is now serving under a commission issued during the recess of the Senate.

CAPTAINS, REVENUE SERVICE.

Lieut. Aaron D. Littlefield, of Massachusetts, to be captain in the Revenue Service of the United States, to succeed Capt. J. Hatch Parker, deceased.

Capt. James H. Rogers, of Maine, to be captain in the Revenue Service of the United States, to succeed Capt. John Faunce, deceased. Mr. Rogers is now serving under a temporary commission as captain issued during the recess of the Senate.

LIEUTENANTS IN THE REVENUE SERVICE.

Lieut. Edmond C. Chaytor, of South Carolina, to be first lieutenant in the Revenue Service of the United States, to succeed Lieut. George E. Thurston, deceased. Mr. Chaytor is now serving under a temporary commission as first lieutenant issued during the recess of the Senate.

Lieut. William H. Cushing, of New York, to be first lieutenant in the Revenue Service of the United States, to succeed Lieut. James H. Rogers, promoted. Mr. Cushing is now serving under a temporary commission as first lieutenant issued during the recess of the Senate.

Lieut. Charles H. McLellan, of Maine, to be first lieutenant in the Revenue Service of the United States, to succeed Lieut. Horatio D. Smith, promoted. Mr. McLellan is now serving under a temporary commission as first lieutenant issued during the recess of the Senate.

Lieut. Frank H. Newcomb, of Kansas, to be first lieutenant in the Revenue Service of the United States, to succeed Lieut. Frederick J. Simmonds, deceased. Mr. Newcomb is now serving under a temporary commission as first lieutenant issued during the recess of the Senate.

Lieut. Frank G. F. Wadsworth, of Massachusetts, to be first lieutenant in the Revenue Service of the United States, to succeed Lieut. Aaron D. Littlefield, to be promoted.

Lieut. Frank H. Dimock, of Massachusetts, to be second lieutenant in the Revenue Service of the United States, to succeed Lieut. Frank H. Newcomb, promoted. Mr. Dimock is now serving under a temporary commission as second lieutenant issued during the recess of the Senate.

Lieut. John B. Hull, of Virginia, to be second lieutenant in the Revenue Service of the United States, to succeed Lieut. William H. Cushing, promoted. Mr. Hull is now serving under a temporary commission as second lieutenant issued during the recess of the Senate.

Lieut. William V. E. Jacobs, of Maryland, to be second lieutenant in the Revenue Service of the United States, to succeed Lieut. John H. Little, deceased. Mr. Jacobs is now serving under a temporary commission as second lieutenant issued during the recess of the Senate.

Lieut. James M. Moore, of Maryland, to be second lieutenant in the Revenue Service of the United States, to succeed Lieut. C. H. McLellan, promoted. Mr. Moore is now serving under a temporary commission as second lieutenant issued during the recess of the Senate.

Lieut. John E. Reinburg, of the District of Columbia, to be second lieutenant in the Revenue Service of the United States, to succeed Edmond C. Chaytor, promoted. Mr. Reinburg is now serving under a temporary commission as second lieutenant issued during the recess of the Senate.

Lieut. Preston H. Uberroth, of Pennsylvania, to be second lieutenant in the Revenue Service of the United States, to succeed Lieut. George A. Starkweather, deceased. Mr. Uberroth is now serving under a temporary commission as second lieutenant issued during the recess of the Senate.

Lieut. James G. Ballinger, of Kansas, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. J. C.

Harris, promoted. Mr. Ballinger is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. Claude S. Cochrane, of Ohio, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. James H. Brown, promoted. Mr. Cochrane is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. Colin S. Craig, of Iowa, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. Kirtland W. Perry, promoted. Mr. Craig is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. George M. Daniels, of Rhode Island, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. W. W. Culver, deceased. Mr. Daniels is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. D. F. A. de Otte, of New York, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. Francis M. Dunwoody, promoted. Mr. de Otte is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. Frederick J. Haake, of New York, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. George H. Doty, promoted. Mr. Haake is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. Alexander R. Hasson, of the District of Columbia, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. Byron L. Reed, promoted. Mr. Hasson is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. Charles E. Johnston, of Ohio, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. Daniel J. Ainsworth, promoted. Mr. Johnston is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. Francis A. Levis, of New York, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. J. L. Sill, promoted. Mr. Levis is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. James H. Scott, of Pennsylvania, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. J. C. Cantwell, promoted. Mr. Scott is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. Francis S. Van Boskerck, jr., of New Jersey, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. David H. Jarvis, promoted. Mr. Van Boskerck is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

Lieut. Samuel B. Winram, jr., of Missouri, to be third lieutenant in the Revenue Service of the United States, to succeed Lieut. Johnstone H. Quinan, promoted. Mr. Winram is now serving under a temporary commission as third lieutenant issued during the recess of the Senate.

FIRST ASSISTANT ENGINEER IN THE REVENUE SERVICE.

Engineer James H. Chalker, of New Jersey, to be first assistant engineer in the Revenue Service of the United States, to succeed Engineer Thomas H. Brown, dismissed. Mr. Chalker is now serving under a temporary commission as first assistant engineer issued during the recess of the Senate.

ASSISTANT SURGEON IN THE MARINE HOSPITAL SERVICE.

Charles E. Decker, of Michigan, to be assistant surgeon in the Marine Hospital Service of the United States, to succeed Assistant Surg. J. F. Groenevelt, deceased. Mr. Decker is now serving under a temporary commission as assistant surgeon issued during the recess of the Senate.

PASSED ASSISTANT SURGEONS IN THE MARINE HOSPITAL SERVICE.

Henry T. Goodwin, of South Carolina, to be passed assistant surgeon in the Marine Hospital Service of the United States. Mr. Goodwin is now serving under a temporary commission as passed assistant surgeon issued during the recess of the Senate.

Thomas B. Perry, of Georgia, to be passed assistant surgeon in the Marine Hospital Service of the United States. Mr. Perry is now serving under a temporary commission as passed assistant surgeon issued during the recess of the Senate.

Rell M. Woodward, of Indiana, to be passed assistant surgeon in the Marine Hospital Service of the United States. Mr. Woodward is now serving under a temporary commission as passed assistant surgeon issued during the recess of the Senate.

SECOND ASSISTANT ENGINEER IN THE REVENUE SERVICE.

J. Edward Dorry, of Maryland, to be second assistant engineer in the Revenue Service of the United States, to succeed Engineer Daniel T. Cross, resigned. Mr. Dorry is now serving under a temporary commission as second assistant engineer issued during the recess of the Senate.

APPRAISER OF MERCHANDISE.

Lewis A. Dodge, of Massachusetts, to be appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts, in place of Albert B. Stearns, removed. Mr. Dodge is now serving under a commission issued during the recess of the Senate.

George Bingham, of New York, to be appraiser of merchandise in the district of Buffalo Creek, in the State of New York, to succeed Nathan B. Gatchell, resigned. Mr. Bingham is now serving under a commission issued during the recess of the Senate.

ASSISTANT APPRAISER OF MERCHANDISE.

Thomas H. Dunham, of Massachusetts, to be assistant appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts, to succeed Lewis A. Dodge, appointed appraiser of merchandise. Mr. Dunham is now serving under a commission issued during the recess of the Senate.

PROMOTIONS IN THE ARMY.

To be brigadier-general.

Col. August V. Kautz, Eighth Infantry, April 20, 1891, vice Gibbon, retired from active service.

QUARTERMASTER'S DEPARTMENT.

To be assistant quartermasters with the rank of captain.

First Lieut. Constantine Chase, regimental quartermaster, Third Artillery, April 13, 1891, vice Young, deceased.

First Lieut. William W. Robinson, jr., Seventh Cavalry, June 1, 1891, vice Craig, appointed captain in the Signal Corps.

First Lieut. Charles B. Thompson, Fifth Infantry, November 2, 1891, vice Marshall, promoted.

First Lieut. Medad C. Martin, regimental adjutant, Twenty-second Infantry, November 2, 1891, vice Haynsworth, retired from active service.

ORDNANCE DEPARTMENT.

Second Lieut. Fremont P. Peck, First Artillery, to be first lieutenant, March 9, 1891, to fill the vacancy in the department caused by the retirement from active service of Chief of Ordnance Stephen V. Benét.

MEDICAL DEPARTMENT.

Capt. Paul R. Brown, assistant surgeon, to be surgeon with the rank of major, December 3, 1891, vice Middleton, retired from active service.

CAVALRY ARM.

First Lieut. Ernest A. Garlington, Seventh Cavalry, to be captain of cavalry, December 3, 1891, vice Gibson, Seventh Cavalry, retired from active service.

Second Lieut. John M. Carson, jr., Fifth Cavalry, to be first lieutenant of cavalry, December 3, 1891, vice Garlington, Seventh Cavalry, promoted.

INFANTRY ARM.

Lieut. Col. Horace Jewett, Third Infantry, to be colonel of infantry, December 4, 1891, vice Conrad, Twenty-first Infantry, deceased.

Maj. Edward Moale, First Infantry, to be lieutenant-colonel of infantry, December 4, 1891, vice Jewett, Third Infantry, promoted.

Capt. Charles Bentzoni, Twenty-fifth Infantry, to be major of infantry, December 4, 1891, vice Moale, First Infantry, promoted.

First Lieut. Edward L. Bailey, Fourth Infantry, to be captain of infantry, December 4, 1891, vice Keeffe, Fourth Infantry, deceased.

First Lieut. Robert H. R. Loughborough, Twenty-fifth Infantry, to be captain of infantry, December 4, 1891, vice Bentzoni, Twenty-fifth Infantry, promoted.

Second Lieut. Everett E. Benjamin, First Infantry, to be first lieutenant of infantry, December 4, 1891, vice Bailey, Fourth Infantry, promoted.

Second Lieut. William J. Pardee, Eighteenth Infantry, to be first lieutenant of infantry, December 4, 1891, vice Loughborough, Twenty-fifth Infantry, promoted.

QUARTERMASTER'S DEPARTMENT.

Capt. James M. Marshall, assistant quartermaster, to be quartermaster with the rank of major, September 24, 1891, vice Foster, retired from active service.

MEDICAL DEPARTMENT.

Lieut. Col. Charles T. Alexander, surgeon, to be chief medical purveyor with the rank of colonel, September 11, 1891, vice Vollum, retired from active service.

Maj. William H. Forwood, surgeon, to be surgeon with the rank of lieutenant-colonel, June 15, 1891, vice McKee, retired from active service.

Maj. Ely McClellan, surgeon, to be surgeon with the rank of lieutenant-colonel, September 11, 1891, vice Alexander, promoted.

Capt. John Van R. Hoff, assistant surgeon, to be surgeon with the rank of major, June 15, 1891, vice Forwood, promoted.

Capt. George W. Adair, assistant surgeon, to be surgeon with the rank of major, September 11, 1891, vice McClellan, promoted.

ORDNANCE DEPARTMENT.

Capt. Almon L. Varney, to be major, November 30, 1891, vice McKee, deceased.

First Lieut. William B. Gordon, to be captain, June 15, 1891, in accordance with section 1207, Revised Statutes, he having served fourteen years continuously as lieutenant.

CAVALRY ARM.

To be colonels.

Lieut. Col. George G. Huntt, Tenth Cavalry, April 20, 1891, vice Clendenin, Second Cavalry, retired from active service.

Lieut. Col. James Biddle, Fifth Cavalry, July 1, 1891, vice Tilford, Ninth Cavalry, retired from active service.

To be lieutenant-colonels.

Maj. David Perry, Sixth Cavalry, April 20, 1891, vice Huntt, Tenth Cavalry, promoted.

Maj. Henry E. Noyes, Fourth Cavalry, July 1, 1891, vice Biddle, Fifth Cavalry, promoted.

To be majors.

Capt. Robert H. Montgomery, Fifth Cavalry, March 8, 1891, vice Van Vliet, Tenth Cavalry, deceased.

Capt. Edmond G. Fechét, Eighth Cavalry, April 20, 1891, vice Perry, Sixth Cavalry, promoted.

Capt. Almond B. Wells, Eighth Cavalry, July 1, 1891, vice Noyes, Fourth Cavalry, promoted.

To be captains.

First Lieut. Charles H. Watts, regimental adjutant, Fifth Cavalry, March 8, 1891, vice Montgomery, Fifth Cavalry, promoted.

First Lieut. Frank A. Edwards, First Cavalry, March 9, 1891, vice Wesendorff, First Cavalry, retired from active service.

First Lieut. Fred Wheeler, Fourth Cavalry, March 9, 1891, vice Mason, Fourth Cavalry, deceased.

First Lieut. Eugene A. Ellis, Eighth Cavalry, April 20, 1891, vice Fechét, Eighth Cavalry, promoted.

First Lieut. John Guest, Eighth Cavalry, April 20, 1891, vice Phelps, Eighth Cavalry, retired from active service.

First Lieut. Matthias W. Day, Ninth Cavalry, April 21, 1891, vice Cusack, Ninth Cavalry, retired from active service.

First Lieut. James R. Richards, jr., regimental adjutant, Fourth Cavalry, April 22, 1891, vice Budd, Fourth Cavalry, retired from active service.

First Lieut. James O. Mackay, Third Cavalry, April 22, 1891, vice King, Third Cavalry, retired from active service.

First Lieut. Walter L. Finley, regimental adjutant, Ninth Cavalry, April 22, 1891, vice Taylor, Ninth Cavalry, retired from active service.

First Lieut. George L. Scott, Sixth Cavalry, July 1, 1891, vice Perrine, Sixth Cavalry, retired from active service.

First Lieut. Henry F. Kendall, Eighth Cavalry, July 1, 1891, vice Wells, Eighth Cavalry, promoted.

To be first lieutenants.

Second Lieut. Godfrey H. Macdonald, First Cavalry, March 9, 1891, vice Edwards, First Cavalry, promoted.

Second Lieut. Matthew F. Steele, Eighth Cavalry, March 9, 1891, vice Patch, Fourth Cavalry, retired from active service.

Second Lieut. George H. Cameron, Seventh Cavalry, March 9, 1891, vice Wheeler, Fourth Cavalry, promoted.

Second Lieut. Robert D. Walsh, Fourth Cavalry, March 16, 1891, vice Almy, Fifth Cavalry, appointed regimental adjutant.

Second Lieut. George W. Read, Fifth Cavalry, March 18, 1891, vice Gaston, Eighth Cavalry, appointed regimental adjutant.

Second Lieut. James A. Cole, Sixth Cavalry, April 1, 1891, vice Emmet, Ninth Cavalry, resigned.

Second Lieut. De Rosey C. Cabell, Eighth Cavalry, April 17, 1891, vice Paddock, Fifth Cavalry, retired from active service.

Second Lieut. Farrand Sayre, Eighth Cavalry, April 17, 1891, vice Wellborn, Fifth Cavalry, retired from active service.

Second Lieut. Hugh J. Gallagher, Sixth Cavalry, April 20, 1891, vice Ellis, Eighth Cavalry, promoted.

Second Lieut. Grote Hutcheson, Ninth Cavalry, April 20, 1891, vice King, Eighth Cavalry, retired from active service.

Second Lieut. George O. Cress, Seventh Cavalry, April 20, 1891, vice Guest, Eighth Cavalry, promoted.

Second Lieut. Ernest S. Robins, Third Cavalry, April 21, 1891, vice Day, Ninth Cavalry, promoted.

Second Lieut. John B. Bellinger, Fifth Cavalry, April 22, 1891, vice Mackay, Third Cavalry, promoted.

Second Lieut. John T. Knight, Third Cavalry, April 23, 1891, vice Elliott, Fourth Cavalry, appointed regimental adjutant.

Second Lieut. James B. Hughes, Tenth Cavalry, April 23, 1891, he being the regimental adjutant.

Second Lieut. Powhatan H. Clarke, Tenth Cavalry, April 27, 1891, vice Hutcheson, Ninth Cavalry, appointed regimental adjutant.

Second Lieut. Gonzalez S. Bingham, Ninth Cavalry, July 1, 1891, vice Scott, Sixth Cavalry, promoted.

Second Lieut. William D. McAnaney, Ninth Cavalry, July 1, 1891, vice Lester, Eighth Cavalry, retired from active service.

Second Lieut. Richard B. Paddock, Sixth Cavalry, July 1, 1891, vice Kendall, Eighth Cavalry, promoted.

Second Lieut. Robert A. Brown, Fourth Cavalry, November 28, 1891, vice Squiers, Seventh Cavalry, resigned.

ARTILLERY ARM.

To be colonels.

Lieut. Col. La Rhett L. Livingston, Third Artillery, May 22, 1891, vice Gibson, Third Artillery, retired from active service.

Lieut. Col. William M. Graham, Fifth Artillery, July 1, 1891, vice Piper, Fifth Artillery, retired from active service.

To be lieutenant-colonels.

Maj. Edmund C. Bainbridge, Third Artillery, May 22, 1891, vice Livingston, Third Artillery, promoted.

Maj. Francis L. Guenther, Second Artillery, July 1, 1891, vice Graham, Fifth Artillery, promoted.

To be majors.

Capt. Frank B. Hamilton (since deceased), Second Artillery, May 22, 1891, vice Bainbridge, Third Artillery, promoted.

Capt. William McK. Dunn (since deceased), Second Artillery, May 29, 1891, vice Hamilton, Third Artillery, deceased.

Capt. Joseph B. Campbell, (since deceased), Fourth Artillery, July 1, 1891, vice Guenther, Second Artillery, promoted.

Capt. Frank G. Smith, Fourth Artillery, August 28, 1891, vice Campbell, Second Artillery, deceased.

Capt. Joseph G. Ramsay, Second Artillery, September 30, 1891, vice Dunn, Third Artillery, deceased.

To be captains.

First Lieut. Frank Thorp, Fifth Artillery, April 24, 1891, vice Beck, Fifth Artillery, retired from active service.

First Lieut. Louis V. Caziarc, Second Artillery, May 22, 1891, vice Hamilton, Second Artillery, promoted.

First Lieut. Robert M. Rogers, Second Artillery, May 29, 1891, vice Dunn, Second Artillery, promoted.

First Lieut. Walter Howe, Fourth Artillery, July 1, 1891, vice Campbell, Fourth Artillery, promoted.

First Lieut. Peter Leary, jr., Fourth Artillery, August 28, 1891, vice Smith, Fourth Artillery, promoted.

First Lieut. Ephraim T. C. Richmond, Second Artillery, September 30, 1891, vice Ramsay, promoted.

To be first lieutenants.

Second Lieut. Ira A. Haynes, Third Artillery, April 1, 1891, vice Totten, Fourth Artillery, resigned.

Second Lieut. Willoughby Walke, Second Artillery, April 24, 1891, vice Thorp, Fifth Artillery, promoted.

Second Lieut. Louis Ostheim, Third Artillery, May 22, 1891, vice Caziarc, Second Artillery, promoted.

Second Lieut. John Conklin, jr., Second Artillery, May 29, 1891, vice Weaver, Second Artillery, appointed regimental quartermaster.

Second Lieut. Isaac N. Lewis, Second Artillery, June 15, 1891, vice Richards, Second Artillery, retired from active service.

Second Lieut. Samuel D. Sturgis, First Artillery, July 1, 1891, vice Howe, Fourth Artillery, promoted.

Second Lieut. Elisha S. Benton, Third Artillery, July 31, 1891, vice Sellmer, Third Artillery, retired from active service.

Second Lieut. Harry L. Hawthorne, Second Artillery, August 28, 1891, vice Leary, Fourth Cavalry, promoted.

Second Lieut. Cornélis de W. Willcox, Second Artillery, September 30, 1891, vice Richmond, Second Artillery, promoted.

INFANTRY ARM.

To be colonels.

Lieut. Col. Robert H. Offley (since deceased), Seventeenth Infantry, March 9, 1891, vice Douglass, Tenth Infantry, retired from active service.

Lieut. Col. James J. Van Horn, Twenty-fifth Infantry, April 20, 1891, vice Kautz, Eighth Infantry, appointed brigadier-general.

Lieut. Col. Isaac D. De Russy, Fourteenth Infantry, May 19, 1891, vice Dodge, Eleventh Infantry, retired from active service.

Lieut. Col. John S. Poland, Twenty-first Infantry, August 1, 1891, vice Mizner, Seventeenth Infantry, retired from active service.

Lieut. Col. Edward P. Pearson, Twenty-fourth Infantry, October 14, 1891, vice Offley, Tenth Infantry, deceased.

Lieut. Col. William H. Jordan, Nineteenth Infantry, November 1, 1891, vice Smith, Nineteenth Infantry, retired from active service.

To be lieutenant-colonels.

Maj. Edmond Butler (since retired from active service), Second Infantry, March 9, 1891, vice Offley, Seventeenth Infantry, promoted.

Maj. George K. Brady, Eighteenth Infantry, March 19, 1891, vice Butler, Seventeenth Infantry, retired from active service.

Maj. John P. Andrews, Twenty-first Infantry, April 20, 1891, vice Van Horn, Twenty-fifth Infantry, promoted.

Maj. George E. Head (since retired from active service), Third Infantry, May 19, 1891, vice De Russy, Fourteenth Infantry, promoted.

Maj. John B. Parke, Sixteenth Infantry, June 19, 1891, vice Fletcher, Second Infantry, retired from active service.

Maj. Hugh A. Theaker, Fifteenth Infantry, July 10, 1891, vice Head, Fourteenth Infantry, retired from active service.

Maj. William J. Lyster, Sixth Infantry, August 1, 1891, vice Poland, Twenty-first Infantry, promoted.

Maj. David D. Vanvalzah, Twentieth Infantry, October 14, 1891, vice Pearson, Twenty-fourth Infantry, promoted.

Maj. Charles A. Wikoff, Fourteenth Infantry, November 1, 1891, vice Jordan, Nineteenth Infantry, promoted.

To be majors.

Capt. William S. Worth, Eighth Infantry, March 9, 1891, vice Butler, Second Infantry, promoted.

Capt. George K. Sanderson, Eleventh Infantry, March 19, 1891, vice Brady, Eighteenth Infantry, promoted.

Capt. William M. Wherry, Sixth Infantry, April 20, 1891, vice Andrews, Twenty-first Infantry, promoted.

Capt. John H. Patterson, Twentieth Infantry, May 19, 1891, vice Head, Third Infantry, promoted.

Capt. Henry B. Freeman, Seventh Infantry, June 19, 1891, vice Parke, Sixteenth Infantry, promoted.

Capt. Clarence M. Bailey, Eighth Infantry, July 10, 1891, vice Theaker, Fifteenth Infantry, promoted.

Capt. James W. Powell, jr., Sixth Infantry, August 1, 1891, vice Lyster, Sixth Infantry, promoted.

Capt. Loyd Wheaton, Twentieth Infantry, October 14, 1891, vice Vanvalzah, Twentieth Infantry, promoted.

Capt. John W. French, Twenty-fifth Infantry, November 1, 1891, vice Wikoff, Fourteenth Infantry, promoted.

To be captains.

First Lieut. Cornelius Gardener, Nineteenth Infantry, February 24, 1891, vice Bradford, Nineteenth Infantry, promoted.

First Lieut. James E. Macklin, regimental quartermaster, Eleventh Infantry, February 25, 1891, vice Lott, Eleventh Infantry, retired from active service.

First Lieut. Thomas M. Woodruff, Fifth Infantry, March 9, 1891, vice Hargous, Fifth Infantry, retired from active service.

First Lieut. William L. Pitcher, Eighth Infantry, March 9, 1891, vice Worth, Eighth Infantry, promoted.

First Lieut. Henry O. S. Heistand, Eleventh Infantry, March 19, 1891, vice Sanderson, Eleventh Infantry, promoted.

First Lieut. John K. Waring, regimental quartermaster, Second Infantry, April 17, 1891, vice Catley, Second Infantry, retired from active service.

First Lieut. John McA. Webster, Twenty-second Infantry, April 18, 1891, vice Ward, Twenty-second Infantry, retired from active service.

First Lieut. Charles H. Heyl, regimental adjutant, Twenty-third Infantry, April 18, 1891, vice Dodge, Twenty-third Infantry, retired from active service.

First Lieut. Thomas G. Townsend, Sixth Infantry, April 20, 1891, vice Wherry, Sixth Infantry, promoted.

First Lieut. Herbert S. Foster, Twentieth Infantry, April 20, 1891, vice Harwood, Twentieth Infantry, retired from active service.

First Lieut. William H. Kell, Twenty-second Infantry, May 19, 1891, vice Irvine, Twenty-second Infantry, retired from active service.

First Lieut. John C. Dent, Twentieth Infantry, May 19, 1891, vice Patterson, Twentieth Infantry, promoted.

First Lieut. George K. McGunnegle, Fifteenth Infantry, June 15, 1891, vice Burnham, Fifteenth Infantry, retired from active service.

First Lieut. Edgar B. Robertson, Ninth Infantry, June 15, 1891, vice Hay, Ninth Infantry, retired from active service.

First Lieut. Charles A. Booth, Seventh Infantry, June 19, 1891, vice Freeman, Seventh Infantry, promoted.

First Lieut. Charles A. Worden, Seventh Infantry, July 10, 1891, vice Kirtland, Seventh Infantry, retired from active service.

First Lieut. James A. Hutton, Eighth Infantry, July 10, 1891, vice Bailey, Eighth Infantry, promoted.

First Lieut. George B. Walker, Sixth Infantry, August 1, 1891, vice Powell, Sixth Infantry, promoted.

First Lieut. William W. McCammon, Fourteenth Infantry, September 29, 1891, vice Warrens, Fourteenth Infantry, retired from active service.

First Lieut. Henry A. Greene, Twentieth Infantry, October 14, 1891, vice Wheaton, Twentieth Infantry, promoted.

First Lieut. Edwin B. Bolton, Twenty-third Infantry, October 21, 1891, vice Wieting, Twenty-third Infantry, retired from active service.

First Lieut. James S. Pettit, First Infantry, October 22, 1891, vice Callinan, First Infantry, retired from active service.

First Lieut. Charles L. Hodges, Twenty-fifth Infantry, November 1, 1891, vice French, Twenty-fifth Infantry, promoted.

To be first lieutenants.

Second Lieut. Charles McQuiston, Fourth Infantry, February 24, 1891, vice Gardener, Nineteenth Infantry, promoted.

Second Lieut. Frederick Perkins, Fifth Infantry, February 24, 1891, vice Allen, Sixteenth Infantry, promoted.

Second Lieut. Clarence R. Edwards, Twenty-third Infantry, February 25, 1891, vice Barry, First Infantry, promoted.

Second Lieut. William P. Burnham, Sixth Infantry, February 25, 1891, vice Wheeler, Eleventh Infantry, retired from active service.

Second Lieut. James M. Arrasmith, Second Infantry, March 9, 1891, vice Lynch, Eighth Infantry, retired from active service.

Second Lieut. William H. Johnston, jr., Sixteenth Infantry, March 9, 1891, vice Woodruff, Fifth Infantry, promoted.

Second Lieut. John A. Perry, Tenth Infantry, March 9, 1891, vice Mott, Eighth Infantry, retired from active service.

Second Lieut. Charles P. George, Sixteenth Infantry, March 9, 1891, vice Pitcher, Eighth Infantry, promoted.

Second Lieut. Benjamin W. Atkinson, Sixth Infantry, March 12, 1891, vice Moon, Twentieth Infantry, appointed regimental adjutant.

Second Lieut. John L. Sehon, Fourth Infantry, March 12, 1891, vice Emery, Eleventh Infantry, appointed regimental quartermaster.

Second Lieut. Charles D. Clay, Seventeenth Infantry, March 19, 1891, vice Heistand, Eleventh Infantry, promoted.

Second Lieut. Benjamin M. Purssell, Fourth Infantry, April 17, 1891, vice Tilton, Twentieth Infantry, retired from active service.

Second Lieut. Fielder M. M. Beall, Fifth Infantry, April 17, 1891, vice Tully, Twenty-fifth Infantry, retired from active service.

Second Lieut. Maury Nichols, Sixteenth Infantry, April 17, 1891, vice Mulhall, Fourteenth Infantry, retired from active service.

Second Lieut. Zebulon B. Vance, jr., Nineteenth Infantry, April 18, 1891, vice Webster, Twenty-second Infantry, promoted.

Second Lieut. Joseph P. O'Neil, Fourteenth Infantry, April 20, 1891, vice Townsend, Sixth Infantry, promoted.

Second Lieut. Wendell L. Simpson, Twenty-fourth Infantry, April 20, 1891, vice Foster, Twentieth Infantry, promoted.

Second Lieut. Frederick L. Palmer, Twenty-first Infantry, April 22, 1891, vice Turner, Second Infantry, appointed regimental quartermaster.

Second Lieut. Clarence E. Dentler, Sixth Infantry, April 27, 1891, vice Cushman, Twentieth Infantry, retired from active service.

Second Lieut. James K. Thompson, Twenty-third Infantry, April 27, 1891, he being the regimental adjutant.

Second Lieut. Henry D. Styer, Twenty-first Infantry, May 19, 1891, vice Kell, Twenty-second Infantry, promoted.

Second Lieut. Waldo E. Ayer, Twelfth Infantry, May 19, 1891, vice Dent, Twentieth Infantry, promoted.

Second Lieut. Robert H. Noble, First Infantry, June 15, 1891, vice Clark, Fifteenth Infantry, retired from active service.

Second Lieut. Benjamin C. Morse, Twenty-third Infantry, June 15, 1891, vice Cory, Fifteenth Infantry, retired from active service.

Second Lieut. John P. Finley, Nineteenth Infantry, June 15, 1891, vice McGunnegle, Fifteenth Infantry, promoted.

Second Lieut. Frederick R. Day, Twenty-second Infantry, June 15, 1891, vice Robertson, Ninth Infantry, promoted.

Second Lieut. Carl Reichmann, Twenty-fourth Infantry, June 19, 1891, vice Booth, Seventh Infantry, promoted.

Second Lieut. Alfred S. Frost, Twenty-fifth Infantry, July 10, 1891, vice Worden, Seventh Infantry, promoted.

Second Lieut. Frank O. Ferris, First Infantry, July 10, 1891, vice Cabaniss, Eighteenth Infantry, retired from active service.

Second Lieut. George W. Ruthers, Eighth Infantry, July 10, 1891, vice Hutton, Eighth Infantry, promoted.

Second Lieut. Leon S. Roudiez, Fifteenth Infantry, August 1, 1891, vice Walker, Sixth Infantry, promoted.

Second Lieut. William C. Wren, Tenth Infantry, August 8, 1891, vice Ogle, Seventeenth Infantry, deceased.

Second Lieut. Abraham P. Buffington, Seventh Infantry, September 10, 1891, vice Wever, First Infantry, dropped for desertion.

Second Lieut. Charles L. Beckurts, Sixth Infantry, September 29, 1891, vice McCammon, Fourteenth Infantry, promoted.

Second Lieut. Tredwell W. Moore, Twenty-second Infantry, September 30, 1891, vice Miner, Ninth Infantry, dismissed.

Second Lieut. Raymond R. Stevens, Twenty-third Infantry, October 14, 1891, vice Greene, Twentieth Infantry, promoted.

Second Lieut. Frederick V. Krüg, Eighth Infantry, October 21, 1891, vice Bolton, Twenty-third Infantry, promoted.

Second Lieut. William N. Blow, jr., Fifteenth Infantry, October 22, 1891, vice Pettit, First Infantry, promoted.

Second Lieut. James T. Anderson, Sixteenth Infantry, November 1, 1891, vice Hodges, Twenty-fifth Infantry, promoted.

MEDICAL DEPARTMENT.

To be assistant surgeons with the rank of first lieutenant.

William F. Lippitt, jr., of West Virginia, May 4, 1891, vice Black, resigned.

Merritte W. Ireland, of Indiana, May 4, 1891, vice Cowdrey, promoted.

Benjamin Brooke, of Pennsylvania, May 4, 1891, vice Byrne, promoted.

George M. Wells, of Indiana, May 4, 1891, vice Dietz, deceased.

Henry C. Fisher, of the District of Columbia, October 31, 1891, vice Winne, promoted.

Henry A. Shaw, of Massachusetts, October 31, 1891, vice Elbrey, retired from active service.

Samuel R. Dunlop, of New York, October 31, 1891, vice Wilcox, promoted.

Charles F. Kieffer, of Pennsylvania, October 31, 1891, vice Gardiner, retired from active service.

Frank T. Meriwether, of North Carolina, October 31, 1891, vice Shufeldt, retired from active service.

POST CHAPLAIN.

I. Newton Ritner, of Pennsylvania, July 20, 1891, vice Larkin, wholly retired from the service.

REGIMENTAL CHAPLAIN.

Theophilus G. Steward, of the District of Columbia, to be chaplain Twenty-fifth Infantry, July 20, 1891, vice Mullins, retired from active service.

CAVALRY ARM.

To be second lieutenants.

Quartermaster-Sergt. James G. Harbord, Fourth Infantry, July 31, 1891, vice Belliger, Fifth Cavalry, promoted.

Corpl. John O'Shea, Battery I, First Artillery, July 31, 1891, vice Cameron, Seventh Cavalry, promoted.

Corpl. Matthew A. Batson, Troop G, Second Cavalry, July 31, 1891, vice McAnaney, Ninth Cavalry, promoted.

INFANTRY ARM.

To be second lieutenants.

Corpl. Charles E. Hays, Company F, Eighteenth Infantry, July 31, 1891, vice Symmonds, Eighteenth Infantry, transferred to the Seventh Cavalry.

Sergt. William M. Morrow, Company F, Seventeenth Infantry, July 31, 1891, vice Palmer, Twenty-first Infantry, promoted.

Sergt. Benjamin F. Hardaway, Company C, Seventeenth Infantry, July 31, 1891, vice Clay, Seventeenth Infantry, promoted.

Corpl. Jasper E. Brady, jr., Company D, Eighteenth Infantry, July 31, 1891, vice Vance, Nineteenth Infantry, promoted.

First Class Sergt. Thomas F. Schley, Signal Corps, July 31, 1891, vice Morse, Twenty-third Infantry, promoted.

Corpl. Philip Hawley, Company H, Sixteenth Infantry, July 31, 1891, vice Nichols, Sixteenth Infantry, promoted.

First Sergt. Charles Krauthoff, Light Battery F, Second Artillery, July 31, 1891, vice O'Neil, Fourteenth Infantry, promoted.

Sergt. Maj. William M. Wood, Third Infantry, July 3, 1891, vice Ayer, Twelfth Infantry, promoted.

Sergt. Albert C. Dalton, Company A, Twenty-second Infantry, July 31, 1891, vice Root, Twenty-second Infantry, promoted.

Corpl. Peter E. Marquart, Company G, Third Infantry, October 1, 1891 vice Arrasmith, Second Infantry, promoted.

CAVALRY ARM.

To be second lieutenants.

Ervin L. Phillips, of New York, August 1, 1891, vice Gallagher, Sixth Cavalry, promoted.

Frank Tompkins, of New York, August 1, 1891, vice Cabell, Eighth Cavalry, promoted.

Samuel D. Rockenbach, of Missouri, August 1, 1891, vice Clarke, Tenth Cavalry, promoted.

Robert C. Williams, of the District of Columbia, October 7, 1891, vice Macdonald, First Cavalry, promoted.

George W. Cole, of Missouri, October 7, 1891, vice Cress, Seventh Cavalry, promoted.

Walter C. Short, of Ohio, October 7, 1891, vice Paddock, Sixth Cavalry, promoted.

INFANTRY ARM.

To be second lieutenants.

Albert D. Niskern, of Michigan (late second lieutenant, Twentieth Infantry), April 14, 1891, vice Hill, Twentieth Infantry, promoted.

Joseph C. Castner, of New Jersey, August 1, 1891, vice Sehon, Fourth Infantry, promoted.

Edward Sigerfoos, of Ohio, August 1, 1891, vice Perkins, Fifth Infantry, promoted.

Arthur W. Yates, of Wisconsin, August 1, 1891, vice Pierce, Ninth Infantry, transferred to the Second Infantry.

Edward A. Shuttleworth, of Vermont, August 1, 1891, vice Watkins, Eleventh Infantry, dropped for desertion.

Frederick W. Fuger, of Massachusetts, August 1, 1891, vice Scott, Thirteenth Infantry, promoted.

John Howard, of New York, August 1, 1891, vice Finley, Nineteenth Infantry, promoted.

Ralph H. Van Deman, of Ohio, August 1, 1891, vice Styer, Twenty-first Infantry, promoted.

Frank A. Barton, of the District of Columbia, August 1, 1891, vice Simpson, Twenty-fourth Infantry, promoted.

Henry L. McCorkle, of Tennessee, August 1, 1891, vice Ahern, Twenty-fifth Infantry, promoted.

William Brooke, of Pennsylvania, October 7, 1891, vice Pursell, Fourth Infantry, promoted.

John S. Murdock, of Connecticut, October 7, 1891, vice Frost, Twenty-fifth Infantry, promoted.

Harrison J. Price, of New York, October 7, 1891, vice Reichmann, Twenty-fourth Infantry, promoted,

William H. Simons, of South Carolina, October 7, 1891, vice Dentler, Sixth Infantry, promoted.

William M. Crofton, of Illinois, October 7, 1891, vice Noble, First Infantry, promoted,

John F. Madden, of California, October 7, 1891, vice Beall, Fifth Infantry, promoted.

William Wallace, of Indiana, October 7, 1891, vice Ferguson, Seventh Infantry, transferred to the Twenty-third Infantry.

Ferdinand W. Kobbe, of Virginia, October 7, 1891, vice Kreps, Twenty-second Infantry, promoted.

William H. Wassell, of Pennsylvania (late second lieutenant, Ninth Infantry), October 8, 1891, vice Day, Twenty-second Infantry, promoted.

To be first lieutenants.

First Lieut. Walter M. Dickinson, Fourth Cavalry, to be first lieutenant of infantry, November 4, 1891, with rank from June 22, 1889, vice Lockwood, transferred to the cavalry arm.

First. Lieut. John A. Lockwood, Seventeenth Infantry, to be first lieutenant of cavalry, November 4, 1891, with rank from June 22, 1889, vice Dickinson, transferred to the infantry arm.

Second Lieut. Alvin H. Sydenham, Eighth Cavalry, to be second lieutenant of artillery, May 13, 1891, with rank from June 12, 1890, vice Merillat, transferred to the cavalry arm.

Second Lieut. Alfred C. Merillat, Fifth Artillery, to be second lieutenant of cavalry, May 13, 1891, with rank from June 12, 1890, vice Sydenham, transferred to the artillery arm.

Second Lieut. Charles J. Symmonds, Eighteenth Infantry, to be second lieutenant of cavalry, March 7, 1891, with rank from September 21, 1890, vice Squiers, Seventh Cavalry, promoted.

Second Lieut. Charles W. Fenton, Ninth Infantry, to be second lieutenant of cavalry, May 23, 1891, with rank from September 22, 1890, vice Bell, Seventh Cavalry, promoted.

Second Lieut. Le Roy S. Lyon, Seventh Cavalry, to be second lieutenant of artillery, October 1, 1891, with rank from June 12, 1891, vice Lamoreux, Second Artillery, transferred to the Fourth Artillery.

Second Lieut. Andrew Hero, jr., Twelfth Infantry, to be second lieutenant of artillery, November 14, 1891, with rank from June 12, 1891, vice Darrow, resigned.

CORPS OF ENGINEERS.

To be additional second lieutenants.

1. Cadet Spencer Cosby.
2. Cadet John S. Sewell.
3. Cadet Charles P. Echols.
4. Cadet James F. McIndoe.
5. Cadet Jay J. Morrow.

CAVALRY ARM.

To be second lieutenants.

7. Cadet Le Roy S. Lyon, vice Swift, Seventh Cavalry, promoted.
9. Cadet Tiemann N. Horn, vice Robins, Third Cavalry, promoted.
10. Cadet Edward D. Anderson, vice Walsh, Fourth Cavalry, promoted.
12. Cadet George P. White, vice Knight, Third Cavalry, promoted.
13. Cadet Lawson M. Fuller, vice Hutcheson, Ninth Cavalry, promoted.
14. Cadet Louis C. Scherer, vice Adair, Fifth Cavalry, promoted.
15. Cadet John W. Furlong, vice Tate, First Cavalry, promoted.
16. Cadet Richard L. Livermore, vice Duff, Eighth Cavalry, promoted.
17. Cadet Thomas M. Corcoran, vice Waterman, Seventh Cavalry, promoted.
18. Cadet Robert J. Fleming, vice Bullock, Seventh Cavalry, promoted.
19. Cadet Edwin B. Winans, jr., vice Read, Fifth Cavalry, promoted.
20. Cadet William T. Johnston, vice Walshe, Tenth Cavalry, retired from active service.
21. Cadet William H. Osborne, vice Goode, First Cavalry, promoted.
23. Cadet Harold P. Howard, vice West, Sixth Cavalry, promoted.
27. Cadet Elmer Lindsley, vice Cole, Sixth Cavalry, promoted.
29. Cadet Joseph T. Crabbs, vice Steele, Eighth Cavalry, promoted.
30. Cadet William J. Glasgow, vice Watkins, First Cavalry, promoted.
31. Cadet Frank S. Armstrong, vice Bingham, Ninth Cavalry, promoted.

INFANTRY ARM.

To be second lieutenants.

6. Cadet Odus C. Horney, vice Gooding, Seventh Infantry, promoted.
8. Cadet Andrew Hero, jr., vice Anglum, Twelfth Infantry, promoted.
11. Cadet Truman C. Murphy, vice Fowler, Nineteenth Infantry, retired from active service.
22. Cadet Francis H. Schoeffel, vice Kerr, Seventeenth Infantry, promoted.
24. Cadet William H. Bertsch, vice Rowan, Fifteenth Infantry, promoted.
25. Cadet Ross L. Bush, vice Cotter, Fifteenth Infantry, promoted.
26. Cadet Joseph L. Donovan, vice Walker, Seventeenth Infantry, promoted.
28. Cadet John B. Bennet, vice Cochran, Seventh Infantry, promoted.
32. Cadet Melville S. Jarvis, vice Andrus, Fourth Infantry, promoted.
33. Cadet John W. Heavey, vice Chatfield, Fifth Infantry, promoted.
34. Cadet Harry J. Hirsch, vice Welsh, Fifteenth Infantry, promoted.
35. Cadet Charles De L. Hine, vice Taggart, Sixth Infantry, promoted.
36. Cadet Joseph Frazier, vice Geary, Nineteenth Infantry, promoted.
37. Cadet Robert L. Hamilton, vice Wills, Twenty-second Infantry, promoted.
38. Cadet La Roy S. Upton, vice Stamper, Twenty-first Infantry, promoted.
39. Cadet Henry A. Smith, vice Faison, First Infantry, promoted.
40. Cadet Hollis C. Clark, vice Edwards, Twenty-third Infantry, promoted.
41. Cadet George C. Saffarrans, vice Burnham, Sixth Infantry, promoted.
42. Cadet Palmer E. Pierce, vice Fenton, Ninth Infantry, transferred to the Seventh Cavalry.
43. Cadet Lutz Wahl, vice Wilson, Fifth Infantry, promoted.
44. Cadet William P. Jackson, vice Batchelor, Twenty-fourth Infantry, promoted.
45. Cadet Albert B. Donworth, vice Hasbrouck, Fourteenth Infantry, promoted.
46. Cadet Charles C. Ogden, vice Hughes, Thirteenth Infantry, promoted.
47. Cadet Gordon Voorhies, vice Green, Twenty-fifth Infantry, promoted.
48. Cadet John L. Hines, vice Wilson, Second Infantry, promoted.
49. Cadet Guy H. B. Smith, vice Hollis, Fourth Infantry, promoted.
50. Cadet Walter M. Whitman, vice Towsley, Second Infantry, retired from active service.
51. Cadet Matthias Crowley, vice Sage, Fifth Infantry, promoted.
52. Cadet Jacques de L. Lafitte, vice Weber, Eighth Infantry, retired from active service.
53. Cadet John J. Bradley, vice Cabell, Fourteenth Infantry, promoted.
54. Cadet Douglas Settle, vice Perry, Tenth Infantry, promoted.
55. Cadet John S. Switzer, vice McQuiston, Fourth Infantry, promoted.
56. Cadet Herbert O. Williams, vice Hirst, Eleventh Infantry, promoted.
57. Cadet George D. Guyer, vice Johnston, Sixteenth Infantry, promoted.
58. Cadet William F. Grote, vice Shanks, Eighteenth Infantry, promoted.
59. Cadet William H. H. Chapman, vice Morrison, Twentieth Infantry, promoted.
60. Cadet Herbert N. Royden, vice Thompson, Twenty-third Infantry, appointed regimental adjutant.
61. Cadet Isaac C. Jenks, vice Collins, Twenty-fourth Infantry, promoted.
62. Cadet Alfred W. Drew, vice Hale, Twelfth Infantry, promoted.
63. Cadet Hanson E. Ely, vice Patten, Twenty-second Infantry, promoted.
64. Cadet Lewis S. Sorley, vice George, Sixteenth Infantry, promoted. To date from August 29, 1891, the date that he was given his diploma.
65. Cadet David P. Cordray, vice Piper, Eighth Infantry, transferred to the Second Infantry.

PROMOTIONS IN THE NAVY.

Commodore John Irwin, to be a rear-admiral in the Navy, from the 19th of May, 1891, vice Rear-Admiral D. L. Braine, retired

Capt. Oscar F. Stanton, to be a commodore in the Navy, from the 19th of May, 1891, vice Commodore John Irwin, promoted.

Commander Louis Kempff, to be a captain in the Navy, from the 19th of May, 1891, vice Capt. O. F. Stanton, promoted.

Lieut. Commander Willard H. Brownson, to be a commander in the Navy, from the 19th of May, 1891, vice Commander Louis Kempff, promoted.

Lieut. Richardson Clover, to be a lieutenant-commander in the Navy, from the 19th May, 1891, vice Lieut. Commander W. H. Brownson, promoted.

Lieut. (junior grade) Charles F. Pond, to be a lieutenant in the Navy, from the 19th May, 1891, vice Lieut. R. Clover, promoted.

Ensign John B. Blish, to be a lieutenant, junior grade, in the Navy, from the 19th May, 1891, vice Lieut. (junior grade) C. F. Pond, promoted.

Lieut. (junior grade) Waldemar D. Rose, to be a lieutenant in the Navy, from the 14th May, 1891, vice Allan G. Paul, deceased.

Ensign Charles C. Marsh, to be a lieutenant, junior grade (subject to the examinations required by law), from the 14th May, 1891, vice Lieut. (junior grade) W. D. Rose, promoted.

Lieut. Walter McLean, junior grade, to be a lieutenant in the Navy, from the 20th of May, 1891, vice Lieut. H. L. Tremain, retired.

Ensign Carl M. Jungen, to be a lieutenant, junior grade, in the Navy, from the 20th of May, 1891, vice Lieut. (junior grade) W. McLean, promoted.

Lieut. Commander Henry E. Nichols, to be a commander in the Navy, from the 25th of June, 1891, vice Commander Allan D. Brown, retired.

Lieut. Frederick M. Wise, to be a lieutenant-commander in the Navy, from the 25th of June, 1891, vice Lieut. Commander H E Nichols, promoted.

Lieut. (junior grade) Lovell K. Reynolds, to be a lieutenant in the Navy, from the 25th of June, 1891, vice Lieut. F. M. Wise, promoted.

Ensign William A. Gill, to be a lieutenant, junior grade, in the

Navy, from the 25th of June, 1891, vice Lieut. (junior grade) L. K Reynolds, promoted.

Lieut. James M. Miller, to be a lieutenant-commander in the Navy, from the 29th of May, 1891, vice Lieut. Commander William H. Parker, deceased.

Lieut. (junior grade) Washington I. Chambers, to be a lieutenant in the Navy, from the 29th of May, 1891, vice Lieut. James M. Miller, promoted.

Ensign Charles H. Harlow, to be a lieutenant, junior grade, in the Navy, from the 29th of May, 1891, vice Lieut. (junior grade) W. I. Chambers, promoted.

Lieut. John V. B. Bleeker, to be a lieutenant-commander in the Navy (subject to the examinations required by law), from the 30th of June, 1891, vice Lieut. Commander George A. Norris, deceased.

Lieut. (junior grade) James C. Gillmore, to be a lieutenant in the Navy, from the 30th June, 1891, vice Lieut. J. V. B. Bleeker, promoted.

Ensign Rennie P. Schwerin, to be a lieutenant, junior grade, in the Navy (subject to the examinations required by law), from the 30th June, 1891, vice Lieut. (junior grade) J. C. Gillmore, promoted.

Ensign Thomas W. Ryan, to be a lieutenant, junior grade, in the Navy, from the 31st July, 1891, to fill a vacancy.

Lieut. Commander William W. Mead, to be a commander in the Navy, from the 2d August, 1891, vice Commander Charles McGregor, deceased.

Lieut. Andrew Dunlap, to be lieutenant-commander in the Navy, from the 2d August, 1891, vice Lieut. Commander W. W. Mead, promoted.

Lieut. (junior grade) Benjamin Tappan, to be a lieutenant in the Navy, from the 2d August, 1891, vice Lieut. Andrew Dunlap, promoted.

Ensign Charles S. Ripley, to be a lieutenant, junior grade, in the Navy, from the 2d August, 1891, vice Lieut. B. Tappan, junior grade, promoted.

Lieut. Charles A. Gove, junior grade, to be a lieutenant in the Navy, from the 4th August, 1891, vice Lieut. J. F. Meigs, retired.

Ensign Walter J. Sears, to be a lieutenant, junior grade, in the Navy, from the 4th August, 1891, vice Lieut. (junior grade) C. A. Gove, promoted.

Commander Francis J. Higginson, to be a captain in the Navy, from the 28th September, 1891, vice Capt. E. C. Merriman, retired.

Lieut. Commander Edwin S. Houston, to be a commander in the Navy, from the 27th September, 1891, vice Commander F. J. Higginson, promoted.

Lieut. Richard Rush, to be a lieutenant-commander in the Navy (subject to the examinations required by law), from the 27th September, 1891, vice Lieut. Commander E. S. Houston, promoted.

Lieut. (junior grade) De Witt Coffman, to be a lieutenant in the Navy, from the 27th September, 1891, vice Lieut. R. Rush, promoted.

Ensign John Gibson, to be a lieutenant, junior grade, in the Navy, from the 27th September, 1891, vice Lieut. (junior grade) De Witt Coffman, promoted.

Commander George W. Sumner, to be a captain in the Navy, from the 2d October, 1891, vice Capt. George H. Perkins, retired.

Lieut. Commander Edwin Longnecker, to be a commander in the Navy, from the 2d October, 1891, vice Commander George W. Sumner, promoted.

Lieut. Edward H. Gheen, to be a lieutenant-commander in the Navy, from the 2d October, 1891, vice Lieut. Commander E. Longnecker, promoted.

Lieut. (junior grade) William G. Hannum, to be a lieutenant in the Navy, from the 2d October, 1891, vice Lieut. E. H. Gheen, promoted.

Ensign John A. Bell, to be a lieutenant, junior grade, in the Navy, from the 2d October, 1891, vice Lieut. (junior grade) William G. Hannum, promoted

Commander Benjamin F. Day, to be a captain in the Navy, from the 5th November, 1891, vice Capt. A. R. Yates, deceased.

Lieut. Commander George E. Ide, to be a commander in the Navy, from the 5th of November, 1891, vice Commander B. F. Day, promoted.

Lieut. Wells L. Field, to be a lieutenant-commander in the Navy (subject to the examinations required by law), from the 5th of November, 1891, vice Lieut. Commander George E. Ide, promoted.

Lieut. (junior grade) Richard Henderson, to be a lieutenant in the Navy (subject to the examinations required by law), from the 5th of November, 1891, vice Lieut. Wells L. Field, promoted.

Ensign John A. Dougherty, to be a lieutenant, junior grade, in the Navy, from the 5th of November, 1891, vice Lieut. (junior grade) Richard Henderson, promoted.

Lieut. Harrison Gray Otis Colby, to be a lieutenant-commander in the Navy, from the 20th of November, 1891, vice Lieut. Commander Joseph Marthon, deceased.

Lieut. (junior grade) Thomas D. Griffin, to be a lieutenant in in the Navy, from the 20th of November, 1891, vice Lieut. H. G. O. Colby, promoted.

NAVAL CADETS.

Arthur Bainbridge Hoff, a resident of the District of Columbia; Nathan C. Twining, a resident of Wisconsin; Benjamin F. Hutchinson, a resident of Missouri; Sumner E. Kittelle, a resident of North Carolina; William V. Pratt, a resident of Maine; George R. Marvell, a resident of Massachusetts; Thomas P. Magruder, a resident of Mississippi; William D. McDougall, a resident of New York; George P. Bradshaw, a resident of California; Lewis R. de Steigner, a resident of Ohio; William W. Phelps, a resident of Maryland; Louis A. Kaiser, a resident of West Virginia; William C. Cole, a resident of California; Charles A. Brand, a resident of Connecticut; Philip Williams, a resident of the District of Columbia; Warren J. Terhune, a resident of New Jersey; George G. Mitchell, a resident of Indiana; William K. Harrison, a resident of Texas, and George L. Fermier, a resident of Indiana. All the foregoing are graduates of the Naval Academy, to be ensigns in the Navy from the 1st of July, 1891, to fill vacancies in that grade.

PAY CORPS.

Pay Inspector Edwin Stewart, to be a pay director in the Navy, from the 12th of September, 1891, vice Pay Director G. E. Thornton, deceased.

Paymaster George W. Beaman, to be a pay inspector in the Navy, from the 12th of September, 1891, vice Pay Inspector E. Stewart, promoted.

Passed Assistant Paymaster John C. Sullivan, to be a paymaster in the Navy (to be subject to the examinations required by law), from the 12th of September, 1891, vice Paymaster George W. Beaman, promoted.

Assistant Paymaster James H. Chapman, to be a passed assistant paymaster in the Navy, from the 12th of September, 1891, vice Passed Assistant Paymaster J. C. Sullivan, promoted.

Pay Inspector Ambrose J. Clark, to be a pay director in the Navy, from the 21st of September, 1891, vice Pay Director J. D Murray, retired.

Paymaster Arthur Burtis, to be a pay inspector in the Navy (subject to the examinations required by law), from the 21st of September, 1891, vice Pay Inspector A. J. Clark, promoted.

Passed Assistant Paymaster James E. Cann, to be a paymaster in the Navy, from the 21st of September, 1891, vice Paymaster Arthur Burtis, promoted.

Pay Inspector George Cochran, to be a pay director in the Navy, from the 19th of November, 1891, vice Pay Director Charles W. Abbott, retired.

Paymaster Edwin Putnam, to be a pay inspector in the Navy, from the 19th of November, 1891, vice Pay Inspector George Cochran, promoted.

Passed Assistant Paymaster Otis C. Tiffany, to be a paymaster in the Navy (subject to the examinations required by law), from the 19th of November, 1891, vice Paymaster Edwin Putnam, promoted.

Assistant Paymaster John S. Carpenter, to be a passed assistant paymaster in the Navy, from the 19th of November, 1891, vice Passed Assistant Paymaster O. C. Tiffany, promoted.

Pay Inspector Joseph A. Smith, to be a pay director in the Navy, from the 24th of November, 1891, vice Pay Director T. H. Looker, retired.

Paymaster Worthington Goldsborough, to be a pay inspector in the Navy (subject to the examinations required by law), from the 24th of November, 1891, vice Pay Inspector J. A. Smith, promoted.

Passed Assistant Paymaster John N. Speel, to be a paymaster in the Navy, from the 24th of November, 1891, vice Paymaster W. Goldsborough, promoted.

Assistant Paymaster Livingstone Hunt, to be a passed assistant paymaster in the Navy, from the 24th of November, 1891, vice Passed Assistant Paymaster John N. Speel, promoted.

MEDICAL CORPS.

Medical Inspector Henry M. Wells, to be a medical director in the Navy, from the 22d September, 1891, vice Medical Director T. J. Turner, retired.

Surg. J. Rufus Tryon, to be a medical inspector in the Navy, from the 22d September, 1891, vice Medical Inspector H. M. Wells, promoted.

Passed Assistant Surg. Howard E. Ames, to be a surgeon in the Navy, from the 19th March, 1891, vice Surg. J. H. Gaines, retired.

Passed Assistant Surg. L. B. Baldwin, to be a surgeon in the Navy, from the 22d September, 1891, vice Surg. J. B. Tryon, promoted.

Passed Assistant Surg. Ernest Norfleet, to be a surgeon in the Navy, from the 26th of September, 1891, vice Surg. J. H. Hall, retired.

Surg. William H. Jones, to be a medical inspector in the Navy, from the 14th November, 1891, vice Medical Inspector T. Woolverton, retired.

Passed Assistant Surg. Frank Anderson, to be a surgeon in the Navy, from the 14th November, 1891, vice Surg. William H. Jones, promoted.

Passed Assistant Surg. Phillips A. Lovering, to be a surgeon in the Navy, from the 4th of December, 1891, vice Surg. Theodore C. Heyl, retired.

Carl de Wolf Brownell, a resident of Rhode Island, to be an assistant surgeon in the Navy, from the 6th April, 1891, to fill a vacancy.

James Stoughton, a resident of New York, to be an assistant surgeon in the Navy, from the 20th May, 1891, to fill a vacancy.

Lewis Le Sassier Young, a resident of Louisiana, to be an assistant surgeon in the Navy, from the 20th May, 1891, to fill a vacancy.

Michael Royston Pigott, a resident of Massachusetts, to be an assistant surgeon in the Navy, from the 22d May, 1891, to fill a vacancy.

Frederick Gratton Brathwaite, a resident of Connecticut, to be an assistant surgeon in the Navy, from the 22d June, 1891, to fill a vacancy.

Robert Boyd, a resident of New York, to be an assistant surgeon in the Navy, from the 24th June, 1891, to fill a vacancy.

Lewis Morris, a resident of Maryland, to be an assistant surgeon in the Navy, from the 27th June, 1891, to fill a vacancy.

James Shirley Hope, a resident of Virginia, to be an assistant surgeon in the Navy, from the 10th July, 1891, to fill a vacancy.

Middleton Semmes Guest, a resident of the District of Columbia, to be an assistant surgeon in the Navy, from the 19th November, 1891, to fill a vacancy.

ENGINEER CORPS.

Passed Assistant Engineer Jefferson Brown, to be a chief engineer in the Navy, from the 19th November, 1890, vice Chief Engineer George H. White, retired.

Passed Assistant Engineer John D. Ford, to be a chief engineer in the Navy, from the 27th December, 1890, vice Charles H. Loring, retired.

Passed Assistant Engineer John L. Hannum, to be a chief engineer in the Navy (subject to the examinations required by law), from the 4th May, 1891, vice John F. Bingham, deceased.

Passed Assistant Engineer Albert C. Engard, to be a chief engineer in the Navy (subject to the examinations required by law), from the 3d October, 1891, vice Chief Engineer James Butterworth, deceased.

Assistant Engineer Joseph R. Wilmer, to be a passed assistant engineer in the Navy, from the 10th January, 1891, vice Passed Assistant Engineers Jefferson Brown, promoted, and J. J. Barry, retired.

Assistant Engineer John L. Gow, to be a passed assistant engineer in the Navy, from the 19th March, 1891, vice Passed Assistant Engineers William L. Cathcart, resigned, and W. R. King, retired.

Assistant Engineer George E. Burd, to be a passed assistant engineer in the Navy, from the 4th May, 1891, vice Passed Assistant Engineers J. D. Ford, promoted, and J. M. Emanuel, retired.

Assistant Engineer Walter M. McFarland, to be a passed assistant engineer in the Navy, from the 3d October, 1891, vice Passed Assistant Engineers John L. Hannum and A. C. Engard, promoted.

Naval Cadet Louis McC. Nulton, a resident of Virginia, a graduate of the Naval Academy, to be an assistant engineer in the Navy, from the 1st of July, 1891, to fill a vacancy.

Naval Cadet John B. Patton, a resident of South Carolina, a graduate of the Naval Academy, to be an assistant engineer in the Navy, from the 1st of July, 1891, to fill a vacancy.

Naval Cadet George W. Danforth, a resident of Missouri, a graduate of the Naval Academy, to be an assistant engineer in the Navy, from the 1st of July, 1891, to fill a vacancy.

Naval Cadet Cleland N. Offley, a resident of the District of Columbia, a graduate of the Naval Academy, to be an assistant engineer in the Navy, from the 1st of July, 1891, to fill a vacancy.

Naval Cadet Robert E. Carney, a resident of Wisconsin, a graduate of the Naval Academy, to be an assistant engineer in the Navy, from the 1st of July, 1891, to fill a vacancy.

MARINE CORPS.

To be first lieutenants.

Second Lieut. Joseph H. Pendleton, to be a first lieutenant in the Marine Corps, from the 28th June, 1891, vice First Lieut. J. G. McWhorter, deceased.

Second Lieut. Herbert L. Draper, to be a first lieutenant in the Marine Corps, from the 1st July, 1891, vice First Lieut. William H. Stayton, resigned.

To be second lieutenants.

The following-named naval cadets, graduates of the Naval Academy, to be second lieutenants in the Marine Corps, from the 1st of July, 1891, to fill vacancies in that grade, viz:

Lewis C. Lucas, a resident of Ohio; Bertram S. Neumann, a resident of New Jersey; Charles G. Long, a resident of Massachusetts; Ben H. Fuller, a resident of Michigan; Robert McM. Dutton, a resident of California; Julius Prochazka, a resident of Wisconsin, and Edward R Lowndes, a resident of South Carolina.

SENATE.

TUESDAY, *December 15, 1891.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

REGENT OF SMITHSONIAN INSTITUTION.

The VICE-PRESIDENT. The Chair, under the authority of section 5581 of the Revised Statutes, appoints the Senator from Vermont, Mr. MORRILL, as Regent of the Smithsonian Institution, to fill the vacancy occasioned by the expiration of his own term.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in compliance with law, a report by T. C. Mendenhall, Superintendent of the Coast and Geodetic Survey, showing the progress made in that work during the fiscal year ended June 30, 1891, and accompanied by maps illustrating the general advance in the operations of the Survey up to that date; which, on motion of Mr. MANDERSON, was ordered to lie on the table and to be printed.

COURT OF CLAIMS REPORT.

The VICE-PRESIDENT laid before the Senate a communication from the clerk of the Court of Claims, transmitting conclusions of fact and law in the matter of the ship Theresa, a French spoliation claim; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. GRAY presented a petition of the Delaware State Grange, Patrons of Husbandry, praying for an amendment of the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. VILAS presented a petition of the Legislature of Wisconsin, praying that an appropriation be made to aid in repairing the Sturgeon Bay and Lake Michigan Ship Canal and to relieve it from tolls; which was referred to the Committee on Commerce.

He also presented a petition of the Monona Lake Assembly, of Wisconsin, praying for the closing of the World's Columbian Fair on Sunday, for the conduct of the art gallery on the American standard of purity, and remonstrating against the sale of liquors at the fair; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. TELLER presented a petition of sundry members of the Presbyterian Church, citizens of Colorado, praying for the ratification of the so-called Brussels treaty, for the suppression of the slave and rum traffic in the Free Congo State; which was referred to the Committee on Foreign Relations.

He also presented a petition of citizens of San Miguel County, Colo., praying for the grant of lands in the Fort Crawford military reservation, to be used as a miners' home in Colorado; which was referred to the Committee on Public Lands.

Mr. QUAY presented a petition of the First Synod of the West of the United Presbyterian Church of North America, a petition of citizens of Beaver Falls, Pa., and a petition of the Young People's Society of Christian Endeavor of Ingram, Pa., praying for the enactment of a law closing the World's Columbian Exposition on Sunday and preventing the sale of intoxicating liquors within the grounds of the Exposition; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Clarksburg, Pa., a petition of the Tabernacle Methodist Episcopal Church of Philadelphia, Pa., and the petition of John Love, jr., and other citizens of Pennsylvania, praying for the passage of a law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of sundry citizens of Pennsylvania, and the petition of J. S. Aten and 11 other citizens of Allegheny County, Pa., praying for the enactment of a law by Congress

subjecting oleomargarine to the provisions of the laws of the several States; which were referred to the Committee on Finance.

He also presented the petition of Michael A. Smith, of Bainbridge, Pa., praying for the removal of the charge of desertion against him, and that he be given an honorable discharge; which was referred to the Committee on Military Affairs.

Mr. HISCOCK presented a petition of 88 citizens of the United States, praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 563 citizens of New York, praying for the passage of a bill to prohibit the opening of any exhibition on Sunday where appropriations of the United States are expended; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAVIS presented a petition of the Legislature of Minnesota, praying for the passage of what is known as the Butterworth bill, or some similar measure in reference to the sale of options on agricultural products; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Legislature of Minnesota, praying that the anniversary of the discovery of America by Columbus be declared a day of national thanksgiving; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HANSBROUGH presented a memorial of the Presbyterian Synod of North Dakota, remonstrating against the slave and rum traffic in the Congo Free State; which was referred to the Committee on Foreign Relations.

Mr. SHERMAN. I present a petition of the Western Yearly Meeting of Friends, held recently at Plainfield, Ind., having a membership of nearly 14,000; also of the Indiana Yearly Meeting of Friends, held at Richmond, Ind., representing a membership of 22,000 persons; also of the Baltimore Yearly Meeting of Friends, representing a membership of 1,000, praying for the ratification of the recommendations of the Brussels Congress in respect to the shipment of intoxicating liquors and firearms into Central Africa, and also for the destruction of the slave trade.

I move that this petition, coming as it does from a large body of respectable citizens, be printed, not in the RECORD, but as a document, and that it be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. HOAR presented the petition of A. G. Loomis and other citizens of Greenfield, Mass., praying that any loan to the World's Columbian Exposition shall be on condition that the Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CAMERON presented a resolution adopted by the senate and house of representatives of Pennsylvania; which was referred to the Committee on Naval Affairs, and ordered to be printed in the RECORD, as follows:

IN THE SENATE, *May 19, 1891.*

Whereas a bill to transfer the Revenue Cutter Service of the United States from the Treasury Department to the naval establishment will be introduced in the next session of Congress, a similar bill having passed the United States House of Representatives by a large majority and failed in the Senate on account of other important national measures; and

Whereas the said bill has been urgently recommended to Congress by the present and former Secretaries of the Navy, Secretaries of the Treasury, and by the unanimous recommendation of the Committees of Naval Affairs of the last Congress: and

Whereas a number of the Legislatures of the different States and of nearly every naval and maritime body of the Union, Naval Veteran Legions, Grand Army of the Republic posts, officers of the Navy and Revenue Cutter Service, etc., recommend the consolidation, as being a measure of economy and for the greater efficiency of both Departments and the best interests of the Government: Therefore,

Be it resolved (if the house concur), That the Legislature of Pennsylvania earnestly recommend the passage by Congress of the proposed bill to transfer the Revenue Cutter Service from the Treasury to the Navy Department of the Government and that the Senators and Representatives of this Commonwealth in Congress be requested to vote for the passage of said bill.

E. W. SMILEY,
Chief Clerk of the Senate.
JOHN W. MORRISON,
Chief Clerk of the House of Representatives.

Approved the 23d day of May, A. D. 1891.

ROBT. E. PATTISON.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, July 23, 1891.

Pennsylvania, ss:

I do hereby certify that the foregoing and annexed is a full, true, and correct copy of the concurrent resolution passed at the last session of the Legislature of this State, relating to the transfer of the Revenue Cutter Service from the Treasury to the Navy Department of the Government, approved the 23d day of May, A. D. 1891.

In testimony whereof I have hereunto set my hand and caused the seal of the secretary's office to be affixed the day and year above written.

[SEAL.]

A. L. TILDEN,
Deputy Secretary of the Commonwealth.

Mr. CAMERON presented additional papers to accompany the bill (S. 762) granting a pension to Mrs. Elise Alden McCawley; which were referred to the Committee on Pensions.

Mr. PLUMB presented the petition of Henry B. Lowe, of Caldwell, Kans., and a petition of citizens of that place, praying that Henry B. Lowe be allowed a pension; which were referred to the Committee on Pensions.

He also presented a petition of the United Presbyterian Society of Christian Endeavor of Olathe, Kans., praying that the Columbian World's Fair be closed on Sunday, and that the sale of liquor at the Exposition be prohibited; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HIGGINS presented a petition of the State Grange of Delaware, Patrons of Husbandry, praying for certain amendments of the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

BILLS INTRODUCED.

Mr. MORRILL introduced a bill (S. 828) authorizing the purchase of a site for a building for the accommodation of the Supreme Court of the United States; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 829) for the endowment of Howard University under the provisions of the act of August 30, 1890; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 830) for the relief of the pilot and crew of the steamer Planter; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 831) to prevent bookmaking and poolselling in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 832) for the erection of a bronze statue of Spencer F. Baird, late Secretary of the Smithsonian Institution; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 833) for the relief of George W. Saulpaw; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 834) for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 835) extending the privilege of the mail free of postage to historical societies; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 836) for the relief of L. A. Noyes; which was read twice by its title, and referred to the Committee on Claims.

Mr. HARRIS (by request) introduced a bill (S. 837) to refer the claim of Alice E. De Groot and Theodore R. B. De Groot, administrators of William H. De Groot, deceased, to the United States Court of Claims; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. STOCKBRIDGE introduced a bill (S. 838) for the relief of the estate of John Ericsson; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. CASEY introduced a bill (S. 839) granting a right of way to the Jamestown and Northern Railway Company through the Devils Lake Indian Reservation, in the State of North Dakota; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. WOLCOTT introduced a bill (S. 840) to authorize the acquisition of lands for coke ovens and other improvements, and for right of way for wagon roads, railroads, and tramways in connection with coal mines; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 841) granting a pension to Mrs. J. C. Walker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 842) granting a pension to Ellen Williams; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 843) granting a pension to Samuel M. Doolittle; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 844) in relation to refunding certain sums to port wardens; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 845) for the relief of Charles C. Overton, shipping merchant, of New York City; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 846) to authorize and regulate the construction of bridges across the Hudson River and the East River at the city of New York, and to prescribe the dimensions of the same; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 847) for the relief of George F. De Freitas; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 848) for the relief of John L. Broome; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 849) granting a pension to Gen. William H. Morris; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 850) for the relief of Charles A. Danolds; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 851) granting an increase of pension to Sophia J. Hamilton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 852) for the relief of Mary L. Ross; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. SHERMAN introduced a bill (S. 853) to promote and encourage the display of the flag of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 854) providing for the survey and sale of islands in the Platte River, in Nebraska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

He also introduced a bill (S. 855) providing for the extension of the coal laws of the United States to the district of Alaska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

He also introduced a bill (S. 856) providing for a steam vessel for the use of the civil government of Alaska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Territories.

He also introduced a bill (S. 857) to effect a rearrangement of the grades of office in the Subsistence Department of the Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 858) making an appropriation for the establishment of a military post in the interior of Alaska, and for the exploration and survey of the valley of the Yukon River; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 859) for the relief of First Lieut. James Regan, United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 860) for the relief of Wells C. McCool; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 861) for the relief of Charles B. Stivers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 862) granting an honorable discharge to Patrick Philben; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 863) for the relief of Theodore L. Van Dorn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 864) for the relief of A. H. Raynolds; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 865) authorizing and directing the purchase of Gen. S. W. Price's life-size portrait of Gen. George H. Thomas, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

He also introduced a bill (S. 866) authorizing the Secretary of War to detail certain officers of the Army for special duty in connection with the World's Columbian Exposition; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 867) granting an increase of pension to Robert Moran; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLODGETT introduced a bill (S. 868) for the relief of Forman Mathews and David Stout Parker; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 869) to provide an American register for the barge Sea Bird, of Perth Amboy, N. J.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. PEFFER introduced a bill (S. 870) for the relief of Daniel W. Boutwell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 871) to provide for fortifications and other seacoast defenses; which was read twice by its title, and referred to the Committee on Coast Defenses.

He also introduced a bill (S. 872) to establish an assay office at Portland, in the State of Oregon; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 873) to establish an assay office at Baker City, in the State of Oregon; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 874) to create an additional judicial circuit; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 875) for the relief of Thomas Guinean; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 876) for the relief of the citizens of the States of Oregon, Idaho, and Washington who served with the United States troops in the war against the Nez Percés and Bannock and Shoshone Indians, and for the relief of the heirs of those killed in such service, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 877) to amend an act entitled "An act to reorganize and establish the customs-collection district of Puget Sound," approved August 28, 1890; which was read twice by its title, and referred to the Committee on Commerce.

Mr. SANDERS introduced a bill (S. 878) creating two adddditional land districts in the State of Montana; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 879) to provide for the construction of a public building at Butte City, Mont.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 880) to provide for the construction of a public building at Helena, Mont.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PROCTOR introduced a bill (S. 881) to reorganize the infantry of the Army and increase its efficiency; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 882) to repeal the proviso in section 1 of the act of October 1, 1890, providing for the examination of certain officers of the Army, and to regulate promotions therein, and to extend lineal promotion to first lieutenants; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GIBSON of Maryland introduced a bill (S. 883) for the relief of Esther A. Keyser; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 884) to provide for the settlement of claims of officers and crews of the Navy to certain moieties, and conferring jurisdiction on the Court of Claims to hear and determine the same; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. KYLE introduced a bill (S. 885) to fix the pay and allowances of the veterinarians of the Army of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VOORHEES introduced a bill (S. 886) to confer upon justices of the peace in the District of Columbia jurisdiction, power, and authority to issue writs of attachment and of replevin, and regulating the proceedings of such justices and of the constables of said District in respect to such writs; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 887) in relation to J. C. Irwin & Co. and C. A. Perry & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 888) for the relief of John M. Giffin; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 889) for the relief of Dieterick Glander; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 890) for the relief of the heirs of Nathan C. and Hezekiah J. Winslow, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 891) to purchase a painting of Abraham Lincoln; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

Mr. CULLOM introduced a bill (S. 892) to amend an act entitled "An act to regulate commerce," approved February 4, 1887;

which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 893) providing for the adoption and use of a uniform standard automatic car coupler and regulating the operation and control of freight trains used in interstate commerce, and providing for the greater safety of railroad employés, and for other purposes; which was read twice by its title.

Mr. CULLOM. If the Senate will pardon me a single word, I will state that this subject has been before the Interstate Commerce Committee for not less than two or three sessions. We have taken a good deal of testimony, but have been unable so far to come to a conclusion as to the kind of bill that ought to be passed, realizing all the time that some law on the subject should be enacted. The subject is a very important one. We are reminded every year of the large number of persons who have suffered either death or injury in the conduct of the business of railroading, and have appreciated the gravity of the situation, but we have not yet determined the kind of legislation that it is wise to adopt on the part of the Congress of the United States.

Mr. PLATT (to Mr. CULLOM). And you do not want to have any legislation to make the matter worse than it is now.

Mr. CULLOM. As the Senator from Connecticut says, we have feared that we might recommend legislation that would make the case worse than it is. That has been a reason for our hesitation in making a report from that committee.

The bill which I have just introduced provides a means by which we will be enabled to find out, if possible, what is the best device for security to the lives and limbs of those engaged in the conduct of railroading, as switchmen, engineers, brakemen, etc. I hope that during the present session, and perhaps early, the Committee on Interstate Commerce may be able to report a bill which will be satisfactory to the men engaged in the railroad business.

Mr. HOAR. I desire to say, Mr. President, that I believe the first railroad commission organized in this country was the railroad commission of Massachusetts. It has been a public organization of the very greatest value in our State, having introduced many very important improvements in railroad management both for the convenience of the public and the safety of passengers; and it is an office which has been held in that State by some of our very wisest and ablest men who have devoted themselves to this class of subjects.

That commission has within the last two or three years had its attention specially called to the great loss of life and injury to limb and health sustained by the men who are employed in handling freight and freight cars on our railroads, and they are, as everybody knows, a very numerous, a very intelligent, and a very important body of the skilled laborers of the country.

The railroad commissioners of Massachusetts would long ago have provided a security for the freight men certainly as great as that which has been provided in the case of passengers by the railroads of the country if they had not been met by the fact that the jurisdiction over railroads engaged in interstate commerce is a national and not a State jurisdiction. In encountering that obstacle they presented to my honorable friend, the chairman of the Committee on Interstate Commerce, during the last Congress a very earnest petition for legislation on this subject, which was reënforced and urged by a personal visit of the distinguished chairman of that railroad commission to Washington with a view of pressing the subject upon the attention of Congress. But, for the reasons which have been so well stated by the chairman of the Committee on Interstate Commerce, the necessity of great care not to make the matter worse instead of better, the time required for maturing the necessary legislation, and I suppose I may properly add, the great anxiety on the part of all of us, especially on the part of that experienced committee, not to be influenced in any way by persons who are seeking to sell their own inventions, it was found impracticable to perfect legislation in the last Congress. But I desire to add my earnest hope and my confident belief that the committee will deal with the subject at the earliest practicable day, and that this Congress will not pass by without the passage of a measure of safety and security for this most important portion of our fellow citizens.

Mr. CULLOM. I only want to add one word, Mr. President, and that is that this bill provides a scheme by which the Government will be able to find out what in the judgment of a great majority of those engaged in railroading is regarded as the safest and most complete device to secure the people engaged in this service from injury or loss of life.

The VICE-PRESIDENT. The bill will be referred to the Committee on Interstate Commerce.

Mr. QUAY introduced a bill (S. 894) authorizing the Secretary of War to cause a survey to be made for a ship canal connecting the waters of Lake Erie and the Ohio River; which was read twice by its title, and referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 895) authorizing and directing the Secretary of War to prepare a medal-of-honor roll, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 896) to authorize the Secretary of the Navy to reopen the navy-yard at League Island, Pennsylvania, for the construction and repair of vessels of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 897) for marking the lines of battle and the positions of troops of the Army of Northern Virginia at Gettysburg, Pa., and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 898) to furnish the Gettysburg Battlefield Memorial Association, at Gettysburg, Pa., with specimens of arms, accouterments, etc., used by the armies in the battle of Gettysburg, for exhibition and preservation at the Gettysburg Museum; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 899) to amend section 22 of an act entitled "An act to regulate commerce," approved February 4, 1887, and as amended March 2, 1889; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 900) to authorize the payment of damages sustained by citizens of the State of Pennsylvania from Union and Confederate troops during the late war, as adjudicated and liquidated by the State of Pennsylvania under the provisions of an act of the General Assembly of the said State of Pennsylvania approved the 22d day of May, A. D. 1871; which was read twice by its title.

Mr. QUAY. I ask the reference of that bill to the Committee on Military Affairs.

Mr. FRYE. I should like to ask the Senator from Pennsylvania why a bill which is to pay certain damages to the State of Pennsylvania for injuries inflicted during the war should be referred to the Committee on Military Affairs.

Mr. QUAY. A similar bill took that course at the last Congress, and that was one reason for asking the same reference now.

Mr. FRYE. I think those claims heretofore have always gone to the Committee on Claims.

Mr. QUAY. I have no objection to a reference to that committee. A similar bill, as I have stated, was referred to the Committee on Military Affairs at the last Congress.

The VICE-PRESIDENT. What disposition shall be made of the bill?

Mr. FRYE. It seems to me that it ought to go to the Committee on Claims. They have jurisdiction of those matters.

Mr. QUAY. I have no objection to that reference.

The VICE-PRESIDENT. The bill will be referred to the Committee on Claims in the absence of objection.

Mr. QUAY introduced a bill (S. 901) to provide for the purchase of a site and the erection of a public building thereon at Allentown, in the State of Pennsylvania; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 902) to provide for the erection of a public building at Bradford, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 903) providing for the purchase of lot 10, in square 683, in the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 904) to provide for the sale of the old custom-house building in the city of Erie, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 905) to increase the pensions of those who have lost eyes, limbs, or the use of them, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 906) to increase the pensions of those who have lost eyes, limbs, or the use of them, or have additional disabilities; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 907) to increase the pensions of those who have lost a limb, two limbs, or both eyes, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 908) to increase the pensions of those who have lost eyes, limbs, or the use of them, are totally helpless, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 909) to grant arrears of pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 910) for the relief of Henry B. Seely; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 911) to ascertain and pay for loss of property sustained by Lieut. J. C. Colwell; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 912) for the relief of Thomas H. L. Payne; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 913) for the relief of Henry L. Mulvin; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 914) for the correction of the military record of Capt. Joseph H. Richards; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 915) for the correction of the military record of Patrick Moss; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 916) removing the charge of desertion from the military record of Adam James Springer; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 917) for the relief of Francis J. Conlan; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 918) for the relief of the Corn Exchange National Bank of Philadelphia, Pa.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 919) for the relief of Thomas Bevington and Delilah Bevington; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 920) for the relief of Andrew Hartupee, surviving partner of the firm of Tomlinson & Hartupee & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 921) for the relief of Samuel N. Young and Eliza Young; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 922) for the relief of Lyda Underwood; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 923) for the relief of Neafie & Levy; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 924) for the relief of John Armstrong; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 925) for the relief of Edward Devaney and Patrick Gunning; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 926) granting a pension to Tobias Baney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 927) for the relief of Abram G. Hoyt; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 928) granting a pension to William Myers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 929) granting a pension to Celestia Bennett; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 930) granting a pension to John Lord; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 931) granting a pension to Henry H. Schrawder; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 932) restoring to the pension roll the name of Fredericka Kurtz; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 933) granting a pension to Mrs. Alice Miller; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 934) granting a pension to Ann Eliza Kettlewood; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 935) granting a pension to Sarah L. Wheeler; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 936) granting a pension to William French; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 937) granting a pension to Catharine Flick; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 938) granting a pension to Gertrude Strohline; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 939) granting a pension to Henry Alexander; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 940) granting a pension to Milton P. Cashner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 941) granting a pension to Mrs. Mary A. Black; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 942) granting a pension to Mary E. Norman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 943) granting a pension to Mary Jane Blair; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 944) granting a pension to Matilda Evans; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 945) granting a pension to Joseph Welsh; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 946) granting a pension to Mrs. Mary Jane Dally; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 947) granting a pension to Emily M. Tyler; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 948) granting a pension to Elliott J. Hayes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 949) granting a pension to Julius M. Bates; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 950) granting an increase of pension to Adam Dennis; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 951) granting an increase of pension to James W. Kane; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 952) granting an increase of pension to Levi Moser; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 953) granting an increase of pension to Isaac Davis; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 954) granting an increase of pension to Chambers C. Mullin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 955) granting an increase of pension to Harrison W. Koonce; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 956) granting an increase of pension to Christopher Herrick; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 957) granting an increase of pension to William H. Glenn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 958) granting an increase of pension to Andrus Seamens; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 959) granting an increase of pension to Clinton Dayton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 960) granting an increase of pension to Rebecca E. Simon, widow; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 961) granting an increase of pension to David L. Pool; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 962) granting an increase of pension to William McLoud; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 963) granting an increase of pension to Edward Heinzel; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 964) granting an increase of pension to Noah Garwood; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 965) granting an increase of pension to Charles Ritchey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 966) granting an increase of pen-

sion to James W. Dunn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 967) granting an increase of pension to Ellis P. Phipps, late lieutenant of Company A, Twelfth New Jersey Volunteer Infantry; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 968) granting a pension to Ellen McNamee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 969) granting a pension to David Rentchler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TURPIE introduced a bill (S. 970) for the relief of John Veeley; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTIGREW introduced a bill (S. 971) to authorize the Secretary of War to furnish rations to the members of the Grand Army of the Republic who attend the annual encampment at Washington in September, 1892; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER (by request) introduced a bill (S. 972) for the relief of the administrators of the estate of Isaac P. Tice, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 973) granting a pension to Mary Jewett Telford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 974) for the relief of Azor A. Smith; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 975) for the relief of the legal representatives of Royal M. Hubbard; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 976) for the relief of Horace A. W. Tabor; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 977) for the relief of B. F. Rockafellow; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 978) for the relief of William M. Keightley; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. MITCHELL introduced a bill (S. 979) for the development and encouragement of silk culture in the United States under the supervision of the Secretary of Agriculture; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. RANSOM introduced a bill (S. 980) for the relief of the legal representatives of John Baptiste Ashe; which was read twice by its title, and referred to the Committee on Claims.

Mr. HIGGINS introduced a bill (S. 981) granting a pension to Elizabeth N. Dunn; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 982) for the relief of the Southern Railroad Association, lessees of the Mississippi Central Railroad Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 983) granting a pension to David Peterson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 984) to reënact the act entitled "An act to punish the counterfeiting of trade-mark goods and the sale of or dealing in counterfeit trade-mark goods;" which was read twice by its title, and referred to the Committee on Patents.

Mr. McMILLAN introduced a bill (S. 985) to provide for the enlargement of the military post at Fort Wayne, Mich.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GORMAN introduced a bill (S. 986) for the relief of Alexander Moffitt; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Louisiana introduced a bill (S. 987) for the relief of the legal representatives of the estate of William H. H. Brooks, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 988) for the relief of Mrs. Emilie M. Ferriere, widow and representative of Louis L. Ferriere, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 989) to authorize the Secretary of the Treasury to refund certain moneys collected by the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 990) for the relief of Pearson C. Montgomery, of New Orleans, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 991) for the relief of Cora A. Di Brazza; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 992) for the relief of C. Augusta Urquhart; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 993) for the relief of Catherine M. Pritchard, her heirs, administrators, executors, or assigns; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 994) for the relief of Martha G. Campbell, executrix; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 995) for the relief of Fanny B. Randolph and Dora L. Stark, of Avoyelles Parish, La., for stores and supplies taken from them by the military forces of the United States for their use in said parish during the war for the suppression of the rebellion; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 996) to provide for the final settlement of the transportation account with the Richmond and Danville Railroad Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 997) for the relief of the Berdan Firearms Manufacturing Company; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 998) to correct the military record of Roswell M. Shurtleff, of New York; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 999) to remove the charge of desertion from the military record of Thomas Lee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1000) granting an honorable discharge to William Pullman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PLUMB introduced a bill (S. 1001) for the establishment of an insurance bureau for the protection of public interests in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1002) for the relief of William C. Gilpatrick; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1003) granting a pension to John Black; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1004) for the relief of Jonathan Myers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1005) granting a pension to Bailey Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1006) for the relief of W. H. L. Pepperell; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1007) for the relief of widows and minors of pensioners and those entitled to pensions under the general pension laws of the United States; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1008) granting a pension to Abasha Risk; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1009) granting an increase of pension to Joseph Verbisky; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1010) granting an increase of pension to Andrew Franklin, alias Andrew McKee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1011) granting an increase of pension to Mrs. M. Cornelia Brown; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1012) granting an increase of pension to Guy K. Butler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1013) granting a pension to Mariah

Myers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1014) granting a pension to John Young; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1015) for the relief of John Young, of Humboldt, Kans.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1016) granting a pension to Peter Elford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1017) for the relief of Charles Rayfield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1018) granting a pension to John Benn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1019) granting a pension to James R. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1020) granting a pension to Emily Hayes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1021) granting a pension to Herman Neudick; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1022) granting a pension to George Moseley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1023) to amend an act entitled "An act granting the right of way to the Hutchinson and Southern Railroad Company to construct and operate a railroad, telegraph, and telephone line from the city of Anthony, in the State of Kansas, through the Indian Territory, to some point in the county of Grayson, in the State of Texas," approved September 26, 1890; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. VILAS introduced a bill (S. 1024) to amend chapter 561 of the laws of the second session of the Fifty-first Congress, entitled "An act to repeal timber-culture laws, and for other purposes;" which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1025) for the relief of Anne C. Livingston; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORRILL introduced a joint resolution (S. R. 15) for the erection and location of a bronze statue of Christopher Columbus, and the removal of the naval monument to a new site; which was referred to the Committee on Public Buildings and Grounds.

He also introduced a joint resolution (S. R. 16) authorizing the distribution of public documents to land-grant colleges; which was referred to the Committee on Education and Labor.

Mr. COCKRELL introduced a joint resolution (S. R. 17) to provide for the settlement of the claims of the officers and enlisted men of the various militia organizations of the State of Missouri for horses and equipments lost while engaged in the military service of the United States; which was referred to the Committee on Military Affairs.

Mr. MORRILL introduced a joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution; which was read the first time by its title.

Mr. MORRILL. I ask for the reading of the joint resolution at length, and after that, if there be no objection, I shall ask for its immediate consideration and passage.

The VICE-PRESIDENT. The joint resolution will be read at length.

The joint resolution was read the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancies in the Board of Regents of the Smithsonian Institution, of the class other than members of Congress, shall be filled by the appointment of William Preston Johnston, of Louisiana, in place of Noah Porter, of Connecticut, resigned, and by the reappointment of Henry Coppée, of Pennsylvania, and M. C. Meigs, of Washington City, whose terms of office expire on December 26, 1891.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT SANITARY EXPENDITURES.

Mr. HIGGINS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Commissioners of the District of Columbia be, and are hereby, directed to furnish to the Senate a statement in detail showing the expenditures made from the appropriation for collection of garbage during the present fiscal year as compared with expenditures from same appropriation for the years 1889–'90 and 1890–'91, covering a like period; also, a statement showing expenditures from the appropriation for prevention of the spread of scarlet fever and diphtheria in the District of Columbia during the present year; these statements to show with each item of expenditure the name of the person to whom payment was made and the character of service rendered or nature of material furnished.

REPORT OF MILITARY ACADEMY VISITORS.

Mr. MANDERSON submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That 2,500 additional copies of the annual report of the Board of Visitors to the United States Military Academy for the year 1891 be printed and bound in paper covers, 2,000 copies for the use of the Senate and 500 copies for the use of the Senate members of said board.

NICOLINO MILEO.

Mr. MANDERSON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President be requested to communicate to the Senate, if not in his opinion incompatible with the public interest, all the correspondence had with the Government of Italy, its officers, or with the diplomatic and consular officers of the United States, in the case of Nicolino Mileo, a naturalized citizen of the United States, who, it is alleged, was brought to this country by his father from Italy when but 10 years of age, and who, it is alleged, has been imprisoned and compelled to perform military service in the Italian army, and been punished on a charge of desertion from the Italian army while visiting the place of his birth on business.

ACQUISITION OF MEXICAN TERRITORY.

Mr. QUAY submitted the following resolution; which was referred to the Committee on Foreign Relations:

Resolved, That the Committee on Foreign Relations be requested to inquire whether the acquisition of those portions of the S tates of Sonora, Chihuahua, and Cohahuila lying north of the twenty-ninth parallel of north latitude, in the Republic of Mexico, is practicable and for the interest of the United States.

EMPLOYMENT OF ADDITIONAL PAGES.

Mr. McPHERSON submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant-at-Arms is directed to employ during the present session, in addition to the existing force, two additional pages, said employés to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. HARRIS. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 16, 1891, at 12 o'clock m.

SENATE.

WEDNESDAY, *December 16, 1891.*

Prayer by Rev. JOEL SWARTZ, D. D., of Gettysburg, Pa.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT laid before the Senate a communication from the Acting Secretary of War, transmitting the petition of First Lieut. Charles Sellmer, United States Army, retired, praying for the passage of an act authorizing his retirement as a captain; which, with the accompanying petition, was referred to the Committee on Military Affairs, and ordered to be printed.

He also presented the petition of George G. Meade Post, No. 5, Grand Army of the Republic, of Washington, D. C., praying for the monthly payment of pensions; which was referred to the Committee on Pensions.

Mr. SHERMAN presented a petition of the Christian Church of Brilliant, Ohio, praying for legislation by Congress looking to the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HOAR presented a petition of the Auburndale (Mass.) Young People's Society of Christian Endeavor, praying that the World's Columbian Fair be closed on Sunday, that liquors be not sold within the Exhibition, and that the art department be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of H. B. Morton and other citizens representing the Congregational Church of Southampton, Mass., praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Harry Reade, of Lowell, Mass., praying that he be allowed to appear before a committee and introduce testimony in support of his disability; which was referred to the Committee on Military Affairs.

He also presented the petition of Harry Reade, of Lowell, Mass., praying to be restored to his rank in the Army; which was referred to the Committee on Military Affairs.

Mr. WILSON presented a petition of the Iowa Yearly Meeting of Friends, praying for an amendment to the internal-revenue laws of the United States prohibiting the issuance of a United States internal-revenue license to any one until he has complied with the laws of the State in which he is located in regard to the sale of intoxicating liquors; which was referred to the Committee on Finance.

He also presented a petition of the Iowa Yearly Meeting of Friends, praying for the suppression of the liquor traffic with Africa; which was referred to the Committee on Education and Labor.

He also presented a petition of the board of managers of the National Temperance Society of the United States, praying for the prohibition of the liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PROCTOR presented a petition of the Congregational Church of Wallingford, Vt., praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAVIS presented a petition of citizens representing sundry churches of Chatfield, Minn., praying for the passage of a proposed bill for a loan of $5,000,000 by the United States to the World's Columbian Exposition, provided such bill shall contain a guaranty that the Exposition shall be closed to visitors on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. McMILLAN presented a petition of the First Baptist Church of Clinton, Mich., praying that the World's Columbian Fair be closed on Sunday; that the sale of liquors at the Exposition be prohibited, and that the art department be managed according to American standards of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of the Clinton Gospel Temperance Union of Clinton, Mich., praying that the World's Columbian Fair be closed on Sunday, and that the art department be managed according to the American standard of purity; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COKE presented a petition of the General Council of the Choctaw Nation; also the proceedings of a mass meeting of citizens of that nation, both praying that the jurisdiction of the United States courts over matters in the Indian Territory be allowed to remain in *statu quo;* that the courts in the Territory and those in adjacent States having jurisdiction over the Territory remain as they now exist, without either increase or diminution of jurisdiction; which were referred to the Committee on Indian Affairs.

Mr. FRYE presented a petition of the board of managers of the National Temperance Society of the United States, praying for a national commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented a petition of 27 citizens of New Gloucester, Me., representing the Congregational church at that place, praying for a loan of $5,000,000 to the World's Columbian Exposition, provided it shall be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAWES presented a petition signed by the pastor and members of the Baptist Church of Conway, Mass., praying that an appropriation be made for the World's Columbian Exposition upon condition that it be closed on Sundays; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Massachusetts, signed by Harriette R. Shattuck, president of the National Woman's Suffrage Association of Massachusetts, and many others, praying for the adoption of a sixteenth amendment to the Constitution of the United States, providing for woman suffrage; which was referred to the Select Committee on Woman Suffrage.

He also presented a petition of the Old Colony Congregational Club of Massachusetts, praying for the enactment of legislation for the suppression of the African slave trade and rum traffic, as proposed in the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented a petition of the committee appointed at the last annual convention of the railroad commissioners of the United States, praying for legislation calculated to hasten and insure the equipment of freight cars with automatic couplers and train brakes and the equipment of locomotives with driving-wheel brakes; which was referred to the Committee on Interstate Commerce.

Mr. McPHERSON presented the petition of R. D. Barratt and 12 other citizens of the United States; the petition of Reuben T. Johnson and 15 other citizens of the United States, and the petition of Alfred L. Hand and 18 other citizens of the United States, praying that a bill be passed to promote the efficiency of the Life-Saving Service; which were referred to the Committee on Commerce.

Mr. MITCHELL. I present house joint memorial No. 1 of the Legislature of Oregon, favoring the adoption of an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people, and urging the Senators from that State to use their best endeavors to secure such an amendment, I move that the memorial be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. MITCHELL presented joint memorial No. 9 of the Legislature of Oregon, praying that the military post at Fort Klamath, in the State of Oregon, be reëstablished; which was referred to the Committee on Military Affairs.

He also presented house joint memorial No. 12 of the Legislature of Oregon, praying that an appropriation be made for the improvement of the Siuslaw River, in the State of Oregon; which was referred to the Committee on Commerce.

Mr. MITCHELL. I present senate joint memorial No. 2 of the Legislature of Oregon, in which it is represented that the Columbia River is practically navigable for boats for a distance of 1,000 miles from its mouth, with the exception of the natural obstructions of the Cascades and The Dalles; that these obstructions are of such character and the topography of the country is such that in the opinion of the memorialists it can not be overcome so as to make the river navigable or to allow a free commerce on the same for many years, except it be accomplished by means of a boat railway at The Dalles of the Columbia; and the memorialists recommend that the bill heretofore introduced by me at the last Congress, and passed by the Senate, be passed by Congress at the earliest possible day.

I move that the memorial be referred to the Committee on Transportation Routes to the Seaboard.

The motion was agreed to.

Mr. MITCHELL. I also present house concurrent resolution No. 5 of the Legislature of Oregon, in which they strongly favor national aid in the building of steamships for mercantile use of strength and speed sufficient for service in time of war should the need arise, and for the enlistment and training of sailors to man such ships either in peace or war. The memorialists favor the use of national aid to encourage, by subsidies and liberal mail contracts, the establishment of steam or sail ships direct from principal American ports to chief commercial foreign ports, especially to ports of Central and South America, Australasia, China, and Japan.

I move that the memorial be referred to the Committee on Commerce.

The motion was agreed to.

Mr. MITCHELL. I present senate joint resolution No. 1 of the Legislature of Oregon, in which they memorialize Congress on the subject of the arid and desert lands. I move the reference of the memorial to the Select Committee on Irrigation and Reclamation of Arid Lands.

The motion was agreed to.

Mr. MITCHELL. I also present house joint resolution No. 3 of the Legislature of Oregon, in which an appropriation is prayed for the commencement of the construction of a harbor of refuge on the Pacific coast at Port Orford, in the State of Oregon. I move that the memorial be referred to the Committee on Commerce.

The motion was agreed to.

Mr. MITCHELL. I present resolutions adopted by Grange No. 71, Patrons of Husbandry, of Multnomah, Oregon, in which a petition that is numerously signed by citizens of Oregon is indorsed by that grange, and in all of which additional legislation is prayed for in reference to the land-grant forfeiture act. I move that the petition be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. TURPIE presented the petition of Lavinia Athon, of Indianapolis, Ind., praying to be allowed a widow's pension; which was referred to the Committee on Pensions.

He also presented additional papers to accompany the bill (S. 352) for the relief of George F. Roberts, administrator of the estate of William B. Thayer, deceased, surviving partner of Thayer Brothers, and others; which were referred to the Committee on Claims.

Mr. KYLE. I present a petition of citizens of South Dakota, relative to the opening of the World's Columbian Fair on Sundays, and stating that they favor the grant of $5,000,000 to the fair on condition that it shall be closed on the first day of the week. I also present a petition of the Methodist Episcopal Conference of South Dakota opposing the opening of the World's Fair on the Sabbath.

I move that the petitions be referred to the Select Committee on the Quadro-Centennial.

The motion was agreed to.

Mr. WOLCOTT presented a memorial of the General Assem-

bly of Colorado, praying that an appropriation be made for the reclamation of its arid lands, and that all public lands in the State excepting mineral land be granted to the State, under certain conditions, to aid therein; which was referred to the Select Committee on Irrigation and Reclamation of Arid Lands.

Mr. GRAY presented the petition of Henry L. Bryan, of Washington, D. C., praying to be allowed compensation for two months' services as assistant clerk to the Committee on the Judiciary during the first session of the Fifty-first Congress; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. DOLPH. I present senate joint memorial No. 3 of the Legislature of Oregon, reciting that there are vast areas of unsurveyed land in the State of Oregon, and thousands of settlers located upon them waiting for the surveys to be extended, and others who are seeking to obtain homes thereon, and memorializing Congress to make such appropriation as will secure the speedy survey of the public lands within the State. I move that the memorial be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. DOLPH. I also present senate joint memorial No. 5 of the Legislature of Oregon, setting forth the importance of the salmon fisheries of the Columbia River, and praying Congress to make an appropriation of a sufficient sum, which is stated in the judgment of the Legislature to be $25,000, for the purpose of establishing at some suitable point on the Upper Columbia or Snake River a salmon hatchery. I move that the memorial be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. DOLPH. I also present house joint memorial No. 11 of the Legislature of Oregon, praying that an appropriation of $10,000 be made for the purpose of establishing a salmon hatchery on the Umpqua River, to be expended under the direction and supervision of the United States Fish Commission. I move that the memorial be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. DOLPH. I present house joint resolution No. 3 of the Legislature of Oregon, praying Congress to pass some appropriate bill looking to the early completion of the Nicaragua Canal, based upon the principles of the unanimous report of the Committee on Foreign Relations of the United States Senate at the last Congress. I move that the joint resolution be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. DOLPH. I present house joint memorial No. 12 of the Legislature of Oregon, praying that a speedy appropriation be made for the commencement of the work of the improvement of the Siuslaw River, in the State of Oregon, and at the mouth thereof. I move that the memorial be referred to the Committee on Commerce.

The motion was agreed to.

Mr. DOLPH. I also present house joint resolution No. 3 of the Legislature of Oregon, praying that an appropriation be made sufficient to insure the speedy survey of the public lands. I move that the petition be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. DOLPH presented a petition of the Legislature of Oregon, praying that an appropriation of $200,000 be made for the commencement of the improvement of Tillamook Bay, in the State of Oregon; which was referred to the Committee on Commerce.

Mr. DOLPH. I present senate joint resolution No. 9, praying that an expert may be sent to the Columbia River to investigate the habits of the salmon in order to obtain certain information upon the following questions:

First. Do the salmon come into the river before they are of sufficient age and maturity to deposit their roe?
Second. At what age do they spawn?
Third. After depositing their spawn or milt, do they again return to the ocean?

I move that the petition be referred to the Committee on Fisheries.

The motion was agreed to.

Mr. DOLPH. I present house concurrent resolution No. 5 of the Legislature of Oregon, strongly recommending Congressional aid in making an appropriation for the purpose of fostering and restoring our carrying trade upon the high seas. I move that the resolution be referred to the Committee on Commerce.

The motion was agreed to.

Mr. DOLPH. I present house joint resolution No. 8 of the Legislature of Oregon, praying that larger appropriations be made for the survey of the public lands, and that a rate for the survey of lands heavily timbered, mountainous, or covered with dense undergrowth, not exceeding $24 per linear mile for standard and meander lines, $20 for township, and $16 for section lines, may be allowed. I move that the petition be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. FELTON presented the petition of Lewis J. F. Iaeger, of Colton, Cal., praying to be reimbursed for property stolen and destroyed by the Yuma and Kiowa Indians of California; which was referred to the Select Committee on Indian Depredations.

REPORT OF TREASURER OF THE UNITED STATES.

Mr. MANDERSON. I am directed by the Committee on Printing to report back the usual report from the Treasurer of the United States, submitting his quarterly accounts for the fiscal year ending June 30, 1891, with a recommendation that these accounts be filed with the Secretary of the Senate and be not printed.

The VICE-PRESIDENT. The report will be agreed to in the absence of objection.

BILLS INTRODUCED.

Mr. TURPIE introduced a bill (S. 1026) for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 1027) granting a pension to Mary E. Elliott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 1028) to continue in force the provisions of an act approved March 2, 1885, and entitled "An act to protect the fish in the Potomac River, in the District of Columbia, and to provide a spawning ground for shad and herring in the said Potomac River;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on Fisheries.

Mr. HARRIS (by request) introduced a bill (S. 1029) to amend the military record of certain enlisted men of the war of the rebellion named therein, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 1030) for the relief of F. F. White; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 1031) to restore Harry Reade to his rank in the Army, etc.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 1032) for the relief of John Sachs and Frederick Rhine; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WILSON introduced a bill (S. 1033) granting a pension to Mrs. Esther J. Boone; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1034) granting a pension to Virginia Hively; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CASEY introduced a bill (S. 1035) providing for the improvement of the Red River of the North; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FELTON introduced a bill (S. 1036) to provide for a subsistence detachment, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PROCTOR introduced a bill (S. 1037) to reorganize the artillery and to increase its efficiency; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1038) to increase the efficiency of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1039) to define the grade of certain medical officers of the Army, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1040) authorizing the Secretary of War to lease certain public property; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAVIS introduced a bill (S. 1041) for the construction of a ship canal around Niagara Falls, in the State of New York; which was read twice by its title, and referred to the Committee on Commerce.

Mr. ALLEN introduced a bill (S. 1042) for the relief of Robert Williams, sergeant of ordnance, United States Army; which was read twice by its title.

Mr. ALLEN. This bill is accompanied by a number of petitions from the Legislature of the State of Washington and also from the Legislature of the State of Oregon and from numerous distinguished military men, praying that the relief provided for in the bill may be granted. I move that the bill, with the accompanying petitions, be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. ALLEN introduced a bill (S. 1043) granting a pension to

Lizzie Wright Owen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WOLCOTT introduced a bill (S. 1044) to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1045) to provide for the purchase of a site and the erection of a public building thereon at Leadville, in the State of Colorado; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN (by request) introduced a bill (S. 1046) to amend the charter of the Eckington and Soldiers' Home Railroad Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. GALLINGER introduced a bill (S. 1047) granting a pension to James Anderson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1048) granting a pension to Mrs. Mary Elizabeth Dickey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1049) granting a pension to Helen A. Patterson; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1050) for the relief of Albert D. Spalter; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

Mr. GORMAN introduced a bill (S. 1051) to pay certain States and the city of Baltimore for advances of money in the war of 1812, reported to be due them by the Secretary of the Treasury; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 1052) to establish a branch mint of the United States at Council Bluffs, in the State of Iowa; which was read twice by its title, and referred to the Committee on Finance.

Mr. KYLE introduced a bill (S. 1053) restoring pension to Orin M. Franklin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK. I introduce a bill in the nature of a substitute for Senate bill 385.

The bill (S. 1054) to provide for the construction of a public building at Hastings, Nebr., was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PADDOCK introduced a bill (S. 1055) to provide for the purchase of a site and the erection of a public building thereon at Kearney, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CALL (by request) introduced a bill (S. 1056) granting a pension to Jacob R. Davis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAULKNER introduced a bill (S. 1057) to punish the unlawful appropriation of the use of the property of another in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1058) to prevent fraudulent transactions on the part of commission merchants and other consignees of goods and other property in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1059) to extend the streets and avenues of the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1060) to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1061) for the relief of the legal representatives of Lewis W. Washington, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1062) to refund to the State of West Virginia the money paid to officers of the One hundred and thirty-third Regiment West Virginia Militia for services rendered during the rebellion; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1063) for the relief of Asa Kelly; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1064) for the relief of James M. Stout; which was read twice by its title, and referred to the Committee on Claims.

Mr. McPHERSON introduced a bill (S. 1065) for the relief of James R. Mullikin, late captain Company K, Thirty-fifth Regiment Indiana Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1066) to equalize the grade of officers, to prevent desertions, and to increase the efficiency of the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1067) for the relief of Bvt. Col. Thomas P. O'Reilly; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1068) granting a pension to William H. Burbank, army nurse; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1069) to extend the time for filing certain claims for compensation for horses and other property lost in the military service of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1070) to pay the citizens of Oregon for supplies audited by Philo Callender, commissioner; which was read twice by its title.

The VICE-PRESIDENT. To what committee shall the bill be referred?

Mr. DOLPH. I think it had better go the Committee on Military Affairs. If they do not care to take jurisdiction of it they can report it back and let it go to the Committee on Claims or the Select Committee on Indian Depredations.

The VICE-PRESIDENT. The bill will be referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 1071) to grant to the Tacoma and Seattle Air-Line Railway Company a right of way through the Puyallup Indian Reservation in the State of Washington, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1072) for the relief of George E. W. Sharretts; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1073) to extend the time for adjudicating certain claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1074) to establish additional life-saving stations; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1075) to regulate and fix the compensation of registers of the land office and receivers of public moneys in each land district; which was read twice by its title.

Mr. DOLPH. I call the attention of the members of the Committee on Public Lands and of the Senate to the fact that the bill proposes to do away with fees to registers and receivers of the land office, and give them a reasonable salary. I move that the bill be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. DOLPH introduced a bill (S. 1076) to license and regulate the sale of intoxicating liquors in the district of Alaska; which was read twice by its title.

Mr. DOLPH. I desire to say a word or two in regard to the bill. The measure will be criticised. All the laws upon this subject which have applied to Alaska heretofore have been entirely prohibitory. I was there six years ago last summer and again last July, and in every little town in the district, every other place was a saloon where liquors were exposed for sale. There are to-day three breweries in the district, carrying on the business of making and selling beer. There are in the little town of Juneau twenty-two saloons in which liquors can be procured at any time. There are nearly as many in the town of Sitka, and a like number may be found in proportion to the population in other towns.

The attempt to prohibit the importation into or the manufacture and sale in Alaska of intoxicating liquors has been a complete failure. The district is 2,200 miles east and west, and 1,500 miles north and south, and has, it is estimated, if you include the indentures in the coast, 25,000 miles of coast line. It lies adjoining to British Columbia, and the vilest liquors are constantly smuggled into the territory and sold to the Indians and to minors. An attempt was made recently by the Federal officers there to establish a sort of license system, supposing that they could secure enough public sentiment back of them by licensing a few respectable places to enforce the law so far as to prevent the sale of intoxicating liquors to the Indians and to minors. It was a failure, and, of course rightfully, the collector of customs was removed for his participation in the scheme, although he came into it last. Although the move was in the right direction, it was a mistake, as they had no legislative power. But I think it would be a very wise thing to provide for licensing respectable places, requiring

them to give ample bond that they would not sell intoxicating liquors to Indians and minors, and thus create a public sentiment in the district which would sustain the officers of the Government in endeavoring to enforce the law. It is the only way it can be done, and while I would favor entire prohibition if it could be enforced at all or be of any benefit, I am constrained to favor something practical, and I take the initiatory by introducing the bill.

I move that the bill, with the accompanying papers which I submit in regard to licensing the sale of liquor in Alaska, be referred to the Committee on Territories.

The motion was agreed to.

Mr. CAMERON introduced a bill (S. 1077) relieving the personal representatives of John Sherman, jr., late United States marshal for the Territory of New Mexico, from the requirements of section 833 of the Revised Statutes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1078) granting a pension to Joseph Blanchard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1079) for the relief of Assistant Engineer Howard D. Potts, United States Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. PLATT introduced a bill (S. 1080) granting a pension to Caroline E. Wessels; which was read twice by its title, and referred to the Committee on Pensions.

STATISTICAL ABSTRACT OF THE UNITED STATES.

Mr. MANDERSON submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring therein), That there be printed 3,500 copies of the Statistical Abstract of the United States for the year 1890, prepared by the Bureau of Statistics, Treasury Department, 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the Bureau of Statistics, Treasury Department.

Mr. MANDERSON submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 12,000 copies of the Statistical Abstract of the United States for the year 1891, prepared by the Bureau of Statistics, Treasury Department, 3,000 copies for the use of the members of the Senate, 6,000 copies for the use of the members of the House of Representatives, and 3,000 copies for the use of the Bureau of Statistics, Treasury Department.

SILVER COINAGE.

Mr. STEWART. I desire to give notice that on Monday next, after the conclusion of the morning business, I shall submit some remarks on that portion of the President's message relating to the coinage of silver.

ANNUAL REPORT OF BUREAU OF AMERICAN REPUBLICS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for your information, a letter from the Secretary of State, inclosing the first annual report and copies of the bulletins of the Bureau of the American Republics.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 16, 1891.*

EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-five minutes spent in executive session the doors were reopened, and (at 1 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 17, 1891, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate December 16, 1891.

UNITED STATES DISTRICT JUDGE.

Warren Truitt, of Oregon, to be United States district judge for the district of Alaska, vice John S. Bugbee, to be removed.

UNITED STATES CIRCUIT JUDGES.

William L. Putnam, of Maine, to be United States circuit judge for the first judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

Nathaniel Shipman, of Connecticut, to be United States circuit judge for the second judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

George M. Dallas, of Pennsylvania, to be United States circuit judge for the third judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

Nathan Goff, of West Virginia, to be United States circuit judge for the fourth judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

William H. Taft, of Ohio, to be United States circuit judge for the sixth judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

William A. Woods, of Indiana, to be United States circuit judge for the seventh judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 16, 1891.

CONSULS.

Hermel de Sallier Dupin, of Cape Vincent, N. Y., to be consul of the United States at Nantes.

Philip Carroll, of New York, formerly consul at Palermo, to be consul of the United States at Demerara.

Alonzo Spencer, of New York, to be consul of the United States at Pictou, Nova Scotia.

Henry L. Arnold, of Geneseo, N. Y., to be consul of the United States at Clifton, Ontario.

Charles W. Erdman, of Louisville, Ky., to be consul of the United States at Stockholm.

Richard Herbst, of Columbus, Ohio, to be consul of the United States at Antigua, West Indies.

William K. Sullivan, of Chicago, Ill., to be consul of the United States at Bermuda.

COLLECTORS OF CUSTOMS.

Henry Z. Osborne, of California, to be collector of customs for the district of Wilmington, in the State of California.

Edwin T. Hatch, of Oregon, to be collector of customs for the district of Alaska, in the Territory of Alaska.

John C. Dancy, of North Carolina, to be collector of customs for the district of Wilmington, in the State of North Carolina.

Charles D. Eddy, of Rhode Island, to be collector of customs for the district of Bristol and Warren, in the State of Rhode Island.

David R. Austin, of Ohio, to be collector of customs for the district of Miami, in the State of Ohio.

Herbert Morissey, of Massachusetts, to be collector of customs for the district of Plymouth, in the State of Massachusetts.

Francis C. Hendricks, of New York, to be collector of customs for the district of New York, in the State of New York.

Jotham C. Haggett, of New York, to be collector of customs for the district of Dunkirk, in the State of New York.

Webster Flanagan, of Texas, to be collector of customs for the district of Paso del Norte, in the State of Texas.

SURVEYOR OF CUSTOMS.

Mark F. Wentworth, of Maine, to be surveyor of customs in the district of Portland and Falmouth, in the State of Maine.

SUPERVISING INSPECTOR OF STEAM VESSELS.

Charles H. Westcott, of Michigan, to be supervising inspector of steam vessels for the eighth district.

APPRAISER OF MERCHANDISE.

George Bingham, of New York, to be appraiser of merchandise in the district of Buffalo Creek, in the State of New York.

PROMOTIONS IN THE MARINE HOSPITAL SERVICE.

Charles E. Decker, of Michigan, to be assistant surgeon in the Marine Hospital Service of the United States.

Henry T. Goodwin, of South Carolina, to be passed assistant surgeon in the Marine Hospital Service of the United States.

Thomas B. Perry, of Georgia, to be passed assistant surgeon in the Marine Hospital Service of the United States.

Rell M. Woodward, of Indiana, to be passed assistant surgeon in the Marine Hospital Service of the United States.

PROMOTIONS IN THE REVENUE SERVICE.

Lieut. Alexander R. Hasson, of the District of Columbia, to be third lieutenant in the Revenue Service of the United States.

Lieut. Charles E. Johnston, of Ohio, to be third lieutenant in the Revenue Service of the United States.

Lieut. Francis A. Levis, of New York, to be third lieutenant in the Revenue Service of the United States.

Lieut. George M. Daniels, of Rhode Island, to be third lieutenant in the Revenue Service of the United States.

Lieut. D. F. A. de Otte, of New York, to be third lieutenant in the Revenue Service of the United States.

Lieut. Frederick J. Haake, of New York, to be third lieutenant in the Revenue Service of the United States.

Lieut. James G. Ballinger, of Kansas, to be third lieutenant in the Revenue Service of the United States.

Lieut. Claude S. Cochrane, of Ohio, to be third lieutenant in the Revenue Service of the United States.

Lieut. Colin S. Craig, of Iowa, to be third lieutenant in the Revenue Service of the United States.

Lieut. James M. Moore, of Maryland, to be second lieutenant in the Revenue Service of the United States.

Lieut. John E. Reinburg, of the District of Columbia, to be second lieutenant in the Revenue Service of the United States.

Lieut. Preston H. Uberroth, of Pennsylvania, to be second lieutenant in the Revenue Service of the United States.

Lieut. Frank H. Dimock, of Massachusetts, to be second lieutenant in the Revenue Service of the United States.

Lieut. John B. Hull, of Virginia, to be second lieutenant in the Revenue Service of the United States.

Lieut. William V. E. Jacobs, of Maryland, to be second lieutenant in the Revenue Service of the United States.

Lieut. Frank H. Newcomb, of Kansas, to be first lieutenant in the Revenue Service of the United States.

Engineer James H. Chalker, of New Jersey, to be first assistant engineer in the Revenue Service of the United States.

Lieut. Frank G. F. Wadsworth, of Massachusetts, to be first lieutenant in the Revenue Service of the United States.

Lieut. Edmond C. Chaytor, of South Carolina, to be first lieutenant in the Revenue Service of the United States.

Lieut. William H. Cushing, of New York, to be first lieutenant in the Revenue Service of the United States.

Lieut. Charles H. McLellan, of Maine, to be first lieutenant in the Revenue Service of the United States.

J. Edward Dorry, of Maryland, to be second assistant engineer in the Revenue Service of the United States.

Lieut. Aaron D. Littlefield, of Massachusetts, to be captain in the Revenue Service of the United States.

Capt. James H. Rogers, of Maine, to be captain in the Revenue Service of the United States.

Lieut. James H. Scott, of Pennsylvania, to be third lieutenant in the Revenue Service of the United States.

Lieut. Francis S. Van Boskerck, jr., of New Jersey, to be third lieutenant in the Revenue Service of the United States.

Lieut. Samuel B. Winram, jr., of Missouri, to be third lieutenant in the Revenue Service of the United States.

REGISTER OF THE LAND OFFICE.

Thomas E. Olsgard, of Fargo, N. Dak., to be register of the land office at Minot, N. Dak.

POSTMASTERS.

George W. Hinchee, to be postmaster at Clarksville, in the county of Johnson and State of Arkansas.

William L. Paine, to be postmaster at Argenta, in the county of Pulaski and State of Arkansas.

James E. Wimbrough, to be postmaster at Snow Hill, in the county of Worcester and State of Maryland.

Emanuel L. Buerkle, to be postmaster at Stuttgart, in the county of Arkansas and State of Arkansas.

William L. Henry, to be postmaster at Monticello, in the county of Drew and State of Arkansas.

William T. Davis, to be postmaster at Middlesboro, in the county of Bell and State of Kentucky.

Charles F. Fusting, to be postmaster at Catonsville, in the county of Baltimore and State of Maryland.

Fred. L. Webster, to be postmaster at Sparrows Point, in the county of Baltimore and State of Maryland.

James R. Howard, to be postmaster at Lexington, in the county of Fayette and State of Kentucky.

John H. McHenry, to be postmaster at Owensboro, in the county of Daviess and State of Kentucky.

Edward C. Barlow, to be postmaster at Georgetown, in the county of Scott and State of Kentucky.

Henry K. Smith, to be postmaster at San Jacinto, in the county of San Diego and State of California.

Frederick P. Weinman, to be postmaster at Benicia, in the county of Solano and State of California.

Newton C. Whims, to be postmaster at Escondido, in the county of San Diego and State of California.

William J. Bigerstaff, to be postmaster at Lakeport, in the county of Lake and State of California.

John C. Bull, to be postmaster at Arcata, in the county of Humboldt and State of California.

Charles H. Gray, to be postmaster at San Leandro, in the county of Alameda and State of California.

George W. Hemenway, to be postmaster at Winters, in the county of Yolo and State of California.

George F. Kernaghan, to be postmaster at Pasadena, in the county of Los Angeles and State of California.

Charles C. Belknap, to be postmaster at Portersville, in the county of Tulare and State of California.

William E. Wheeler, to be postmaster at Idaho Falls, in the county of Bingham and State of Idaho.

Horace L. Swift, to be postmaster at Wallace, in the county of Shoshone and State of Idaho.

Silas A. Beachley, to be postmaster at Great Falls, in the county of Cascade and State of Montana.

Nathan C. Stowe, to be postmaster at Dover, in the county of Piscataquis and State of Maine.

Charles E. Townsend, to be postmaster at Brunswick, in the county of Cumberland and State of Maine.

Oliver E. Moors, to be postmaster at Sisson, in the county of Siskiyou and State of California.

George Plummer, to be postmaster at Lisbon Falls, in the county of Androscoggin and State of Maine.

John C. Small, to be postmaster at Portland, in the county of Cumberland and State of Maine.

William Spurling, to be postmaster at Brewer, in the county of Penobscot and State of Maine.

George D. Austin, to be postmaster at Phillips, in the county of Franklin and State of Maine.

Jonathan F. Jefferds, to be postmaster at Livermore Falls, in the county of Androscoggin and State of Maine.

William H. Motley, to be postmaster at Woodfords, in the county of Cumberland and State of Maine.

George B. Gordon, to be postmaster at Ashland, in the county of Grafton and State of New Hampshire.

Charles W. Martin, to be postmaster at Pittsfield, in the county of Merrimack and State of New Hampshire.

Charles C. White, to be postmaster at Orono, in the county of Penobscot and State of Maine.

Fannie Vandyke, to be postmaster at Alexandria, in the county of Douglas and State of Minnesota.

William A. Wright, sr., to be postmaster at Cloquet, in the county of Carlton and State of Minnesota.

Silas G. Clifford, to be postmaster at Derry Depot, in the county of Rockingham and State of New Hampshire.

Alexander Fiddes, to be postmaster at Jackson, in the county of Jackson and State of Minnesota.

Herbert C. Kelley, to be postmaster at Ely, in the county of St. Louis and State of Minnesota.

August T. Koerner, to be postmaster at Litchfield, in the county of Meeker and State of Minnesota.

Henry C. Overman, to be postmaster at Woodlawn Park, in the county of Cook and State of Illinois.

George H. Schmidt, to be postmaster at Yorkville, in the county of Kendall and State of Illinois.

William Durham, to be postmaster at Brainerd, in the county of Crow Wing and State of Minnesota.

Simon Brink, to be postmaster at Woodstock, in the county of McHenry and State of Illinois.

Miss Eliza Brown, to be postmaster at Milford, in the county of Iroquois and State of Illinois.

Francis A. Jones, to be postmaster at Bement, in the county of Piatt and State of Illinois.

John Grierson, to be postmaster at Morrison, in the county of Whitesides and State of Illinois.

Swan J. Chilberg, to be postmaster at Cambridge, in the county of Henry and State of Illinois.

Rhodom H. Fry, to be postmaster at Olney, in the county of Richland and State of Illinois.

Mrs. Emma C. McPherson, to be postmaster at Raton, in the county of Colfax and Territory of New Mexico.

Harrison A. Galloway, to be postmaster at Vinita, in the county of Cherokee Nation, Indian Territory.

Robert J. Cutts, to be postmaster at Ardmore, in the county of Chickasaw Nation and Indian Territory.

James E. Bates, to be postmaster at Whitman, in the county of Plymouth and State of Massachusetts.

Edward A. Ellis, to be postmaster at Newton Center, in the county of Middlesex and State of Massachusetts.

Asa B. Fay, to be postmaster at Northboro, in the county of Worcester and State of Massachusetts.

William F. Peddycord, to be postmaster at Nappanee, in the county of Elkhart and State of Indiana.

Edward P. Thompson, to be postmaster at Indianapolis, in the county of Marion and State of Indiana.

James M. Cockrum, to be postmaster at Oakland City, in the county of Gibson and State of Indiana.

Joel D. Latham, to be postmaster at Fairmount, in the county of Grant and State of Indiana.

John French, to be postmaster at Kentland, in the county of Newton, and State of Indiana.
Michael McGuire, to be postmaster at Rising Sun, in the county of Ohio and State of Indiana.
Charles G. Perkins, to be postmaster at Onawa, in the county of Monona and State of Iowa.
James Ruth, to be postmaster at Lansing, in the county of Alamakee and State of Iowa.
John R. Huffman, to be postmaster at Rockport, in the county of Spencer and State of Indiana.
Anson Tolman, to be postmaster at Rock Rapids, in the county of Lyon and State of Iowa.
Allen T. Underwood, to be postmaster at Montezuma, in the county of Poweshiek and State of Iowa.
Chauncey F. Owen, to be postmaster at Sanborn, in the county of O'Brien and State of Iowa.
T. Edward West, to be postmaster at Lapeer, in the county of Lapeer and State of Michigan.
S. Perry Youngs, to be postmaster at Stanton, in the county of Montcalm and State of Michigan.
Almer Swift, to be postmaster at Moulton, in the county of Appanoose and State of Iowa.
May F. Nicholson, to be postmaster at Decatur, in the county of Van Buren and State of Michigan.
James H. Skinner, to be postmaster at Cedar Springs, in the county of Kent and State of Michigan.
Le Grand E. Slusser, to be postmaster at Mancelona, in the county of Antrim and State of Michigan.
Clark W. Back, to be postmaster at Blissfield, in the county of Lenawee and State of Michigan.
Charles A. Baldwin, to be postmaster at Vicksburg, in the county of Kalamazoo and State of Michigan.
Clayton G. Brown, to be postmaster at Fort Gratiot, in the county of St. Clair and State of Michigan.
Joseph Stafford, to be postmaster at Newberry, in the county of Luce and State of Michigan.
John Amesse, to be postmaster at Lake Linden, in the county of Houghton and State of Michigan.
Alexander R. Avery, to be postmaster at Port Huron, in the county of St. Clair and State of Michigan.
Edwin E. Janes, to be postmaster at Easthampton, in the county of Hampshire and State of Massachusetts.
George A. Birdsall, to be postmaster at Chadron, in the county of Dawes and State of Nebraska.
John F. Craig, to be postmaster at Haughville, in the county of Marion and State of Indiana.
Nathan W. Fisher, to be postmaster at Walpole, in the county of Norfolk and State of Massachusetts.
Dexter Grose, to be postmaster at North Abington, in the county of Plymouth and State of Massachusetts.
Gertrude S. Kenney, to be postmaster at Danvers, in the county of Essex and State of Massachusetts.
John F. Robinson, to be postmaster at Vineyard Haven, in the county of Dukes and State of Massachusetts.
John Singer, jr., to be postmaster at Melrose Highlands, in the county of Middlesex and State of Massachusetts.
George H. Morgan, to be postmaster at Newton, in the county of Middlesex and State of Massachusetts.
George W. Rutherford, to be postmaster at Winnemucca, in the county of Humboldt and State of Nevada.
William J. Garvin, to be postmaster at Edgar, in the county of Clay and State of Nebraska.
Charles A. Pilling, to be postmaster at North Andover Depot, in the county of Essex and State of Massachusetts.
Aaron H. Wade, to be postmaster at Buena Vista, in the county of Chaffee and State of Colorado.
Frank P. Mannix, to be postmaster at Highlands, in the county of Arapahoe and State of Colorado.
Silas M. Jackson, to be postmaster at Salida, in the county of Chaffee and State of Colorado.
John W. Haas, to be postmaster at Wymore, in the county of Gage and State of Nebraska.
Jonathan T. Miller, to be postmaster at Superior, in the county of Nuckolls and State of Nebraska.
William G. Connely, to be postmaster at Grand Junction, in the county of Mesa and State of Colorado.
Samuel H. Rodabaugh, to be postmaster at De Witt, in the county of Saline and State of Nebraska.
J. Robert Kenney, to be postmaster at Wahoo, in the county of Saunders and State of Nebraska.
Otis D. Lyon, to be postmaster at Sidney, in the county of Cheyenne and State of Nebraska.
William A. Keister, to be postmaster at Greene, in the county of Butler and State of Iowa.
Lucy L. Lyons, to be postmaster at Lamoni, in the county of Decatur and State of Iowa.
Mrs. Annie B. Matthews, to be postmaster at Odebolt, in the county of Sac and State of Iowa.
William T. Condron, to be postmaster at Rockwell City, in the county of Calhoun and State of Iowa.
Charles F. Le Compte, to be postmaster at Corydon, in the county of Wayne and State of Iowa.
Edward L. Ives, to be postmaster at Manning, in the county of Carroll and State of Iowa.
Samuel E. Walker, to be postmaster at East Northfield, in the county of Franklin and State of Massachusetts.
Earl Billings, to be postmaster at Ogden, in the county of Boone and State of Iowa.
Benjamin F. Bixby, to be postmaster at Walnut, in the county of Pottawattamie and State of Iowa.
Joseph A. McIntire, to be postmaster at Sidney, in the county of Fremont and State of Iowa.
Charles B. Nelson, to be postmaster at Clarksville, in the county of Butler and State of Iowa.
William M. Smith, to be postmaster at Florence, in the county of Hampshire and State of Massachusetts.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 16, 1891.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.
The Journal of the proceedings of Saturday last was read and approved.

UNITED STATES PROPERTY IN CHARGE OF THE DOORKEEPER.

The SPEAKER laid before the House a communication from the Doorkeeper of the House of Representatives, transmitting a statement of the property in his charge belonging to the United States; which was referred to the Committee on Accounts, and ordered to be printed.

SALES OF WASTE PAPER, ETC.

The SPEAKER also laid before the House a communication from the Doorkeeper, transmitting report of sales of waste paper and other Government property since the commencement of the second session of the Fifty-first Congress; which was referred to the Committee on Accounts, and ordered to be printed.

PAYMENTS TO HOUSE EMPLOYÉS, ETC.

The SPEAKER also laid before the House a letter from the Clerk of the House of Representatives, transmitting a report of the House employés, and the payments and issues made by him, from the 1st day of July, 1890, to the 30th of June, 1891; and from the 1st of July, 1891, to the 7th day of December, 1891, inclusive; which was referred to the Committee on Accounts.

PROPERTY IN CHARGE OF SERGEANT-AT-ARMS.

The SPEAKER also laid before the House a communication from the Sergeant-at-Arms, presenting a full and complete account of all property of the United States in his possession on the 7th day of December, 1891; which was referred to the Committee on Accounts, and ordered to be printed.

DISBURSEMENTS BY SERGEANT-AT-ARMS.

The SPEAKER also laid before the House a letter from the Sergeant-at-Arms, transmitting a statement of the moneys drawn and disbursed by him as Sergeant-at-Arms of the House of Representatives from December 31, 1889, to December 6, 1891, inclusive; which was referred to the Committee on Accounts.

COMMITTEE ON RULES.

The SPEAKER announced the appointment of the following Committee on Rules: The Speaker, Mr. MCMILLIN, Mr. CATCHINGS, Mr. REED, and Mr. BURROWS.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:
To Mr. WHEELER of Alabama, for the remainder of the week.
To Mr. MCRAE, indefinitely, on account of sickness.
To Mr. BRYAN, until January 2.

ADJOURNMENT OVER.

Mr. CATCHINGS. Mr. Speaker, I move that when the House adjourn to-day, it be to meet on Saturday next.
The motion was agreed to.

REPORT OF BOARD OF VISITORS TO THE MILITARY ACADEMY.

Mr. BURROWS, on behalf of the members of the Board of Visitors to the Military Academy, submitted the report of the board for the year 1891; which was ordered to be printed and referred to the Committee on Military Affairs when appointed.

PROPOSED COMMITTEE ON ORDER OF BUSINESS.

Mr. OATES, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Rules:

Resolved, That there be a standing committee on order of business, to consist of fifteen members, of which the Speaker shall be *ex officio* chairman, which shall have jurisdiction of the order in which business upon the different Calendars shall be considered, having always due regard to fairness and equity among the different committees and the transaction of public business.

DEATH OF HON. LEONIDAS C. HOUK.

Mr. TAYLOR of Tennessee. Mr. Speaker, I rise to perform the mournful duty of announcing to the House the death of my friend and late colleague, the Hon. Leonidas C. Houk. He died suddenly of accidental poisoning at his home in the city of Knoxville on the 25th day of May, of the present year.

Thousands of his countrymen followed his remains in sorrow to their last resting place, and thousands more wept as they would weep at the grave of nearest kindred when they realized that their faithful friend and trusted Representative had passed away.

From 1861 to 1863 he was a Union soldier, being colonel of the Third Tennessee Infantry; from 1866 to 1870 he was judge of his judicial circuit; from 1873 to 1875 he was a State legislator. He entered the Forty-sixth Congress, and was elected consecutively to the Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, and Fifty-second Congresses. He had a hold upon his people far beyond that of any man or combination of men, and had he lived, he could have been returned to Congress as long as he might have desired to remain in the public service. He died poor in this world's goods but rich in the friendship and love of his countrymen.

I shall say no more of him now, for I am aware that some day in the future will be fixed by the House when his associates and friends will be accorded an opportunity to place on record their estimate of his life and character, of his public services, and to take such action as they may deem best fitting as a last tribute of respect to his memory.

I ask unanimous consent for the present consideration of the resolutions which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. Leonidas C. Houk, late a Representative from the State of Tennessee.

Resolved, That as a mark of respect to his memory the House do now adjourn.

SWEARING IN A MEMBER.

Mr. HERMANN. Mr. Speaker, before the question on the resolutions is submitted to the House, I desire to state that the gentleman from Nevada [Mr. Bartine] is present, and wishes to be sworn in.

The SPEAKER. The Chair will suspend the question on the resolutions until the gentleman from Nevada can be sworn in.

Mr. Bartine then came forward and took the oath prescribed by law.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had passed a joint resolution to fill a vacancy on the Board of Regents of the Smithsonian Institution; in which the concurrence of the House of Representatives was requested.

DEATH OF HON. L. C. HOUK.

The SPEAKER. The question is upon agreeing to the resolutions offered by the gentleman from Tennessee [Mr. TAYLOR].

The resolutions were agreed to unanimously.

Accordingly (at 12 o'clock and 14 minutes p. m.) the House adjourned until Saturday.

SENATE.

THURSDAY, *December 17, 1891.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Vice-President being absent, the President *pro tempore* (Hon. CHARLES F. MANDERSON) took the chair.

The Journal of yesterday's proceedings was read and approved.

APPOINTMENT OF COMMITTEES.

Mr. CULLOM. Preparatory to submitting resolutions for the arrangement of the committees of the Senate, I ask unanimous consent that that part of Rule XXIV which requires the appointment of standing and other committees of the Senate to be made by ballot be suspended.

The PRESIDENT *pro tempore*. The Senator from Illinois asks the unanimous consent of the Senate that so much of Rule XXIV as provides for the election of committees by ballot be dispensed with. Is there objection? The Chair hears none, and it is so ordered.

Mr. CULLOM. I submit a resolution, which I ask may be read.

Mr. COCKRELL. Before the resolution is read I desire to state that in consequence of the absence of the Senator from North Carolina [Mr. Vance], who has not yet been sworn in, the places which are intended for him and which will be assigned to him as soon as he takes his seat have been assigned to his colleague [Mr. RANSOM], and when the Senator from North Carolina returns his colleague will resign from those committees. It is the understanding that the Senator from North Carolina [Mr. Vance] is to take the exact places, at the head of a committee and so on, that his colleague will now hold for him. Also the places which will be assigned to the Senator from New York [Mr. Hill] when he takes his seat are to be filled by other Senators who will resign, and we shall then ask that he be appointed to fill the vacancies thus created. This will explain why it is that so many places are assigned to the Senator from North Carolina [Mr. RANSOM], and why other Senators have more appointments on committees than they otherwise would have.

Mr. CULLOM. That information was imparted to me, and I see no reason myself why the arrangement suggested should not be carried out.

The PRESIDENT *pro tempore*. The resolution submitted by the Senator from Illinois will be read.

The Chief Clerk read as follows:

Resolved, That the following constitute the standing committees of the Senate of the United States for the Fifty-second Congress:

On Agriculture and Forestry—Messrs. Paddock (chairman), McMillan, Casey, Warren, Felton, George, Gibson of Louisiana, Jones of Arkansas, Bate.

On Appropriations—Messrs. Allison (chairman), Dawes, Plumb, Hale, Cullom, Stewart, Cockrell, Call, Gorman, Blackburn.

To Audit and Control the Contingent Expenses of the Senate—Messrs. Jones of Nevada (chairman), Paddock, Ransom.

On the Census—Messrs. Hale (chairman), Stockbridge, Dixon, Hansbrough, Peffer, Berry, Blackburn, Blodgett, Turpie.

On Civil Service and Retrenchment—Messrs. Wolcott (chairman), Dawes, Stanford, Washburn, Morrill, Walthall, Call, Gordon, Irby.

On Claims—Messrs. Mitchell (chairman), Allen, Stewart, Sanders, Peffer, Pasco, Faulkner, Vilas, White.

On Coast Defenses—Messrs. Dolph (chairman), Hawley, Squire, Higgins, Felton, Berry, Gordon, Chilton, Irby.

On Commerce—Messrs. Frye (chairman), Jones of Nevada, Dolph, Sawyer, Cullom, Washburn, Quay, Ransom, Coke, Vest, Gorman, Kenna, Gibson of Louisiana.

On the District of Columbia—Messrs. McMillan (chairman), Higgins, Plumb, Wolcott, Gallinger, Hansbrough, Harris, Ransom, Faulkner, Barbour, Gibson of Maryland.

On Education and Labor—Messrs. Carey (chairman), Stanford, Washburn, McMillan, Hansbrough, George, Pugh, Barbour, Kyle.

On Engrossed Bills—Messrs. Cockrell (chairman), Allison, Warren.

On Enrolled Bills—Messrs. Sanders (chairman), Dubois, Colquitt.

On Epidemic Diseases—Messrs. Harris (chairman), Berry, White, Irby, Stockbridge, Gallinger, Felton.

To Examine the Several Branches of the Civil Service—Messrs. Power (chairman), Gallinger, Peffer, Gray, Vilas.

On Finance—Messrs. Morrill (chairman), Sherman, Jones of Nevada, Allison, Aldrich, Hiscock, Voorhees, McPherson, Harris, Ransom, Carlisle.

On Fisheries—Messrs. Stockbridge (chairman), Dawes, Stanford, Squire, Power, Blodgett, Call, Ransom, Gibson of Maryland.

On Foreign Relations—Messrs. Sherman (chairman), Frye, Dolph, Davis, Hiscock, Morgan, Butler, Kenna, Gray.

On Immigration—Messrs. Chandler (chairman), Hale, Squire, Proctor, Dubois, Voorhees, McPherson, Daniel, Cockrell.

On Improvement of the Mississippi River and its Tributaries—Messrs. Washburn (chairman), Pettigrew, Power, Peffer, Walthall, Bate, Palmer.

On Indian Affairs—Messrs. Dawes (chairman), Platt, Stockbridge, Manderson, Pettigrew, Shoup, Morgan, Jones of Arkansas, Daniel, Vilas.

On Interstate Commerce—Messrs. Cullom (chairman), Wilson, Hiscock, Chandler, Wolcott, Higgins, Harris, Gorman, Jones of Arkansas, Barbour, Colquitt.

On Irrigation and Reclamation of Arid Lands—Messrs. Warren (chairman), Stewart, Casey, Sanders, Dubois, Jones of Arkansas, Brice, Kyle, Gibson of Maryland.

On the Judiciary—Messrs. Hoar (chairman), Wilson, Teller, Platt, Mitchell, Pugh, Coke, Vest, George.

On the Library—Messrs. Quay (chairman), Wolcott, Voorhees.

On Manufactures—Messrs. Higgins (chairman), Dubois, Gallinger, Blodgett, Gibson of Maryland.

On Military Affairs—Messrs. Hawley (chairman), Cameron, Manderson, Davis, Proctor, Cockrell, Walthall, Bate, Palmer.

On Mines and Mining—Messrs. Stewart (chairman), Jones of Nevada, Power, Warren, Felton, Bate, Call, Chilton, Irby.

On Naval Affairs—Messrs. Cameron (chairman), Hale, Stanford, Stockbridge, Chandler, McPherson, Butler, Blackburn, Gibson of Louisiana.

On Organization, Conduct, and Expenditures of the Executive Departments—Messrs. Hiscock (chairman), Casey, Wilson, Proctor, Dubois, Cockrell, Kenna, Gorman, Blackburn.

On Patents—Messrs. Dixon (chairman), Platt, Sanders, Carey, Gray, Chilton, Kyle.

On Pensions—Messrs. Davis (chairman), Sawyer, Paddock, Shoup, Hansbrough, Gallinger, Turpie, Blodgett, Palmer, Vilas, Brice.

On Post-Offices and Post-Roads—Messrs. Sawyer (chairman), Mitchell, McMillan, Wolcott, Dixon, Washburn, Colquitt, Blodgett, Brice, Irby, Chilton.

On Printing—Messrs. Manderson (chairman), Hawley, Gorman.

On Private Land Claims—Messrs. Ransom (chairman), Colquitt, Pasco, Hale, Teller, Sanders, Proctor.

On Privileges and Elections—Messrs. Teller (chairman), Hoar, Mitchell, Chandler, Higgins, Ransom, Pugh, Gray, Turpie.

On Public Buildings and Grounds—Messrs. Stanford (chairman), Morrill, Quay, Squire, Carey, Vest, Daniel, Pasco, Brice.

On Public Lands—Messrs. Plumb (chairman), Dolph, Paddock, Allen, Pettigrew, Sanders, Morgan, Walthall, Berry, Pasco, White.

On Railroads—Messrs. Casey (chairman), Hawley, Stockbridge, Pettigrew, Power, Peffer, Blackburn, Berry, Bate, Gordon, Palmer.

On the Revision of the Laws of the United States—Messrs. Wilson (chairman), Platt, Proctor, Daniel, Call.
On Revolutionary Claims—Messrs. Coke (chairman), Pugh, Brice, Cameron, Sawyer.
On Rules—Messrs. Aldrich (chairman), Sherman, Manderson, Harris, Blackburn.
On Territories—Messrs. Platt (chairman), Stewart, Davis, Carey, Shoup, Hansbrough, Jones of Arkansas, Carlisle, Faulkner, Gordon, McPherson.
On Transportation Routes to the Seaboard—Messrs. Squire (chairman), Mitchell, Aldrich, Casey, Gallinger, Gibson of Louisiana, George, Turpie, Gordon.

The resolution was considered by unanimous consent, and agreed to.

Mr. CULLOM submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the following constitute the select committees of the Senate of the United States for the Fifty-second Congress:

SELECT COMMITTEES.

To Investigate Condition of Potomac River Front of Washington—Messrs. McPherson (chairman), Ransom, Barbour, Sawyer, Sherman, Frye.
To Inquire into all Claims of Citizens of the United States against the Government of Nicaragua—Messrs. Morgan (chairman), Palmer, White, Stewart, Mitchell.
On Woman Suffrage—Messrs. Ransom (chairman), Carlisle, George, Hoar, Allen, Quay, Warren.
On Additional Accommodations for the Library of Congress—Messrs. Voorhees (chairman), Butler, Morrill, Dixon, Paddock.
On the Five Civilized Tribes of Indians—Messrs. Butler (chairman), Pasco, Dawes, Cameron, Teller.
On the President's Message transmitting the Report of the Pacific Railway Commission—Messrs. Frye (chairman), Dawes, Hiscock, Davis, Carey, Morgan, Turpie, Faulkner, White.
On the Transportation and Sale of Meat Products—Messrs. Vest (chairman), Coke, Plumb, Power, Casey.
On Relations with Canada—Messrs. Allen (chairman), Hoar, Allison, Hale, Dolph, Pugh, Voorhees, Gorman, Carlisle.
To Establish the University of the United States—Messrs. Proctor (chairman), Sherman, Dolph, Washburn, Squire, Butler, Gibson of Louisiana, Barbour, Kyle.
On Indian Depredations—Messrs. Shoup (chairman), Paddock, Chandler, Allen, Power, Faulkner, Coke, Carlisle, Kyle.
On the Quadro-Centennial—Messrs. Pettigrew (chairman), Hiscock, Sherman, Cameron, Hawley, Wilson, Felton, Cullom, Colquitt, Vest, Kenna, Gray, Daniel, Vilas, Gibson of Maryland.

CREDENTIALS.

The PRESIDENT *pro tempore* laid before the Senate the credentials of David B. Hill, chosen by the Legislature of the State of New York a Senator from that State for the term beginning March 4, 1891; which were read, and ordered to be filed.

DISTRICT SANITARY EXPENDITURES.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in compliance with a resolution of the 15th instant, certain information in regard to expenditures for the collection of garbage, and for the prevention of the spread of scarlet fever and diphtheria in the District; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. MORRILL presented two petitions of citizens of Brattleboro, Windham County, Vt., and a petition of citizens of Worcester, Washington County, Vt., praying for the free delivery of mails in rural districts; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. DAWES. I present the petition of a large number of citizens of New Salem, in the State of Massachusetts, praying for a free delivery of the mails in rural districts and other changes in the postal laws.

I also present a like petition from citizens of the town of Hawley, another from citizens of the town of Amherst, one from citizens of the town of Orange, one from citizens of the town of Wrentham, one from citizens of the town of Blandford, and one from citizens of Southampton, in the State of Massachusetts, making the same prayer.

I move that the petitions be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. PLATT. I present a petition of 24 citizens of Glastonbury, Conn., praying for the same improvement in the mail service as the petitions just presented by the Senators from Massachusetts and Vermont. I move that the petition be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. DIXON. I present a preamble and resolution passed by the General Assembly of the State of Rhode Island, in the nature of a petition, urging upon Congress the consideration of legislation looking to the saving of life and prevention of injuries to railroad employés. I move that the petition be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. HOAR presented petitions of citizens of Fitchburg, Dana, Somerset, Lee, and Hawley, in the State of Massachusetts, praying for the free delivery of mails in rural districts; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of members of the Baptist Church of Newton Center, Mass., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. GALLINGER presented a joint resolution of the Legislature of New Hampshire, favoring legislation for the relief of State libraries by the Federal Government; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented certain papers in support of the pension claim of James H. Osgood, of Suncook, N. H.; which were referred to the Committee on Pensions.

He also presented the petition of Rev. Albert D. Spalter, of Rumney, N. H., praying to be allowed compensation from Congress for services rendered by Moses Child in the Revolutionary war; which was referred to the Committee on Revolutionary Claims.

Mr. QUAY presented a petition of the congregation of the First Presbyterian Church of Phœnixville, Pa., praying that the United States coöperate with foreign powers to prevent the slave and rum traffic within the limits of the Congo Free State, as provided in the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. CALL. In the absence of the Senators from South Carolina, I present, by request, the petition of the heirs of Jesse Fish, jr., late of the State of Florida, praying for the confirmation of a royal grant from the Crown of Spain of Anastasia Island, in the State of Florida. I move that the petition be referred to the Committee on Private Land Claims.

The motion was agreed to.

Mr. VILAS. I present a joint resolution of the Legislature of Wisconsin in favor of the election of Senators by a vote of the people. I ask that the memorial be read and referred to the Committee on Privileges and Elections.

The memorial was read, and referred to the Committee on Privileges and Elections, as follows:

Joint resolution for the election of United States Senators by the vote of the people.

Whereas the causes no longer exist which influenced "the fathers" at the time the Constitution of the United States was framed to provide that the Senators in Congress should be elected by the Legislatures of the several States; and

Whereas the experience of recent years has demonstrated the necessity of a change in the manner of electing Senators if that body is to continue to represent the conservative public sentiment; and

Whereas it is more in accord with the spirit of our institutions, and has been proved to be, all things considered, the best mode of selecting public servants, to elect them by a vote of the people: Therefore,

Be it resolved by the assembly (the senate concurring), That it is the sense of this Legislature that the Constitution of the United States should be amended so as to provide that Senators in Congress shall be elected by a vote of the people.

Resolved further, That our Senators and Representatives in Congress be advised accordingly.

J. J. HOGAN,
Speaker of the Assembly.
G. W. PORTH,
Chief Clerk of the Assembly.

Mr. STOCKBRIDGE presented a petition of citizens of Michigan, praying for the extension of the free delivery of mails; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the United Presbyterian Church of Martin, Mich., praying for the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. GIBSON of Louisiana. I present a petition in favor of the improvement of the harbor of New Orleans, La., signed by the officers of the city government, the president of the levee board, the presidents of all the exchanges, banks, insurance and railroad companies, and also by the owners and officers of the various manufacturing interests of the city. I move that the petition be printed as a public document and referred to the Committee on Commerce.

The motion was agreed to.

Mr. SAWYER presented a petition of the Board of Trade of La Crosse, Wis., praying for a reduction of letter postage; which was referred to the Committee on Post-Offices and Post-Roads.

ADDITIONAL SESSION EMPLOYÉS.

Mr. PADDOCK. I ask leave to submit a report from the Committee to Audit and Control the Contingent Expenses of the Senate, and I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read for information.

The Secretary read the resolution, as follows:

Resolved, That the Sergeant-at-Arms is directed to employ during the present session, in addition to the existing force, one messenger, acting as assistant doorkeeper, at the rate of $1,800 per annum; four messengers, at the rate of $1,440 per annum each; one engineer, at the rate of $1,200 per annum; three firemen, at the rate of $900 per annum each; two conductors of elevators, at the rate of $900 per annum each; one watchman, at the rate of $900 per annum;

ten additional messengers, at the rate of $720 per annum each; one attendant in ladies' retiring room, Senate wing of the Capitol, at the rate of $720 per annum; said employés to be paid from the miscellaneous items of the contingent fund of the Senate.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. PLATT. I wish the resolution to go over.

Mr. PADDOCK. I ask the Senator to allow me to make a statement concerning the resolution.

Mr. PLATT. Certainly.

Mr. PADDOCK. This resolution was reported by the Committee on Rules, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate. It is made necessary because of the acquisition of the building known as the Maltby House for the use of committees. There are seven or eight committees already in that building, and more are to go there. The Maltby House was acquired by purchase at the last session of Congress because of the necessity of securing additional committee rooms, there not being sufficient rooms within the Capitol proper to supply the committees organized, recognized, and required by the Senate to do its business. Therefore the Committee on Contingent Expenses, in view of the fact that this necessity seemed to exist, because there was no force whatever to perform the duties required to be performed in connection with the occupancy of that building, because the Committee on Rules, after very careful and thorough investigation, found it to be necessary to report in favor of such an increase, and because, further, the Committee on Contingent Expenses, after diligent inquiry, became satisfied that the situation demanded their indorsement of the action of that committee, and accordingly adopted the report which I have submitted.

Mr. PLATT. I do not know that I shall make any objection to the resolution when it comes to be acted upon, but it proposes to provide for a somewhat large increase to the already numerous force which waits upon the Senate and Senators, and I should like to have an opportunity to look it over. I ask, therefore, that the resolution may lie over for the present.

Mr. PADDOCK. That is all right.

The PRESIDENT *pro tempore*. Being objected to, the resolution will lie over under the rules.

BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 1081) giving William K. Mayo the rank and pay of rear-admiral on the retired list of the Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1082) for the relief of James M. Alden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1083) granting an honorable discharge to C. C. Wright; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1084) granting an honorable discharge to Wilmar Schlag; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1085) granting a pension to Caroline D. Morris; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1086) granting a pension to Julia A. Powell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1087) giving William K. Mayo the rank and pay of rear-admiral on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. RANSOM introduced a bill (S. 1088) for the relief of Thomas S. Lutterloh; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1089) for the relief of the Cape Fear Steamboat Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 1090) to amend section 1 and section 2 of an act entitled "An act to authorize the sale of timber on certain lands reserved for the use of the Menomonee tribe of Indians, in the State of Wisconsin;" which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. VOORHEES introduced a bill (S. 1091) for the relief of the legal representatives of Jacob Schiffer and Samuel Schiffer, deceased, forming the late firm of J. Schiffer & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1092) to pay the administratrix of the estate of Bluford West, deceased, for the Bluford West saline, in Cherokee Nation; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1093) granting an increase of pension to Isaiah Mitchell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CASEY introduced a bill (S. 1094) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina Reservation, in North Dakota; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STOCKBRIDGE introduced a bill (S. 1095) for the relief of Thomas Chambers; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER introduced a bill (S. 1096) to provide for the free exchange through the mails, between the several States of the United States of America and between said States and foreign nations, of public printed reports and documents of the several States of the United States; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also (by request) introduced a bill (S. 1097) increasing the rate of pension of certain disabled veterans of the United States Navy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1098) granting an increase of pension to Harrison De F. Young; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GRAY introduced a bill (S. 1099) for the relief of the heirs of Clifford Arrick, deceased; which was read twice by its title, and referred to the Committee on Patents.

Mr. HOAR introduced a bill (S. 1100) for the relief of the pilot and crew of the steamer Planter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WALTHALL introduced a bill (S. 1101) for relief of Stephen Duncan Marshall and George M. Miller, executors of the will of Levin R. Marshall, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN (by request) introduced a bill (S. 1102) to refer to the Court of Claims the claims of Elias E. Barnes and others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1103) for the relief of Thomas J. Spencer; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 1104) making an appropriation and providing for the construction of two United States revenue cutters for service on the Pacific coast; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORGAN introduced a bill (S. 1105) to incorporate the Washington and Deanwood Railway Company, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DOLPH introduced a bill (S. 1106) for the relief of John W. Lewis, of Oregon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. PALMER introduced a bill (S. 1107) granting an increase of pension to Louis C. Schilling; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARLISLE introduced a bill (S. 1108) for the relief of Sarah K. T. Baker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 1109) to secure the introduction of domesticated reindeer into Alaska; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. DOLPH introduced a bill (S. 1110) to amend the act approved February 25, 1885, entitled "An act to authorize a retired list for privates and noncommissioned officers of the United States Army who have served for a period of thirty years or upward;" which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLUMB introduced a bill (S. 1111) to amend the act of Congress, approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States;" which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1112) to remove the limitation in the payment of arrears of pensions; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1113) granting an increase of pension to Theodore Rauthe; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1114) granting a pension to Clark Barton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1115) for the relief of Solomon S.

Crosswhite; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1116) for the relief of Charles M. Gourley; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1117) granting a pension to certain citizens of East Tennessee engaged in the secret service of the United States during the late rebellion; which was read twice by its title, and referred to the Committee on Pensions.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. GALLINGER, it was

Ordered, That the papers in the case of Barker, Williams, and others (S. 364) be taken from the files of the Senate and referred to the Committee on Claims.

Ordered, That the papers in the case of George Hill, jr. (S. 612), be taken from the files of the Senate and referred to the Committee on Claims.

On motion of Mr. MITCHELL, it was

Ordered, That the papers relating to the claim of Peter Grant Stewart, of Oregon, be taken from the files and referred to the Committee on Claims.

REPORT ON CATTLE AND DAIRY FARMING.

Mr. MITCHELL submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be reprinted —— copies of House Executive Document No. 51 of the first session of the Forty-ninth Congress, on "Cattle and Dairy Farming," of which number —— copies shall be for the use of the Senate, —— copies for the use of the House, and —— copies for distribution by the Department of State.

PROPOSED ARBITRATION CONFERENCE.

Mr. MITCHELL submitted the following resolution; which was referred to the Committee on Foreign Relations:

Resolved, That the Committee on Foreign Relations be, and is hereby, instructed to inquire into the advisability of appropriate action looking to the invitation of the governments of the world to a conference to be held in connection with the World's Columbian Exposition at Chicago, for the purpose of discussing and recommending measures by which the principles of arbitration may be incorporated in treaties, conflicting international laws harmonized, and an international court established having jurisdiction in cases which governments shall fail to settle by negotiation, and to report by bill or otherwise.

REPORT ON DISEASES OF THE HORSE.

Mr. VOORHEES. I offer a resolution, and I ask for its present consideration.

The resolution was read as follows:

Resolved, That the Committee on Printing be, and are hereby, instructed to inquire into the expediency and propriety of publishing for public distribution 250,000 additional copies of the report of the Agricultural Department on diseases of the horse, and to report to the Senate on the subject by bill or otherwise.

Mr. VOORHEES. Mr. President, I may be pardoned for saying that that book is in greater demand, in my judgment, than any other ever published by this Government, and it may well be. It is one of exceeding importance; and while I am in favor of this Congress especially being economical (and all others, for that matter), money spent in that direction will be well spent and gratefully received by the most important class of our citizens.

The PRESIDENT *pro tempore*. The Chair is under the impression that according to the rule the resolution must go to the Committee on Printing for its report as to the cost.

Mr. VOORHEES. The resolution is an instruction to the committee, and I presume that the Senate will have to adopt the resolution before the committee can be instructed thereby.

Mr. HARRIS. Let the resolution be read again.

The PRESIDENT *pro tempore*. It will be again read.

The Chief Clerk again read the resolution.

Mr. HARRIS. I have no objection to the present consideration of the resolution.

The PRESIDENT *pro tempore*. The Senator from Indiana asks for the present consideration of the resolution. Is there objection?

Mr. PADDOCK. I hope there will be no objection, Mr. President.

The PRESIDENT *pro tempore*. The Chair hears none. The resolution is before the Senate, and the question is on agreeing to the same.

The resolution was agreed to.

COMMITTEE ON THE UNIVERSITY OF THE UNITED STATES.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Select Committee to Establish the University of the United States be, and it hereby is, authorized to employ a clerk during the sessions of the Senate, said clerk to be paid the usual per diem salary from the contingent fund of the Senate.

PROPOSED ADJOURNMENT OVER.

Mr. SHERMAN. I move that when the Senate adjourn to-day it be to meet on Monday next.

Mr. HARRIS. I understand that the other House has adjourned until Saturday, when it is understood, at least I have been informed the probabilities are, that a resolution will be sent to the Senate in respect to adjourning for the holidays. Would it not be well to adjourn over until Saturday instead of Monday, so that we may see what action the other House may take on that subject?

Mr. SHERMAN. I have no objection to changing my motion so as to adjourn until Saturday instead of Monday.

The PRESIDENT *pro tempore*. The Senator from Ohio modifies his motion, and moves that when the Senate adjourn to-day it be to meet on Saturday next.

The motion was agreed to.

LEAVE OF ABSENCE.

Mr. GEORGE. Mr. President, I ask for an indefinite leave of absence from the Senate.

The PRESIDENT *pro tempore*. The Senator from Mississippi asks indefinite leave of absence from the Senate. Is there objection? The Chair hears none, and leave is granted.

ELECTION OF UNITED STATES SENATORS BY THE PEOPLE.

Mr. TURPIE. Mr. President——

Mr. STEWART. In view of the probability that we may not have a session on next Monday, I will beg leave of the Senate to make my remarks on silver immediately at the conclusion of the speech of the Senator from Indiana [Mr. TURPIE].

Mr. TURPIE. According to the notice of last week, I move to take from the table the joint resolution (S. R. No. 6) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by direct vote of the people of the several States, and I move its reference to the Committee on Privileges and Elections. I ask that the joint resolution may be read.

The PRESIDENT *pro tempore*. The joint resolution will be read.

The Chief Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment be proposed to the Legislatures of the several States, which, when ratified by three-fourths of said Legislatures, shall become and be a part of the Constitution, namely:

That section 3 of Article I be so amended that the same shall be as follows:

"ARTICLE I.

"SEC. 3. That the Senate of the United States shall be composed of two Senators from each State, who shall be chosen by a direct vote of the people of the several States, for six years; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures; and each Senator shall have one vote."

Mr. TURPIE. Mr. President, during the late regular session thereof, in 1890, the General Assembly of the State of Indiana passed the following resolution:

Resolved by the house of representatives (the senate concurring), That our Senators be instructed, and our members in Congress be requested, to use their influence to secure the adoption of an amendment to the Constitution of the United States to provide for the election of United States Senators by direct vote of the people, and that a copy of this resolution be sent to each of our Senators and members of Congress.

This action was taken, as is shown by the journals, in a Legislature composed of representatives of every party, and their official expression of opinion may be accounted as deliberate, decisive, and substantially unanimous. It is written that forms of government long established should not be changed for light or transient causes. The mode of choosing United States Senators is a part of the form of government created by the Constitution of 1789, in force now for more than a century.

Indiana was admitted into the Union in 1816, during the Presidency of Madison. Her history as a State began under the auspices of that line of chief magistrates sprung from the patriots of the Revolution, and continued under the same until the close of the term of Monroe, in 1825. Indiana is not a new State; the sixth in the order of admission, she stands now senior to much the larger number. She is not one of the oldest, one of the original thirteen whose people adopted the Constitution. Her allegiance thereto, due by the terms of a later accession, has been avouched in many an act of valor, of devotion, by her sons in behalf of constitutional government. Her loyalty and attachment to the institutions of our country is of the most perfect tone and character. It is hereditary, traditional, a sentiment of steady, constant, permanent growth and development.

The men who first settled within our borders, who first subdued these fertile valleys and prairies to the tilth of the plow, were for the most part emigrants from the original thirteen States, who brought with them their love and fealty to the Constitution of their fathers, and as a portion of the choicest heritage bequeathed the same to their descendants. These pioneers in the settlement and improvement of the State, and those who followed them for many years, came in very nearly equal proportion from the northern and southern sections of the Union, from Pennsylvania, New York, and New England, from Maryland, Delaware, Virginia, Kentucky, and the two Carolinas.

I doubt if there be any State or region of country within the

Republic which has in this respect been so evenly colonized. No large city has overshadowed, no flood of migration has since disturbed these particular features of our population; its original character remains unchanged.

Central in geographical position, seated in the heart of the continent, inclosing within her limits the center of population of the whole country, inhabited by a people derived from all parts of the ancient colonial domain, the political action of Indiana has been eminently conservative.

Opinion in the State has become fixed, balanced, well poised, neither easily nor much moved even upon the keenest and most prolonged agitation. Issues the most exciting and important have been year after year determined by a very small preponderance of votes in a total of half a million of suffrages.

When, therefore, the Legislature of a State thus founded, formed, and maintained instructs its representatives here in favor of a change in the organic law of the nation we may ask for it with strict propriety a candid consideration.

The question by whom Senators should be chosen does not seem to have been much considered by the framers of the Constitution or by the constituencies to whom it was submitted for adoption.

That they should be chosen by the Legislatures of the several States was determined almost of course; there was a great deal in the history of that time which led even unconsciously to such a conclusion.

The Legislatures of the thirteen colonies, chosen by the people, thoroughly in accord with popular opinion and judgment, had been the chief instrumentalities in defying and defeating the unwarrantable usurpations of the British crown and in preparing armed resistance to its tyranny.

After the Declaration of Independence and during the war which followed it the Legislatures elected the governor and other chief officers, both civil and military, in the several States. The same legislative bodies selected and commissioned the members of the Continental Congress. At a later day, under the Articles of Confederation of 1778, although it had been therein provided that delegates to Congress should be annually appointed in such manner as the Legislatures of the States might direct, members of Congress still continued to be chosen by the Legislature.

Thus we read that Mr. Jefferson was, as late as 1783, on the 6th day of June of that year, appointed a Delegate to Congress by the Legislature of the State of Virginia, to take effect from the 1st of November next following. All the members of the convention which framed the Federal Constitution were chosen in the same way by the Legislative Assemblies of the different States. Their credentials may still be read at large in the pages of Elliott; they resemble those of a modern Senator.

Indeed, the State Legislatures during the war for independence and for some time afterwards were the favored and trusted depositories of a variety of delegated powers. It is not strange, therefore, that the part given them in the election of members of this body should have attracted little notice, elicited no dissent.

It has been gravely written of the members of the Constitutional Convention of 1787 that they had before them a *carte blanche* upon which to inscribe a scheme of government at discretion. As if their coming together were a sort of social reunion after the toils of war—a congratulatory ceremonial upon the victory achieved; and their labors as lawgivers are to be regarded as in the nature of political pastime. Than these views nothing can be more erroneous.

The statesmen of the Revolution were personages of the most serious gravity of character and demeanor. We may observe this in their faces, painted or sculptured, within the walls of this Capitol. These venerable countenances seem to be almost of one family, as they were of one phase and era—deeply marked, furrowed with the cares and perils of life earnestly embattled, they have "looks commercing with the skies," the troubled skies of a stormy period.

These patriarchs of our dispensation had undergone every vicissitude of fortune, neither unduly elated by success nor depressed by disaster. They were men of high thoughts seated in hearts of courtesy, intensely devoted to their country and its cause, exceedingly proud of that cause wherein they had loved much, hoped all things, asked nothing. The membership of the body comprised sound learning—indeed, accurate and exact scholarship in the line of political study and research. There were among them those familiar with the laws, usages, and institutions of the Roman Republic in its purest and best days, before the Cæsars, who knew the various functions of the senate, of the consuls and tribunes, of the tribes and the comitia. They had read in the original tongue and had pondered over the constitutions of Attica and the early Hellenic commonwealths. They had often repaired to the Athenian orators—

> Those ancient, whose resistless eloquence
> Wielded at will that fierce democracy,
> Shook the arsenal, and fulmined over Greece
> To Macedon and Artaxerxes' throne.

Not called upon the roll when this convention met, a great company sat down with them: from Thermopylæ and Marathon; from Bannockburn and Runnymede; from the liberated cantons of the Swiss, the homes of Tell and Winkelried; from every age and clime where dauntless heroism had uttered the cry, "Make way for liberty"—these were of that assembly. They must have borne also in lively remembrance the more recent but very high and liberal standards of civil and political rights which had been established in the government of the various States after the overthrow of the royal supremacy.

They did have in their midst some sort of helps, examples, models, precedents, but also very grievous hindrances and incumbrances, very anxious forebodings as to the result of their labors.

No task was ever undertaken by a legislative body under conditions more difficult, limitations more precise, or powers so wholly devoid of compulsion. Its members were embarrassed by the local jealousies of each State, by the conflicting interests of their particular sections, and by the prejudices of the provincial assemblies whose immediate agents they had become, and whose functions their work was in many things to supersede.

Gen. Washington relates that when he arrived in Philadelphia to attend the convention the first thing he did was to call upon Franklin, who had also been elected a member thereof, and whom he styles the president—the president of the State of Pennsylvania—a title then given by some of the Commonwealths to their chief executives. Indeed, during the period of the Continental Congress and the Articles of Confederation the States had exercised and had been long accustomed to the use of powers and prerogatives almost national—of almost independent sovereignty.

The question how much of these was to be retained, how much to be surrendered, disclosed a right perilous line and edge of partition for adjustment. The complete freedom and independence of the constituencies made fetters for their representatives.

With all its distinguished virtues and capacity the convention yet needed one qualification, one which they had in largest measure—statesmanship—that excellence of statesmanship to which few men are born, which not many achieve, and which none have thrust upon them; in so much that eminent publicists of modern times, not of this country, have declared this Constitution to be the most perfect scheme of civil government ever devised by human wisdom. It follows that an assembly of this character dealt with great questions in a great way.

The sections of most urgency, propositions about which the sharpest differences developed, they determined not without the fullest debate, not until after the most careful scrutiny and freest conference. Matters of less importance, or those at the time deemed such, received less attention.

It does not seem that there was any debate or division upon the topic as to who should choose United States Senators. The alternative of a choice by the people or the Legislature of the States appears not even to have been presented. They did not omit to provide for the contingency that a matter then regarded as of minor moment might become, as this has in our age, of great concern. So such things were left by their provident wisdom to the disposal of future advisement and after amendment.

This is called a government of the people, republican in form, and very justly may it be so called in comparison with many others, especially those in vogue at the time of its establishment. Such a government ought to be one wherein the people should control and more immediately direct the management of public affairs. We are constantly repeating the maxim that the people are the real source of all authority, yet in the actual drift of events there is a tendency to slip away from this source—to deny and to disown it.

The distribution of powers was justly regarded by the framers of our fundamental law as one of the chief safeguards of liberty, and it is within the purview of their polity and by virtue thereof that tendencies to centralism or absolutism may, by this means, be checked and thwarted. A redistribution of power; that is what this amendment proposes. It relates to a readjustment of power as at present apportioned. There is a certain element in our system which to-day is demanding a larger share of power, as is evidenced by the action of the learned and honorable Senator from Wisconsin [Mr. VILAS] in introducing the resolutions of his Legislature this morning. They are demanding a larger share, and I may be permitted to say they deserve it. This decentralization is always competent by the voluntary suffrage of the people of the States, under the forms of law.

In accordance with this policy of distribution we have been provided with three departments of the Government, the legislative, executive, and judicial.

Of these three under the present form which is controlled by the people? Surely not the judiciary. This whole province of power touches but once its putative source and origin, at the

time of appointment, and then only in the most indirect manner. Thereafter it is forever independent of, and, indeed, irresponsible to, the people as such.

Just as certainly it is not the executive. The head of this department is chosen by electors, who are themselves chosen by the people; but when elected, and after his induction, the President and the chiefs of the great administrative sections appointed by him are not at all the subjects of popular regulation or direction.

There remains, then, only the legislative, whereof the people have control of but one branch, the House of Representatives. It will be thus seen that in this triple distribution of powers now existing no division thereof is allotted to the people.

The amendment submitted by the General Assembly of the State of Indiana, if approved, would grant to them wholly and directly the control of the legislative department.

Ought not at least one department to be so ordered and bestowed?

It was said in the discussion, very elaborate, which attended the issue of the rejection or approval of our present Constitution that Senators in Congress were the representatives of the States, of the sovereignty of the States. No change is intended in this relation. The Senator would yet continue to be the representative in a special manner of his State. The only modification proposed is that of the electoral body which chooses the Senator. This would consist of the whole number of voters in the State, who would vote for United States Senators in the same manner as they now vote for governor and other officers.

There is nothing in the proffered amendment which could detract from the position or influence of members of this body; on the contrary, these would be enhanced. The States as such would lose nothing of dignity, sovereignty, or power. Far is it from my purpose to detract anything from the character or authority of the States.

The separate autonomies of the States, as distinct sites and centers of intellectual, social, and civic culture, and of various interests, customs, laws, and institutions, diversified as the climate and soil which characterize them, have been the chief elements in our national greatness. They have given us a very different policy and a vastly superior career to that which might have been induced by the dull and deadening uniformity of a system of centralization, destructive of local self-government, gathering to one head and focus all political functions. I do not know of a measure better calculated to preserve the separate and equal existence of the States than to give to the people of each the right directly to choose the members of both Houses of Congress.

That centripetal force indigenous to all forms of government, so alien to the spirit of a free democracy, has always been greatly favored by modes of communication such as those now existing between the Senate and the people, modes somewhat devious, indistinct, indefinite. To make the path of this communication straight, to make it a public highway, an open course, unbroken and uninterrupted from the polls to the Senate Chamber, is to inflict a grievous wound upon centralism, and will help to drive monopoly from its noxious lair. To grant to the whole body of electors in a State this Senatorial franchise, if you will allow me the use of such expression, must induce and awaken an interest much enlarged, a sense of responsibility very much heightened in the heart and mind of every citizen.

Aggrandizement of the units in a free State is not that of the Federal head, but creates and subserves the condition of distinct, independent, personal thought, feeling, and action, the unassailable bulwarks of home rule and local sovereignty. The added influence, importance, and power of each individual voter at his home must diminish the means as it would lessen the opportunity for Federal aggression.

Very keen distrust has been sometimes expressed as to the action of legislative bodies in the choice of Senators. This is only one of the forms which the popular protest against the present method most frequently assumes. Consider how full, clear, and thorough would be the remedy for the mischief of such suspicion under the new mode of election. It is true added importance would be given to that class of conferences called State conventions, and their action might be obnoxious to as grave charges as that of the Legislature. But the selection made by such conventions would not be final; it would only be primary, tentative; it would be subject to review and reversal at his leisure by every voter in the State. For that reason, no doubt, their action would be the more carefully guarded against the imputation of wrong, and yet, if found impure, might fail of acceptance.

Those studious of constitutional lore have much disputed concerning the cause of so little direct power having been placed by the terms of that instrument in the hands of the people. It has been sometimes thought that this was due to jealousy of the purely democratic element, lest it should become too dominant.

But we may well entertain the opinion that this scant allowance of direct power was chiefly due to the occasion, to the conditions of that time, especially to the fact that upon the one engrossing issue of national independence the Legislatures and the people had been by the heat of war fused, welded together, in inseparable unison.

Besides this, the Federal Government, although officially framed by the adoption of the Constitution, was still a thing of the future. Its tendencies were not wholly perceived; its effects were yet somewhat unfelt, unmeasured. But at this time, after more than a century of national existence, we begin to see indications that the General Government, in some of its dependencies and appanages, has a kind of existence, separate, distinct, very little amenable to the popular will.

The more ancient departments of the executive branch in this distribution of power have become the haunts of a long line of precedents, traditions, and usages. Although it is the theory that the administration actually and practically changes in accordance with the suffrage by successive elections, yet there are some official points and places that do not change, which appear to be unchangeable or incapable of change. We have a beginning at least of the dynasty of the bureau—bureaucracy.

The department of the judiciary, with its numerous appointees, many of them perpetual incumbents, clerks, marshals, masters, and commissioners, dealing daily with the persons and property of the citizen, yet not answerable even in the most remote manner to the people, shows a somewhat similar divergence.

Again, certain shares and subdivisions of governmental powers have been granted over, sublet to numerous corporations: that of eminent domain a right of sovereignty, that of perpetual succession an attribute of sovereignty, both often enjoyed and exercised by these corporate lessees with the very least regard to the public welfare.

Some touch of the hand of innovation, not too conservative, seems needed herein to retrace the lines, become somewhat dimmed and blurred, of a plan designed to be republican in fact as in form. The nearness of the mass of citizens to the seat of power, like the measuring eye of the master builder, would rectify these faulty lines in our political fabric. The influence of the people should become more active, operative; not so passive and advisory.

Even upon the passage of this amendment the Legislatures of the States will yet retain great functions in our Federal polity, the very greatest, far superior to those of Congress or any of the departments. It has been too common to make use of language from which it might be inferred that the power granted to the three departments of the Government were forever lost to the grantors, incapable of resumption, whereas it is very certain, both from the theory and practice of the Republic, that the people are not only the source, but the ultimate depository, of all powers, both those granted and those reserved.

The States may at any time, upon a vote sufficiently unanimous of an adequate number, three-fourths thereof, resume any part of the powers granted to the executive, judicial, or legislative divisions, or without formal resumption the people may thus directly exercise through their Legislatures the definitive functions of constitutional change and reformation. For example, if the proposed amendment in argument be submitted, the Legislatures of the several States in behalf of the people, in voting for or against it, are discharging the same duties as are ordinarily performed by Congress. If the amendment be approved they are exercising the functions of the judiciary in deciding and declaring the law, giving judgment in favor of the principle involved therein.

This is an adjudication final, not subject to review by any court, and acts from its own force. An enactment of the people through the States, in the form of a constitutional amendment, is in the nature of a decree legislative and judicial, unaffected by precedents, paramount to every other. Take the instance of the adoption of the recent amendments upon the subject of slavery. How fundamentally iconoclastic are these enactments! What a mass of ordinary statutes, State and national; what an innumerable series of judgments and decisions were overruled, repealed, and annulled thereby! Of rights vested, of rights corporate, long established, and recognized both by courts and lawgivers, relating to this subject, not a vestige remains.

Article V, relating to amendments, found near the close of this Constitution, is a testamentary devise to the people of a very large residuary estate wholly unencumbered. In this clause is placed the vital principle, the living soul of the whole dispensation. So any man must conclude who will carefully reflect upon its comprehensive forecast and explore the spacious scope and range of its intendments.

These can be interpreted only to mean that the wise founders and fathers of this system did not purpose to grant any powers absolutely to the Federal Government or to either of its depart-

ments, but ultimately to vest all powers and franchises in the people of the several States. The functions and forces of constitutional reform have hardly yet been broached. During one hundred and fifteen years we have had fifteen amendments. It may be that the time approaches for a new article with other sections upon additional subjects. If Congressional statutes and commissions are found incompetent to cope with existing evils, within the wide province of constitutional reform may yet be shown a way more excellent.

There is a restriction upon the high prerogative of the people to make in this mode the law of the land; but that restriction is not in aid of corporations: it is not in favor of corporate trusts, syndicates, or charters. That limitation is made for the benefit of the States, and it relates to the composition of this body.

Not even a constitutional amendment can deprive any State of its equal suffrage in the Senate without the consent of that State.

To correct the illegitimate tendencies in our system adverse to free institutions, to avoid the necessity of too frequent resort to extraordinary legislative action, the best method is now by this measure suggested, an increase of direct popular representation in the National Legislature.

This would cause the character of the people to be transposed more perfectly into the modes of government. This would cause the needs, wants, aims, and aspirations of the masses of men in our free communities to be more faithfully reflected, more clearly imaged forth in the laws of the country and their administration.

Congress, in the two branches thereof, would be thus brought closer to the people, and this immediate proximity would have the most wholesome effects not only upon the legislative but upon every other bureau and department of the public service.

Such a change would purify the air in the slumbrous cavern dwelt in of old by those stalagmites, the perpetual placemen of routine; it would leaven the whole lump of official autocracy; it would cut away the entail of false prestige and unfounded pretensions; it would greatly lessen the evil of illicit departmental interference with Congressional legislation, an evil which has increased, which is increasing, and which ought to be extinguished.

Under the beneficent environment of this new Senatorial franchise even those classes most averse to popular influences would by degrees recognize the ultimate political truth. All legislative grants and franchises, as well as public offices, are public trusts. Those who hold them are not owners or proprietors; they are only trustees; they are merely tenants, tenants at will, at the will of the people.

And thus it may be known of all men that the founders of this Republic did give to the purely democratic element an indisputable ascendency; that they granted to this popular tribunal a jurisdiction from which there can be no appeal; that in fullest faith, in confidence unshaken, they have committed the destinies of their country to the arbitrament of the conscience and the judgment of a free people. What is said above relates to rights granted; it has no relation to natural rights, sometimes called inherent—rights belonging to the citizen as a man, a person, or human, common to all. These rights, as they are not conferred, neither can they be taken away by any legislation.

Under the provisions of this amendment there would be an actual approach—a contact; not a partial sympathy; not an oblique connection or relationship between the servant and those served.

The nearer a governmental agency is to the real source of power the greater will be its value, probity, and efficiency. Direct responsibility breeds honesty, and good faith sustains the wavering, encourages the timid, and what is of fully as much consequence, it detects and defeats the unworthy, the incompetent, and the corrupt.

Members of this body are now chosen by political agents, acting for the people. Why should not the principals themselves make that choice? Were this amendment in effect to-day the constituencies of the members of the two Houses of Congress would yet be quite different, if that be a condition worthy of attention. For more than fifty years, under the early practice, members of the House were chosen by the people of the whole State upon a single ticket; but this no longer obtains. Wherefore, were this amendment in force, the Senator would be chosen by and would represent the whole mass of voters; the Representative would, as he now does, in a special sense represent the people of the district or portion of the State from which he is sent, and wherein he usually resides.

Government for the people is a phrase easily flexed and much abused. Ivan the Terrible, the White Czar, first of the Romanoffs famous in history, claimed that his administration of affairs was a government for the people.

Government by the people is an expression more stable, standing for a practice and policy which has been greatly aggrandized since the era of 1776, both here and elsewhere. At that time what was known or realized of governments by the people?

It is true there was the House of Commons in England, whose members were chosen by suffrage, but the right of suffrage was very closely restricted; hardly one man in five hundred of the whole population voted.

In France, government by the people had yet scarcely been heard of. In Spain, Italy, Austria, Germany, throughout Europe (except in Switzerland, where freedom, like a strong man armed, kept her house in the fastnesses of the high Alps), there prevailed the same system of personal hereditary despotism. Now, in all these countries popular suffrage has become in some degree a recognized political element, parliamentary representation has obtained a foothold, and constitutional limitations upon the powers of the ruler have been more or less established. In some of these, as in England and France, progress herein has been very great, in others less, but none have remained unmoved. Here, among our own States, the same kind of progress has been made, but as it begun and proceeded from a line already much advanced, these very sweeping changes in our domestic rule have not been so clearly marked or noted.

At the time of the adoption of the Federal Constitution, in 1789, none of the States gave to their citizens the unqualified right to vote, and very few of them afforded the opportunity of its exercise as to any considerable number of official positions. Nearly every office in the States was filled by appointment either by the Legislature or the chief executive. Even the voting for members of the Legislature was not general, as may be well enough inferred from the clause concerning the election of members of the House of Representatives:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the Legislature.

At present all public offices, including the judicial, in the States, and even in the smaller subdivisions of counties and townships, have become for the most part elective. Manhood suffrage has everywhere become general, almost unqualified.

To say nothing at this time of other consequences, the operation of the late amendments to the Federal Constitution, conferring the right of suffrage upon men of color, added largely to the number of voters.

Yet even this may appear of less moment, indeed is somewhat inconsiderable in the account, when compared with the vast increase in the body of electors and the enlargement of the use of the ballot made by these organic changes in the law of the States during the lapse of time from the surrender of Yorktown to the conclusion of peace at Appomattox.

So that, although this cause has been elsewhere well promoted, yet in the States of this Union the principle of popular sovereignty has made much greater advancement.

The whole mass of governments in the Old World and the whole family of Commonwealths in this Republic have within the last century moved toward the people. This movement has been quiet, gradual, but continuous, persistent, not to be impeded; there has been no retrograde or recession; with no thought of return, without haste, without rest, it has gone always forward. The history of this movement, as has been said of another, was like that of the enchanted well in the Irish legend, which lay for centuries shrouded in darkness in the midst of a gorgeous city, till some careless hand left open the door that had inclosed it and the morning sunlight for the first time flashed upon its waters. Immediately it rose responsive to the beam; it burst the barriers that confined it, submerged the city that had surrounded it, and in resistless waves, chanting music to heaven, rolled over the temples and over the palaces of the past.

Sir, there is nothing in the history of the people of these States which should induce us to check this movement, to distrust it, or to disallow its just influence in modification of the original terms of the Federal compact. The spirit of liberty which has led to the rise, progress, and consummation of the dominion of the ballot in the States should have somewhat of its free course in the nation.

Shall we, who have knowledge of these marvelous transformations, stand motionless upon the shore of the last century, taking no note of the tidal surge which has risen around us, which awaits, yet may not always await, our action?

In the course of one hundred years we have thrice waged war. Once for the enfranchisement of commerce upon the high seas; again for the security and amendment of our national frontier upon the south and west; lastly, war was waged bearing in it the supreme issues of Federal unity and the national life. In the storm and stress attending these severest trials of this our form of polity parties may have erred, administrations may have failed and faltered, but the people have stood firm and fast. Not the rich, not the privileged, not the few favored by birth or fortune—the love and service of the few would not have availed—but the many, the many having no rank save that God-given, a

little lower than the angels, belonging to no class or order but that of freemen—these have fought our battles, enlarged our borders, have rescued liberty from every enemy.

Whatever else may be said of it, the course and grammar of the nation's life are most plainly manifested in two directions, by two overshadowing effects: externally, in the acquisition of territory; internally, by the extension of the elective franchise and of the subjects to which it has been made applicable. But this development internally has not so far touched our Federal relations, because the franchise, in its use, is applicable as yet to but one subject therein, the membership of the House of Representatives.

The passage of this amendment would be in accord with the law of our growth; it would bestow upon the people a gift entirely worthy of their acceptance and of our proffer.

Sir, we are preparing for the exhibition of a splendid international pageant commemorative of the discovery and settlement of this continent. In the imperial commercial metropolis of the great lakes, that urban miracle of the century, we are to show from our own country, we are to behold from others, whatever is most excellent in nature, art, or industry. Many a medal will be cast, many a souvenir will be designed in honor of this event so notable. It would be most felicitous should we signalize it by the submission and adoption of this amendment, thus publishing to this grand ecumenical council of the world's commerce and exchanges that the great Republic of the West had given to its people direct control of the legislative department of the Government.

Such an act would be a monument of the age, worthy of its genius and fortunes; more enduring than the Eiffel Tower, more imperishable than the column of Trajan or the arch of Titus, which have for centuries marked and adorned the site of the Eternal City. Herein the right, truly divine, of self-government, the sovereign rule and dominion of the people, would be proclaimed, vindicated, justified, glorified in the eyes of all earth's inhabitants to the latest posterity.

The PRESIDENT *pro tempore*. The question is on the motion to refer the joint resolution to the Committee on Privileges and Elections.

The motion was agreed to.

SILVER COINAGE.

Mr. STEWART. Mr. President, I desire to submit some remarks at this time upon that part of the President's annual message which relates to silver coinage.

THE PRESIDENT'S OBJECTIONS TO FREE COINAGE REVIEWED.

The act of July 14, 1890, to which the President refers in his message, was a compromise measure. The Senate passed a bill providing for free bimetallic coinage. The House amended it by a substitute, providing for the purchase of silver bullion and the issuance of Treasury notes thereon, redeemable in bullion. It was known as the bullion-redemption bill. The Senate refused to concur. A conference committee was appointed, which reported the compromise measure which is now the law.

The law provides for the purchase of four and a half million ounces of silver per month and the issuance of legal-tender Treasury notes thereon at the market value of the bullion.

THESE NOTES ARE REDEEMABLE IN COIN,

either gold or silver, at the discretion of the Secretary of the Treasury, and the Secretary is required to coin sufficient of the silver bullion so purchased to provide for the redemption of the notes.

The law has increased the circulation by the difference between the coinage value of $24,000,000 worth of silver bullion and 54,000,000 ounces of silver bullion per annum. It has also increased the price of silver bullion. During the fiscal year ending June 30, 1889, before the silver agitation commenced, the average price of silver was a little over 93⅛ ($0.93537) cents per ounce. During the last fiscal year the average price has been a little more than $1.05 ($1.052935) per ounce.

THE WAR ON SILVER AND THE FALLING OFF

of the Asiatic demand have now reduced the price of that metal to about 95 cents an ounce. The tendency of the act of 1890 is to enhance the price of silver by creating an additional demand for it. But it is demonstrated that nothing short of free coinage will advance silver to par with gold at the ratio of 16 to 1 and keep it there.

THE PRESIDENT HAS BEEN MISINFORMED

with regard to the predictions of those who voted for free coinage in the last Congress. He says:

> The ablest advocates of free coinage in the last Congress were most confident in their predictions that the purchases by the Government required by law (the law of 1890) would at once bring the price of silver to $1.2929 per ounce, which would make the bullion value of a dollar 100 cents and hold it there.

I know nothing of private opinions expressed to the President, but no member of either House who voted for free coinage in the last Congress, so far as my information goes, ever expressed such an opinion in the debate. On the contrary, every Democrat who expressed any opinion with regard to the bill as it finally passed declared that it was a step backward; that its tendency would be further

TO DEGRADE SILVER TO A COMMODITY,

and be detrimental to the cause of free coinage. The free-coinage Republicans, however, believed that a larger use of silver by the United States, for which the act provided, would furnish more currency and tend to enhance the price of silver. They stated that in their opinion it was a step in the right direction; that it was all they could get; and that they preferred it to no legislation.

I have examined with care the debates in both Houses, and fail to find any expression on the part of any free-coinage advocate to sustain

THE STATEMENT IN THE PRESIDENT'S MESSAGE.

I must, therefore, conclude that he has been misinformed as to the views of the advocates of free coinage so far as publicly expressed.

I do not believe that the force and effect of the present law was then or is now understood. The opponents of free coinage, who offered the law as an alternative to no legislation, may find further legislation necessary

TO RELIEVE THEMSELVES FROM AN UNCOMFORTABLE POSITION.

If the present law should destroy gold monometallism and fail to give the country the bimetallic system, dissatisfaction may arise in many quarters, and all parties may consent to resort to free coinage as the only possible solution.

The act of July 14, 1890, recognizes that it is—

> The established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio, or such ratio as may be provided by law.

MARK THE LANGUAGE:

"It being the established policy of the United States to maintain the *two metals* on a parity upon the present legal ratio."

No reference is made to the coined dollars. They can be made equal to each other by the stamp of the Government and a promise to redeem the silver dollar with the gold dollar. But the act goes further, and declares it to be the policy of the United States to maintain 412½ grains of standard silver at the same value as 25.8 grains of standard gold. This can not be done by redeeming silver dollars in gold dollars. Both metals must be used as money

BY THE FREE AND UNLIMITED COINAGE OF EACH,

The fluctuations in the price of silver since it was excluded from the mint demonstrate that the equality in value of 412½ grains of standard silver and 25.8 grains of standard gold can not be maintained while the one can be exchanged at the mint for a dollar and the other can not. Twenty-five and eight-tenths grains of standard gold are always worth a dollar, because they can be exchanged at the mint for a dollar.

PREVIOUS TO THE DEMONETIZATION OF SILVER

412½ grains of standard silver would always sell for a dollar in the market, because they could be exchanged for a dollar at the mint. No power on earth can maintain the parity of the two metals while one is excluded from the mint and subject to fluctuations in the market and the other is not. The parity of the two metals can be maintained at the ratio established by law only by the free and unlimited coinage of both. Consequently, free bimetallic coinage is

"THE ESTABLISHED POLICY OF THE UNITED STATES,"

as declared in the act of 1890. Whatever may have been the views of the advocates of free coinage in the last Congress as to the effect of the act of 1890 in advancing and maintaining the price of silver, it is manifest that the majority of the two Houses who voted for the bill expected and intended that the law should raise the price of an ounce of fine silver to $1.2929 and keep it there; otherwise they would not have stated in the act that such was "the established policy of the United States."

THE DECLARED INTENT AND PURPOSE OF THE ACT

have not been carried out in practice. It has not maintained the parity of the two metals. Further legislation is necessary for that purpose. Free bimetallic coinage is the only method by which the parity of the two metals has been or can be maintained. Will Congress abandon the established policy of the Government, or will it maintain such policy by free and unlimited bimetallic coinage?

WHEN BIMETALLIC COINAGE WAS ABANDONED

by the demonetization of silver, it is estimated that the gold and silver coin in the world amounted to about $7,500,000,000. This coin was, as expressed by the royal commission of England, practically one money for the purpose of commercial exchanges and as reserves for both public and private financial institutions. There has been no material increase in the gold coin of the world

since silver was demonetized. The annual product has been mostly absorbed for non-monetary purposes. The gold coin of the world at present does not exceed $3,750,000,000, or about one-half of the aggregate of gold and silver coin in existence eighteen years ago. If $7,500,000,000 of coin were not too much in 1873, can it be shown that one-half of that amount is sufficient now?

THE PARITY OF GOLD AND SILVER COIN

maintained by a promise of redemption in gold does not enlarge the basis of circulation and credit. In such case silver coin is as much credit money as paper. The paper and the silver are both bought in the market and promises to pay printed or stamped thereon.

THE POLICY OF THE TREASURY DEPARTMENT

since silver was demonetized has not been in accordance with the established policy of the United States to maintain the parity of the two metals at the ratio fixed by law. That Department has discriminated against silver in the payment of the public debt, and thereby degraded and depreciated the white metal, contrary to the established policy of the United States. Every obligation of the Government is, and always has been, payable in silver as well as in gold, but the Secretary of the Treasury has uniformly paid the bondholders in gold alone when it was for the interest of the United States to pay in silver.

THE LAW ON THIS SUBJECT

is concisely and distinctly stated in the following resolution of Congress, passed on January 28, 1878:

Whereas by the act entitled "An act to strengthen the public credit," approved March 18, 1869, it was provided and declared that the faith of the United States was thereby solemnly pledged to the payment in coin, or its equivalent, of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of such obligations had expressly provided that the same might be paid in lawful money or other currency than gold and silver; and

Whereas all the bonds of the United States authorized to be issued by the act entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, by the terms of said act, were declared to be redeemable in coin of the then present standard value, bearing interest payable semi-annually in such coin; and

Whereas all bonds of the United States authorized to be issued under the act entitled "An act to provide for the resumption of specie payments," approved January 14, 1875, are required to be of the description of bonds of the United States described in the said act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt;" and

Whereas at the date of the passage of said act of Congress last aforesaid, to wit, the 14th day of July, 1870, the coin of the United States of standard value of that date included silver dollars of the weight of 412½ grains each, declared by the act approved January 18, 1837, entitled "An act supplementary to the act entitled 'An act establishing a mint and regulating the coins of the United States,'" to be a legal tender of payment, according to their nominal value, for any sums whatever: Therefore,

Resolved by the Senate (the House of Representatives concurring therein), That all the bonds of the United States issued or authorized to be issued under the said acts of Congress hereinbefore recited are payable, principal and interest, at the option of the Government of the United States, in silver dollars, of the coinage of the United States, containing 412½ grains each of standard silver; and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith, nor in derogation of the rights of the public creditor. (CONGRESSIONAL RECORD, Forty-fifth Congress, second session, volume 7, part 1, page 627.)

If the Secretary of the Treasury had exercised the discretion confided in him by the Bland act, and bought and coined $4,000,000 worth of silver bullion per month and paid it out to the bondholders according to contract,

SILVER WOULD HAVE BEEN REMONETIZED LONG AGO.

Silver would then have been the money of the bondholders, and they were powerful enough to see to it that their money was not degraded or depreciated.

The Treasury notes issued in the purchase of four and a half million ounces of silver bullion per month under the act of 1890 are made redeemable in gold or silver coin, at the discretion of the Secretary of the Treasury. The language of the act is that—

Upon demand of the holder of any of the Treasury notes herein provided for the Secretary of the Treasury shall, under such regulations as he may prescribe, redeem such notes in gold or silver coin, at his discretion, it being the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio. * * * That he shall coin of the silver bullion purchased under the provisions of this act as much as may be necessary to provide for the redemption of the Treasury notes herein provided for.

The discretion is manifestly given to enable the Secretary of the Treasury to maintain the parity of the two metals,

NOT TO DEGRADE SILVER BY GIVING A PREFERENCE TO GOLD,

which had been the practice of the Treasury Department.

It has been suggested that silver will not be used as provided by law for the purpose of redemption of Treasury notes, but that gold will be bought by the sale of bonds and the national debt increased to redeem Treasury notes, while the silver provided for that purpose lies idle in the Treasury.

SUCH A SUGGESTION IS IN PLAIN VIOLATION OF THE LAW.

There is no law authorizing the Treasury Department to issue bonds to buy gold to redeem Treasury notes issued under the act of 1890.

Reference has been made to the act of January 14, 1875, providing for the resumption of specie payments. That act provides that—

On and after the 1st day of January, A. D. 1879, the Secretary of the Treasury shall redeem, in coin, the United States legal-tender notes then outstanding, on their presentation for redemption at the office of the assistant treasurer of the United States in the city of New York, in sums of not less than $50. And to enable the Secretary of the Treasury to prepare and provide for the redemption in this act authorized or required, he is authorized to use any surplus revenues, from time to time, in the Treasury not otherwise appropriated, and to issue, sell, and dispose of, at not less than par in coin, either of the descriptions of bonds of the United States described in the act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt," with like qualities, privileges, and exemptions, to the extent necessary to carry this act into full effect, and to use the proceeds thereof for the purposes aforesaid.

The act authorized the sale of bonds to redeem, in coin, the Treasury notes then (on the 1st of January, 1879) outstanding, and none other.

THERE IS NOT A SHADOW OF AUTHORITY

in the resumption act, or any other act of Congress, to authorize the Secretary of the Treasury to sell bonds and buy gold with which to redeem the Treasury notes issued under the act of 1890. There is no alternative for the Treasury Department but to use silver dollars to redeem Treasury notes, unless there is gold in the Treasury to enable the Secretary to exercise his discretion. With five hundred millions of silver coin and silver bullion awaiting coinage, and 54,000,000 ounces of silver to be accumulated annually, it is hardly possible that the Secretary of the Treasury will be able to avoid the use of silver for the purpose of redemption as contemplated by the act of 1890.

The President informs us that certain powers exist in the Treasury Department, and certain assurances have been given, but

HE IS NOT VERY EXPLICIT

as to what assurances have been given, or what powers are to be exercised to maintain the parity in the use of coined dollars and their paper representatives. He says:

Under existing legislation it is in the power of the Treasury Department to maintain that essential condition of national finance as well as of commercial prosperity—the parity in use of the coin dollars and their paper representatives. The assurance that these powers would be freely and unhesitatingly used has done much to produce and sustain favorable business legislation.

IT WOULD BE INTERESTING TO KNOW

what these assurances were and what powers are to be freely and unhesitatingly used. The President is too good a lawyer to contend that a law authorizing the sale of bonds to buy coin to redeem greenbacks outstanding in January, 1879, would furnish authority for the sale of bonds to buy gold to redeem Treasury notes issued under the act of 1890. If he had not expressly declared in his message that free coinage of silver would be disastrous it would be reasonable to suppose that the assurances given would be a return to bimetallic coinage,

THE ONLY METHOD BY WHICH THE PARITY OF THE TWO METALS

has been or can be maintained. There is no danger of a silver basis if gold and silver are coined, as formerly, upon the same terms and conditions without discrimination against either. I submit, however, to the advocates of the gold standard if the purchase of four and a half million ounces of silver per month, which, deducting the silver used in the arts, is more than the American product, may not in time

DESTROY THE GOLD STANDARD IN THIS COUNTRY?

If the gold advocates continue to denounce coined silver dollars as 75-cent dollars, and the holders of Treasury notes are compelled to take such dollars in redemption and can get none other, may it not endanger the parity between coined gold and silver dollars and increase the disparity of the two metals?

There is no middle ground. The money of ultimate redemption, which forms the basis of circulation and credit, must be limited and determined as to amount by gold or by silver, or by the aggregate of both.

THE MONEY FUNCTION PERFORMED BY THE PRECIOUS METALS

is a limitation of quantity. From time immemorial, previous to the demonetization of silver, the basis of the world's money and credit was the aggregate of the two metals combined. The attempt to discard silver and use gold alone has been disastrous. The Secretary of the Treasury never uttered a more obvious truth than when he informed the bankers of New York that

THERE IS NOT GOLD ENOUGH FOR USE AS MONEY.

If he had told them the whole truth, he would have informed them that there is no possibility of increasing the metallic money of the world except by the restoration of silver to the place it occupied as a money metal prior to 1873. Silver can not supplement gold as money of ultimate redemption, so long as the Government speculates in it as a commodity and denies it free coinage at the mint.

The President has a proper regard for the producers and laborers, and expresses his concern for them in unmistakable terms. He says:

> The producers of the country, its farmers and laborers, have the highest interest that every dollar, paper or coin, issued by the Government, shall be as good as any other. If there is one less valuable than another, its sure and constant errand will be to pay them for their toil and for their crops. The money-lender will protect himself by stipulating for payment in gold, but the laborer has never been able to do that.

It is true that the laborers and producers are overmatched by the cunning and avarice of money-lenders, and are compelled to submit to usurious contracts. But when the Government combines with the exploiters in money, the situation of the farmers and laborers is deplorable. It was the Government that reduced the volume of real money of ultimate redemption about one-half by demonetizing silver, and by that means

DEPRECIATED THE PRICE OF PROPERTY AND LABOR

in a corresponding ratio. Congress, however, never changed the contract with the bondholders from a contract payable in either gold or silver to a contract payable in gold alone. The executive department, without the authority of Congress, has done this.

Every obligation of the Government is and always has been payable in silver coin, but the Treasury Department has refused to pay in such coin. That Department ever since the close of the war has maintained that silver was not good enough for the bondholder, although greenbacks

WERE CONSIDERED GOOD ENOUGH FOR THE SOLDIER

who fought the battles of the Union. If the Treasury Department would make no discrimination in the use of gold and silver in the payment of national obligations, who would be the first to receive the despised silver coin, the bondholder or the laborer? It is the fault of the Government, and particularly the administration of the Treasury Department, if the cheap greenbacks were paid to the soldier, while the dear gold dollars were paid to the rich money-lender; it is the fault of the Treasury Department if the best money is paid to the bondholder and a depreciated currency paid to the laborer.

The producers, laborers, and farmers of this country are willing to accept silver, provided the Government will treat it as money equally with gold. They knew no difference between gold and silver coin until

THE GOVERNMENT MADE WAR ON SILVER

and deprived it of its money functions.

I am glad that the President is in favor of a larger use of silver, but I can not concur in the means proposed by him to accomplish that end. He says:

> There is, however, I am sure, a growing sentiment in Europe in favor of a larger use of silver, and I know of no more effectual way of promoting this sentiment than by accumulating gold here. A scarcity of gold in the European reserves will be the most persuasive argument for the use of silver.

In other words, the President proposes to take the gold away from Europe until her reserves will be so scarce as to compel her to use silver or suffer bankruptcy. It would have been interesting

IF THE PRESIDENT HAD SUGGESTED

how we are to accumulate gold. Since silver was demonetized, and the producers of this country compelled to buy gold with which to pay obligations contracted to be paid in either silver, gold, or paper, the people have been burdened almost beyond endurance. They have been compelled to sell their wheat, cotton, and other farm products at from 30 to 40 per cent discount to buy gold, because the Government would not allow them to pay their debts in any other kind of money, no matter what the contract stipulated for.

THE PRESIDENT NOW RECOMMENDS THE CONTINUANCE

of this sacrifice on the part of the producers until the moneyed institutions of Europe are deprived of their gold reserves and required to use silver. He must know that if we buy gold until we deprive Europe of her reserve we must give more for gold than anybody else will give or we can not get it. We must sell wheat, cotton, and other farm products cheaper than they can be procured in Europe, Asia, Africa, or any other part of the world to buy gold enough to ruin the Rothschilds and the other money kings of Europe.

Is the President aware that European money-lenders have a call on this country for several thousand millions, and that if gold is the only money to be paid bondholders the money kings of Europe

CAN CALL ON US AT ANY TIME

for a vast amount of gold? Does he not remember that last spring, in consequence of the failure of the Barings, the reserves of gold in Europe became short, and that our European creditors drew on us for about $75,000,000 of gold to increase their reserves? Does he not know that they have the power to continue that process almost indefinitely, certainly until they have collected the thousands of millions which we owe them?

The President ought to consider that the rejection of silver as real money eighteen years ago contracted the basis of circulation and credit nearly one-half and reduced the price of property and services enormously:

THAT FARMS IN ENGLAND AND AMERICA,

unaffected by emigration, have depreciated in value from 40 to 50 per cent; and that the failure of the Barings disclosed the fact that the reserves of the moneyed institutions of the world were altogether insufficient to sustain the present fabric of business and credit. Every moneyed institution in the world since that failure has been struggling to buy gold to increase its reserves and avoid bankruptcy. If no other means could be devised to stop contraction, furnish more money, revive business, and produce prosperity, it might be necessary to test the question whether Europe or the United States would first be forced into bankruptcy in a contest to accumulate gold.

Why should we want gold scarce in Europe? If it is scarce there it will be dear. Europe is the market where we sell our farm products and buy gold.

IF GOLD IS SCARCE AND DEAR WHERE WE BUY,

it will take more products to acquire a given amount of it than it would if it were plentiful and cheap, and we must sell our wheat and cotton cheaper than we otherwise would. Would it be a calamity if some of our gold should go to Europe and make money plentiful there if we had silver in its place? Would we not get more gold for our wheat and cotton than we would if gold were scarce in Europe?

I DIFFER WITH THE PRESIDENT.

I would not attempt to accumulate gold at the enormous sacrifice which our farmers would be compelled to make by being forced to sell their products cheaper than Asiatics or Europeans. The Secretary of the Treasury, Mr. Foster, diagnosed the case correctly and pointed out the root of the evil with which the commercial world must contend, when he stated that there is not gold enough for use as money. It can not be shown that if silver were remonetized by free coinage, and added to gold, there would be too much of both metals for use as money. Previous to the demonetization of silver, when gold and silver were practically one money,

THERE WAS NOT TOO MUCH REAL MONEY IN THE WORLD.

Since that time the aggregate product of gold and silver of the world has been barely sufficient to keep pace with population and business. It was governmental action which reduced the basis of circulation and of credit to the insufficient supply of gold. That governmental action must be reversed and silver restored before the productive forces of the civilized world can be vitalized and put in motion.

WHILE FREE AND UNLIMITED BIMETALLIC COINAGE

is the only remedy for the financial troubles of the commercial world, still the Treasury Department can do much to advance the cause of honest money. Why not adopt the policy of France? Although France has stopped silver coinage, yet she does not seek to degrade the silver coin which is circulating among the people. More than half the silver coin in Europe is circulating in France on a par with gold, a full legal tender at the ratio of 15½ to 1. Every obligation of France is payable in silver or gold coin, at the option of the Government. France pays her creditors in either gold or silver, whichever is most convenient for the Government. Every obligation of the United States is also payable in either gold or silver coin, but the Secretary of the Treasury

PAYS IN GOLD AT ALL HAZARDS,

notwithstanding he has plenty of silver at his disposal. The result is that the people of France believe in silver; their confidence in the white metal is not destroyed. But the people of the United States are told by high officials that our standard silver dollar is a 75-cent dollar.

By the agreement of November, 1885, between the nations forming the Latin Union, namely, France, Italy, Greece, Belgium, and Switzerland, each member thereof was bound to redeem its silver coin which might be held by any other of the contracting powers at the expiration of five years, upon receiving one year's notice.

NONE OF THE CONTRACTING POWERS GAVE THE NOTICE.

The gold-standard contractionists of France insisted that the Government should give the notice and require the other members of the union to take their silver and pay gold for it at the rate of $1.33 per ounce. In 1890, when the time expired, France held of the coin of the other contracting powers over 600,000,000 francs, which she was at liberty to compel Italy, Greece, Belgium, and Switzerland to take at $1.33 an ounce. She did not give the

notice or require the other members of the union to redeem their silver. Why did she not dispose of her silver? Simply because

SHE WAS UNWILLING TO DEGRADE SILVER.

Any person holding an obligation against France must take either gold or silver, as the Government may determine. She keeps her reserves of gold and silver about equal. Even Germany, who first followed the United States in demonetizing silver, pays her creditors in either silver or gold, at the option of the Government.

England retains her gold by raising the rate of interest. The Treasury Department of the United States, however, concedes that silver is not good money for bondholders, and even suggests the purchase of gold to redeem Treasury notes issued under the act of 1890.

MY ADVICE TO THE SECRETARY OF THE TREASURY IS

to do the best he can for the Government; to pay the creditors of the Government in any money stipulated in the contract, and to cease discriminating in favor of the bondholders against the people.

It may be asked, who are the parties interested in degrading silver to a commodity? That question is easily answered.

They are two powerful classes who have their principal place of business in London. One class desires cheap silver for the purpose of speculating in Asiatic products. The purchasing power of silver in Asia is about the same that it was before it was demonetized in the western world. Dealers in Asiatic products

BUY CHEAP SILVER IN THE UNITED STATES,

coin it into rupees or other Asiatic money, and sell it at par in exchange for Asiatic products. This powerful class of middlemen have made hundreds of millions by the purchase of cheap silver in the United States for use as money in Asia. They enjoy a similar harvest to that gathered by the merchants of San Francisco during the war. Those merchants purchased goods for greenbacks and sold them on the Pacific coast for gold, and pocketed the difference. The dealers in Asiatic products buy silver at from 30 to 40 per cent discount, sell it in Asia at par, and make the difference.

The other class of persons who are interested in depressing silver are investors in bonds and securities,

WHO DESIRE COLLECTIONS IN DEAR MONEY.

The money kings of Europe have invested in the United States several thousand millions. The great banks of New York are investors and collectors on foreign account. They take orders from their European employers. They give directions to country banks, which are never disobeyed. The business community is required by the banking fraternity, as a condition of accommodation, to adopt the same financial policy which they advocate. The press follows the banks and the merchants. The Treasury Department, through the banking fraternity, receives orders from London, which it seldom disobeys. The people of the United States who owe thousands of millions to European investors are the victims. While dear money and cheap property are disastrous to the producers it is a golden harvest for their creditors.

I REGRET THAT THE SECRETARY OF THE TREASURY

feels called upon at any time to visit New York or take orders in any form from the agents of foreign investors. I would like to see him independent, acting in the interest of the people of the United States, as the Bank of France acts for France, the Bank of Berlin for Germany, or the Bank of England for Great Britain.

THE MODE OF MANIPULATION

adopted by these two classes to depress the price of silver is novel. India is required to pay annually, at the Bank of England, 880,000,000 for interest on her public debt. This interest is collected by the issuance of council bills by the Bank of England, which are drafts on India payable in silver rupees. It must be remembered that they are payable in India; nowhere else. These bills are sold on the London market to the highest bidder and bought by persons who wish to make remittances to India for cotton, jute, wheat, or any other commodity. In the ordinary course of business about $2,500,000 of these bills are sold each week. But in case it suits the convenience of speculators in Indian products and of investors in bonds to depress the price of silver, it is only necessary to sell more council bills than the market requires. If a million or two of them beyond the requirements of the market for remittance are sold, their price goes down, and with it the price of silver declines, because these bills are orders for silver.

WHEN SILVER WENT TO $1.21 AN OUNCE

it was the boast of the financial manager for India that he sold council bills several weeks in advance and broke the market for silver. By this method the Bank of England is enabled to sell silver "short" without the necessity of filling its "shorts;" because these bills are payable only in India, and if more of them are sold than are required for remittance to that country they must decline in the market. Why should we be subject to this manipulation? There have been

NO MORE GOLD AND SILVER PRODUCED

since 1850 than were required for monetary purposes. From 1840 to 1850 the annual supply of gold and silver of the world did not exceed $40,000,000. There was a sudden increase after the discovery of gold in California. In 1851 the world's product was $107,000,000. The discovery of gold in Australia increased the annual output to nearly $190,000,000. This wonderful addition to the supply of the precious metals was not a disaster, but a blessing. From that time onward the combined product of the two metals has been constant, with a gradual increase, until now the world's annual output of gold and silver has reached about $250,000,000. The supply of gold and silver, if both metals had been used as money, would have been sufficient to keep pace with the increase of population and business, and would have furnished a basis for circulation and credit that would have continued the prosperity which was inaugurated by the wonderful discoveries in California and Australia in 1848 and 1852. But the rejection of silver has practically cut off the supply of the precious metals for the creation of new money. A money famine has been inaugurated, not by the exhaustion of the mines, but by the exploiters in money to gratify the avarice of speculators and bondholders.

The objector says that free coinage in this country

WOULD FLOOD THE UNITED STATES

with the silver of the world. This assertion is made without the slightest evidence. In the first place, there has been no silver produced to create an oversupply. On the contrary, the production of the two metals has been barely sufficient for monetary purposes. Previous to 1890 the entire product of the silver of the world was annually consumed. The first accumulation of bullion which occurred after the demonetization of silver was the small amount bought in New York on speculation in anticipation of a rise in price on account of Congressional legislation.

THAT AMOUNT HAS NEARLY ALL DISAPPEARED.

Only about three or four millions of it are left. Under the present law we buy twice as much silver as we did under the Bland act. The Asiatic demand has fallen off on account of poor crops in that country and by reason of the manipulation of the middlemen by the use of council bills and other devices to depress the price. No silver can return from Asia. The exports from that country exceed the imports, and there is no occasion for it to part with either silver or gold.

The only cheap silver in the world is the three or four millions in this country in the shape of bullion. Every country in the world, except Mexico, puts more silver in its legal-tender silver money than we do; that is, they put more silver in their silver coin in proportion to gold than is contained in the standard dollar.

IT IS ALLEGED THAT EUROPE

would send her silver here in case of free coinage. The entire amount of silver coin in Europe does not exceed $1,100,000,000, and over $700,000,000 of that amount are in France. No other country of Europe could spare any; they are already deficient in their silver. Germany stopped selling silver fifteen years ago on account of the clamor of the people, and has since kept all the silver she then had. France certainly will not sell her silver, because if she desired to do so she already has the privilege of disposing of over 600,000,000 francs of the coin of Italy, Greece, Belgium, and Switzerland, which she has in her possession. She has the right to compel those countries to take these 600,000,000 francs and

PAY IN GOLD AT THE RATE OF $1.33 AN OUNCE.

But she does not do it. The reason assigned by her financiers for not selling her foreign silver coin is that it would degrade and depreciate silver, which is largely held by the people, destroy confidence, and produce financial disorder. If, then, she would not sell her silver in Europe for $1.33 an ounce, is it probable that she would ship it to the United States, in case of free coinage, and sell it to us at $1.2929?

Another objection urged against free coinage is the erroneous assumption that it would give the silver miners

MORE THAN THE MARKET VALUE FOR THEIR PRODUCT.

The discovery and development of the gold and silver mines of the West furnished the basis for credit which made it possible to prosecute the war and preserve the Union. Mining for the precious metals laid the foundation for all the States and Territories west of Kansas, furnished employment to hundreds of thousands of industrious citizens, provided a market for the commodities of all the States, contributed largely to the revenues of the Government by the consumption of foreign products paying heavy duties, bound the two oceans by several continental rai

roads, built numerous towns and cities, and converted the vast region which fifty years ago the geographer marked as the Great American Desert into fertile fields and happy homes.

The discovery and development of silver mines at the critical time when the yield of gold was declining rejoiced the hearts of the American people and held out to them

THE PROMISE OF CONTINUED PROSPERITY.

Silver had been used as money from prehistoric times. It was the money of the Constitution and laws of the United States. Europe was flooded with literature to show that it was a more reliable, safer, and better money metal than gold. A generation of hardy pioneers had expended their energies and exhausted their fortunes in the discovery and development of silver mines which were found in every State and Territory between the Pacific Ocean and the eastern slope of the Rocky Mountains.

Under these circumstances the United States, a debtor nation, and the greatest producer of silver, inaugurated the legislation

WHICH REJECTED SILVER AS A MONEY METAL.

The price of silver immediately thereafter declined, and thousands of silver-mine owners were ruined by the depreciation of their property. The discount on silver produced from the mines that would pay to work, notwithstanding the decline of the price of silver, has amounted to more than $150,000,000. Over $70,000,000 of this discount has been paid into the Treasury of the United States by the difference between the market price at which the Government bought silver and the coined value at which it was issued in standard dollars or their representatives.

FREE COINAGE WOULD RESTORE SILVER

as a money metal for all the people, but it would not give the mine owner more than the market value for his silver. If 412½ grains of standard silver could, as formerly, be exchanged at the Mint for a dollar, the market price of that quantity of silver would, as formerly, be just one dollar. There is no difference between the mint value and the market value of gold. The same was true of silver before it was demonetized, and it would be true again under free coinage.

All that is necessary to establish free coinage is an act of Congress opening the mints of the United States to silver upon the same terms and conditions that apply to gold. We know from the experience of thousands of years that such legislation would restore the parity between the two metals and maintain it. Why should we not do it? Why should this country be governed by orders from European investors and bondholders?

WHY SHOULD WE NOT HAVE AN INDEPENDENT FINANCIAL POLICY?

The manipulators of Asiatic products and the creditors who desire dear money—dearer than the money of the contract—know full well that free coinage in this country would break the corner they hold on the money of the world; enhance the value of farm products equally with silver, and restore prosperity to the United States. Why should our farmers be compelled to produce wheat, cotton, and other farm products on a gold basis and sell in competition with Asiatics who use cheaper money? Why should the middlemen of London be allowed to buy cheap silver in this country, coin it into rupees, and sell it at par in India and make the difference?

THE SILVER QUESTION CAN NOT BE IGNORED.

If we continue to disparage silver while the law compels redemption of Treasury notes in standard dollars, we will produce disaster. The amount of silver that we have and that which we are accumulating under existing law make it a necessity that this Government shall see to it that silver is not a commodity to be depressed at the pleasure of English manipulators.

THE EFFORT TO MAKE ONE DOLLAR AS GOOD AS ANOTHER

by redeeming silver dollars in gold dollars can not succeed. It is gratifying to know that we have a law on the statute book which makes it unlawful to attempt it. The country must know sooner or later that every Treasury note that is issued is liable to be redeemed in silver. The Treasury Department has had it in its power to refuse to use the white metal as money in the payment of the national debt. It can not refuse to pay out silver in redemption, because it will be impossible under existing statutes to obtain sufficient gold with which to redeem these Treasury notes. In this situation is it not better to meet the question squarely? Open the mints to free coinage; make silver equal to gold. It is impossible to get too much silver.

THE FINANCE COMMITTEE OF THE SENATE

at the last session reported in favor of an increase of the circulating medium to the extent of over $200,000,000 by the issuance of 2 per cent bonds to be taken up by the banks dollar for dollar. They declared that we needed that much addition to our circulating medium. The law of 1890, requiring the purchase of four and a half million ounces of silver bullion per month, was then in force. This proposed increase of $200,000,000 was in addition to the silver purchases now required by law. Every person acquainted with the circumstances knows that it would take years to obtain two hundred millions of silver in addition to our present purchases.

THERE IS NOT THE SLIGHTEST DANGER OF A FLOOD OF SILVER;

there is no place from whence it could come; there is no possibility of getting more of it than the country needs for its growing population. Why should we not treat silver as real money and thus become the clearing house of the world, not the dumping ground for cheap silver? In that event there would be no cheap silver.

I APPEAL TO EVERY PATRIOTIC AMERICAN CITIZEN

to aid in the establishment of an independent financial policy for this country; to disregard London speculators in Asiatic farm products and European investors in American securities. We require more money; we need to enlarge the basis of circulation and credit, which can only be done by supplementing gold with silver; it can be brought about only by returning to the money of the Constitution—gold and silver coin. Free coinage of both metals has been tried for thousands of years; it is no experiment. The demonetization of silver has proved disastrous. After thousands of years of experience with the use of both of the precious metals as money, the possessors of fixed capital had no right to meddle with the standards.

When the mines were unproductive the people had to submit to the evils which always resulted from a scanty supply of money. The history of the world shows that the automatic theory of money, which is the regulation of the volume by the supply of the precious metals, has always worked well when the mines were productive. Every civilization which has appeared from the dawn of history until now

HAS GROWN AND DEVELOPED WITH PRODUCTIVE MINES,

and declined when they were exhausted. When the mines of Nubia were productive, Egypt prospered; when the Ural and other mountains of Asia poured forth their treasure the Israelites, the Babylonians, the Persians, and the Phœnecians maintained civilization; when the mountains of Thrace were large producers of gold and silver Greece was the university of the learning, the art, and the science of the world; when the mountains of Spain were overturned in mining for gold and silver the legions of Rome conquered the world.

BUT WHEN THE MINES WERE EXHAUSTED

then came the Dark Ages. At the time of Augustus, according to Jacob and Gibbon, there were in circulation in ancient Rome from eighteen hundred to two thousand million dollars of gold and silver coin, besides a vast accumulation of plate and ornament. In fourteen hundred years of gloom and despair, caused by the want of money,

THE STOCK OF PRECIOUS METALS WAS REDUCED

to less than one hundred millions. The revival of civilization waited for the discovery of gold and silver in Mexico and South America, which reanimated mining throughout the world and created modern civilization. For three hundred years the supply was constant and uninterrupted, and civilization progressed.

The Spanish-American wars reduced the supply of the precious metals for a time. Between 1810 and 1840 a money famine paralyzed the energies of the civilized world. The entire annual product of gold and silver of the world during that period did not exceed $30,000,000. A slight increase from the mines of Russia from 1840 to 1850 raised the annual supply to about $40,000,000. Then came the marvelous discoveries in California and Australia. New life was infused into commerce and enterprise, and wealth and prosperity followed. Since that time the quantity of the two metals has been sufficient to furnish a basis for continued prosperity.

But the dealers in bonds, possessors of fixed incomes, and speculators in Asiatic products

HAVE CONSPIRED TO DEPRIVE THE WORLD OF THIS HERITAGE.

This time it was not the failure of the mines but the legislation and administration of the most enlightened nations on earth which deprived one of the precious metals of its money quality and produced stagnation, hard times, and bankruptcy. The United States, a debtor nation, and the largest producer of silver, led in this legislation, doubled her indebtedness by the enhanced value of money, and deprived herself of the means of payment stipulated in the contract.

THE QUESTION NOW IS,

shall this money famine inaugurated by legislation be continued? Shall the corner which the money kings of the world hold on the circulating medium be maintained? Shall prices continue to decline and money advance in value, or shall we retrace our steps, rehabilitate silver, endow it with all the attributes which it possessed before it was demonetized, place it alongside of gold, double the basis of circulation and credit, and relieve this generation of the evil effects of a money famine?

Let no politician be deceived. The question of the restoration of silver can not rest until it is settled. "Unsettled questions have no pity for the repose of mankind." Political parties and private gain count for nothing when weighed in the balance against the prosperity of the people.

I appeal to the advocates of gold: Change your policy; do right; allow the country to prosper; it will not injure you. You have gathered your harvest by the enhanced value of money. Further contraction is dangerous. You will lose more by the bankruptcy and failure of your debtors than you can extort from them by further increasing the value of money. I appeal to Congress

TO MAKE EVERY DOLLAR EQUAL TO EVERY OTHER DOLLAR

by the only method possible—free and unlimited coinage of both of the precious metals. Treat gold and silver alike, and the value of all your coined dollars will be equal; the uncoined metals, gold and silver, will be equal to each other at the ratio of 16 to 1. Give back the money of the Constitution; restore to the people the rich heritage reserved for them in the mines of gold and silver which they have discovered and developed.

Mr. MORRILL. Mr. President, I desire to take the floor on the bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes, introduced by the Senator from Nevada [Mr. STEWART], and now on the table, for the purpose of making some remarks thereon at the earliest opportunity, perhaps on Monday next, or, if the Senate should not be in session then, immediately after the holiday recess.

EXECUTIVE SESSION.

Mr. CULLOM. The Senator from Vermont [Mr. MORRILL] holding the floor, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-two minutes spent in executive session the doors were reopened.

COMMITTEE ON THE UNIVERSITY OF THE UNITED STATES.

Mr. RANSOM, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, reported it without amendment, and it was considered by unanimous consent and agreed to:

Resolved, That the Select Committee to Establish the University of the United States be, and it hereby is, authorized to employ a clerk during the sessions of the Senate, said clerk to be paid the usual per diem salary from the contingent fund of the Senate.

ADJOURNMENT TO MONDAY.

Mr. ALLISON. I move that the Senate do now adjourn until Monday next.

The motion was agreed to; and (at 3 o'clock and 10 minutes p. m.) the Senate adjourned to Monday, December 21, 1891, at 12 o'clock m.

NOMINATION.

Executive nomination received by the Senate December 17, 1891.

Stephen B. Elkins, of West Virginia, to be Secretary of War, vice Redfield Proctor, resigned.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 19, 1891.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of Wednesday's proceedings was read and approved.

ADJOURNMENT OVER THE HOLIDAYS.

Mr. McMILLIN. Mr. Speaker, I offer the following concurrent resolution for present consideration.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Wednesday, the 23d day of December, 1891, they stand adjourned until Tuesday, January 5, 1892.

The resolution was adopted.

INVENTORY OF THE DOORKEEPER.

The SPEAKER laid before the House a communication from the Doorkeeper, transmitting an inventory of the books, maps, and pamphlets in the folding room of the House of Representatives December 7, 1891; which was referred to the Committee on Accounts, and ordered to be printed.

WITHDRAWAL OF PAPERS.

Mr. ENOCHS obtained unanimous consent to withdraw from the files of the House the papers accompanying the bill H. R. 5156, of the Fifty-first Congress, for the relief of Henry King.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. BABBITT, until January 5, 1892.

To Mr. BRANCH, for five days, on account of important business.

To Mr. BUSHNELL, until January 5, on account of important business.

To Mr. BUNN, for one week, on account of sickness.

To Mr. COWLES, for one week, on account of sickness.

To Mr. GRADY, for five days, on account of important business.

To Mr. PAGE of Rhode Island, until January 4, 1892, on account of important business.

To Mr. KILGORE, for twenty days, on account of sickness in his family.

To Mr. WILLIAMS of North Carolina, for one week, on account of important business.

To Mr. CATE, indefinitely, on account of important business.

To Mr. FERRY, indefinitely, on account of important business.

HOUSE COMMITTEES.

Mr. McMILLIN. Mr. Speaker, I desire to make the report from the Committee on Rules which I send to the desk.

The Clerk read as follows:

The Committee on Rules, to whom were referred the rules of the House of Representatives of the Fiftieth Congress, make the following report:

1. Unless otherwise specially ordered by the House, the Speaker shall appoint, at the commencement of each Congress, the following standing committees, viz:

On Elections, to consist of fifteen members.
On Ways and Means, to consist of fifteen members.
On Appropriations, to consist of fifteen members.
On Judiciary, to consist of fifteen members.
On Banking and Currency, to consist of thirteen members.
On Coinage, Weights, and Measures, to consist of thirteen members.
On Interstate and Foreign Commerce, to consist of fifteen members.
On Rivers and Harbors, to consist of fifteen members.
On the Merchant Marine and Fisheries, to consist of thirteen members.
On Agriculture, to consist of fifteen members.
On Foreign Affairs, to consist of thirteen members.
On Military Affairs, to consist of thirteen members.
On Naval Affairs, to consist of thirteen members.
On the Post-Office and Post-Roads, to consist of fifteen members.
On the Public Lands, to consist of thirteen members.
On Indian Affairs, to consist of thirteen members.
On the Territories, to consist of thirteen members.
On Railways and Canals, to consist of thirteen members.
On Manufactures, to consist of eleven members.
On Mines and Mining, to consist of thirteen members.
On Public Buildings and Grounds, to consist of thirteen members.
On Pacific Railroads, to consist of thirteen members.
On Levees and Improvement of the Mississippi River, to consist of thirteen members.
On Education, to consist of thirteen members.
On Labor, to consist of thirteen members.
On the Militia, to consist of thirteen members.
On Patents, to consist of thirteen members.
On Invalid Pensions, to consist of fifteen members.
On Pensions, to consist of thirteen members.
On Claims, to consist of fifteen members.
On War Claims, to consist of thirteen members.
On Private Land Claims, to consist of thirteen members.
On the District of Columbia, to consist of thirteen members.
On Revision of the Laws, to consist of thirteen members.
On Expenditures in the State Department, to consist of seven members.
On Expenditures in the Treasury Department, to consist of seven members.
On Expenditures in the War Department, to consist of seven members.
On Expenditures in the Navy Department, to consist of seven members.
On Expenditures in the Post-Office Department, to consist of seven members.
On Expenditures in the Interior Department, to consist of seven members.
On Expenditures in the Department of Justice, to consist of seven members.
On Expenditures in the Department of Agriculture, to consist of seven members.
On Expenditures on Public Buildings, to consist of seven members.
On Rules, to consist of five members.
On Accounts, to consist of nine members.
On Mileage, to consist of five members.

Also the following joint standing committees, viz:

On the Library, to consist of three members.
On Printing, to consist of three members.
On Enrolled Bills, to consist of seven members.

2. He shall also appoint all select and conference committees which may be ordered by the House from time to time.

3. The first-named member of each committee shall be the chairman; and in his absence, or being excused by the House, the next-named member, and so on, as often as the case shall happen, unless the committee by a majority of its number elect a chairman; and in case of the death of a chairman it shall be the duty of the Speaker to appoint another.

4. The chairman shall appoint the clerk or clerks of his committee, subject to its approval, who shall be paid at the public expense, the House having first provided therefor.

Mr. McMILLIN. Mr. Speaker, before I make a brief statement to accompany the report just read I will report also the following order, which the Committee on Rules request to be made.

The Clerk read as follows:

The Committee on Rules recommend the following order:

The following select committees shall be appointed by the Speaker for the Fifty-second Congress:

On Reform in the Civil Service, to consist of thirteen members.
On Election of President, Vice-President, and Representatives in Congress, to consist of thirteen members.

On the Eleventh Census, to consist of thirteen members.
On Ventilation and Acoustics, to consist of seven members.
On Alcoholic Liquor Traffic, to consist of eleven members.
On Irrigation of Arid Lands in the United States, to consist of eleven members.
On Immigration and Naturalization, to consist of eleven members.
On the Quadro-Centennial of the Discovery of America, to consist of eleven members.

Mr. McMILLIN. Mr. Speaker, the meeting of the committee taking the action that has been reported to the House was such a short time before the House convened that it was impossible to make out the written statement which usually accompanies a report of a committee. However, a brief statement, verbally made, will, I suppose, be satisfactory to the House. There are some changes made both in the number composing the committees and as to the names of one or two of the committees. Heretofore the Committee on Ways and Means has consisted of thirteen members. The Committee on Rules recommend that it be increased to fifteen members. The reason for this is the fact that since the number was fixed at thirteen members there has been a very large increase of the membership of this House; and, considering that fact, in connection with the importance of the questions under the jurisdiction of that committee, the Committee on Rules thought it but proper to increase the membership to correspond with the number of other of the large and important committees of the House.

The Committee on Indian Depredation Claims is abolished, for the reason that there was passed by the last Congress an act submitting these claims to the courts, by which it is supposed justice will be obtained without further continuing the committee.

The Committee on the Quadro-Centennial celebration is increased from nine to eleven members. The Committee on Immigration is also increased from nine to eleven members. This is a question that is certainly of not diminishing importance, and the Committee on Rules thought it was well to increase its membership to eleven.

The name of one of the committees is changed in this: Heretofore the designation of one of the committees has been "the Committee on Commerce." That is changed, and the designation of "the Committee on Interstate and Foreign Commerce" was out of deference to the growing importance of the legislative questions that arise here concerning interstate commerce.

I believe the only other change that I deem it important to note is the method of succession to the chairmanship of a committee upon the death of a chairman. Heretofore it has been the custom for the second on a committee to succeed as a matter of right to the chairmanship. That continues except when the vacancy occurs by death. If a vacancy be occasioned by death then the Speaker designates who is to be chairman of the committee; but in case of a vacancy occurring in any other way the second on the committee succeeds to the chairmanship as heretofore. This, I believe, Mr. Speaker——

Mr. BRECKINRIDGE of Kentucky. If I may interrupt the gentleman, why is it that you make that distinction between the resignation and the death of a chairman? Because if a vacancy is caused by the resignation of a chairman he is as thoroughly not a member of the House as if he were dead.

Mr. McMILLIN. That is true. The committee thought this change giving the Speaker authority to designate the chairman of a committee in the case indicated would be very proper. The matter is one entirely for the decision of the House.

Mr. BRECKINRIDGE of Kentucky. I agree with the committee. I think it a good thing for the Speaker to designate the chairman of a committee where the vacancy is permanent; but I do not understand why such authority should be confined to a vacancy created by death. Why should not the authority extend as well to a vacancy occasioned by resignation—a vacancy equally permanent?

Mr. McMILLIN. I will say candidly that I do not myself see any reason why the Speaker should not make this designation in case of any permanent vacancy—a vacancy occasioned by a resignation, as well as one caused by death. If it is the desire of the House to so provide, our report can of course be amended in that respect. This, however, was an innovation——

Mr. BRECKINRIDGE of Kentucky. Would the committee object to such an amendment as I have indicated? I will not offer any amendment unless it be agreeable to the committee.

Mr. McMILLIN. The committee did not discuss the question whether the authority of the Speaker should be extended in the way the gentleman suggests; and having no knowledge as to what would be the view of other members of the committee on that subject, I do not feel authorized to attempt any expression of their wish. So far as I am individually concerned I should have no objection to the gentleman's suggestion. I will say to my friend from Kentucky that the reason I did not suggest such a thing was that even the proposition in its present form is an innovation upon the rules heretofore existing in this House; and as my friend knows, I am not very rapid in innovations.

I believe, Mr. Speaker, that the changes I have indicated are the only changes which have been recommended by the Committee on Rules. All the other committees heretofore existing, except some special investigating committees, will continue to exist under this proposition.

One word as to the question of jurisdiction. As will be observed by the House, the committee in this report has not undertaken to fix the jurisdiction of these several committees; that matter will be embraced in a subsequent report. But it is important that the Speaker should know as early as possible what committees are to be organized, so that the work of framing the committees may proceed.

Mr. SPRINGER. My friend from Tennessee will allow me to ask whether he will not consent to an amendment of the name of the committee which is to take charge of the subject of the Columbian Exposition. When that committee was formed in the last Congress no legal name had been given to that Exhibition. Since that time an act of Congress has designated the proposed exhibition as the "Columbian Exposition." I think the name of the committee should correspond with the legal designation of the enterprise. Will the gentleman agree to such an amendment? The name embraced in the report of the Committee on Rules is the "Committee on the Quadro-Centennial of the Discovery of America."

Mr. McMILLIN. I agree with Shakespeare, Mr. Speaker, in holding that there is nothing in a name—that "a rose by any other name would smell as sweet;" and so far as I am individually concerned—I can not speak for other members of the committee—there is no objection to the change which the gentleman proposes. It was suggested in the committee that the title embraced in our report was rather long. I suggested (if I may say so without improperly divulging the secrets of the committee) that I thought there would be no objection, where this Exhibition is to be located, to calling it the "Chicago Exposition." [Laughter.]

Mr. SPRINGER. I should object to that. What I desire is that we shall adopt the legal name—the Columbian Exposition. I ask unanimous consent for that purpose.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] asks unanimous consent to substitute the words "Columbian Exposition" for the words "Quadro-Centennial of the Discovery of America."

Mr. McMILLIN. Seriously, Mr. Speaker, I think the change suggested is a very proper one; and if it had been proposed in the committee I believe there would have been no objection to it, but that on the contrary it would have been adopted.

The SPEAKER. If there be no objection the amendment proposed will be made. The Chair hears no objection. The question is upon agreeing to the report of the Committee on Rules as amended.

The report was adopted.

PAY OF CONGRESSIONAL EMPLOYÉS.

Mr. SPRINGER. I desire to offer for present consideration the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (H. Res. 1) to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1891, on the 24th day of said month.

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employés of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1891, on the 24th day of said month.

Mr. SPRINGER. This does not increase any expenditure, but simply enables the employés of Congress to get their pay for the present month before Christmas. It is the customary resolution on this subject.

The resolution was read a first and second time, and ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

ADMINISTRATION OF PENSION BUREAU.

Mr. ENLOE. I offer a resolution for reference to the Committee on Rules.

The Clerk read as follows:

Whereas the Pension Bureau has become the most important Bureau in the Government by reason of the vast personal and pecuniary rights submitted to it for adjudication; and

Whereas it is alleged that certain employés of said Bureau did enter into a conspiracy against the public Treasury to rerate themselves and other persons in an irregular and illegal manner, which conspiracy did result in the removal of Commissioner Tanner; and

Whereas the Secretary of the Interior did afterwards cause an investigation to be made to ascertain the persons who were concerned in the rerating conspiracy, and did make a report to Congress submitting the result of his investigation; and

Whereas it is alleged that one Garrison, a file clerk in said Bureau, did at the time of said investigation take from the files and conceal the papers in the case of W. W. Dudley, late a Commissioner of Pensions, so that his name did not appear in the report of said investigation, although he was rerated prior to said report; and

Whereas it is alleged that the said Garrison has since been promoted by the Commissioner from a $1,200 to an $1,800 clerkship, with a knowledge of his conduct in this matter; and

Whereas Green B. Raum, a son of the Commissioner, has been compelled to tender his resignation in the face of charges that he has been engaged in selling the patronage of the Bureau; and

Whereas John Raum, another son of the Commissioner, has advertised through the public prints and otherwise that he is the son of the Commissioner, claiming special advantages in securing favorable action in the Pension Bureau; and

Whereas Green B. Raum, the Commissioner of Pensions, stands charged with granting official favors in exchange for personal and pecuniary favors; and

Whereas it is alleged that improper influences control the administration of said office, and that the special examiners' division, the completed files system, and the Board of Pension Appeals are made agencies for promoting personal, pecuniary, and political ends to such an extent that there is rank favoritism and unfair discrimination practiced in dealing with the soldiers, who are all equally entitled to consideration at the hands of the Bureau; and

Whereas it is believed that a thorough and searching investigation into the methods of administration which obtain in said Bureau will clear away the scandals which thicken about it, and secure an economical, just, and reputable administration of the same: Therefore,

Resolved, That a special committee of five be appointed by the Speaker to inquire concerning said charges, and all other matters relating to the conduct of the Commissioner in these matters, or to the administration of his office, which, in the judgment of said committee, may conduce to the honest, clean, just, economical, and efficient administration of said Bureau. Said committee is also authorized, in its discretion, to extend the investigation to the Board of Pension Appeals and its decisions. Said committee shall have power and authority to send for persons and papers, to administer oaths, to take testimony, and shall report its conclusions to this House.

The resolution was referred to the Committee on Rules.

SPECIAL HOUSE EMPLOYÉ.

Mr. OUTHWAITE offered a resolution; which was read, as follows:

Resolved, That John T. Chancey be continued in the service of this House as heretofore until otherwise ordered, and that he be paid as heretofore.

Mr. OUTHWAITE. This resolution provides simply for retaining in this House a special employé recommended by the minority. In the last House a similar resolution was adopted retaining a special employé on our side; and action of the same character has been taken in previous Congresses. I therefore ask the adoption of this resolution.

The resolution was adopted.

ADJOURNMENT OVER.

Mr. CATCHINGS. I move that when the House adjourns today it adjourn to meet on Wednesday next.

The motion was agreed to.

BUSINESS OF THE HOUSE NEXT WEDNESDAY.

Mr. CATCHINGS. I ask unanimous consent that when the House convenes on Wednesday next, no business shall be transacted except such as may relate to the resolution providing for a holiday recess, the swearing in of new members who may not previously have been qualified, and the appointment of committees.

The SPEAKER. The gentleman from Mississippi [Mr. CATCHINGS] asks unanimous consent for a general understanding that when the House meets on Wednesday next, no business shall be transacted except such as may relate to the concurrent resolution for the holiday recess of Congress, to the swearing in of new members who may then be present, and to the announcement of the committees by the Speaker.

Mr. HAYES. Would that preclude the introduction of bills? Why should not bills be introduced on that day for printing and reference?

Mr. CATCHINGS. The object of my proposition is to limit business on next Wednesday to that which I have indicated.

Mr. CARUTH. Bills can come in after the 1st of January.

The SPEAKER. Is there objection to the proposition of the gentleman from Mississippi [Mr. CATCHINGS]? The Chair hears none.

PAY OF CONGRESSIONAL EMPLOYÉS.

Mr. SPRINGER. I ask unanimous consent that the Clerk be instructed by the Speaker to enroll the joint resolution passed a few moments ago with reference to the pay of Congressional employés. Unless some provision of this kind be made, as we have not yet a Committee on Enrolled Bills, the resolution can not be enrolled for presentation to the other House and to the President.

The SPEAKER. In the absence of any rule on the subject, the Clerk will enroll the joint resolution referred to and transmit it to the Senate.

H. G. CLEMENT AND G. H. WATKINS.

Mr. STUMP presented a petition of H. G. Clement and G. H. Watkins, clerks in the folding room of the House, asking an allowance for extra work; which was referred to the Committee on Accounts.

DEATH OF HON. MELBOURNE H. FORD.

Mr. CHIPMAN. Mr. Speaker, in accordance with the request of the delegation from the State of Michigan, the duty devolves upon me to announce to this House the death, on the 21st day of April last, of Hon. Melbourne H. Ford, a Representative in Congress from the State of Michigan. He died very suddenly, in the fresh maturity of his very remarkable powers; and in his death the brilliant future, of which his past career gave promise, has been cut off. His obsequies were attended by a multitude of citizens of the thriving and beautiful city in which he resided, and by representative men not only from the State of Michigan but from other States of the Union.

This is not a proper occasion to enter upon a eulogy of Mr. Ford's career. He served in the Legislature of his State. He served on this floor, where he was known, respected, and beloved by many gentlemen who are members of the present Congress. I will content myself at present with simply and reverently announcing to the House the sad fact of his death, and on another occasion will ask that opportunity be given to members of this body who admired and loved him to pay tribute to his memory. I ask the adoption of the resolution which I send to the desk.

The Clerk read as follows:

Whereas the House has heard with profound sorrow of the death of Hon. Melbourne H. Ford, late a Representative from the State of Michigan: Therefore,

Resolved, That as a mark of respect to his memory the House do now adjourn.

Resolved, That the Clerk be directed to communicate this action to the Senate.

The resolutions were adopted; and, in accordance therewith, the House (at 12 o'clock and 37 minutes p. m.) adjourned until Wednesday next.

SENATE.

MONDAY, *December 21, 1891.*

The Chaplain, Rev. J. G BUTLER, D. D., offered the following prayer:

We worship Thee, the true and the living God, in whose hand is our life, whose are all our ways, against whom we have sinned. And yet we come with childlike confidence into the presence of our loving Father. We thank Thee for the light that comes from Thy throne penetrating the darkness of the grave. Fill us with faith in Thee, in Thy wisdom, in Thy power, in Thy love, in Thy mercy, as we gather beneath this dark cloud.

We can not understand Thee, O God. We believe that Thou art, we know that Thou art the rewarder of all of them that diligently seek Thee. Give us grace to walk obediently and humbly and trustingly and prayerfully before Thee, doing with all our might whatsoever our hands find to do, serving our generation faithfully, serving our God obediently and filially, that when the end shall come we may enter into rest.

Sanctify to these Thy servants this sad bereavement. Teach us heavenly wisdom. And hear us when we commend to Thee, O God, very tenderly Thine handmaiden in her solitude and sadness and overwhelming sorrow in her distant home. We bless Thee for her faith in Thee, and pray that Thou wilt sustain her, and comfort her, and give unto her Thy peace. Thou Judge of the widow and Father of the fatherless ones, O do Thou have these in Thy holy care and keeping. And help us that we may be strong in the day of battle, ever keeping our consciences right in the sight of God, that God's peace may keep our hearts and minds, that whenever the shaft of death may come we may be ready, ready to depart, and to be with Christ, which is far better.

Prepare us for the solemn service this day. Guide us by Thy divine counsel. Fill us with Thy good spirit. And finally, O God, when the joys and sorrows of life are ended, gather us where we shall part no more into the home—the Father's house. We ask it through Jesus, our Redeemer. Amen.

The VICE-PRESIDENT. The Journal of Thursday's proceedings will be read by the Secretary.

Mr. MANDERSON. Mr. President, I ask the unanimous consent of the Senate that the reading of the Journal of Thursday's proceedings be dispensed with.

The VICE-PRESIDENT. The reading of the Journal will be dispensed with in the absence of objection. The Chair hears no objection.

DEATH OF SENATOR PLUMB.

Mr. PEFFER. Mr. President, I esteem myself particularly unfortunate in that before I have been a member of this body long enough to have become familiar with even the dimensions of the Chamber in which we sit I am called upon to announce the death of my distinguished colleague, upon whose wonderful resources I had expected largely to rely.

Preston B. Plumb, a Senator from Kansas, died in this city yesterday at 10 minutes before 12 o'clock.

This is not the time nor the occasion to speak at length of the life and public services of the absent Senator. The dark drapery about the seat he so long occupied forcibly reminds his fel-

low members that they have lost one of their most active and industrious workers. His experience, his practical way of doing things, his sagacity, and his great powers of endurance, his constancy and faithfulness on duty, and his alertness in action, made him a conspicuous figure among the strong men of the nation.

But there are others who feel this bereavement more keenly than we, upon whom the blow has fallen with crushing weight. There is a home where this man was known as the world knew him not, a place where hearts are lacerated and bleeding, where a loving family will be glad, even in their grief, to receive at our hands what is left of the fond husband and father in whose life theirs were closely bound. To them there are at least two sources of consolation—one, that he fell while on duty at his post in the service of his country; the other, that there is a fountain of strength infinite in power and duration from which we all may draw in time of need.

At the proper time I will ask the Senate to name a day when we may pay tribute to our deceased brother in an appropriate manner.

And now, Mr. President, I offer the resolutions which I send to the desk and ask their adoption.

The VICE-PRESIDENT. The resolutions will be read by the Secretary.

The Secretary read the resolutions, as follows:

Resolved, That the sudden death of the Hon. Preston B. Plumb causes profound sorrow and deep regret to his associates in the Senate.

Resolved, That a committee of five Senators be appointed by the Vice-President to take order, with a committee of the House of Representatives, for superintending the funeral of the late Senator Plumb, and as a mark of respect for his memory that his body be removed from the capital to the State of Kansas in charge of the Sergeant-at-Arms, and attended by said committee, who shall have full power to carry this resolution into effect.

Resolved, That the Senate will, at 1 o'clock and 30 minutes p. m. to-day, attend in its Chamber the exercises incident to his funeral, and that these resolutions be communicated to the House of Representatives.

The VICE-PRESIDENT. The question is on agreeing to the resolutions.

The resolutions were agreed to unanimously; and the Vice-President appointed as the committee to represent the Senate under the second resolution, Messrs. PEFFER, DOLPH, PADDOCK, GORDON, and PALMER.

Mr. MANDERSON. Mr. President, I present a resolution and ask the unanimous consent of the Senate that it be now considered, and that the rule requiring that resolutions of this character shall be referred to the Committee to Audit and Control the Contingent Expenses of the Senate may be suspended for the purpose of considering it.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the contingent fund of the Senate, the necessary expenses of the funeral of Hon. Preston B. Plumb, of Kansas, upon vouchers to be approved by the committee appointed to take charge of the funeral arrangements.

The resolution was considered by unanimous consent, and agreed to.

RECESS.

Mr. SHERMAN. I move that the Senate take a recess until 1 o'clock.

The motion was agreed to; and (at 12 o'clock and 10 minutes p. m.) the Senate took a recess until 1 o'clock p. m.

FUNERAL OF SENATOR PLUMB.

The Senate reassembled at 1 o'clock p. m.

At 20 minutes past 1 o'clock the members of the House of Representatives, preceded by the Sergeant-at-Arms and Chief Clerk, and headed by the Speaker, entered the Senate Chamber. The Speaker was escorted to a seat at the right of the Vice-President, the Chief Clerk at the Secretary's desk, and the Sergeant-at-Arms on the right of the Vice-President's desk, and the members of the House were escorted to the seats on the floor provided for them.

They were soon followed by the Major-General commanding the Army, the diplomatic corps, the Chief Justice and associate justices of the Supreme Court of the United States, and the President and his Cabinet ministers, who were respectively escorted to the seats assigned them on the floor of the Senate Chamber.

At 1 o'clock and 40 minutes p. m. the casket containing the remains of the deceased Senator was brought into the Senate Chamber, preceded by the Chaplain of the Senate, and escorted by the committee of arrangements of the two Houses and pallbearers selected from the Capitol police.

The burial service of the Lutheran Church was read by the Chaplain, after which he read the poem entitled "Oh, To Be Ready," and offered the following prayer:

Let us pray. O Thou God of our life, we thank Thee that to-day we stand at the empty tomb. We bless Thee for a risen Saviour, for a reigning Lord, for a kingdom that shall survive death. We pray that this kingdom may be established in us and through us, and that grace may be given us so to walk in the obedience and love of God, in the faith of Christ, that we may be prepared to meet the last enemy and to fall asleep sweetly in Jesus.

We rejoice in Thee, O God, our covenant God, to whom we can come in every time of need. The strong and the true and the noble man has fallen. We bless Thee for a record of a faithful, useful life of service, and we thank Thee for the hope that gathers around the casket and the grave.

We commend to Thee very tenderly, O Lord, the stricken household to-day. Fulfill to Thine handmaiden and to these fatherless children all the precious promises of Thy Word, and cause even this dark providence to work together for their good.

We stand amid the mysteries of life and of death. We can not understand God. We rejoice that Thou art upon the throne, ruling and overruling, and we pray for grace, as we journey on through life's pilgrim way, meeting every day responsibilities, amid trial and anxiety and care, that the unseen hand may lead us; that the almighty arm may be round about us; that the love of God may fill our hearts, and that the peace of God, which passeth all understanding, may keep us in every time of trial.

Sanctify, we pray Thee, this bereavement to these, Thy servants, and grant, O God, that this great God-fearing Government, represented here to-day with the nations of the world, may ever stand for God and His Christ, for truth and righteousness, and that we may look forward to the triumph of that blessed Saviour who has come, the light of the world. Enlighten the nations and extend to them, we pray Thee, the blessed hope and the glorious faith which we so richly enjoy.

Bless us each one. Guide us by Thy counsel. Sanctify to us all Thy dealings. And we now commend to Thee these, Thy servants, who shall go with this precious dust. We pray Thee preserve them from accident and from all danger upon their journey and bring them again in peace. We ask these mercies, with forgiveness and grace, in the name of Christ, our Saviour. Amen.

The Chaplain then read from the service of the church at the grave, after which he read the poem entitled "Nearer Home," and pronounced the benediction.

The VICE-PRESIDENT. The Sergeant-at-Arms, under the direction of the committee, will execute the order of the Senate and escort the remains of the late Senator Plumb to his home in Kansas.

The casket was borne from the Chamber, and the Senate as a body attended the remains to the station.

The Senate returned to its Chamber at 2 o'clock and 57 minutes p. m., and the Vice-President resumed the chair.

Mr. ALLISON. I move that the Senate do now adjourn.

The motion was agreed to; and (at 2 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 22, 1891, at 12 o'clock m.

SENATE.

TUESDAY, *December 22, 1891.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM CALIFORNIA.

Mr. FELTON. I ask that the oath of office be administered to my colleague, Mr. Leland Stanford, a Senator elect from the State of California, whose credentials have heretofore been presented.

The VICE-PRESIDENT. The Senator elect will please come forward and receive the oath of office.

Mr. Stanford advanced to the Vice-President's desk, escorted by Mr. FELTON, and the oath prescribed by law having been administered to him he took his seat in the Senate.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Acting Secretary of War, transmitting, in response to a resolution of the 14th instant, a report from the Chief of Engineers in reference to the enforcement of the act of September 19, 1890, relating to the unlawful obstructions to the navigable waters of the United States; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting a memorial adopted by the constitutional convention of Arizona, requesting the survey of the lands in the limits of the grant in Arizona to the Atlantic

and Pacific Railroad Company, etc.; which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

REPORT OF BUREAU OF ANIMAL INDUSTRY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in compliance with law, the report of the operations of the Bureau of Animal Industry for the year 1891; which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the statehood convention of Oklahoma Territory, praying that a deficiency appropriation be made to complete the allotment of the Cheyenne and Arapahoe Indians and open that country for settlement in time for the settlers thereon to put in the early spring crop of 1892; which was referred to the Committee on Appropriations.

Mr. MORRILL presented the petition of Mrs. Jane Wilson, of New Berne, N. C., praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. SHERMAN presented a petition of 24 citizens of Lake County, Ohio, praying for various reforms in the postal service of the United States; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of 22 citizens of Ashtabula County, Ohio, praying for the enactment of a law levying an internal-revenue tax on compound lard; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Board of Trade of Los Angeles, Cal., praying for the passage of a bill to aid in the construction of the Nicaragua Canal; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Young Woman's Christian Union, of Toledo, Ohio, praying for the passage of a law looking to the closing of the World's Columbian Fair on Sunday and preventing the sale of intoxicating liquors on the fair grounds; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 76 citizens of New Concord, Ohio, a petition of the congregation of the United Presbyterian Church of Dalton, Ohio, and a petition of the Presbytery of the Reformed Presbyterian Church of Ohio, praying for legislation by Congress looking to the closing of the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of sundry citizens of Ohio, praying for the enactment of a law subjecting oleomargarine to the provisions of the laws of the several States; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of 21 citizens of Ohio, and a petition of 25 citizens of Clyde, Ohio, praying for the passage of a bill by Congress similar to House bill 5353 of the Fifty-first Congress, defining options and futures, etc.; which were referred to the Committee on Agriculture and Forestry.

Mr. WILSON presented a petition of 36 members of the United Presbyterian Church of Red Oak, Iowa, praying that an additional appropriation of $5,000,000 be made in aid of the World's Columbian Exposition on condition that the Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAVIS presented a petition of citizens of McLeod County, Minn., praying for the passage of the bill introduced in the House of Representatives by Mr. Butterworth, commonly known as the "option bill;" which was referred to the Committee on Agriculture and Forestry.

Mr. SAWYER presented a petition of the Milwaukee (Wis.) Chamber of Commerce, praying for the building of a revenue cutter to take the place of the Andrew Johnson; which was referred to the Committee on Appropriations.

He also presented a petition of Daniel J. Conkle, of Richland County, Wis., late a member of Company D, Eleventh Regiment Wisconsin Infantry, praying that the charge of desertion be removed from his military record; which was referred to the Committee on Military Affairs.

He also presented a petition of the Young People's Christian Endeavor Society of Oshkosh, Wis., praying that the World's Columbian Fair at Chicago be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. FRYE presented a petition of 55 citizens of Turner, Me., representing the Baptist and Methodist churches at that place, praying that a loan of $5,000,000 be made to the World's Columbian Exposition on condition that it shall be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the commandery of the Military Order of the Loyal Legion of the United States, praying that prompt and efficient action be taken for the defense of harbors and cities on the seaboard; which was referred to the Committee on Coast Defenses.

He also presented a petition of 40 citizens of Maine, praying for the passage of a bill to promote the efficiency of the Life-Saving Service by an increase of the salaries of the employés therein; which was referred to the Committee on Commerce.

He also presented a petition of 42 citizens of Portland, Me., praying that an appropriation be made to provide proper coast defenses for Portland Harbor and the city of Portland; which was referred to the Committee on Coast Defenses.

Mr. MANDERSON presented a petition of the Omaha Board of Trade, praying for legislation to create a permanent census bureau; which was referred to the Committee on the Census.

Mr. MANDERSON. I present resolutions adopted by the Military Order of the Loyal Legion of the United States for the State of Minnesota, urging that the Navy of the country be very largely increased, and that we have a navy sufficient in ships and armament to command and enforce the respect due the flag of this nation the world over. I move that the petition be referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. QUAY presented a petition of the congregation of the Eighth United Presbyterian Church of Allegheny, Pa.; a petition of the general assembly of the United Presbyterian Church of North America; a petition of William H. Lester and other citizens of West Alexander, Pa.; a petition of the Susquehanna Synod of the Evangelical Lutheran Church of Pennsylvania, and a petition of the Messiah Methodist Episcopal Church of Philadelphia, Pa., praying for the closing of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Society of Christian Endeavor of the Messiah Lutheran Church of Philadelphia, Pa., praying for the closing of the World's Columbian Exposition on Sunday, for the prevention of the sale of liquor within its gates, and for the management of the art department according to the American standard of purity; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 45 citizens of Bath, Me., praying for a conference of the governments of the world at the World's Columbian Exposition to devise measures for arbitration and an international court; which was referred to the Committee on Foreign Relations.

He also presented a petition of members of the United Presbyterian Church of Mount Chestnut, Pa., and a petition of the church members of White Oak Springs, Pa., praying for a loan by Congress to the World's Columbian Exposition only on condition that the Exposition shall be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented papers to accompany the bill (S. 894) authorizing the Secretary of War to cause a survey to be made for a ship canal connecting the waters of Lake Erie and the Ohio River; which were referred to the Committee on Commerce.

Mr. GALLINGER presented additional papers to accompany the bill granting an increase of pension to John W. Sturtevant; which were referred to the Committee on Military Affairs.

He also presented additional papers to accompany the bill to correct the military record and granting an honorable discharge to Patrick Larkin; which were referred to the Committee on Military Affairs.

He also presented additional papers to accompany the bill granting a pension to Ralph Waldo Nason; which were referred to the Committee on Pensions.

Mr. CULLOM presented the petition of Osborne Marcus Curtis, of Rock Island, Ill., praying for the exclusive use in the customs service after July 1, 1893, of the metric system of weights and measures authorized by the act of Congress approved July 28, 1866; which was referred to the Committee on Finance.

He also presented a petition of citizens of Kane, Kendall, and Du Page Counties, Ill., praying for the passage of a bill prohibiting dealings in options on agricultural products; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of Kane, Kendall, and Du Page Counties, Ill., praying for the passage of the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Concord Sunday school, of Sparta, Ill., praying for the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of members of the Episcopal Church of Champaign, Ill., praying that an appropriation of $5,000,000 be made in aid of the World's Columbian Fair conditional on the

closing of the Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Joseph W. Coppage, of Naples, Ill., praying for the correction of his military record; which was referred to the Committee on Military Affairs.

Mr. WASHBURN presented a memorial of the Legislature of Minnesota, praying that the anniversary of the discovery of America by Christopher Columbus be declared by law a day of national thanksgiving; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Legislature of Minnesota, praying for legislation to prevent the sale of options on agricultural products; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Chamber of Commerce of St. Paul, Minn., remonstrating against the creation of a forest reservation in the northern part of the State of Minnesota; which was referred to the Committee on Public Lands.

Mr. BARBOUR presented a petition of citizens of Accomack County, Va., praying for the consideration by Congress of a bill to promote the efficiency of the Life-Saving Service by increasing the salaries of employés therein; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Norfolk, Va., praying for the passage of the Senate bill to transfer the revenue marine to the naval establishment of the United States; which was referred to the Committee on Naval Affairs.

Mr. HALE presented the petition of George P. Wescott and other citizens of Portland, Me., praying that an appropriation be made to provide proper coast defenses for the protection of Portland and its harbor; which was referred to the Committee on Coast Defenses.

Mr. CAMERON presented the petition of F. S. Haines, Traill Green, and 44 other citizens of Easton, Pa., praying for the ratification by the United States of the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Young People's Society of Christian Endeavor, of East Canton, Pa., remonstrating against the World's Columbian Fair being opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Young People's Society of Christian Endeavor, of East Smithfield, Pa., remonstrating against the World's Columbian Exposition being opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented a petition of the General Assembly of Missouri, praying that an appropriation of $50,000 be made by Congress for a bridge over the Big North Fork of White River, in Douglas County, Mo.; which was referred to the Committee on Commerce.

He also presented a petition of ex-Union soldiers, praying for the removal of the sentence of court-martial against John M. Davis, late captain Company H, Sixty-third Illinois Infantry; which was referred to the Committee on Military Affairs.

Mr. CARLISLE (for Mr. MCPHERSON) presented the petition of Emory McClintock, president of the New York Mathematical Society, praying that the metric system of weights and measures be used in the customs service; which was referred to the Committee on Finance.

He also (for Mr. MCPHERSON) presented the memorial of J. H. Egbert and 38 other citizens of Belleville, N. J., and a memorial of 350 citizens of Flemington, N. J. (through a committee, Rev. George S. Mott, chairman), remonstrating against the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. WOLCOTT. I present a petition of the Trades and Labor Assembly of Denver, Colo., stating that it is the practice to allow enlisted soldiers of the regular Army who are not members of any labor organization to play in bands, and memorializing Congress to enact legislation to remedy this monstrous injustice. I move that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

REPORT OF MILITARY ACADEMY VISITORS.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following resolution, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That 2,500 additional copies of the annual report of the Board of Visitors to the United States Military Academy for the year 1891 be printed and bound in paper covers, 2,000 copies for the use of the Senate and 500 copies for the use of the Senate members of said board.

BILLS INTRODUCED.

Mr. HANSBROUGH introduced a bill (S. 1118) to provide for the adjustment of the salaries of fourth-class postmasters; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1119) for the relief of Hiram W. Love; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORRILL (by request) introduced a bill (S. 1120) for the relief of telegraph operators during the war of the rebellion; which was read twice by its title.

Mr. MORRILL. I ask that the bill be referred to the Committee on Post-Offices and Post-Roads.

Mr. COCKRELL. That subject has always gone to the Committee on Military Affairs heretofore. We have had it before that committee for the last fifteen years, I think.

Mr. MORRILL. I have no objection to that reference.

The VICE-PRESIDENT. The bill will be referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 1121) granting a pension to James L. Holden; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 1122) for the relief of the heirs and legal representatives of James C. Booth, deceased, late melter and refiner of the mint of the United States at Philadelphia; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1123) granting a pension to Mary J. Blair; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 1124) to increase the pension of Marion McKibbin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAVIS (for Mr. POWER) introduced a bill (S. 1125) to authorize the Secretary of the Interior to procure and submit to Congress a proposal for the sale to the United States of a portion of the Flathead Indian Reservation in Montana; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (for Mr. POWER) introduced a bill (S. 1126) for the establishment of a fish hatchery in the State of Montana; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. CHANDLER introduced a bill (S. 1127) to enlarge the ship room and increase the comfort of immigrants; which was read twice by its title, and referred to the Committee on Immigration.

He also introduced a bill (S. 1128) for the relief of Laura C. Dodge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1129) for the recognition of Henry O. Kent as colonel of the Seventeenth New Hampshire Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SAWYER introduced a bill (S. 1130) for the relief of William Spiegelberg; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1131) for the relief of Adolph Loschmidt; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1132) for the correction of the military record of Robert Scott; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1133) for the correction of the military record of Thomas Peacock; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 1134) for the relief of purchasers of lands within the limits of the Umatilla Indian Reservation; which was read twice by its title.

Mr. MITCHELL. I move that the bill be referred to the Committee on Public Lands, and I desire to have the accompanying paper printed.

Mr. SHERMAN. As a document?

Mr. MITCHELL. As a document. It is simply a letter from the Interior Department.

The VICE-PRESIDENT. The bill will be referred to the Committee on Public Lands, and the accompanying paper will be printed as a document, in the absence of objection.

Mr. MITCHELL introduced a bill (S. 1135) for the relief of Annie R. Chesley; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 1136) providing for the erection of a public building at the city of Tacoma, in the State of Washington; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1137) providing for the erection of a public building at the city of Walla Walla, in the State of Washington; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1138) to confirm title to 80 acres

of land in the State of Washington to Jesse W. Finch and his grantees; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1139) to confirm title to certain lands in the State of Washington; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1140) for the relief of John C. Smith, Milton Evans, and others; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1141) for the relief of Emile B. Weishaar; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BARBOUR (by request) introduced a bill (S. 1142) supplementary to an act entitled "An act to authorize the construction, extension, and use of a lateral branch of the Baltimore and Potomac Railroad into and within the District of Columbia;" which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GALLINGER introduced a bill (S. 1143) granting a pension to Mary A. Wise; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1144) granting an increase of pension to Michael A. Dillon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1145) for the relief of John W. Sturtevant; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1146) to remove the charge of desertion from the military record of Patrick Larkin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CARLISLE introduced a bill (S. 1147) for the erection of a public building at Newport, Ky.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1148) for the relief of drafted men in Pendleton County, Ky.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1149) for the relief of James E. Hall, of Clark County, Ky.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1150) to increase the pension of Henry Frakes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1151) for the relief of Mary L. Ross; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1152) granting a pension to Benjamin F. Davis; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1153) granting a pension to Virginia Vanpelt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1154) for the relief of the heirs of Catherine Morin; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1155) for the relief of Moritz Klump; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1156) for the relief of Rebekah Wilkins, widow of Jesse Wilkins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1157) granting a pension to James H. Orr; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1158) for the relief of William C. Watts, of Boone County, Ky.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1159) for the relief of Ann H. Shaler, of Campbell County, Ky.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1160) granting a pension to Catherine Yeager; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1161) for the relief of Catherine Metz; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1162) for the relief of Fannie Bostwick, widow of Martin B. Strader; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1163) for the relief of John M. Curry; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1164) granting a pension to Henry Cook; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1165) for the relief of the owners of the steamboat Rose Hambleton; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1166) to increase the pension of Henry Frakes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1167) for the relief of James Miller, of Bourbon County, Ky.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1168) to pension the children of Joseph Cromie; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1169) granting certain property to the city of Newport, Ky.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1170) to remove the charge of desertion against John Knockelmann; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1171) to relieve William King of the charge of desertion; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1172) to pension James Carroll; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1173) granting a pension to Alexander S. Steward; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1174) for the relief of Christopher E. Thurman; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1175) granting a pension to Anna Kupfer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1176) granting a pension to William Green; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TURPIE introduced a bill (S. 1177) to provide for a new public building at Indianapolis, Ind.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WALTHALL (by request) introduced a bill (S. 1178) for the relief of Henry Ware; which was read twice by its title, and referred to the Committee on Claims.

Mr. KYLE introduced a bill (S. 1179) to amend section 1 of an act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes;" which was read twice by its title, and referred to the Committee on Public Lands.

Mr. TELLER introduced a bill (S. 1180) for the relief of P. B. Monell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1181) for the relief of A. J. Sampson; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 1182) for the relief of the legal representatives of John H. Jones and Thomas D. Harris; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1183) to extend the privileges of the transportation of dutiable merchandise without appraisement to the port of Sandusky, Ohio; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. WASHBURN introduced a bill (S. 1184) for the relief of the heirs of Joseph Anderson; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 1185) to establish a court of appeals for the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. ALLISON introduced a bill (S. 1186) granting a pension to Joseph H. Welty; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1187) for the relief of David H. Thompson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1188) granting a pension to Samuel P. Glenn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 1189) for the establishment of a beacon light and fog signal on the Government breakwater recently constructed at Bridgeport, Conn.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1190) to restore to the pension roll the name of Mary Josephine Evarts; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 1191) to reorganize the veterinary branch of the United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1192) to provide for the payment of a bounty to District of Columbia volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1193) for the relief of Sarah E. Ingham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1194) for the relief of George W. Harbaugh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1195) to relieve John Friedlin from the charge of desertion; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 1196) to facilitate the settlement of claims for arrears of pay and bounty; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1197) granting jurisdiction and authority to the Court of Claims in the case of the towboat Future City, her barges, cargoes, etc.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1198) for the relief of James Bridger or his legal representatives; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Louisiana introduced a bill (S. 1199) to improve the navigation and to afford ease and safety to the trade and commerce of the Mississippi River and to prevent destructive floods, by building and repairing and extending the levees and dikes and other works, with an appropriation therefor; which was read twice by its title, and referred to the Committee on Commerce.

Mr. QUAY introduced a bill (S. 1200) fixing the pension of honorably discharged soldiers and sailors of the Union Army and Navy suffering from deafness; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 1201) amendatory of an act entitled "An act to provide for taking the Eleventh and subsequent censuses;" which was read twice by its title, and referred to the Committee on the Census.

Mr. CARLISLE (for Mr. MCPHERSON) introduced a bill (S. 1202) to increase the limit of cost for the erection of a public building in Camden, N. J.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. CARLISLE (by request) introduced a bill (S. 1203) to exempt improvements to real estate in the District of Columbia from taxation; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. STANFORD introduced a bill (S. 1204) to provide the Government with means sufficient to supply the national want of a sound circulating medium; which was read twice by its title.

Mr. STANFORD. I ask that the bill be laid on the table, and I shall call it up at some future time.

The VICE-PRESIDENT. The bill will lie on the table for the present.

Mr. STANFORD introduced a bill (S. 1205) to provide for the erection of an extension to the Executive Mansion in the city of Washington; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1206) to provide for the purchase of a site and the erection of a public building thereon at Fresno, in the State of California; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1207) to provide for the purchase of a site and the erection of a public building thereon at Alameda, in the State of California; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1208) to enable the State of California to take lands in lieu of the sixteenth and thirty-sixth sections found to be mineral lands; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1209) to provide for the purchase of a site and the erection of a public building thereon at Ogden, in the Territory of Utah; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1210) to authorize the payment to Rear-Admiral John H. Russell of the highest pay of his grade; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1211) to provide for the establishment of a gun factory for the finishing and assembling of heavy ordnance on the Pacific coast; which was read twice by its title, and referred to the Committee on Coast Defenses.

He also introduced a bill (S. 1212) to provide for the erection of a public building at San Diego, Cal.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1213) to encourage coöperation and to provide for the formation of associations in the District of Columbia for the purpose of conducting any lawful business and dividing the profits among the members thereof; which was read twice by its title.

Mr. STANFORD. I ask that the bill be referred to the Committee on Education and Labor.

Mr. HARRIS. The bill ought to go to the Committee on the District of Columbia.

The VICE-PRESIDENT. A similar bill was referred to the Committee on Education and Labor in the last Congress.

Mr. COCKRELL. It ought clearly to go to the Committee on the District of Columbia.

Mr. STANFORD. It was previously referred to the Committee on Education and Labor.

Mr. HARRIS. It ought to go to the District Committee. I make no motion about it, but will allow it to take whatever course the Senator from California desires.

The VICE-PRESIDENT. The bill will be referred to the Committee on Education and Labor.

Mr. STANFORD introduced a bill (S. 1214) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1215) for an extension of appropriation for the erection of a public building at Los Angeles, Cal.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1216) for the relief of William R. Wheaton and Charles H. Chamberlain, of California; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1217) referring the claim of Robert W. Dunbar to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. HANSBROUGH introduced a joint resolution (S. R. 19) instructing the District Commissioners to make inquiry and report upon a plan for supplying pure water for public and private purposes in the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CARLISLE introduced a joint resolution (S. R. 20) to authorize the Superintendent of Census to continue the report on wages by Joseph D. Weeks; which was read twice by its title, and referred to the Committee on the Census.

CIVIL SERVICE COMMISSION REPORT.

Mr. MANDERSON submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That 23,000 copies of the eighth report of the United States Civil Service Commission be printed, of which 1,000 copies shall be for the use of the Senate, and 2,000 copies for the use of the House of Representatives, and 20,000 copies for the use of the United States Civil Service Commission.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by T. O. TOWLES, its chief clerk, announced that the House had passed a joint resolution (H. Res. 1) to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1891, on the 24th day of said month; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a resolution declaring that when the two Houses adjourn on Wednesday, the 23d day of December, 1891, they stand adjourned until Tuesday, January 5, 1892; in which it requested the concurrence of the Senate.

The message further communicated to the Senate the intelligence of the death of Hon. Melbourne H. Ford, late a Representative from the State of Michigan, and transmitted the resolutions of the House thereon.

ADDITIONAL SESSION EMPLOYÉS.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the Sergeant-at-Arms is directed to employ during the present session, in addition to the existing force, one messenger, acting as assistant doorkeeper, at the rate of $1,800 per annum; four messengers, at the rate

of $1,440 per annum each; one engineer, at the rate of $1,200 per annum; three firemen, at the rate of $800 per annum each; two conductors of elevators, at the rate of $800 per annum each; one watchman, at the rate of $900 per annum; ten additional messengers, at the rate of $720 per annum each; one attendant in ladies' retiring room, Senate wing of the Capitol, at the rate of $720 per annum; said employés to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. COCKRELL. Has that resolution been referred to any committee?

The VICE-PRESIDENT. It has been referred and reported back.

Mr. MANDERSON. The resolution was referred originally to the Committee on Rules, and I may say in the absence of the chairman of that committee that it received their careful consideration. The committee went to the piece of property which has been acquired by the Senate, in which are several committee rooms and in which many Senators have their working rooms, and after very careful consideration decided that this is the least force with which it would be possible to take care of that property during the session of the Senate. The resolution has also, under the rules, been referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and has received their consideration and approval. It applies during the session of Congress, and it has seemed, to the Committee on Rules at least, that this is a necessary force to attend to the absolute needs of the Senate.

Mr. PLATT. This resolution was reported by the acting chairman of the Committee on Contingent Expenses of the Senate, Mr. PADDOCK, who is now absent on a sad duty by the direction of the Senate. When it came up I asked that it lie over in order that I might look at it, feeling that I dislike very much to add to the official force of the Senate. When I came to see what the resolution is and where the employés are to serve, I discovered that if we are to utilize the Maltby House for the use of the Senate it is necessary to have these officers. I am very sorry that we ever bought the Maltby House. I was opposed to it myself at the time it was bought; but we have it, and there are committee rooms there, and I feel constrained, on the ground of necessity, to withdraw any objection that I made to the resolution.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

SCHOONER NANCY—FRENCH SPOLIATION CLAIM.

The VICE-PRESIDENT laid before the Senate a communication from the clerk of the Court of Claims, transmitting the conclusions of fact and law filed by the court under the act of January 20, 1885, in the French spoliation claim in the matter of the schooner Nancy, Nathaniel Lincoln, master; which was read.

The VICE-PRESIDENT. To what committee shall the communication be referred?

Mr. COCKRELL. There have been several reports from the Court of Claims in regard to those French spoliation claims, and I believe they have been referred to the Committee on Appropriations. I think they should properly go to the Committee on Claims.

Mr. HALE. What are those?

Mr. COCKRELL. The findings of the Court of Claims on French spoliation claims. I think they properly ought to go to the Committee on Claims.

Mr. HALE. They have always been treated on the deficiency appropriation bill as coming direct from the court, and have been incorporated in the deficiency appropriation bill by vote of the Senate at least half a dozen times.

Mr. SHERMAN. If the Senator will allow me, I introduced the bill providing for the enlargement of the old law and for the extension of the time for the filing of claims. I think the communication clearly ought to go to the Committee on Claims.

Mr. HALE. If this report has nothing more in it than adjudicated claims, it ought to go to the Committee on Appropriations, which has always considered them; but it ought to go to the other committee if it relates to a matter that is to receive legislation.

Mr. SHERMAN. Let the report be again read.

Mr. COCKRELL. I will state that it is a report from the Court of Claims on one of the many claims presented under the original law referring claims. If this is to be the rule, if a claim which has been referred to the Court of Claims to find the facts and report them is to go the Appropriations Committee, then every claim that is referred there from the Committee on Military Affairs, the Committee on Claims, or any other committee, where the court finds that a certain amount is due, must also go to the Appropriations Committee, and that committee will be the dumping ground for all claims which have been referred to the Court of Claims. This should go to the Committee on Claims. If they choose subsequently to have it referred to the Committee on Appropriations, it will then be properly before that committee, but the Committee on Appropriations ought not to be the reservoir for the reference of all claims which have gone to the Court of Claims in which a finding of fact has been made.

Mr. HALE. There is nothing new in this being sent to the Committee on Appropriations. The Committee on Claims had its jurisdiction originally in the matter and framed the legislation that was adopted by Congress, under which all these claims were sent to the Court of Claims, and from that time the Committee on Claims has asserted no jurisdiction whatever over the question of appropriation.

The court here certifies its judgment as it does in other cases, and it is the habit of the Committee on Appropriations, when it reaches the deficiency appropriation bill, to take up, put in order, arrange, and provide the money to carry out the judgments. The Committee on Claims has nothing further to do with these cases because they have been referred to the court under previous legislation and have been adjudicated by the court. It is simply a question whether the money shall be appropriated.

Mr. MITCHELL. May I ask the Senator a question?

Mr. HALE. Certainly.

Mr. MITCHELL. Does the Senator from Maine understand that the findings in these cases of the Court of Claims are conclusive?

Mr. HALE. Undoubtedly. That whole matter was fought out in the last Congress, and Congress adopted that view by appropriating to pay the claims so far as then presented.

Mr. DAWES. I should like to ask the Senator if this is a very different case from the references under what is called the Bowman act?

Mr. HALE. Entirely different.

Mr. MITCHELL. Is it not the same kind of case?

Mr. HALE. It is not, and has never been so considered.

Mr. DAWES. I inquire whether there was not special jurisdiction conferred by a special act of Congress upon the Court of Claims to decide upon the merits of these claims?

Mr. HALE. I have just stated that, Mr. President.

Mr. DAWES. I think the course prescribed has been followed.

Mr. HALE. It has been followed, and in the last Congress the whole matter was considered by both branches of the National Legislature, and the policy of paying these claims as they were certified by the court was adopted by that Congress, and on the deficiency bill was an appropriation of several hundred thousand dollars. So the controversy was considered, I supposed, as ended. The Court of Claims from time to time consider these cases and decide upon their validity, as the original act reported from the Committee on Claims provided that they should do. The only question now is the appropriation of the money. I do not see why these cases should not take the course that they have taken invariably heretofore and go to the Committee on Appropriations.

Mr. MITCHELL. Of course the Committee on Claims is not very anxious to have jurisdiction of these cases, but I fail to see the difference between this claim and the class of claims which go to the Court of Claims under what is known as the Bowman act. It has been the universal practice of the Senate to have the cases which have been referred to the Court of Claims under the Bowman act and certified back referred to the Committee on Claims for investigation.

Mr. COCKRELL. That has been the universal rule.

Mr. MITCHELL. And the records of that committee will show that in a great number of cases the committee, and the Senate following the action of the committee, have failed to adopt the conclusions of the Court of Claims under the Bowman act.

Mr. HALE. Let me ask the Senator whether, since the original special act passed by Congress, the Committee on Claims has ever had any of these cases sent to it? Have they not all invariably gone to the Committee on Appropriations?

Mr. COCKRELL. No; I say not.

Mr. MITCHELL. Oh, no.

Mr. COCKRELL. The records will show, if the Senator from Maine will permit me, for I know he wants to be accurate, that for a long time such cases went to the Committee on Claims.

Mr. HALE. Not after the court began to report its findings to Congress.

Mr. COCKRELL. Yes; after the court began to make and report its findings. That is my understanding, and I think the record will show it.

Mr. HALE. If that was done, it was done by accident in some particular cases, and they were sent at once by the Committee on Claims to the Committee on Appropriations, because the Committee on Appropriations have always considered them.

The VICE-PRESIDENT. What disposition shall be made of the communication?

Mr. ALLISON. Before this question passes from the consideration of the Senate I desire to say that while I have no particular objection to this special matter going to the Committee

on Appropriations, I wish to call the attention of the Committee on Claims or the Committee on the Judiciary to the imperfect condition of the legislation respecting these claims. These claims have been sent, I think, for two or three years at least, to the Committee on Appropriations.

Mr. COCKRELL. That is true. They have been sent there ever since the Committee on Appropriations took jurisdiction and put them on the deficiency appropriation bill.

Mr. ALLISON. Very well. We have given consideration to these claims, have rejected a number of them, and not appropriated money for them, and conspicuously so in the cases of these old insurance companies. Under the original act, which I have been trying to lay my hand on, but can not for the moment, the Court of Claims are not required to state whether or not these claims should be paid. They simply state the facts and the law respecting them. I do not believe, for one, that the Government of the United States is under any obligation to pay these insurance claims; and in reporting the claims last year the committee excluded every claim of that character, as I think they should exclude some other claims that are reported year by year from the Court of Claims. I think, therefore, it would be wise for the Committee on the Judiciary or some other committee of this body to examine these claims and the law respecting them as well as the reports or the findings of the court in regard to them in order that they may be sifted in some way, as surely we are not bound under that law to pass upon and appropriate money for every claim that may be reported here by the Court of Claims.

I desire to say this much in respect to these claims, because I do not wish to consider myself bound as one member of the Committee on Appropriations to appropriate money to pay these claims simply because they have been adjudicated by the Court of Claims.

Mr. MITCHELL. I agree entirely with what the chairman of the Committee on Appropriations has said. I think this is nothing more nor less than a claim, coming here certified by the Court of Claims under a law authorizing that court to file and certify as to certain amounts. There is nothing at all in that certification which carries with it any conclusiveness in regard to the duty of Congress to make an appropriation.

It seems to me that it belongs to precisely the same class of claims as those which are referred to that court under the Bowman act; and when they come back here from the Court of Claims they come simply as claims, not for an appropriation as a matter of course, but for consideration by some appropriate committee for the purpose of ascertaining whether in view of all that has been done and all the facts surrounding the case the claim ought or ought not to be paid. That being so, it seems to me that the Committee on Claims is the proper committee to take jurisdiction of the case and investigate and report upon it.

This is all I desire to say. I simply wish the practice of the Senate to be settled properly.

Mr. COCKRELL. I want to call attention to the act of January 20, 1885, referring the French spoliation claims to the Court of Claims:

SEC. 6. That on the first Monday of December in each year the court shall report to Congress, for final action, the facts found by it, and its conclusions in all cases which it has disposed of and not previously reported. Such finding and report of the court shall be taken to be merely advisory as to the law and facts found, and shall not conclude either the claimant or Congress; and all claims not finally presented to said court within the period of two years limited by this act shall be forever barred; and nothing in this act shall be construed as committing the United States to the payment of any such claims.

As I said, these claims, I think, were referred to the Committee on Claims and they were there considered, and nobody pretended to claim that such a finding was a judgment of the Court of Claims. It is farcical to make such a claim under that law. It is no judgment; it is simply what the law authorized to be a finding. The claims were referred to the Committee on Claims, and my recollection is that the Committee on Claims once or twice favorably reported some of the claims and recommended that they be put on an appropriation bill, and they were put on a deficiency appropriation bill. There was a contest here for years between the Senate and the other House as to whether they should be paid, and finally a portion of them was paid at the last session on a deficiency appropriation bill; and the Committee on Claims had to pass upon which claims should be paid, and that committee excluded a considerable portion of them.

Now, is it fair that the Committee on Appropriations shall be turned into that kind of an investigating committee to determine which one of these claims ought to be paid? Why, Mr. President, we hear Senators all through the session complaining of the absorption of all the business of the Senate by the Committee on Appropriations, and now Senators are trying to force into that committee the consideration of nearly all the private claims that will come before us.

This is no more a judgment than is a finding under the Bowman law, so called. It has no more force and effect. It is a finding of the facts and the amounts, and that is all it is, and they all go to the Committee on Claims. The Committee on Claims ought to take jurisdiction of these claims and it ought to determine what classes of them shall be paid. Then it is competent for the Committee on Claims to report either for the passage of a special bill, as they do under the Bowman act and as they did under the old 4th of July claims law, or to report and refer to the Committee on Appropriations an amendment to some appropriation bill. Under the rules of the Senate that might bring it within the jurisdiction of the Committee on Appropriations, and that is all that in my judgment will so bring it. It is a dangerous precedent to refer this claim to the Committee on Appropriations. We might as well now start out right in referring these claims to the proper committee and let that committee take jurisdiction of them and determine which of them shall be paid and which shall not be paid.

I for one protest against these claims going to the Committee on Appropriations. Let them go to the Committee on Claims.

The VICE-PRESIDENT. What reference shall be made of the communication? It will be referred to the Committee on Claims if there be no objection. The Chair hears none.

Mr. HALE subsequently said: What was done with the communication relating to a French spoliation claim?

The VICE-PRESIDENT. It was referred to the Committee on Claims. The Chair announced that it would be referred to that committee in the absence of objection, and he heard no objection.

Mr. HALE. I did not hear the Chair. I was only going to say that the Senator from Maryland [Mr. GORMAN] informs me that at the last session the Committee on Claims considered a portion of these claims and reported and referred them to the Committee on Appropriations, and on that information I shall make no further objection.

PAY OF EMPLOYÉS.

The VICE-PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. Res. 1) to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1891, on the 24th day of said month was read the first time by its title.

Mr. ALLISON. I ask unanimous consent that the joint resolution may be passed now by the Senate. It is the usual resolution for the pay of the employés of the two bodies just before the holidays.

There being no objection, the joint resolution was read the second time at length, and considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOLIDAY RECESS.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was read:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Wednesday, the 23d day of December, 1891, they stand adjourned until Tuesday, January 5, 1892.

Mr. ALLISON. I ask that that resolution may now be concurred in.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the resolution is before the Senate. The question is on agreeing to the resolution.

The resolution was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE FORD.

Mr. MCMILLAN. I ask that the resolutions of the House of Representatives relative to the death of my late colleague in that House, Hon. Melbourne H. Ford, be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read as follows:

Whereas the House has heard with profound sorrow of the death of Hon. Melbourne H. Ford, late a Representative from the State of Michigan: Therefore,

Resolved, That as a mark of respect to his memory the House do now adjourn.

Resolved, That the Clerk be directed to communicate this action to the Senate.

Mr. MCMILLAN. Mr. President, I offer the resolutions which I send to the desk and ask for their adoption. I give notice that

I shall on some suitable occasion in the future ask the Senate to pause in its business to pay fitting tribute to the life and public services of my late colleague.

The VICE-PRESIDENT. The resolutions submitted by the Senator from Michigan will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. Melbourne H. Ford, late a Representative from the State of Michigan.

Resolved, That the Secretary communicate this resolution to the House of Representatives.

The VICE-PRESIDENT. The question is on agreeing to the resolutions.

The resolutions were agreed to unanimously.

Mr. MCMILLAN. As a further mark of respect to the memory of the deceased, I move that the Senate do now adjourn.

The motion was agreed to; and (at 1 o'clock and 17 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 23, 1891, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 22, 1891.

RECEIVER OF PUBLIC MONEYS.

John H. Lott, of Buffalo, Wyo., to be receiver of public moneys at Buffalo, Wyo., vice Alexander C. Coble, resigned.

PROMOTIONS IN THE NAVY.

Passed Assistant Surg. Robert Whiting, to be a surgeon in the Navy, from the 15th December, 1891, vice Surg. M. L. Ruth, deceased.

Lieut. (junior grade) Henry Minett, to be a lieutenant in the Navy, from the 11th December, 1891, vice Lieut. Charles M. McCartney, retired.

Ensign Daniel P. Menefee, to be a lieutenant, junior grade, in the Navy, from the 11th December, 1891, vice Lieut. (junior grade) Henry Minett, promoted.

POSTMASTERS.

Thomas H. Miller, to be postmaster at Tuscaloosa, in the county of Tuscaloosa and State of Alabama, in the place of William Miller, deceased.

Ellen L. Bailhache, to be postmaster at Martinez, in the county of Contra Costa and State of California, in the place of Morgan H. Bailhache, deceased.

Henry V. Van Dusen, to be postmaster at Los Angeles, in the county of Los Angeles and State of California, in the place of John W. Green, deceased.

Miss Flora Everhart, to be postmaster at Colorado City, in the county of El Paso and State of Colorado, in the place of James A. Cochran, resigned.

Mrs. Martha Brown, to be postmaster at Fort Valley, in the county of Houston and State of Georgia, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

George B. Allison, to be postmaster at Chester, in the county of Randolph and State of Illinois, in the place of Harvey W. Roberts, whose commission expires December 22, 1891.

Ionia B. Bomar, to be postmaster at Metropolis City, in the county of Massac and State of Illinois, in the place of Norman J. Slack, deceased, Ionia B. Slack, who was appointed July 13, 1891, and commissioned, having since changed her name by marriage.

George L. Booth, to be postmaster at Barry, in the county of Pike and State of Illinois, in the place of William F. White, whose commission expired December 22, 1891.

William H. Phipps, to be postmaster at Carmi, in the county of White and State of Illinois, in the place of Elam L. Stewart, whose commission expired December 21, 1891.

Harrison M. Pursell, to be postmaster at Pinckneyville, in the county of Perry and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

George H. Sewall, to be postmaster at Virden, in the county of Macoupin and State of Illinois, in the place of Walter Kirkpatrick, whose commission expired December 20, 1891.

Benjamin F. Shaw, to be postmaster at Dixon, in the county of Lee and State of Illinois, in the place of James B. Charters, whose commission expired December 20, 1891.

John W. Sims, to be postmaster at Mound City, in the county of Pulaski and State of Illinois, who was commissioned during the recess of the Senate, November 21, 1891, in the place of James H. Weaver, resigned.

Thomas T. Anderson, to be postmaster at Indianola, in the county of Warren and State of Iowa, in the place of Suel J. Spaulding, whose commission expired December 20, 1891.

David C. Mott, to be postmaster at What Cheer, in the county of Keokuk and State of Iowa, in the place of John A. Riggen, resigned.

William H. Merrill, to be postmaster at Salem, in the county of Essex and State of Massachusetts, who was commissioned during the recess of the Senate, November 28, 1891, in the place of J. Francis Dalton, resigned.

Seth D. McNeal, to be postmaster at Jonesville, in the county of Hillsdale and State of Michigan, in the place of Maria L. Howlett, whose commission expired December 20, 1891.

Arthur W. Dampier, to be postmaster at Northfield, in the county of Rice and State of Minnesota, in the place of John E. Kennedy, whose commission expired December 21, 1891.

Daniel Arms, to be postmaster at Granite, in the county of Deer Lodge and State of Montana, in the place of Thomas Trevaille, resigned.

Rasselas Boyd, to be postmaster at Kosciusko, in the county of Attala and State of Mississippi, in the place of James W. White, whose commission expired December 20, 1891.

Homer C. Powers, to be postmaster at Starkville, in the county of Oktibbeha and State of Mississippi, in the place of William J. Rousseau, whose commission expired December 20, 1891.

Wallace E. Woodworth, to be postmaster at Lakeport, in the county of Belknap and State of New Hampshire, in the place of True E. Prescott, removed. W. E. Woodworth was appointed postmaster at "Lake Village" May 28, 1891, and commissioned, but the name of the office has since been changed to "Lakeport."

Robert Carson, to be postmaster at New Brunswick, in the county of Middlesex and State of New Jersey, in the place of William H. Price, whose commission expired December 20, 1891.

James P. Byron, to be postmaster at Deming, in the county of Grant and Territory of New Mexico, in the place of Sarah Hodgdon, whose commission expires January 23, 1892.

John W. Bartram, to be postmaster at Wappinger's Falls, in the county of Dutchess and State of New York, in the place of William K. Roy, whose commission expired December 21, 1891.

Mrs. Eunice J. Eastman, to be postmaster at Potsdam, in the county of St. Lawrence and State of New York, in the place of George L. Eastman, deceased.

Robert J. Hock, to be postmaster at Goshen, in the county of Orange and State of New York, in the place of Andrew J. Moore, whose commission expired December 21, 1891.

Edgar Hoyt, to be postmaster at Katonah, in the county of Westchester and State of New York, in the place of Samuel O. Arnold, whose commission expired December 21, 1891.

John F. Jenkins, to be postmaster at Sing Sing, in the county of Westchester and State of New York, in the place of Edwin A. McAlpin, resigned.

Francis J. Menzies, to be postmaster at Westchester, in the county of Westchester and State of New York, in the place of Augustus M. Field, whose commission expired December 21, 1891.

Louis G. Rathbun, to be postmaster at Elmira, in the county of Chemung and State of New York, in the place of Henry Flood, removed.

Orville C. Robinson, to be postmaster at Fort Edward, in the county of Washington and State of New York, in the place of Benjamin M. Tasker, whose commission expired December 21, 1891.

Orange Sackett, to be postmaster at Avon, in the county of Livingston and State of New York, in the place of Seward F. Gould, whose commission expired December 21, 1891.

George H. Scott, to be postmaster at Coxsackie, in the county of Greene and State of New York, in the place of Hiram Bogardus, resigned.

Joseph A. Sneed, to be postmaster at Newburg, in the county of Orange and State of New York, in the place of William R. Brown, resigned; William G. Taggart, who was appointed by the President April 2, 1891, and commissioned, but not nominated to the Senate, having resigned.

Newton M. Wardwell, to be postmaster at Adams, in the county of Jefferson and State of New York, in the place of Albert J. Lovelee, whose commission expired December 21, 1891.

Edward K. Fiester, to be postmaster at Jersey Shore, in the county of Lycoming and State of Pennsylvania, in the place of Charles H. Pott, whose commission expired December 21, 1891.

Willis A. Mitchell, to be postmaster at Warren, in the county of Warren and State of Pennsylvania, in the place of Robert A. Love, resigned.

Charles H. Ruthrauff, to be postmaster at Greencastle, in the county of Franklin and State of Pennsylvania, in the place of John Goetz, whose commission expired December 21, 1891.

Andrew G. White, to be postmaster at Beaver, in the county of Beaver and State of Pennsylvania, in the place of Daniel M. Donehoo, whose commission expired December 21, 1891.

William H. Catts, to be postmaster at Granbury, in the county of Hood and State of Texas, the appointment of a postmaster for

the said office having, by law, become vested in the President from and after October 1, 1891.

Albert Enderle, to be postmaster at Kerrville, in the county of Kerr and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after July 1, 1891.

Lee N. McCaughan, to be postmaster at Rockport, in the county of Aransas and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891. L. N. McCaughan was commissioned as postmaster at "Aransas Pass," but the name of the office has since been changed to "Rockport."

Francis O. Coe, to be postmaster at Snohomish, in the county of Snohomish and State of Washington, in the place of James G. Swafford, resigned.

Converse G. Cole, to be postmaster at New Whatcom, in the county of Whatcom and State of Washington, in the place of David C. Jenkins, resigned, the name of the office at "Whatcom" having been changed to "New Whatcom."

George W. Olney, to be postmaster at South Bend, in the county of Pacific and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

Edward Whaley, to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin, in the place of Edward Whaley, whose commission expired December 20, 1891.

Isaac C. Wynn, to be postmaster at Lander, in the county of Fremont and State of Wyoming, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 17, 1891.

COMMISSIONER OF PATENTS.

William E. Simonds, of Canton, Conn., to be Commissioner of Patents.

PROMOTIONS IN THE ARMY.

To be brigadier-general.

Col. August V. Kautz, Eighth Infantry.

QUARTERMASTER'S DEPARTMENT.

To be assistant quartermasters with the rank of captain.

First Lieut. Constantine Chase, regimental quartermaster, Third Artillery.

First Lieut. William W. Robinson, jr., Seventh Cavalry.

First Lieut. Charles B. Thompson, Fifth Infantry.

First Lieut. Medad C. Martin, regimental adjutant, Twenty-second Infantry.

ORDNANCE DEPARTMENT.

Second Lieut. Fremont P. Peck, First Artillery, to be first lieutenant.

MEDICAL DEPARTMENT.

Capt. Paul R. Brown, assistant surgeon, to be surgeon with the rank of major.

CAVALRY ARM.

First Lieut. Ernest A. Garlington, Seventh Cavalry, to be captain of cavalry.

Second Lieut. John M. Carson, jr., Fifth Cavalry, to be first lieutenant of cavalry.

INFANTRY ARM.

Lieut. Col. Horace Jewett, Third Infantry, to be colonel of infantry.

Maj. Edward Moale, First Infantry, to be lieutenant-colonel of infantry.

Capt. Charles Bentzoni, Twenty-fifth Infantry, to be major of infantry.

First Lieut. Edward L. Bailey, Fourth Infantry, to be captain of infantry.

First Lieut. Robert H. R. Loughborough, Twenty-fifth Infantry, to be captain of infantry.

Second Lieut. Everett E. Benjamin, First Infantry, to be first lieutenant of infantry.

Second Lieut. William J. Pardee, Eighteenth Infantry, to be first lieutenant of infantry.

QUARTERMASTER'S DEPARTMENT.

Capt. James M. Marshall, assistant quartermaster, to be quartermaster with the rank of major.

MEDICAL DEPARTMENT.

Lieut. Col. Charles T. Alexander, surgeon, to be chief medical purveyor with the rank of colonel.

Maj. William H. Forwood, surgeon, to be surgeon with the rank of lieutenant-colonel.

Maj. Ely McClellan, surgeon, to be surgeon with the rank of lieutenant-colonel.

Capt. John Van R. Hoff, assistant surgeon, to be surgeon with the rank of major.

Capt. George W. Adair, assistant surgeon, to be surgeon with the rank of major.

ORDNANCE DEPARTMENT.

Capt. Almon L. Varney, to be major.

First Lieut. William B. Gordon, to be captain.

CAVALRY ARM.

To be colonels.

Lieut. Col. George G. Huntt, Tenth Cavalry.

Lieut. Col. James Biddle, Fifth Cavalry.

To be lieutenant-colonels.

Maj. David Perry, Sixth Cavalry.

Maj. Henry E. Noyes, Fourth Cavalry.

To be majors.

Capt. Robert H. Montgomery, Fifth Cavalry.

Capt. Edmond G. Fechét, Eighth Cavalry.

Capt. Almond B. Wells, Eighth Cavalry.

To be captains.

First Lieut. Charles H. Watts, regimental adjutant, Fifth Cavalry.

First Lieut. Frank A. Edwards, First Cavalry.

First Lieut. Fred Wheeler, Fourth Cavalry.

First Lieut. Eugene A. Ellis, Eighth Cavalry.

First Lieut. John Guest, Eighth Cavalry.

First Lieut. Matthias W. Day, Ninth Cavalry.

First Lieut. James R. Richards, jr., regimental adjutant, Fourth Cavalry.

First Lieut. James O. Mackay, Third Cavalry.

First Lieut. Walter L. Finley, regimental adjutant, Ninth Cavalry.

First Lieut. George L. Scott, Sixth Cavalry.

First Lieut. Henry F. Kendall, Eighth Cavalry.

To be first lieutenants.

Second Lieut. Godfrey H. Macdonald, First Cavalry.

Second Lieut. Matthew F. Steele, Eighth Cavalry.

Second Lieut. George H. Cameron, Seventh Cavalry.

Second Lieut. Robert D. Walsh, Fourth Cavalry.

Second Lieut. George W. Read, Fifth Cavalry.

Second Lieut. James A. Cole, Sixth Cavalry.

Second Lieut. De Rosey C. Cabell, Eighth Cavalry.

Second Lieut. Farrand Sayre, Eighth Cavalry.

Second Lieut. Hugh J. Gallagher, Sixth Cavalry.

Second Lieut. Grote Hutcheson, Ninth Cavalry.

Second Lieut. George O. Cress, Seventh Cavalry.

Second Lieut. Ernest S. Robins, Third Cavalry.

Second Lieut. John B. Bellinger, Fifth Cavalry.

Second Lieut. John T. Knight, Third Cavalry.

Second Lieut. James B. Hughes, Tenth Cavalry.

Second Lieut. Powhatan H. Clarke, Tenth Cavalry.

Second Lieut. Gonzalez S. Bingham, Ninth Cavalry.

Second Lieut. William D. McAnaney, Ninth Cavalry.

Second Lieut. Richard B. Paddock, Sixth Cavalry.

Second Lieut. Robert A. Brown, Fourth Cavalry.

ARTILLERY ARM.

To be colonels.

Lieut. Col. La Rhett L. Livingston, Third Artillery.

Lieut. Col. William M. Graham, Fifth Artillery.

To be lieutenant-colonels.

Maj. Edmund C. Bainbridge, Third Artillery.

Maj. Francis L. Guenther, Second Artillery.

To be majors.

Capt. Frank B. Hamilton (since deceased), Second Artillery.

Capt. William McK. Dunn (since deceased), Second Artillery

Capt. Joseph B. Campbell (since deceased), Fourth Artillery

Capt. Frank G. Smith, Fourth Artillery.

Capt. Joseph G. Ramsay, Second Artillery.

To be captains.

First Lieut. Frank Thorp, Fifth Artillery.

First Lieut. Louis V. Caziarc, Second Artillery.

First Lieut. Robert M. Rogers, Second Artillery.

First Lieut. Walter Howe, Fourth Artillery.

First Lieut. Peter Leary, jr., Fourth Artillery.

First Lieut. Ephraim T. C. Richmond, Second Artillery.

To be first lieutenants.

Second Lieut. Ira A. Haynes, Third Artillery.

Second Lieut. Willoughby Walke, Second Artillery.

Second Lieut. Louis Ostheim, Third Artillery.
Second Lieut. John Conklin, jr., Second Artillery.
Second Lieut. Isaac N. Lewis, Second Artillery.
Second Lieut. Samuel D. Sturgis, First Artillery.
Second Lieut. Elisha S. Benton, Third Artillery.
Second Lieut. Harry L. Hawthorne, Second Artillery.
Second Lieut. Cornelis de W. Willcox, Second Artillery.

INFANTRY ARM.

To be colonels.

Lieut. Col. Robert H. Offley (since deceased), Seventeenth Infantry.
Lieut. Col. James J. Van Horn, Twenty-fifth Infantry.
Lieut. Col. Isaac D. De Russy, Fourteenth Infantry.
Lieut. Col. John S. Poland, Twenty-first Infantry.
Lieut. Col. Edward P. Pearson, Twenty-fourth Infantry.
Lieut. Col. William H. Jordan, Nineteenth Infantry.

To be lieutenant-colonels.

Maj. Edmond Butler (since retired from active service), Second Infantry.
Maj. George K. Brady, Eighteenth Infantry.
Maj. John P. Andrews, Twenty-first Infantry.
Maj. George E. Head (since retired from active service), Third Infantry.
Maj. John B. Parke, Sixteenth Infantry.
Maj. Hugh A. Theaker, Fifteenth Infantry.
Maj. William J. Lyster, Sixth Infantry.
Maj. David D. Vanvalzah, Twentieth Infantry.
Maj. Charles A. Wikoff, Fourteenth Infantry.

To be majors.

Capt. William S. Worth, Eighth Infantry.
Capt. George K. Sanderson, Eleventh Infantry.
Capt. William M. Wherry, Sixth Infantry.
Capt. John H. Patterson, Twentieth Infantry.
Capt. Henry B. Freeman, Seventh Infantry.
Capt. Clarence M. Bailey, Eighth Infantry.
Capt. James W. Powell, jr., Sixth Infantry.
Capt. Loyd Wheaton, Twentieth Infantry.
Capt. John W. French, Twenty-fifth Infantry.

To be captains.

First Lieut. Cornelius Gardener, Nineteenth Infantry.
First Lieut. James E. Macklin, regimental quartermaster, Eleventh Infantry.
First Lieut. Thomas M. Woodruff, Fifth Infantry.
First Lieut. William L. Pitcher, Eighth Infantry.
First Lieut. Henry O. S. Heistand, Eleventh Infantry.
First Lieut. John K. Waring, regimental quartermaster, Second Infantry.
First Lieut. John McA. Webster, Twenty-second Infantry.
First Lieut. Charles H. Heyl, regimental adjutant, Twenty-third Infantry.
First Lieut. Thomas G. Townsend, Sixth Infantry.
First Lieut. Herbert S. Foster, Twentieth Infantry.
First Lieut. William H. Kell, Twenty-second Infantry.
First Lieut. John C. Dent, Twentieth Infantry.
First Lieut. George K. McGunnegle, Fifteenth Infantry.
First Lieut. Edgar B. Robertson, Ninth Infantry.
First Lieut. Charles A. Booth, Seventh Infantry.
First Lieut. Charles A. Worden, Seventh Infantry.
First Lieut. James A. Hutton, Eighth Infantry.
First Lieut. George B. Walker, Sixth Infantry.
First Lieut. William W. McCammon, Fourteenth Infantry.
First Lieut. Henry A. Greene, Twentieth Infantry.
First Lieut. Edwin B. Bolton, Twenty-third Infantry.
First Lieut. James S. Pettit, First Infantry.
First Lieut. Charles L. Hodges, Twenty-fifth Infantry.

To be first lieutenants.

Second Lieut. Charles McQuiston, Fourth Infantry.
Second Lieut. Frederick Perkins, Fifth Infantry.
Second Lieut. Clarence R. Edwards, Twenty-third Infantry.
Second Lieut. William P. Burnham, Sixth Infantry.
Second Lieut. James M. Arrasmith, Second Infantry.
Second Lieut. William H. Johnston, jr., Sixteenth Infantry.
Second Lieut. John A. Perry, Tenth Infantry.
Second Lieut. Charles P. George, Sixteenth Infantry.
Second Lieut. Benjamin W. Atkinson, Sixth Infantry.
Second Lieut. John L. Sehon, Fourth Infantry.
Second Lieut. Charles D. Clay, Seventeenth Infantry.
Second Lieut. Benjamin M. Purssell, Fourth Infantry.
Second Lieut. Fielder M. M. Beall, Fifth Infantry.
Second Lieut. Maury Nichols, Sixteenth Infantry.
Second Lieut. Zebulon B. Vance, jr., Nineteenth Infantry.
Second Lieut. Joseph P. O'Neil, Fourteenth Infantry.
Second Lieut. Wendell L. Simpson, Twenty-fourth Infantry.
Second Lieut. Frederick L. Palmer, Twenty-first Infantry.
Second Lieut. Clarence E. Dentler, Sixth Infantry.
Second Lieut. James K. Thompson, Twenty-third Infantry.
Second Lieut. Henry D. Styer, Twenty-first Infantry.
Second Lieut. Waldo E. Ayer, Twelfth Infantry.
Second Lieut. Robert H. Noble, First Infantry.
Second Lieut. Benjamin C. Morse, Twenty-third Infantry.
Second Lieut. John L. Finley, Nineteenth Infantry.
Second Lieut. Frederick R. Day, Twenty-second Infantry.
Second Lieut. Carl Reichmann, Twenty-fourth Infantry.
Second Lieut. Alfred S. Frost, Twenty-fifth Infantry.
Second Lieut. Frank O. Ferris, First Infantry.
Second Lieut. George W. Ruthers, Eighth Infantry.
Second Lieut. Leon S. Roudiez, Fifteenth Infantry.
Second Lieut. William C. Wren, Tenth Infantry.
Second Lieut. Abraham P. Buffington, Seventh Infantry.
Second Lieut. Charles L. Beckurts, Sixth Infantry.
Second Lieut. Tredwell W. Moore, Twenty-second Infantry.
Second Lieut. Raymond R. Stevens, Twenty-third Infantry.
Second Lieut. Frederick V. Krüg, Eighth Infantry.
Second Lieut. William N. Blow, jr., Fifteenth Infantry.
Second Lieut. James T. Anderson, Sixteenth Infantry.

MEDICAL DEPARTMENT.

To be assistant surgeons with the rank of first lieutenant

William F. Lippitt, jr., of West Virginia.
Merritte W. Ireland, of Indiana.
Benjamin Brooke, of Pennsylvania.
George M. Wells, of Indiana.
Henry C. Fisher, of the District of Columbia.
Henry A. Shaw, of Massachusetts.
Samuel R. Dunlop, of New York.
Charles F. Kieffer, of Pennsylvania.
Frank T. Meriwether, of North Carolina.

TO BE POST CHAPLAIN.

I. Newton Ritner, of Pennsylvania.

TO BE REGIMENTAL CHAPLAIN.

Theophilus G. Steward, of the District of Columbia, to be chaplain Twenty-fifth Infantry.

CAVALRY ARM.

To be second lieutenants.

Quartermaster-Sergt. James G. Harbord, Fourth Infantry.
Corpl. John O'Shea, Battery I, First Artillery.
Corpl. Matthew A. Batson, Troop G, Second Cavalry.

INFANTRY ARM.

To be second lieutenants.

Corpl. Charles E. Hayes, Company F, Eighteenth Infantry.
Sergt. William M. Morrow, Company F, Seventeenth Infantry.
Sergt. Benjamin F. Hardaway, Company C, Seventeenth Infantry.
Corpl. Jasper E. Brady, jr., Company D, Eighteenth Infantry.
First-Class Sergt. Thomas F. Schley, Signal Corps.
Corpl. Philip Hawley, Company H, Sixteenth Infantry.
First Sergt. Charles Krauthoff, Light Battery F, Second Artillery.
Sergt. Maj. William M. Wood, Third Infantry.
Sergt. Albert C. Dalton, Company A, Twenty-second Infantry.
Corpl. Peter E. Marquart, Company G, Third Infantry.

CAVALRY ARM.

To be second lieutenants.

Ervin L. Phillips, of New York.
Frank Tompkins, of New York.
Samuel D. Rockenbach, of Missouri.
Robert C. Williams, of the District of Columbia.
George W. Cole, of Missouri.
Walter C. Short, of Ohio.

INFANTRY ARM.

To be second lieutenants.

Albert D. Niskern, of Michigan.
Joseph C. Castner, of New Jersey.
Edward Sigerfoos, of Ohio.
Arthur W. Yates, of Wisconsin.
Edward A. Shuttleworth, of Vermont.
Frederick W. Fuger, of Massachusetts.
John Howard, of New York.
Ralph H. Van Deman, of Ohio.
Frank A. Barton, of the District of Columbia.
Henry L. McCorkle, of Tennessee.
William Brooke, of Pennsylvania.
John S. Murdock, of Connecticut.
Harrison J. Price, of New York.

William H. Simons, of South Carolina.
William M. Crofton, of Illinois.
John F. Madden, of California.
William Wallace, of Indiana.
Ferdinand W. Kobbe, of Virginia.
William H. Wassell, of Pennsylvania.

TRANSFERS.

First Lieut. Walter M. Dickinson, Fourth Cavalry, to be first lieutenant of infantry.

First Lieut. John A. Lockwood, Seventeenth Infantry, to be first lieutenant of cavalry.

Second Lieut. Alvin H. Sydenham, Eighth Cavalry, to be second lieutenant of artillery.

Second Lieut. Alfred C. Merillat, Fifth Artillery, to be second lieutenant of cavalry.

Second Lieut. Charles J. Symmonds, Eighteenth Infantry, to be second lieutenant of cavalry.

Second Lieut. Charles W. Fenton, Ninth Infantry, to be second lieutenant of cavalry.

Second Lieut. LeRoy S. Lyon, Seventh Cavalry, to be second lieutenant of artillery.

Second Lieut. Andrew Hero, jr., Twelfth Infantry, to be second lieutenant of artillery.

TO BE ADDITIONAL SECOND LIEUTENANTS IN THE CORPS OF ENGINEERS

1. Cadet Spencer Cosby.
2. Cadet John S. Sewell.
3. Cadet Charles P. Echols.
4. Cadet James F. McIndoe.
5. Cadet Jay J. Morrow.

CAVALRY ARM.

To be second lieutenants.

7. Cadet Le Roy S. Lyon.
9. Cadet Tiemann N. Horn.
10. Cadet Edward D. Anderson.
12. Cadet George P. White.
13. Cadet Lawson M. Fuller.
14. Cadet Louis C. Scherer.
15. Cadet John W. Furlong.
16. Cadet Richard L. Livermore.
17. Cadet Thomas M. Corcoran.
18. Cadet Robert J. Fleming.
19. Cadet Edwin B. Winans, jr.
20. Cadet William T. Johnston.
21. Cadet William H. Osborne.
23. Cadet Harold P. Howard.
27. Cadet Elmer Lindsley.
29. Cadet Joseph T. Crabbs.
30. Cadet William J. Glasgow.
31. Cadet Frank S. Armstrong.

INFANTRY ARM.

To be second lieutenants.

6. Cadet Odus C. Horney.
8. Cadet Andrew Hero, jr.
11. Cadet Truman O. Murphy.
22. Cadet Francis H. Schoeffel.
24. Cadet William H. Bertsch.
25. Cadet Ross L. Bush.
26. Cadet Joseph L. Donovan.
28. Cadet John B. Bennet.
32. Cadet Melville S. Jarvis.
33. Cadet John W. Heavey.
34. Cadet Harry J. Hirsch.
35. Cadet Charles De L. Hine.
36. Cadet Joseph Frazier.
37. Cadet Robert L. Hamilton.
38. Cadet La Roy S. Upton.
39. Cadet Harry A. Smith.
40. Cadet Hollis C. Clark.
41. Cadet George C. Saffarrans.
42. Cadet Palmer E. Pierce.
43. Cadet Lutz Wahl.
44. Cadet William P. Jackson.
45. Cadet Albert B. Donworth.
46. Cadet Charles C. Ogden.
47. Cadet Gordon Voorhies.
48. Cadet John L. Hines.
49. Cadet Guy H. B. Smith.
50. Cadet Walter M. Whitman.
51. Cadet Matthias Crowley.
52. Cadet Jacques de L. Lafitte.
53. Cadet John J. Bradley
54. Cadet Douglas Settle.
55. Cadet John S. Switzer.
56. Cadet Herbert O. Williams.
57. Cadet George D. Guyer.
58. Cadet William F. Grote.
59. Cadet William H. H. Chapman.
60. Cadet Herbert N. Royden.
61. Cadet Isaac C. Jenks.
62. Cadet Alfred W. Drew.
63. Cadet Hanson E. Ely.
64. Cadet Lewis S. Sorley.
65. Cadet David P. Cordray.

POSTMASTERS.

Severn A. Brown, to be postmaster at Seaford, in the county of Sussex and State of Delaware.

Walter S. Standifer, to be postmaster at Gadsden, in the county of Etowah and State of Alabama.

Adelia E. Frank, to be postmaster at Jacksonville, in the county of Calhoun and State of Alabama.

Jules L. Chachere, to be postmaster at Opelousas, in the parish of St. Landry and State of Louisiana.

William A. Powell, to be postmaster at Richmond, in the county of Madison and State of Kentucky.

John W. Messick, to be postmaster at Georgetown, in the county of Sussex and State of Delaware.

Wesley E. Collins, to be postmaster at Summit, in the county of Pike and State of Mississippi.

William H. H. Mullin, to be postmaster at Ruston, in the parish of Lincoln and State of Louisiana.

Gustave Israel, to be postmaster at Donaldsonville, in the parish of Ascension and State of Louisiana.

Frederick H. Coggeshall, to be postmaster at Waterville, in the county of Oneida and State of New York.

Margaret Andrews, to be postmaster at Franklinville, in the county of Cattaraugus and State of New York.

Mary J. Hancock, to be postmaster at Meridian, in the county of Lauderdale and State of Mississippi.

Soloman Ketcham, jr., to be postmaster at Amityville, in the county of Suffolk and State of New York.

Homer C. Elwood, to be postmaster at Nunda, in the county of Livingston and State of New York.

John T. Davidson, to be postmaster at Rockville Center, in the county of Queens and State of New York.

John A. Merritt, to be postmaster at Lockport, in the county of Niagara and State of New York.

William H. Ludlow, to be postmaster at Rosebank, in the county of Richmond and State of New York.

Miss Annie Larrabee, to be postmaster at Oyster Bay, in the county of Queens and State of New York.

Joseph D. Randall, to be postmaster at Ellicottsville, in the county of Cattaraugus and State of New York.

George E. Norris, to be postmaster at Brighton, in the county of Monroe and State of New York.

Alanson H. Meeker, to be postmaster at Unadilla, in the county of Otsego and State of New York.

Wilfred A. Robbins, to be postmaster at Mexico, in the county of Oswego and State of New York.

Josiah Robbins, to be postmaster at Bay Shore, in the county of Suffolk and State of New York.

John J. Reardon, to be postmaster at St. Johnsville, in the county of Montgomery and State of New York.

George P. Schryver, to be postmaster at Port Jefferson, in the county of Suffolk and State of New York.

William Spraker, to be postmaster at Allegany, in the county of Cattaraugus and State of New York.

Harvey J. Sarles, to be postmaster at Liberty, in the county of Sullivan and State of New York.

Joseph Fix, to be postmaster at Burlington, in the county of Alamance and State of North Carolina.

Frank R. Utter, to be postmaster at Friendship, in the county of Allegany and State of New York.

John S. Snedeker, to be postmaster at Hempstead, in the county of Queens and State of New York.

James W. Grisier, to be postmaster at Port Clinton, in the county of Ottawa and State of Ohio.

Uriah M. Eckhart, to be postmaster at Monroeville, in the county of Huron and State of Ohio.

Oliver P. Brown, to be postmaster at Camden, in the county of Preble and State of Ohio.

Isaiah B. Jones, to be postmaster at Hudson, in the county of Summit and State of Ohio.

Thomas B. Jobe, to be postmaster at Yellow Springs, in the county of Greene and State of Ohio.

Mary J. Huntington, to be postmaster at Delta, in the county of Fulton and State of Ohio.

Richard M. Rilea, to be postmaster at Blanchester, in the county of Clinton and State of Ohio.

Henry Nixon, to be postmaster at Salineville, in the county of Columbiana and State of Ohio.

Thomas Monteith, to be postmaster at Albany, in the county of Linn and State of Oregon.

George H. Sharp, to be postmaster at Willoughby, in the county of Lake and State of Ohio.

Clement Russell, to be postmaster at Massillon, in the county of Stark and State of Ohio.

Roger Richards, to be postmaster at Shawnee, in the county of Perry and State of Ohio.

Horace N. Taylor, to be postmaster at New Carlisle, in the county of Clarke and State of Ohio.

Edward Spencer, to be postmaster at Waverly, in the county of Pike and State of Ohio.

Albert B. Smith, to be postmaster at Bellevue, in the county of Huron and State of Ohio.

Daniel W. Marquart, to be postmaster at Norman, in the county of Cleveland and Territory of Oklahoma.

Frederick W. Wirth, to postmaster at Brooklyn Village, in the county of Cuyahoga and State of Ohio.

John L. Wolfley, to be postmaster at Delaware, in the county of Delaware and State of Ohio.

James D. Caldwell, to be postmaster at Sharon, in the county of Mercer and State of Pennsylvania.

Theodore A. Boak, to be postmaster at Hughesville, in the county of Lycoming and State of Pennsylvania.

Howard L. Black, to be postmaster at Duquesne, in the county of Allegheny and State of Pennsylvania.

David S. Heebner, to be postmaster at Lansdale, in the county of Montgomery and State of Pennsylvania.

Samuel L. Fisler, to be postmaster at Easton, in the county of Northampton and State of Pennsylvania.

James T. Dunfee, to be postmaster at Newville, in the county of Cumberland and State of Pennsylvania.

Daniel S. Jordan, to be postmaster at Mount Pleasant, in the county of Westmoreland and State of Pennsylvania.

William N. Hurlbut, to be postmaster at Westfield, in the county of Tioga and State of Pennsylvania.

John C. Hilbert, to be postmaster at Lansdowne, in the county of Delaware and State of Pennsylvania.

Reuben J. Mott, to be postmaster at Port Allegany, in the county of McKean and State of Pennsylvania.

William A. McDermitt, to be postmaster at Bellwood, in the county of Blair and State of Pennsylvania.

Albert P. MacDonald, to be postmaster at Altoona, in the county of Blair and State of Pennsylvania.

Jacob B. Way, to be postmaster at Curwensville, in the county of Clearfield and State of Pennsylvania.

William H. H. Sieg, to be postmaster at Steelton, in the county of Dauphin and State of Pennsylvania.

George C. Olmsted, to be postmaster at Coudersport, in the county of Potter and State of Pennsylvania.

Du Bose Egleston, to be postmaster at Winnsboro, in the county of Fairfield and State of South Carolina.

William E. Wilson, to be postmaster at Mechanicsville, in the county of Bucks and State of Pennsylvania.

Sigmund E. Wisner, to be postmaster at Marietta, in the county of Lancaster and State of Pennsylvania.

Green B. Creekmore, to be postmaster at Jellico, in the county of Campbell and State of Tennessee.

John Clinton, to be postmaster at Brownsville, in the county of Haywood and State of Tennessee.

James O. Ladd, to be postmaster at Summerville, in the county of Berkeley and State of South Carolina.

Edwin E. Pierce, to be postmaster at Brandon, in the county of Rutland and State of Vermont.

Charles S. Brodbent, to be postmaster at Del Rio, in the county of Valverde and State of Texas.

James P. Edmondson, to be postmaster at Maryville, in the county of Blount and State of Tennessee.

Susie P. Hyman, to be postmaster at Stephenville, in the county of Erath and State of Texas.

John M. Hickey, to be postmaster at Henderson, in the county of Rusk and State of Texas.

William M. Griffith, to be postmaster at Quanah, in the county of Hardeman and State of Texas.

Miss Mary E. Johnson, to be postmaster at Beeville, in the county of Bee and State of Texas.

George W. Jones, to be postmaster at Navasota, in the county of Grimes and State of Texas.

Martha H. Ingerton, to be postmaster at Amarillo, in the county of Potter and State of Texas.

William N. Merritt, to be postmaster at Farmersville, in the county of Collin and State of Texas.

Charles J. Lewis, to be postmaster at Clarendon, in the county of Donley and State of Texas.

William Kelly, to be postmaster at Lockhart, in the county of Caldwell and State of Texas.

Mrs. Nannie J. Renshaw, to be postmaster at Whitewright, in the county of Grayson and State of Texas.

William McManis, to be postmaster at Baird, in the county of Callahan and State of Texas.

Edward Mullen, to be postmaster at Yoakum, in the county of DeWitt and State of Texas.

James P. Driscoll, to be postmaster at Eureka, in the county of Juab and Territory of Utah.

Benjamin F. Boothe, to be postmaster at Box Elder, in the county of Box Elder and Territory of Utah.

Nathan L. Stratton, to be postmaster at Uvalde, in the county of Uvalde and State of Texas.

Jerome T. Flint, to be postmaster at Derby Line, in the county of Orleans and State of Vermont.

George F. Earle, to be postmaster at Morrisville, in the county of Lamoille and State of Vermont.

George G. Blake, to the postmaster at Swanton, in the county of Franklin and State of Vermont.

Charles A. Pierce, to be postmaster at Bennington, in the county of Bennington and State of Vermont.

Frank W. Barker, to be postmaster at Alexandria Bay, in the county of Jefferson and State of New York.

Thomas C. Gale, to be postmaster at Newport, in the county of Orleans and State of Vermont.

William A. Colby, to be postmaster at Burlington, in the county of Racine and State of Wisconsin.

John W. Howson, to be postmaster at Cazenovia, in the county of Madison and State of New York.

Henry P. Gardner, to be postmaster at Attica, in the county of Wyoming and State of New York.

William Hurst, to be postmaster at Two Rivers, in the county of Manitowoc and State of Wisconsin.

Lewis S. Fisher, to be postmaster at Sparta, in the county of Monroe and State of Wisconsin.

Haskell E. Coats, to be postmaster at Neenah, in the county of Winnebago and State of Wisconsin.

Thomas Reese, to be postmaster at Kaukauna, in the county of Outagamie and State of Wisconsin.

Thomas M. Purtell, to be postmaster at Cumberland, in the county of Barron and State of Wisconsin.

Thomas Porter, to be postmaster at New Richmond, in the county of St. Croix and State of Wisconsin.

John M. Millan, to be postmaster at Mannington, in the county of Marion and State of West Virginia.

James W. Holt, to be postmaster at Grafton, in the county of Taylor and State of West Virginia.

Andrew J. Hearn, to be postmaster at Bluefield, in the county of Mercer and State of West Virginia.

Mrs. Kate Shaw, to be postmaster at Olathe, in the county of Johnson and State of Kansas.

William Moyer, to be postmaster at Sabetha, in the county of Nemaha and State of Kansas.

David C. Battey, to be postmaster at Florence, in the county of Marion and State Kansas.

William C. Nisbet, to be postmaster at Dell Rapids, in the county of Minnehaha and State of South Dakota.

Jared C. Thompson, to be postmaster at Dickinson, in the county of Stark and State of North Dakota.

Peter J. Pederson, to be postmaster at Valley City, in the county of Barnes and State of North Dakota.

Cyrus W. Hitchcock, to be postmaster at Custer, in the county of Custer and State of South Dakota.

Charles F. Mallahan, to be postmaster at Elk Point, in the county of Union and State of South Dakota.

William H. Skinner, to be postmaster at Brookings, in the county of Brookings and State of South Dakota.

Edward B. Bennett, to be postmaster at Hartford, in the county of Hartford and State of Connecticut.

Miss Ida Willes, to be postmaster at Windsor, in the county of Hartford and State of Connecticut.

Marshall Emmons, to be postmaster at East Haddam, in the county of Middlesex and State of Connecticut.

Francis B. Butts, to be postmaster at East Providence in the county of Providence and State of Rhode Island.

Joseph G. Hyatt, to be postmaster at Westport, in the county of Fairfield and State of Connecticut.

William E. Gates, to be postmaster at Glastonbury, in the county of Hartford and State of Connecticut.

Thomas B. Childs, to be postmaster at Anacortes, in the county of Skagit and State of Washington.

James Barnes, to be postmaster at Blaine, in the county of Whatcom and State of Washington.

James H. Walch, to be postmaster at Olneyville, in the county of Providence and State of Rhode Island.

James Raymond, to be postmaster at Union, in the county of Union and State of Oregon.

Jessie G. Matott, to be postmaster at La Grande, in the county of Union and State of Oregon.

James S. Howard, to be postmaster at Medford, in the county of Jackson and State of Oregon.

Executive nominations confirmed by the Senate December 22, 1891.

UNITED STATES TREASURER.

Enos H. Nebeker, of Indiana, to be Treasurer of the United States.

REFINER OF THE MINT.

J. Cecil Legare, of Louisiana, to be refiner of the mint of the United States at New Orleans, in the State of Louisiana.

COINER OF THE MINT.

Arsemus R. Burkdoll, of Louisiana, to be coiner of the mint of the United States at New Orleans, in the State of Louisiana.

COLLECTORS OF INTERNAL REVENUE.

William H. Brooks, of Pennsylvania, to be collector of internal revenue for the first district of Pennsylvania.

John C. Quinn, of California, to be collector of internal revenue for the first district of California.

POSTMASTERS.

Andrew G. White, to be postmaster at Beaver, Pa.

John W. Bartram, to be postmaster at Wappinger Falls, N. Y.

Willis A. Mitchell, to be postmaster at Warren, Pa.

Ezekiel H. Gilbert, to be postmaster at Buena Vista, in the county of Rockbridge and State of Virginia.

Benson H. Smith, to be postmaster at East Radford, in the county of Montgomery and State of Virginia.

Robert S. Pritchett, to be postmaster at Shenandoah, in the county of Page and State of Virginia.

John M. Goodloe, to be postmaster at Big Stone Gap, in the county of Wise and State of Virginia.

Charles F. Core, to be postmaster at Homer, in the county of Champaign and State of Illinois.

John Harper, to be postmaster at Colchester, in the county of McDonough and State of Illinois.

Mrs. Elvira C. Smith, to be postmaster at Kilbourn City, in the county of Columbia and State of Wisconsin.

Jay D. Dean, to be postmaster at Hoquiam, in the county of Chehalis and State of Washington.

Jeremiah E. Hozier, to be postmaster at Berkley, in the county of Norfolk and State of Virginia.

SENATE.

WEDNESDAY, *December 23, 1891.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Vice-President being absent, the President *pro tempore* took the chair.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a memorial of the president of the municipal consolidation inquiry commission of New York, remonstrating against the passage of Senate bill 846, to authorize and regulate the construction of bridges across the Hudson River and East River at the city of New York; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. COCKRELL. I present three petitions, all printed on the blanks sent out by the representatives of Savannah, Ga., entitled "Georgia's appeal to her sister States." The blanks for these petitions have been filled in by the directors of the Board of Trade of St. Joseph, Mo., the mayor and aldermen of the city of St. Joseph, Mo., in council assembled, and the Commercial Club of Kansas City, Mo., in regular meeting assembled, indorsing the movement (which seems to be quite extensive from the number of blanks sent out of Georgia) for securing Congressional appropriations for deep water at Savannah. I move that the petitions be referred to the Committee on Commerce.

The motion was agreed to.

Mr. COCKRELL presented a petition of the Synod of Missouri of the Presbyterian Church in the United States of America, at its session in St. Joseph, Mo., October 23, 1891, signed by the stated clerk, Mr. John H. Miller, of Rich Hill, Mo., praying for the ratification of the treaty known as the Brussels treaty of 1890; which was referred to the Committee on Foreign Relations.

He also presented a petition of the North Presbyterian Church, representing 300 persons residing in St. Louis, Mo., adopted November 29, 1891, by a vote of 114 to none, and a petition of citizens of Long Branch Congregation of the Reformed Presbyterian Church, representing 130 persons residing in Atchison County, Mo., signed by Rev. D. M. Sharp, pastor, and John H. Walkinshaw, clerk, praying for the closing of the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PROCTOR presented the petition of C. H. Bellman and other citizens of Fairfax, Vt., and the petition of C. S. Goodnow and other citizens of Whittingham, Vt., praying for the free delivery of mails in country districts; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Presbytery of St. Johnsbury, Vt., praying for the closing of the World's Columbian Fair on Sunday; for the prevention of the sale of liquors within the exposition grounds, and that the art department be managed according to the American standard of purity; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CALL presented a petition of the Key West (Fla.) Board of Trade, praying for an increase of the appropriation made by Congress for the improvement of the northwest channel to Key West; which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 417) to prohibit monopoly in the transportation of cattle to foreign countries, asked to be discharged from its further consideration, and that it be referred to the Select Committee on the Transportation and Sale of Meat Products; which was agreed to.

PRINTING OF REPORT ON MARITIME CANAL OF NICARAGUA.

Mr. MORGAN. By direction of the Committee on Foreign Relations I report a resolution, and ask its reference to the Committee on Printing.

The resolution was read, as follows:

Resolved, That there be printed 15,000 copies of the report and appendix No. 1944 of the Senate Committee on Foreign Relations, to accompany Senate bill No. 4827, to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889; which report was made to the Fifty-first Congress, 10,000 copies of such reprint to be for the use of the House of Representatives and 5,000 for the use of the Senate.

Mr. SHERMAN. I suggest that the number of the bill be left blank, as I propose to introduce such a bill, which will have a different number from the one of the last Congress.

Mr. MORGAN. The resolution identifies the bill to which the report was an accompaniment; that is all. It merely identifies the report.

Mr. SHERMAN. But I should like to have the new bill substituted for the old. It would make no difference to just leave the blank for the number until after I introduce the new bill.

Mr. MORGAN. But the Senator will bear in mind that it is a mere description of the report. It is report so and so, to accompany a bill so and so, in the Fifty-first Congress.

Mr. SHERMAN. If the Senator prefers to let the resolution stand as it is, I have no objection,

Mr. MORGAN. It is merely intended to identify the report.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee on Printing.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 1218) to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 1219) for the relief of Fred. W. Snell; which was read twice by its title.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Claims.

Mr. SHERMAN. I think it should go to the Committee on Military Affairs. It is a claim for compensation for a horse lost in the war.

The PRESIDENT *pro tempore*. The attention of the Chair has been called to the fact that the former reference of the bill was to the Committee on Claims, and that that committee has usually had charge of that class of claims.

Mr. SHERMAN. All right.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Claims.

Mr. CAMERON introduced a bill (S. 1220) granting a pension to Eliza K. Starr; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 1221) authorizing the purchase of the Hubert H. Bancroft library, a collection of historical information concerning the western half of America; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 1222) to protect the wages of seamen; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1223) to amend section 4153, Revised Statutes, defining register tonnage, to provide for the supervision of vessel measurement, and to insure accuracy in the computation of tonnage; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1224) to amend the law relative to the shipment, payment, and discharge of seamen; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1225) to regulate the changing of the names of vessels; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1226) to increase the safety of life and property on ships at sea by establishing rules for freeboard or load marks; which was read twice by its title.

Mr. FRYE. This last bill is an exceedingly important one, and I hope that the boards of trade, maritime associations, shipowners, and shipbuilders will send to the Committee on Commerce any criticisms they may have to make in relation to it.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Commerce.

Mr. HARRIS (by request) introduced a bill (S. 1227) authorizing the Postmaster-General to adopt devices for canceling postage stamps, stamped envelopes, stamped wrappers, and postal cards, to prevent peculations and fraud; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. GIBSON of Louisiana introduced a bill (S. 1228) for the improvement of the harbor of the city of New Orleans, La., with an appropriation therefor; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PROCTOR (by request) introduced a bill (S. 1229) amending section 1202 of Revised Statutes of the United States, providing for the attendance of witnesses before a court-martial; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1230) amending the act of October 1, 1890, entitled "An act to provide for the examination of certain officers of the Army and to regulate promotions therein;" which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1231) for the relief of Charles F. Sanborn, St. Albans, Vt.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1232) removing charge of desertion against Lucius W. Hayford, Worcester, Vt.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1233) to establish a military post on the line of railway between Burlington and Highgate, Vt.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 1234) amending an act entitled "An act to accept and ratify the agreement submitted by the confederated bands of Ute Indians in Colorado for the sale of their reservation in said State, and for other purposes, and to make the necessary appropriations for carrying out the same;" which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HANSBROUGH introduced a bill (S. 1235) to extend the free postal delivery system; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. McMILLAN introduced a bill (S. 1236) to regulate the practice of medicine in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL introduced a bill (S. 1237) for the relief of Sarah E. B. Smith; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1238) granting a pension to Joseph K. Boone; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1239) for the benefit of sundry persons residing in the vicinity of Jefferson Barracks, Mo.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WASHBURN introduced a bill (S. 1240) granting to the Minneapolis, St. Paul and Sault St. Marie Railway Company right of way across the military reservation at Sault St. Marie; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1241) to amend an act entitled "An act relative to the Minneapolis Industrial Exposition, to be held annually in the city of Minneapolis, State of Minnesota," approved March 3, 1887; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1242) granting a pension to Mary R. Bacon; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 1243) granting a pension to Thomas J. Reid; which was read twice by its title.

Mr. COCKRELL. In connection with the bill, I desire to submit resolutions of Ben Loan Grand Army Post, No. 33, of Kingston, Caldwell County, Mo., favoring the granting of the pension, two affidavits of Dr. N. N. Smyth, and also a letter from the Pension Office. I ask that these papers may accompany the bill to the Committee on Pensions.

The PRESIDENT *pro tempore*. The papers will be referred, with the bill, to the Committee on Pensions.

Mr. HALE introduced a bill (S. 1244) to authorize the owners or claimants of the schooner Grace Gower, of Sedgwick, Me., to bring a suit against the United States; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAVIS introduced a bill (S. 1245) granting a pension to Clarissa M. Gifford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1246) to remove the charge of desertion against Joseph G. Utter; which was read twice by its title, and referred to the Committee on Military Affairs.

ARTESIAN AND UNDERFLOW INVESTIGATION.

Mr. DUBOIS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of Agriculture be directed to inform the Senate of the progress of the artesian and underflow investigation, and of the irrigation inquiry, as conducted under his direction in the Department of Agriculture, and further to state at what date the final reports on the artesian and underflow investigation will be laid before Congress, as required by law.

REPRINTING OF BILL FOR PROTECTION OF RAILROAD EMPLOYÉS.

Mr. CULLOM submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 893) providing for the adoption and use of a uniform standard automatic car-coupler, and regulating the operation and control of freight trains used in interstate commerce, and providing for the greater safety of railroad employés, and for other purposes, be reprinted for the use of the Senate.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. TOWLES, its Chief Clerk, announced that the Speaker of the House of Representatives had signed the enrolled joint resolution (H. Res. 1) to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1891, on the 24th day of said month; and it was thereupon signed by the President *pro tempore*.

ELECTRIC WIRES IN THE DISTRICT OF COLUMBIA.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying report, on motion of Mr. HARRIS, referred to the Committee on the District of Columbia, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith the report of the board appointed by me under a clause in the District of Columbia appropriation act approved August 6, 1890, "to consider the location, arrangement, and operation of electric wires in the District of Columbia," etc., to which the attention of Congress is respectfully invited.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1891.*

BOARD ON GEOGRAPHIC NAMES.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and ordered to be printed, and, with the accompanying report, referred to the Committee on Printing:

To the Senate and House of Representatives:

My attention having been called to the necessity of bringing about a uniform usage and spelling of geographic names in the publications of the Government, the following executive order was issued on the 4th day of September, 1890:

"As it is desirable that uniform usage in regard to geographic nomenclature and orthography obtain throughout the Executive Departments of the Government, and particularly upon the maps and charts issued by the various Departments and Bureaus, I hereby constitute a Board on Geographic Names, and designate the following persons, who have heretofore coöperated for a similar purpose under the authority of the several Departments, Bureaus, and institutions with which they are connected, as members of said Board:

"Prof. Thomas C. Mendenhall, United States Coast and Geodetic Survey, chairman.

"Andrew H. Allen, Department of State.

"Capt. Henry L. Howison, Light-House Board, Treasury Department.

"Capt. Thomas Turtle, Engineer Corps, War Department.

"Lieut. Richardson Clover, Hydrographic Office, Navy Department.

"Pierson H. Bristow, Post-Office Department.

"Otis T. Mason, Smithsonian Institution.
"Herbert G. Ogden, United States Coast and Geodetic Survey.
"Henry Gannett, United States Geological Survey.
"Marcus Baker, United States Geological Survey.
"To this Board shall be referred all unsettled questions concerning geographic names which arise in the Departments, and the decisions of the Board are to be accepted by these Departments as the standard authority in such matters.
"Department officers are instructed to afford such assistance as may be proper to carry on the work of this Board.
"The members of this Board shall serve without additional compensation, and its organization shall entail no expense on the Government."

The report of the Board thus constituted has been submitted to me and is herewith transmitted for the information of Congress, and with a view to its publication in suitable form, if such action is deemed by Congress to be desirable.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1891.*

EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 12 o'clock and 40 minutes p. m.) the Senate adjourned; the adjournment, under the concurrent resolution of the two Houses, being until Tuesday, January 5, 1892, at 12 o'clock m.

NOMINATION.

Executive nomination received by the Senate December 23, 1891.

Mark W. Harrington, of Michigan, to be Chief of the Weather Bureau in the Department of Agriculture, a new office created by act of Congress approved October 1, 1890. Mr. Harrington is now serving under a commission issued during the recess of the Senate.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 23, 1891.

ASSISTANT ATTORNEY-GENERAL.

Leonard W. Colby, of Nebraska, to be Assistant Attorney-General of the United States.

CONSULS.

Edwin A. Berry, of Cedar Keys, Fla., to be consul of the United States at Santos.

William C. Tripler, to be consul of the United States at Coquimbo.

LAND COMMISSIONER.

Ebenezer J. Ormsbee, of Brandon, Vt., to be land commissioner in Samoa.

MEMBER OF THE CONTINENTAL RAILWAY COMMISSION.

Richard C. Kerens, of Missouri, to be a member of the Continental Railway Commission.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

A. Loudon Snowdon, of Pennsylvania, to be envoy extraordinary and minister plenipotentiary of the United States to Greece, Roumania, and Servia.

Richard Cutts Shannon, of New York City, N. Y., to be envoy extraordinary and minister plenipotentiary of the United States to Nicaragua, Costa Rica, and Salvador.

Romualdo Pacheco, of California, to be envoy extraordinary and minister plenipotentiary of the United States to Guatemala and Honduras.

MINISTER RESIDENT AND CONSUL-GENERAL.

John S. Durham, of Pennsylvania, formerly consul at Santo Domingo, to be minister resident and consul-general of the United States to Haiti.

SECRETARIES OF LEGATION.

Larz Anderson, of Ohio, to be second secretary of the legation of the United States at London.

Fenton R. McCreery, of Michigan, to be secretary of the legation of the United States at Santiago, Chile.

Jeremiah Coughlin, of New York City, N. Y., to be secretary of the legation and consul-general of the United States at Bogota.

POSTMASTERS.

William H. Merrill, to be postmaster at Salem, in the county of Essex and State of Massachusetts.

Miss Flora Everhart, to be postmaster at Colorado City, in the county of El Paso and State of Colorado.

Homer C. Powers, to be postmaster at Starkville, in the county of Oktibbeha and State of Mississippi.

Rasselas Boyd, to be postmaster at Kosciusko, in the county of Attala and State of Mississippi.

Thomas H. Miller, to be postmaster at Tuscaloosa, in the county of Tuscaloosa and State of Alabama.

Nathaniel K. Beardslee, to be postmaster at El Dorado Springs, in the county of Cedar and State of Missouri.

Lee N. McCaughan, to be postmaster at Rockport, in the county of Aransas and State of Texas.

Albert Enderle, to be postmaster at Kerrville, in the county of Kerr and State of Texas.

Margaret A. Campbell, to be postmaster at Lees Summit, in the county of Jackson and State of Missouri.

Lauriston H. Condit, to be postmaster at Canton, in the county of Lewis and State of Missouri.

Lewis W. Barton, to be postmaster at California, in the county of Moniteau and State of Missouri.

Noah L. Hawk, to be postmaster at Willow Springs, in the county of Howell and State of Missouri.

Stephen D. Ham, to be postmaster at Montgomery City, in the county of Montgomery and State of Missouri.

John D. Dopf, to be postmaster at Rockport, in the county of Atchison and State of Missouri.

Lewis Lumpee, to be postmaster at Versailles, in the county of Morgan and State of Missouri.

Sallie H. Haley, to be postmaster at Webster Groves, in the county of St. Louis and State of Missouri.

Jay W. Higginbottom, to be postmaster at Norborne, in the county of Carroll and State of Missouri.

William H. Catts, to be postmaster at Granbury, in the county of Hood and State of Texas.

Seth D. McNeal, to be postmaster at Jonesville, in the county of Hillsdale and State of Michigan.

James H. Matthews, to be postmaster at Mount Vernon, in the county of Lawrence and State of Missouri.

George W. Olney, to be postmaster at South Bend, in the county of Pacific and State of Washington.

Converse G. Cole, to be postmaster at New Whatcom, in the county of Whatcom and State of Washington.

Francis O. Coe, to be postmaster at Snohomish, in the county of Snohomish and State of Washington.

Charles H. Ruthrauff, to be postmaster at Greencastle, in the county of Franklin and State of Pennsylvania.

Edward K. Fiester, to be postmaster at Jersey Shore, in the county of Lycoming and State of Pennsylvania.

Wallace E. Woodworth, to be postmaster at Lakeport, in the county of Belknap and State of New Hampshire.

James P. Byron, to be postmaster at Deming, in the county of Grant and Territory of New Mexico.

Thomas T. Anderson, to be postmaster at Indianola, in the county of Warren and State of Iowa.

David C. Mott, to be postmaster at What Cheer, in the county of Keokuk and State of Iowa.

George L. Booth, to be postmaster at Barry, in the county of Pike and State of Illinois.

George B. Allison, to be postmaster at Chester, in the county of Randolph and State of Illinois.

Edward Whaley, to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin.

Ionia B. Bomar, to be postmaster at Metropolis City, in the county of Massac and State of Illinois.

Benjamin F. Shaw, to be postmaster at Dixon, in the county of Lee and State of Illinois.

Harrison M. Pursell, to be postmaster at Pinckneyville, in the county of Perry and State of Illinois.

John W. Sims, to be postmaster at Mound City, in the county of Pulaski and State of Illinois.

George H. Sewall, to be postmaster at Virden, in the county of Macoupin and State of Illinois.

William H. Phipps, to be postmaster at Carmi, in the county of White and State of Illinois.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 23, 1891.*

The House met at 12 o'clock m. The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

O Eternal God! The shadow feared by men has entered the Capitol and enfolded in his dark shroud the form of a brave, honest, and honorable Senator, steadfast in friendship, loyal to his convictions; zealous, fearless, and faithful in the fulfillment of every trust, public and private, and the song of joy and gladness that was rising to our lips, the song belonging to this happy season, is hushed as we hear the wail of a whole people from the broad plains of Kansas, joining with the sobs of the wife that has been widowed and of the children that are made fatherless, as they sit shrouded in their home of grief. And to-day the tolling bell knells the passing of the soul of a leader and a friend of the people.

And yet we bless Thee, O Father, notwithstanding the darkness that has fallen upon the capital and upon his State and the whole country, that in the light that shone upon the plains of Bethlehem there was a promise of the glory of resurrection day, and that Christmas unites itself with Easter, and that death is not victorious nor the conqueror of human life, but that Christ, born of the Virgin and cradled in the manger, hath opened the door of everlasting life and glory to all who are faithful to their trusts and who walk in Thy fear and Thy favor. And so we lift our song to Thee, even from near the open grave: Glory be to God on high, and on earth peace, good-will to men, through the august and sacred name of Jesus Christ, our Saviour. Amen.

The Journal of the proceedings of Saturday last was read and approved.

SWEARING IN OF A MEMBER.

Mr. O'FERRALL. Mr. Speaker, I rise to a question of privilege. I desire to present at this time the certificate of election of the Hon. Elisha E. Meredith, elected on the 9th day of the present month as a Representative from the Eighth Congressional district of the State of Virginia, to fill the vacancy occasioned by the death of Hon. William H. F. Lee. I ask that he be now sworn in.

The SPEAKER. The credentials will be read.

(The credentials having been read by the Clerk, Mr. Meredith appeared at the bar of the House and was duly qualified, taking the oath prescribed by law.)

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the House joint resolution No. 1, to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1891, on the 24th day of said month.

Also that the Senate agreed to the resolution of the House of Representatives providing for the holiday recess.

It also announced the appointment of a committee of five Senators to take order in connection with the committee on the part of the House of Representatives to superintend the funeral of the late Senator Plumb.

Also that the Senate had heard with deep regret of the death of Hon. Melbourne H. Ford, late a member of the House of Representatives.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER. The Clerk of the House, who was authorized by its order to enroll a joint resolution, submits the resolution, the title of which the Clerk will read, as having been duly enrolled.

The Clerk read as follows:

Joint resolution to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1891, on the 24th day of said month.

The Speaker thereupon signed the said joint resolution.

MESSAGE FROM THE PRESIDENT.

A message from the President, in writing, was delivered to the House, by Mr. PRUDEN, one of his clerks.

APPOINTMENT OF HOUSE COMMITTEES.

The SPEAKER announced the appointment of the following standing and select committees of the House of Representatives:

STANDING COMMITTEES.

Committee on Elections—Messrs. O'Ferrall, Moore, Cobb of Alabama, Paynter, Brown, Lockwood, Lawson of Georgia, Gillespie, Johnstone of South Carolina, Haugen, Taylor of Tennessee, Doan, Johnson of Indiana, Reyburn, and Clark of Wyoming.

Committee on Ways and Means—Messrs. Springer, McMillin, Turner, Wilson of West Virginia, Montgomery, Whiting, Shively, Cockran, Stevens, Bryan, Reed, Burrows, McKenna, Payne, and Dalzell.

Committee on Appropriations—Messrs. Holman, Forney, Sayers, Breckinridge of Kentucky, Dockery, Mutchler, Breckinridge of Arkansas, Compton, O'Neil of Massachusetts, Livingston, Henderson of Iowa, Cogswell, Bingham, Dingley, and Grout.

Committee on the Judiciary—Messrs. Culberson, Oates, Bynum, Stockdale, Goodnight, Boatner, Buchanan of Virginia, Chapin, Layton, Wolverton, Ezra B. Taylor, Buchanan of New Jersey, Ray, Powers, and Broderick.

Committee on Banking and Currency—Messrs. Bacon, Wike, Crain, Cate, Dickerson, Sperry, Gantz, Cox of Tennessee, Cobb of Missouri, Walker, Brosius, Townsend, and Henderson of Illinois.

Committee on Coinage, Weights, and Measures—Messrs. Bland, Tracey, Williams of Illinois, Kilgore, Robertson of Louisiana, Pierce, Epes, Williams of Massachusetts, McKeighan, Bartine, Taylor of Illinois, Charles W. Stone, and Johnson of North Dakota.

Committee on Interstate and Foreign Commerce—Messrs. Mills, Wise, Price, Rayner, Brickner, Geary, Houk of Ohio, Mallory, Patterson of Tennessee, O'Neill of Missouri, O'Neill of Pennsylvania, Lind, Randall, Storer, and Ketcham.

Committee on Rivers and Harbors—Messrs. Blanchard, Catchings, Stewart of Texas, Lester of Georgia, Clarke of Alabama, Haynes, Weadock, Jones, Page of Rhode Island, Byrns, Henderson of Illinois, Hermann, Stephenson, William A. Stone, and Quackenbush.

Committee on Merchant Marine and Fisheries—Messrs. Fowler, Fithian, Moore, Caruth, Buchanan of Virginia, De Forest, Magner, Stump, Wheeler of Michigan, Hopkins of Illinois, Atkinson, Wilson of Kentucky, and Perkins.

Committee on Agriculture—Messrs. Hatch, Lewis, Alexander, Youmans, Shell, Forman, White, Caminetti, Moses, Long, Funston, Wilson of Kentucky, Jolley, Waugh, and Cheatham.

Committee on Foreign Affairs—Messrs. Blount, McCreary, Hooker of Mississippi, Chipman, Fitch, Andrew, Cable, Rayner, Geary, Hitt, Harmer, O'Donnell, and Sanford.

Committee on Military Affairs—Messrs. Outhwaite, Wheeler of Alabama, Newberry, Patton, Rockwell, Mitchell, Lapham, McDonald, Crosby, Bingham, Belknap, Bowers, and Hull.

Committee on Naval Affairs—Messrs. Herbert, Elliott, Cummings, Geissenhainer, Daniell, Meyer, Lawson of Virgina, McAleer, Page of Maryland, Boutelle, Lodge, Dolliver, and Wadsworth.

Committee on the Post-Office and Post-Roads—Messrs. Henderson of North Carolina, Blount, Enloe, Wilson of Missouri, Dunphy, Alderson, Brookshire, Kyle, Pattison of Ohio, Crosby, Hopkins of Illinois, Caldwell, Wilson of Washington, Bergen, Loud, and Caine.

Committee on the Public Lands—Messrs. McRae, Pendleton, Tucker, Amerman, Bailey, De Armond, Seerley, Hare, Stout, Pickler, Townsend, Sweet, and Clark of Wyoming.

Committee on Indian Affairs—Messrs. Peel, Allen, Turpin, Rockwell, Brawley, Lynch, English, Clover, Kem, Wilson of Washington, McKenna, Hooker of New York, Hopkins of Pennsylvania, and Harvey.

Committee on the Territories—Messrs. Washington, Kilgore, Mansur, Campbell, Parrett, Branch, Terry, Simpson, Donovan, Rife, Smith of Illinois, Perkins, O'Donnell, and Joseph.

Committee on Railways and Canals—Messrs. Catchings, Lester of Virginia, Cate, Bentley, Beltzhoover, Causey, Cobb of Missouri, Halvorsen, Davis, Randall, Bergen, Hull, and Loud.

Committee on Manufactures—Messrs. Page of Rhode Island, McKinney, Lagan, Warner, Beeman, Hoar, Williams of North Carolina, Harter, Ezra B. Taylor, Morse, and Reyburn.

Committee on Mines and Mining—Messrs. Cowles, Cooper, Peel, Campbell, Pendleton, Caminetti, Arnold, Bowman, Miller, Townsend, Stephenson, Post, Huff, and Smith of Arizona.

Committee on Public Buildings and Grounds—Messrs. Bankhead, Abbott, Lewis, Tarsney, Warwick, McKaig, Newberry, Warner, Williams of North Carolina, Milliken, Shonk, Enochs, and Sweet.

Committee on the Pacific Railroads—Messrs. Reilly, Lanham, Lane, Brown, Ellis, Covert, Castle, Coolidge, Snodgrass, Raines, Flick, Lind, Vincent A. Taylor, and Caine.

Committee on Levees and Improvements of the Mississippi River—Messrs. Robertson of Louisiana, Stockdale, Pierce, Norton, Terry, Everett, Harter, Mallory, Patton, Burrows, Scull, Wilson of Kentucky, and Post.

Committee on Education—Messrs. Hayes, Brunner, Donovan, Bretz, Everett, Grady, Coburn, Beeman, Hallowell, Joseph D. Taylor, Cheatham, Sanford, and Stewart of Pennsylvania.

Committee on Labor—Messrs. Tarsney, Willcox, Dixon, McGann, Dungan, Bunting, Capehart, Causey, Davis, Buchanan of New Jersey, Brosius, Haugen, and Wilson of Washington.

Committee on the Militia—Messrs. Lane, Blanchard, Stone of Kentucky, Coombs, Stackhouse, Wheeler of Michigan, Steward of Illinois, Hall, Watson, Henderson of Illinois, Cutting, Enochs, and Griswold.

Committee on Patents—Messrs. Tillman, Heard, Turpin, Greenleaf, Miller, Hall, Lapham, Hamilton, De Forest, Buchanan of New Jersey, Belknap, Quackenbush, and Scull.

Committee on Invalid Pensions—Messrs. Martin, McKinney, Fyan, Van Horn, Snow, Kribbs, Pearson, Harries, McDonald, Butler, Flick, Taylor of Tennessee, Curtis, Jolley, and Robinson of Pennsylvania.

Committee on Pensions—Messrs. Wilson of Missouri, Henderson of North Carolina, Bankhead, Norton, Parrett, Barwig, Jones, Moses, Steward of Illinois, Scull, Waugh, Houk of Tennessee, and Bowers.

Committee on Claims—Messrs. Bunn, Mansur, Stahlnecker, Bullock, Byrns, Cox of Tennessee, McGann, Cox of New York, Kendall, Page of Rhode Island, Reyburn, Atkinson, Smith of Illinois, Loud, and Wever.

Committee on War Claims—Messrs. Beltzhoover, Stone of Ken-

tucky, Enloe, Clancy, Cobb of Missouri, Winn, Scott, Shell, Dolliver, Pickler, Houk of Tennessee, and Rife.

Committee on Private Land Claims—Messrs. Fitch, Alderson, Brunner, Babbitt, Van Horn, Winn, Arnold, Crawford, Bushnell, Bingham, Lind, Storer, Otis, and Smith of Arizona.

Committee on the District of Columbia—Messrs. Hemphill, Heard, Richardson, Rusk, Cobb of Alabama, Fellows, Johnson of Ohio, Meredith, Cadmus, Harmer, Post, Cogswell, and Belden.

Committee on Revision of the Laws—Messrs. Ellis, Outhwaite, Bullock, Edmunds, Norton, Magner, Brookshire, Amerman, Patterson of Tennessee, Broderick, Robinson of Pennsylvania, Vincent A. Taylor, and Waugh.

Committee on Expenditures in the State Department—Messrs. Lester of Georgia, Breckinridge of Kentucky, Alexander, Butler, Sanford, Charles W. Stone, and Wever.

Committee on Expenditures in the Treasury Department—Messrs. Brickner, O'Neill of Missouri, Crawford, Clover, William A. Stone, Wadsworth, and Clark of Wyoming.

Committee on Expenditures in the War Department—Messrs. Montgomery, Bunn, Daniell, Dungan, Hitt, Shonk, and Hooker of New York.

Committee on Expenditures in the Navy Department—Messrs. McClellan, Dockery, Abbott, Johnstone of South Carolina, Ray, Milliken, and Bartine.

Committee on Expenditures in the Post-Office Department—Messrs. Oates, Paynter, Gillespie, Gorman, Belden, Stewart of Pennsylvania, and Houk of Tennessee.

Committee on Expenditures in the Interior Department—Messrs. Owens, White, Grady, Kyle, Grout, Hopkins of Pennsylvania, and Bowers.

Committee on Expenditures in the Department of Justice—Messrs. Allen, Cowles, Wise, Lawson of Georgia, Ezra B. Taylor, Dingley, and Payne.

Committee on Expenditures in the Department of Agriculture—Messrs. Edmunds, Bunting, Capehart, Stackhouse, Halvorsen, Kem, and Curtis.

Committee on Expenditures on Public Buildings—Messrs. Youmans, Greenleaf, Hamilton, Branch, Ketcham, Taylor of Illinois, and Cheatham.

Committee on the Library—Messrs. Cummings, O'Ferrall, and O'Neill of Pennsylvania.

Committee on Printing—Messrs. Richardson, McKaig, and Broderick.

Committee on Enrolled Bills—Messrs. Warwick, Hayes, Lewis, Scott, Pickler, Johnson of Indiana, and McKeighan.

SELECT COMMITTEES.

Committee on Reform in the Civil Service—Messrs. Andrew, Boatner, Wike, Brawley, Pattison of Ohio, Sperry, Meredith, Coombs, Harries, Hopkins of Illinois, Russell, Brosius, and Raines.

Committee on Election of President and Vice-President and Representatives in Congress—Messrs. Chipman, Tucker, Crane, Compton, McClellan, Gantz, De Armond, Bushnell, Cox of New York, Lodge, Powers, Doan, and Johnson of North Dakota.

Committee on the Eleventh Census—Messrs. Willcox, Owens, Bynum, Watson, Busey, Bentley, Babbitt, Lawson of Virginia, Baker, Joseph D. Taylor, Boutelle, Henderson of Iowa, and Huff.

Committee on Ventilation and Acoustics—Messrs. Stahlnecker, Stewart of Texas, Stout, Durborow, Wright, O'Donnell, and Perkins.

Committee on Alcoholic Liquor Traffic—Messrs. Haynes, Clarke of Alabama, Lester of Virginia, Barwig, English, Bailey, Bowman, Joseph D. Taylor, Morse, Griswold, and Cutting.

Committee on Irrigation of Arid Lands in the United States—Messrs. Lanham, Clancy, Bretz, Gorman, Coolidge, Dixon, Simpson, Pickler, Randall, Curtis, Sweet, and Caine.

Committee on Immigration and Naturalization—Messrs. Stump, Covert, Elliott, Geissenhainer, Epes, Fyan, Hare, Coburn, Ketcham, Funston, and Wright.

Committee on the Columbian Exposition—Messrs. Durborow, McCreary, Reilly, Houk of Ohio, Wheeler of Alabama, Lagan, Little, Cogswell, Dingley, McKenna, and Dolliver.

ASSIGNMENT OF COMMITTEE CLERKS.

Mr. RUSK. Mr. Speaker, I offer the following resolution and ask immediate consideration of the same.

The SPEAKER. The resolution will be read, after which the Chair will make a statement.

The Clerk read as follows:

Resolved, That the Committee on Accounts is hereby authorized and directed to designate the committees of the House to which the clerks provided for by the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1892, should be allowed and assigned for the present Congress, and to report by resolution to the House for its action thereon.

The SPEAKER. The Chair will state to the House that on Saturday last an agreement was made that no business should be transacted to-day other than that relating to the adjournment resolution, the swearing in of new members, and the appointment of committees. This is a resolution relating to the assignment of the committee clerks, and the Chair is in some doubt whether it should be considered at this time, in view of the agreement heretofore made, although, as a matter of convenience, it would undoubtedly be better that the committee should proceed to make these assignments without delay.

Mr. BRECKINRIDGE of Kentucky. We could not hear whether this resolution was for reference to the committee or one authorizing immediate action.

The SPEAKER. This is the usual resolution directing the Committee on Accounts to assign to the committees the clerks provided for by the last legislative appropriation bill. There are certain committees, the House will remember, which are not provided with clerks. Only a given number of committees are so provided, and the Committee on Accounts makes the assignment of clerks to the various committees.

Mr. RUSK. I will ask unanimous consent for the immediate consideration of the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. STONE of Kentucky. I object.

Mr. BRECKINRIDGE of Kentucky. I think we ought to carry out the original agreement.

The SPEAKER. Objection is made.

DEATH OF HON. WILLIAM H. F. LEE.

Mr. MEREDITH. Mr. Speaker, I rise to make the painful announcement to the House of the death of Hon. William H. F. Lee, a Representative in the Fiftieth and Fifty-first Congresses of the United States and a Representative elect to the Fifty-second Congress.

He died at his home in Fairfax County on the 15th day of October last, after a lingering illness. Later in the session I shall ask this House to fix a day when his colleagues and friends can do justice to his memory and express their appreciation of his high character.

It is only meet and fitting on this occasion that I should say that in the death of Gen. Lee the State of Virginia has lost the services of one of her most chivalrous and noble sons, and the district he so well represented a faithful guardian of the interests of all its people.

I send to the desk and ask the adoption of these resolutions.

The Clerk read as follows:

Resolved, That the House has heard with deep regret and profound sorrow of the death of Hon. W. H. F. Lee, a Representative from the State of Virginia.

Resolved, That the Clerk be directed to communicate a copy of these resolutions to the Senate.

Resolved, That as a further mark of respect the House do now adjourn.

The resolutions were unanimously agreed to.

And accordingly (at 12 o'clock and 37 minutes p. m.) the House adjourned until Tuesday, the 5th day of January next.

SENATE.

TUESDAY, *January 5, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Wednesday, December 23, 1891, was read and approved.

REPORT OF PUBLIC PRINTER.

The VICE-PRESIDENT laid before the Senate a communication from the Public Printer, transmitting his annual report for the fiscal year ended June 30, 1891; which was read.

Mr. MANDERSON. I move that the usual number of the entire report of the Public Printer be printed and referred to the Committee on Printing.

The motion was agreed to.

REPORT OF INTERSTATE COMMERCE COMMISSION.

The VICE-PRESIDENT laid before the Senate the fifth annual report of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a resolution of the Boston (Mass.) Merchants' Association, favoring the passage of the bill to transfer the Revenue Marine Service to the Navy; which was referred to the Committee on Naval Affairs.

He also presented a petition of the American Association for the Advancement of Science, of Washington, D. C., praying for the establishment of an arboretum in or near the District of Columbia under the direction of the Department of Agriculture; which was referred to the Committee on the District of Columbia.

Mr. HARRIS presented the petition of Williams & Hudson and 8 other tobacco manufacturers, of Paris, Tenn., praying that leaf-tobacco dealers be required to keep books and make reports; which was referred to the Committee on Finance.

Mr. CARLISLE presented the petition of Mrs. Edward Allsworth, widow of the late First Lieut. Edward Allsworth, United States Army, retired, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. GIBSON of Louisiana presented the petition of T. Fitzwilliam, president, W. W. Hyatt, vice-president, and Lewis S. Graham, secretary, of the Typothetæ of New Orleans, La., praying for an amendment of the postal laws; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. VEST presented a petition of the Synod of Missouri of the Presbyterian Church, adopted at its session in St. Joseph, Mo., praying for the ratification by the United States of the so-called Brussels treaty for the prevention of exporting intoxicating liquors to the Congo Free State; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Brown Tobacco Company, and other citizens of Montgomery City, Mo., praying for the passage of an amendment to section 26 of the tariff and tax act approved by the President October 1, 1890, in regard to leaf tobacco; which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of St. Joseph, Mo.; a petition of the mayor and aldermen of St. Joseph, Mo., and a petition of the Commercial Club of Kansas City, Mo., praying that an adequate appropriation be made by Congress for the immediate improvement of the Savannah River, from the city of Savannah to the ocean; which were referred to the Committee on Commerce.

Mr. DAWES presented a petition of the Congregational Club of Newton, Mass., praying for the ratification of the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. SAWYER presented a petition of the Loyal Legion of Wisconsin, praying that Congress legislate to prevent the desecration of the United States flag; which was referred to the Committee on Military Affairs.

He also presented a petition of the Loyal Legion of Minnesota, praying that an appropriation be made by Congress for better coast defenses for our cities on the seaboard; which was referred to the Committee on Coast Defenses.

Mr. McMILLAN presented a petition of the common council of the city of Detroit, Mich., praying for the passage of the Stockbridge bill providing for an increase of the pay of the employés of the Life-Saving Service; which was referred to the Committee on Commerce.

Mr. DOLPH presented a petition of the Lumber Manufacturers' Association of Seattle, Wash., praying for the early construction of the Nicaragua Canal, and for Government aid in securing the same; which was referred to the Committee on Foreign Relations.

He also presented a petition of the churches and religious organizations of Oregon City, Oregon, praying for the passage of a bill to prohibit the opening on Sunday of any exhibition or exposition where appropriations of the United States are to be expended; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Board of Commerce of Oregon, praying for liberal appropriations for surveys and necessary improvements of the water ways and harbors of the State of Oregon; which was referred to the Committee on Commerce.

Mr. MORRILL presented a petition of citizens of Westminster West, Vermont, representing the Congregational Church and Society, praying for a loan by the United States Government of $5,000,000 to the World's Columbian Exposition on the condition that it be not opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union, of Strafford County, N. H., praying for the ratification of the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of Crystal Lake Grange, No. 1, Patrons of Husbandry, of Gilmanton, N. H., praying for the free delivery of mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of Rev. A. L. Smith and 78 other citizens of New Market, N. H., praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented additional papers to accompany the bill granting a pension to Mary E. Dickey; which were referred to the Committee on Pensions.

Mr. PEFFER presented a petition of citizens of Rush County, Kans., praying for an international conference during the World's Columbian Exposition for the purpose of devising means for the incorporation in treaties of the principle of arbitration; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Salina, Kans., and a petition of citizens of Concordia, Kans., praying for the loan of $5,000,000 for the World's Columbian Fair, provided that it be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Coffey County, Kans., praying for the passage of legislation to prevent the sale of options on agricultural products; which was referred to the Committee on Agriculture and Forestry.

Mr. FRYE presented a petition of 112 citizens of South Thomaston and vicinity, in the State of Maine, praying for the passage of a bill to promote the efficiency of the Life-Saving Service by an increase of the salaries of the employés therein; which was referred to the Committee on Commerce.

Mr. FRYE. I present a very large number of petitions asking the United States Senate to ratify the general act at Brussels for the repression of the slave traffic and the restriction of the liquor traffic. The permanent committee of the Presbyterian Church in the United States inform me that one of these petitions is signed by authority of the general assembly in behalf of the entire communion, which consists of over 800,000 communicants; that nine synods, representing 443,000, appear in these petitions; that 3,000 are represented by officers and trustees of societies; and that seventeen or eighteen thousand persons appear by their own signatures. I move that the petitions be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. CULLOM. I had supposed that petitions such as the Senator from Maine has presented properly belong to executive session.

Mr. FRYE. The injunction of secrecy having been removed from that treaty, it seemed to me entirely proper that the petitions should be presented in open session.

Mr. CULLOM. Acting upon that suggestion, I present resolutions of the First Congregational Church of Rockford, Ill., in favor of the ratification of the treaty referred to. I also present resolutions of the West Side Woman's Christian Temperance Union of Chicago, Ill., favoring the same treaty. I move that the petitions be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. CULLOM. I also present resolutions adopted by the directors of the Board of Trade of Chicago, Ill., in favor of an appropriation for the building of an iron and steel propeller, costing not less than $175,000, for use on Lake Michigan, to take the place of the revenue cutter Andrew Johnson. I desire to say that the vessel referred to has been in use a great many years, and is substantially worn out, as I understand. I move that the petition be referred to the Committee on Commerce.

The motion was agreed to.

Mr. BLODGETT presented a memorial of the Methodist Episcopal Church of High Bridge, N. J., and a memorial of the Methodist Episcopal Church of South Orange, N. J., remonstrating against the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Sussex County, N. J., praying that a pension be granted to Henry Garris, a private in Company G, One hundred and forty-second Pennsylvania Volunteers; which was referred to the Committee on Pensions.

Mr. KYLE presented a petition of citizens of Centerville, S. Dak., praying that a loan of $5,000,000 be made by Congress to the World's Columbian Exposition provided that it be closed to visitors on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 35 citizens of Hanson County, S. Dak., praying for the passage of legislation prohibiting gambling in agricultural products; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of 42 citizens of Hanson County, S. Dak., praying for legislation in behalf of pure food and for the passage of the Conger lard bill and similar legislation; which was referred to the Committee on Agriculture and Forestry.

Mr. BARBOUR presented the petition of P. H. May & Bro., of Richmond, Va., praying for the passage of an amendment to the tariff and tax act repealing all special taxes on dealers in leaf tobacco; which was referred to the Committee on Finance.

Mr. MITCHELL. I present resolutions adopted by a convention of delegates recently held at Seattle, in the State of Washington, representing the business interests of that State, praying that Congress take action looking to the loaning of such credit of the Government as may be necessary to secure the speedy completion of the Nicaragua Canal. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. MITCHELL. I present a petition of citizens of Turner, Oregon, praying Congress to enact such legislation as will insure—

First. The free delivery of all mail matter to every post-office in the settled portions of the country with free collection of letters;

Second. More frequent mails for country districts; and

Third. The reduction of mail matter to two classes—one for correspondence, the other for printed matter and merchandise, and the establishment of a parcel post and fractional postage currency for use in the mails.

I move that the petition be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. MITCHELL. I present a petition of members of Canyon City Grange, No. 161, of Canyon City, Oregon, praying Congress to pass an act construing the late forfeiture act according to its original and true purpose, to forfeit all the lands within the 40-mile boundaries and between the terminal limits drawn at right angles with the general course of the unconstructed road for 25 miles next to said terminals, and also praying the passage of an act resuming and restoring to the public domain all lands opposite to and coterminous with those portions of any railroad line not constructed within the time or according to the terms of the law under which they are claimed. I move that the petition be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. MITCHELL. I present a petition of the Oregon State Board of Commerce, composed of 27 commercial bodies located in the principal cities of the State of Oregon, praying that liberal appropriations may be made by Congress for surveys and necessary improvements to more effectually utilize such of the water ways of the State, including its rivers and harbors, as upon investigation may be shown to be capable of such improvement, as will, at a moderate cost, result in a substantial benefit to the agricultural and commercial interests not only of the State of Oregon, but of the country at large. I move that the petition be referred to the Committee on Commerce.

The motion was agreed to.

Mr. MITCHELL presented resolutions adopted by the La Crosse (Wis.) Board of Trade December 11, 1891, reaffirming the previous action of that board, praying for the reduction of rates in letter postage to 1 cent per pound; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. VILAS presented the petition of Henry W. Bannister and other citizens of Richland, Wis., praying for the passage of a bill to tax dealers in options and futures; which was referred to the Committee on Agriculture and Forestry.

Mr. ALLISON presented a petition of the Methodist Episcopal Church of Williamstown, Iowa, praying that an appropriation of $5,000,000 be made by Congress for the World's Columbian Exposition, on the condition that the Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of H. M. Hadley and other citizens of Hardin County, Iowa, praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of George Tyler and other citizens of Winneshiek County, Iowa; the petition of B. C. Reed and other citizens of Clayton County, Iowa; the petition of J. J. May and other citizens of Fayette County, Iowa, and the petition of E. W. Henshaw and other citizens of Hardin County, Iowa, praying for the passage of legislation to prevent the sale of options on agricultural products; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Oak Grove Alliance, No. 2119, of Iowa, praying Congress to extend the free distribution and collection of mails to the country districts, etc.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Dubuque (Iowa) Branch, No. 257, of the National Letter-Carriers' Association of the United States, praying that Congress pass an act extending the civil-service law to all free-delivery cities, the same as is now in existence in cities of fifty or more employés; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the eleventh annual session of the Farmers' Congress, held at Sedalia, Mo., praying that State and national laws be so framed that no class or set of men shall derive advantages and benefits at the expense of or to the detriment of the masses of the people; also favoring the election of the President by the popular vote and the election of United States Senators by the direct vote of the people; also that national taxation be limited to the wants of the Government economically and honestly administered; also for the passage of such legislation as will secure pure lard, and praying for other legislation; which was referred to the Committee on Privileges and Elections.

Mr. HISCOCK presented a petition of 331 citizens of New York, praying that an additional appropriation of $5,000,000 be made in aid of the World's Columbian Exposition, on condition that the exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of members of the United Presbyterian Church of York, N. Y., and other churches, representing 425 persons, praying for legislation looking to the closing of the World's Columbian Exposition on Sunday, to prevent the sale of intoxicating liquors on the fair grounds, and that the management of the art department may be according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of a number of citizens of the State of New York, praying for the free delivery of mails in country districts; which was referred to the Committe on Post-Offices and Post-Roads.

Mr. WILSON presented the petition of 29 members of the Reformed Presbyterian Church of Wyman, Iowa, praying that an additional appropriation of $5,000,000 be made in aid of the World's Columbian Exposition on condition that the exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 42 citizens of Wapello County, Iowa, praying for the passage of a bill similar to House bill 5353, Fifty-first Congress, defining options, futures, etc.; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Oak Grove Farmers' Alliance, No. 2119, of Iowa, praying for the extension of free delivery of mail matter to the rural districts; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of 13 citizens of Winneshiek County, Iowa; a petition of 19 citizens of Muscatine County, Iowa, and a petition of 15 citizens of Woodbury County, Iowa, praying for the passage of a bill similar to that known as the Conger lard bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Living Lake Church, of Washington, Iowa, praying that the sale of intoxicating liquors at the World's Fair be prohibited, and also that the art department be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Farmers' Alliance No. 5158, of Indianola, Iowa; a petition of 56 citizens of Humboldt County, Iowa; a petition of 13 citizens of Warren County, Iowa; a petition of 18 citizens of Muscatine County, Iowa, and a petition of 13 citizens of Winneshiek County, Iowa, praying for the passage of a bill similar to the one known as the Butterworth option bill; which were referred to the Committee on Agriculture and Forestry.

Mr. HOAR presented the petition of Rev. Edward Norton and other citizens of Quincy, Mass., and the petition of Charles W. Southgate, Reuben Thomas, and other members of Harvard Church, Brookline, Mass., praying that any loan to the World's Columbian Exposition be on condition that the same be closed on the Lord's Day; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. BUTLER. I present the petition of Rev. Newton Hanna and 168 other citizens of Williamsburg County, S. C., praying Congress to pass a bill appropriating not exceeding $100 per capita, to be expended under the direction of the American Colonization Society in paying expenses of emigrants to Liberia, and providing there six months' shelter and support for themselves and their children.

I also present the petition of Isaac Louis and 18 other citizens of Williamsburg County, S. C., to the same effect.

I move that the petitions be referred to the Committee on Immigration.

The motion was agreed to.

Mr. HALE presented a petition of William F. Stanley and other citizens of Cranberry Isles, Me., and a petition of 80 citizens of Maine, praying for the passage of a bill to promote the efficiency of the Life-Saving Service by an increase of the salaries of the employés therein; which were referred to the Committee on Commerce.

BILLS INTRODUCED.

Mr. DOLPH introduced a bill (S. 1247) to make an appropriation for the purchase of sites for fortifications; which was read twice by its title, and referred to the Committee on Coast Defenses.

Mr. DAVIS introduced a bill (S. 1248) to repeal section 24 of an

act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1249) to fix the rank, pay, and emoluments of the commander of the Army of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1250) supplementary to an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing pensions to widows, minor children, and dependent parents," approved June 27, 1890; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1251) to refer the claim of Bazil H. Beaulieu and others to the Court of Claims for adjustment; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1252) granting a pension to Lida M. Fillmore; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1253) granting a pension to James H. Mansfield; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1254) granting a pension to Anson Northrup; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1255) granting a pension to Catherine Creed; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1256) granting a pension to Mrs. M. A. McWhorter; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1257) granting a pension to Hugh King; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1258) granting a pension to George W. Brant; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1259) granting a pension to Julia Borup Hartley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1260) for the relief of Theodore Beaulieu; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1261) for the relief of Nancy Wallace; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 1262) for the relief of Benjamin F. Bruner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1263) for the relief of Henry George; which was read twice by its title, and referred to the Committee on Claims.

Mr. DOLPH introduced a bill (S. 1264) to amend section 2 of an act entitled "An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia," approved February 12, 1887; which was read twice by its title.

Mr. DOLPH. This bill is intended to carry out the recommendations of the Secretary of War upon the subject. I move that it be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. DOLPH introduced a bill (S. 1265) to amend an act entitled "An act to reorganize and establish the customs-collection district of Puget Sound," approved August 28, 1890; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. HIGGINS introduced a bill (S. 1266) to pay the awards of the Court of Claims in the French spoliation cases; which was read twice by its title, and referred to the Committee on Claims.

Mr. PEFFER introduced a bill (S. 1267) to establish a bureau of irrigation and to prescribe the duties thereof; which was read twice by its title, and referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also introduced a bill (S. 1268) to protect interstate commerce; to prevent dealing in "options" and "futures;" to prohibit the formation of "trusts," "combines," "corners," and all other combinations which affect prices, and to punish conspiracies against freedom of trade among the people of the several States; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 1269) to increase the circulating medium by issuing Treasury notes based on gold and silver coin and bullion, and to amend the coinage laws accordingly; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1270) to provide for the purchase of a site and the erection of a public building thereon at Kansas City, in the State of Kansas; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1271) for the purchase of the Washington Gas-Light Company's works; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PETTIGREW introduced a bill (S. 1272) granting to the State of South Dakota the lands embraced within the meander lines of the dry lake beds within said State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1273) to authorize the entry of lands chiefly valuable for building stone under the placer mining laws; which was read twice by its title, and referred to the Committee on Mines and Mining.

He also introduced a bill (S. 1274) to correct the military record of John W. Taylor; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1275) to remove the charge of desertion from the record of William Tobin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 1276) providing for the adjustment and payment of the accounts of laborers and mechanics arising under the eight-hour law; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 1277) for relief of heirs of Philip C. Rowe; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 1278) to authorize the extension of the line of the Columbia Railway of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1279) for the correction of the military record of Wilhelm Spiegelburg; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 1280) to amend an act entitled "An act to amend section 4178, Revised Statutes, in relation to the marking of vessels' names at bow and stern, and also to provide for marking the draft," approved February 21, 1891; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1281) granting an honorable discharge to Malcolm Johnson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1282) exempting American coastwise sailing vessels, piloted by their licensed masters or by a United States pilot, from the obligation to pay State pilots for services not rendered; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1283) authorizing the Secretary of the Treasury to settle the indebtedness to the Government of the Sioux City and Pacific Railroad Company; which was read twice by its title, and referred to the Select Committee on the President's Message transmitting the report of the Pacific Railway Commission.

He also introduced a bill (S. 1284) to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HOAR introduced a bill (S. 1285) granting a pension to Sewall A. Parmenter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 1286) for the relief of the Mount Zion Society, of Winnsboro, S. C.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1287) for the relief of M. B. Ryan, administrator *de bonis non*, son and only heir at law of John S. Ryan, deceased, late of Charleston, S. C.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1288) for the relief of the legal representatives of John Boyle, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1289) to increase the efficiency of the engineer corps of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1290) to provide for the purchase of lands adjoining the United States naval station, Port Royal, S. C.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1291) for the relief of certain offi-

cers of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. MORGAN introduced a bill (S. 1292) to remit the penalties on the light-house steamer Pansy; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1293) for the relief of the legal representatives of Joseph Hamlin, deceased; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 1294) for the relief of the Mobile Marine Dock Company, of Mobile, Ala.; which was read twice by its title, and referred to the Committee on Claims.

Mr. COKE introduced a bill (S. 1295) to authorize the construction of jetties, piers, and breakwaters at private expense in the Gulf of Mexico, at the mouth of Ropes Pass, in the State of Texas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. JONES of Arkansas introduced a bill (S. 1296) giving, upon certain conditions and limitations therein contained, the assent of the United States to certain leases of rights to mine coal in the Choctaw Nation, Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request) introduced a bill (S. 1297) for the relief of the estate of William B. Pool, late of Jefferson County, Ark.; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1298) for the relief of the estate of Samuel J. Jones, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1299) for the relief of Henry M. Stone; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1300) for the relief of Margaret E. Watkins; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1301) granting an honorable discharge to George W. Bowling; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CARLISLE introduced a bill (S. 1302) granting a pension to Lucy B. Bryson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 1303) to increase the pension of Mrs. S. A. Farquharson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KYLE introduced a bill (S. 1304) for the erection of a public building at Pierre, S. Dak.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1305) to provide for the sinking of artesian wells in arid land districts; which was read twice by its title, and referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. FAULKNER introduced a bill (S. 1306) for the local government of Utah Territory, and to provide for the election of certain officers in said Territory; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 1307) to provide a permanent system of highways in that part of the District of Columbia lying outside of cities; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1308) to prevent the building of houses along certain alleys in the city of Washington, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1309) for the relief of Julia Barnett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. VILAS introduced a bill (S. 1310) to amend section 3117 of the Revised Statutes of the United States in relation to the coasting trade on the Great Lakes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PUGH introduced a bill (S. 1311) for the relief of the creditors of the Deposit Savings Association of Mobile, Ala.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1312) for the relief of Dr. John B. Read; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GIBSON of Maryland (by request) introduced a bill (S. 1313) to amend the laws relating to land titles in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1314) to incorporate the Washington and Brookland Railway of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1315) for the relief of William P. Wood for services rendered the Treasury Department; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 1316) authorizing the legal representatives and assignees of Jonathan L. Jones and W. D. Porter to sue in the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1317) granting a pension to Isaac Jones; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1318) granting a pension to Reuben P. Reed; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1319) granting a pension to William McCoy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1320) granting a pension to Jacob Shalter; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1321) granting a pension to Charles Bauermaster; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1322) granting a pension to Anderson Sherman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1323) granting a pension to Mrs. Maria N. Flint; which was read twice by its title, and, with the accompanying papers, referred to the Commitee on Pensions.

He also introduced a bill (S. 1324) for the relief of Frank Denham; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1325) to pay William A. Terrell, of Company C, Fiftieth Ohio Volunteers, pay and bounty; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1326) to remove the charge of desertion from the military record of Frederick A. Noeller; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BARBOUR introduced a bill (S. 1327) for the relief of the trustees of St. Paul's Protestant Episcopal Church of Norfolk, Va.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1328) for the relief of certain citizens of Virginia; which was read twice by its title, and referred to the Committee on Claims.

Mr. BERRY introduced a bill (S. 1329) granting an honorable discharge to Bennett Dorsey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 1330) granting a pension to Mrs. Mary Flynn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1331) granting an increase of pension of Stephen D. Smith; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1332) for the relief of John H. Spalter; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

Mr. COCKRELL introduced a bill (S. 1333) granting a pension to Broadus G. Roberts; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (1334) granting a pension to Myra Freeman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1335) for the relief of Dicey Bobbitt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1336) granting a pension to Virginia A. Owen, widow of John Owen, deceased; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1337) granting a pension to James Reed, jr., which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1338) granting a pension to Ambrose J. Vanarsdale; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1339) granting a pension to Anderson Morton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1340) granting a pension to William T. Hutton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1341) granting a pension to William H. Shivers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1342) for the relief of John R.

Blankenship; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BRICE introduced a bill (S. 1343) for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 1344) to make payment to Samuel J. Haynes of money erroneously and by mistake paid on his homestead entry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

He also introduced a bill (S. 1345) to amend section 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor and providing for pensions to widows, minor children, and dependent parents," passed June 27, 1890; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1346) granting an increase of pension to Henry Martin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1347) creating a board to revise and codify the laws relating to the granting of pensions; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1348) for the issue of ordnance stores and supplies to the State of Nebraska to replace similar stores destroyed by fire; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1349) to provide for the purchase of a site and the erection of a public building thereon at South Omaha, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN introduced a bill (S. 1350) to provide for furnishing the decisions of the courts in patent cases to the circuit courts of the United States and to the Patent Office; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 1351) to provide for the purchase of a site and erection of buildings for the Girls' Reform School of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FELTON introduced a bill (S. 1352) for the relief of August Leschinsky; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1353) for the relief of Morgan Everts; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1354) to provide for the erection of and equipment of a gun factory at Benicia Arsenal, Benicia, Cal., for finishing and assembling ordnance for the Army and Navy; which was read twice by its title, and referred to the Committee on Coast Defenses.

Mr. HISCOCK introduced a bill (S. 1355) to increase postal facilities and to expedite the distribution, collection, and delivery of mails in cities having a population of 150,000 or more; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1356) granting a pension to Abigal L. Finney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1357) to compensate Elihu Root for services rendered by direction of the Attorney-General; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also (by request) introduced a bill (S. 1358) for the relief of Clara A. Graves, Lewis Smith Lee, Florence P. Lee, Mary S. Sheldon, and Elizabeth Smith, heirs of Lewis Smith, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. GORMAN (by request) introduced a bill (S. 1359) for the relief of Thomas R. Johnson, administrator of the estates of Rinaldo Johnson and Ann E. Johnson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1360) for the relief of James A. Windsor; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1361) for the relief of Thomas P. Morgan, jr.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1362) for the relief of Alexander Moffitt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1363) for the relief of Michael Carling, assignee of Joseph R. Shannon, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WHITE introduced a bill (S. 1364) for the relief of Henry Ware; which was read twice by its title, and referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 1365) directing the Secretary of the Treasury to pay one year's salary to the widow of Daniel Clark, late judge of the United States district court for the district of New Hampshire; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1366) granting a pension to Mary De W. Young; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1367) to regulate the rates of pensions, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1368) to enable the Educational and Relief Association of the District of Columbia to erect a home with workshops and rooms for the destitute colored children of both sexes of said District; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1369) to raise the professional standing of the apothecaries of the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1370) for the relief of the legal representatives of Mrs. Adeline Shirley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1371) to reënforce the provisions of the "Act to regulate commerce," approved February 4, 1887, prohibiting free transportation except in certain cases; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 1372) granting an honorable discharge to Andrew Cullen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 1373) granting certain privileges to honorably discharged soldiers and sailors in locating homesteads on the public domain; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1374) to aid the State of Colorado to support a school of mines; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1375) granting a pension to Mrs. Isabella Gorman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 1376) granting an increase of pension to George W. Blake; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1377) granting an honorable discharge to James B. Mulford; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VEST introduced a bill (S. 1378) for the relief of Martin E. Smith; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Volunteer Army; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1380) to amend an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes;" which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BLODGETT introduced a bill (S. 1381) for the relief of the heirs of Isaac Jacob, deceased, and of Henry H. Jacob, surviving partner of the late commercial firm of I. Jacob & Son, of New York City; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1382) granting a pension to Henry Garris; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1383) to remove the charge of desertion from the military record of George H. Holmes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1384) for the correction of the army record of Lieut. Harry R. Anderson, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CARLISLE introduced a bill (S. 1385) granting a pension to Margaret I. Allsworth; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHANDLER introduced a joint resolution (S. R. 22) pro-

posing an amendment to the Constitution of the United States; which was read twice by its title, and referred to the Committee on Immigration.

AID TO RUSSIAN SUFFERERS.

Mr. WASHBURN. I introduce a joint resolution, and ask for the present consideration of the same.

The joint resolution (S. R. 21) authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor of Russia was read the first time by its title.

Mr. COCKRELL. Let the joint resolution be read for information.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That the Secretary of the Navy be, and he is hereby, authorized to employ any ship or vessel belonging to the Navy of the United States best adapted for such service, for the purpose of transporting to the inhabitants of those provinces of Russia now suffering from want of food, owing to the failure of crops, such contributions as may be made by citizens of the United States for their relief, and, if necessary, to charter and employ, under the authority of the United States, a suitable steamship or ships for the same purpose. Any sum of money which may be necessary to carry out the object of this resolution is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. WASHBURN. I wish to state that a movement was inaugurated some two or three weeks since in my section of country, looking to making contributions of breadstuffs to the suffering people of Russia. A very large amount of flour, especially in my own city and in that region, has been contributed, or pledged for that purpose. Just before the holidays I made application to the Secretary of the Navy, asking that a Government ship be detailed to transport this flour to some Russian port. As Senators may have seen in the papers, he assented, and has arranged for the Constellation, a Government sailing ship, to take the first cargo. It now appears, however, that the Constellation will not be able to take more than one-fourth or one-fifth of the contributions already in sight, and it seemed to me a very proper and a very graceful thing for Congress to do now what it did in 1880, when the Constellation bore food to the suffering people of Ireland. It is with that view that I have introduced the joint resolution, and I will state that it is very important that it should have immediate action, because time is pressing.

I desire to say, further, that the railroad lines and all the great transportation companies of this country have agreed to carry these breadstuffs without any charge, the lightering associations in New York have agreed to put the supplies on the ships, and this joint resolution will simply make the proper complement of the whole affair, as our American people are not in the habit of doing things by halves.

So I introduce the joint resolution at present, and I desire, in order that the Senate may fully understand the situation, to have read a telegram which I have just received from the gentleman who has had charge of this great work, showing what the requirements are likely to be.

The VICE-PRESIDENT. The telegram will be read.

The Secretary read as follows:

MINNEAPOLIS, MINN., *January 4.*

Hon. W. D. WASHBURN,
Washington, D. C., 2111 Massachusetts Avenue:

Amount already pledged about 1,000,750 pounds flour. Expect to receive total of 6,000,000 pounds. Millers and flour men are the contributors, and are located in Iowa, Indiana, Illinois, Kansas, Kentucky, Maryland, District of Columbia, Michigan, Minnesota, Missouri, Nebraska, New York, North Dakota, Ohio, Pennsylvania, Texas, Virginia, Wisconsin. For further particulars see Northwestern Miller. We greatly need steamship to carry this. Constellation can not do the work.

W. C. EDGAR.

Mr. HARRIS. Mr. President, I shall not object to the present consideration of the joint resolution. It is a charity that is bound to command the respect of all intelligent and charitable people. But believing as I do, that I as a Senator have no right to tax the people to put money in the Treasury and appropriate it to this or any other charity, I shall feel bound to vote against the joint resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. GORMAN. Mr. President, I notice that the joint resolution makes an indefinite appropriation. I suggest to the Senator who has introduced it that it is a very bad practice, although one I know which has grown up in the last year or two, to make indefinite appropriations, and the result is almost to bankrupt the Treasury of the United States. I think the practice ought not to be followed now, even in a matter of charity, and I suggest that if the Senator from Minnesota has any information as to the probable cost, some specific amount should be appropriated, say not to exceed $100,000, or whatever amount is necessary.

Mr. WASHBURN. The same idea occurred to me in drawing the joint resolution. I supposed it was the custom to fix some sum, as the Senator has suggested; but upon looking at the resolution passed in 1880 I found that there was no limitation. I accede cheerfully to the suggestion, and would name $100,000—not to exceed $100,000.

Mr. BUTLER. "Or so much thereof as may be necessary."

The VICE-PRESIDENT. The Senate will receive a message from the President of the United States.

Mr. O. L. PRUDEN, one of the secretaries of the President of the United States, communicated to the Senate sundry messages in writing.

Mr. ALLISON. Mr. President, the Senator from Maryland [Mr. GORMAN] observed that the practice of making indefinite appropriations is one that has grown up recently. I think if the Senator will examine the precedents he will find that indefinite appropriations have existed for a long time. I suppose the Senator refers more especially to what are denominated permanent appropriations when he speaks of indefinite appropriations. Certainly an indefinite appropriation of the character indicated here will not very greatly disturb the Treasury.

I had some conversation with the Secretary of the Navy respecting the cost of chartering these vessels, in view of the fact that the governor of my own State issued a proclamation to the people of the State of Iowa asking them to make contributions to the sufferers in Russia and appointed a committee of the most eminent men in our State, who are now gathering contributions of corn, wheat, flour, etc. It seemed to me apparent that the vessel which the Secretary of the Navy offered, namely, the Constellation, would not be sufficient. In my judgment it is not suitable to the work in hand, even though it could carry five or six thousand barrels of flour to some Russian port. Therefore I think true economy will require that a vessel or vessels shall be chartered, if the Government is to bear the expense.

The total cost of a single vessel, the ordinary sailing vessel that would be chartered to do the work, as the Secretary of the Navy informed me, at least in his judgment, would not exceed $25,000. I think $100,000 will probably charter three or four cargoes, and I am very glad the Senator from Minnesota has agreed to limit the joint resolution. I think that is a wise thing to do, and I shall favor the measure as it is now proposed.

The VICE-PRESIDENT. The Chair has just now received a message from the President of the United States bearing upon the question under consideration, which will be read by the Secretary.

The Secretary read as follows:

To the Senate and House of Representatives:

The famine prevailing in some of the provinces of Russia is so severe and widespread as to have attracted the sympathetic interest of a large number of our liberal and favored people. In some of the great grain-producing States of the West movements have already been organized to collect flour and meal for the relief of these perishing Russian families, and the response has been such as to justify the belief that a ship's cargo can very soon be delivered at the seaboard, through the generous coöperation of the transportation lines. It is most appropriate that a people whose storehouses have been so lavishly filled with all the fruits of the earth by the gracious favor of God should manifest their gratitude by large gifts to His suffering children in other lands.

The Secretary of the Navy has no steam vessel at his disposal that could be used for the transportation of these supplies, and I therefore recommend that he be authorized to charter a suitable vessel to receive them, if a sufficient amount should be offered, and to send them under the charge of a naval officer to such Russian port as may be most convenient for ready distribution to those most in need.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 5, 1892.*

The VICE-PRESIDENT. The proposed amendment will be stated.

The SECRETARY. It is proposed to strike out the words "which may be necessary," and insert "not to exceed $100,000, or so much thereof as may be necessary;" so as to read:

Any sum of money not to exceed $100,000, or so much thereof as may be necessary, to carry out the object of this resolution, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

Mr. HARRIS. My own may be the only vote against it, but I want the yeas and nays, so as to record that vote against the passage of the joint resolution.

The VICE-PRESIDENT. The question is, Shall the joint resolution pass? on which the yeas and nays are demanded.

The yeas and nays were ordered.

Mr. HOAR. Before the yeas and nays are called, I suggest that there be an order that the President's message be printed and lie on the table.

The VICE-PRESIDENT. It will be so ordered in the absence of objection. The Secretary will proceed to call the roll.

The Secretary proceeded to call the roll.

Mr. CARLISLE (when his name was called). I am paired with the senior Senator from Ohio [Mr. SHERMAN]. If he were present, I should vote "nay."

Mr. COKE (when his name was called). I am paired with the Senator from Nebraska [Mr. PADDOCK], whom I do not see in his seat at this time. If he were present, I should vote "nay." I do not know how he would vote.

Mr. WALTHALL (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is absent by leave of the Senate. I understood from my colleague that he was paired generally with the Senator from Oregon [Mr. DOLPH].

Mr. DOLPH. That is so. If the Senator from Mississippi supposes that his colleague would like me to observe the pair on this question, I will withdraw my vote and announce my pair with the Senator from Mississippi [Mr. GEORGE]. I did not observe at the moment that the Senator was not in the Senate Chamber.

Mr. WALTHALL. I have no preference about it. I simply announce the fact that my colleague is paired with the Senator.

Mr DOLPH. I withdraw my vote and announce my pair with the Senator from Mississippi [Mr. GEORGE].

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Illinois [Mr. PALMER]. Were he present, I should vote "yea."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. In his absence, I withhold my vote.

Mr. KENNA (when his name was called). I am paired generally with the Senator from Colorado [Mr. WOLCOTT], who is detained from the Senate by illness. I understand, however, that if he were present he would vote "yea," and I will therefore also vote "yea."

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], and my colleague [Mr. PADDOCK] is paired with the Senator from Texas [Mr. COKE], as that Senator has already announced. I suggest to him that we exchange pairs and both vote, leaving my colleague paired with the Senator from Kentucky [Mr. BLACKBURN]. I ask the Senator from Texas if he has any objection to changing the pairs so that my colleague shall stand paired with the Senator from Kentucky [Mr. BLACKBURN] and the Senator from Texas and I will both be privileged to vote.

Mr. COKE. No, I have no objection. I vote "nay."

Mr. MANDERSON. I vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. I do not observe that he is in his seat, and I therefore withhold my vote. If at liberty to vote, I should vote for the joint resolution.

Mr. DAVIS. I have a general pair with the Senator from Indiana [Mr. TURPIE], and therefore withhold my vote. If at liberty, I should vote "yea."

Mr. CASEY (when his name was called). I am paired with the Senator from Florida [Mr. PASCO], but as I understand that he, if present, would vote "yea," I vote "yea."

The result was announced—yeas 40, nays 9; as follows:

YEAS—40.

Allen,	Dawes,	Hiscock,	Platt,
Allison,	Dubois,	Hoar,	Quay,
Barbour,	Faulkner,	Kenna,	Sawyer,
Blodgett,	Felton,	McMillan,	Shoup,
Brice,	Frye,	Manderson,	Stanford,
Butler,	Gallinger,	Mitchell,	Stewart,
Call,	Gibson, La.	Morgan,	Teller,
Casey,	Gorman,	Morrill,	Vilas,
Chandler,	Hale,	Peffer,	Washburn,
Daniel,	Hawley,	Pettigrew,	White.

NAYS—9.

Bate,	Coke,	Jones, Ark.	Pugh,
Berry,	Harris,	Kyle,	Vest.
Chilton,			

NOT VOTING—35.

Aldrich,	Dixon,	McPherson,	Squire,
Blackburn,	Dolph,	Paddock,	Stockbridge.
Cameron,	George,	Palmer,	Turpie,
Carey,	Gibson, Md.	Pasco,	Voorhees,
Carlisle,	Gordon,	Power,	Walthall,
Cockrell,	Gray,	Proctor,	Warren,
Colquitt,	Hansbrough,	Ransom,	Wilson,
Cullom,	Higgins,	Sanders,	Wolcott.
Davis,	Irby,	Sherman,	

So the joint resolution was passed.

WITHDRAWAL OF PAPERS.

Mr. VEST submitted the following order; which was considered by unanimous consent and agreed to:

Ordered, That the papers on file in the Pension Bureau of the Interior Department relative to the pension claim numbered 711,850, of Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Volunteer Army, be transmitted to the Committee on Pensions of the Senate.

COINAGE OF SILVER BULLION.

Mr. STEWART. I offer a resolution for reference to the Committee on the Judiciary, and I ask that it be read.

The resolution was read, as follows:

Whereas by the fourteenth section of the act approved January 18, 1837, it is provided "That gold and silver bullion brought to the mint for coinage, shall be received and coined, by the proper officers, for the benefit of the depositor;" and

Whereas by the act approved February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar, and to restore its legal-tender character," it is enacted "That there shall be coined, at the several mints of the United States, silver dollars of the weight of 412½ grains, Troy, of standard silver, as provided in the act of January 18, 1837, on which shall be the devices and superscriptions provided in said act:" Therefore,

Be it resolved, That the Committee on the Judiciary be, and it is hereby, instructed to inquire if any further legislation is necessary to make it the duty of the proper officers of the mint to receive and coin silver bullion for the benefit of depositors.

Mr. STEWART. I desire to have the resolution referred to the Committee on the Judiciary, and I call the attention of the committee to a fact which seems to have been overlooked, that the act of 1878, known as the Bland act, revived the act of 1837 so far as relates to the coinage of silver and gold. The act of 1837 provides that it shall be the duty of the proper officers of the mint to coin silver bullion deposited for the benefit of depositors. The act of 1878, the Bland act, makes it the duty of the Department to coin silver as provided in the former act. I have looked in vain to find any clause qualifying the direct command found in the first section of the Bland act. It seems to have been overlooked, and in fact I had overlooked it until my attention was called to it by a lawyer from Ohio, Mr. Stark. I have since spent some days investigating the matter, and I have come clearly to the conclusion that the act of 1837, so far as the coinage of silver bullion is concerned, is revived by the express language of the act of 1878. The subsequent provision of the act providing for the purchase and coinage of silver is simply an addition to it, abstracting nothing, and as it occurred just previous to the resumption of specie payment it may be well said that at that time it was thought important to accumulate bullion for the purpose of coinage in addition to what might be deposited. At all events, I do not see that there is anything in the act or in any other act which seems to limit or qualify the direct command in the first section, and I hope that the Judiciary Committee will give the matter an early and careful consideration.

Mr. ALLISON. I should like to inquire of the Senator from Nevada, in connection with this matter, whether he thinks the act of 1890 has any effect upon the import of the act of 1878?

Mr. STEWART. None whatever. The act of June, 1890, simply deals with the purchase of bullion and repeals the clause that required the purchase of not less than $2,000,000 nor more than $4,000,000 worth of silver bullion per month, and substitutes therefor other arrangements for purchasing a larger amount and issuing Treasury notes therefor. But it does not deal with the remainder of the act at all.

Mr. ALLISON. I only made the suggestion in view of the fact that the resolution does not allude to the act of 1890, and it might be incomplete unless it also covered the effect of the act of 1890.

Mr. VEST. What is the language of the act of 1890?

Mr. STEWART. The act of 1890 repeals the clause which authorizes or requires the purchase of not less than $2,000,000 nor more than $4,000,000 worth per month and substitutes other provisions by way of purchase. It leaves the remainder of the act as it stood before. The act of 1890 has nothing to do with the coinage except the particular clause referred to. The act of 1878 is still in force, as I understand it; and if there is any statute that modifies the direct revival of the act of 1837 by the first section of the act of 1878 I have been unable to find it.

The VICE-PRESIDENT. The resolution will be referred to the Committee on the Judiciary.

SELECT COMMITTEE ON MEAT PRODUCTS.

Mr. VEST. I should like to submit a question about which I have some doubt, in regard to a special committee of the Senate. Immediately before the recess I introduced a bill in regard to monopoly in the transportation of cattle to foreign countries, which had been introduced during the last session, referred to the Select Committee on the Transportation and Sale of Meat Products, reported back by that committee, and passed by the Senate, but failed of passage in the House of Representatives. As the committees had not been reëstablished at the time I introduced the bill at this session I did not have it referred to the

same committee, of which I was chairman, for the reason that by the resolution of the Senate in regard to that committee passed at the last Congress the committee was continued until the first day of this session with instruction to report at that time. My construction of that resolution was and is now that until further action by the Senate continuing the existence of the committee it could not transact business, but remained in that condition, whatever it might be described.

Whilst absent from the Senate on account of sickness the Senator from Maine [Mr. FRYE], the chairman of the Committee on Commerce, reported back the bill to the Senate with the request that it be sent to the Select Committee on the Transportation and Sale of Meat Products, and on my return I find the bill referred to that committee. Now, the inquiry which has arisen in my mind, and which I submit (and I am glad to see the Senator from Illinois [Mr. CULLOM] in his seat, who is chairman of the committee on the Republican side to fix the committees), is, does the action of the Senate based upon the report of the joint committee appointed by the Republican and Democratic parties here naming the special committees continue their existence without further action by the Senate?

Mr. CULLOM. Mr. President, if the Senator will allow me to interrupt him a moment, I had thought, and I think every member with whom I have had any conversation on the subject came to the same conclusion, that the resolution submitted to the Senate providing for the establishment of certain committees and naming the members of the committees would undoubtedly establish the existence of a committee for the present Congress. I think that that must be the case.

The VICE-PRESIDENT. The Secretary will read, for the information of the Senate, an extract from the Journal of March 3, last.

Mr. HALE. That has been the universal practice.

Mr. CULLOM. Let the resolution be read.

The Secretary read as follows:

Journal, March 3,1891:

COMMITTEES OF THE SENATE.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the standing and select committees of the Senate as now constituted be, and they are hereby, continued with power to act until the first Monday in December, 1891, or until their successors are elected.

Mr. CULLOM. Early in the present session I submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That the following constitute the select committees of the Senate of the United States for the Fifty-second Congress.

Following the resolution is the provision for the establishment of the Committee on the Transportation and Sale of Meat Products, and Messrs. VEST (chairman), COKE, Plumb, POWER, CASEY were appointed upon that committee by a resolution of the Senate. So it seems to me it is unqualifiedly true that the committee exists by virtue of the action of the Senate itself during the present session.

Mr. VEST. That would be the inference, but I want to put it beyond any doubt.

Mr. CULLOM. If the Senator will allow me further, the effect of that resolution, it seems to me, just as clearly establishes that committee as if the Senator had introduced a separate resolution providing that it be established in the first instance and that resolution had been adopted by the Senate.

Mr. VEST. During the last Congress this question come up incidentally, and upon consultation with the late chairman of the Committee on the Judiciary, Mr. Edmunds, and other very experienced and able lawyers, I came to the conclusion, with reference to this very committee, that a special resolution was necessary, and I offered such a resolution, and it was adopted by the Senate. But that was after the committees had been fixed as they are fixed now and the personnel of membership established.

Mr. HALE. If that was required in the case of each committee, what would be the force of the general resolution which, in terms, constitutes all the committees at once? If each committee must afterwards introduce a special resolution creating it a working committee, what force is there in the general resolution?

Mr. VEST. The only difficulty that arose in my mind was the fact that the Senate by special resolution had declared that this special committee (and I do not speak of any other) should exist until the first day of the present session. That was affirmative and distinct legislation, and to get rid of that affirmative legislation we must adopt the inferential argument, for it is nothing else, that the general resolution repeals or takes the place of the affirmative action of the Senate.

Mr. HALE. Undoubtedly if, after the resolution which limited the duration of this committee to the first day of the session, the present Congress had done nothing, the committee would fall, because the limitation of the special resolution was upon the first day of the session. But the Senate has taken up the subject and in connection with other committees has declared by resolution that that committee is revived, and that it exists, with the Senator from Missouri at its head. I do not think the Senator need have any doubt about it.

Mr. VEST. I have not the slightest objection of course to any construction the Senate sees proper to put upon it, but I wanted to put the question as to the condition of the bill beyond any doubt, so that my committee could either act upon it or send it back to the Committee on Commerce.

Mr. CULLOM. If the Senate had never created that committee by a resolution offered by the Senator from Missouri, the Senate coming in at the beginning of this session and creating a select committee and naming the members of it certainly makes it an existing committee of the Senate for this Congress.

Mr. COCKRELL. Independent of any affirmative action.

Mr. HARRIS. Unquestionably.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. KERR, its Clerk, announced that the House had elected Hon. BENTON MCMILLIN, a Representative from the State of Tennessee, Speaker *pro tempore* during the absence of the Speaker.

SENATOR FROM KANSAS.

The VICE-PRESIDENT presented the credentials of Bishop W. Perkins, appointed by the governor of the State of Kansas a Senator from that State, to fill, until the next meeting of the Legislature thereof, the vacancy caused by the death of Preston B. Plumb; which were read, and ordered to be filed.

Mr. PEFFER. I ask that the oath of office be administered to my colleague, Mr. Perkins, who is present.

The VICE-PRESIDENT. The Senator will please come forward and receive the oath of office.

Mr. Perkins advanced to the Vice-President's desk, escorted by Mr. PEFFER, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

SENATOR FROM NORTH CAROLINA.

Mr. HARRIS. The Senator from North Carolina [Mr. Vance], elected to succeed himself, is now present in the Senate Chamber, and I ask that the oath of office may be administered to him.

The VICE-PRESIDENT. The Senator elect from North Carolina will please come forward and receive the oath of office.

Mr. Vance advanced to the Vice-President's desk, escorted by Mr. HARRIS, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

COMMITTEE SERVICE.

Mr. COCKRELL. In pursuance of the understanding had at the time, and the announcement made by me when the committees were appointed, I am authorized by the Senator from North Carolina [Mr. RANSOM] to resign his places on the committees to Audit and Control the Contingent Expenses of the Senate, on Finance, on Privileges and Elections, on the District of Columbia, and as chairman of the Committee on Woman Suffrage, and I ask that his colleague [Mr. VANCE], who has just been sworn in, be appointed to those respective places.

The PRESIDING OFFICER (Mr. PLATT in the chair). The declination of the Senator from North Carolina [Mr. RANSOM] to serve upon the committees named will be accepted by the Senate, if there is no objection, and his colleague [Mr. VANCE] will, if there be no objection, be considered as having been appointed to the vacancies thus created.

SILVER COINAGE.

Mr. MORRILL. I propose to-morrow morning, after the close of the morning business, if able, and with the consent of the Senate, to submit some remarks, of which previous notice has been given, on the subject of the free coinage of silver on the bill now upon the table, being (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes, which was introduced by the Senator from Nevada [Mr. STEWART].

COMPILATION OF A. W. CHURCH AND H. H. SMITH.

Mr. CHANDLER submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That there be printed for the use of the Senate 500 copies of the "Table showing the contents of the several volumes comprising the Annals of Congress, Congressional Debates, Congressional Globe, CONGRESSIONAL RECORD, Statutes at Large, and United States Supreme Court Reports, arranged by years and Congresses," which was compiled for the Senate Library by A. W. Church and H. H. Smith; the same being brought down to January 1, 1892.

EXPORT OF CATTLE TO GREAT BRITAIN.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

Mr. VEST. If my friend from Iowa will permit me, I desire to ask the Senate to proceed to the consideration of a joint resolution in regard to the British quarantine upon American cattle which I introduced just before the recess, and gave notice that I

would ask the Senate to consider on the next day, but I was detained by sickness from the Senate. There will be no debate about it, I think. It passed the Senate at the last Congress unanimously and only failed in the House of Representatives for want of time.

Mr. ALLISON. Let the joint resolution be read.

The VICE-PRESIDENT. Does the Senator from Iowa withdraw the motion to proceed to the consideration of executive business?

Mr. ALLISON. I withdraw it for the time being.

The VICE-PRESIDENT. The joint resolution will be read.

The Secretary read the joint resolution (S. R. 10) in regard to the export trade in cattle, as follows:

Resolved, etc., That the President of the United States be requested to cause correspondence and negotiation to be had through the Department of State, or otherwise, with the authorities of the Kingdom of Great Britain, for the purpose of securing the abrogation or modification of the regulations now enforced by said authorities which require cattle imported into Great Britain from the United States of America to be slaughtered at the port of entry, and prohibiting the same from being carried alive to other places in said kingdom.

The Senate, as in Committee of the Whole, proceeded to the consideration of the joint resolution.

Mr. VEST. If the Senate will permit me, I desire to call its attention to this very important resolution for a few moments.

Those members of the Senate who have given any attention to this subject are aware of the fact that under the wise legislation of Congress at the last session, providing for the inspection of all cattle sent from this country to foreign ports, the price of American cattle exported has largely increased, although, on account of this increase in price, the number exported has slightly diminished.

If Senators will turn to page 26 of the report of the Secretary of Agriculture they will find an interesting statement in regard to the number of inspected cattle which have gone from this country in the last year to foreign ports, and it will be seen that all the exports of inspected cattle to other foreign countries than Great Britain are very insignificant. For instance, as the Secretary says, referring to the inspection:

Since the commencement of this work 311,146 cattle and 15,373 sheep have been inspected, as provided by our regulations, up to October 1, 1891, making a total of 326,519 head of animals inspected.

Of these numbers—

	Cattle.	Sheep.
Great Britain received	300,862	13,714
Germany received	4,354	
France received	4,336	1,576
Belgium received	1,594	
Austria received		42
Cape Colony received		41
Total	311,146	15,373

So it will be seen that outside of our cattle trade with Great Britain we have with the remainder of the world hardly any worthy of consideration.

The Secretary of Agriculture, referring to the quarantine regulations of Great Britain, which form the subject-matter of this resolution, makes a suggestion which becomes of very serious importance at the present time, and is worthy of the immediate consideration of Congress.

These quarantine regulations amount to this, that all cattle exported from the United States to any British port must be slaughtered at the port of entry under the control of British officers, and our live cattle can not be taken into the interior of the British Empire. The result is that the British farmer who desires to feed store cattle, as they are termed in Great Britain, or stock cattle, as they are termed here, is unable to do so because of the quarantine regulation, which requires them to be slaughtered at the ports at which they enter into the Empire. The Secretary of Agriculture, after alluding to this subject, uses the following language, which makes it of special importance at this time:

Unless we can secure from the British Government the removal of the unfriendly restrictions now bearing so hardly upon our cattle trade, I shall feel it to be my duty to suggest the rigid enforcement of the law now in existence prohibiting the import into the United States of all live animals, a law which has only been suspended as a matter of friendship to foreign governments. That we have far more justification for the exclusion from the United States of all animals coming from Great Britain and its dependencies than they have for the interposition of any obstacles to our cattle exports from the United States is shown by the recent report of Prof. Brown, the veterinarian of the British Privy Council, who admits in the plainest manner that no hope exists in that country of ever absolutely suppressing pleuro-pneumonia, and shows, indeed, that such measurable success as he has faint hopes of attaining in the control of it is to be obtained only by methods which are nothing more than those adopted by ourselves, and to which, promptly and vigorously enforced, we owe our present success in the complete control of this disease.

The reason alleged by the British Government for these quarantine relations is that the cattle exported from this country to Great Britain are largely affected by pleuro-pneumonia. The facts show, and they are admitted, that pleuro-pneumonia exists in but two localities in the United States, and the Secretary of Agriculture states that in one of them the disease has been effectually eradicated. One of these localities was in Rhode Island and one in New Jersey; but the district in Rhode Island has been entirely disinfected and the disease exists now only to a limited extent in one district in the State of New Jersey, and the Secretary says that at a very early day the disease will be removed from that locality also.

But, Mr. President, I do not propose to discuss the reasons for the action of the British authorities. I simply want to deprecate the idea that the Government of the United States, before exhausting all amicable remedies, before exhausting all possible means in the way of negotiation and international conference for the proper adjustment of this matter between these two great countries, shall resort to the extraordinary remedy proposed by the Secretary of Agriculture. It is well known that the remedy, as to which he has appeared in the public press, I believe, several times, is the absolute exclusion from this country of all cattle proposed to be imported from Canada. Under the McKinley act we largely increased the import duties upon cattle imported into the United States, but, notwithstanding that increase, the breeds of Canadian cattle which, from climatic causes, are in some respects and for some purposes superior to any we have in this country, are still brought into the United States, largely to the profit of American breeders and producers. If now, without any attempt to adjust this matter with the British authorities, we should pursue the remedy suggested by the Secretary of Agriculture, it would be in the nature of retaliation, and would amount to the destruction of commercial intercourse between Canada and the United States.

Again, Mr. President, it would be unjust, because Canada as to her tariff regulations is absolutely independent of the mother country. British goods coming from the British Empire are put under the same tariff duties when entering Canadian ports as goods from the United States or any other foreign country. It is one of the anomalies of the great British Empire that her colonial possessions are permitted to control their tariff regulations and regulate their tariff duties as they please, and there would be no justice in holding Canada responsible for the action of the British authorities in England and in Ireland. Those regulations are made—I will not say for what purpose, but I think without sufficient cause—by the authorities of the British Empire, not in Canada, but in the home country. There is no complaint whatever of Canadian cattle. On the contrary, speaking for my own people—and I represent a large cattle-producing State—there are breeds of Canadian cattle which come into Missouri and into all the Northwestern cattle-producing States that largely invigorate our own cattle and give a virility to our cattle and stock that could not be obtained elsewhere.

The resolution, Mr. President, is so plain, that it seems to me there can be no objection to it. As I stated before, it passed the Senate at the last session unanimously, and it would have passed the other House but for want of time to consider it.

Mr. HALE. Mr. President, I do not rise to oppose the resolution. Senators will remember that the subject came up and was discussed somewhat at length in the last Congress. Notwithstanding the discussion, and notwithstanding the protest that at that time was entered against this severe and outright feature of protection under the form of quarantine regulations, it seems that nothing has been done in the way of softening or mitigating these extreme quarantine regulations. Now the Senator objects, and it may be that his objection is tenable, to our retaliating upon Canada in like kind, but the Senator and the Senate should bear in mind, and it would be well if the country should take notice, that here is a marked instance where Great Britain (which is constantly preaching to us homilies upon free trade and is objecting in every possible way against protection as embodied in the statutes of the United States, and is calling down upon the heads of the American people the censure and the vengeance of the civilized world because of the extreme barbarism and unenlightenment of its protective policy) is to-day, under the form of quarantine regulations upon this great and increasing exportation of live animals from the United States into that country, enacting a complete prohibitory tariff. In fact, no live stock from America, cattle or sheep, can be introduced into Great Britain to compete with the products of the farmer of Great Britain any more than if in terms a tariff duty of 100 per cent had been laid, because the British authorities committed, as they claim to be, to free trade with all the world, knowing the disastrous effect to them of this importation, knowing the effect would be such as has been described by the Senator from Missouri in this country by

the importation of more vigorous Canadian stock, knowing the effect upon the British producer of live stock, shut out from the English market absolutely every head of horned cattle or of sheep. They can simply be introduced there, in effect, as killed beef or mutton.

This was brought out in the tariff discussion during the last Congress, and it stood then, and stands forth palpably to-day, as an instance of the inconsistency of the whole British theory of free trade. When it is found that it interfers with a particular industry in that country, they do not in the form of tariff and prohibition and protection enact duties as we do, but proceed under another form to enact an outright prohibitory tariff.

I do not want this resolution to pass without calling attention again to the inconsistency on the part of Great Britain in this regard. I do not oppose the resolution, because it has been considered and has had the scrutiny of the proper committee, but I wanted to call attention to this fact.

Mr. VEST. Mr. President, I deprecate the introduction of tariff discussion in regard to a resolution of this sort, but I shall certainly not be placed, if I can avoid it, in the attitude of defending either the motives or the action of the authorities of Great Britain.

It is only proper to state as a historicol fact that their action has been based ostensibly upon the allegation that there have been sporadic cases of pluero-pneumonia found in exported American cattle. That these cases have been largely exaggerated from mercenary motives in different quarters in England I think was made fully apparent by the reports of the Committee on Meat Products, to which I refer Senators in regard to all of the facts attending the question

What I desire to do is to remove the obstacle without irritation, without friction, because I consider it the first oject of statesmanship to bring about results that will enure to the benefit of our own people.

Here is the fact that these quarantine regulations exist, and it is only proper to say that the British authorities have stated that they desire to see the operation of the act of March 1, 1890, which we enacted for the inspection of cattle sent abroad, before they take definite action in regard to these quarantine regulations. If, after our State Department has called the attention of Great Britain to this subject, and has calmly presented all the facts and put, as I think it can be done beyond any reasonable question, the truth before them that no diseased cattle for export are sent from this country, the British authorities shall then still refuse to treat American cattle justly, I shall not be found lax when the Senator from Maine proposes the most extreme measure in order to remove this outrage.

Mr. HALE. If the Senator will allow me, I go with him in his attempt to have these most extreme regulations abrogated and removed. I wish that I could say that I believed he would be successful; but the Senator will find, and his project will find when it reaches Great Britain, not by any means for the first time, that in his path will lie not only the quarantine officers and the boards of health, and not so much the quarantine officers and the boards of health as the British farmer—the British raiser of cattle and sheep; and the Senator's efforts will be futile, because he will then come face to face with what is the actual trouble in this case and not the ostensible trouble; and then he will confront the other question, where he and I may be found together, where perhaps nothing but retaliation will be the proper course. I bid him godspeed in this attempt at solving this question in an amicable and diplomatic way.

Mr. VEST. Mr. President, I deprecate again the prophecy of evil and disaster which the Senator from Maine has made, but even if it should eventuate as the Senator says, it seems to me that our duty in the premises is plain, and that is, to make ourselves absolutely right before we resort to retaliation. Retaliation between nations is war, and although not carried on by ships and armies it is carried on through commercial regulations that are just as deadly.

But again permit me to say that although the Senator generally examines very analytically and exhaustively every public question brought before him, he has hardly paid as much attention to this matter as it has been my official duty to do. I can state with absolute certainty that unanimity of sentiment has not existed even among the British cattle-raisers and farmers on this subject. If the Senator will look at the report of the Committee on Meat Products he will find statements there of British farmers and cattle-raisers to the effect that these quarantine regulations are militating directly against their interests, and he will find that Parliament has been petitioned repeatedly to remove or modify the quarantine regulations so that store cattle, as the English term them, may be brought from America into that country to be fed by their farmers. They are not united upon any tariff question or any other in regard to cattle in Great Britain, but a very large and influential class of their people are anxious that we shall succeed in removing or modifying the unjust regulations. I ask for the passage of the joint resolution.

Mr. ALLISON. I desire to ask the Senator from Missouri what information he has as respects any negotiation or suggestion on this subject that has been had during the interval of nine months between the adjournment of Congress and the present session. It may be that all that is proposed in the joint resolution has already been attempted by the State Department. I confess that I do not know myself the fact as respects the situation.

Mr. VEST. I do not think that any action has been had. I called upon the Secretary of State twice, but he was at the time suffering a severe indisposition, and I was not able to see him, and no subordinate could give me any information upon the subject.

Mr. ALLISON. May it not be that upon this matter action by the State Department has already been taken and failed, and therefore the Secretary of Agriculture has suggested this extreme remedy?

Mr. VEST. There is no such intimation in the report of the Secretary of Agriculture, and I should certainly have heard of it, I think, if there had been anything of the kind. I do not think anything has occurred between the two countries on the subject. If the Senator will turn to the report he will see that so far from intimating that negotiations have failed the statement is positive that this suggestion by the Secretary of Agriculture comes from him alone. He says:

> Unless we can secure from the British Government the removal of the unfriendly restrictions now bearing so hardly upon our cattle trade, I shall feel it to be my duty to suggest the rigid enforcement of the law now in existence prohibiting the import into the United States of all live animals.

I am very certain that under the peculiar circumstances which have surrounded the State Department during the last summer, and owing to the fact that the joint resolution passed the Senate but did not pass the House of Representatives, there have been no negotiations. Even if there had been, I should ask for the passage of the joint resolution, because it would be the authoritative expression of the representatives of the people of the United States to the British Government, and would necessarily have more effect than any communication coming from any other quarter, even from the Chief Executive himself.

The PRESIDING OFFICER. The joint resolution is before the Senate as in Committee of the Whole and open to amendment. If there be no amendment it will be reported to the Senate.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 2 o'clock and 15 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, January 6, 1892, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 5, 1892.

MINISTER RESIDENT AND CONSUL-GENERAL.

William D. McCoy, of Indianapolis, Ind., to be minister resident and consul-general of the United States to Liberia, to fill a vacancy.

CIRCUIT JUDGE.

Andrew P. McCormick, of Texas, to be United States circuit judge for the fifth judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

UNITED STATES ATTORNEY.

Matthew T. Allen, of California, to be attorney of the United States for the southern district of California, vice Willoughby Cole, resigned.

INTERSTATE-COMMERCE COMMISSIONERS.

William R. Morrison, of Illinois, to be an Interstate-Commerce Commissioner, his term of office having expired December 31, 1891.

James W. McDill, of Iowa, to be an Interstate-Commerce Commissioner, for the term ending December 3, 1892, vice Thomas M. Cooley, resigned.

William M. Lindsey, of Kentucky, to be an Interstate-Commerce Commissioner, for the term ending December 31, 1894, vice Walter L. Bragg, deceased.

CONSUL-GENERAL.

William B. Hess, of Indiana, to be consul-general of the United States at Constantinople, vice Zacharia T. Sweeney resigned.

CONSULS.

Edward P. T. Hammond, of Snow Hill Md., to be consul of the United States at Buda-Pesth, to fill a vacancy.

Radcliffe H. Ford, of Maine, to be consul of the United States at Leghorn, to fill a vacancy.

James Leitch, of Louisiana, to be consul of the United States at Belize, to fill a vacancy.

Elias H. Cheney, of Lebanon, N. H., to be consul of the United States at Matanzas, to fill a vacancy.

David S. K. Buick, of Roseburg, Oregon, to be consul of the United States at Sonneberg, to fill a vacancy.

Walter E. Howard, of Fair Haven, Vt., to be consul of the United States at Cardiff, to fill a vacancy.

Sigmund C. Braida, of New Jersey, to be consul of the United States at San Juan del Norte, vice William A. Brown, recalled.

Charles Weare, of Cedar Rapids, Iowa, to be consul of the United States at Aix la Chapelle, to fill a vacancy.

Campbell L. Maxwell, of Xenia, Ohio, to be consul of the United States at Santo Domingo, to fill a vacancy.

TERRITORIAL GOVERNOR.

Abraham J. Seay, of Kingfisher, Okla., to be governor of the Territory of Oklahoma, vice George W. Steele, resigned.

INDIAN AGENT.

Daniel T. Hindman, of Britton, S. Dak., to be agent for the Indians of the Sisseton Agency in South Dakota, vice William McKusick, resigned.

PRINCIPAL CLERK OF SURVEYS.

Daniel A. Ray, of Oak Park, Ill., to be principal clerk of the surveys in the General Land Office, vice Manning M. Rose, resigned.

CHIEF OF BUREAU OF STEAM ENGINEERING.

Chief Engineer George W. Melville, United States Navy, to be Engineer in Chief and Chief of the Bureau of Steam Engineering, with the relative rank of commodore, in the Department of the Navy, from the 16th day of January, 1892.

PROMOTIONS IN THE ARMY.

Corps of Engineers.

Maj. Garrett J. Lydecker, to be lieutenant-colonel, December 14, 1891, vice Merrill, deceased.

Capt. John C. Mallery, to be major, December 14, 1891, vice Lydecker, promoted.

First Lieut. George W. Goethals, to be captain, December 14, 1891, vice Mallery, promoted.

Second Lieut. Henry Jervey, to be first lieutenant, December 14, 1891, vice Goethals, promoted.

Artillery.

Second Lieut. Tiemann N. Horn, Third Cavalry, to be second lieutenant of artillery, December 15, 1891, vice Willcox, Second Artillery, promoted.

FOURTH ASSISTANT POSTMASTER-GENERAL.

Estes G. Rathbone, of Ohio, to be Fourth Assistant Postmaster-General in the Post-Office Department, under the act approved March 3, 1891, in which that office is authorized. The said Estes G. Rathbone was appointed and commissioned during the recess of the Senate.

POSTMASTERS.

Leonard S. Calkins, to be postmaster at Nevada City, in the county of Nevada and State of California, in the place of Calvin R. Clarke, whose commission expired December 21, 1891.

George H. Cooper, to be postmaster at Montowese, in the county of New Haven and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

Charles H. Edwards, to be postmaster at Portland, in the county of Middlesex and State of Connecticut, in the place of Charles H. Edwards, whose commission expires January 23, 1892.

Samuel H. Kellogg, to be postmaster at Colchester, in the county of New London and State of Connecticut, in the place of Giles G. Wickwire, whose commission expires January 16, 1892.

Thomas Blair, to be postmaster at Staunton, in the county of Macoupin and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

John M. Boicourt, to be postmaster at Golconda, in the county of Pope and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

William E. Brand, to be postmaster at Highland Park, in the county of Lake and State of Illinois, in the place of Arthur M. Boyington, removed.

Lorenzo D. Carter, to be postmaster at Oakland, in the county of Coles and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

Walter Colyer, to be postmaster at Albion, in the county of Edwards and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

Benjamin F. Lantz, to be postmaster at Taylorsville, in the county of Christian and State of Illinois, in the place of Arthur Crooker, deceased.

Agnes Ross, to be postmaster at Ravenswood, in the county of Cook and State of Illinois, in the place of Agnes Ross, whose commission expired December 20, 1891.

John J. Wheeler, to be postmaster at Crown Point, in the county of Lake and State of Indiana, in the place of John P. Merrill, whose commission expires February 24, 1892.

George W. Jamison, to be postmaster at Oelwein, in the county of Fayette and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

Samuel Sturgeon, to be postmaster at Garner, in the county of Hancock and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

James Perry, to be postmaster at Postville, in the county of Alamakee and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

Edwin Farley, to be postmaster at Paducah, in the county of McCracken and State of Kentucky, in the place of Hugh Mulholland, jr., resigned.

Asa C. Cary, to be postmaster at Fort Fairfield, in the county of Aroostook and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

Daniel A. Curtis, to be postmaster at Machias, in the county of Washington and State of Maine, in the place of William G. Stone, whose commission expires January 16, 1892.

Josiah Freeman, to be postmaster at Nantucket, in the county of Nantucket and State of Massachusetts, in the place of John M. Winslow, whose commission expires January 16, 1892.

Joseph M. Hollywood, to be postmaster at Brockton, in the county of Plymouth and State of Massachusetts, in the place of Joseph M. Hollywood, whose commission expires January 16, 1892.

Joseph L. Noyes, to be postmaster at Georgetown, in the county of Essex and State of Massachusetts, in the place of Sylvester A. Donoughue, whose commission expires January 16, 1892.

Peter W. Carpenter, to be postmaster at Ypsilanti, in the county of Washtenaw and State of Michigan, in the place of Martin Cremer, whose commission expires January 23, 1892.

John S. Heald, to be postmaster at Hartford, in the county of Van Buren and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

Kirke W. Noyes, to be postmaster at Paw Paw, in the county of Van Buren and State of Michigan, in the place of Peter McKellar, whose commission expired December 19, 1891.

Myron D. Gibbs, to be postmaster at Tracy, in the county of Lyon and State of Minnesota, in the place of Charles W. Main, resigned.

Henry Humphrey, to be postmaster at Lake Crystal, in the county of Blue Earth and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

Frank Lewis, to be postmaster at Worthington, in the county of Nobles and State of Minnesota, in the place of Benjamin F. Johnson, resigned.

John H. Sprout, to be postmaster at Blue Earth City, in the county of Faribault and State of Minnesota, in the place of Otto Kaupp, whose commission expired December 22, 1891.

Arthur F. Elmendorf, to be postmaster at South Orange, in the county of Essex and State of New Jersey, in the place of Norman R. Burghardt, whose commission expired December 20, 1891.

Homer B. Bryson, to be postmaster at Carlisle, in the county of Nicholas and State of Kentucky, in the place of Henry C. Metcalf, whose commission expired December 20, 1891.

Walter S. Reeve, to be postmaster at Moorestown, in the county of Burlington and State of New Jersey, in the place of Victor C. Roberts, whose commission expired December 20, 1891.

Samuel T. Howard, to be postmaster at Le Roy, in the county of Genesee and State of New York, in the place of E. Lewis Snow, whose commission expired December 21, 1891.

James A. Webster, to be postmaster at Warsaw, in the county of Wyoming and State of New York, in the place of L. Lockwood Thayer, whose commission expired December 21, 1891.

Daniel R. Shriver, to be postmaster at Manchester, in the county of Adams and State of Ohio, the appointment of a postmaster for said office having, by law, become vested in the President from and after January 1, 1892.

George H. Tyler, to be postmaster at Chillicothe, in the county of Ross and State of Ohio, in the place of Philip Klein, whose commission expired December 21, 1891.

Simkin B. Welch, to be postmaster at Montpelier, in the county of Williams and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

Samuel B. McLanachan, to be postmaster at Elizabethtown, in the county of Lancaster and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1892.

George Sackett, to be postmaster at White Haven, in the county of Luzerne and State of Pennsylvania, in the place of Alvin Arnold, whose commission expired December 21, 1891.

William R. Morgan, to be postmaster at Hot Springs, in the county of Fall River and State of South Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President from and after July 1,1891.

Hiram A. David, to be postmaster at Wolfe City, in the county of Hunt and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

Ancil B. Mayhew, to be postmaster at Seymour, in the county of Baylor and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after July 1, 1891.

John E. Shields, to be postmaster at Alderson, in the county of Monroe and State of West Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President from and after July 1, 1891.

Robert A. Etter, to be postmaster at Monroe, in the county of Green and State of Wisconsin, in the place of Felix C. Bennett, whose commission expires January 10, 1892.

Seth S. Boynton, to be postmaster at Oroville, in the county of Butte and State of California, in the place of Edwin O. Rollins, whose commission expired December 21, 1891, and who has also resigned.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 5, 1892.*

The House met at 12 o'clock m. and was called to order by the Clerk, Hon. JAMES KERR, who said:

I regret to announce the illness of the Speaker of the House of Representatives. Owing to his absence, it becomes my duty as Clerk of the House, to call the House to order. The only business now in order is the election of a Speaker *pro tempore*.

Mr. SPRINGER. Mr. Clerk, I submit the following resolution.

The Clerk read as follows:

Resolved, That Hon. BENTON MCMILLIN, a Representative from the State of Tennessee, be, and is hereby, elected Speaker *pro tempore* during the absence of the Speaker.

The resolution was agreed to.

The CLERK. The gentleman from Tennessee [Mr. MCMILLIN] will please come forward and take the chair.

Mr. MCMILLIN took the Speaker's chair amid general applause, and said:

I thank you for the confidence your selection implies. I shall try to discharge the duties of the position faithfully.

The Chaplain of the House of Representatives, Rev. WILLIAM H. MILBURN, D. D., offered the following prayer:

Hear our devout and earnest prayer, we beseech Thee, Almighty God, in behalf of Thine honored servant, the Speaker of this House. Restore him to health and soundness speedily. Keep his mind in perfect peace, and bring him soon to his place of trust and responsibility again. Let Thy blessing rest upon Thy servant who has just been chosen to temporarily fill his place. Guide and support him in the discharge of his responsible duties. Send down upon all the members of this body Thy grace and heavenly benediction. Guide them and their families from evil and danger of every kind, and prosper them in all their ways. Hear us for Thy servants, the President and Vice-President of the United States, the members of the Cabinet and of the Supreme Court, and likewise of the Senate. Let peace and order reign throughout the land, prosperity, cheer, and comfort come in with this new year. These and all other mercies we humbly ask in the name and for the sake of Jesus Christ, our Saviour. Amen.

The Journal of the proceedings of Wednesday, December 23, 1891, was read and approved.

SWEARING IN OF MEMBERS.

Mr. Wilson of Kentucky and Mr. Buchanan of Virginia appeared and took the oath of office.

NOTIFICATION OF THE SENATE.

Mr. SPRINGER. Mr. Speaker, I desire to submit the following resolution for immediate consideration.

The Clerk read as follows:

Resolved, That the Clerk of the House inform the Senate that Hon. BENTON MCMILLIN, a Representative from the State of Tennessee, has been elected Speaker *pro tempore* during the absence of the Speaker.

The resolution was agreed to.

TEMPORARY ORDER OF BUSINESS.

Mr. CATCHINGS. Mr. Speaker, I desire to present the following report from the Committee on Rules for present consideration.

The Clerk read as follows:

The Committee on Rules report the following order and recommend its adoption:

Immediately after the reading of the Journal on Tuesday, January 5, 1892, the executive and other communications on the Speaker's table shall be laid before the House, to be referred to appropriate committees, and thereafter the States and Territories shall be called for the introduction of bills and joint resolutions, memorials of State and Territorial Legislatures, for reference to appropriate committees, according to the provisions of Rule II, Fiftieth Congress, so far as the same is applicable, and shall proceed until the call is completed.

There shall be printed 500 copies of each bill of a public nature, of which 25 shall be deposited in the office of the Clerk of the House, and the remainder shall be deposited in the document room of the House for the use of the members.

Unless ordered by the House, no private bill or bill for the improvement of rivers and harbors, resolution, or other proposition reported by a committee shall be printed unless the same be placed upon the Calendar.

Mr. MCCREARY. Mr. Speaker——

The SPEAKER *pro tempore*. The gentleman from Mississippi [Mr. CATCHINGS] has the floor. The Chair will recognize the gentleman from Kentucky [Mr. MCCREARY] later.

Mr. CATCHINGS. I will yield to my friend from Kentucky [Mr. MCCREARY] if he desires to submit any remarks upon the report.

Mr. MCCREARY. Mr. Speaker, I could not hear very well the resolution as read by the Clerk, but it provides, as I understood it, that private bills should be placed in the box and should not be printed.

Mr. CATCHINGS. The gentleman is mistaken in his hearing of the reading. It does not provide that private bills shall be placed in the box, but on the contrary.

Mr. MCCREARY. It provides that they shall not be printed, as I understand.

Mr. CATCHINGS. Yes, it does provide that.

Mr. MCCREARY. It is to that subject, Mr. Speaker, that I wish to address my remarks. It has been a rule since I have been in Congress that 100 copies of each private bill should be printed. I believe that every private bill which is introduced in this House should be printed, and I desire to amend the report so as to require private bills to be printed.

Several MEMBERS. Make it 50.

Mr. MCCREARY. It is suggested by members around me to make the number 50.

Mr. DINGLEY. I would suggest to my friend that it will cost substantially the same to print 25 bills as it would to print 100 bills.

Mr. HEARD. That is so.

Mr. DINGLEY. There would not be 5 cents difference in the expense.

Mr. MCCREARY. Mr. Speaker, it is very important, I think, that private bills should be printed; at least a certain number of them; because, when we introduce a private bill we wish copies not only for the purpose of proper consideration but in order that we may notify the man who desires the introduction of the bill. It also often happens that we are written to and requested to send copies of bills that have been introduced by other members of the House of Representatives.

I suppose that ever since Congress has been meeting, almost since the beginning of the history of Congress, it has been customary to print a certain number of copies of every private bill. I therefore move to amend so as to require that 25 copies of each private bill introduced be printed.

Mr. BOWERS. I would like to ask the gentleman a question, if he will allow me.

The SPEAKER *pro tempore*. Does the gentleman from Kentucky yield?

Mr. MCCREARY. Certainly.

Mr. BOWERS. Can the gentleman tell us the difference in the cost of printing 50 and 100 copies of each private bill?

Mr. MCCREARY. No, sir; that is the business of the Committee on Printing.

Mr. BOWERS. It will not be 5 cents.

Mr. MCCREARY. That, Mr. Speaker, is within the prov-

ince of the Committee on Printing. My object is to have a certain number of each private bill printed. I believe it is necessary; and I object to and shall oppose anything that prohibits the printing of private bills.

Mr. RICHARDSON. Mr. Speaker, I desire to address myself to the amendment under discussion.

The SPEAKER *pro tempore*. Does the gentleman from Kentucky yield to the gentleman from Tennessee?

Mr. McCREARY. Yes, sir.

Mr. RICHARDSON. Mr. Speaker, at the close of the last session of Congress there was a joint resolution passed which authorized the Senate Committee on Printing, which is a permanent committee, and two members of the House Committee on Printing who had been reëlected to the present Congress, to sit as a joint committee during the recess, and to codify and examine fully all the printing laws and make report to the Fifty-second Congress. The joint committee, I will say briefly, have taken three or four hundred pages of printed testimony, and have addressed communications to all the heads of Departments and Bureaus of the Government seeking information on the subject of public printing. These communications have been answered, and much information elicited. The committee have prepared and will submit at an early day an elaborate report covering all this question of public printing.

The question of printing private bills has been acted upon by this committee. Heretofore the Senate has had printed 925 copies of private bills. The House of Representatives, in the last Congress, printed 100 copies of private bills. This joint committee, in the interest of economy, has made a most earnest effort to reduce the cost of public printing. They have agreed that the printing shall be uniform for the two Houses as to private bills, and have agreed to cut down from 925 to, I think, 100 copies of all private bills for the use of the Senate, the number which the House has heretofore printed. I agree with the gentleman from Kentucky that we ought to print private bills. In answer to the question submitted by the gentleman on the right as to the cost of printing, I can say that the difference between printing 100 copies and 50 copies of any private bill will be very small—almost insignificant. If we are to print 25 or 50 copies we had just as well print 100.

Mr. OATES. I would like to ask the gentleman from Tennessee if the joint committee thinks that the printing of 25 or 50 copies of each private bill would cost practically any more than 100 copies.

Mr. RICHARDSON. I say it is very little—almost insignificant.

Mr. McCREARY. I would like to ask the gentleman from Tennessee a question.

The SPEAKER *pro tempore*. Does the gentleman from Tennessee yield to the gentleman from Kentucky?

Mr. RICHARDSON. Yes, sir.

Mr. McCREARY. Do you state that for the Senate there will be 100 copies of each private bill printed, according to an agreement made by the Joint Committee on Printing?

Mr. RICHARDSON. I stated, Mr. Speaker, that the joint committee will recommend that the Senate reduce the number from 925 to 100 copies of private bills, and that the House will also have printed for its use 100 copies of all private bills. If I remember correctly, the reduction is to 100 copies. It is a very large reduction.

Mr. McCREARY. Mr. Speaker, I was about to ask the gentleman if there was any reason why we should not have 100 bills printed for the use of this House, as the Senate is to have 100 copies printed for the use of the Senate; but now I understand him to say that he is in favor of having printed 100 copies of every private bill.

Mr. RICHARDSON. I say that the joint committee have recommended that, and will submit their report at a very early day.

Mr. McCREARY. But that is not done in the report made by the Committee on Rules this morning.

Mr. RICHARDSON. Oh, not at all. The joint committee to which I refer is a committee appointed by the last Congress, while the Committee on Rules is a committee of this Congress, and they have submitted a report, which is now being considered.

Mr. McCREARY. Will the gentleman permit me to make a suggestion?

The SPEAKER *pro tempore*. Does the gentleman from Tennessee yield to the gentleman from Kentucky?

Mr. RICHARDSON. Yes, sir.

Mr. McCREARY. As the Committee on Printing will report in favor of printing 100 copies of each private bill, I am ready to accept the proposition of the chairman of that committee and make the number 100 copies of each private bill.

Mr. RICHARDSON. Let the gentleman offer an amendment making it 100 copies of each private bill, if he desires to do so.

Mr. BLOUNT. Mr. Speaker——

The SPEAKER *pro tempore*. Does the gentleman from Kentucky yield to the gentleman from Georgia?

Mr. McCREARY. Yes, sir.

Mr. CATCHINGS. Will the gentleman from Georgia allow me to say a few words, which I think will obviate further discussion?

Mr. BLOUNT. Just a moment.

Mr. Speaker, I trust that we shall not be in any very great haste about economizing in this direction, for we may find that we are doing exactly the opposite thing. It is well known to every gentleman who has had connection with the legislation of the House in the past, that what are known as private bills, taken up on each Friday of the week, cover during the session of Congress many millions of dollars.

It is well known also that often the examination of those bills by members of the House and of the reports in connection therewith has defeated measure after measure day after day at every session of Congress. Why, then, cut off from members the facility which is given to them for forming a proper judgment as to the merits of measures by putting it in their power to examine the bills and reports in print? Again, sir, it seems to me that we would err in taking this matter away from the committee of this House to which it properly belongs, the Committee on Printing, a committee which is charged with this subject, which has uniformly exercised the power of making recommendations to the House in relation to printing, and which is fully competent to make such recommendations in this case.

I trust, sir, that in this instance we shall follow the spirit of the rule which has generally governed the House in taking the opinions of its committees on important questions before acting on them. It seems to me, therefore, that what is now proposed ought not to be done; and so far as the resolution relates to the number of copies of bills to be printed, I trust that it will be withdrawn, and that that portion referring to the introduction of bills will be allowed to stand. I move, Mr. Speaker, to strike out so much of the resolution as relates to the number of bills to be printed.

Mr. HEARD. Will the gentleman permit a question?

Mr. BLOUNT. Certainly.

Mr. McCREARY. Mr. Speaker, I rise to a point of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. McCREARY. I understand the gentleman from Georgia [Mr. BLOUNT] to move to strike out so much of the report of the Committee on Rules as refers to the printing of bills. If that is done will not the effect be that the bills will not be printed at all?

Mr. HEARD. I was going to ask the gentleman from Georgia [Mr. BLOUNT] how his proposition would affect that question. I think it would have that effect.

Mr. BLOUNT. I think otherwise.

The SPEAKER *pro tempore*. The Chair will state in response to the suggestion of the gentleman from Kentucky [Mr. McCREARY] that the rule reported from the Committee on Rules provides for the printing of a certain number of copies of bills, and the Chair knows of no general law under which they would be printed without the adoption of some rule.

Mr. BLOUNT. I think otherwise, Mr. Speaker; but to avoid a controversy which would not be easily settled at this time, I will withdraw my motion and agree to the proposition of the gentleman from Kentucky [Mr. McCREARY]. That will at least furnish us some information in this connection.

Mr. CATCHINGS. Mr. Speaker, I would like to submit a few words in behalf of this report. In the first place, gentlemen have overlooked the fact that the resolution which the Committee on Rules has now reported is not intended to constitute any part of the permanent rules of this House. It is designed simply as a means of dealing with an exigency which is now upon us. It is well understood that at the beginning of each session of Congress bills are introduced not only by hundreds, but by thousands and tens of thousands, and that there is always a tremendous pressure upon the Government Printing Office to print those bills and get them back to the House so that they may be ready for consideration. It was believed by the Committee on Rules that the business of the House would be facilitated by pretermitting temporarily the printing of private bills; and the object of the rule now reported is to relieve the Government Printing Office of some portion of the pressure to which it would otherwise be subjected.

This rule does not provide that there shall never be any printing of private bills, but simply that for the time being no such bills shall be printed.

Mr. BLOUNT. Will the gentleman yield to me for a moment?

Mr. CATCHINGS. I will yield for a question.

Mr. BLOUNT. I wish to submit this suggestion to the gentleman. There may be referred to the Committee on Claims, for instance, to-day, fifty or perhaps a hundred bills. That committee convenes, and under the usage those bills will be severally

assigned to subcommittees. Now, if there is but one copy of each bill in existence will not the committees be greatly embarrassed in their consideration?

Mr. CATCHINGS. Undoubtedly there would be some embarrassment to a committee if it were required to proceed with the consideration of bills existing only in manuscript, but, for the reasons I have stated, it was thought by the Committee on Rules that, for the present at least, it would be better that the Government Printing Office should not be required to print any bills except those of a public character.

I wish to say further, for the information of the House, that the Committee on Rules felt some hesitation as to whether this resolution should be reported at all or not. It was believed by the committee, as it is believed, I think, generally, by gentlemen who have had experience here, that there is very great room for reform in this matter of the printing of bills; but this resolution, as I have said, was adopted merely as a temporary expedient. I do not think, however, Mr. Speaker, that there will be any such great hardship from the adoption of this resolution as gentlemen seem to imagine. As matter of fact, nine-tenths of the bills that will be introduced here to-day have been already printed in former Congresses.

I hold in my hand a package of fifty-four bills which are to be introduced by my friend from Indiania, which have been introduced and printed in previous Congresses. A great many of the bills that will be introduced here now have been heretofore printed, so that any gentleman who is specially interested in knowing their contents, can go to the file room and obtain copies. In my judgment, therefore, the inconvenience that would result from the adoption of this rule is very greatly exaggerated. But, as I said in the beginning, it was not the intention of the Committee on Rules in reporting this resolution to establish any permanent rule, but simply a rule to meet a temporary emergency. There is undoubtedly great room for reform in this whole matter of printing bills, and when the report of the Joint Committee on Printing is received it will do doubt deal with the subject as it should be dealt with. In the mean time the Committee on Rules thought there would be no great inconvenience, but, on the contrary, that business would be facilitated, by the adoption of this resolution, so as to relieve in some measure the pressure which would otherwise come upon the Government Printing Office.

Mr. BRECKINRIDGE of Kentucky. The gentleman from Mississippi [Mr. CATCHINGS] will allow me to ask him why it would not be well to allow public bills as well as executive communications and other matters lying on the Speaker's table to be disposed of to-day, allowing the question of private bills to go over until next Monday. It is now Tuesday, and it would seem that no harm can be done by allowing this question with regard to private bills to go over for the present. Public bills can be introduced to-day, and the Speaker's table can be cleared of executive communications and other matters which may have accumulated upon it. In this way the committees of the House can proceed at once to discharge their public duties, and private bills will not suffer by waiting four or five days. In the mean time the Printing Office will have printed the public bills, and the pressure as to that matter will be removed.

By next Monday the Committee on Printing may get in its report, as I understand from the gentleman from Tennessee [Mr. RICHARDSON]. Hence we may avoid any disagreement among ourselves in this matter by simply allowing private bills to lie over until Monday next.

Mr. CATCHINGS. Mr. Speaker, I do not feel authorized to accept a proposition looking to the nonintroduction to-day, and if necessary, to-morrow, of private bills. The resolution reported by the Committee on Rules looks to the introduction of private as well as public bills, beginning to-day and continuing until that order of business is disposed of.

Mr. BRECKINRIDGE of Kentucky. Would the gentleman object to an amendment striking from the resolution the provision in regard to the introduction of private bills?

Mr. CATCHINGS. Rather than do that, Mr. Speaker, I would consent to an amendment providing for the printing of private bills.

Several MEMBERS. That is right.

Mr. CATCHINGS. The committee has no desire to place itself in conflict with the House in this matter. This is simply intended as a tentative proposition. I am very glad that gentlemen have expressed their opinions so freely. The Committee on Rules has no desire whatever to prevent the printing of these private bills if the House desires that they be printed. I have simply undertaken to give the reasons which actuated the committee in making this report.

As I said in the beginning of my remarks, we hesitated for a long time before agreeing to make the report, and finally we thought we would present the question to the House and let the House decide it. But since there seems to be a disposition on the part of the House to have these private bills printed, I shall very cheerfully accept an amendment looking to that end. I do think, however, that 100 copies are too great a number to be printed of any private bill. I think we ought not to print, at least for the present, a larger number of copies of private bills than may be necessary for the convenient transaction of the business before the committees. I suggest, therefore, that the proposed amendment provide for the printing of only 25 copies of each private bill.

Several MEMBERS. O, no!

A MEMBER. One hundred copies will cost very litle more than 25 copies.

Mr. CATCHINGS. So far as concerns the mere question of setting up the type, the cost of printing 100 copies would be no more than that of printing 25 copies. But when we take into consideration the cost of paper, ink, and other necessary matters of expenditure, the difference in cost may be considerable. As I have before said, here is a package of bills, 54 in number, which will be introduced to-day, all of which have been printed in a previous Congress. There will be perhaps 5,000 or 6,000 bills introduced to-day, or during the continuance of this order, and the difference in cost between printing 25 copies of each private bill and printing 100 copies would be very great.

I do not believe myself, Mr. Speaker, that there ever has been a time when it was necessary to print 100 copies of any private bill: and I think that in the interest of economy the number of copies to be printed of any private bill should be limited to 25. I trust at least this will be the order while we are proceeding in this temporary and provisional way with the business of the House. When the Committee on Rules shall make a regular report, and when the Committee on Printing shall have made its report on this subject, the House can definitely and deliberately determine how many copies of private bills should be printed. I will ask leave myself to offer an amendment to the resolution providing for printing 25 copies of each private bill. To this an amendment, if desired, can be offered by any other gentleman.

Mr. MCCREARY. Mr. Speaker, I have listened to the remarks of the gentleman from Mississippi [Mr. CATCHINGS], and I have failed to hear any good argument for not printing the private bills which may be introduced into the House. It has been the rule since we have had a Congress to print private bills, so that any member introducing such a bill may send a copy to the person who asked for its introduction, and so that when the appropriate committee may come to consider the bill, each member of the committee may have a printed copy of the bill before him, and also that any citizen desiring a copy of the bill may obtain it. I am in favor of economy, but I do not think this is the right kind of economy; I do not think this is the place to begin to economize. The cost of printing 100 copies of each private bill will be very small, and the difference between printing that number and printing 25 (to which I understand my friend from Mississippi consents) is so small that it is not worth considering.

It has already been agreed, I understand, by the Committee on Printing that there should be printed 100 copies of each private bill introduced in this House and the Senate. I see no reason why we should not print 100 copies of each private bill introduced here. I adhere to the amendment I have offered and ask a vote upon it—the amendment authorizing the printing of 100 copies of each private bill introduced in the House under this order.

Mr. ENLOE. Mr. Speaker, I should like to know exactly what the status of this important economical question is. I would like to offer an amendment, which I think of some consequence, in reference to the introduction of private bills. So far as concerns this proposition that for the sake of economy we print 25 copies instead of 100 copies of each private bill, it appears to me the smallest piece of economy I have ever heard suggested. But I think some provision ought to be made in the report of the Committee on Rules by which we may get rid of the necessity of calling the roll for the introduction of private bills. As an amendment to the report of the committee I wish to offer, whenever it may be in order, now or later, the first section of Rule XXII of the Fifty-first Congress, which I ask the Clerk to read. I have not kept the run of the discussion so as to know whether this amendment is in order at this time or not.

The Clerk read as follows:

Members having petitions or memorials or bills of a private nature to present may deliver them to the Clerk, indorsing their names and the reference or disposition to be made thereof; and said petitions and memorials and bills of a private nature, except such as, in the judgment of the Speaker, are of an obscene or insulting character, shall be entered on the Journal with the names of the members presenting them, and the Clerk shall furnish a transcript of such entry to the Official Reporters of Debates for publication in the RECORD.

Mr. ENLOE. Now, Mr. Speaker, I want to say that there is not any difference, as I understand it, in the position of gentlemen here, as far as the discussion shows, in regard to the expense

of printing these bills, involving merely the additional cost of paper and presswork, and that it is an insignificant matter, not enough, in fact, to consume the time of the House in discussing. But we ought to know how we are to introduce the private bills. I think the rule just read is a good one and ought to be adopted, so as to dispatch the business of the House as rapidly as possible.

Mr. MANSUR. Mr. Speaker, I desire to add but a word in regard to the printing of private bills, or, as to the number of private bills to be printed. All of the old members of the House know from their experience in the past that the custom has been to furnish to every member of the committee a copy of each and every bill going to that committee for the purpose of making up a file for the committee. This has resulted in making the files, as a rule, too large. Take, for instance, the Committee on Claims. A matter comes up in that committee, and of course each and every member will desire to know before passing upon it the merits of the bill before them. We all have a copy for that purpose. But after the bill has been considered and reported to the House it is not regarded as necessary to keep these extra bills any longer and they are thrown aside or destroyed. The case comes before the House, and we have all seen time and again something alleged against a bill; some claim that it involved a job or embodied an erroneous principle, and we have even heard harsher terms alleged against bills, and instantly every page on the floor is called up and sent to get a copy of the bill.

Time and again have we seen this done and the interest of every member on the floor instantly called to some pending proposition. Now, if there were but 25 bills printed the copies would soon be exhausted. Nothing less than a hundred would meet, in my opinion, the necessities of the case, and that number would be required to promote the speedy and prompt dispatch of business, and the just deliberations of this body in the passage of the various measures coming before it.

I believe with my friend from Tennessee [Mr. ENLOE], that it would be well to adopt the rule that we had in the last House so far as the introduction of private bills and memorials is concerned. It has worked no injustice or injury to that class of bills in the past, and, as it tends to facilitate, to a certain extent, the business of the House, I believe the rule is a good one and could wisely be adopted.

Mr. CUMMINGS. Mr. Speaker, I desire to speak in behalf of the amendment offered by the gentleman from Kentucky. The main cost in printing private bills is in the typesetting. It is proposed to print only 25 copies of each bill. Why not 100 after the type is set? The price of the paper is almost the sole additional cost. It will cost not quite a cent to print 75 additional copies of each private bill. Then, if there are six thousand private bills introduced in a session, it will cost at the end of the session just $60. [Laughter.]

When a member of Congress wants a private bill, he wants it bad. He will lose more time, and the House itself lose more money by having men running around hunting up and copying private bills than it will save by such economy. The document room is always in demand, and its value will be enhanced if 100 copies of each bill are printed instead of 25. [Applause.]

Mr. CATCHINGS. Mr. Speaker, as I stated when I had the floor before, the Committee on Rules hesitated a long time before undertaking to deal with this question at all; and it was only because of the fact that a large number of gentlemen pressed it for the consideration of the committee that we finally concluded to report it in this shape, merely suggesting the idea to the House for its consideration and adoption. The original purpose of the committee was to bring in the resolution in blank, as far as this feature is concerned, and leave the House to say what disposition should be made as to the number of bills of this character printed.

But, Mr. Speaker, it is evident to my mind, from the discussion which has taken place here, that it is not the desire of the House that there shall be any limitation on the number printed in previous Congresses; and, therefore, with the consent of my colleague on the Committee on Rules, the gentleman from Michigan [Mr. BURROWS], I will accept an amendment providing for the printing of 100 of these private bills, which was the number authorized in the Fiftieth Congress, for the purpose of ending the discussion.

Mr. McCREARY. May I ask the gentleman a question?

Mr. CATCHINGS. Certainly.

Mr. McCREARY. I could not hear distinctly what the gentleman stated, but I understood him to say, and I rise to ask if that understanding was correct, that he accepted my amendment authorizing 100 copies of each private bill to be printed?

Mr. CATCHINGS. That is what I said.

Mr. McCREARY. I so understood.

Mr. CATCHINGS. I said that I would accept that amendment, and leave it to the House to adopt or reject it, as they saw proper.

Mr. BLOUNT. Will the gentleman yield to me for a question?

Mr. CATCHINGS. Certainly.

Mr. BLOUNT. I understood the gentleman from Mississippi to state that he accepted the amendment not only to print 100 copies of the private bills, but in a previous speech intimated that this was to be regarded as a temporary arrangement until the permanent rules were reported?

Mr. CATCHINGS. That was the idea of the Committee on Rules.

Mr. ENLOE. I would like to ask if the gentleman from Mississippi will accept my suggestion as to the introduction of private bills?

Mr. CATCHINGS. No; I will not accept that, although I quite agree with the gentleman as to the propriety of the suggestion, and, as a matter of fact, the Committee on Rules at one time thought of reporting it. But it came to their knowledge that many gentlemen on the floor desired that private bills should be introduced just as the public bills at the beginning of the session, and so, as this is but a temporary arrangement, we thought it better to yield to the wishes of members in that regard and let them be introduced as the public bills are, on the call of the States and Territories.

Mr. ENLOE. What is the objection to the introduction of the bills and petitions under that rule? I can not see any.

Mr. CATCHINGS. There is none in the world, Mr. Speaker——

Mr. ENLOE. This will facilitate the business of the House.

Mr. CATCHINGS. There is not the slightest objection on the face of the earth, so far as I know, to the principle involved in the resolution of my friend, the gentleman from Tennessee [Mr. ENLOE]. It was the practice in the Forty-ninth, Fiftieth, and Fifty-first Congresses, and I have no doubt whatever that it will be the practice in the Fifty-second Congress.

Mr. ENLOE. Then why should not this be the practice to-day?

Mr. CATCHINGS. For the reasons which I have already stated, that a number of gentlemen have requested the privilege of introducing private bills, on the call of States and Territories, in the same manner as public bills.

Mr. ENLOE. I do not see why there should be a rule adopted to-day which is not to be the permanent rule of the House, or which is not in accord with the principle that is to regulate the permanent rules of the House.

Mr. CATCHINGS. I have attempted to answer the gentleman from Tennessee [Mr. ENLOE]. I have stated to him that I have not the slightest doubt that when the permanent rules are established for the government of the business of this House it will be provided, as it was in the Forty-ninth, Fiftieth, and Fifty-first Congresses, that private bills, memorials, and resolutions shall be introduced by handing them to the Clerk. I also stated to the gentleman that the Committee on Rules had it in mind to make that provision with reference to the introduction of such bills to-day, but that a great number of gentlemen requested that they might be allowed the privilege of introducing their private bills to-day in the same manner as their public bills. And, Mr. Speaker, the House having nothing on the face of the earth to do to-day but to sit here and introduce bills, we concluded we would gratify them.

Mr. ENLOE. Mr. Speaker, if the gentleman will allow me, I do not see any reason why every gentleman here should not have the opportunity to introduce his bills to-day just as others will do hereafter, by putting the bills in the box instead of having them read by the Clerk.

Mr. OATES. I would like to suggest to my friend from Tennessee [Mr. ENLOE] that so far as the CONGRESSIONAL RECORD is concerned the bills will all appear in it just the same.

Mr. ENLOE. Of course they will all get into the RECORD just the same.

Mr. HENDERSON of Iowa. Mr. Speaker, I would like to inquire what provision is made with reference to the introduction of petitions?

Mr. CATCHINGS. I would ask that the resolution be reported again.

The Clerk read as follows:

Immediately after the reading of the Journal on Tuesday, January 5, 1892, the executive and other communications on the Speaker's table shall be laid before the House, to be referred to appropriate committees; and thereafter the States and Territories shall be called for the introduction of bills and joint resolutions, memorials of State and Territorial Legislatures, for reference to appropriate committees, according to the provisions of Rule XI, Fiftieth Congress, so far as the same is applicable, and shall proceed until the call is completed.

There shall be printed 500 copies of each bill of a public nature, of which 25 shall be deposited in the office of the Clerk of the House, and the remainder shall be deposited in the document room of the House for the use of members. Unless ordered by the House, no private bill or bill for the improvement of rivers and harbors, resolution, or other proposition reported by a committee shall be printed, unless the same be placed upon the Calendar. There shall also be printed 100 copies of each private bill.

Mr. CATCHINGS. Mr. Speaker, I think the amendment of my friend from Kentucky should involve the striking out of so much of the latter part of the paragraph of the resolution as provides that "unless ordered," etc., so that that would be entirely eliminated from the resolution.

The SPEAKER *pro tempore*. The Clerk will report the portion indicated to be stricken out.

The Clerk read as follows:

Strike out the following words:
"Unless ordered by the House, no private bill or bill for the improvement of rivers and harbors, resolution, or other proposition reported by a committee shall be printed unless the same be placed on the Calendar."
And substitute therefor the following:
"There shall also be printed 100 copies of each private bill."

Mr. CATCHINGS. I accept the amendment in that form.

Mr. HENDERSON of Iowa. I see no provision in the resolution with reference to the introduction of petitions.

Mr. CATCHINGS. My attention is called by my friend from Iowa [Mr. HENDERSON] to the fact that in the preparation of that resolution no provision has been made for the disposition of petitions. I ask unanimous consent to amend the resolution by inserting the word "petitions" in connection with the word "memorials."

Mr. DINGLEY. Then shall petitions be presented in open House?

Mr. CATCHINGS. I think so, under the resolution.

Mr. ENLOE. I would like to ask the gentleman from Mississippi [Mr. CATCHINGS] that we may have a vote on the amendment which I offered.

The SPEAKER *pro tempore*. The Chair suggests to the gentleman from Mississippi [Mr. CATCHINGS] that the change he makes would alter the phraseology so that it would not apply to petitions, and it would probably take an additional amendment.

Mr. CATCHINGS. Then, Mr. Speaker, instead of proposing the amendment in that form I will adopt the suggestion of the Speaker *pro tempore*. I was misled as to the phraseology, not having the resolution before me.

Mr. LANHAM. I wish to ask the gentleman a question.

Mr. CATCHINGS. I will yield to my friend in a moment. I desire to perfect the resolution while I have it in my mind. I desire to amend the resolution by providing that all petitions may be introduced by placing them in the petition box or by delivery to the Clerk.

Mr. ENLOE. And private bills?

The SPEAKER *pro tempore*. The Clerk will again report the resolution.

Mr. CATCHINGS. Let us have a vote on the amendment.

The SPEAKER *pro tempore*. The gentleman from Mississippi [Mr. CATCHINGS] will please indicate the amendment he desires concerning petitions.

Mr. CATCHINGS. Mr. Speaker, my motion, which the Chair can put without my reducing it to writing, is simply that all petitions may be introduced by delivery to the Clerk for appropriate reference.

The SPEAKER *pro tempore*. Is there objection to the amendment suggested by the gentleman from Mississippi?

Mr. McCREARY. I think we should proceed in regular order; and I would like a vote on the first amendment proposed.

The SPEAKER *pro tempore*. The Chair will suggest to the gentleman from Kentucky that that will come first, and the Chair will recognize the gentleman from Mississippi to offer an amendment later on. The question is on the amendment of the gentleman from Kentucky as accepted by the gentleman from Mississippi.

Mr. RICHARDSON. Mr. Speaker, before that is put I desire to say one word, just to correct a statement which I made a few moments ago, to the effect that the Joint Committee on Printing had agreed to recommend the printing of 100 copies of each private bill. It is 250; not 100. I want to correct my statement, as it was misleading.

Mr. CATCHINGS. Now, Mr. Speaker, let us have a vote.

The SPEAKER *pro tempore*. The question is on the amendment of the gentleman from Kentucky.

The question was taken, and the amendment was agreed to.

Mr. CATCHINGS. Now, Mr. Speaker, I propose to offer an amendment to the resolution proposing "that all petitions may be introduced by delivery to the Clerk for appropriate reference."

The Clerk read as follows:

That all petitions be introduced by delivery to the Clerk for appropriate reference.

Mr. ENLOE. Mr. Speaker——

The SPEAKER *pro tempore*. The question is on the amendment offered by the gentleman from Mississippi.

Mr. ENLOE. I offer as a substitute for that the amendment which I suggested a few moments ago. I will ask the Clerk to read it.

The SPEAKER *pro tempore*. The Chair will state that the amendment suggested by the gentleman from Tennessee will come better later on, when the Chair will recognize the gentleman.

Mr. ENLOE. It relates to exactly the same subject. It relates to private bills, petitions, and memorials, and covers the whole ground. I want to offer it as a substitute.

The SPEAKER *pro tempore*. The Chair understands the gentleman to say that it is similar in nature. The Chair was not aware that it was. If so, it will be in order as a substitute, and the Clerk will therefore report the substitute offered by the gentleman from Tennessee to the amendment offered by the gentleman from Mississippi.

Mr. CATCHINGS. Let us have a vote on the substitute, Mr. Speaker.

The Clerk read as follows:

First section of Rule XXII:
Members having petitions, or memorials, or bills of a private nature to present may deliver them to the Clerk, indorsing their names and the reference or disposition to be made thereof, and said petitions or memorials and bills of a private nature, except such as, in the judgment of the Speaker, are of an obscene or insulting character, shall be entered on the Journal, with the names of the members presenting them, and the Clerk shall furnish a transcript of such entry to the Official Reporters of Debates for publication in the RECORD.

The SPEAKER *pro tempore*. The question is on agreeing to the substitute offered by the gentleman from Tennessee to the amendment offered by the gentleman from Mississippi.

Mr. CAMPBELL. Let us have the substitute read again, Mr. Speaker, as I did not hear it distinctly.

The SPEAKER *pro tempore*. If there be no objection the substitute will again be reported.

The substitute was again reported.

Mr. ENLOE. Mr. Speaker, I want to say that that has been the rule in the Forty-ninth, Fiftieth, and Fifty-first Congresses upon this subject.

The question was taken, and the substitute was agreed to.

Mr. CATCHINGS. Now I yield to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, if I understood the reading of the report from the Committee on Rules——

The SPEAKER *pro tempore*. The question is on the adoption of the amendment as substituted.

The question was taken, and the amendment was agreed to.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman from Texas.

Mr. LANHAM. Mr. Speaker, if I understood the reading of the report of the Committee on Rules, it provides that bills and joint resolutions shall be introduced under Rule XI of the Fiftieth Congress.

Mr. CATCHINGS. Shall be referred under that rule.

Mr. LANHAM. Referred under that rule. Now, under the rules of the Fiftieth Congress there is no provision made for at least one committee of the present Congress that was not organized at that time. For instance, the Select Committee on Irrigation of Arid Lands in the United States was organized and created in the last Congress and did not exist in the Fiftieth Congress.

Mr. CATCHINGS. If my friend will allow me, I will say that I have a resolution covering that proposition, which I propose to offer now.

Mr. LANHAM. On that very question?

Mr. CATCHINGS. Yes, sir.

The SPEAKER *pro tempore*. The question is on the adoption of the report of the Committee on Rules as amended.

The question was taken, and the report as amended was adopted.

Mr. CATCHINGS. Now, Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The Clerk read as follows:

All proposed legislation shall be referred to the select committees heretofore provided, as follows:
All propositions touching the civil service of the United States, to the Select Committee on Reform in the Civil Service.
All propositions touching the election and tenure of office of the President, Vice-President, and Representatives in Congress, count of the electoral vote, and succession to the office of President, to the Committee on Election of President, Vice-President, and Representatives in Congress.
All proposed legislation concerning the Eleventh Census of the United States, to the Committee on the Eleventh Census.
All propositions relating to the ventilation and acoustics of the Hall of the House of Representatives, to the Committee on Ventilation and Acoustics.
All propositions touching the alcoholic liquor traffic, to the Committee on Alcoholic Liquor Traffic.
All proposed legislation concerning the irrigation of arid lands in the United States, to the Committee on Irrigation of Arid Lands in the United States.
All proposed legislation concerning immigration and naturalization, to the Committee on Immigration and Naturalization.
All proposed legislation concerning the Columbian Exposition, to the Committee on the Columbian Exposition.

Mr. CATCHINGS. I move the adoption of the resolution.

Mr. BRECKINRIDGE of Kentucky. I would like to ask the gentleman from Mississippi whether that includes appropria-

tions for the various objects that are named in this list of special committees. For instance, it is understood we may be asked for quite a large appropriation for the Columbian Fair; we may have some legislation looking to an appropriation for the irrigation of arid lands, as was done heretofore in the Fifty-first Congress. Now, it is my desire to ask whether this report of the Committee on Rules assigns the duty of appropriation as well as the duty of legislation.

Mr. CATCHINGS. That is not my understanding, I will say to my friend.

Mr. BRECKINRIDGE of Kentucky. There may be some fear that we may take some step which would have such an effect, and I desire to have that understood now.

Mr. LANHAM. I will say to the gentleman from Kentucky that there was no authority conferred upon the Select Committee on Irrigation of Arid Lands in the United States in the last Congress to make any appropriation, but simply matters of legislation were referred to that committee. I do not think it is contemplated to give them the power to make appropriations under this resolution.

Mr. CATCHINGS. The simple object of the resolution is to refer matters that have been previously referred to select committees. There has been no change made in the jurisdiction. I do not think that the resolution gives them the right to make appropriations of money.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I simply desired that that should be stated publicly to the House, so that if we shall pass this resolution it shall be passed with the understanding that it refers to the duties of special committees as to legislation, limits them to the question of legislation, and that they are not given jurisdiction over the question of appropriations.

Mr. CATCHINGS. That is the understanding, Mr. Speaker. Now I move the adoption of the resolution.

The question was taken on the resolution, and it was adopted.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MILLS, indefinitely.

To Mr. BACON, indefinitely.

To Mr. HOPKINS of Pennsylvania, for one week.

To Mr. MCRAE, indefinitely, on account of sickness.

To Mr. REYBURN, for a few days.

Mr. O'FERRALL. Mr. Speaker, I desire to announce the illness of one of my colleagues, Mr. LAWSON, and to ask leave of absence for him for two weeks.

There was no objection, and it was so ordered.

Mr. CLARKE of Alabama. Mr. Speaker, in behalf of my colleague, Mr. TURPIN, I ask leave of absence for him for ten days, on account of important business.

There was no objection, and it was so ordered.

Mr. WIKE. Mr. Speaker, I ask a similar leave of absence for my colleague, Mr. FITHIAN.

There was no objection, and it was so ordered.

Mr. BARWIG. Mr. Speaker, my colleagues, Mr. BRICKNER, Mr. BUSHNELL, and Mr. LYNCH, are detained at home by important business, and I ask that they be granted indefinite leave of absence.

There was no objection, and it was so ordered.

Mr. DOCKERY. Mr. Speaker, my colleague, Mr. BYRNS, is detained from the House on account of sickness, and I ask that he be granted leave of absence.

There was no objection, and it was so ordered.

By unanimous consent, leave of absence was also granted as follows:

To Mr. HATCH, indefinitely, on account of important business.

To Mr. NORTON, indefinitely, on account of important business.

UNIFORM SPELLING OF GEOGRAPHIC NAMES.

The SPEAKER *pro tempore* laid before the House the following message from the President of the United States; which was referred to the Committee on Printing, and ordered to be printed;

To the Senate and House of Representatives:

My attention having been called to the necessity of bringing about a uniform usage and spelling of geographic names in the publications of the Government, the following Executive order was issued on the 4th day of September, 1890:

"As it is desirable that uniform usage in regard to geographic nomenclature and orthography obtain throughout the Executive Departments of the Government, and particularly upon the maps and charts issued by the various Departments and Bureaus, I hereby constitute a Board on Geographic Names, and designate the following persons, who have heretofore coöperated for a similar purpose under the authority of the several Departments, Bureaus, and institutions with which they are connected, as members of said Board:

"Prof. Thomas C. Mendenhall, United States Coast and Geodetic Survey, chairman.

"Andrew H. Allen, Department of State.

"Capt. Henry L. Howison, Light-House Board, Treasury Department.

"Capt. Thomas Turtle, Engineer Corps, War Department.

"Lieut. Richardson Clover, Hydrographic Office, Navy Department.

"Pierson H. Bristow, Post-Office Department.

"Otis T. Mason, Smithsonian Institution.

"Herbert G. Ogden, United States Coast and Geodetic Survey.

"Henry Gannett, United States Geological Survey.

"Marcus Baker, United States Geological Survey.

"To this Board shall be referred all unsettled questions concerning geographic names which arise in the Departments, and the decisions of the Board are to be accepted by these Departments as the standard authority in such matters.

"Department officers are instructed to afford such assistance as may be proper to carry on the work of this Board.

"The members of this Board shall serve without additional compensation, and its organization shall entail no expense on the Government."

The report of the Board thus constituted has been submitted to me and is herewith transmitted for the information of Congress, and with a view to its publication in suitable form, if such action is deemed by Congress to be desirable.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1891.*

BUREAU OF AMERICAN REPUBLICS.

The SPEAKER *pro tempore* also laid before the House the following message from the President; which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for your information, a letter from the Secretary of State inclosing the first annual report and copies of the bulletins of the Bureau of the American Republics.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 16, 1891.*

ELECTRIC WIRES IN THE DISTRICT OF COLUMBIA.

The SPEAKER *pro tempore* also laid before the House the following message from the President; which was read, referred to the Committee on the District of Columbia, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith the report of the board appointed by me under a clause in the District of Columbia appropriation act, approved August 6, 1890, "to consider the location, arrangement, and operation of electric wires in the District of Columbia," etc., to which the attention of Congress is respectfully invited.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1891.*

FAMINE IN RUSSIA.

The SPEAKER *pro tempore* also laid before the House the following message from the President; which was read, referred to the Committee on Naval Affairs, and ordered to be printed:

To the Senate and House of Representatives:

The famine prevailing in some of the provinces of Russia is so severe and widespread as to have attracted the sympathetic interest of a large number of our liberal and favored people. In some of the great grain-producing States of the West movements have already been organized to collect flour and meal for the relief of these perishing Russian families, and the response has been such as to justify the belief that a ship's cargo can very soon be delivered at the seaboard, through the generous coöperation of the transportation lines. It is most appropriate that a people whose storehouses have been so lavishly filled with all the fruits of the earth by the gracious favor of God should manifest their gratitude by large gifts to His suffering children in other lands. The Secretary of the Navy has no steam vessel at his disposal that could be used for the transportation of these supplies, and I therefore recommend that he be authorized to charter a suitable vessel to receive them, if a sufficient amount should be offered, and to send them under the charge of a naval officer to such Russian port as may be most convenient for ready distribution to those most in need.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 5, 1892.*

RODMAN M. PRICE.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, in relation to an act approved February 23, 1891, entitled "An act for the relief of Rodman M. Price;" which was referred to the Committee on Claims and ordered to be printed.

ACCOUNTS OF FIRST COMPTROLLER.

The SPEAKER *pro tempore* also laid before the House a letter from the Treasurer of the United States, submitting copies of the reports of the accounts of the First Comptroller; which was referred to the Committee on Appropriations.

STATISTICAL ABSTRACT OF THE UNITED STATES.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, submitting the draft of a bill to provide for the printing of the annual volume entitled "Statistical Abstract of the United States;" which was referred to the Committee on Printing, and ordered to be printed.

RECEIPTS AND EXPENDITURES FOR FISCAL YEAR ENDING JUNE 30, 1891.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a detailed account of the receipts and expenditures of the United

States for the fiscal year ending June 30, 1891; which was referred to the Committee on Ways and Means.

CONTINGENT EXPENSES OF TREASURY DEPARTMENT.

The SPEAKER *pro tempore* also laid before the House a communication from the Acting Secretary of the Treasury, transmitting a report of the contingent expenses of the Treasury Department for the fiscal year ending June 30, 1891; which was referred to the Committee on Expenditures in the Treasury Department.

REPORT OF THE SECRETARY OF THE TREASURY.

The SPEAKER *pro tempore* also laid before the House the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year 1891; which was referred to the Committee on Ways and Means, and ordered to be printed.

EXPENSES OF COLLECTING THE REVENUE.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting estimates of appropriation for defraying the expenses of the revenue for the fiscal year ending June 30, 1893; which was referred to the Committee on Appropriations, and ordered to be printed.

FOURTEENTH STATISTICAL ABSTRACT OF THE UNITED STATES.

The SPEAKER *pro tempore* also laid before the House a communication from the Acting Secretary of the Treasury, transmitting a report of the Fourteenth Statistical Abstract of the United States; which was referred to the Committee on Printing.

RIVER AND HARBOR IMPROVEMENTS.

The following communications in relation to river and harbor improvements were severally laid before the House, and referred to the Committee on Rivers and Harbors:

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, a copy of the preliminary survey and examination of the Murder Kill River, Delaware.

Letter from the Acting Secretary of War, transmitting report from the Board of Engineers upon a location and cost of a ship canal to connect Lakes Union and Savannah, Washington, with Puget Sound, Washington.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Swinomish Slough, Washington, with a view of constructing a ship channel through the same connecting Saratoga Passage and Skagit Bay with Padilla Bay.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, the report of the examination and survey of the Olympia Harbor, Washington.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, copy of the report and examination for a deep-water harbor on the Pacific coast.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of West Galveston Bay, Texas, from Christmas Point.

Letter from the Acting Secretary of War, transmitting copy of letter from the secretary of the Cleveland Vessel Owners' Association, in reference to the obstruction to navigation of the Great Lakes.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of the Sabine River, Texas.

Letter from the Acting Secretary of War, transmitting a copy of a letter from the Chief of Engineers in reference to the appropriation for the improvement of the water way between New River and Swansboro, N. C.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, a report of the examination and survey of the dam near Louisa, Ky.

Communication from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, copies of the reports of the Engineer Corps in relation to the preliminary examination and survey of the Savannah and Fernandina water way.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of the Lower Willamette and Columbia Rivers.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of the Columbia River, Washington.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Tillamook Bay and Bar, Oregon.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers report, of the examination and survey of the Potomac River, Virginia and Maryland, up to the city of Washington.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Lynnhaven Bay, Virginia.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of the Eastern Branch of the Potomac River.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, copy of the report of the preliminary examination and survey of Brunswick Outer Bar, Georgia.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Jamaica Bay, New York.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of the Penobscot River, Maine.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of the Willamette River, Oregon.

PURCHASES BY QUARTERMASTER'S DEPARTMENT.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of War, transmitting reports of purchases made in the Quartermaster's Department for the year ended June 30, 1891; which was referred to the Committee on Expenditures in the War Department.

EMPLOYÉS IN WAR DEPARTMENT.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting a list of the clerks and other persons employed in the War Department from December 1, 1890, till November 30, 1891, with a statement of the sums paid to each; which was referred to the Committee on Expenditures in the War Department.

WILLIAM C. SPENCER.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting the findings of the board of officers in the case of William C. Spencer; which was referred to the Committee on Invalid Pensions.

CONTINGENT EXPENSES OF THE MILITARY ESTABLISHMENT.

The SPEAKER *pro tempore* also laid before the House a report from the Acting Secretary of War, transmitting a report of the expenditures of the appropriations for the contingent expenses of the military establishment; which was referred to the Committee on Expenditures in the War Department.

CLOTHING ALLOWANCE FOR ORDNANCE SERGEANTS.

The SPEAKER *pro tempore* also laid before the House a communication from the Acting Secretary of War transmitting a letter from the Inspector-General of the United States Army in relation to clothing allowance for ordnance sergeants; which was referred to the Committee on Military Affairs.

COST OF TYPE GUNS, ETC.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting a report of the Chief of Ordnance of the United States Army showing the cost of type guns and other guns; which was referred to the Committee on Military Affairs.

EXPENDITURES AT SPRINGFIELD ARMORY.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting a statement of the expenditures at the National Armory, Springfield, Mass., for the year ended June 30, 1891; which was referred to the Committee on Expenditures in the War Department.

COMMERCE ON ST. MARYS FALLS CANAL.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, a report of the commerce passing through St. Marys Falls Canal; which was referred to the Committee on Rivers and Harbors.

CHARLES SELLMER.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting a copy of the petition of Charles Sellmer, asking to be retired as captain; which was referred to the Committee on Military Affairs.

HARBOR DEFENSES, SAN DIEGO, CAL.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting copies of the report of an examination for a site for port and harbor defenses near San Diego, Cal.; which was referred to the Committee on Military Affairs.

REPORT OF BOARD OF ORDNANCE AND FORTIFICATIONS.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting the report of the Board of Ordnance and Fortifications; which was referred to the Committee on Appropriations.

CIVILIAN EMPLOYÉS OF THE ARMY.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting a list of all civilian employés of the Army, with the amount paid to each from the appropriations for the support of the Army; which was referred to the Committee on Expenditures in the War Department.

CONTINGENT APPROPRIATION FOR INTERIOR DEPARTMENT.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a statement of the expenditure of the contingent appropriations for that Department for the fiscal year ended June 30, 1891; which was referred to the Committee on Expenditures in the Department of the Interior.

EXPENDITURES IN DEPARTMENT OF LABOR.

The SPEAKER *pro tempore* also laid before the House a letter from the Commissioner of Labor, transmitting a statement of all moneys expended by his department for the fiscal year ending June 30, 1891; which was referred to the Committee on Appropriations.

LAWS OF NEW MEXICO.

The SPEAKER *pro tempore* also laid before the House a communication from the Secretary of the Interior, transmitting, with a letter of the Secretary of the Territory of New Mexico, two copies of the laws passed by the Twenty-ninth Legislative Assembly of that Territory; which was referred to the Committee on the Territories.

GENERAL STATUTES OF OKLAHOMA.

The SPEAKER *pro tempore* also laid before the House a communication from the Secretary of the Interior, transmitting, with a copy of a letter from the Secretary of the Territory of Oklahoma, copies of the general statutes of said Territory; which was referred to the Committee on the Territories.

MARITIME CANAL COMPANY, NICARAGUA.

The SPEAKER *pro tempore* also laid before the House a communication from the Secretary of the Interior, transmitting a copy of the report of the Maritime Canal Company of Nicaragua; which was referred to the Committee on Commerce.

CONSTITUTIONAL CONVENTION OF ARIZONA.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a copy of memorial of the constitutional convention of Arizona; also a copy of the report of the Commissioner of the General Land Office, relating to surveys of the Atlantic and Pacific Railroad lands in said Territory; which was referred to the Committee on the Public Lands.

CHEYENNE AND ARAPAHOE INDIAN LANDS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, in relation to the allotment of lands to the Cheyenne and Arapahoe Indians in Oklahoma Territory, etc., and setting forth the necessity of an appropriation in connection therewith; which was referred to the Committee on Appropriations.

UNION PACIFIC RAILROAD COMPANY.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a report of the Government directors of the Union Pacific Railroad Company; which was referred to the Committee on Pacific Railroads.

JUDGMENTS AGAINST THE UNITED STATES.

The SPEAKER *pro tempore* also laid before the House a letter from the Attorney-General, transmitting a report of judgments against the United States rendered in the district and circuit courts since February 1, 1891; which was referred to the Committee on Appropriations.

ANNUAL REPORT, ATTORNEY-GENERAL.

The SPEAKER *pro tempore* also laid before the House a communication from the Attorney-General of the United States, submitting his annual report; which was referred to the Committee on the Judiciary.

BUREAU OF ANIMAL INDUSTRY.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of Agriculture, transmitting a report of the operations of the Bureau of Animal Industry for the year 1891; which was referred to the Committee on Agriculture.

FREEDMAN'S SAVINGS AND TRUST FUND.

The SPEAKER *pro tempore* also laid before the House a letter from the commissioner of the Freedman's Savings and Trust Fund, transmitting report for the year ended December 5, 1891; which was referred to the Committee on Banking and Currency.

INDEX OF PRIVATE CLAIMS.

The SPEAKER *pro tempore* also laid before the House a letter from the Clerk of the House of Representatives, reporting that he had completed the indexing of private claims for the Forty-ninth, Fiftieth, and Fifty-first Congresses; which was referred to the Committee on Printing.

REPORT OF THE COMMISSIONER OF FISH AND FISHERIES.

The SPEAKER *pro tempore* also laid before the House a letter from the United States Commissioner of Fish and Fisheries, transmitting a report of expenditures in his Department for the fiscal year ended June 30, 1891; which was referred to the Committee on Merchant Marine and Fisheries.

CONTESTED-ELECTION CASES.

The SPEAKER *pro tempore* also laid before the House a letter from the Clerk of the House of Representatives, transmitting a list of contests for seats in the Fifty-second Congress; which was referred to the Committee on Elections, and ordered to be printed.

REPORT OF THE COMPTROLLER OF THE CURRENCY.

The SPEAKER *pro tempore* also laid before the House a letter from the Comptroller of the Currency, transmitting his twenty-ninth annual report; which was referred to the Committee on Banking and Currency.

UNITED STATES COAST AND GEODETIC SURVEY.

The SPEAKER *pro tempore* also laid before the House a letter from the acting Secretary of the Treasury, transmitting the report of the Superintendent of the United States Coast and Geodetic Survey for the fiscal year 1891; which was referred to the Committee on Printing.

FRENCH SPOLIATION CLAIMS.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting conclusions of law and fact filed by said court in certain French spoliation cases; which was referred to the Committee on Claims.

SHIP THERESA.

The SPEAKER *pro tempore* also laid before the House a letter from the acting clerk of the Court of Claims, transmitting a copy of findings of law and fact in the matter of the ship Theresa; which was referred to the Committee on Claims.

SCHOONER NANCY.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting conclusions of law and fact filed in the case of the schooner Nancy; which was referred to the Committee on Claims.

SARAH K. T. BAKER.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting copy of the findings of the court in the case of Sarah K. T. Baker *vs.* the United States; which was referred to the Committee on Claims.

MINERVA J. NICHOLS, EXECUTRIX.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Minerva J. Nichols, executrix, etc., *vs.* the United States; which was referred to the Committee on Claims.

SUNDRY SPOLIATION CLAIMS.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting conclusions of law and fact filed by said court in sundry spoliation claims; which was referred to the Committee on Claims.

BUILDING FOR LIBRARY OF CONGRESS

The SPEAKER *pro tempore* also laid before the House a letter from the Chief of Engineers of the United States Army, transmitting a report of the construction of the building for the Library of Congress for the year ended December 1, 1891; which was referred to the Committee on Appropriations.

EXPENDITURES OF SMITHSONIAN INSTITUTION.

The SPEAKER *pro tempore* also laid before the House a letter from the secretary of the Smithsonian Institution, transmitting a statement of the expenditures for the fiscal year 1891; which was referred to the Committee on Appropriations.

JOSHUA BISHOP.

The SPEAKER *pro tempore* also laid before the House the petition of Joshua Bishop, a commander in the United States Navy, forwarded by the Secretary of the Navy, praying for the passage of a bill to pay him certain due and unpaid salary; which was referred to the Committee on Naval Affairs.

The States and Territories were called; when bills and joint resolutions were severally introduced, read twice, ordered to be printed, and referred to the committees named below:

CUSTOMS ADMINISTRATIVE ACT.

By Mr. HERBERT: A resolution for the appointment of a committee to investigate the operation and effect of the customs administrative act—to the Committee on Ways and Means.

ARID LANDS.

By Mr. HERBERT: A bill (H. R. 1) for the reclamation of the arid lands of the United States, and for other purposes—to the Select Committee on Irrigation of Arid Lands in the United States.

CIRCUIT COURT COMMISSIONERS.

By Mr. HERBERT: A bill (H. R. 2) to regulate the jurisdiction of circuit court commissioners—to the Committee on the Judiciary.

UNITED STATES ATTORNEYS.

By Mr. HERBERT: A bill (H. R. 3) relating to the duties and compensation of United States attorneys—to the Committee on the Judiciary.

UNITED STATES MARSHALS.

By Mr. HERBERT: A bill (H. R. 4) relating to the duties and compensation of United States marshals—to the Committee on the Judiciary.

COOSA RIVER.

By Mr. HERBERT: A bill (H. R. 5) to provide for the continuance of the work on the Coosa River—to the Committee on Rivers and Harbors.

Mr. BLANCHARD. Mr. Speaker, I make the point that all bills for the improvement of rivers and harbors must go through the petition box. There was one offered just now in violation of that rule, and read in the open House.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Louisiana [Mr. BLANCHARD], in response to the point made by him, that clause 4 of Rule XXI, Fiftieth Congress, to which he refers, was not adopted this morning. It is in this language:

All bills for the improvement of rivers and harbors, for the establishment or change of post-routes, and all bills of a private nature, etc., shall be delivered to the Clerk.

That was not adopted. The gentleman could accomplish his object by asking unanimous consent for that, if he desires it. It would save time.

NOTES OF STATE BANKING ASSOCIATIONS.

By Mr. OATES: A bill (H. R. 6) to suspend section 3412 of the Revised Statutes of the United States as to the circulating notes of certain State banking associations—to the Committee on Banking and Currency.

NATIONAL-BANK LOANS, ETC.

By Mr. OATES: A bill (H. R. 7) to authorize national banking associations to loan money on real-estate security—to the Committee on Banking and Currency.

RELATING TO JUDGES, ETC., OF UNITED STATES COURTS.

By Mr. OATES: A bill (H. R. 8) to disqualify justices, judges, and commissioners of the United States from sitting as courts or hearing certain cases—to the Committee on the Judiciary.

BLACKMAILING.

By Mr. OATES: A bill (H. R. 9) to define and punish blackmailing—to the Committee on the Judiciary.

REPORTER SUPREME COURT DISTRICT OF COLUMBIA.

By Mr. OATES: A bill (H. R. 10) to provide for the appointment of a reporter for the supreme court of the District of Columbia—to the Committee on the Judiciary.

NATURALIZATION LAWS.

By Mr. OATES: A bill (H. R. 11) to amend the naturalization laws of the United States.

Mr. OATES. Mr. Speaker, that bill under the rule would go to the Committee on Naturalization, but it is a subject which the Judiciary Committee, in two preceding Congresses, have very fully considered and reported upon. I ask its reference to that committee for that reason.

The SPEAKER *pro tempore*. If there be no objection the reference will be made as indicated by the gentleman from Alabama [Mr. OATES].

There was no objection, and so the bill was referred to the Committee on the Judiciary.

By Mr. OATES: A bill (H. R. 12) to regulate immigration and to amend the naturalization laws of the United States—to the Select Committee on Immigration and Naturalization.

COLLECTION AND DELIVERY OF MAILS IN RURAL DISTRICTS.

By Mr. CLARKE of Alabama: A bill (H. R. 13) to provide for the free collection and delivery of mails in rural districts—to the Committee on the Post-Office and Post-Roads.

SHIP CHANNEL OF MOBILE BAY, ALABAMA.

By Mr. CLARKE of Alabama: A bill (H. R. 14) to establish additional aids to navigation along the ship channel of Mobile Bay, Alabama—to the Committee on Interstate and Foreign Commerce.

MOBILE, JACKSON AND KANSAS CITY RAILROAD COMPANY.

By Mr. CLARKE of Alabama: A bill (H. R. 15) to grant to the Mobile, Jackson and Kansas City Railroad Company the use of 4 acres of land belonging to the United States Government, for terminal purposes—to the Committee on the Public Lands.

INLAND NAVIGATION.

By Mr. CLARKE of Alabama: A bill (H. R. 16) for the relief of inland navigation—to the Committee on Interstate and Foreign Commerce.

MOBILE TRANSPORTATION COMPANY.

By Mr. CLARKE of Alabama: A bill (H. R. 17) to grant the Mobile Transportation Company the right to trestle into Mobile Bay at or near Alabama Port—to the Committee on Interstate and Foreign Commerce.

IMPROVEMENT OF ALABAMA RIVER, ALABAMA.

By Mr. CLARKE of Alabama: A bill (H. R. 18) to provide for the improvement of the Alabama River, Alabama—to the Committee on Rivers and Harbors.

COMPLETION OF IMPROVEMENT OF MOBILE HARBOR, ALA.

By Mr. CLARKE of Alabama: A bill (H. R. 19) to provide for the completion of the improvement of Mobile Harbor, Ala.—to the Committee on Rivers and Harbors.

POST-OFFICE BUILDINGS.

By Mr. CLARKE of Alabama (for Mr. TURPIN): A bill (H. R. 20) to provide for post-office buildings—to the Committee on the Post-Office and Post-Roads.

PUBLIC BUILDING AT SELMA, ALA.

Mr. CLARKE of Alabama. Mr. Speaker, I desire to inquire whether a bill for the erection of a public building at a certain point would go into the private bill box, or whether it is a public bill.

Mr. DINGLEY. A bill for a public building would be a public bill.

The SPEAKER *pro tempore*. The Chair will state that it would be a public bill.

Mr. CLARKE of Alabama. Then, Mr. Speaker, at the request of my colleague [Mr. TURPIN], I send to the Clerk's desk a bill which I desire shall appear as having been introduced by him.

By Mr. TURPIN: A bill (H. R. 21) for the erection of a public building at Selma, Ala.—to the Committee on Public Buildings and Grounds.

NOTIFICATION TO THE PRESIDENT OF THE ELECTION OF A SPEAKER PRO TEMPORE.

Mr. SPRINGER. Mr. Speaker, before another State is called I ask unanimous consent to offer the following privileged resolution, which should have been offered before the call began. It is to notify the President of the United States of the election of a Speaker *pro tempore*.

The SPEAKER *pro tempore*. That can only be done by unanimous consent. The Clerk will read the resolution, after which the Chair will ask if there be objection to its consideration.

The Clerk read as follows:

Resolved, That the Clerk be directed to inform the President of the United States that the House of Representatives has elected the Hon. BENTON MCMILLIN, a Representative from the State of Tennessee, as Speaker *pro tempore*, during the absence of the Speaker.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER *pro tempore*. The question is on the adoption of the resolution.

The question was taken, and the resolution was adopted.

PUBLIC BUILDING AT PINE BLUFF, ARK.

By Mr. BRECKINRIDGE of Arkansas: A bill (H. R. 22) for the erection of a public building at Pine Bluff, Ark.—to the Committee on Public Buildings and Grounds.

MO-KO-HO-CO BAND OF SAC AND FOX INDIANS.

By Mr. PEEL: A bill (H. R. 23) for the relief of the Mo-ko-ho-co band of Sac and Fox Indians of the Mississippi—to the Committee on Indian Affairs.

PAYMENT OF AWARD TO CREEK INDIANS.

By Mr. PEEL: A bill (H. R. 24) for the payment of the award made to Creek Indians who enlisted in the Federal Army, loyal refugees, and freedmen—to the Committee on War Claims.

TO AMEND THE PENSION LAWS.

By Mr. PEEL: A bill (H. R. 25) to amend the pension laws of the United States—to the Committee on Invalid Pensions.

PAYMENT OF CLAIMS OF DELAWARE INDIANS.

By Mr. PEEL: A bill (H. R. 26) providing for the payment of certain claims of the Delaware Indians of the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

PUBLIC LANDS IN HARRISON LAND DISTRICT, ARKANSAS.

By Mr. PEEL: A bill (H. R. 27) to ratify and confirm certain cash entries of public lands in Harrison land district in the State of Arkansas—to the Committee on the Public Lands.

RIGHT OF WAY TO HUTCHISON AND SOUTHERN RAILROAD THROUGH INDIAN TERRITORY.

By Mr. PEEL: A bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory"—to the Committee on Indian Affairs.

TIMBER LANDS OF THE STATE OF ARKANSAS.

By Mr. PEEL: A bill (H. R. 29) to dispose of the timber lands of the State of Arkansas at cash entry—to the Committee on the Public Lands.

TO REGULATE THE CHARGES OF EXPRESS COMPANIES.

By Mr. PEEL: A bill (H. R. 30) to regulate and limit charges of express companies, and for other purposes—to the Committee on Interstate and Foreign Commerce.

RIGHT TO MINE COAL IN THE CHOCTAW NATION, INDIAN TERRITORY.

By Mr. PEEL: A bill (H. R. 31) giving, upon certain conditions and limitations therein contained, the assent of the United States to certain leases of rights to mine coal in the Choctaw Nation, Indian Territory—to the Committee on Indian Affairs.

RELIEF OF FAMINE IN RUSSIA.

A message from the Senate, by Mr. PLATT, one of their secretaries, informed the House that the Senate had passed the joint resolution (S. R. 21) authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor in Russia.

Mr. BLOUNT. Mr. Speaker, I ask unanimous consent that that joint resolution be permitted to lie on the Speaker's table for the present.

The SPEAKER *pro tempore*. If there is no objection it will be so ordered.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, what will be the effect of granting the request of the gentleman from Georgia?

The SPEAKER *pro tempore*. Under the rule the joint resolution would remain upon the Speaker's table until to-morrow morning anyway. The effect of agreeing to the proposition of the gentleman from Georgia would be to let it remain there until called up.

Mr. BLOUNT. I desire to state, Mr. Speaker, that I have not had an opportunity to examine this joint resolution, but I am informed that large contributions have been made from private sources for the aid of those who are suffering in Russia, and I understand that this joint resolution simply allows the Secretary of the Navy to use a certain number of vessels for the purpose of transporting those supplies. I do not desire to ask the House to do anything with the joint resolution at this time; my request is simply that it be allowed for the present to remain on the Speaker's table.

Mr. BRECKINRIDGE of Kentucky. I ask the question because I am aware that that is the object of the joint resolution, and it seems to me that, if we can do it, the more speedily we pass the resolution the better it will be. We know that there are twenty millions of Russians suffering from famine, and we know that Iowa and Nebraska and other States have contributed supplies for their relief, which are ready to be shipped, but have no means for transporting them; and all that is asked is that the Navy Department shall furnish those means. Now, as the Senate has passed the joint resolution, it seems to me that the quicker we pass it here the more handsome and more gracious will be our action, as well as the more beneficial to those for whose relief it is intended.

Mr. BLOUNT. I agree with what my friend from Kentucky has said; but I thought that before I entirely made up my mind on the subject I would like an opportunity to read the joint resolution.

Mr. BRECKINRIDGE of Kentucky. Can we not have unanimous consent to take the joint resolution up now and pass it?

Mr. BLOUNT. If the gentleman will allow me, I think his object will be attained by my proposition.

Mr. BRECKINRIDGE of Kentucky. I withdraw my request, Mr. Speaker.

There being no objection, the request of Mr. BLOUNT was then agreed to.

INTRODUCTION OF BILLS.

The introduction of bills and joint resolutions was resumed as follows:

IMMIGRATION.

By Mr. GEARY: A bill (H. R. 32) to regulate immigration—to the Select Committee on Immigration and Naturalization.

MORTGAGE ON PACIFIC RAILROADS.

By Mr. GEARY: A bill (H. R. 33) to provide for the foreclosure of the mortgage on the Union and Central Pacific Railroads and for other purposes connected therewith—to the Committee on the Pacific Railroads.

NATURALIZATION OF ALIENS.

By Mr. GEARY: A bill (H. R. 34) to amend the naturalization laws—to the Committee on Immigration and Naturalization.

FREE COINAGE OF SILVER.

By Mr. GEARY: A bill (H. R. 35) for the free coinage of American silver—to the Committee on Coinage, Weights, and Measures.

MINING IN CALIFORNIA.

By Mr. GEARY: A bill (H. R. 36) to regulate mining in California—to the Committee on Mines and Mining.

PROHIBITION OF CHINESE IMMIGRATION.

By Mr. GEARY: A bill (H. R. 37) to absolutely prohibit the coming of Chinese persons into the United States—to the Committee on Foreign Affairs.

KLAMATH RIVER INDIAN RESERVATION.

By Mr. GEARY: A bill (H. R. 38) to provide for the disposition and sale of lands known as the Klamath River Indian Reservation—to the Committee on Indian Affairs.

PUBLIC BUILDING AT EUREKA, CAL.

By Mr. GEARY: A bill (H. R. 39) for a public building at Eureka, Cal.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT SANTA ROSA, CAL.

By Mr. GEARY: A bill (H. R. 40) for a public building at Santa Rosa, Cal.—to the Committee on Public Buildings and Grounds.

GUN FACTORY AT BENICIA, CAL.

By Mr. CAMINETTI: A bill (H. R. 41) to provide for the establishment of a gun factory for the finishing and assembling of heavy ordnance at Benicia, Cal.—to the Committee on Military Affairs.

REIMBURSEMENT TO CALIFORNIA, ETC.

By Mr. CAMINETTI: A bill (H. R. 42) to reimburse the States of California, Oregon, and Nevada for moneys by them expended in the suppression of the rebellion—to the Committee on War Claims.

BAGS ON THE FREE LIST.

By Mr. CAMINETTI: A bill (H. R. 43) to place bags on the free list—to the Committee on Ways and Means.

PUBLIC BUILDING AT MARYSVILLE, CAL.

By Mr. CAMINETTI: A bill (H. R. 44) for the erection of a public building at Marysville, Cal.—to the Committee on Public Buildings and Grounds.

DISPOSITION OF PUBLIC LANDS.

By Mr. BOWERS: A bill (H. R. 45) to restrict the disposition of public lands to citizens of the United States—to the Committee on the Public Lands.

NATURALIZATION.

By Mr. BOWERS: A bill (H. R. 46) to establish a uniform rule of naturalization—to the Select Committee on Immigration and Naturalization.

ALIEN OFFICE-HOLDERS.

By Mr. BOWERS: A bill (H. R. 47) prohibiting aliens from holding offices or places of profit, honor, or trust under the Government of the United States, and for other purposes—to the Committee on the Judiciary.

CANNON FOR GRAND ARMY POSTS.

By Mr. BOWERS: A bill (H. R. 48) authorizing the Secretary of War to transfer old cannon to Grand Army posts, and for other purposes—to the Committee on Military Affairs.

PUBLIC BUILDING AT FRESNO, CAL.

By Mr. BOWERS: A bill (H. R. 49) to provide for the purchase of a site and the erection of a public building thereon at Fresno,

in the State of California—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT SAN DIEGO, CAL.

By Mr. BOWERS: A bill (H. R. 50) to provide for the construction of a public building at San Diego, Cal.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT SAN FRANCISCO, CAL.

By Mr. CUTTING: A bill (H. R. 51) to provide for the erection of a public building at San Francisco, in the State of California—to the Committee on Public Buildings and Grounds.

MILITIA.

By Mr. CUTTING: A bill (H. R. 52) to promote the efficiency of the militia—to the Committee on the Militia.

PILOT SERVICE.

By Mr. CUTTING: A bill (H. R. 53) to create and establish the pilot service of the United States and to regulate the pilotage of vessels in ports and harbors along the coast of the United States—to the Committee on Interstate and Foreign Commerce.

REIMBURSEMENT TO CALIFORNIA, ETC.

By Mr. CUTTING: A bill (H. R. 54) to reimburse the States of California, Oregon, and Nevada for moneys by them expended in the suppression of the rebellion—to the Committee on War Claims.

ARMY OFFICERS.

By Mr. CUTTING: A bill (H. R. 55) to amend an act entitled "An act to provide for the examination of certain officers of the Army, and to regulate promotion therein," approved October 1, 1890—to the Committee on Military Affairs.

CHINESE IMMIGRATION.

By Mr. McKENNA (for Mr. LOUD): A bill (H. R. 56) to amend an act entitled "An act a supplement to an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved the 6th day of May, 1882, approved October 1, 1888"—to the Committee on Foreign Affairs.

PUBLIC BUILDING AT SAN FRANCISCO, CAL.

By Mr. McKENNA (for Mr. LOUD): A bill (H. R. 57) to provide for the erection of a public building at San Francisco, in the State of California—to the Committee on Public Buildings and Grounds.

GUN FACTORY AT BENECIA, CAL.

By Mr. McKENNA: A bill (H. R. 58) to provide for the erection of and equipment of a gun factory at Benicia Arsenal, Benicia, Cal., for finishing and assembling ordnance for the Army and Navy—to the Committee on Appropriations.

BONDING OF DISTILLED SPIRITS.

By Mr. McKENNA: A bill (H. R. 59) to extend the bonding period of distilled spirits, and for other purposes—to the Committee on Ways and Means.

PUBLIC LAND SALES IN CALIFORNIA.

By Mr. McKENNA: A bill (H. R. 60) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State—to the Committee on Claims.

ARSENAL AT BENICIA, CAL.

By Mr. McKENNA: A bill (H. R. 61) to make the arsenal at Benicia, Cal., an arsenal of manufacture, construction, and repair.

The SPEAKER *pro tempore*. The Chair thinks as this bill requires an appropriation it would properly be referred to the Committee on Appropriations.

Mr. OUTHWAITE. This bill, Mr. Speaker, was sent formerly to the Committee on Military Affairs.

The SPEAKER *pro tempore*. The Chair thinks that has not been the usual reference.

Mr. OUTHWAITE. Does this provide for the purchase of a site?

The SPEAKER *pro tempore*. The Chair does not understand that it so provides.

Mr. OUTHWAITE. Then I misunderstood the reading of the bill.

The SPEAKER *pro tempore*. It is to make the arsenal at Benicia an arsenal of manufacture, construction, and repair.

Mr. McKENNA. I think the bill should be referred to the Committee on Military Affairs. It was so referred in the last Congress.

The SPEAKER *pro tempore*. This is a matter entirely with the House. The gentleman from California asks the reference of the bill to the Committee on Military Affairs. The Chair will state that there was a conflict in preceding Congresses over this class of appropriations—the Chair does not remember as to the last Congress—but in preceding Congresses they were referred to the Committee on Appropriations, which committee got jurisdiction. However, the gentleman from California moves the reference to the Committee on Military Affairs.

The motion was agreed to.

PUBLIC BUILDING, ALAMEDA, CAL.

By Mr. McKENNA: A bill (H. R. 62) to provide for the purchase of a site and the erection of a public building thereon at Alameda, in the State of California—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, OAKLAND, CAL.

By Mr. McKENNA: A bill (H. R. 63) to provide for the purchase of a site and for the erection of a public building at Oakland, in the State of California—to the Committee on Public Buildings and Grounds.

SILK CULTURE, CALIFORNIA.

By Mr. McKENNA: A bill (H. R. 64) to encourage silk culture in the State of California—to the Committee on Agriculture.

PROHIBITION AGAINST CHINESE LABORERS.

By Mr. CUTTING: A bill (H. R. 65) to prohibit the coming of Chinese laborers into the United States, whether subjects of the Chinese Empire or otherwise—to the Committee on Foreign Affairs.

RELIEF OF SUFFERING RUSSIANS.

Mr. BLOUNT. Mr. Speaker, I ask unanimous consent that the House may consider at this time the following Senate resolution, which I ask to have read as a part of the request. This refers to the proposed relief for the starving people of Russia.

The SPEAKER *pro tempore*. It will be reported to the House, after which the Chair will ask for objections.

The Senate resolution was read at length.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. KILGORE. Mr. Speaker, since Congress seems inclined to look after everybody's people but our own, I object to it.

FREE COINAGE OF SILVER.

By Mr. TOWNSEND: A bill (H. R. 66) for the free coinage of silver—to the Committee on Coinage, Weights, and Measures.

AGREEMENT WITH SOUTHERN UTE INDIANS.

By Mr. TOWNSEND: A bill (H. R. 67) to ratify and confirm an agreement with the Southern Ute Indians in Colorado, and to make the necessary appropriations for carrying the same into effect—to the Committee on Indian Affairs.

FORT LEWIS RESERVATION, COLORADO.

By TOWNSEND: A bill (H. R. 68) to restore the lands embraced in the Fort Lewis military reservation, in the State of Colorado, to the public domain—to the Committee on the Public Lands.

UNCOMPAHGRE RESERVATION.

By Mr. TOWNSEND: A bill (H. R. 69) to change the boundaries of the Uncompaghre Reservation—to the Committee on Indian Affairs.

AMENDMENT TO THE REVISED STATUTES.

By Mr. TOWNSEND: A bill (H. R. 70) to amend section 2306 of the Revised Statutes of the United States—to the Committee on the Public Lands.

PUBLIC BUILDING, COLORADO SPRINGS.

By Mr. TOWNSEND: A bill (H. R. 71) to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, LEADVILLE, COLO.

By Mr. TOWNSEND: A bill (H. R. 72) for the erection of a public building at Leadville, Colo.—to the Committee on Public Buildings and Grounds.

SCHOOL OF MINES, COLORADO.

By Mr. TOWNSEND: A bill (H. R. 73) to aid the State of Colorado to support a school of mines—to the Committee on Mines and Mining.

RECLAMATION OF ARID LANDS.

By Mr. TOWNSEND: A bill (H. R. 74) granting lands to various States for the purpose of encouraging their reclamation by means of irrigation—to the Select Committee on Irrigation of Arid Lands in the United States.

Mr. TOWNSEND also presented a memorial of the Legislature of the State of Colorado in favor of granting arid lands to the States—to the Select Committee on Irrigation of Arid Lands in the United States.

PUBLIC BUILDING, WATERBURY, CONN.

By Mr. WILLCOX: A bill (H. R. 75) for the erection of a public building at Waterbury, Conn.—to the Committee on Public Buildings and Grounds.

BREAKWATER IN BLACKROCK HARBOR, CONNECTICUT.

By Mr. DE FOREST: A bill (H. R. 76) to provide for the construction of a breakwater in Blackrock Harbor, so called, in Bridgeport, in the State of Connecticut—to the Committee on Rivers and Harbors.

HARBOR OF NORWALK, CONN.

By Mr. DE FOREST: A bill (H. R. 77) to provide for the improvement of the harbor of Norwalk, in the State of Connecticut—to the Committee on Rivers and Harbors.

HARBOR OF WESTPORT, CONN.

By Mr. DE FOREST: A bill (H. R. 78) to provide for the improvement of the harbor of Westport, in the State of Connecticut, on Saugatuck River—to the Committee on Rivers and Harbors.

LABOR DAY A NATIONAL HOLIDAY.

By Mr. DE FOREST: A bill (H. R. 79) making the first Monday in September, otherwise called Labor Day, a national holiday—to the Committee on the Judiciary.

PUBLIC BUILDING, BRIDGEPORT, CONN.

By Mr. DE FOREST: A bill (H. R. 80) to provide for the acquisition of additional land and the erection of an addition to the custom-house, post-office, etc., building at Bridgeport, Conn.—to the Committee on Appropriations.

LIGHT AND FOG SIGNAL, BRIDGEPORT, CONN.

By Mr. DE FOREST: A bill (H. R. 81) for the establishment of a beacon light and a fog signal on the Government breakwater recently constructed at Bridgeport, Conn.—to the Committee on Interstate and Foreign Commerce.

The SPEAKER *pro tempore*. The Chair will state that one bill which was read, granting a pension, will go into the box, and reference will be made hereafter.

CONVICT LABOR.

By Mr. DE FOREST: A resolution raising a committee to investigate and report to this House whether any department of the General Government is employing convict labor on Government capital in competition with honest labor or individual, manufacturing, or other enterprises of this country—to the Committee on Labor.

MONEY DUE THE STATE OF FLORIDA.

By Mr. MALLORY: A bill (H. R. 82) to pay the State of Florida for advances of money reported to be due that State by the Secretary of the Treasury—to the Committee on Claims.

REMOVAL OF DUTIES ON JUTE, ETC.

By Mr. WATSON: A bill (H. R. 83) to provide for the removal of customs duties on jute bagging, jute, iron ties, and binding twine—to the Committee on Ways and Means.

SAVANNAH RIVER.

By Mr. WATSON: A bill (H. R. 84) to provide for the improvement of the navigation of the Savannah River—to the Committee on Rivers and Harbors.

INTEREST ON BONDS.

By Mr. WATSON: A bill (H. R. 85) to prevent the payment in advance by the Secretary of the Treasury of interest on bonds—to the Committee on Ways and Means.

INCOME TAX.

By Mr. WATSON: A bill (H. R. 86) to create an income tax—to the Committee on Ways and Means.

ELECTION OF SENATORS.

By Mr. SCOTT: A joint resolution (H. Res. 2) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people of the several States—to the Committee on the Judiciary.

PUBLIC BUILDING, DECATUR, ILL.

By Mr. SCOTT: A bill (H. R. 87) for the erection of a public building at the city of Decatur, Ill.—to the Committee on Public Buildings and Grounds.

POST-OFFICE BUILDINGS.

By Mr. LANE: A bill (H. R. 88) to provide for post-office buildings in all places where the gross receipts of any post-office for two years or more shall have exceeded $3,000 per annum—to the Committee on the Post-Office and Post-Roads.

TRUSTS.

By Mr. LANE: A bill (H. R. 89) to define and tax trusts, and to authorize the free importation of articles covered by them, and for other purposes—to the Committee on Ways and Means.

By Mr. LANE: A bill (H. R. 90) to define and tax trusts and to authorize the free importation of articles covered by them, and for other purposes—to the Committee on Ways and Means.

INCOME TAX.

By Mr. LANE: A bill (H. R. 91) to lay a graduated income tax, and to provide for the manner of collecting the same, and for other purposes—to the Committee on Ways and Means.

THE CURRENCY.

By Mr. LANE: A bill (H. R. 92) to prevent a contraction of the currency—to the Committee on Banking and Currency.

PUBLIC BUILDING, CHICAGO, ILL.

By Mr. HITT (for Mr. TAYLOR) of Illinois: A bill (H. R. 93) to provide for the erection of a Government building at Chicago, Ill.—to the Committee on Public Buildings and Grounds.

ELECTION OF SENATORS.

By Mr. WILLIAMS of Illinois: A joint resolution (H. Res. 3) proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the people of the States—to the Committee on the Judiciary.

COUNTERFEITING TRADE-MARKS, ETC.

By Mr. BYNUM: A bill (H. R. 94) imposing punishment for counterfeiting, etc., trade-marks, labels, etc —to the Committee on the Judiciary.

PUBLIC BUILDING, INDIANAPOLIS, IND.

By Mr. BYNUM: A bill (H. R. 95) to provide for the erection of a public building at Indianapolis, Ind.—to the Committee on Public Buildings and Grounds.

ALLOWANCE FOR RETIRED ENLISTED MEN.

By Mr. SHIVELY: A joint resolution (H. Res. 4) to construe the act of Congress approved February 14, 1885, relative to allowances for retired enlisted men of the United States Army and Marine Corps—to the Committee on Military Affairs.

ELECTION OF POSTMASTERS.

By Mr. SHIVELY: A joint resolution (H. Res. 5) proposing an amendment to the Constitution making it possible to provide for the election of postmasters by the people—to the Committee on the Judiciary.

FOR THE RELIEF OF SOLDIERS MUSTERED OUT.

By Mr. SHIVELY (by request): a bill (H. R. 96) for the relief of soldiers who were honorably mustered out of the military service on a surgeon's certificate or otherwise—to the Committee on Military Affairs.

AMENDMENT OF MILITARY RECORDS OF SOLDIERS.

By Mr. SHIVELY: A bill (H. R. 97) providing for the amendment of the military records of honorably discharged soldiers in cases of enlistments under assumed names—to the Committee on Military Affairs.

COMPENSATION OF CERTAIN ENLISTED MEN OF THE SIGNAL CORPS, UNITED STATES ARMY.

By Mr. SHIVELY: A bill (H. R. 98) to compensate certain enlisted men of the Signal Corps, United States Army, for discharge from the military service and consequent loss of the benefits of long service provided by law—to the Committee on Military Affairs.

RIGHTS OF UNITED STATES IN MINERAL DEPOSITS ACQUIRED UNDER TREATY OF GUADALUPE HIDALGO.

By Mr. SHIVELY: A bill (H. R. 99) defining the rights of the United States to deposits of gold, silver, copper, cinnabar, and quicksilver in lands acquired by the United States under the treaty of Guadalupe Hidalgo, and declaring its obligations respecting such minerals under said treaty, and extending the mineral laws of the United States over such minerals, and providing for the development thereof, under the mining laws of the United States, as to lands lying within the Territories of New Mexico and Arizona—to the Committee on the Judiciary.

PROHIBITION OF THE IMPORTATION OF CONTRACT LABOR.

By Mr. SHIVELY: A bill (H. R. 100) to amend an act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia—to the Select Committee on Immigration and Naturalization.

MONUMENT TO SOLDIERS WHO FELL IN BATTLE OF TIPPECANOE.

By Mr. WAUGH: A bill (H. R. 101) for the erection and completion of a monument to the memory of the soldiers that fell in the battle of Tippecanoe—to the Committee on Military Affairs.

ELECTION OF UNITED STATES SENATORS BY DIRECT VOTE OF THE PEOPLE.

By Mr. HOLMAN: A joint resolution (H. Res. 6) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of

the people of the several States—to the Committee on the Judiciary.

ACTUAL SETTLERS ON PUBLIC LANDS, ETC.

By Mr. HOLMAN: A bill (H. R. 102) to secure to actual settlers the public lands adapted to agriculture, to protect the forests on the public domain, and for other purposes—to the Committee on the Public Lands.

FORFEITURE OF CERTAIN LAND GRANTS TO RAILROADS.

By Mr. HOLMAN: A bill (H. R. 103) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes—to the Committee on Public Lands.

COMMISSION TO INSPECT CONDITION OF INDIAN AFFAIRS.

By Mr. HOLMAN: A bill (H. R. 104) to provide for the appointment of a commission to inspect and report on the condition of Indians, Indian affairs, and for other purposes—to the Committee on Indian Affairs.

LIMITING TIME FOR PRESENTING CLAIMS AGAINST THE UNITED STATES.

By Mr. HOLMAN: A bill (H. R. 105) limiting the time for the presentation and payment of claims against the United States—to the Committee on the Judiciary.

BRIBERY AND CORRUPTION IN ELECTIONS.

By Mr. HOLMAN: A bill (H. R. 106) to maintain the purity of the ballot box, prevent bribery and corruption in elections and appointments, and punish perjury for the violation of its provisions—to the Select Committee on the Election of President, Vice-President, and Representatives in Congress.

EQUALIZATION OF BOUNTIES.

By Mr. HOLMAN: A bill (H. R. 107) to equalize the bounties of soldiers who served in the late war for the Union—to the Committee on Military Affairs.

PURCHASE OF FORT BROWN MILITARY RESERVATION, TEXAS.

By Mr. HOLMAN: A bill (H. R. 108) to provide for the purchase of the Fort Brown military reservation, Texas, and to extinguish all claims for the use and occupation of said reservation—to the Committee on Military Affairs.

ADULTERATED FOOD IN THE TERRITORIES AND THE DISTRICT OF COLUMBIA.

By Mr. HOLMAN: A bill (H. R. 109) to prevent the sale of adulterated food in the District of Columbia and the Territories of the United States—to the Committee on the District of Columbia.

FREE BINDING TWINE.

By Mr. BRETZ: A bill (H. R. 110) placing binding twine on the free list—to the Committee on Ways and Means.

INVESTIGATION OF CHARGES AGAINST THE COMMISSIONER OF PENSIONS.

By Mr. COOPER: A resolution to investigate certain charges against the Commissioner of Pensions and the general management of his office—to the Committee on Rules.

REIMBURSEMENT OF MIAMI INDIANS OF INDIANA.

By Mr. MARTIN: A bill (H. R. 111) to reimburse the Miami Indians of Indiana for money improperly withheld from them—to the Committee on Indian Affairs.

TO REPEAL BOUNTIES ON SUGAR.

By Mr. MARTIN: A bill (H. R. 112) to repeal all laws authorizing the payment of bounties for the manufacture of sugar—to the Committee on Ways and Means.

TO REPEAL SECTION 3 OF THE M'KINLEY TARIFF ACT.

By Mr. MARTIN: A bill (H. R. 113) to repeal section 3 of the McKinley tariff act—to the Committee on Ways and Means.

PROOF OF SOUNDNESS IN APPLICATIONS FOR PENSIONS.

By Mr. MARTIN: A bill (H. R. 114) to declare the burden of proof of soundness in applications for pensions—to the Committee on Invalid Pensions.

SUPPLEMENT TO THE PENSION LAW OF JUNE 27, 1890.

By Mr. MARTIN: A bill (H. R. 115) supplemental to the act of Congress approved June 27, 1890, on the subject of pensions—to the Committee on Invalid Pensions.

PUBLIC BUILDING IN BRAZIL, IND.

By Mr. BROOKSHIRE: A bill (H. R. 116) providing for a public building in Brazil, Ind.—to the Committee on Public Buildings and Grounds.

UNIFORM SYSTEM OF COUPLING CARS.

By Mr. HENDERSON of Iowa: A bill (H. R. 117) providing for a uniform system of coupling cars and controlling railroad trains, for the greater safety of railway employés—to the Committee on Railways and Canals.

MILITIA.

By Mr. HENDERSON of Iowa: A bill (H. R. 118) to promote the efficiency of the militia—to the Committee on the Militia.

MUSTER OF CERTAIN OFFICERS AND ENLISTED MEN.

By Mr. HENDERSON of Iowa: A bill (H. R. 119) to amend section 1 of an act entitled "An act to provide for the muster of certain officers and enlisted men of the volunteer forces," approved June 3, 1884, as amended by an act approved February 3, 1887—to the Committee on Military Affairs.

TO AMEND SECTION 3893 OF THE REVISED STATUTES.

By Mr. HENDERSON of Iowa: A bill (H. R. 120) to amend section 3893 of the Revised Statutes of the United States, and for other purposes—to the Committee on the Post-Office and Post Roads.

PENSIONS FOR LOSS OF BOTH EYES.

By Mr. HENDERSON of Iowa (by request): A bill (H. R. 121) to increase the pensions of those who have lost the sight of both eyes and are otherwise disabled to a pensionable degree—to the Committee on Invalid Pensions.

ARREARS OF PAY AND BOUNTY.

By Mr. HENDERSON of Iowa: A bill (H. R. 122) to facilitate the settlement of claims for arrears of pay and bounty—to the Committee on Military Affairs.

UNITED STATES COURTS, NORTHERN DISTRICT OF IOWA.

By Mr. HENDERSON of Iowa: A bill (H. R. 123) fixing the times for holding the district and circuit courts of the United States in the northern district of Iowa—to the Committee on the Judiciary.

MESSENGERS TO DOORKEEPER.

By Mr. HENDERSON of Iowa: A resolution for the appointment of two special messengers under the Doorkeeper—to the Committee on Accounts.

COLUMBIAN EXPOSITION.

By Mr. HENDERSON of Iowa: A resolution asking for information touching the management of the Columbian Exposition, and expenditures therefor—to the Committee on Appropriations.

PUBLIC BUILDING, FORT MADISON, IOWA.

By Mr. SEERLEY: A bill (H. R. 124) to provide for the construction of a public building at Fort Madison, Iowa—to the Committee on Public Buildings and Grounds.

PENSIONS IN CERTAIN CASES.

By Mr. HULL: A bill (H. R. 125) to amend section 4718 of the Revised Statutes, relating to payment of pensions when, subsequent to issuance of check, pensioner dies—to the Committee on Invalid Pensions.

PUBLIC BUILDING, CRESTON, IOWA.

By Mr. FLICK: A bill (H. R. 126) to erect a public building at Creston, Iowa—to the Committee on Public Buildings and Grounds.

BRANCH MINT AT COUNCIL BLUFFS, IOWA.

By Mr. BOWMAN: A bill (H. R. 127) to establish a branch mint of the United States at Council Bluffs, Iowa—to the Committee on Coinage, Weights, and Measures.

PORT OF DELIVERY, COUNCIL BLUFFS.

By Mr. BOWMAN: A bill (H. R. 128) to provide for the establishment of a port of delivery at Council Bluffs, Iowa—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING, ATLANTIC, IOWA.

By Mr. BOWMAN: A bill (H. R. 129) to provide for the construction of a public building at Atlantic, Iowa—to the Committee on Public Buildings and Grounds.

FREE COINAGE.

By Mr. CLOVER: A bill (H. R. 130) to provide for the free coinage of gold and silver bullion, and for other purposes—to the Committee on Coinage, Weights, and Measures.

CHANGE OF MONETARY SYSTEM.

By Mr. OTIS: A bill (H. R. 131) to change our monetary system, reduce interest, and provide for loans upon land—to the Committee on Banking and Currency.

IMPROVEMENTS AT FORT RILEY, KANS.

By Mr. DAVIS: A bill (H. R. 132) appropriating money for the completion of authorized improvements at Fort Riley, Kans.—to the Committee on Appropriations.

RELIEF OF MORTGAGE DEBTORS.

By Mr. DAVIS: A bill (H. R. 133) for the relief of certain mortgage debtors, and for other purposes—to the Committee on the Judiciary.

INTEREST AND USURY.

By Mr. SIMPSON (by request): A bill (H. R. 134) to establish the rate of interest in the United States, and to prohibit usury—to the Committee on Banking and Currency.

DEPARTMENT OF FINANCE AND COMMERCE.

By Mr. SIMPSON (by request): A bill (H. R. 135) to establish a department of finance and commerce, and for other purposes—to the Committee on the Judiciary.

SILVER COINAGE.

By Mr. STONE of Kentucky: A bill (H. R. 136) to provide for the free and unlimited coinage of the silver dollar—to the Committee on Coinage, Weights, and Measures.

LUMBER FREE OF DUTY.

By Mr. STONE of Kentucky: A bill (H. R. 137) to admit free of duty all kinds, grades, and descriptions of lumber—to the Committee on Ways and Means.

TIN PLATES, ETC.

By Mr. STONE of Kentucky: A bill (H. R. 138) to place tin plates, terne plates, and iron plates coated with tin or terne on the free list—to the Committee on Ways and Means.

LAND TITLES IN THE DISTRICT OF COLUMBIA.

By Mr. STONE of Kentucky (by request): A bill (H. R. 139) to amend the laws relating to land titles in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

AMENDMENT OF REVISED STATUTES.

By Mr. CARUTH: A bill (H. R. 140) to amend section 3904, chapter 4, Title XLVI, of the Revised Statutes of the United States—to the Committee on the Post-Office and Post-Roads.

OFFICERS OF STEAM VESSELS.

By Mr. CARUTH: A bill (H. R. 141) for the relief of certain officers of steam vessels—to the Committee on Claims.

COMMERCE.

By Mr. CARUTH: A bill (H. R. 142) to amend section 22 of an act entitled "An act to regulate commerce," approved February 4, A. D. 1887—to the Committee on Interstate and Foreign Commerce.

SALE OF CUSTOM-HOUSE BUILDING, LOUISVILLE, KY.

By Mr. CARUTH: A bill (H. R. 143) providing for the sale of the old custom-house and lot connected therewith in the city of Louisville, Ky.—to the Committee on Public Buildings and Grounds.

AMENDMENT OF REVISED STATUTES.

By Mr. CARUTH: A bill (H. R. 144) to amend section 3868 of the Revised Statutes of the United States—to the Committee on the Post-Office and Post-Roads.

WATER POWER OF OHIO RIVER.

By Mr. CARUTH: A bill (H. R. 145) to authorize the utilization and improvement of the water power of the Falls of the Ohio River—to the Committee on Rivers and Harbors.

PORTRAIT OF GEN. GEORGE H. THOMAS.

By Mr. CARUTH: A bill (H. R. 146) providing for the purchase of the portrait of Gen. George H. Thomas, painted by Gen. S. W. Price—to the Committee on the Library.

SUITS AGAINST THE UNITED STATES.

By Mr. CARUTH: A bill (H. R. 147) to amend the act of Congress approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States—to the Committee on the Judiciary.

PUBLIC BUILDING AT NEWPORT, KY.

By Mr. DICKERSON: A bill (H. R. 148) for the erection of a public building at Newport, Ky.—to the Committee on Public Buildings and Grounds.

IMPROVEMENT OF GREEN RIVER, KENTUCKY.

By Mr. GOODNIGHT: A bill (H. R. 149) to erect a new lock at Rumsey, on Green River, in Kentucky—to the Committee on Rivers and Harbors.

By Mr. GOODNIGHT: A bill (H. R. 150) for the improvement of Green River, in Kentucky—to the Committee on Rivers and Harbors.

IMPROVEMENT OF CUMBERLAND RIVER.

By Mr. GOODNIGHT: A bill (H. R. 151) making an appropriation for the improvement of the Cumberland River above Nashville, in Tennessee and Kentucky—to the Committee on Rivers and Harbors.

IMPORT EXCHANGES FOR AGRICULTURAL COMMODITIES.

By Mr. GOODNIGHT: A bill (H. R. 152) admitting free of duty all imports taken in exchange for agricultural commodities and domestic animals of the United States—to the Committee on Ways and Means.

SALT ON THE FREE LIST.

By Mr. GOODNIGHT: A bill (H. R. 153) placing salt on the free list—to the Committee on Ways and Means.

DEPARTMENT OF LABOR.

By Mr. McCREARY: A bill (H. R. 154) to impose certain duties upon the Department of Labor—to the Committee on Labor.

REPORT OF GENERAL APPROPRIATION BILLS.

By Mr. McCREARY: A resolution requiring committees having jurisdiction of general appropriation bills to report within eighty days after the committees are announced in a long session and in forty days after the commencement of a short session—to the Committee on Rules.

ADDITIONS TO FREE LIST.

By Mr. McCREARY: Also a bill (H. R. 155) to place tin and tin plate, agricultural implements and edged tools, worsteds for men's and women's clothing, binder twine, blankets, salt, and cotton ties on the free list—to the Committee on Ways and Means.

SALE OF DYNAMITE, ETC.

Mr. McCREARY: A bill (H. R. 156) to regulate the purchase, sale, or manufacture of dynamite or any nitro or chlorate explosive compound—to the Committee on Interstate and Foreign Commerce.

STORING DISTILLED SPIRITS.

By Mr. WILSON of Kentucky: A bill (H. R. 157) to provide for storing distilled spirits other than fruit brandy in special bonded warehouses—to the Committee on Ways and Means.

DESERTERS FROM THE ARMY.

By Mr. WILSON of Kentucky: A bill (H. R. 158) relative to deserters from the Army of the United States in the war of the rebellion—to the Committee on Military Affairs.

KENTUCKY STATE MILITIA.

By Mr. WILSON of Kentucky: A bill (H. R. 159) to place Kentucky State Militia that performed actual military service in suppressing the rebellion upon the same footing with United States volunteers in the matter of pensions and bounties—to the Committee on Invalid Pensions.

BOTTLING OF DISTILLED SPIRITS.

By Mr. WILSON of Kentucky: A bill (H. R. 160) to permit distilled spirits to be bottled on the distillery premises where made—to the Committee on Ways and Means.

REVENUE ON DISTILLED SPIRITS.

By Mr. WILSON of Kentucky: A bill (H. R. 161) authorizing and directing the Secretary of the Treasury to pay to each State, respectively, 50 per cent of the revenue collected by the United States on distilled spirits within said State—to the Committee on Ways and Means.

REPEAL OF INTERNAL-REVENUE TAX ON BRANDY.

By Mr. WILSON of Kentucky: A bill (H. R. 162) to repeal the internal-revenue tax on brandy distilled from fruits—to the Committee on Ways and Means.

SCHOOL LANDS, STATE OF LOUISIANA.

By Mr. BLANCHARD: A bill (H. R. 163) granting additional lands to the State of Louisiana for the use of schools—to the Committee on the Public Lands.

INTERSTATE COMMERCE.

By Mr. BLANCHARD: A bill (H. R. 164) to amend an act entitled "An act to regulate commerce"—to the Committee on Interstate and Foreign Commerce.

ELECTION OF UNITED STATES SENATORS.

By Mr. BLANCHARD: A joint resolution (H. Res. 7) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by direct vote of the people of the several States—to the Committee on the Judiciary.

SYMPATHY WITH RUSSIAN HEBREWS.

By Mr. BLANCHARD: A joint resolution (H. Res. 8) expressing sympathy with the Russian Hebrews in their distress—to the Committee on Foreign Affairs.

BRIDGE ACROSS MISSISSIPPI RIVER.

By Mr. BLANCHARD (by request): A bill (H. R. 165) to authorize the construction of a bridge across the Mississippi River at New Orleans—to the Committee on Interstate and Foreign Commerce.

UNLAWFUL TRUSTS AND COMBINATIONS.

By Mr. BLANCHARD: A bill (H. R. 166) to declare contrary to public policy, and unlawful, trusts and combinations in restraint of trade, transportation, manufacture, and production—to the Committee on the Judiciary.

TIME OF MEETING AND ENDING OF CONGRESS.

By Mr. BLANCHARD: A bill (H. R. 167) establishing the time when the terms of Congress shall begin and end, and when Congress shall meet—to the Committee on the Judiciary.

PRIVATE CLAIMS.

By Mr. BLANCHARD: A bill (H. R. 168) regulating the proceedings in Congress upon private claims—to the Committee on Rules.

COTTON TIES AND BINDERS' TWINE.

By Mr. BLANCHARD: A bill (H. R. 169) placing cotton ties and binder twine on the free list—to the Committee on Ways and Means.

BARBED WIRE AND IRON FENCING.

By Mr. BLANCHARD: A bill (H. R. 170) placing barbed wire and iron rods for fencing on the free list—to the Committee on Ways and Means.

AGRICULTURAL IMPLEMENTS FREE.

By Mr. BLANCHARD: A bill (H. R. 171) admitting free of duty all agricultural implements and edged tools—to the Committee on Ways and Means.

REPEAL OF DUTY ON TIN AND TIN PLATE.

By Mr. BLANCHARD: A bill (H. R. 172) repealing the duty on tin and tin plate—to the Committee on Ways and Means.

CAPTURED AND ABANDONED PROPERTY.

By Mr. BOATNER: A bill (H. R. 173) in relation to claims arising under the provisions of the captured and abandoned property acts, and for other purposes, and to amend and revive the same—to the Committee on the Judiciary.

LOCKS AND DAMS IN THE OUACHITA RIVER.

By Mr. BOATNER: A bill (H. R. 174) to provide for the construction of locks and dams in the Ouachita River, and appropriating $1,000,000 to pay for the same—to the Committee on Rivers and Harbors.

IMPROVEMENT OF MISSISSIPPI RIVER.

By Mr. BOATNER: A bill (H. R. 175) to improve the navigation and to afford ease and safety to the trade and commerce of the Mississippi River, and to prevent destructive floods by building and repairing and extending the levees and dikes and other works, with an appropriation therefor—to the Committee on Levees and Improvements of the Mississippi River.

LOTTERIES.

By Mr. ROBERTSON: A joint resolution (H. Res. 9) proposing an amendment to the Constitution of the United States prohibiting lotteries—to the Committee on the Judiciary.

SHIPPING ACT OF 1886.

By Mr. DINGLEY: A bill (H. R. 176) to amend sections 11 and 12 of the shipping act of 1886—to the Committee on Merchant Marine and Fisheries.

ALCOHOLIC LIQUOR TRAFFIC.

By Mr. DINGLEY: A bill (H. R. 177) to provide for a commission on the subject of the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

MERCHANT MARINE.

By Mr. DINGLEY: A bill (H. R. 178) to establish a marine board for the advancement of the interests of the merchant marine—to the Committee on Merchant Marine and Fisheries.

PUBLIC BUILDING, GARDINER, ME.

By Mr. MILLIKEN: A bill (H. R. 179) providing for a public building in Gardiner, Me.—to the Committee on Public Buildings and Grounds.

SAFETY OF RAILROAD EMPLOYÉS.

By Mr. MILLIKEN: A bill (H. R. 180) for the safety of such employés of railroads as are now or may be hereafter engaged in the operating of passenger and freight cars—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING, WATERVILLE, ME.

By Mr. MILLIKEN: A bill (H. R. 181) for the erection of a public building at Waterville, Me.—to the Committee on Public Buildings and Grounds.

TREATMENT OF RUSSIAN HEBREWS.

By Mr. RAYNER: A resolution protesting against the treatment of Russian Hebrews by the Government of Russia, and inquiring into the causes of their continued persecution—to the Committee on Foreign Affairs.

PUBLIC BUILDING, CUMBERLAND, MD.

By Mr. McKAIG: A bill (H. R. 182) for the erection of a public building in the city of Cumberland, Md.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, BALTIMORE, MD.

By Mr. RUSK: A bill (H. R. 183) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the preparation of plans and specifications for a new custom-house building—to the Committee on Public Buildings and Grounds.

ZOO STREET RAILWAY, DISTRICT OF COLUMBIA.

By Mr. RUSK: A bill (H. R. 184) to incorporate the Zoo Street Railway of the District of Columbia—to the Committee on the District of Columbia.

CLAIMS, WAR OF 1812.

By Mr. RUSK: A bill (H. R. 185) to pay certain States and the city of Baltimore for advances of money in the war of 1812 reported to be due them by the Secretary of the Treasury—to the Committee on War Claims.

REVENUE BILL.

By Mr. CROSBY: A bill (H. R. 186) to amend an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes"—to the Committee on Ways and Means.

FOURTH-CLASS MAIL MATTER.

By Mr. CROSBY: A bill (H. R. 187) providing for the carrying of fourth-class mailable matter under the third class—to the Committee on the Post-Office and Post-Roads.

THE CURRENCY.

By Mr. WALKER: A bill (H. R. 188) to secure to the people the advantages accruing from the issue of circulating promissory notes by banks, to increase the volume of such notes, and to supervise and control banks by officers of the United States—to the Committee on Banking and Currency.

PLEASURE YACHTS.

By Mr. COGSWELL: A bill (H. R. 189) to regulate the import duty on yachts intended for pleasure purposes—to the Committee on Ways and Means.

MEDAL-OF-HONOR ROLL.

By Mr. COGSWELL: A bill (H. R. 190) to provide a roll to be known as the "medal-of-honor roll"—to the Committee on Military Affairs.

LIFE-SAVING STATION AT GAY HEAD, MASS.

By Mr. RANDALL: A bill (H. R. 191) to establish a life-saving station at Gay Head, on the coast of Massachusetts—to the Committee on Interstate and Foreign Commerce.

PERSECUTED JEWS IN RUSSIA.

By Mr. MORSE: A resolution of sympathy with persecuted Jews in Russia, and calling upon our Government to use its good offices to secure an amelioration of the same—to the Committee on Foreign Affairs.

PUBLIC BUILDING AT BROCKTON, MASS.

By Mr. MORSE: A bill (H. R. 192) for the erection of a public building at Brockton, Mass.—to the Committee on Public Buildings and Grounds.

REPEAL OF THE LONG AND SHORT HAUL AND POOLING SECTIONS OF THE INTERSTATE-COMMERCE LAW.

By Mr. MORSE: A bill (H. R. 193) to repeal the fourth and fifth sections of "An act to regulate commerce," known as the "long and short haul clause" and "pooling" sections of the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

OPENING OF EXHIBITIONS ON SUNDAY.

By Mr. MORSE: A bill (H. R. 194) to prohibit the opening of any exhibition or exposition on Sunday where appropriations of the United States are expended—to the Committee on the Judiciary.

FORWARDING OF UNPREPAID MAIL MATTER.

By Mr. MORSE: A bill (H. R. 195) to authorize the Post-Office Department to forward mail matter upon which postage is not prepaid—to the Committee on the Post-Office and Post-Roads.

APPOINTMENT, PROMOTION, AND REMOVAL OF POSTMASTERS.

By Mr. HOAR: A bill (H. R. 196) to fix the tenure of office for postmasters, and to regulate the appointment, promotion, and removal of them—to the Select Committee on Reform in the Civil Service.

FREE RAW WOOL.

By Mr. ANDREW: A bill (H. R. 197) to admit raw wool free of duty into the United States—to the Committee on Ways and Means.

FREE COAL AND IRON ORE.

By Mr. ANDREW: A bill (H. R. 198) to admit coal and iron ore free of duty into the United States—to the Committee on Ways and Means.

FREE TIN PLATES.

By Mr. ANDREW: A bill (H. R. 199) to admit tin plates free of duty into the United States—to the Committee on Ways and Means.

FREE SUGAR, MOLASSES, COFFEE, TEA, AND HIDES.

By Mr. ANDREW: A bill (H. R. 200) to repeal the law authorizing a duty upon sugar, molasses, coffee, tea, and hides—to the Committee on Ways and Means.

REPEAL OF LAW AUTHORIZING THE PURCHASE OF SILVER BULLION.

By Mr. ANDREW: A bill (H. R. 201) to repeal the law authorizing the purchase of silver bullion—to the Committee on Coinage, Weights, and Measures.

REPEAL OF LAW AUTHORIZING A BOUNTY ON SUGAR.

By Mr. ANDREW: A bill (H. R. 202) to repeal the law authorizing a bounty on sugar—to the Committee on Ways and Means.

TO PUT POTATOES, BEANS, AND PEAS ON THE FREE LIST.

By Mr. ANDREW: A bill (H. R. 203) to admit potatoes, peas, and beans free of duty into the United States—to the Committee on Ways and Means.

RELEASE OF UNITED STATES CLAIM TO LOT 18, IN DETROIT, MICH.

By Mr. CHIPMAN: A joint resolution (H. Res. 10) for the release of all claim of the United States to lot 18, section 2, governor's and judge's plan, Detroit.

The SPEAKER *pro tempore*. That bill will be referred to the Committee on Public Buildings and Grounds.

Mr. CHIPMAN. Mr. Speaker, that bill contains a legal question entirely, and I think it had better go to the Committee on the Judiciary.

The SPEAKER *pro tempore*. If there be no objection that order will be made.

There was no objection, and it was so ordered.

LIMITING BUSINESS OF ALIENS.

By Mr. CHIPMAN: A bill (H. R. 204) to prevent aliens from engaging in certain business in the United States—to the Committee on the Judiciary.

TELEGRAPHIC COMMUNICATION BETWEEN ALPENA, MICH., AND LIFE-SAVING STATIONS.

By Mr. CHIPMAN: A bill (H. R. 205) to establish telegraphic communications between Alpena, Mich., and certain life-saving stations—to the Committee on Interstate and Foreign Commerce.

WARD'S WRECK-INDICATING BUOY.

By Mr. CHIPMAN: A bill (H. R. 206) authorizing tests of the utility of Ward's patent wreck-indicating buoy.

The SPEAKER *pro tempore*. This bill will be referred to the Committee on Patents.

Mr. CHIPMAN. Mr. Speaker, that ought to go to the Committee on Rivers and Harbors. It is for the protection of the mouths of rivers and harbors.

The SPEAKER *pro tempore*. If there be no objection, that reference will be made.

There was no objection, and it was so ordered.

SHIP CANALS FROM LAKE ERIE TO LAKE ONTARIO AND FROM LAKE ONTARIO TO HUDSON RIVER.

By Mr. CHIPMAN: A bill (H. R 207) providing for a survey and estimate of expense of the construction of a ship canal from Lake Erie to Lake Ontario and a ship canal from Lake Ontario to the Hudson River—to the Committee on Railways and Canals.

TO PROMOTE THE EFFICIENCY OF THE LIFE-SAVING SERVICE.

By Mr. WEADOCK: A bill (H. R. 208) to amend and reënact section 5 of an act entitled "An act to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck," approved May 4, 1882—to the Committee on Interstate and Foreign Commerce.

PUBLIC LANDS IN MICHIGAN, WISCONSIN, AND MINNESOTA.

By Mr. YOUMANS: A bill (H. R. 209) to restore to market public lands in the States of Michigan, Wisconsin, and Minnesota, and to provide for the disposition of land hereafter surveyed in said States—to the Committee on the Public Lands.

AUTOMATIC COUPLER AND TRAIN-BRAKER.

By Mr. O'DONNELL: A resolution of the State of Michigan, praying Congress to enact such legislation as may be necessary to insure the adoption on railroads in the United States of an automatic coupler and train-braker—to the Committee on Railways and Canals.

FREE DELIVERY OF MAIL IN RURAL COMMUNITIES.

By Mr. O'DONNELL: A bill (H. R. 210) to extend the free-delivery system of mails to rural communities—to the Committee on the Post-Office and Post-Roads.

PROTECTION OF TRAIN MEN AND RAILROAD EMPLOYÉS.

By Mr. O'DONNELL: A bill (H. R. 211) for the protection of property, train men and other railroad employés in handling locomotive engines, freight trains, and freight cars engaged in interstate commerce—to the Committee on Railways and Canals.

PUBLIC BUILDING, BATTLE CREEK, MICH.

By Mr. O'DONNELL: A bill (H. R. 212) providing for the erection of a public building at the city of Battle Creek, Mich.—to the Committee on Public Buildings and Grounds.

INTERSTATE COMMERCE.

By Mr. O'DONNELL: A bill (H. R. 213) to amend section 22 of an act entitled "An act to regulate commerce," approved February 4, 1887, and as amended March 2, 1889—to the Committee on Interstate and Foreign Commerce.

ADDITIONAL TREASURY NOTES.

By Mr. STOUT: A bill (H. R. 214) to provide for the temporary issue of additional Treasury notes in certain cases—to the Committee on Banking and Currency.

FREE SUGAR.

By Mr. STOUT: A bill (H. R. 215) to place all sugars upon the free list—to the Committee on Ways and Means.

TARIFF AMENDMENT.

By Mr. HALL: A bill (H. R. 216) to amend an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890—to the Committee on Ways and Means.

BRIDGE AT ST. PAUL, MINN.

By Mr. HALL: A bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890—to the Committee on Interstate and Foreign Commerce.

FREE BINDING-TWINE.

By Mr. HALL: A bill (H. R. 218) to cheapen the price of binding-twine by placing it upon the free list—to the Committee on Ways and Means.

THE BUTTERWORTH BILL.

By Mr. HARRIES: A joint memorial of the Legislature of the State of Minnesota, asking Congress to pass what is known as the "Butterworth bill"—to the Committee on Agriculture.

PUBLIC BUILDING, STILLWATER, MINN.

By Mr. CASTLE: A bill (H. R. 219) for the erection of a public building in Stillwater, Minn.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, ST. PAUL, MINN.

By Mr. CASTLE: A bill (H. R. 220) to increase the appropriation for the erection of a public building at St. Paul, Minn.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, ANOKA, MINN.

By Mr. CASTLE: A bill (H. R. 221) for the erection of a public building in Anoka, Minn.—to the Committee on Public Buildings and Grounds.

LANDS FOR PARK PURPOSES.

By Mr. CASTLE: A bill (H. R. 222) to grant certain public lands to the State of Minnesota for perpetual use as a public park—to the Committee on the Public Lands.

ST. CROIX AND LAKE SUPERIOR CANAL.

By Mr. CASTLE: A bill (H. R. 223) to provide for the making of a survey and estimate for a canal from the St. Croix River to Lake Superior—to the Committee on Rivers and Harbors.

SETTLERS ON NORTHERN PACIFIC INDEMNITY LANDS.

By Mr. CASTLE: A bill (H. R. 224) to amend chapter 1258, entitled "An act for the relief of settlers on Northern Pacific Railroad indemnity land," approved October 1, 1890—to the Committee on the Pacific Railroads.

MONUMENT TO GEN. JAMES S. WADSWORTH.

By Mr. HARRIES: A bill (H. R. 225) for the erection of a monument to the late Brig. Gen. James S. Wadsworth, United States Volunteers—to the Committee on the Library.

THE GREAT LAKES AND CANALS.

By Mr. LIND: A joint resolution (H. Res. 11) to promote the improvement of the waterway from the head of Lake Superior, by way of the Welland and St. Lawrence Canals and St. Lawrence River to the sea.

The SPEAKER *pro tempore*. This joint resolution, in the opinion of the Chair, should go to the Committee on Rivers and Harbors.

Mr. LIND. Mr. Speaker, I think it ought properly to go to the Committee on Interstate and Foreign Commerce.

The SPEAKER *pro tempore* (after examining the joint resolution). The Chair thinks it ought to go to the Committee on Foreign Affairs, as it proposes negotiation with a foreign government.

Mr. LIND. I think, Mr. Speaker, that it might properly go to either the Committee on Foreign Affairs or the Committee on Interstate and Foreign Commerce, and I move that it be referred to the latter committee.

The motion was agreed to, and the joint resolution was so referred.

INTERSTATE COMMERCE.

By Mr. LIND: A bill (H. R. 226) to prohibit discrimination in the interstate transportation of property by railroad—to the Committee on Interstate and Foreign Commerce.

By Mr. LIND: A bill (H. R. 227) to amend section 4 of an act entitled "An act to regulate commerce," approved February 4, 1887—to the Committee on Interstate and Foreign Commerce.

BRIDGES OVER NAVIGABLE RIVERS.

By Mr. LIND: A bill (H. R. 228) granting the consent of Congress to the erection of bridges over navigable rivers, and for other purposes—to the Committee on Interstate and Foreign Commerce.

REPEAL OF LAND GRANT.

By Mr. LIND: A bill (H. R. 229) to repeal an act entitled "An act making a grant of land to the State of Minnesota to aid in the improvement of the navigation of the Mississippi River," approved July 23, 1868—to the Committee on Interstate and Foreign Commerce.

COST OF INTERSTATE RAILROADS.

By Mr. LIND: A bill (H. R. 230) requiring the Interstate Commerce Commission to ascertain and report the actual cost of the construction of all railroads in the United States over or upon which interstate commerce is carried, originates, or ends, and for other purposes—to the Committee on Foreign and Interstate Commerce.

IMPROVEMENT OF MISSISSIPPI RIVER.

By Mr. BURROWS: A bill (H. R. 231) to improve the navigation, and to afford ease and safety to the trade and commerce of the Mississippi River, and to prevent destructive floods, by building and repairing and extending the levees and dikes and other works, with an appropriation therefor—to the Committee on Levees and Improvements of the Mississippi River.

PUBLIC BUILDING AT MENOMINEE, MICH.

By Mr. STEPHENSON: A bill (H. R. 232) for the erection of a public building at Menominee, Mich.—to the Committee on Public Buildings and Grounds.

JUDICIAL DISTRICT IN MICHIGAN.

By Mr. STEPHENSON: A bill (H. R. 233) to create the northern judicial district of the State of Michigan and to provide for the holding of the district and circuit courts therein, and for other purposes—to the Committee on the Judiciary.

INSPECTORS OF HULLS AND BOILERS.

By Mr. STEPHENSON: A bill (H. R. 234) to amend section 4414 of the Revised Statutes of the United States, fixing the compensation of inspectors of hulls and boilers in the several districts of the United States—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING AT GRAND HAVEN, MICH.

By Mr. BELKNAP: A bill (H. R. 235) to provide for the purchase of a site and the erection of a public building thereon at Grand Haven, in the State of Michigan—to the Committee on Public Buildings and Grounds.

BRIDGE OVER BILOXI BAY, MISS.

By Mr. STOCKDALE: A bill (H. R. 236) to authorize the Biloxi and Back Bay Bridge Company to construct and maintain a bridge over that portion of the Bay of Biloxi, in the State of Mississippi, known as Back Bay—to the Committee on Interstate and Foreign Commerce.

PENSIONS.

By Mr. STOCKDALE: A bill (H. R. 237) to amend an act entitled "An act granting pensions to soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887—to the Committee on Pensions.

PUBLIC BUILDING AT NATCHEZ, MISS.

By Mr. STOCKDALE: A bill (H. R. 238) for the erection of a public building in the city of Natchez, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

AGRICULTURAL COLLEGE GRANT TO MISSOURI.

By Mr. HEARD: A bill (H. R. 239) for the final adjustment of the agricultural college grant to the State of Missouri—to the Committee on the Public Lands.

CLAIMS FOR LOSSES IN MILITARY SERVICE.

By Mr. HEARD: A joint resolution (H. Res. 12) to provide for the settlement of the claims of the officers and enlisted men of the various militia organizations of the State of Missouri for horses and equipments lost while engaged in the military service of the United States—to the Committee on War Claims.

MUNICIPAL CODE FOR DISTRICT OF COLUMBIA.

By Mr. HEARD: A bill (H. R. 240) to provide a commission to prepare a municipal code for District of Columbia—to the Committee on the District of Columbia.

PENSIONS.

By Mr. HEARD: A bill (H. R. 241) amendatory and supplementary to an act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes—to the Committee on Pensions.

PERMANENT AND INDEFINITE APPROPRIATIONS.

By Mr. DOCKERY: A bill (H. R. 242) to repeal certain laws relating to permanent and indefinite appropriations—to the Committee on Appropriations.

DUTIES ON IMPORTS, ETC.

By Mr. DOCKERY: A bill (H. R. 243) to reduce certain duties on imports, to enlarge the "free list," and to equalize taxation—to the Committee on Ways and Means.

INCOME TAX.

By Mr. MANSUR: A bill (H. R. 244) to establish a graduated income tax—to the Committee on Ways and Means.

OKLAHOMA.

By Mr. MANSUR: A bill (H. R. 245) to enlarge the limits of the Territory of Oklahoma, to extend existing laws of said Territory over the lands of the Cherokee Outlet west of the ninety-sixth degree of longitude, in the Indian Territory, and for other purposes—to the Committee on the Territories.

FRACTIONAL NOTES.

By Mr. MANSUR: A bill (H. R. 246) to provide for the issue of fractional notes—to the Committee on Banking and Currency.

PENSIONS.

By Mr. MANSUR: A bill (H. R. 247) granting pensions to the soldiers and sailors of the Creek, Florida, and Black Hawk wars, and for other purposes—to the Committee on Pensions.

INTERMARRIAGES WITH CHICKASAW INDIANS, ETC.

By Mr. MANSUR: A bill (H. R. 248) to regulate, define, establish, and secure the civil, political, and property rights of such American citizens as have intermarried with the Chickasaw Indians, and for other purposes—to the Committee on Indian Affairs.

MINES AND MINING, INDIAN TERRITORY.

By Mr. MANSUR: A bill (H. R. 249) to regulate mines and mining in the Indian Territory—to the Committee on the Territories.

BRIDGE ACROSS MISSOURI RIVER.

By Mr. MANSUR: A bill (H. R. 250) to authorize the construction of a bridge across the Missouri River at De Witt, Carroll County, Mo., and to establish it as a post-road—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING, MOBERLY, MO.

By Mr. MANSUR: A bill (H. R. 251) to provide for the erection of a public building in the city of Moberly, in the State of Missouri—to the Committee on Public Buildings and Grounds.

MILITARY RECORDS OF MISSOURI RESERVE CORPS.

By Mr. O'NEILL of Missouri: A bill (H. R. 252) amending the military records of the Missouri Reserve Corps—to the Committee on Military Affairs.

COLLECTION DISTRICT OF MISSOURI.

By Mr. O'NEILL of Missouri: A bill (H. R. 253) to amend Title XXXIV, chapter 1, making the State of Missouri a collection district and city of St. Louis a port of entry—to the Committee on Ways and Means.

ONE-CENT LETTER POSTAGE.

By Mr. O'NEILL of Missouri: A bill (H. R. 254) to reduce letter postage to 1 cent per half ounce—to the Committee on the Post-Office and Post-Roads.

CONVICT LABOR ON PUBLIC WORKS.

By Mr. O'NEILL of Missouri: A bill (H. R. 255) to prevent the product of convict labor from being furnished to or for the use of any department of the Government, and to prevent the product of convict labor from being used upon public buildings or other public works—to the Committee on Labor.

MECHANICS, LABORERS, AND SERVANTS' WAGES.

By Mr. O'NEILL of Missouri: A bill (H. R. 256) to protect mechanics, laborers, and servants in their wages—to the Committee on Labor.

EIGHT-HOUR LAW.

By Mr. O'NEILL of Missouri: A bill (H. R. 257) constituting eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, or by or on behalf of the District of Columbia, or by contractors doing work for the Government of the United States or the District of Columbia, and providing penalties for violation of the provisions hereof—to the Committee on Labor.

TERMS OF UNITED STATES CIRCUIT AND DISTRICT COURTS.

By Mr. TARSNEY: A bill (H. R. 258) regulating the terms of the circuit and district courts of the United States for the western district of the State of Missouri—to the Committee on the Judiciary.

PER DIEM SERVICE PENSIONS.

By Mr. TARSNEY: A bill (H. R. 259) to repeal an act granting pensions, approved June 27, 1890, and providing for the granting of per diem service pensions in lieu thereof—to the Committee on Invalid Pensions.

GOVERNMENT BUILDING, KANSAS CITY, MO.

By Mr. TARSNEY: A bill (H. R. 260) to extend the limit of expenditure for the construction of a Government building at Kansas City, Mo.—to the Committee on Public Buildings and Grounds.

ERECTION OF PUBLIC BUILDINGS.

By Mr. TARSNEY: A bill (H. R. 261) authorizing the Secretary of the Treasury to obtain plans for public buildings to be erected under the supervision of the Treasury Department—to the Committee on Public Puildings and Grounds.

PUBLIC BUILDING, BUTTE CITY, MONT.

By Mr. DIXON: A bill (H. R. 262) to provide for the purchase of a site and the erection of a public building at Butte City, Mont.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, HELENA, MONT.

By Mr. DIXON: A bill (H. R. 263) to provide for the purchase of a site and the erection of a public building at Helena, Mont.—to the Committee on Public Buildings and Grounds.

AMENDMENT TO THE CONSTITUTION.

By Mr. BRYAN: A joint resolution (H. Res. 13) proposing an amendment to the Constitution providing for the election of United States Senators by a direct vote of the people of the several States whenever they shall make provision for same by statute or constitution—to the Committee on the Election of President and Vice-President and Representatives in Congress.

SALE OF PROPERTY UNDER DECREES UNITED STATES COURTS.

By Mr. BRYAN: A bill (H. R. 264) to compel the sale of property, real and personal, under decree of United States courts, to be made at the county seat of the county in which such property is situated—to the Committee on the Judiciary.

PUBLICATION OF NOTICES OF SALE OF PROPERTY.

By Mr. BRYAN: A bill (H. R. 265) to compel publication of all notices of sale of real or personal property, under decree or order of United States courts, to be made in some newspaper of general circulation published in the county where such property is situated—to the Committee on the Judiciary.

BINDING-TWINE.

By Mr. BRYAN: A bill (H. R. 266) to place binding-twine on the free list—to the Committee on Ways and Means.

BRANCH MINT, OMAHA, NEBR.

By Mr. BRYAN: A bill (H. R. 267) to establish a branch mint of the United States at Omaha, in the State of Nebraska—to the Committee on Ways and Means.

LEGAL-TENDER COIN, ETC.

By Mr. KEM: A bill (H. R. 268) to provide an adequate volume of full legal-tender coin and paper money, for the classification of the funds in the United States Treasury, for the establishment of a general system of Government banking, and for other purposes—to the Committee on Banking and Currency.

COINAGE OF SILVER.

By Mr. BARTINE: A bill (H. R. 269) for the free and unlimited coinage of silver—to the Committee on Coinage, Weights, and Measures.

REIMBURSEMENT OF EMPLOYÉS FOR INJURIES.

By Mr. McKINNEY: A bill (H. R. 270) to remunerate employés of the United States navy-yards and gun foundries for time lost in consequence of injuries received in said yards and foundries—to the Committee on Naval Affairs.

PUBLIC BUILDING, ELIZABETH, N. J.

Br Mr. GEISSENHAINER: A bill (H. R. 271) for the purchase of a site and the erection of a public building thereon in the city of Elizabeth, N. J.—to the Committee on Public Buildings and Grounds.

PAY OF LIFE-SAVING SERVICE.

By Mr. GEISSENHAINER: A bill (H. R. 272) to determine and increase the pay of keepers of life-saving and life-boat stations, and of crews of surfmen employed at the life-saving and life-boat stations—to the Committee on Interstate and Foreign Commerce.

LIGHT-HOUSE, EAST POINT, N. J.

By Mr. GEISSENHAINER: A bill (H. R. 273) to establish a light-house at East Point, Keyport Harbor, in New Jersey—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING, CAMDEN, N. J.

By Mr. BERGEN: A bill (H. R. 274) to increase the limit of cost for the erection of a public building in Camden, N. J.—to the Committee on Public Buildings and Grounds.

ARMS IMPORTED IN 1863.

By Mr. TRACEY: A bill (H. R. 275) to refund duties paid by the State of New York on arms imported in 1863—to the Committee on War Claims.

EIGHT-HOUR LAW.

By Mr. TRACEY: A bill (H. R. 276) for the enforcement of the eight-hour law on Government premises—to the Committee on Labor.

SUNDRY ARTICLES ON FREE LIST.

By Mr. TRACEY: A bill (H. R. 277) placing sundry articles on the free list—to the Committee on Ways and Means.

ACTING ASSISTANT SURGEONS.

By Mr. DUNPHY: A bill (H. R. 278) to commission acting assistant surgeons of the United States Army who served as medical officers during the late civil war—to the Committee on Military Affairs.

FEMALE SUFFRAGE.

By Mr. GREENLEAF: A joint resolution (H. Res. 14) proposing an amendment to the Constitution extending the right of women to vote at all Federal elections—to the Committee on the Judiciary.

TAXATION OF LOTTERIES.

By Mr. LITTLE: A bill (H. R. 279) to provide for the taxation of lotteries—to the Committee on Ways and Means.

STEAMERS CLARIBEL, ALENE, AND ATHOS.

By Mr. LITTLE (by request): A bill (H. R. 280) to provide registers for the steamers Claribel, Alene, and Athos—to the Committee on Merchant Marine and Fisheries.

STEAMER BARRACONTA.

By Mr. LITTLE (by request): A bill (H. R. 281) to provide a register for the steamship Barracouta—to the Committee on Merchant Marine and Fisheries.

PUBLIC BUILDING, YONKERS, N. Y.

By Mr. STAHLNECKER: A bill (H. R. 282) to erect a public building at Yonkers, N. Y.—to the Committee on Public Buildings and Grounds.

SHIP CANAL, GREAT LAKES TO THE HUDSON RIVER.

By Mr. BENTLEY: A bill (H. R. 283) for ascertaining the feasibility and probable cost of constructing a ship canal from the Great Lakes to the navigable waters of the Hudson River—to the Committee on Railways and Canals.

PUBLIC BUILDING, ROME, N. Y.

By Mr. BENTLEY: A bill (H. R. 284) for the erection of a public building at Rome, N. Y.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, ELMIRA, N. Y.

By Mr. ROCKWELL: A bill (H. R. 285) for the erection of a

public building in the city of Elmira, N. Y.—to the Committee on Public Buildings and Grounds.

DISTRICT COURT, NORTHERN DISTRICT OF NEW YORK.

By Mr. ROCKWELL: A bill (H. R. 286) to amend the Revised Statutes of the United States establishing the times, places, and provisions for holding terms of the district court in the northern district of New York—to the Committee on the Judiciary.

LIEUTENANT-GENERAL OF THE ARMY.

By Mr. CAMPBELL: A bill (H. R. 287) to revive the grade of lieutenant-general in the Army of the United States—to the Committee on Military Affairs.

ENGINEER CORPS, UNITED STATES NAVY.

By Mr. CAMPBELL: A bill (H. R. 288) to increase the efficiency of the Engineer Corps of the United States Navy—to the Committee on Naval Affairs.

NEW YORK BRIDGE COMPANY.

By Mr. CAMPBELL: A bill (H. R. 289) to incorporate the New York Bridge Company, for the purpose of constructing, maintaining, and operating a bridge over the East River, between the cities of New York and Brooklyn, in the State of New York—to the Committee on Interstate and Foreign Commerce.

RETIRED LIST FOR ENLISTED MEN, ETC., OF THE NAVY.

By Mr. WARNER: A bill (H. R. 290) to authorize a retired list for enlisted men appointed petty officers and pay clerks of the United States Navy, who have served for the period of thirty years or upwards—to the Committee on Naval Affairs.

INVESTIGATION OF THE ADMINISTRATION OF THE COLLECTION OF THE REVENUE AT THE PORT OF NEW YORK.

By Mr. CUMMINGS: A resolution for the appointment of a special committee to investigate the administration of the collection of the revenues at the port of New York.

Mr. CUMMINGS. Mr. Speaker, I ask for the reading of that resolution.

The resolution was read at length.

The SPEAKER *pro tempore*. The resolution will be referred to the Committee on Rules.

EQUALIZATION OF PAY OF LETTER-CARRIERS.

By Mr. CUMMINGS: A bill (H. R. 291) to increase and equalize the pay of letter-carriers—to the Committee on the Post-Office and Post-Roads.

MARKING OF VESSELS.

By Mr. CUMMINGS: A bill (H. R. 292) to amend an act to amend section 4178 of the Revised Statutes in relation to the marking of vessels—to the Committee on Merchant Marine and Fisheries.

PENSIONING OF LETTER-CARRIERS AFTER FIFTEEN YEARS OF SERVICE.

By Mr. CUMMINGS: A bill (H. R. 293) to pension incapacitated letter-carriers after fifteen years of service—to the Committee on the Post-Office and Post-Roads.

SECTION 13 OF THE REVENUE LAWS.

By Mr. CUMMINGS: A bill (H. R. 294) to amend section 13 of the "act to simplify the laws in regard to the collection of revenues," passed June 10, 1890—to the Committee on Ways and Means.

AMERICAN MERCHANT MARINE.

By Mr. CUMMINGS: A bill (H. R. 295) to place the American merchant marine, engaged in the foreign trade, upon an equality with that of other nations—to the Committee on Merchant Marine and Fisheries.

LIMIT OF WORK IN FIRST AND SECOND CLASS POST-OFFICES.

By Mr. CUMMINGS: A bill (H. R. 296) to limit the hours of work of clerks and employés in first and second-class post-offices—to the Committee on the Post-Office and Post-Roads.

MONUMENT TO THE VICTIMS OF PRISON SHIPS AT FORT GREENE, BROOKLYN, N. Y.

By Mr. CLANCY: A bill (H. R. 297) for the erection and completion of a monument to the memory of the victims of prison ships at Fort Greene, Brooklyn, N. Y.—to the Committee on the Library.

MAIL SERVICE BETWEEN THE CITIES OF BROOKLYN AND NEW YORK.

By Mr. CLANCY: A bill (H. R. 298) making an appropriation for improving the mail service between the cities of Brooklyn and New York—to the Committee on the Post-Office and Post-Roads.

PUBLIC BUILDING AT SARATOGA SPRINGS, N. Y.

By Mr. RAINES (for Mr. SANFORD): A bill (H. R. 299) to provide for the purchase of a site and the erection of a public building thereon at Saratoga Springs, in the State of New York—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT SCHENECTADY, N. Y.

By Mr. RAINES (for Mr. SANFORD): A bill (H. R. 300) to provide for the purchase of a site and the erection of a public building thereon at Schenectady, in the State of New York—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT AMSTERDAM, N. Y.

By Mr. RAINES (for Mr. SANFORD): A bill (H. R. 301) to provide for the purchase of a site and the erection of a public building thereon at Amsterdam, in the State of New York—to the Committee on Public Buildings and Grounds.

COMPLETION OF SARATOGA MONUMENT.

By Mr. RAINES (for Mr. SANFORD): A bill (H. R. 302) to appropriate $18,484.57 for the completion and dedication of the monument commemorating the surrender of Burgoyne at Saratoga—to the Committee on the Library.

PENSION TO DEPENDENT RELATIVES.

By Mr. RAINES (for Mr. SANFORD): A bill (H. R. 303) to amend section 4707 of the Revised Statutes and all subsequent acts amendatory thereof—to the Committee on Invalid Pensions.

GRANT MEMORIAL HOME.

By Mr. RAINES (for Mr. SANFORD): A bill (H. R. 304) to establish the Grant Memorial Home at Mt. McGregor, N. Y.—to the Committee on Military Affairs.

TO INCREASE POSTAL FACILITIES.

By Mr. RAINES: A bill (H. R. 305) to increase postal facilities and to expedite the distribution, collection, and delivery of mail in cities having a population of 150,000 or more—to the Committee on the Post-Office and Post-Roads.

PUBLIC BUILDING AT CORNING, N. Y.

By Mr. RAINES: A bill (H. R. 306) to provide for the erection of a public building for the use of the post-office at the city of Corning, N. Y.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT HORNELLSVILLE, N. Y.

By Mr. RAINES: A bill (H. R. 307) to provide for the erection of a public building for the use of the post-office at the city of Hornellsville, N. Y.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT GENEVA, N. Y.

By Mr. RAINES: A bill (H. R. 308) to provide for the erection of a public building for the use of the post-office at the village of Geneva, N. Y.—to the Committee on Public Buildings and Grounds.

INCREASE OF PENSION FOR THE LOSS OF BOTH EYES.

By Mr. RAINES: A bill (H. R. 309) to increase the pension of those who have lost the sight of both eyes—to the Committee on Invalid Pensions.

AID TO COMMON SCHOOLS.

By Mr. CHEATHAM: A bill (H. R. 310) to aid in the establishment and temporary support of common schools—to the Committee on Education.

PUBLIC BUILDING, GOLDSBORO, N. C.

By Mr. CHEATHAM: A bill (H. R. 311) for the erection of a public building at Goldsboro, N. C.—to the Committee on Public Buildings and Grounds.

CRIMINAL PROSECUTIONS IN FEDERAL COURTS.

By Mr. GRADY: A bill (H. R. 312) in relation to criminal prosecutions in Federal courts—to the Committee on the Judiciary.

EXCHANGES THROUGH THE MAILS.

By Mr. ALEXANDER: A bill (H. R. 313) to facilitate exchanges through the United States mails—to the Committee on the Post-Office and Post-Roads.

RED RIVER OF THE NORTH.

By Mr. JOHNSON of North Dakota: A bill (H. R. 314) providing for the improvement of the Red River of the North—to the Committee on Rivers and Harbors.

By Mr. JOHNSON of North Dakota: A bill (H. R. 315) providing for a survey of the Red River of the North with a view to its improvement as a navigable stream—to the Committee on Rivers and Harbors.

JAMESTOWN AND NORTHERN RAILWAY.

By Mr. JOHNSON of North Dakota: A bill (H. R. 316) granting a right of way to the Jamestown and Northern Railway Company through the Devils Lake Indian Reservation, in the State of North Dakota—to the Committee on Indian Affairs.

INTERNATIONAL MONETARY CONFERENCE.

By Mr. JOHNSON of North Dakota: A joint resolution (H. Res. 15) for an international monetary conference—to the Committee on Coinage, Weights, and Measures.

AMENDMENT TO CONSTITUTION OF THE UNITED STATES.

By Mr. JOHNSON of North Dakota: A joint resolution (H. Res. 16) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people of the several States—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

By Mr. OWENS: A bill (H. R. 317) to provide for the erection of a public building in the city of Zanesville, Ohio—to the Committee on Public Buildings and Grounds.

HISTORIC GROUNDS.

By Mr. OWENS: A bill (H. R. 318) to provide for the survey of certain historic grounds, location, and military works—to the Committee on Military Affairs.

EXEMPTION OF DISTRICT OF COLUMBIA REAL ESTATE FROM TAXATION.

By Mr. JOHNSON of Ohio: A bill (H. R. 319) to exempt improvements to real estate in the District of Columbia from taxation—to the Committee on the District of Columbia.

HOME FOR CRIPPLED AND INFIRM SEAMEN.

By Mr. JOHNSON of Ohio: A bill (H. R. 320) to create a home for crippled, infirm, and aged seamen of the Merchant Marine Service—to the Committee on Naval Affairs.

SANDUSKY, OHIO.

By Mr. HAYNES: A bill (H. R. 321) to extend the privileges of the transportation of dutiable merchandise without appraisement to the port of Sandusky, Ohio—to the Committee on Ways and Means.

PUBLIC BUILDINGS, TOLEDO, OHIO.

By Mr. HAYNES: A bill (H. R. 322) to provide for the erection of an extension to the custom-house, court-house, etc., building at Toledo, Ohio—to the Committee on Public Buildings and Grounds.

MONUMENT AT PUT IN BAY.

By Mr. HAYNES: A bill (H. R. 323) providing for the erection of a monument at Put-in Bay, Ohio, commemorative of Commodore Oliver Hazard Perry and those who participated in the naval battle of Lake Erie on the 10th day of September, 1813—to the Committee on the Library.

PUBLIC BUILDING, FREMONT, OHIO.

By Mr. HAYNES: A bill (H. R. 324) for the erection of a public building at Fremont, Ohio—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, FINDLAY, OHIO.

By Mr. HARE: A bill (H. R. 325) to provide for the erection of a public building in the city of Findlay, Ohio—to the Committee on Public Buildings and Grounds.

DISEASES OF THE HORSE.

By Mr. HARTER: A bill (H. R. 326) directing the Secretary of Agriculture to have printed additional copies of Special Report on Diseases of the Horse—to the Committee on Agriculture.

PUBLIC BUILDING, MANSFIELD, OHIO.

By Mr. HARTER: A bill (H. R. 327) to provide for the erection of a public building in the city of Mansfield, Ohio—to the Committee on Public Buildings and Grounds.

LINEAL PROMOTION IN THE ARMY.

By Mr. OUTHWAITE (by request): A bill (H. R. 328) to establish lineal promotion throughout the several lines of artillery, cavalry, and infantry—to the Committee on Military Affairs.

HOSPITAL CORPS OF THE ARMY.

By Mr. OUTHWAITE: A bill (H. R. 329) relating to the hospital corps of the Army—to the Committee on Military Affairs.

POSTAGE ON FIRST-CLASS MATTER.

By Mr. PATTISON: A bill (H. R. 330) to reduce postage on first-class mail matter—to the Committee on the Post-Office and Post-Roads.

ELECTION OF PRESIDENT, ETC.

By Mr. PATTISON: A joint resolution (H. Res. 17) proposing an amendment to section 1, Article II, of the Constitution of the United States—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

BOOKS ON THE FREE-LIST.

By Mr. DUNGAN: A bill (H. R. 331) to put on free list books, etc., for libraries supported by taxation—to the Committee on Ways and Means.

REMOVAL OF DISABILITIES.

By Mr. PEARSON: A bill (H. R. 332) removing disabilities from certain officers—to the Committee on Military Affairs.

PUBLIC BUILDING AT GALLIPOLIS, OHIO.

By Mr. ENOCHS: A bill (H. R. 333) for a public building for a marine hospital at Gallipolis, Ohio—to the Committee on Public Buildings and Grounds.

AUTOMATIC CAR-COUPLER.

By Mr. CALDWELL: A bill (H. R. 334) providing for the adoption and use of a uniform standard automatic car-coupler, and regulating the operation and control of freight trains used in interstate commerce, and providing for the greater safety of railroad employés, and for other purposes—to the Committee on Interstate and Foreign Commerce.

DESECRATION OF UNITED STATES FLAG.

By Mr. CALDWELL: A bill (H. R. 335) to prevent desecration of the United States flag—to the Committee on the Judiciary.

ELECTION OF UNITED STATES SENATORS.

By Mr. CALDWELL: A joint resolution (H. Res. 18) proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the people of the States—to the Committee on the Judiciary.

RAILWAY MAIL CLERKS.

By Mr. CALDWELL: A bill (H. R. 336) to reclassify and fix the salary of persons in the Railway Mail Service, known as postal clerks—to the Committee on the Post-Office and Post-Roads.

PENSIONS.

By Mr. ENOCHS (for Mr. EZRA B. TAYLOR): A bill (H. R. 337) granting pensions to soldiers and sailors confined in Confederate prisons—to the Committee on Invalid Pensions.

PRESERVATION OF FORESTS.

By Mr. ENOCHS (for Mr. EZRA B. TAYLOR): A bill (H. R. 338) for the preservation of the woods and forests of the national domain adjacent to the sources of the navigable rivers and their affluents in the United States—to the Committee on Agriculture.

COURT OF APPEALS, DISTRICT OF COLUMBIA.

By Mr. ENOCHS (for Mr. EZRA B. TAYLOR): A bill (H. R. 339) to establish a court of appeals for the District of Columbia, and for other purposes—to the Committee on the Judiciary.

POSTAL SAVINGS BANKS.

By Mr. STORER: A bill (H. R. 340) to establish postal savings banks and encourage small savings—to the Committee on Banking and Currency.

VIRGINIUS INDEMNITY FUND.

By Mr. OATES: A bill (H. R. 341) to provide for the disposal of the interest on the Virginius indemnity fund.

The SPEAKER *pro tempore*. The Chair thinks the bill the title of which has just been read should properly go to the Committee on Claims.

Mr. OATES. Heretofore, I believe, bills of that character have gone to the Committee on Foreign Affairs.

The SPEAKER *pro tempore*. The Chair sees that it has been so referred. If there be no objection it will be referred to the Committee on Foreign Affairs.

There was no objection, and it was so referred.

ORDER OF BUSINESS.

Mr. SPRINGER. Mr. Speaker, as the journalizing of the bills already introduced will take a very considerable time, I suggest that we now suspend the call of States and that it be resumed to-morrow after the reading of the Journal.

The SPEAKER *pro tempore*. If there be no objection the request of the gentleman from Illinois [Mr. SPRINGER] that the call of States for the introduction of bills be suspended until to-morrow after the reading of the Journal will be agreed to. Is there objection? The Chair hears none.

COMMITTEE CLERKS.

Mr. RUSK. On behalf of the Committee on Accounts I submit for immediate consideration the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Committee on Accounts is hereby authorized and directed to designate the committees of the House to which the clerks provided for by the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1892, should be allowed and assigned for the present Congress, and to report by resolution to the House for its action thereon.

The SPEAKER *pro tempore*. The question is on the adoption of the resolution.

Mr. ENLOE. What is the resolution?

The SPEAKER *pro tempore*. It is a resolution relative to the assignment of clerks to committees.

Mr. ENLOE. What does the resolution provide?

The SPEAKER *pro tempore*. If there be no objection, the resolution will be again read. The Chair hears no objection.

The resolution of Mr. RUSK was again read.

Mr. ENLOE. I make the point of order that under the rules this resolution must go to the Committee——

The SPEAKER *pro tempore*. The Chair is informed that this is a resolution which was introduced on a former day.

Mr. ENLOE. Then what is it doing here now?

The SPEAKER *pro tempore*. It is reported back.

Mr. RUSK. The Chair will permit me to state that the resolution was offered on a previous day, but objection being raised, it was withdrawn, and it is now offered anew.

The SPEAKER *pro tempore*. Then the Chair was in error. The resolution is offered now.

Mr. RUSK. It is offered now for immediate consideration.

Mr. ENLOE. Well, I make the point of order that it is not in order for consideration at this time.

The SPEAKER *pro tempore*. The point of order is well taken, if the gentleman from Tennessee insists upon it, and the resolution will be referred to the committee.

Mr. SPRINGER. Mr. Speaker, it seems to me that this is a privileged resolution and that it is in order. It incurs no expenditures at all, but simply assigns the clerks already provided by law to the several committees of the House. It has been entertained heretofore as privileged. It relates to the organization of the House and is certainly in order.

It would be in order, of course, for the gentleman to move its reference, but the call of States having been postponed until to-morrow, it is now in order for consideration if the gentleman from Maryland insists upon it.

Mr. ENLOE. I wish to say, Mr. Speaker, that I do not object to the consideration of the resolution when considered at the proper time. But the call of States has not been finished. I want to introduce a few bills myself.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Tennessee that the call of States was suspended by consent of the House until to-morrow.

Mr. ENLOE. That has been done within the last few minutes, I suppose?

Mr. RUSK. Yes, sir.

The SPEAKER *pro tempore*. The gentleman from Illinois asked consent that the call of States be suspended until to-morrow morning. The Chair submitted the question and there was no objection.

Mr. ENLOE. Then I move that the House do now adjourn.

Mr. SPRINGER. But I believe I still have the floor, Mr. Speaker?

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Maryland that in his opinion the resolution is in order for reference.

Mr. RUSK. Then, I move its reference to the Committee on Accounts.

The SPEAKER *pro tempore*. If the gentleman from Tennessee will withdraw his motion for a moment the resolution will be referred.

Mr. ENLOE. Certainly; I have no objection to that.

The resolution was referred to the Committee on Accounts.

DEATH OF HON. JOHN R. GAMBLE.

Mr. SPRINGER. I desire to yield to the gentleman from South Dakota [Mr. PICKLER] who wishes to offer a resolution as to the death of one of his colleagues.

Mr. PICKLER. Mr. Speaker, a melancholy duty it is, that I announce to the House the death of one of its members, my late colleague, the Hon. John R. Gamble, a Representative from the State of South Dakota.

He died at his home in the city of Yankton, suddenly of heart disease on the 14th day of August last, aged 43 years.

Although young in years, and as humanity reckons too young to die, he lived long enough to impress himself upon the history of his young State, for whose admission into the Union he had long and faithfully labored.

He was a genial gentleman, a talented lawyer, an honest man, a favorite with the people.

He was honored with the public offices of district attorney of Yankton County, United States attorney for the Territory of Dakota; as a member of both branches of the Territorial Legislature; as a member of one of its constitutional conventions; and was elected to the Fifty-second Congress, for the duties of which he was preparing when death terminated his young manhood. The members from his State will later in the session ask that a time be set apart, that appropriate action may be taken in memory of the deceased.

Mr. Speaker, I now ask unanimous consent for the immediate consideration of the following resolution.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. John R. Gamble, late a Representative from South Dakota.

Resolved, That as a mark of respect to his memory the House do now adjourn.

The motion was agreed to.

And accordingly (at 3 o'clock and 58 minutes p. m.) the House adjourned.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk, and referred as follows:

By Mr. BELTZHOOVER: Petition of Charlotte Swanley, of Mount Holly Springs, Cumberland County, Pa., for a widow's pension—to the Committee on Invalid Pensions.

Also, petition and papers of Cathrine A. Cling, of Penn Township, Cumberland County, Pa., asking that a pension be granted to her—to the Committee on Invalid Pensions.

By Mr. BERGEN: Petition of citizens of Cape May County, N. J., that salaries at life-saving stations be increased—to the Committee on Interstate and Foreign Commerce.

By Mr. BLANCHARD: Memorial of J. M. Lyles and 97 other citizens of Louisiana and Texas, for the improvement of the Sabine River from Logansport, La., to its mouth—to the Committee on Rivers and Harbors.

Also, memorial of A. M. Garrett and 43 other citizens of Louisiana and Texas, for the improvement of the Sabine River from Logansport, La., to its mouth—to the Committee on Rivers and Harbors.

By Mr. BOWMAN: Petition of members of the United Presbyterian Church of Red Oak, Iowa, against an appropriation for the World's Fair unless the same be closed to visitors on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BUTLER: A petition from citizens of Fayette County, Iowa, in favor of the Conger lard bill—to the Committee on Agriculture.

Also, petition from citizens of Fayette County, Iowa, in favor of the passage of the Butterworth bill—to the Committee on Agriculture.

By Mr. BUSEY (by request): Petition of certain citizens of Illinois against any appropriation for the World's Fair unless the same be closed to visitors on Sunday—to the Select Committee on the Columbian Exposition.

Also (by request), a petition by citizens of Hoopeston, Ill., for the same purpose—to the Select Committee on the Columbian Exposition.

By Mr. BURROWS: Petition of 56 citizens of St. Joseph, Mich., asking passage of bill to promote efficiency in the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. BYNUM: Memorial of the Western Yearly Meeting of Friends for the suppression of the sale of firearms and intoxicating liquors to the barbarous and savage tribes of Africa—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. CARUTH: A petition of citizens of Louisville, Ky., asking an amendment of section 26 of the tariff bill approved October 1, 1890—to the Committee on Ways and Means.

By Mr. CHIPMAN: Petition of the business men of Detroit, Mich., for a bill to allow the keepers of life-saving stations $1,000 per year the first year and the crews $75 per month—to the Committee on Interstate and Foreign Commerce.

Also, petition of Mrs. Jane Cody, daughter of a Revolutionary soldier, for a pension—to the Committee on Pensions.

Mr. CHIPMAN: A petition of Michael Bassett to have his name placed on the pension rolls—to the Committee on Pensions.

By Mr. COGSWELL: Petition of C. K. Hill and others, of Newburyport, Mass., for increased compensation to keepers and crews of life-saving stations—to Committee on Interstate and Foreign Commerce.

Also, petition for the same purpose from James Elliott and others—to the Committee on Interstate and Foreign Commerce.

Also, petition of Sylvanus Smith and others for the improvement of Gloucester Harbor, Massachusetts—to the Committee on Rivers and Harbors.

Also, petition of selectmen and others, of Marblehead, Mass., for protection of sea-wall at the head of Marblehead Harbor—to the Committee on Rivers and Harbors.

Also, petition of Luther Dame and others, of Newbury, Mass.; also, petition of Jacob C. Conant and others, of Ipswich, Mass., for free mail delivery in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of Asa G. Andrews and others, of Gloucester, Mass., for improvement of Gloucester Harbor—to the Committee on Rivers and Harbors.

Also (by request), resolutions of the Order of United American Mechanics, of Newburyport, Mass.—to the Committee on Immigration and Naturalization.

Mr. CROSBY: Petition of Massachusetts State Board of Trade; of citizens of Lowell, Mass.; three petitions of other citizens of the same place; two petitions of citizens of Amesbury, Mass.; petition of citizens of Malden, Mass.; two petitions of citizens of New Bedford, Mass.; two petitions citizens of Manchester, N. H.; petition of citizens of New York, N. Y.; petition of citizens of Portland, Me.; petition of citizens of Waterville, Me.; petition of citizens of Littleton, N. H., asking the consolidation of third and fourth class mail matter into one class, to be designated as the third class, and the rate 1 cent for two ounces; also, petition of citizens of Berkshire County, Mass.; of citizens of Alford, in the same county and State; and of citizens of Dalton, same county and State, praying for an extension of the free-delivery system—to the Committee on the Post-Office and Post-Roads.

Also, petition of James A. Rice, president of the Congregational Society of Christian Endeavor, and of citizens of Lee, Mass., favoring national aid to the Columbian Exposition, provided the Sabbath is observed by the same—to the Select Committee on the Columbian Exposition.

Also, petition of certain citizens of Massachusetts, for the application of the civil-service rules to Indian affairs; petition of certain citizens of Pittsfield, Mass., for the same reform; three petitions of other citizens of Massachusetts, for the same reform—to the Select Committee on Reform in the Civil Service.

By Mr. DALZELL: Petitions of sundry citizens of the Twenty-second Congressional district of Pennsylvania; of the general assembly of the United Presbyterian Church of North America, and of the Young People's Society of Christian Endeavor of Ingram, Pa., against opening the Columbian Exposition on the Sabbath day—to the Select Committee on the Columbian Exposition.

By Mr. DE ARMOND: Petition of 336 citizens of Missouri, praying that no exhibition or exposition for which appropriations are made by Congress shall be opened on Sunday—to the Committee on the Columbian Exposition.

By Mr. DOLLIVER: Petition and proof of Meleenia E. Arnold, for pension as an army nurse—to the Committee on Invalid Pensions.

Also, petition of Julius Seifert, for removal of the charge of desertion—to the Committee on Military Affairs.

Also, petition of H. Sailer and 30 others, citizens of Greene County, Iowa, in favor of the passage of the Conger lard bill; of F. E. Wilson and 43 other citizens of Humboldt County, Iowa; of James Wilson and 40 other citizens of Carroll County, Iowa; of C. M. Mohler and 20 other citizens of Carroll County, Iowa; of Thomas Calvert and 30 others, of Greene County, Iowa, for the same measure; of H. Sailer and 30 other citizens of Greene County, Iowa, for the Butterworth option bill; of F. E. Wilson and 50 other citizens of Humboldt County, Iowa; of Michael Bielmaier and 30 others, of Carroll County, Iowa; of James Wells and 40 other citizens of Carroll County, Iowa; of Thomas Calvert and 30 others, of Greene County, Iowa, for the same measure—to the Committee on Agriculture.

By Mr. GEISSENHAINER: Thirteen petitions relating to the widening of Whale Creek at Matawan, N. J.—to the Committee on Rivers and Harbors.

Also petition of Israel P. Clifford, of Keyport, N. J., for an honorable discharge—to the Committee on Military Affairs.

Also, petition of Samuel Acken, of New Brunswick, N. J., for a pension—to the Committee on Invalid Pensions.

By Mr. GROUT: Petition of A. W. Wheeler and others, of Vernon, Vt.; of T. C. Marsh and others, of Whitingham, Vt.; of E. T. Little and others, of North Hero, Vt.; of S. W. Owen and others, of Hardwick, Vt.; of C. E. Prouty and others, of Putney, Vt.; of A. L. Frost and others, of Worcester, Vt., and of Matthew Marshall and others, of Greensboro, Vt., asking for an extension of the free-delivery system—to the Committee on the Post-Office and Post-Roads.

Also, petition of Vermont R. P. Presbytery, against Sunday opening of World's Fair; of Henry A. Goodhue and others, of Westminster West, Vt., for the same purpose—to the Select Committee on the Columbian Exposition.

By Mr. GREENLEAF: Petition of John J. Bowen, for a pension—to the Committee on Invalid Pensions.

Also, petition from 181 members of the Women's Christian Temperance Union of New York, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HARMER: Petition of Lizzio Lovett, for removal of the charge of desertion—to the Committee on Military Affairs.

Also, petition of members of the Rev. J. P. Duffy's church, Hanover street, Philadelphia, in favor of closing the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Philadelphia, Pa., in favor of financial aid to the World's Columbian Exposition by Congress, provided the Exposition be closed to visitors on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George W. Roosevelt, late of Company K, Twenty-sixth Regiment Pennsylvania Volunteers, for increase of pension to $72 per month—to the Committee on Invalid Pensions.

By Mr. HAYNES: Petition of A. H. Moss and 80 other merchants, importers, and citizens of Sandusky, Ohio, asking for the passage of a bill to extend the privilege of the transportation of dutiable merchandise without appraisment to the port of Sandusky, Ohio—to the Committee on Commerce.

Also, petition of Arthur Cranston Post, No. 73, Department of Ohio, Grand Army of the Republic, of Milan, Ohio, asking for increase in widows' pensions, under act of June 27, 1890—to the Committee on Invalid Pensions.

Also, petition of Fred. Hutchinson and 18 others, citizens of Sandusky County, Ohio, asking for the passage of House bill of the Fifty-first Congress known as the Conger lard bill—to the Committee on Agriculture.

Also, petition of Jennie A. Stewart, president of the Young Woman's Christian Temperance Union, representing 250 persons residing in Toledo, Ohio, asking for the closing of the World's Fair on Sunday and the prevention of the sale of intoxicating liquors within the National Exhibition grounds—to the Select Committee on the Columbian Exposition.

Also, petition of Fred Hutchinson and 18 others, asking for the passage of House bill 5353 of the Fifty-first Congress, known as the option bill—to the Committee on Agriculture.

Also, petition of J. H. Norton and 29 others, citizens of Erie County, Ohio, for free delivery in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. HALL: Petition of B. J. Butler and others of Hector, Minn., for $5,000,000 loan to the World's Columbian Exposition on condition that the same is closed on Sundays; and of H. Wilson and others of Fairibault, Minn., for the same purpose—to the Select Committee on the Columbian Exposition.

Also, petition of John A. Moffett and others for the passage of the Conger lard bill; and of John A. Moffett and others for the passage of the Butterworth option bill—to the Committee on Agriculture.

By Mr. HARRIES: Petition of citizens representing the Presbyterian and Methodist Episcopal Churches of Chatfield, Minn., praying that any loan granted by Congress to the World's Columbian Exposition be on condition that the same shall contain an impregnable guaranty that the World's Columbian Exposition be closed to visitors on the Lord's day—to the Select Committee on the Columbian Exposition.

Also, petition of Andrew H. Meek to have the Constitution of the United States amended so as to date all acts from the time of the establishment of the Constitution of this country, to wit: June 21, 1788—to the Committee on the Judiciary.

Also, petition of citizens of Minnesota, asking for authority to control the manufacture and sale of oleomargarine, butterine, and all compounds in imitation of butter—to the Committee on Agriculture.

By Mr. HENDERSON of Iowa: Paper of F. B. Flanders, of Dubuque, Iowa, in relation to the suppression of outrages upon American seamen in Chile—to the Committee on Foreign Affairs.

Also, petition of D. B. HENDERSON and John W. Noble, committee of the Society of the Army of the Tennessee, asking Congress to appropriate $50,000 for a site, pedestal, and statue for General Sherman—to the Committee on Appropriations.

Also, petition of Thomas Wallace and 20 other citizens of Iowa, praying for the passage of the antioption bill—to the Committee on Agriculture.

Also, petition of 36 citizens of Buchanan County, Iowa, urging that the Columbian Exposition be closed to visitors on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Thomas Wallace and 20 other citizens of Iowa, praying for the passage of a pure-lard bill—to the Committee on Agriculture.

Also, paper of Messrs. Jones and Hovey, Independence, Iowa, urging that the producers and dealers in gas should have due representation at the Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, memorial and papers submitted by D. B. HENDERSON, member of Congress for the Third district of Iowa, urging that H. E. Williams have his pension increased from $24 to $50 a month—to the Committee on Invalid Pensions.

Also, petition and affidavits to secure a pension to Mrs. Ellender Mills by act of Congress—to the Committee on Invalid Pensions.

Also, resolution of the Farmers' National Congress, favoring the improvement of the river and harbor of Savannah, Ga.—to the Committee on Rivers and Harbors.

Also, resolution by Lieut. Bruden Post, No. 356, Allison, Iowa,

favoring equal pensions without reference to rank—to the Committee on Invalid Pensions.

Also, petition of the Dubuque Branch, No. 257, National Letter-Carriers' Association, asking that all free-delivery offices be put under civil-service laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. W. Hinshaw and 18 other citizens of Hardin County, Iowa, praying for the passage of what is known as the Butterworth option bill in the Fifty-first Congress—to the Committee on Agriculture.

Also, resolution of James Butler Post, No. 220, Grand Army of the Republic, protesting against the passage of bills giving large special pensions to officers or their widows—to the Committee on Invalid Pensions.

By Mr. HITT: Petition of H. Rowan Helper, to ascertain conclusively who first projected the proposed Pan-American Railway—to the Committee on Claims.

Also, memorial and resolution of directors of Chicago Board of Trade, favoring consolidation of Revenue-Cutter Service and the Navy—to the Committee on Interstate and Foreign Commerce.

Also, memorial and resolution of Farmers' Institute of Carroll County, Ill., December 15, 1891, in favor of mail delivery in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. HOOKER of New York: Petitions to amend the United States Revised Statutes so as to prohibit sale of beer and cider to Indians—to the Committee on Indian Affairs.

By Mr. HOLMAN: Petition of John Cobb and others for pay for barge Moule, taken by assistant quartermaster, United States Army—to the Committee on War Claims.

By Mr. LIVINGSTON: Petition of Daniel B. Ladd, of Fulton County, Ga., praying for the reference of his claim to the Court of Claims, under act of March 3, 1883—to the Committee on Claims.

Also petition of the city council of Augusta, Ga., for Federal appropriation for the Savannah River—to the Committee on Rivers and Harbors.

By Mr. LODGE: Resolutions adopted by the Boston Merchants' Association, in reference to the transfer of the Revenue Marine to the United States naval establishment—to the Committee on Naval Affairs.

Also, petition of W. E. Sheldon and Hiram Orcutt, for adoption of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. McCREARY: Petition of Simeon Hobbs and others, praying for an honorable discharge from the United States military service—to the Committee on Military Affairs.

Also, petitions of Sallie Grundy, executrix of Samuel Grundy, deceased, of Boyle County, Ky.; of trustees of Christian Church of Danville, Ky., and of M. H. Garnett, of Boyle County, Ky., praying that their claims be referred to the Court of Claims under the Bowman act—to the Committee on War Claims.

By Mr. MILLIKEN: Petition of certain citizens of Maine, for free delivery of mails in country districts; and of certain other citizens of the same State, for the same purpose—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. E. Atkins and others, for a conference at the Columbian Exposition to settle international disputes—to the Select Committee on the Columbian Exposition.

Also, petition of Clarence F. Spaulding, for special-act pension—to the Committee on Invalid Pensions.

Also, petition of James E. Gray, for the removal of the charge of desertion—to the Committee on Military Affairs.

Also, petition of C. B. Donworth and others, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER: Petition of Young People's Society of Christian Endeavor of Oshkosh, Wis., against the sale of liquor on World's Fair ground and to close said Exhibition on the Sabbath day—to the Select Committee on the Columbian Exposition.

By Mr. MORSE: Petition of citizens of Oregon City, Oregon, asking that the World's Fair be closed on Sunday; of Samuel H. Emery, asking for an additional loan for the World's Exposition on condition that the same be closed on the Lord's day; of citizens of Massachusetts, against opening the Columbian Exposition on the Lord's day; of Rev. J. W. Brigham and members of the Dorchester Temple Church; of Rev. Edward Norton and other citizens of Quincy, Mass.; of W. F. Bickford and other citizens of Massachusetts, and of Rev. W. M. Ponge, pastor Methodist Episcopal Church South, Tallahassee, Fla., for the same purpose—to the Select Committee on the Columbian Exposition.

Also, petition of F. D. Bullard and others, of Sharon, Mass., asking that the free delivery of all mail matter be extended to all post-offices; of G. W. Bixley and other citizens of Massachusetts; and of Phillip C. Porter and others, of Berkley, Mass., for the same purpose—to the Committee on the Post-Office and Post-Roads.

Also, petition of Frederic Stanley and members of the crew at the Fourth Cliff station of the United States Life-Saving Service at Scituate, Mass., asking for the passage of a bill to increase the efficiency of the Life-Saving Service: of E. B. Atwood and other citizens of Plymouth, Mass., for the same purpose, and of the crew of the North Scituate life-saving station for increase of pay—to the Committee on Interstate and Foreign Commerce.

By Mr. O'DONNELL: Petition of Adaline Camp, for a pension—to the Committee on Invalid Pensions.

Also, petition of George Raymond of Partello, Mich., for an increase of pension; and of Belinda Wheeler, for mother's dependent pension—to the Committee on Invalid Pensions.

By Mr. O'NEILL of Pennsylvania: Remonstrance of the Thirteenth Street Methodist Church, Philadelphia, against allowing or granting money to the World's Columbian Exposition unless it be provided that the same shall not be opened on Sundays—to the Select Committee on the Columbian Exposition.

Also, statement of Wm M. Ruschenburger why the senior medical directors on the retired list of the Navy should be paid as much as their juniors—to the Committee on Military Affairs.

By Mr. PAGE, of Rhode Island: Petition of B. M. Wilcox and 374others, for an appropriation to make a permanent breachway into Point Judithor Salt Pond, in South Kingstown, Washington County, R. I.—to the Committee on Rivers and Harbors.

By Mr. PERKINS: Petition of 14 citizens of Woodbury County, Iowa, in behalf of the Butterworth bill defining options and futures; of 19 citizens of Sac County, Iowa, and of 99 citizens of Sac County, Iowa, for the same measure; and of Farmers' Alliance No. 1877, Sac County, Iowa, in regard to options and futures—to the Committee on Agriculture.

Also, petition of 97 citizens of Sac County, Iowa, in behalf of the Conger lard bill—to the Committee on Agriculture.

By Mr. PICKLER: Petition of 300 citizens of South Dakota, asking for action by Congress inviting a conference by governments, to sit during the World's Columbian Exposition, to consider the advisability of incorporating in treaties measures for arbitration of differences between nations; of citizens of Jerauld County, S. Dak., and of the Methodist Episcopal Church of Wessington Springs, S. Dak., for the same purpose—to the Committee on Foreign Affairs.

Also, petition of citizens of South Dakota, asking for the passage of the Butterworth option bill—to the Committee on Agriculture.

Also, petition of citizens of Springfield, S. Dak., asking that a loan be granted the World's Columbian Exposition, provided the same shall not be opened on the Lord's day—to the Select Committee on the Columbian Exposition.

Also, petition of the board of managers of the National Temperance Society, officially signed, asking for an amendment to the Constitution to prohibit the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. RANDALL: Petition of citizens of Cottage City, Mass.; of Gillina Kendrick and others, of Fairhaven, Mass., and of citizens of Somerset, Mass., for free delivery of mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Harwich, Mass.; of citizens of Nantucket, Mass.; of citizens of Cuttyhunk, Mass., and of citizens of Chatham, Mass., to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of Anthony Smalley, of Nantucket, for increase of pay of life-saving crews—to the Committee on Interstate and Foreign Commerce.

By Mr. ROCKWELL: Petition of Peter P. Conroy and others, for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. R. Frost and others, in behalf of a loan by Congress to the Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, petition of Robert H. Gillespie and others, for action in behalf of international peace conference during Columbian Exposition—to the Committee on Foreign Affairs.

By Mr. ROCKWELL: Petition of Bryce K. Douglass and others, for action in behalf of an international peace conference during the Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. RUSK: Petition of the Flour Exchange of the city of Baltimore, Md., approving the bill to transfer the Revenue-Cutter Service from the Treasury Department to the Navy Department—to the Committee on Naval Affairs.

Also, petition of Julia Nolan, widow of Charles Nolan, of Company C, Second United States Dragoons, for widow's pension—to the Committee on Invalid Pensions.

By Mr. SANFORD: Petition of citizens of the towns Moreau, Clifton Park, and Oppenheim in the counties of Saratoga and Fulton, in the State of New York, for free delivery of the United

States mails in country districts; of 156 citizens of the towns of Moreau, Clifton Park, and Oppenheim, in the counties of Saratoga and Fulton, in the State of New York, for the same purpose—to the Committee on the Post-Office and Post-Roads.

By Mr. SIMPSON: Petition of 100 citizens of Kansas, against any appropriation for the World's Fair unless the same be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. SPRINGER: Petition of certain citizens of Illinois, praying for the settlement of international disputes by arbitration, said commission to sit at Chicago during the World's Fair—to the Select Committee on the Columbian Exposition.

Also, petition of Orrin M. Cheney, for removal of the charge of desertion—to the Committee on Military Affairs.

Also, petition of the board of directors of the Board of Trade of Chicago, praying that the Revenue Cutter Service be incorporated in and made a part of the Navy—to the Committee on Interstate and Foreign Commerce.

By Mr. STAHLNECKER: Petition of certain citizens of Westchester County, N. Y., for free delivery of mails in country district—to the Committee on the Post-Office and Post-Roads.

By Mr. STOUT: Petition of citizens of Genesee County, Mich., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. WASHINGTON: Petition and other papers in claim of James Payne & Co.—to the Committee on War Claims.

SENATE.

WEDNESDAY, *January 6, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a communication from the secretary of the Boston (Mass.) Associated Board of Trade, representing 20 of the prominent business associations of Boston, Mass., inclosing resolutions adopted by that body favoring the transfer of the Revenue Marine Service of the Navy; which, with the accompanying paper, was referred to the Committee on Naval Affairs.

He also presented a communication from Miss Clara Barton, president of the American National Red Cross, calling attention to the starving condition of millions of the peasantry of Russia, and urging that the Government of the United States take such steps as will insure the most expeditious transit for large donations of grain or other supplies for the relief of the sufferers proposed to be sent by several of the Western States; which was ordered to lie on the table.

Mr. WALTHALL. At the instance of the National Grange, Patrons of Husbandry, I present two petitions of organized bodies in the State of California, having relation to public lands, which I ask may be separately noted and referred to the Committee on Public Lands.

The petitions were referred to the Committee on Public Lands as follows:

A petition of the Bennett Valley Grange, No. 16, of California, and a petition of San José Grange, No. 10, of California, praying for the passage of an act construing the forfeiture act of September 29, 1890, according to its original and true purpose, and also for the passage of an act resuming and restoring to the public domain all lands opposite to and coterminous with those portions of any railroad line not constructed within the time or according to the terms of the law under which they are claimed.

Mr. MORGAN. From the same organized body, but in the State of Washington, petitions have been signed in respect to the lands claimed by the Northern Pacific Railroad. I present them, and move their reference to the Committee on Public Lands.

The motion was agreed to.

Mr. GALLINGER presented the petition of Hon. Isaac N. Blodgett and 46 other citizens of Merrimac County, N. H., praying for the free delivery of mails in country districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. CHANDLER. I present the petition of Louis Lambert and 418 other citizens of Oregon; the petition of Corvallis Grange, No. 242, signed by H. T. French, master, and Alice Horning, secretary, and by J. D. Johnson and 13 other members of that grange; the petition of Charles W. Manchester and 13 others; the petition of Tulare Grange, No. 198, signed by E. C. Shoemaker, master, and Bertha Ingham, secretary, and by H. C. Faber and 49 other members of that grange; and the petition of Merced Grange, No. 7, signed by L. H. Applegate, master, and Mrs. E. L. Elliott, secretary, and A. Smith, H. J. Ostrander, and 38 others, members of that grange, all signed in behalf of settlers between Wallula, Wash., and Portland, Oregon, whose lands and homes are claimed by the Northern Pacific Railroad Company, which built a railroad on the side of the Columbia River opposite these lands long after any right so to build had expired. The petitioners assert that all pretense of right on the part of the company was destroyed by the forfeiture act of September 29, 1890, but that the company still annoys the settlers with its claims; and the petitioners therefore pray for the passage of an act of Congress for their relief. I move that one of the petitions be printed as a document, together with the signatures thereto, and the signatures to all similar petitions, and that the petitions be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. HALE presented a petition of citizens of Frankfort, Me., praying that an increase of pension be granted to Thomas Benson; which was referred to the Committee on Pensions.

Mr. HOAR. I present the petition of Emory J. Haynes and other citizens of Boston, Mass., requesting an investigation into the tenement-house sweating system, so called, and praying that such legislation be had as will stamp out the evil. I move that the petition be printed as a public document, and that it be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. HOAR presented a petition of the New York Committee for the Prevention of State Regulation of Vice, officially signed by Mrs. Abby Hopper Gibbons, president, and Mrs. Anna Rice Powell, secretary, praying for a national commission of inquiry concerning the subject of social vice, and the alleged traffic in women and young girls for immoral purposes; which was referred to the Committee on Education and Labor.

Mr. PEFFER presented a petition of citizens of Coffey County, Kans., praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of Coffey County, Kans., praying for the passage of legislation similar to House bill 5353 of the Fifty-first Congress, known as the "option bill;" which was referred to the Committee on Agriculture and Forestry.

Mr. PASCO. I present a joint resolution of the Legislature of Florida in the nature of a memorial, which I ask be read and referred to the Committee on Pensions. At the proper time I shall introduce a bill for the purpose of carrying out the desires of the memorialists.

The VICE-PRESIDENT. The memorial will be read.

Mr. HARRIS. Is it from a State Legislature?

The VICE-PRESIDENT. It is a memorial of the Legislature of Florida.

Mr. HARRIS. Then it is proper that it should be read.

The memorial was read and referred to the Committee on Pensions, as follows:

Joint resolution.

Be it resolved by the Legislature of the State of Florida, That the Congress of the United States be, and are hereby, requested to grant pensions to the survivors of the Seminole Indian wars of 1835-'40, and 1857-'58, and to the widows of the deceased soldiers of such Indian wars.

[SEAL.] Approved June 8, 1890.

STATE OF FLORIDA,
Office Secretary of State, ss:

I, John L. Crawford, secretary of state, do hereby certify that the foregoing is a correct transcript of the original now on file in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this 2d day of December, A. D. 1891.

[SEAL.] JNO. L. CRAWFORD,
Secretary of State.

Mr. McPHERSON presented the memorial of Rev. W. P. Hilo and other members of the Baptist Church of Greenwich, N. J., and the memorial of Rev. Allen H. Brown and 62 other citizens of Mays Landing, N. J., remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of W. W. Smith, principal of the Englewood (N. J.) school for boys, praying for the passage of a law directing the use of the metric system of weights and measures in the customs service; which was referred to the Committee on Finance.

He also presented the petition of the P. Lorillard Company, of Jersey City, N. J., praying that section 26 of the "Act to reduce the revenue and equalize duties on imports and for other purposes" be amended; which was referred to the Committee on Finance.

Mr. ALLEN. I present resolutions of the Chamber of Commerce of Seattle, Washington, praying that Congress, by more liberal appropriations, enable the War and Navy Departments to place our country in a thorough condition of defense, so as to be prepared to maintain its national dignity, and protect its humblest citizen in any part of the world.

This petition, Mr. President, might appropriately be referred to the Committee on Coast Defenses, the Committee on Military

Affairs, or that on Naval Affairs; but as it can be referred to but one committee, I wish particularly to direct the attention of the members of these respective committees to the petition, and also to direct the attention of the Senate to it. I wish to call the attention of the Senate to the fact that these resolutions come from a part of our country which is compelled to look directly in the face every contingency and possibility of foreign war, and that within the entire area of Puget Sound, presenting some 2,000 miles of shore line, there is not a single instrument of military or naval defense to hinder a second-class cruiser of a second-class power, for a single hour, in its destructive work upon the cities and commerce of that body of water.

This is especially significant and humiliating to the people of the Northwest, in view of the fact that immediately across the line, Great Britain, with possessions insignificant compared with ours, has a strongly fortified naval station and a naval fleet constantly rendezvousing in those waters, capable of protecting the dignity and power and citizenship of that aggressive and vigilant commercial nation.

The VICE-PRESIDENT. What reference of the petition does the Senator desire?

Mr. ALLEN. I ask its reference to the Committee on Naval Affairs.

The VICE-PRESIDENT. The petition will be referred to the Committee on Naval Affairs.

Mr. DAWES presented a petition of the Ashburnham Woman's Christian Temperance Union, of Ashburnham, Mass., praying for the ratification of the Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. QUAY presented a memorial of many church members of Pennsylvania, remonstrating against the opening of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of John C. Heazlitt, of Philadelphia, Pa., praying for the passage of a bill granting him a pension; which was referred to the Committee on Pensions.

He also presented the petition of Esther Clevenger, of Pennsylvania, praying for the passage of a bill granting her a pension; which was referred to the Committee on Pensions.

He also presented a petition of 41 citizens of Washington County, Pa., praying for the passage of an act of Congress subjecting oleomargarine to the provisions of the laws of the several States; which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Scranton, Pa., praying for the reduction of the rate of letter postage to 1 cent per ounce; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the congregations of the various churches and the Woman's Christian Temperance Union of Greenville, Pa., representing over 1,800 citizens, praying that the United States coöperate with foreign powers to prohibit the slave and rum traffic in the Congo Free State, as provided for in the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. COCKRELL presented a petition of the Military Order of the Loyal Legion of the United States, of St. Louis, Mo., adopted at the stated meeting of the commandery on the 2d of May, 1891, praying for the passage of legislation looking to better coast defenses; which was referred to the Committee on Naval Affairs.

Mr. BERRY. I present a petition of a number of citizens of the State of Washington, in regard to certain lands lying within the original grant to the Northern Pacific Railroad, which these citizens state the railroad is now claiming contrary to the intention of the forfeiture act, and they ask legislation so as to protect their homes. I move the reference of the petition to the Committee on Public Lands.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (S. 1122) for the relief of the heirs and legal representatives of James C. Booth, deceased, late melter and refiner of the mint of the United States at Philadelphia, reported it without amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on Finance, to whom was referred the bill (S. 69) for the relief of Betts, Nichols & Co., reported it without amendment, and submitted a report thereon.

Mr. MORGAN, from the Committee on Foreign Relations, to whom was referred the bill (S. 606) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico concluded on the 4th day of July, 1868," reported it without amendment.

Mr. DOLPH. From the Committee on Foreign Relations I report back favorably, without amendment, the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico concluded on the 4th day of July, 1868."

This bill was reported by me from the Committee on Foreign Relations at the second session of the Fiftieth Congress. I made then a written report, accompanied by a large amount of testimony, taken by a subcommittee of the Committee on Foreign Relations, concerning the matter, which was printed. The report, I think, is still on hand in the document room, and it is voluminous and costly to print. I therefore report the bill this morning without a written report, referring Senators for information to the report made in the Fiftieth Congress upon precisely the same bill. The bill was also reported favorably in the last Congress, but it was not reached on the Calendar.

I give notice of my intention to ask the Senate at the earliest practicable moment to take up the bill for consideration.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

BILLS INTRODUCED.

Mr. TELLER (by request) introduced a bill (S. 1386) for the relief of George F. Brott; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1387) for the relief of the heirs of Miguel Salinas; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1388) authorizing the purchase of the Frederick Schneider library; which was read twice by its title, and referred to the Committee on the Library.

He also (by request) introduced a bill (S. 1389) for the relief of Albert Wood; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAWES introduced a bill (S. 1390) authorizing the leasing of a portion of allotments in severalty to Indians upon certain conditions therein contained; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PASCO introduced a bill (S. 1391) to authorize the Secretary of the Treasury to settle the account stated between the General Government and the State of Florida by the said Secretary under the authority of the act approved March 2, 1889, known as the deficiency appropriation act, and to pay the balance found to be due said State; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1392) granting pensions to the soldiers and sailors of the Florida or Seminole Indian wars, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1393) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the port of Fernandina, Fla.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. QUAY introduced a bill (S. 1394) to remove the charge of desertion from the military record of David S. Bender; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1395) granting a pension to George W. Easley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1396) granting a pension to Esther Clevenger; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1397) granting a pension to Capt. John C. Heazlitt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1398) to authorize the Secretary of the Treasury to employ special agents to investigate judgments and other debts due the United States, and to secure the collection thereof; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. PLATT introduced a bill (S. 1399) to give a pension to Mrs. Sally Taylor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1400) for the relief of Sigmund Bauer; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 1401) for the relief of Wiegand Schlein; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1402) for the relief of Henry R. Jones; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. McPHERSON introduced a bill (S. 1403) authorizing the purchase of the original telegraph recording receiver; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 1404) for the relief of John Everman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1405) for the relief of the owners or their legal representatives of the canal boats Swan and Lewis and Butler; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1406) granting an honorable discharge to Israel P. Clifford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1407) to increase the appropriation for the erection of a public building at Paterson, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1408) authorizing the Secretary of the Treasury to appoint commissioners to investigate certain claims for damages done to planted oysters in Raritan Bay in 1881; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1409) to increase the pension of John B. Davis; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1410) granting a pension to Louisa V. Kilpatrick, widow of Maj. Gen. Judson Kilpatrick, United States Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1411) granting a pension to Eliza Sandford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 1412) granting a pension to Abbie R. Reddington; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 1413) to provide for the construction of a military and commercial telegraphic line along the coast between Yaquina, on Yaquina Bay, and Port Orford, to connect with Newport, on Yaquina Bay, Alsea Bay, Florence, on Siuslaw Bay, Gardner, on the Umpqua River, Empire City, and Marshfield, on Coos Bay, in the State of Oregon; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1414) for the relief of the officers and crews of the United States gunboats Kineo and Chocura; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL (by request) introduced a bill (S. 1415) for relief of John Nickles; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 1416) granting a pension to Mrs. Ann Little; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1417) to amend the military record of Joseph H. Moore; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HANSBROUGH introduced a bill (S. 1418) to amend an act entitled "An act to divide the judicial district of North Dakota;" which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BUTLER introduced a bill (S. 1419) for the relief of the heirs of John R. Treutlen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CHILTON introduced a bill (S. 1420) for the relief of David C. Haynes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

MARITIME CANAL OF NICARAGUA.

Mr. MORGAN. I submit a resolution which I ask may be printed and lie on the table until to-morrow.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That the Committee on Foreign Relations be, and is hereby, directed to inquire into the progress that has been made in the work upon the Maritime Canal of Nicaragua, and what are the present conditions and prospects of that enterprise; including in their inquiry any additional explorations or surveys of the canal that have been made since the last report of that committee, and what stocks, if any, have been disposed of, or bonds issued by the Maritime Canal Company of Nicaragua, chartered and organized under the act of Congress approved February 20, 1889. And for these purposes said committee shall have authority to send for persons and papers and to administer oaths, or authorize a subcommittee to administer oaths, to persons examined. Said committee is directed to consider and report what, in their opinion, the interests of the United States may require in respect of that interoceanic communication.

The VICE-PRESIDENT. The resolution will be printed and lie on the table.

Mr. MORGAN. To-morrow, at the convenience of the Senator from Washington [Mr. ALLEN], I shall call up the resolution. He desires to submit some remarks upon it, I understand.

STENOGRAPHER FOR COMMITTEE ON COMMERCE.

Mr. FRYE. I submit a resolution which I suppose, under the rule, will go to the Committee on Contingent Expenses.

The resolution was read, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Commerce be, and the same is hereby, authorized to employ a stenographer, from time to time, as may be necessary, to report such hearings as may be had before said committee, and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

GEOLOGICAL SURVEY REPORT.

Mr. PLATT submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed at the Government Printing Office, in addition to the number already ordered by law, 15,500 copies of the thirteenth annual report of the Director of the United States Geological Survey, uniform with the preceding volumes of the series, of which 3,500 shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Geological Survey.

ETHNOLOGICAL REPORTS.

Mr. PLATT submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed at the Government Printing Office 15,500 copies each of the eleventh and twelfth annual reports of the Director of the Bureau of Ethnology, with accompanying papers and illustrations, and uniform with the preceding volumes of the series, of which 3,500 shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Bureau of Ethnology.

COLVILLE RESERVATION LANDS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant, from the Secretary of the Interior, submitting the agreement entered into between the Indians of the Colville Reservation, in the State of Washington, and the Commissioners appointed under the provisions of the act of August 19, 1890, to negotiate with them for the cession of such portion of said reservation as said Indians may be willing to dispose of, that the same may be opened to white settlement.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

TONKAWA INDIAN LANDS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant, from the Secretary of the Interior, accompanied by an agreement concluded by the Cherokee Commission with the Tonkawa Indians in Oklahoma Territory for the cession of all their right, title, claim, and interest of every kind and character in and to the lands occupied by them in said Territory, and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

LANDS OF WICHITA AND AFFILIATED INDIANS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant, from the Secretary of the Interior, accompanied by an agreement concluded by and between the Cherokee Commission and the Wichita and affiliated bands of Indians in the Territory of Oklahoma, for the cession of certain lands, and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

CHANGE OF REFERENCE.

Mr. SAWYER. I introduced Senate bill No. 689, for the relief of Bremer & Co., the other day, and moved its reference to the Committee on Finance. I wish to change the reference of it to the Committee on Claims.

The PRESIDING OFFICER (Mr. DAVIS in the chair). The change will be made, if there be no objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. John R. Gamble, late a Representative from the State of South Dakota, and transmitted the resolutions of the House thereon.

SILVER COINAGE.

Mr. MORRILL. I desire to call up the bill introduced by the Senator from Nevada [Mr. STEWART], for the free and unlimited coinage of silver.

The VICE-PRESIDENT. The title of the bill will be read.

The CHIEF CLERK. A bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes.

The VICE-PRESIDENT. If no objection be made, the bill will be regarded as before the Senate as in Committee of the Whole.

UNLIMITED SILVER COINAGE AN UNLIMITED DISASTER.

Mr. MORRILL. Mr. President, certainly I should not have attempted to make a speech at a day so early, perhaps not any time, if a silver debate had not been opened, as it has been, by the distinguished junior Senator from Nevada [Mr. STEWART] in an elaborate speech, and also by a bill for the free and unlimited coinage of silver. I fear my remarks may be as much of a drug to Senators as silver itself, but the great question should have some attention; and what I esteem to be a duty, however onerous, I can not afford to shirk.

The financial instrumentalities and monetary affairs of our country are of such transcendent importance, touching not only the pocket of every citizen, but the honor and general welfare of the whole people, that it must be conceded they deserve to be discussed as questions of national gravity, and not merely as partisan or campaign topics of local or ephemeral interest. At my time of life I can have no other impulse than a desire to be right and to speak the truth as I have learned it, but this may compel me, in plainest words, to criticise what seem to me erroneous and mischievous theories, and to present such facts and arguments as appear to be conclusive in support of the public credit and that sound standard of money which will abide forever and in harmony with the money of the most enlightened Christian nations.

Permit me to say that I am now and ever have been in favor of maintaining both gold and silver in circulation, and of silver to the extremist boundary that can be maintained on a parity with gold. It would be a real joy to me to have silver greatly increase in actual value.

I did not vote for the silver act of 1890 for the reason that silver bullion was neither to be paid for nor paid out in accordance with the safer proposal of Secretary Windom, and that the silver to be purchased was fixed, as it appeared to me, at a too magnificent amount; and also that a full price would be paid for a commodity which we could neither sell nor part from, to any considerable extent, without a financial revolution and serious loss. I was not unwilling to strain a point in order to satisfy our silver friends, but they appeared to demand too much, and some seemed unlikely to be long restrained from demanding more or the whole earth. For the first time in my life I dodged the question, and did not vote against the bill, not only because my vote would not have changed the result or secured anything better, but because my distinguished friend, the senior Senator from Nevada [Mr. JONES], begged me not to, and all Senators know how irresistible the Senator from Nevada can be when he chooses. I hope now—and I much regret his absence to-day—he will be ready to reciprocate, if the occasion arises, when I entreat him not to vote for free coinage.

However ingenious the legal argument of the Senator from Nevada [Mr. STEWART] may be on the silver statutes, I think he will be apt to find very few able lawyers who will agree with him. The Senator denies any authority of the Government to sell bonds to obtain gold with which to redeem legal-tender United States notes, unless they were issued prior to January 1, 1879. The words of the law of 1875 are very general, directing what may be done after January 1, 1879, and apply to the unlimited redemption of outstanding legal-tender notes at any future time; and whether dated before or after, but still outstanding, would not seem to be of the slightest importance. Such technical criticism only touches the bark and does not reach the heart of the law. The Senator surely wants to be understood as in favor of the law for keeping silver on a parity with gold, but, like Ensign Stebbins, whose memory is perennial, on the liquor law, he is everlastingly against its enforcement.

The Senator also declares that the Treasury Department discriminates against silver in the payment of the public debt, but the Senator surely has been misinformed. The usage of the Department has ever been and is now to pay all creditors alike in checks, and the holders get them cashed and receive whatever they demand, whether it be paper, silver, or gold. Silver bullion, of course, is paid for in the same manner. If there is any discrimination it is not by any Government Department, and gold is as likely to be demanded and received by silver bullionists as by any other parties.

I regret that I am unable to assent to the conclusions of the leading silver Senator either on silver laws or silver policy. The path he points out for the Secretary of the Treasury to pursue—to force silver upon all Government creditors—would lead in a single day to a silver standard, and practically accomplish about the same result as would unlimited silver coinage. Believing that such a result would be an almost incurable calamity, as do the people in the North, West, and East, Republican and Democratic alike, I shall offer some reasons why the pending measure should here find no favor.

Any reference which may be made by me to the silver act of 1890 will be made for the purpose of showing that Congress then went to the *ultima thule* of silver legislation, and that silver adventures in seas beyond are extra hazardous. Even that legislation, as it now stands, will require modification, and can not be accepted as the settled policy of the country for coming generations. Time will show; but before going further the American people will want a reckoning to find out just where they stand, and whether silver is on top or the people. The policy of an international compact relative to silver, as slender as the outlook may appear to some of our friends, perhaps may be our safest refuge, and I hope is not to be wholly abandoned, and I can not believe it will be by the present administration.

National-bank notes are rapidly being made to step down and out to give room to silver paper. Like Naboth, they had a vineyard which Ahab wanted, and therefore were stoned and killed. The original United States notes, or greenbacks, are likely to be the next sacrifice demanded and stoned, in order to give the whole field to silver paper.

For many years we have been industriously attempting to do something to increase the market value of silver and to make it more truly, at home and abroad, one of the precious metals. To this end the force of statute laws and the coefficiency of international diplomacy resorted to again and again have thus far all ended in significant failure, and the market price of silver to-day stands at a lower figure instead of a higher than in 1878 or 1890; and as money in Europe its domain is diminishing and nowhere commands aggressive and influential supporters. This, it would seem, ought to beget some distrust about the success and omnipotence of Congress in attempting further silver experiments and dull the edge of appetite for free coinage.

We have purchased since 1878 silver to the amount of $376,925,827, and have coined over 400,000,000 of silver dollars, but the amount of silver purchased, at its present market value, shows that we have been losing heavily in the silver business, and have relieved the owners of silver bullion from a dead loss, amounting to $36,063,648, by taking this bullion off their hands. But free coinage would have involved a far greater loss, as silver since 1878 has been purchased for $71,952,390 less than its coining value; otherwise with free coinage the total loss to the Government would have been $108,016,038, and this round sum might have been added to the profits of the silver corporations.

No expedients have been untried, and no cost withheld, to push or carry silver dollars into circulation; but it has been demonstrated that no more than about sixty million dollars of over four hundred million coined can be coaxed or kicked outside the Treasury. Even had it been possible to apply hydrostatic pressure, no greater sum could have been forced into the congested channels of circulation or into the reluctant pockets of the people. The weight is objected to as too heavy and the value too light.

We hold in the Treasury to-day in silver dollars and silver bullion over twelve thousand tons which even burglars have almost ceased to covet, and only express companies appreciate its value when they lug it across the continent, but which the Government is required to hold and guard night and day, together with all forthcoming monthly additions. When and where is this silver deluge to end? In ten years more, under existing statutes, the Government may have locked up in its subterranean vaults silver to the aggregate amount of, perhaps, more than one thousand million dollars, for all of which its obligations, payable in coin, will be outstanding. Is this, like the river of the poet, to run on forever? And shall this inundation be further aggravated by unlimited free coinage?

No silver certificates, or Treasury notes issued for silver bullion, have been presented for payment in silver, but they are paid in gold when so demanded.

How long they can be thus kept on a parity with gold is already a matter of public and profound concern, and largely dependent upon an honest and proper interpretation of the law and the courage and skill of the Secretary of the Treasury. Whenever the gold in the Treasury shall vanish, and it may vanish under a cloud of silver as well as under a cloud of adverse exchanges, these certificates and notes can then be paid only in standard silver dollars, and these, as money, are known to be not worth their face value. As security for silver certificates or Treasury notes, which are to circulate at par with gold, they are notoriously inadequate, as 412½ grains of silver, nine-tenths fine, will fetch no more than 74 cents. It would be hardly less safe, and certainly equally honest, to base such certificates and notes, and circulate them as good money, upon iron or copper, or upon wheat or tobacco, purchased and accumulated in like manner, at 33⅓ per cent above the market value, as to base such circulation upon the so-called standard silver dollars under free coinage.

Whatever advantage from unlimited free coinage of silver may accrue to corporate owners of silver mines, when gold advances

to a premium, will be brief and not permanent, as then no Secretary of the Treasury would be willing to sell United States bonds in order to obtain gold to keep any paper currency paid out for silver on a parity with gold. These corporations, therefore, at no remote period would have their own drug return to plague the inventors, and find silver certificates or Treasury notes received for silver bullion, when unsupported by gold, of no greater value than that of the silver contained in the free-coined silver dollar. They will not be able then by any shift to fare much better than other classes of our people. It will not mitigate the sufferings of innocent people, however, that the corporate owners of silver mines will sooner have come to grief from their own prescription than would have been possible from any other source.

Of course some of our excellent argentiferous friends sincerely imagine that they can secure forever by free coinage all the difference there may be between the real or commercial value of 371¼ grains of pure silver and the legal-tender or par value of the silver dollar, now amounting to 3¾ per cent, no matter how wide that difference may be; but they would be more likely to find their last days worse than the first, as silver dollars, when no longer upheld and supported by gold, as they long have been, could not fail to sink to about the level of their commercial value as silver bullion. Real money must stand the test of the world's melting pot. The Mexican dollar, with more of silver than our own, is here worth only its weight as bullion. The coining of silver will add nothing to its real value, and, like any other commodity produced in excess of the demand, its value must be largely regulated and determined by the average cost of its production. The boundless profits of the corporate mine owners might not then be so conspicuous, but even then fat dividends would not become wholly extinct, as the rich mines, bearing no brother near their throne, might kill off the lean, and diminish competition.

The experiment which is now being made to have our Government purchase, on compulsion, a fixed monthly amount of silver has, I fear, complicated and more or less retarded any international compact relative to silver, and perhaps contributed to the degredation of its value by largely restricting the demand to one country alone, and by the practical exclusion of any popular demand from any other. The menace of unlimited coinage, with the swelling accumulations of coined and uncoined silver in the Treasury, which may, in some financial contingency, be thrust upon any or all other markets, not only tends to perpetuate its present uncertainty of value, but may further tend to sink it to a lower deep. Certainly unlimited coinage would indefinitely postpone all hope of an international compact.

Some very able prosilver men, most absurdly, as it appears to me, claim that the late wider difference between the value of gold and silver has arisen from an advance in the value of gold, and not from the depreciation of silver, but this pathetic fallacy is at once and forever refuted by the infallible standard of labor, which offers its testimony over a large part of the whole world that it now receives from 33⅓ to 50 per cent higher wages in gold or its equivalent than was received thirty years ago, though I shall not deny that the wages of laboring men have not thus advanced in any country where silver is the standard currency. The mint price of gold in London is now the same as it was in 1776, that is to say, £3 17*s.* 10½*d.* per ounce. Nowhere else is it worth any more. This is some proof of its permanent commercial stability, and of its unchanging standard of value. English statisticians assert that gold has depreciated, and that a gold guinea will not now purchase so much of the necessaries of life by 20 per cent as it would a few years ago.

It is true that prices of many commodities have fallen because they are now produced with less labor by the more universal use of improved machinery and of steam power. Silver, also, has been made cheap, not only by the boundless productiveness of new bonanza mines, but by wonderful American improvements in science and mechanic arts upon the rude and primitive mining methods of Potosi, Peru, and Mexico. The cost of production, like that of copper, nickel, and iron, as well as salt, and sugar, has been very largely reduced. The total product of silver has, therefore, been vastly increased and its commercial value correspondingly diminished.

In 1854, according to the Director of the Mint, the annual silver product of the world amounted to $40,000,000, but in 1890 it had swollen to $166,667,000, or over four times the product of 1854. Will any learned Senator contend that this enormous and unprecedented increase of silver has not had the usual and inexorable effect of diminishing its current value? John Locke in 1690 stated that silver had fallen seven-tenths since Henry VII, in consequence of the amount poured in from America. When the world's stock of silver for twenty-five years had barely increased annually $11,000,000, Adam Smith says, it fell to one-third of its previous value. Neither Locke nor Smith were unfriendly to silver. I leave the tyros of 1891 to adjust any differences with the renowned authorities of 1690 and 1776 as to the effect of a largely increased supply upon the value of silver. The world in earlier times accepted the facts, and we can not escape or dodge the insurmountable facts in the history of the present silver era.

The depreciation of silver has been accelerated not only by its greatly increased abundance, but also by its diminished use as money by leading commercial nations. On a gold standard Great Britain is the center and mistress of the money exchanges of all the world. Germany, changing from silver to gold, has a large unredeemed stock of antiquated coins yet to be disposed of; and France is no longer a buyer of silver, and has not been since 1873. No European nation now opens its mints to the free coinage of silver, but all are fighting shy of it, and only tolerate it as subsidiary coinage. Even in Mexico it is subject to a heavy tax of seigniorage of about 4½ per cent. The drain of silver to India, where formerly nearly one-third of the world's total product was annually absorbed, has not yet ceased, though apparently this year diminishing, and will not wholly cease so long as wheat, cotton, and other products can there be bought with silver; but India, like the United States, is beginning to learn that it is buying an elephant.

The total output of silver, including the large increase in Mexico and Bolivia, Australia and the United States, has more than doubled, even since 1873, while the legitimate demand for it, though intrepidly and ostentatiously promoted by the United States, appears to have fallen off elsewhere more than one-half. The law of demand and supply is as autocratic as that of gravitation, and silver is not exempt from its all-pervading power.

Keeping in step with the great stride of our silver act of 1890, the discoveries of new silver mines in 1891 are reported to be as phenomenal in their extent and fertility as were the discoveries of our gold mines in 1847, and some of the ledges are reported to yield from one thousand to four thousand dollars per ton. A California magazine declares, "It would seem that the old expensive silver mines will be closed up by these new, rich, and easily worked mines." The opening of the rich Lake Superior copper mines, it will not have been forgotten, at once immensely reduced the commercial value of copper. When there is a large overproduction of corn on the prairies the price goes down, and so low that it is used even for fuel. The several million bales of cotton we have raised this year probably will be sold for less than would have been a crop of only five or six million of bales. Is it any wonder that the value of silver has depreciated? On the contrary, the wonder will be if there should not be a further depreciation. If by chance the output of silver should be diminished by one third, most likely the total value to the silver producers would suffer no diminution.

Silver is a large product of our thrifty silver States, happily not dominant in all, but is doubtless more remunerative, and likely so to continue, than any other mining product, or any product of agriculture or of manufactures. The Granite Mountain Company in Montana, one of the largest, obtains silver, as has been authoritatively reported, at a cost of 14 cents per ounce. But the same authority states the average mining cost of silver from American mines at 51 cents per ounce, while it brings now, even in the season of its great depression, nearly one dollar, or 94 cents per ounce. That is to say, it fetches in all markets almost double the first cost. No other industry offers such dazzling money-making attractions.

The great silver corporations, however, are eager for more. By existing law the United States Government has been buying and is bound to buy silver at its going market price to an amount about equal to the total production of the American mines, leaving consumption for the arts almost wholly dependent upon a foreign snpply. No other industry claims such rotund and gigantic protection. Considered as an industrial American product, I should not haggle about nor begrudge it full and ample protection to the capital and labor employed; but silver miners have no promise of an increase of wages in case of the free coinage of silver, and silver as a standard of money must, for all the world, stand or fall upon its intrinsic merits, and not upon the merits of the place whence it comes.

The silver propagandists, of whom the president of the Montana Granite Mountain Company, Mr. Rumsey, appears to be an honored and distinguished member, from their abounding resources, maintain here year after year an expensive literary and oratorical bureau to propagate and disseminate their silver theories and financial dogmas.

They innocently declare, with one eyebrow drawn up and the other drawn down, that they only seek to have silver placed on an equality with gold, knowing, as they do, that their inequality has been displayed from age to age, and is as wide as that between the sun and moon, and that silver for many years appears to have been aping our unstable satellite by its restless monthly

changes. If they did not suppose that free coinage of silver would give it supremacy and banish gold from circulation it would be safe to believe their love for the silver dollar would disappear as swiftly as the light from a falling star. No anarchist has oftener denounced gold and gold bugs, or with a deadlier hate, than the ultra partisans of silver. Their devotion to silver is shown by swearing at gold. The transparent design appears to be to bring silver in America to the front as a lower and cheaper standard of money, with which to buy and sell, as the sole measure of debts, and as a more tempting and sinister inducement to the debtor class to follow a treacherous lead.

Whether or not the measure would be honest or honorable on the part of the Government in relation to all existing contracts, they do not care to discuss, nor even to consider who the debtors really are. When they are found it would be discovered that the great corporations are the largest debtors of the conntry. The bonded and other indebtedness of our railroad corporations is enormous, and amounts to $5,753,541,542, or about six times that of our national debt. The indebtedness of our savings banks, loan and trust companies, and other banks, to a great multitude of depositors, mainly for laboriously accumulated savings, in the aggregate amount to $2,539,256,699. These are the parties to whom is to be offered the cheaper money with which to discharge obligations incurred upon a gold standard, often to those whose sole surplus is the lone deposit in a savings bank. It will be seen that it is very largely the great corporations which would reap where they have not sown.

The fact that all laborers, whether working by the day, month, or year, belong practically to the creditor class, is also stealthily ignored; but American men and women are not easily hypnotized, and would soon learn the difference in the value of their wages when received and expended under a silver standard.

The silver-tongued orators promise to give us silver as cheaper money, and in the next breath promise to bring it up to the par of gold. Somebody is to be cheated. Who is it? One promise or the other must prove false.

The slanderous tales concerning the amount of mortgage indebtedness of farmers turns out to have been a wicked exaggeration or a big lie based on a little truth. The major part of such mortgages has been made with the deliberate foresight of buying and holding land for its increment or for its future increase of value; and the parties, for the most part, will not be disappointed. The old custom of fifty years ago among farmers of barter or of a running account with merchants, payable at the close of the year in truck or by promissory note, is obsolete, and for whatever farmers have to buy or sell payment is now nearly always made with cash on the spot. A careful investigation would show that there are in almost every State more farmers having debts due to them than there are farms encumbered by mortgages; and there is no class of our community more industrious and economical or more obedient to the gospel of St. Paul, "Owe no man anything," than that of the farmer.

Finally, this silver bureau threatens the country desperately as an extract from one of their circulars will show, as follows:

> That if silver can not be remonetized, gold will be demonetized and paper substituted for both gold and silver. The people will not be destroyed for want of money. The gold trust, by rejecting one of the precious metals, has taught how both may be rejected. The radicalism for contraction is in danger of being met by a radicalism for inflation.

The impotence of this rather blustering threat will be apparent when it is remembered that the fiat paper money party, which proposed to pay the public debt in paper, left neither heirs nor estate to perpetuate its brood or its lunatic memory. Its quackery is also made conspicuous by the assumption of supreme power to do whatever of harm or mischief they choose, and by the declared purpose, if they can not have silver they will not have gold, but will jump to nonmetallic money aud inflate the country with a flimsy flood of unredeemable fiat paper money. If the bad is not to be had, then, copying from Milton's Satan, "Evil be thou my good," they propose to have the worst. If they can not have the measles, then they will have the smallpox; and if they can not go to purgatory they will go to Hades.

While the bold pretense is made that there is a lack of money in circulation, unquestionably the foremost effect of unlimited free coinage of silver would be a premium on gold which would prompt its universal withdrawal from circulation, and thereby produce a real and fundamental lack of money in all parts of our country; creating a stringency of greater severity, perhaps, than any hitherto known. The passage of such an act would be the danger signal for everyone to "save himself who can" and thus inoculate the malady it set out to cure. Gold-hoarding would become a national epidemic. The payment of gold certificates would be swiftly demanded at the Treasury by the holders. United States notes would be sent there in flocks for redemption, and the hundred million redemption fund might grow beautifully less and be soon exhausted, leaving two hundred and forty-six millions unredeemed, as well as the whole series of silver certificates and Treasury notes, with nothing in sight for their redemption but the 74-cent silver dollar. Certainly our gold eagles, snubbed at home, would go abroad where more justly appreciated. The withdrawal of our present national stock of six hundred and seventy millions of gold, being larger than our present stock of silver, from the money in circulation, could not fail to create such a stringency and financial distress as no lover of his country would wish to behold. The superior value of gold abroad, attracting a brisk exportation, would produce a large contraction, not only of the money for ordinary home business but the demand for gold contracts could only be supplied by the payment of extraordinary premiums.

With robust audacity and obstinate misinformation some of the silver organs still assume that there is a great want of money in our country, when in truth money here has never been more abundant nor more in circulation per capita than at the present time, and it is also increasing at the rate of sixty millions annually, having increased since 1889 over $120,000,000. The increase in the month of October last was over thirty millions. There is in circulation as money more than twice as much as we had in 1878. We then had $729,132,634, compared with July 1, 1891, when we had $1,500,067,555, not including any part of what was held in the Treasury. The circulation per capita in 1878 was $15.32 against $24.35 December 1, 1891, or greater than in the most prosperous years of our history. Even with our extraordinary crops of the present year of corn and wheat, of cotton and tobacco, there is no visible lack of money in any quarter to move these vast crops to market. These simple but indisputable facts show how easily the hysterical tears for the want of money can be made to dry up.

From the universal American habit among all business men of using their own checks, on banks where they have deposits, as substitutes for money, there is less of legal-tender money used or required per capita in the United States, in proportion to its immense business, than in any other country of the world. Nearly every smart town in the country has its bank. The bank credits subject to check April, 1891, were $2,604,000,000, and savings banks deposits subject to check, with various conditions, were $1,524,000,000. Together these institutions furnish a basis for checks in lieu of money of individuals and firms, greatly exceeding all the coin and paper money in circulation. It has been repeatedly shown that the daily use of such checks actually covers more than 90 per cent of all business transactions.

But with unlimited coinage of silver, who would get the first grip of the increased amount of paper money issued to pay for it? Not the merchant, not the blacksmith, and not the farmer, but only those having silver to present to the mint and demand it.

There is now apparently no scarcity of money among those who have anything to sell or exchange for it, and borrowers are really most troubled, I fear, by a scarcity of collateral.

No loud lamentations for more money were heard until the silver mines began to overstock all silver markets, and then the silver bullionists, assuming the vicarious attitude of sorrowful debtors, began a doleful wailing about the great want of more money, and especially the want of silver money. No other would stop the raging hunger. The "no small stir" of Demetrius, the silversmith, shouting, "Great is Diana of the Ephesians," was made not so much in reverence to the goddess as from fear that the teaching of the Apostle Paul, adverse to gods made with hands, would deprive the craftsmen of a market offering much wealth in the making of silver images; but shouts of "Great is Diana" no longer anywhere create even a small stir. When the ass, according to Æsop, put on the lion's skin, the fox having heard his voice, said, "Well, to be sure! and I should have been frightened too, if I had not heard the bray." The most vociferous shouts for more money come forth from the mouth of silver mines, and with a sonorous metallic ring that frightens nobody.

No age of the world has been exempt from dreamers and demagogues, and at the present time the United States, perhaps, has no more than its legitimate proportion of such pests, which like grasshoppers in the field, as has been said, make more noise there than large oxen. Their highest political importance is generally achieved as a third party, or as a Swiss contingent, ready to enlist as an ally with any existing party that will yield the most to the upbuilding of air castles or to the pulling down of solid temples. The "third party" is ever ambitious to be a makeweight, and wherever it moves it expects the other side of the world to tip up.

The impression prevails among sober-thinking men at home and abroad that the sound financial system of the United States, maintained in harmony with that of great commercial nations through the first century of its existence, is in danger of being

supplanted by Utopian schemes, either fraudulent or fantastic, and wholly based on slippery foundations.

The two old political parties are more or less imperiled by the unknown strength of new parties, which promise many votes for a few platform promises. The organized agitation of the subtreasury loaning scheme of the Farmers' Alliance on land and staple crops, and of unlimited silver coinage of the silver bullionists, creates the chief existing distrust concerning our future political and industrial career. How these reckless schemes may be finally determined by party exigencies and how they will affect public and private credit are unsolved problems that now rest as an oppressive incubus upon the mercantile and industrial interests of the country. This should be our golden age, and it will be unless we stumble and make it only a silver age. Peace with all the world, with abundant crops and ample prices, should have left no cloud over the American continent. Dynamite may not bring rain from the clouds, but the schemes of financial balloonists will not fail to bring portentous monetary storms upon our people.

The Farmers' Alliance scheme for issuing legal-tender paper and loaning it by the Government on land mortgages would be only a stale repetition of the John Law experiment, anciently most expensively tried, and whenever tried ending in ignominious failure and bringing overwhelming disaster upon the government as well as upon the borrowers of the cheap paper money. It is a banking scheme without capital, with the government as guarantor of all borrowers. This old and exploded scheme was recently again conspicuously tried by the Argentine Republic, perhaps the richest country in South America, and there it has bankrupted the Government and fixed an indelible stain upon the good name of the people. Argentine credit is apparently ruined, public and private, and the premium there on gold is 250 per cent, and daily expected to advance. The lesson of cheap money by banking and bond repudiation of Mississippi also still lingers in the public memory. Notwithstanding the high character of some worthy indorsers, any party or faction of a party which proffers aid and hospitality to such wild schemes, at war with the prosperity of our country, will be apt at an early day to disavow and deny the connection, like Peter, with an oath.

Our geographical position, facilities of intercommunication with all parts of the habitable world, and the superior magnitude of our agricultural, mineral, and manufacturing industries have often suggested New York as a more appropriate site for the center and settlement of the exchanges of the world than London, the capital of a country where two-thirds of the whole population would starve but for the regular supply of foreign food. Producing here, as we do, more coal, iron, copper, cotton, wheat, corn, silver, and gold than any other country, American ambition for preëminence also in national monetary affairs was natural, and its gratification has appeared unlikely to be long deferred. The number of vessels already entering the port of New York is hardly less than those at the port of London. Why should the trade and commerce of the whole world be compelled to send its bills of exchange for the final adjustment of all accounts through the British Channel, Straits of Dover, and up the North Sea to a port at the fifty-first degree of north latitude, when there is the much finer port and harbor of New York on the western breast of the Atlantic, 11° further south? Laudable as may have been the ambition, any possibility of its fruition will have been forever extinguished unless the American standard of money can be kept not inferior to that of other great commercial nations.

It has been suggested that the free coinage of silver might be limited to the American production, as if that would be enough to remove all objections, when obviously it is the excessive and ever-increasing redundance of the American production which chiefly creates the world's embarrassment, and now seriously confronts and embarrasses the United States. Our home consumption might give some relief to the dread of a silver overflow in foreign nations, but the exclusion of foreign silver here would be hardly a drop in the bucket, and give no relief to the fact that we have a remarkably obtrusive overflow of our own. If 5 grains of opium would kill the victim, what would he care that the dose could not be increased to 6 grains, nor be administered by a foreigner? Practically, however, the limitation would not limit. Illicit silver would win its way "where seraphs might despair."

The proposition in effect would ask Congress to renounce its constitutional power to coin money and regulate its value, and to confer these functions upon the silver mining corporations, leaving them to run the mints at our expense, and compelling the Government to coin and pay for the entire annual silver production of these great corporations, however large the amount and whatever its value, regardless of the wants of commerce or of the people. As our late honored associate, Judge Thurman, would say, "It won't do."

For the monthly purchase of 4,500,000 ounces of silver, or 54,000,000 ounces yearly, the Treasury Department issues legal-tender Treasury notes, inflating the currency in circulation at the high pressure of fifty or sixty million dollars per annum, greatly in excess of the annual increase of population; and this paper dollar has, in fact, less than three-fourths of the silver bullion purchased behind it as security for its redemption, although the Government is pledged to redeem it in coin, either gold or silver, but entirely at the discretion of the Secretary of the Treasury. It is, of course, receivable at par for public lands, internal revenue, and for all duties on imports. We have hitherto been able to float all of the diverse and multitudinous varieties of our legal-tender paper now in circulation at par with gold because our stock of gold has been large, and also because exchanges arising from foreign trade have generally been in our favor. We have, therefore, kept at home not merely the American product of gold, but have made the gold of other nations tributary to our resources. Unlimited coinage of silver would give us only 371¼ grains of pure silver in the dollar, while at its present price of 94 cents per ounce we buy 510 grains for a dollar, and yet the redemption of all legal-tender paper, when paid in silver, will be paid, as it can be now, with a dollar containing only 371¼ grains of pure silver, equal to 412½ grains of silver nine-tenths fine, at present valued at 74 cents.

Free coinage is a naked proposition by which to throw the loss by the existing and palpable depreciation of silver from the silver corporations, first upon the Government and then upon the whole public. The Government is to issue its promissory notes of a dollar for every 371¼ grains of pure silver brought to its mints. Ultimately these notes, being legal tender, will circulate and get into the hands of the people, whom the Government will be powerless to shield from bearing the final and main brunt of silver depreciation.

The United States product of silver in 1890 was 54,500,000 ounces, and its coinage value was $70,464,645. The deposits and purchases of silver last year aggregated 71,840,663 standard ounces, of the coinage value of $83,630,154. Beyond the American product therefore, it will be seen that there has been and will be a serious influx of foreign silver to be reckoned in any unlimited free coinage account. The idea that we could maintain such an annual increase of silver dollars on a parity with gold would seem to be only worthy of those who have faith in looking for a silver spoon at the end of every rainbow.

No advocate of unlimited coinage of silver will be likely to claim that our standard silver dollar would have in any other country a value exceeding that of its weight as silver bullion, and America would thus have opened her mints, as the greatest goose of the age, to be plucked at will. Our action on silver would have equal potency in India to that of the Pope's bull on the comet, and no more. The idea that the United States alone can by any legislative necromancy lift the value of $3,810,000,000 of silver throughout the world to a parity with gold would be a miracle too great to find acceptance until after the exit of the nineteenth century. While nearly all business men to be met with, having a real daily use for money, and no matter to what political party attached, understand and protest against unlimited silver coinage, how long would the great mass of our people, with whom business men are in constant touch, be likely to be contented with or humbugged by it? With free and unlimited coinage of both gold and silver, what owner of gold bullion would take it to a mint of the United States, when gold coin is worth no more than gold bullion, and receive back coins for circulation in the same truckle-bed with silver of 25 to 30 per cent less value? If any one went, he would go like the schoolboy, "whistling aloud to keep his courage up," and such visits would be few and far between.

Our European rivals in wealth and power are eager to clutch the large possessions of gold we have so long firmly held, and which they fondly hope we are by some queer suicidal blunder about to part from forever. The astute governments of Europe, with sound financial discretion, tolerate silver, and a good deal of silver, but only as subsidiary coinage; and while they may admit that American enterprise has accomplished many Herculean tasks they have no faith in our annual output of sixty or eighty millions of paper money on a basis of silver, and still less faith that America alone can by unlimited free coinage increase either the value or the stability of silver, but, if attempted, they are persuaded that Brother Jonathan will have put on the poisoned shirt of Nessus, and they look upon the impending closure of our career in Herculean enterprises with sublime complacency.

It appears to me that unlimited coinage of silver by the United States alone is pregnant with the exile of gold and dire financial calamities. As the experience of all the leading nations has demonstrated, gold is the most potential monetary instrumentality yet discovered by man. In a memorable speech of the

senior Senator from Nevada [Mr. JONES] in 1874, its merits were eloquently set forth as follows:

So exact a measure is it of human effort that when it is exclusively used as money it teaches the very habit of honesty. It neither deals in nor tolerates false pretenses. It can not lie. It keeps its promises to rich and poor alike.

Let me add that without gold to uphold such money as we now have in circulation, American industries, commerce, and character would all be sure to suffer a sad decadence, and the Republic itself would drop from the elevated rank it now holds among nations.

The silver measure of the last Congress, as it appears to me, was a very broad and possibly a very extravagant concession to the great corporations owning American silver mines, and too nearly approaching the dangerous line of doing too much. Experience may show some conservative modifications to be imperative. And yet some of the silver advocates are not satisfied, and insist upon something even more extravagant than the original act. The silver corporations, decorated and to be decorated with numerous foreign stockholders, hunger for still larger gains. One-half sheer profit in the production of silver only whets the appetite for more. They want the Government to give them free coinage, which will be about 33½ per cent above the market value of silver bullion, and also to bear the cost of coinage and the responsibility of all further depreciation of silver, by hoarding it until at the last syllable of recorded time it shall "melt with fervent heat."

But if their supreme demand of free and unlimited coinage were to be granted, they would not be persuaded to accept silver certificates or silver dollars in payment for silver, even after the Government shall have been subjected to the expense of its coinage. The dollar, as they think, will be good enough for other people but not good enough to pay for silver bullion. They, like some doctors who have a panacea for all the ills of humanity, will not take their own medicine, but will refuse the dollar with which they urge the Government to flood the country. They insist upon having something better. The Government will be required to hold forever not only the dead weight now stored in the overladen vaults of the Treasury, but also the future daily additions thereto from all sources, foreign and domestic. We are to take it not because the Government wants it, but because nobody wants it.

The Gresham law that the cheaper will drive out the dearer wherever there is any attempt to make one standard out of two metals is one the "eternal verities," and illustrates the homely truth of the old adage that "if two ride a horse one must ride behind." This has been often illustrated in our own history of gold and silver.

Not one of the mints of Europe is now open to the free coinage of silver, but silver is kept as subsidiary circulation in large amounts, as we have kept it, at par with gold, although the ratio of value has fallen from 15½ to 22 of silver to 1 of gold.

India, with its 250,000,000 of population, so woefully imposed upon and bled by the depreciation and instability of silver, has begun already to threaten through its learned Hindoo newspapers to wholly demonetize it. Some of these British subjects do not feel happy in being indirectly plundered by the silver standard, even by their imperial mother-in-law. India is more likely in the coming century to seek for more gold than is Great Britain to seek for much more silver. The continuance of a measureless demand for silver in India can no longer be confidently relied upon.

The fluctuations of the value of silver, inherent and characteristic, come down to us by continuous report from ancient ages. It has always been unstable. By the law of Menes, king of Egypt, the value of gold was fixed at 2½ times that of silver. In the time of Solomon silver was so abundant as to be accounted as nothing, and in Ecbatana the tiles on the roofs of temples were said to be of solid silver. In the fifth century the ratio of gold was 6 to 8 times that of silver. In Greece it was, according to Plato, 10 to 1. During the middle ages and down to the sixteenth century the ratio was from 10 to 13 to 1, but was most often 10 to 1. The discovery of the silver mines in the new world brought down silver to the ratio of 16 to 1. Since 1873 the product of silver has doubled, and the actual ratio of silver is now only 22 to 1 of gold.

During and after our silver legislation of 1890 the price of silver went up from 43⅞*d.* per ounce in March to 54⅛*d.* per ounce in August. On a silver standard it would have cost 23 per cent more to have paid a debt in August than in March. A few alert speculators who purchased silver bullion prior to this legislation and sold early thereafter may have made it a paying business. The price is now down again to 43⅞*d.* per ounce. For the immense increase of the product the world finds little use at the former valuation. Only at a lower rate can it be utilized.

While all of its revenues are raised in silver, India is annually required to pay or spend in England $75,000,000 in gold, a sum which costs India, in its silver revenue, $112,500,000.

We are often told how England buys wheat and cotton in India and pays for it with silver rupees at 48 cents which cost in England only 33 cents, being an advantage of 15 cents on each rupee over the wheat and cotton growers of India, resulting from their standard of silver. Is it not clear that with the primacy of a silver currency America would be as much handicapped as India, and that American wheat, tobacco, cotton, or anything else here might then be bought with the same advantage of cheap silver that Great Britain now finds so prosperous in India? No farmers will want to receive for their cotton or tobacco, wheat or corn, cattle or horses, payment in dollars not as good as any other dollar. If there is one class more interested in a sound currency than any other it is that of the farmer, whose prosperity depends upon what he gets for his annual crops; and good farmers always have more to sell than to buy. Even the class that works the shortest hours for a day's work will not want to be paid in a short dollar.

The brazen-faced political untruth, limping with decrepitude, is still put forth, though refuted for the hundredth time, that somebody was grievously wronged in 1873, when the silver dollar was discontinued from our coinage, but it will not be forgotten that no debt-payer could then have been wronged, as all debts might then have been paid in gold at 3 per cent less than in silver, and for six years after 1873 all debts were payable in legal-tender United States notes, though at a large discount below the standard of gold, and after resumption in 1879 they might have been paid in silver, paper, or gold, the latter only being required by law until 1878 for customs. It is true that no one, even among silver producers, anticipated in 1873 that within ten years silver would become so abundant as to radically change its relative value. Since that date we have often coined more silver dollars in six months than were coined in the whole previous existence of the Government mints, and they are a legal tender, but nobody seems willing to take them unless the Government stands ready to gloss or exchange them for something more desirable. They are flatly uncurrent on the Rialto.

When silver separates from and ceases to be supported by gold, as it long has been supported, and drops to its intrinsic value only, all of our American productions which need protection will suddenly find the tariff out of joint and its efficiency undermined by the privilege offered to importers of foreign merchandise to pay duties in cheap silver. They could buy bullion, have it coined free, and tender it for all customs dues. This would be tantamount to a horizontal reduction of all rates of duty, and whatever the difference may be between the standards of gold and silver, to the extent of that difference, whether 25 or 50 per cent, there will arise an absolute and wholly illegitimate reduction of the tariff on foreign imports. With the present wages of labor it would close up every mine (silver excepted) and factory in our country.

The condition of the United States Government, however, would be the reverse of that of the importers, and call for more money instead of less in nearly every branch of its expenditures. New resources of revenue would have to be exploited, and, if cheap money should be found to annually expand Government expenditures to the extent of one hundred millions, Poor Richard might say we had paid too dear for the silver whistle.

Inflation with a depreciating currency is no remedy for any lack of money, as it requires a progressive increase for a like amount of business, or a new perpetual inflation to cure the old.

Our whole superstructure of credits would be dislocated. No parties would loan money at lawful rates of interest if threatened with a large loss in the principal by an ultimate payment in a lower standard of money. Special conditions would be required in all loans, as well as in all sales of real estate or of merchandise, specifying whether payments were to be made in the standard of gold or of silver. Foreign trade would buy with gold and sell for silver, and be subject to the charge and unceasing vacillation of exchange, and all exchange would be tributary to London. Home enterprises, especially of our new States, yet only in the gristle, would be stricken with paralysis. There would be an era of suspended animation in all business before the new régime of silver would be understood, computed, and adjusted. Railroads, to cover running expenses, would be compelled to increase freight and passenger rates. Rentals would be promptly advanced. Salaries of judges, civil officers, and legislators, State and national, would often be found inadequate and demand immediate relief. Workingmen could not fail to discover the cheapness of the silver dollar, and strikes for better wages or better pay would become contagious. Farmers would calculate not only the value of wheat, but also the value of the money offered for it.

The exportation of over seventy millions of gold in the six months ending with July last is admonitory of what may happen

in larger measure whenever the conviction becomes rooted that gold is to be superseded and that silver is to have the primacy in the money standard of the United States.

Formerly a considerable amount of silver was annually exported, the excess of exports over imports being for the last fifteen years over $144,000,000, but now, with a largely increased product, exports have greatly diminished, and the Government under free coinage would be in a worse plight than it is in now when only bound to run in debt annually for, and to hoard and keep out of all markets, 54,000,000 ounces of silver. The result of free coinage must be an annual decrease of the aggregate amount of our exports, and any deficiency of exports must be supplied by gold.

There are also more or less millions of American stocks and securities generally held abroad, though far less at this time than formerly, and any war panic or monetary pressure abroad or any distrust of the American standard of money and credit can not fail to send such stocks and securities home to our markets by the swiftest "greyhounds of the ocean" to be sold for whatever they may fetch.

The sixty to seventy-five thousand of our American travelers abroad probably require annually about seventy-five millions of gold for traveling expenses, and other disbursements, especially those for the usual bric-a-brac to be brought home. This is a large and sorry drain which finds some, but rather diluted, compensation in the reciprocity of foreign travelers in the United States, and it may be added that of the half million immigrants annually arriving not all are paupers, lepers, or anarchists, but some portion of them doubtless bring with them funds amounting in the aggregate to several millions of gold. The balance against our country may be moderately estimated, however, at not less than fifty millions.

About two-thirds of our foreign carrying trade is done under foreign flags, and the cost of the freight to be paid out of American funds is supposed to exceed $100,000,000. This, too, is a serious drain upon our resources, but it may not cease until some other industries on land shall be comparatively less remunerative, and certainly not until ocean mail service shall be treated with equal favor to that on land.

The nations formerly belonging to the Latin Union, together with Germany and Great Britain, after the advent of free coinage, could no longer be asked by us to unite in an international compact to resist the further decline in the value of silver, but would find their interests perhaps better subserved by the gold standard. Free silver coinage by the United States means not only the absorption of the world's surplus of silver, but the relinquishment of our stock of six hundred and seventy millions of gold, as well as our annual product, which would at once find a European welcome and relieve several nations there of a financial dilemma.

With free coinage of silver once established there can be no hope of future escape from it. There will be no road left open for retreat. Whatever the degradation of our condition may be we shall have no allies volunteering to lift us out of the Serbonian bog. The Government could not afford to reform its millions of silver currency by redemption or by its replacement with anything better. Nor would it be just to our people, after all debts were based upon a depreciated standard, to compel payment in a higher standard. The descent is easy, but to return, that is work.

Should we at any time find the silver standard disastrous, and an insupportable impediment to the prosperity of the great American Republic, what could be done with our vast stock on hand of silver? If we did not want it, who would take it? Not having been able to bull the market, we might doubtless succeed better as the great bear in the market, and by unloading, even some modest part of our ponderous burden, make a big break in all silver markets. Were any great exigency to arise in our national affairs that should compel us to throw even a tenth part of our millions of dollars of silver upon the cloyed markets of the world, the price would go down "from morn till noon and from noon till dewy eve," when, instead of the ratio of 16 to 1 of gold, it might drop to no more than its mining cost, or show a relative value of only 35 to 1 of gold.

Legislators may draw wisdom from the past and show some prescience of the future, but must not be unmindful of the existing condition of affairs. Measures that once might have been helpful, by changed conditions may now be very harmful. Years ago we had a large preponderance in the product of gold and little or no silver. To-day there is a large preponderance of silver, and beyond our annual product of about thirty-three millions of gold we have no available resources to compete with our unlimited production of silver. Until 1878 our law provided that all duties on foreign imports must be paid in gold, and that source annually yielded a most useful and important supply; but all that ceased as a legal requirement with the legislation of 1878, and silver became as much a legal tender as gold. Whenever silver obtains the supremacy any balance of foreign trade against us would go out in gold; but when in our favor it would come in silver. No one but a chronic dreamer can believe that it would be possible, with resources so slender and crippled, to maintain our silver coinage on a parity with gold. On the lower standard of silver all the exportable surplus of our staple crops would of course be paid for in silver, and therefore the balance of foreign trade would not often be in our favor.

I have attempted to demonstrate, first: That the depreciation of silver is both so great and universal that unlimited coinage could not be maintained on the present standard with gold, but would suddenly wreck the country by a silver revolution.

Second. That unlimited coinage would interdict all international silver compacts.

Third. That there is no scarcity of money in circulation, but instead the amount is twice as great as it was in 1878, and is increasing on a canter.

Fourth. That a silver standard would be equivalent to a horizontal reduction of the tariff of 25 per cent, if not more, and an equal reduction of all pensions.

Fifth. That the enormous increase of silver to the extent of four times the product of 1854, coincident with a greatly lessened demand for it, has so depreciated its value that unlimited coinage by the United States must prove a disastrous national blunder.

Sixth. That there is no magic in any law of Congress which can make the world accept an ounce of silver as worth any more in coin than in bullion.

Seventh. That the parties to first profit by free coinage would be the corporate owners of silver mines only, and the parties to finally suffer the largest losses by it would be the great mass of our people, into whose hands the depreciated coin and Treasury notes would finally pass.

The public credit of our great Republic is at stake. Shall we have the best money standard of the foremost nations of mankind, or shall we descend to the flickering and narrow gauge of silver only for the conduct of a greater home and foreign trade than that of any other people, ancient or modern? We have paid off more than three-fourths of our great war debt in gold when our resources were far less than now, and I am unwilling to forfeit our well-earned reputation and lose public confidence and all the ancestral prestige of our history by paying the sorry remnant of this debt in a legal tender of much less value.

Mr. TELLER. Mr. President, I do not rise to enter into any general discussion of the silver question. I propose for a few moments to call the attention of the Senate to the charge which is made by the Senator from Vermont and also by the President in his annual message, that the act of July 14, 1890, is the work of the bimetallists in Congress.

I want to say that the act of 1890, for which I voted (or, at least, if I did not vote actually I was paired so that my vote counted), was not the product of the silver people, but, on the other hand, it was brought to us from a committee that has been known for many years to be deadly hostile to bimetallism, practically at least. I know the Senator who has just taken his seat says that he is a bimetallist, and the President says in his message that he is, and yet they are bimetallists of the character who are always satisfied with being bimetallists in words and never in acts, and they proceed as far as resolutions but never to deeds.

I do not intend to quarrel with the act of 1890, but I do intend to show in a moment that it is not a silver act. It was a money act, and, as such, it received in this body the approval of sixteen Senators who had voted for free coinage. It received the condemnation of twenty-five men in this Chamber who had voted for free coinage. The President in his message, speaking of the silver question, says:

> Before the influence of the prospective silver legislation was felt in the market silver was worth in New York about $0.955 per ounce. The ablest advocates of free coinage in the last Congress were most confident in their predictions that the purchases by the Government required by the law would at once bring the price of silver to $1.2929 per ounce.

Mr. President, I was a careful listener and observer of everything that took place during that extended debate. I have, with as much care as possible, gone over the records of that debate. I challenge the Executive, I challenge anybody who makes that assertion, to find that more than one Senator in this body who was in favor of free coinage ever intimated that the act of 1890 would bring silver to par. On the other hand, more than twenty men in this Chamber asserted that it would not bring silver to par. I assert that not more than one man said it would, and I have not been able to find in the record that anybody said it would. I know the Senator from Nevada [Mr. JONES], who is not now present, was somewhat enthusiastic as to the result of the bill and he did on various occasions say that it would undoubtedly increase the price of silver, as we all hoped and as we all believed it would, and as it did.

When the Senator from Nevada on one occasion had spoken in

enthusiastic terms of the advantage of the bill, I took occasion to say that I did not agree with him and that no legislation could bring silver to par save that which gave it full recognition as the equal of gold as a money metal. In a few words that I submitted to the Senate thirty minutes before the vote was taken on the bill I declared that it would not bring silver to par, and I declared then, as I had declared several days before, that it was not a silver bill and was not acceptable to the silver people. I think I used the term (I speak now from recollection) that the measure was illogical and indefensible from any standpoint except the one that it would give to the people of the United States more money. As a silver measure it had but little value. It is true that we had in the debate talked about bringing silver and gold to a parity, but that was always when we were advocating free coinage, just as in 1878 in this Chamber repeated declarations were made that free coinage would bring silver and gold to a parity. It has been asserted here repeatedly that we said then that the Bland-Allison bill would bring silver and gold to a parity. It is not true. Our assertion was that free coinage would do it and free coinage alone.

Mr. President, this body, by a vote of 42 to 35, passed a free-coinage act. That bill went to the other House, for it was a substitute, I believe, for a House bill, and eventually the bill got into a conference committee. The bill that was reported back by the conferees and that is now on the statute books was the result of that compromise. When that bill passed there were yeas 39, nays 26. Of the 39 men who voted for the bill 26 were pronounced advocates of monometallism, if not in fact in practice; 26 of them were those whom we have always classed as gold people and not as silver men; and 13 were those who had voted for free coinage in this body. In the other body the great mass of men who had voted for free coinage voted against the bill. Of the 100 votes against the bill not more than 15 had ever been opposed to free coinage. The rest of them had been pronounced in their votes, when an opportunity occurred, in favor of free and unlimited coinage. Not more than 15 men who voted for the bill had ever voted for free coinage in that House, or if they had ever done so they had not during that Congress.

So, Mr. President, it will not do to say that it is a silver bill, and if it has defects and dangers it will not do to say that it is legislation that we put on the statute book. If disaster comes, as it will, I have no doubt, if this policy is persisted in, let it be laid at the door of the men who have for fifteen years steadily resisted what I believe to be a very general public demand for the use of silver on equal terms with gold.

I do not say that to-day in all parts of the Union there is a majority of men in favor of free coinage. I know some very good silver men, bimetallists from principle, who are afraid of free coinage. I have never hesitated to say that there might be an honest difference of opinion among silver men on that question, but it can not be gainsaid that if the vote were taken of the people of the United States on the question of the use of silver on an equality with gold, if it could be done properly and safely, there would be a very decided majority of the people of the United States in favor of that proposition.

Mr. DAWES, Mr. HAWLEY, and others. All of us.

Mr. TELLER. All of us, Senators say. We have had it in the power of this Government to make silver and gold equal in terms before the law if we had had in the executive department men who were in favor of bimetallism in fact.

The President of the United States further says:

> The prophecies of the antisilver men of disasters to result from the coinage of $2,000,000 per month were not wider of the mark.

I suppose that refers to the prophecies of my friend from Vermont, who has just addressed the Senate, when he declared in 1878 that if we passed the bill called the Bland-Allison bill, not free coinage, the United States securities could never be sold again except at a ruinous rate of interest. He is still prophesying as he was then.

Again, the President says in his message:

> The friends of free silver are not agreed, I think, as to the causes that brought their hopeful predictions to naught.

There have been no "hopeful predictions" as to the rise of silver to par under this bill by any silver man anywhere that I know of. I do not know but that the people who have been for many years contending against every method we have proposed that looked towards the putting of silver and gold at a parity prophesied, when they were anxious that we should accept this compromise measure, as they called it, that it would bring silver to par; but if they did, they were false prophets then as they have been always when they have prophesied on this question.

The President then deals with the question of the fall in the price of silver, and says that silver was higher when the bill passed than later. That is true. There had been an excitement in silver when we proposed free coinage. When it looked as if free coinage might be entered upon, silver went up. When we proposed something less than free coinage and put that in the statute, silver went down from the high position that it had taken. I do not forget that there was a time after the passage of the bill when silver went to $1.20 in New York, but it went there by the manipulations of Wall street and not by the action or as the result of the action of Congress. It was speculation that put the price of silver up. Proposed legislation first put it up, and then the speculators in Wall street took hold of it and put it higher. There was not a silver man in the country who did not know and did not predict that there would be a fall in the price of silver, and yet silver has kept during the last year and a half, since this bill was passed, at a price above that at which it was previous to the proposed legislation.

So it may be safely said that the legislation of 1890 did not decrease the price of silver, but, on the contrary, to some extent it increased the price. We hoped it would, but we did not expect it would, put silver to par.

Then the President follows with a statement that during the last financial year the exports of silver had fallen off and the imports had increased, so that there was actually an excess of the imports over exports of two and three-fourths million of dollars or thereabouts.

Mr. President, I have looked carefully over the methods by which this conclusion was arrived at, and I am bound to say that as a matter of statistical elocution I have no fault to find with it; but there is a discrepancy between the Statistical Bureau and the Director of the Mint, from whom the President takes his figures, of something over $8,000,000. The Director of the Mint takes all the imports of silver that come to this country in every form. Nearly nine millions of dollars of silver at its invoiced price came into the country, principally through our ports on the south, mainly from Mexico, a little from some of the other countries, and $250,000 from British America, and this comes in principally in lead ores. The Director of the Mint deducts the commercial value of the silver, which he finds to be $8,250,000 or thereabouts. The Statistical Bureau, on the contrary, put this in the monthly imports of ores and metals and do not include it in the imports of silver.

The only fault to be found with this method of treatment is that it goes to the country, first, that we had an excess of imports of silver of nearly $3,000,000, and then that we had an increase of the production over the year before of quite an alarming amount to the people who believe that the production of silver is a calamity, and that seems to be the prevalent opinion of a great many persons in this country. From what political economy they learn that the production of the precious metals has been a weakness to a nation I am at a loss to understand. In every work on political economy which it has been my fortune to read I have found it laid down that the nation richest in the production of the two precious metals was the strongest nation. Every nation under the sun, save this, has hailed the production of the precious metals within its borders as a boon from the Almighty. We are the first people who ever have quarreled with the Almighty for putting the richest mines of the world within our borders. We are the first people on the face of the earth who have depreciated their own production.

First, then, we are told that there is an excess of silver imports, and that that is a misfortune. Why, Mr. President, all political economists say that if you can draw to you the precious metals you are doing to your country a good, a benefit; but we say, "Do not let it come; keep it away."

Recently, within a year, a great political convention in one of the great States of the Union actually proposed to put a duty upon silver to keep it out of the country. It was not "protection run mad," as one newspaper said; it was stupidity crystallized.

Mr. PLATT. Where was that?

Mr. TELLER. Pennsylvania. If anything would cause a man to lose confidence in the stability of free government it would be that two hundred or three hundred men selected from a great State could have so little idea of the benefits that a State might derive from the use of a precious metal that they would try to keep it out. It is in keeping with the management of affairs by the executive department of this Government for fifteen years, and it marks as much intelligence there as it does in the other place—no more stupidity in the one place than in the other.

The President proceeds:

> The producers of silver are entitled to just consideration, but they should not forget that the Government is now buying and putting out of the market what is the equivalent of the entire product of our silver mines. This is more than they themselves thought of asking two years ago.

Why, Mr. President, we have never asked the Government to buy our silver; we have said that if you propose to use silver at all, if you make it a valuable money metal, you must make it equal to gold, and the two metals must go hand in hand, with their relation fixed by law or established by custom. We have never advocated the passage of a bill in this Chamber or in the other upon the

ground of protection to our industries or to our products. We have asked for more than the buying of four millions or the buying of ten or twenty or one hundred millions of silver a month; we have asked for a full recognition of silver as a money metal; we have declared our purpose not to yield this question until it was recognized; that the only solution of it was the full and complete recognition of the metals upon some established parity fixed by law. No gratuity has been given to us.

The President has finally arrived at the conclusion that the business of the world requires the two metals. Sir, I have sat in this Chamber and heard again and again the declaration from the men who proclaimed themselves bimetallists that silver was unfit for money, that it must be banished from the precious metals, that there would be hereafter but one money metal, and that would be gold, save that silver might be used as a subsidiary coin exactly as copper is used to a limited degree. The President of the United States has got to be a bimetallist; the Secretary of the Treasury is a bimetallist. Sir, we have made some progress. The whole world has been considering this question for fifteen years, and the best and the brightest men all over the world have been taking hold of the question and discussing it, and writing upon it. I believe it has become the universal sentiment of the world to-day that we can not dispense with silver, but that we must use it on some terms. The question now is upon what terms and how we shall make the relation of the two metals: one to the other, fixed and determined.

There has been a variety of views upon this subject. I have said myself, and I believe, that free coinage in the United States would bring the whole world to the use of silver, as it was prior to 1871. On that point I may be mistaken. I do not claime any infallibility to myself. I will admit that a free-coinage bill might not result as we believe, but we believe that it is the natural and logical method of arriving at what is now said by all to be the desirable point.

What, on the other hand, have those who are opposed to free coinage offered us? A few years ago they said to us, "do not buy any silver, let it go to 50 cents an ounce, and when it is down to 50 cents an ounce the whole world will see that silver ought to be rehabilitated, and then when that is done we will join in bringing it back to par." That has been what they have offered us, and that has been the only thing they have offered us. We have ever, as we had a right, doubted their honest desire that silver and gold should be used on equal terms. We knew the agencies at work. We knew that there was an interest strong and potent that makes itself felt everywhere. From the lowest among the people to the highest place within the gift of the people it makes itself felt. It does not want the use of silver on any terms except that it may be on the same terms that you use copper. So we have doubted it.

Mr. President, we have now another proposition, and it comes from the Executive of the United States. They have abandoned the idea that silver can be allowed to go to 50 cents an ounce or 25 cents, and now we have another proposition. What is it? That we shall accumulate all the gold of the world in this country and thus we shall make the money centers of Europe short, and the money centers of Europe will then say "Now that you have all the gold, which you intend to keep, we will join with you in using silver." Coming as it does from the Executive of the nation, I am bound to speak of it with respect, whatever I may think or whatever I may feel.

Let us see for a moment how we are to accumulate the gold of Europe. How much gold have you to get before all Europe will be calling for silver? You will not have to get very much, I admit, but how are you going to get it? When you have abundance of crops, when you have prosperity in this country, as we did have in the early part of the last year, if your gold goes abroad at the rate of a million dollars a day how are you going to keep it? Being a debtor nation, owing to Europe more than $2,000,000,000—more than $5,000,000,000 says the Senator from Nevada [Mr. STEWART], more than $2,000,000,000 certainly, to be conservative—how are you going to get the gold? How are we to call upon Europe to unlock her coffers and send her gold to us? I wait for some friend of this new method to tell us how we are to get it. I am in favor of getting it. I should like to see it come in at the rate of a million a day. I should like to see $500,000,000 or $1,000,000,000 of gold pour into this country, and I should not object to see an equal amount of silver coming here if it were exchanged for American products. Oh, Mr. President, that is but another makeshift, and that is another method by which we are to be delayed in marching up to the inevitable time when by law we are to put these two metals together, or else we are to abandon absolutely the use of silver except as a subsidiary coin.

From the first day of February to the last day of July of last year, 1891, $73,507,330 more of gold went to Europe than came to us from all parts of the world—more than one-tenth of the whole product of gold leaving us within four months, and in three months almost $60,000,000 went away. If we could inaugurate some system of that kind, perhaps we might accumulate the gold of Europe and finally thus squeeze the gold people of Europe into recognizing the value of silver. How are we to do it? They had our first-class gilt-edged securities. They sent them over here and they sent them at such figures that the men who held the gold in this country wanted them. They said "Let us have these securities; we prefer to have them to gold." Every dollar of that seventy-three and a half million dollars of gold went out of this country at a premium.

We are told that we shall drive gold to a premium. I have repeated frequently that it is at a premium now. Every dollar of it, says the Treasurer, went out at a premium. Gold bars to-day are at a premium in London, or at least they were a few days ago. They brought more money in the market than they would bring if put in the mint—more money than the Bank of England would pay for them if they were put in the bank. Gold is at a premium now, and when the President shall have adopted a system by which he will bring it into this country he will bring it here at a premium that will ruin this country.

I will admit that you might sell some securities; I will admit that the Government could issue some bonds payable in gold at a big interest, and that we could accumulate gold. Does anybody want to do it? Does anybody believe that would be wise financiering? Is there any statesman who would propose that now, for the purpose of hoarding gold, so as to compel Europe to agree with us in an international conference?

Mr. President, I have no doubt that this is a great scheme, and I have no doubt there is a great deal more in it than I can see. I am only speaking from my standpoint, and I shall expect when the advocates of the single standard or the special champions of this system take the floor that they will tell us how this is to be done. I shall be an interested listener when that takes place.

The President of the United States says further that there is danger by our insisting upon the use of silver that we shall bring this country to a silver basis. There never has been a moment in my life that I have not been a bimetallist, at least since I have understood the question. I should regret very much to see this country brought to a silver basis, just as I should regret to see it brought to a gold basis, simply because the two metals together are indispensable to the prosperity of any nation.

I know Great Britain is a gold country, and I know that she has been, to some extent, prosperous; but the prosperity of Great Britain is not to be compared with the prosperity of France. It is not to be compared with the prosperity of this country where, if we have not given full recognition to silver, at least we are using more than $500,000,000 of it to-day as money. It was Lord Beaconsfield who said in 1873, when discussing the question at Glasgow at a dinner, that some people think the prosperity of Great Britain is the result of the monetary system, the use of gold. He said that is not it; the use of gold is the result of our prosperity; when a nation gets to having great transactions then it wants gold, and not until then. So Great Britain has been somewhat prosperous with gold. She would be more prosperous with silver and gold than she has been with gold alone.

There has not been an entire unanimity among the statesmen of Great Britain on this subject. Some of the leading financiers of that country are to-day the most pronounced advocates in the world of bimetallism. A number of ex-presidents of the Bank of England have pronounced in favor of bimetallism. Public sentiment in Great Britain is not quite as potent as it is here, and yet there is an intelligent sentiment in that country in favor of bimetallism applied to Great Britain. Recently, within the last three months, all the textile-fabric associations of Great Britain met in a convention, and I hold in my hand, taken from an English paper, the resolution that they passed, which was accepted and adopted by the unanimous vote of all the associations of that country who are engaged in the manufacture of textile fabrics of all kinds. I will put it in my remarks without reading it. In that they declare in favor of bimetallism as applied to Great Britain. Public sentiment is slow to act in Great Britain, and the Government of Great Britain is slow, like ours, to listen to the voice of the people, but ultimately they hear it, both in England and in this country, and ultimately they will hear that they are not for free coinage simply, but for bimetallism upon an established basis that will be enduring and unchanging as it was before the hostile legislation of 1871 and 1873. I will have the manifesto to which I referred put in at this point.

A MANIFESTO IN FAVOR OF BIMETALLISM.

The following important manifesto was issued last night by the United Textile-Factory Workers' Association, representing the entire textile trades of Great Britain: "The council of these associations has for a considerable period given much attention to the effect upon the prominent interests of the textile industries of Great Britain of the demonetization of silver and the consequent absence of a part of exchange between gold and silver moneys. The conclusion they have come to, which is much strengthened by the events of the last year, is that the prosperity of the trade is much affected by this question, and having in view the interests of the operatives and others employed in

textile industries, whom they represent and whose well-being the association has specially to safeguard, a clear duty is imposed upon them, which they can not and must not avoid. That duty is to impress, by every legitimate means in their power, upon those who have or seek any parliamentary influence, the imperative necessity of insisting that Government and Parliament should at once grapple with the evil of our present monetary system, and take such immediate steps as shall insure the position of silver as standard money throughout the British Empire, and between this and other nations. Whatever other questions of importance may be before the country the urgent need of this reform demands that it shall be promptly dealt with, and it is impressed upon this council that they should without loss of time inform you that circumstances connected with the trade, and with the well-being of those employed in it, render it imperative that the whole forces—political and moral—of the industrial classes of this country should be exercised to promote it to a successful conclusion."

The above manifesto is signed by the representatives of every association in the trade throughout the country.—*Clipping from Galignani's Messenger*, December 1, 1891.

The President says that he has endeavored to keep himself advised as to the feeling in Europe on the question of an international arrangement. For fear I may misquote him I will read his exact language:

I have endeavored by the use of official and unofficial agencies to keep a close observation of the state of public sentiment in Europe upon this question, and have not found it to be such as to justify me in proposing an international conference. There is, however, I am sure, a growing sentiment in Europe in favor of a larger use of silver, and I know of no more effectual way of promoting this sentiment than by accumulating gold here.

As to the accumulation of gold, I have said all that I care to say. Is there such a sentiment in Great Britain, in Germany, in Austria, in Russia, in France as would justify the Government of the United States in taking active steps towards an international arrangement? In the first place, the advocates of the gold standard or the opponents of silver have always insisted that we could do nothing without an international arrangement. On that point we have differed; yet all the silver men of the country have been ready and anxious that there should be an international arrangement. We knew that with an international arrangement which opened practically the mints of the world to silver there could be no longer any question of a divergence between silver and gold. We knew that when the great commercial nations of the world kept their mints open for silver it went as high as 10 per cent above gold. Silver is the favorite money metal of three-fourths of the world. It is used in preference to gold, and more than half of the nations of the earth can not dispense with its use.

What would India with its 250,000,000 people do without a silver currency? What would Russia with its 100,000,000 or more people do without a silver currency? What would any nation that is not rich and composed exclusively of capitalists do without silver? The four hundred and odd million silver dollars that are in circulation in this country do more than ten times the business that is done by the $700,000,000 of gold. Who uses the gold? The capitalists and the capitalists only. It is the thing with which you store values and with which a limited amount of business may be done, yet the great mass of business that is done over the counter and in the shop and in the mill is done by the men who hand out a dollar at a time and not one hundred or one thousand dollars. So silver all over the world is doing money duty to-day, and last year, in spite of all the opprborium thrown on it, $134,000,000 were coined in the world for the use of the people of the world. Give it advent to the mints and you will hear no more of cheap money or dear money, and there will be no more demagogues parading the land saying that the silver question is a question of cheap money.

The man who asserts that this is a question of cheap money or of dear money is either too ignorant to discuss it or too dishonest. It is not a question of cheap money. What we say is, put the two metals together, tie them together by law so that they shall be equal one with the other at the ratio that you have established, maintained for generations and ages, first by the commercial consent, for the last five hundred years by law, maintained without difficulty. And yet we are told that because we propose that 412½ grains of silver shall be equal everywhere, either as bullion or as coin, with 25.8 grains of gold, we are for cheap money. I repeat that I have no words to express my contempt for those who treat this subject from that standpoint, which is neither honest nor wise.

Could we have made an international arrangement? Great Britain has appointed a commission to discuss this question, to consider and report on it, since the last international conference. France has created a commission; Italy has created a commission; Belgium has created a commission; the whole world is dealing with this question, and we, the people who have more wealth than any other nation on the face of the earth, producing nearly one-half of the silver of the world either from our mines or from our smelters, stand back and say "the time has not come; we will wait till Russia shall ask us, we will wait till Italy with its poverty shall ask us to come and take part in an international conference." Who ought to move in it any quicker than we? Who ought to move in it with more potency and with more power? Sixty-five million people, backed by a wealth unknown in any other country, would have power in an international conference.

But the President says he has taken pains to find out. So did his predecessor. Two gold men were sent abroad to find out whether we could make an international arrangement—two men who neither understood the question that they were sent out to consider nor had any desire to complete such an arrangement; and recently the President sends a banker from New York to Berlin. I suppose if the honest truth were told that that is a delightful way to give somebody a trip to Europe and the Government pay the expense. Certainly all the benefit to be derived will be by the individual who thus at our expense travels abroad to consider this question. Had the President chosen to select a prominent silver man, I could name twenty out of public life who could have gone there and who could have made a report that would have been of value on this question. You will get none from bankers, you will get none from the gold monometallists, and it is useless to say that because Mr. So-and-So has been to Europe and come back and said there was no opportunity for an international arrangement, therefore we should remain silent.

When the bill of 1890 was before the Senate I gave as one reason why I intended to vote for it, that I thought within a year there would be an international arrangement, and I believed it would be made. I had supposed then that this Administration was friendly to an effort of that kind. The Senator from Vermont says he does not think that this Administration will let that come to pass, The Administration has declared that it does not intend to do anything until there is a change in Europe. Hostility has existed in the executive department of the Government, not only in this Admistration, but in the preceding one, against even such an attempt, and none has been made since 1881.

Mr. President, I did not rise to discuss the silver question. That I shall discuss more at length some other time. I rose to enter my protest against the declaration of the Executive and the Senator from Vermont that we were responsible for the legislation of 1890, an act which I said, standing in my place here, "I vote for with extreme reluctance. I vote for it because it gives to the people of the United States more than $50,000,000 of currency a year. I vote for it because I believe it will revive drooping industries and stimulate business, and bring hope and courage to the people of the United States." I did not vote for it because it was a silver bill, for it was not. Not only did that bill contain a provision for the purchase of 4,500,000 ounces of silver per month, but it contained also a provision that unlocked $62,000,000 from the Treasury which was there held away from the people, with no use on the part of the Government or anybody else; and in four months and a half under that bill we increased the circulation, first, by $62,000,000 locked up in the Treasury, and we purchased $28,000,000 worth of silver. Thus in the neighborhood of $90,000,000, less the retirement of some national-bank notes, was the money of the country increased, and part of it, almost $62,000,000, went out immediately.

We have been told over and over again by the friends of monometallism and the opponents of silver that this is inflation; that we must not put out too much money. There was a net output of money in this country between the 1st day of July, 1890, and the 1st day of January, 1891, of almost $100,000,000, and no disaster came; but, on the contrary, the industries of the country were stimulated, hope revived, and courage was taken by the people.

The question comes back, what are you to do with the act of 1890? A distinguished politician in another place—I think he is not here yet—has announced that this act should be repealed. Mr. President, this act will not be repealed. There is no considerable number of public men in this country who dare repeal it. What will you give in the place of the purchase of the four and a half million ounces of silver? You may repeal that provision if you can give to the people as much money by some other method, and you can only do it by free coinage or by an unlimited issue of money at the option of the Government, or else the act will never be repealed. I say, therefore, it is here to stay, and it is here to stay fraught with the dangers that attend it, and I will admit they are great.

My friends on the other side of the Chamber did not vote for the passage of that bill. Twenty-five of them were silver men and voted with me for free coinage. They were not quite willing to take what they thought was the risk. I took the risk, which I was not then insensible of, and am not now. There are now $539,000,000 of silver in this country practically in use as money. Every year you add to the sum 54,000,000 ounces of silver, and in ten years you will have one thousand millions of silver in your coffers. It will not make much difference, as the Senator from Vermont indicates, about the care of it. You can dig a hole in the ground and drop it in and it will be safe from robbers and thieves and rust and decay. That is not the question. You can put almost all the silver of the world inside of a chamber like

this if it is put in a solid body. That is not the danger. You have an increasing amount of silver year after year till you have now more than $500,000,000, and if the purchase at the present rate continues will soon have $1,500,000,000, and by and by the time may come, I will admit, when with such a mass of silver, unrecognized as money, a commodity only, there will be danger that we shall be on a silver basis. If we ever come to a silver basis, which I do not think we shall, we shall come to it through the act of July, 1890, and not through free coinage.

Free coinage lifts up the silver metal and makes it the equal of gold. The act of 1890 keeps it a commodity, degrades it, and holds it in subjection to gold. By and by, Mr. President, the people of the United States will say, "We have a great interest in this large amount of our money in the Treasury; it is ours; every ounce of it was bought with our sweat and our blood." Every ounce of it has come out of the people; it has come out of their hard earnings; it is theirs, and they will not let you ever depreciate it. You can not sell it for less than $1.29 an ounce. Then what? You will have an unusual, an undue amount of silver, and then you may come to a silver basis. If you do, I repeat again, you will come to it by the act of 1890. I knew the danger when I voted for the bill, but I did not believe that that would be comparable to the gold basis. I had rather see this country on a silver basis to-day than on a gold basis. If we are to have but one basis I am for silver, not because silver is produced in my State, but because it better meets the wants of the people of this country, as it does the wants of the human race.

I repeat that every American statesman ought to direct his attention to seeing how the two metals may be brought together, and tie them there indissolubly, so that they shall never go apart. That, Mr. President, you can not do by putting silver down to 50 cents an ounce, and you can not do it by accumulating gold from Europe. You must do it either by taking a heroic step and passing a free coinage bill with the hope that that will bring the world to us, or else you must have an international arrangement. No effort has been made by any gold man in the United States in favor of an international arrangement. There is not a gold man here who has ever lifted his voice in favor of an international arrangement, unless it was to postpone action in this body and elsewhere. When Congress had adjourned you heard no more about an international arrangement.

Mr. President, the way to make your silver in the Treasury, whether it be five hundred millions or a thousand millions, equal to gold, is to adopt some measure by which the whole people will credit it as they credit gold. The day that silver was demonetized in Germany, silver was at a premium in London. It had been year in and year out. It was sought after more than gold. You can make it so now when you open your mints.

The Senator from Vermont says that demand is what makes value. Grant it, Mr. President, what is the demand of silver? An open mint. Open the doors of your mints and you have practically put into money every ounce of bullion in the world. It need not come here to be coined, nor it need not go anywhere else to be coined. It is, for all practical purposes, money in its state of bullion as well as it is in coin.

Why is it that gold everywhere is of the same value? Because the demand for it is the open mint of every nation in the world. There is no nation that closes its doors to gold. They may not make it legal tender, but they are ready to take it. There are nations which use silver only as a legal tender, but gold is not despised and degraded. Open the mints of the world to silver, by international arrangement if you wish, and I say that is the best way to do it if it can be done, and I believe it can, and you will hear no more about cheap silver. Silver will be worth, as it was for years, the French price, one dollar and thirty-three cents and a fraction.

Mr. President, we have gone through the most remarkable condition—and I am not going to speak at length upon this—that has ever been seen in the world. We have had seventeen years, or fifteen years, at least, of general depression. We have had occasional revivals of business, but gradually the price of productions has sunk lower and lower; the value of farms has been going down steadily, and that has been done for a decade and a half. A universal condition must have a universal cause. Depression in England might mean one thing, but depressions all over the world must mean that it has been produced by the same causes. Lower and lower have things gone down until now the depreciation has struck the securities of the world. A few years ago the men who had money went cheerfully into municipal bonds, State bonds, and national bonds, because they were supposed to be above the laws of trade that govern the price of ordinary commodities. So bonds were issued and went abroad. A financial paper of Great Britain, reiterated by our own financial paper in New York, has declared that within two years the loss upon State and national bonds alone—not municipal bonds—has been $800,000,000. Five hundred million dollars of that has been in Europe, including the small part of Asia called Egypt—$800,000,000!

Mr. President, we have received a good price for wheat and corn, and I was going to say cotton, but no, we can not eat cotton. We have received a good price for the necessaries of life. Why? Because a great portion of the world has been cursed with famine. Twenty millions of men, we are told, in Russia alone are in dire distress and want bread. Crops have failed everywhere abroad, and the magnificent crops that we have made this year and are exporting are bringing back to us riches, not gold entirely, although some of that is coming. We sent out in six months not less than 125,000,000 bushels of wheat; our exports were in one month $45,000,000 more than the imports, and yet gold is not coming to this country to any great extent. We have not yet recovered that which went out in the single month of May. Cotton, to which my attention is called by a remark of the Senator behind me [Mr. STEWART], can not be eaten. Cotton is cheaper to-day than it has been in forty odd years. I am told by Senators who live in the cotton region that it is away below the price at which it possibly can be raised; that the farmers who raise cotton are, as was said of the farmers of Ireland, not raising cotton for profit, but for bare subsistence. Why is it that the price of cotton is low? I will admit that there is a great crop. I will admit that there is a crop of cotton greater than ever before, but an examination of the statistics of Europe will show that it is not simply that. While the crop has increased enormously, the use of it has fallen off very greatly. In a few months the shortage in the mills of Great Britain alone was nearly 50,000 bales.

We have encouraged the raising of cotton in Egypt; we have encouraged the raising of cotton in India. Why? We have sent our silver there and bought their cotton at rates that we could not have bought it if silver had been equal with gold; and there is now a great amount of cotton from all parts of the world coming into Great Britain, and what is worse, the whole world has got so poor that the exports of textile fabrics made of cotton are by the late statistics of Great Britain shown to be materially falling off. The world is too poor to buy even cotton, and so the mills do not use it. I saw recently in the London Economist, which I have on my table, a statement that there was no demand for cotton yarn anywhere any more to speak of; that the mills were running on short time. Why? Because the people can not afford to buy, and textile fabrics are to-day cheaper than they ever were in the history of manufactures. If we escape for the time this depression, we return to it when our crops are no better than usual, or when the crops abroad are as good as usual, when we have no extraordinary demand for our supplies. If we are wise we shall not be satisfied with the prosperity of the present hour, but we will look to what may come next year and the year after and the following year. We should do something to return to the condition that the world was in previous to 1871; and everywhere it is admitted that there has been a condition lamentable indeed ever since the destruction of silver as money. Beaconsfield, in his Glasgow speech in 1873, declared that such would be the result of the demonetization of silver, and then it had not been fully demonetized, for then it was still in use, and the mints of the Latin Union were still open.

Mr. President, before I stop—and I shall stop in a moment—I want to say one word about an international arrangement that I omitted. If we propose to make an international arrangement and only make it when we have the consent of Great Britain, we shall never make it. That is the demand which is made by those who oppose free coinage, that we shall have an international arrangement which shall take in the world. Mr. President, you will never get Great Britain to agree to any international arrangement, at least not now. Possibly in time, when the voice of the people shall have been thoroughly heard, they may do it, but not to-day. I do not believe to-day you can get Germany to change her financial system. Can we do it without Germany and Great Britain?

The Latin Union, containing only 10,000,000 more people than there are in the United States, maintained for a series of years without difficulty the proper relation established by France between gold and silver. If the Latin Union, with its limited population and its lack of money—for while our population is not equal to that of the Latin Union our wealth is vastly superior—could do it we may reasonably believe that if we have the Latin Union, the United States, Russia, Austria, Belgium, and other countries, which there is every indication we can secure, we may maintain the parity without any difficulty. Is it not worth while to try it? Is it not a better scheme than the hoarding of European gold? Is it not more easily accomplished, and when it is done will it not be final and complete?

Mr. President, I could not hear all that the Senator from Vermont said, but I suppose his speech contained the usual prophecies of evil that we have had in the President's message and in

other places if we proceed to insist upon the free coinage of silver. We are told that no nation now opens its mint to the free coinage of silver. That is the lamentable fact which stares us in the face. We have tried that as one nation and have failed. We have not here the power to compel any other to do it. The authorities that could try it here have signally failed. Nay, more; I am bound to say that I do not think they want it done.

What is our duty? We can not force the executive department to attempt to settle this question by an international conference, for if we do they would put upon it such men as Mr. Cleveland sent abroad and such a man as the present Executive sent abroad on this question. Mr. President, there will be no international arrangement made until some people go from this country who desire the accomplishment of that purpose. When that shall have been done I believe an international arrangement may be made and that every day we wait we are losing ground. We ought to have taken action when we passed the act of 1890. We ought to have taken active steps then for an international arrangement. It is said now that Austria-Hungary is going to a gold basis. Austria-Hungary is trying to resume specie payments. She is trying to do what she has not been able to do in forty years, pay her paper in metal. She accumulated last year $16,000,000 of gold, and it is said she has accumulated this year $60,000,000 of gold. She will require to have $100,000,000 in gold before she can resume specie payment, and then she may not be able to maintain it. Russia last April took $26,000,000 of the world's gold. There is not gold enough to do the world's business, says everybody. I need not enter into that discussion. I need not attempt now what I have done heretofore when that was disputed and contradicted, to show that there was not gold enough to do the business. That is admitted. That admission is an advance which we have made. We have routed our enemies at least from that ground, and now they admit there is not gold enough, and it is a simple question, how shall we proceed? Nothing more is left. The era of debate has passed. What shall be the method by which we shall accomplish that which we all say is a desirable end? I admit, again, that on that there may be a difference of opinion. I will admit that we who believe that the free coinage of silver will bring that more speedily than anything else may be mistaken, but I insist that it is incumbent upon those who now profess to be in favor of bimetallism, who are not in favor of free coinage, to tell us what will take the place of free coinage, what will do it, and do it with greater safety than free coinage. When they present some project to us of that character they will find the original silver men ready to meet them on fair ground, and then and not till then shall we believe that they are sincere in their devotion to bimetallism.

Mr. DOLPH. Mr. President, I do not rise for the purpose of taking part in the discussion of this question at this time. I desire simply to ask the Secretary to read an extract from a speech made by the junior Senator from Nevada [Mr. STEWART] in the Senate of the United States on the 13th day of June, 1890, which I think will be pertinent to one question discussed by the Senator from Colorado [Mr. TELLER].

The PRESIDING OFFICER (Mr. DAVIS in the chair). The extract will be read.

The Chief Clerk read as follows:

> Mr. STEWART. * * * I think if we could buy and coin $4,000,000 worth per month it would place silver so nearly upon a parity with gold upon the ratio of 16 to 1 that everybody would be willing to take the final step, that all would see there was no danger. I think four and a half million ounces a month would certainly put silver to par. That would take up the American product and pretty nearly all the ores that are worked in the United States. I think that is about the right figure. If we are going to restore silver, four and a half million ounces would be about equivalent to free coinage, and would take up all that is produced in this country.

Mr. STEWART. I had forgotten that I had expressed the opinion contained in the extract just read at the desk. I apologize to the President for saying that no opinions of that kind had been publicly expressed in debate. Of course the expression, "by about equivalent to free coinage," I meant about the same amount of silver would be absorbed, as the context will show. The context will also show that I was expressing regret that the Secretary of the Treasury had not purchased under the Bland act the full amount of $4,000,000 worth per month and given the world an object lesson of its effect upon the market. We were then discussing the act of 1890, and I was anxious for its passage. It was all that could be obtained.

In that very speech, and in every other, I claimed that free coinage was the ultimate end to be attained, the only final solution. I was not mistaken as to four million and a half ounces of silver per month absorbing the American product. It takes about all that is now produced and probably much more than will be produced a few years hence. Nor was I mistaken in the tendency of the bill to enhance the price of silver. Its average market price since the passage of that bill has been about ten cents an ounce. I was anxious for the experiment to be tried as to how the increased purchases would effect the price of silver. I am somewhat disappointed at the result.

Previous to 1890 all the silver which was produced was annually consumed, and if conditions had remained the same, the doubling of the purchase of the United States would naturally have advanced the price of silver to par. But conditions changed. The gold combination united to depress the price of silver. It is done through the use of council bills. About two and a half millions per week are required to pay Indian obligations in London, such as interest on the public debt and other public and private obligations. The Bank of England sells these bills, which are orders for silver and payable only in India. They are bought by persons desiring to make remittances to India to pay for wheat, cotton, jute, and other commodities. When more of them are sold than is required, the price of council bills goes down, and with the price of such bills the price of silver declines, because the bills are orders for silver.

By this mode the Bank of England is enabled to sell silver "short" without being required to fill their "shorts." This power has been liberally used during the past year. Besides, poor crops in India has made it impossible for that country to purchase its usual amount of silver. The falling off of Indian purchases of silver has been nearly equal to the increased purchases in the United States. Still the price of silver has never fallen so low as it was previous to the agitation of the silver question in 1890, and the tendency is upwards.

Nearly all the accumulation of silver bullion in New York has been exhausted, and the market will soon be relieved from that dead weight. But the act of 1890 has demonstrated that the price of silver can not be maintained on a parity with gold until silver is recognized as money equally with gold. It was the mint price of silver previous to 1873 that determined its market price; it is the mint price of gold that now determines the price of that metal. Nothing but free coinage will restore silver to par. This is now demonstrated, and it makes no difference what I or anyone else thought or said. We have now had an object lesson which we ought to have had years ago if the Secretary of the Treasury had bought the maximum under the Bland act.

We have had the object lesson for which I contended in my speech, an extract of which has been read. The middlemen who buy cheap silver in the United States, coin it, and sell it at par in Asia for Asiatic products and make an enormous profit, in combination with the bondholders of Europe, have shown their power to depress the price of silver while it remains a commodity. They are enjoying a similar harvest to that enjoyed by the merchants of San Francisco during the war when they bought goods in New York for greenbacks and sold them for gold on the Pacific coast and made enormous profits. We want no more object lessons. Nothing but free coinage will answer the purpose.

While I am on my feet, I should like to call the attention of those who are to debate this question to the real issue. I have never met a gold man who would discuss the issue. The issue is, have we gold enough for use as money, and if we have not what are we going to do about it?

There are two kinds of circulating medium: one is credit-money and the other is money requiring no redemption. Eighteen years ago, according to the estimates of statisticians, there was in the world about $7,500,000,000 of gold and silver coin, which, in the language of the royal commission, was one month. Upon it rested the credit of the circulation of the world. To-day, according to the estimates of the Director of the Mint, there is less than $3,750,000,000 of that kind of money.

The Senator from Vermont and all gold men say that silver must be discarded as real money; that it shall be used only as subsidiary coin; that it shall depend upon redemption in gold to give it circulating power. If so, it is no better than paper. It is credit money. Now, the reduction of the world's money one-half, that is, the reduction of the money of the world by one-half, in eighteen years, has brought calamity everywhere, has reduced prices everywhere, and it is not going to stop. There has been no material increase in the gold coin of the world since silver was demonetized. It is all absorbed for nonmonetary purposes.

It is used much more largely than formerly for ornaments; it is used in dentistry; it is used in photography; it is used in ornamentation; it is hoarded in Asia, whence it never comes, because their exports exceed their imports, and the fact is that our stock of gold here is not increasing, but must diminish in the future, and the Secretary of the Treasury and others say there is not gold enough in use as money. Now, how will you increase it? You can not increase it with paper because that has to be redeemed; you can not increase it with silver for that has to be redeemed also, if your standard is based upon this narrow foundation of gold alone. I have not heard a gold man who would meet the question and say how he was going to supplement the gold of the world, how he was to increase it; he simply makes war on silver, talks against that, but proposes no remedy.

There must be a remedy for this shrinking basis of circulation. The distinction between the circulation and the basis of circulation is wide. You can have circulation; you can have credit. I suppose that with the $3,727,000,000 of money used for reserve is based a credit and credit circulation of from $125,000,000,000 to $150,000,000,000. There is not of real money 3 per cent of the credit in the world. The failure of the Barings has disclosed the fact that the world is bankrupt on a gold basis. The proposition now is to accumulate gold. Austria is going to try it and bankrupt herself. We will try it, and we shall be bankrupt.

It is said that we will hoard gold here. What will that do for your cotton-planter? If you take the gold away from Europe, where your market is, by selling bonds here and paying large interest and accumulating it, gold will become scarcer there, and they can not buy your products, and cotton will be cheaper and cheaper, and all your products will be cheaper. What we want is a proper basis, and there is no way to have it except to recognize silver as real money.

Why are 25.8 grains of standard gold always worth $1? Because it can be exchanged at the mint for $1. Why were 412½ grains of standard silver always worth a dollar during the whole history of the country and for all time previous to 1873. Because it could be exchanged at the mint for $1. The only way to put silver on a parity with gold is to give it the same privileges. If it is treated as a commodity it will be speculated in as a commodity and can not be a measure of value.

I want some gold advocate to show that there is gold enough. I believe they have all admitted that there is not. Then I want to have him show out of what material we can make any real money, money that does not have to be redeemed, money that is not a promise to pay, without the use of silver as money. There is no relief from this but in the use of silver. No one has suggested it. The buying of silver and treating it as a commodity does not do it. There can be no increase in the volume of money, but it must shrink continually without the free coinage of silver, for if that metal is not to be used and you adhere to gold there is no prospect in the world but continued contraction. I make the statement that there is not a farm in England or in the United States where it has not been affected by immigration that will sell for 50 cents on the dollar for what it would have brought eighteen years ago, and that corresponds precisely with the shrinkage of the volume.

There is only half as much real money of ultimate redemption as there was eighteen years ago. You circulate paper and you circulate silver, but when you come to your reserves, in which all credits must be ultimately paid, you have only half as much as you had eighteen years ago, and that is the trouble. How are you going to increase those reserves? One nation may make sacrifices and buy gold and impoverish its people; another nation will do the same; but the people suffer.

Since the failure of the Barings it has been the business of every great financial institution to increase its reserves at all hazards and reduce its credits; and that is why the national and state bonds of the world have shrunk $800,000,000. It is because the moneyed institutions must have gold at all hazards; they must sacrifice everything; they must sacrifice their securities and have gold or go into bankruptcy; and thousands of them must fail, for there is no gold to give them all reserves; and business must shrink under the withering grasp of contraction, which is inevitable.

No gold man has ever suggested a remedy. No gold man has ever suggested how we can enlarge the basis of credit, the basis of circulation. In private conversation every one admits that we are on the downward grade toward bankruptcy; that prices are shrinking everywhere and enterprises are being crushed and destroyed. Bonds that are out are now down. We thought the bonds would be paid, but now States and nations are afraid of bankruptcy. They see that it is impossible for them to deliver.

Suppose the United States with all its power should undertake to deliver a thousand buffaloes; could it do it? You talk about its credit; but could it do it? No, because they do not exist; and if the United States should undertake to deliver more gold than it can get or than exists, more than it can obtain, then its credit is good for nothing, an utter impossibility is undertaken. It is impossible to find gold enough to sustain all the financial institutions that now exist to maintain the vast fabric of credit that has been built up on this narrow foundation. There is not enough gold. The supply must be increased or bankruptcy must follow.

Because there was this year a famine in the Old World and bountiful crops here we must not be deceived. We were deceived in many respects about it. We found imported products cheaper than they ever were before. We did not know the cause. The people of the Old World were forced to sell their commodities for what they could get in order to buy something to eat. Consequently they have made a terrible sacrifice during the current year. We have not realized the suffering of those who have bought our wheat and our corn, what sacrifices they have made to pay for them. They were unable to send us gold, and they sent us their commodities at a greatly depreciated value; but they are unable to take our cotton as formerly, because they have nothing to pay for it. Their people can not take it because they are unable to buy enough to clothe them. So business is shrinking to correspond with the shrinking volume of currency.

We hear the gold men talk, but none of them have the courage or the manliness, after they have admitted that there is not gold enough, to suggest any means of relief; and when there is not gold enough the President has suggested to us to get what there is and destroy the others. That is the proposition. If you take the gold away from Europe, where our wheat and cotton are sold, the price of wheat and cotton must go down, and it is going down in consequence of the shrinkage of the volume of currency.

The effect upon us is shown by the cotton; it will be shown next year by the wheat crops at home. If there had been good crops of wheat and other grain in Europe your wheat in this country this year would not have sold for enough to pay the cost of production. It was only the famine that has inflicted untold misery upon millions of starving Europeans that has given us temporary relief this year. But the time is coming for us when the crops will be good there, and we must continue to take less and less for our own crops with this shrinking volume as a basis of our circulation.

Eighteen years ago it took $7,500,000,000 of real money to measure the credit and property of the world. How does it happen that now $3,750,000,000 is enough? How can it be sustained with half that amount? Does not that account for dull times? I say that if the gold men were honest and if they were sincere, having admitted that there is not gold enough, they would suggest some plan, or being unable to suggest any they would recur to the plan that has worked so well through all the ages and use both metals as money, and have a wider base. If they can suggest no plan, and they admit we are going now in the wrong direction and worse times are coming, consequently if they have no plan they should take ours. If you gold advocates have a plan, suggest it, and let us examine it, but do not talk about the drug of silver, the piling up of silver.

The question is, shall the business of the world be contracted to a gold basis? We are not there yet; there has got to be a great deal of shrinking to get there. We have been shrinking credit rapidly since it was found out on account of the failure of the Barings. The question is, will you continue that process with not gold enough, or will you suggest a remedy? I hope that the next Senator who discusses this question will frankly take one or the other horn of the dilemma, and either maintain that there is gold enough and show it, or if there is not gold enough, tell us what he will do about it; how we are to increase the money of ultimate redemption that does not have to be redeemed. You can put out more promises to pay, and get out paper or silver, if silver has got to be redeemed, no matter what shape it is in; but the day of final reckoning will come and you must be prepared for a crash, such a crash as the world has never seen.

If it had not been for the Bank of France the calamity would have come last year. She loaned $15,000,000 to the Bank of England to tide it over. It is but tiding over now, each struggling to get reserves so that they may be saved; but the time will come when it can not be tided over. Something will happen somewhere making a demand for gold that can not be supplied, with $125,000,000,000 of indebtedness and only $3,750,000,000 of money with which to pay it. It all rests on that. We are in constant danger. The slightest movement of gold affects the price of property everywhere. We see in every banking house, the first thing in the morning, in every broker's shop, every indication of the movement of gold. They are afraid that the foundation of their business will be taken away. They realize that it rests upon gold, and that there is not gold enough; that somebody has got to suffer. Why shall we make the world suffer? Why shall we act against Europe? It is for our interest that there shall be gold in Europe, and plenty of it, because there is where we sell our commodities.

We do not want gold dear there; we want it so that we can buy it. You can not buy gold with your wheat and corn without making a tremendous sacrifice, and every year that sacrifice will be greater and greater. Do not be deceived about the actual facts, the crops this year and famine on the other side. That state of affairs will not be perpetual. We are bound to suffer, and we are beginning to suffer, and there is no help unless we have more real money for ultimate redemption.

That is the issue. It does not make any difference what I thought or anybody else thought, the proposition is before us; let us discuss it hereafter like men. If you are in favor of continued contraction stick to gold. If you intend to enlarge the basis or

foundation of credit instead of diminishing it tell us how you will do it. We say return to the money of the Constitution, return to the money that has been in use from prehistoric times, return to silver, a better money than gold. Silver is used by 1,200,000,000 people in some form as a legal-tender money or as a subsidiary coin. Gold is not used by the masses of the people and never was.

If gold had been demonetized by the commercial nations as silver was it would have fallen more than silver, because nobody would use it then. The commercial nations could not quite destroy silver, because it is the money of the people; but there are comparatively few people in the world who ever saw gold. It is not in general circulation anywhere; and if it had been demonetized by the commercial nations it would not have been money at all; and with one hundred years of supply on hand for other purposes, nobody using it as money, the entire money demand being destroyed, it would have fallen 75 per cent by this time as compared with silver.

If any man can mention a better way to increase the basis of circulation and relieve the suffering masses who are laboring under contraction and to revive business and let this generation prosper, than in returning to the money of the Constitution and the money that has been used from prehistoric times, let him state it. If he can not, do not let him criticise our plan. Bring forward your plan. But is your plan so cruel, is your plan so grasping, is your plan so wicked, that you dare not name it?

Do you want further to legislate to enhance the value of your property and depreciate the value of the property of everybody else? Is that the object? Is that the motive behind it? Do you want contraction? In other words, do you want gold alone because it will be dearer and worth more in your pocket than it would be if you had more money so that all people could get some? If that is your object, state your selfish purpose squarely and do not beat about the bush. There are but two sides of this question, either to have more money or to continue to suffer all the baneful effects of contraction and hard times.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE GAMBLE.

The PRESIDING OFFICER laid before the Senate the following resolutions from the House of Representatives; which were read:

JANUARY 5, 1892.

Resolved, That the House has heard with profound sorrow of the death of Hon. John R. Gamble, late a Representative from the State of South Dakota.

Resolved, That the Clerk be directed to communicate a copy of these resolutions to the Senate.

Resolved, That as a mark of respect to his memory the House do now adjourn.

Mr. PETTIGREW. Mr. President, I offer the resolutions which I send to the desk.

The resolutions were read, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. John R. Gamble, late a Representative from the State of South Dakota.

Resolved, That as a mark of respect to his memory the Senate do now adjourn.

The PRESIDING OFFICER. The question is on agreeing to the resolutions.

The resolutions were agreed to unanimously; and (at 4 o'clock and 17 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 7, 1892, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 6, 1892.

SUPERVISING SURGEON-GENERAL, MARINE HOSPITAL SERVICE.

Walter Wyman, of Missouri, to be Supervising Surgeon-General of the Marine Hospital Service of the United States, to succeed John B. Hamilton, resigned. Mr. Wyman is now serving under a temporary commission issued during the recess of the Senate.

SURGEON, MARINE HOSPITAL SERVICE.

John B. Hamilton, of Illinois, to be surgeon in the Marine Hospital Service of the United States, to fill an original vacancy. Mr. Hamilton is now serving under a temporary commission as surgeon issued during the recess of the Senate.

COLLECTOR OF CUSTOMS.

Arthur Carter, of Maryland, to be collector of customs for the district of Annapolis, in the State of Maryland, in place of John H. Thomas, to be removed.

POSTMASTER.

Duncan A. McBeath, to be postmaster at Snohomish, in the county of Snohomish and State of Washington, in the place of James G. Swafford, deceased. Francis O. Coe, who was confirmed by the Senate December 22, 1891, having declined the appointment.

ASSISTANT SURGEONS IN THE NAVY.

Joseph Alfred Guthrie, a resident of Virginia; Charles Moore De Valin, a resident of the District of Columbia, and Henry La Motte, a resident of New York, to be assistant surgeons in the Navy, to fill vacancies in that grade.

PROMOTIONS IN THE ARMY.

Cavalry arm.

Capt. William B. Kennedy, Tenth Cavalry, to be major, January 1, 1892, vice Kauffman, Fourth Cavalry, retired from active service.

First Lieut. Charles G. Ayres, Tenth Cavalry, to be captain, January 1, 1892, vice Kennedy, Tenth Cavalry, promoted.

Second Lieut. Willard A. Holbrook, First Cavalry, to be first lieutenant, January 1, 1892, vice Ayres, Tenth Cavalry, promoted.

Infantry arm.

Maj. Henry C. Cook, Thirteenth Infantry, to be lieutenant-colonel, January 2, 1892, vice Mears, Fourth Infantry, deceased.

Capt. Aaron S. Daggett, Second Infantry, to be major, January 2, 1892, vice Cook, Thirteenth Infantry, promoted.

First Lieut. John Kinzie, Second Infantry, to be captain, January 2, 1892, vice Daggett, Second Infantry, promoted.

Second Lieut. William M. Wright, Second Infantry, to be first lieutenant, January 2, 1892, vice Kinzie, Second Infantry, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 17, 1891.

PROMOTIONS IN THE NAVY.

Commodore John Irwin, to be a rear-admiral in the Navy.

Capt. Oscar F. Stanton, to be a commodore in the Navy.

Commander Louis Kempff, to be a captain in the Navy.

Lieut. Commander Willard H. Brownson, to be a commander in the Navy.

Lieut. Richardson Clover, to be a lieutenant-commander in the Navy.

Lieut. (junior grade) Charles F. Pond, to be a lieutenant in the Navy.

Ensign John B. Blish, to be a lieutenant, junior grade, in the Navy.

Lieut. (junior grade) Waldemar D. Rose, to be a lieutenant in the Navy.

Ensign Charles C. Marsh, to be a lieutenant, junior grade.

Lieut. Walter McLean, junior grade, to be a lieutenant in the Navy.

Ensign Carl M. Jungen, to be a lieutenant, junior grade, in the Navy.

Lieut. Commander Henry E. Nichols, to be a commander in the Navy.

Lieut. Frederick M. Wise, to be a lieutenant-commander in the Navy.

Lieut. (junior grade) Lovell K. Reynolds, to be a lieutenant in the Navy.

Ensign William A. Gill, to be a lieutenant, junior grade, in the Navy.

Lieut. James M. Miller, to be a lieutenant-commander in the Navy.

Lieut. (junior grade) Washington I. Chambers, to be a lieutenant in the Navy.

Ensign Charles H. Harlow, to be a lieutenant, junior grade, in the Navy.

Lieut. John V. B. Bleeker, to be a lieutenant-commander in the Navy.

Lieut. (junior grade) James C. Gilmore, to be a lieutenant in the Navy.

Ensign Rennie P. Schwerin, to be a lieutenant, junior grade, in the Navy.

Ensign Thomas W. Ryan, to be a lieutenant, junior grade, in the Navy.

Lieut. Commander William W. Mead, to be a commander in the Navy.

Lieut. Andrew Dunlap, to be a lieutenant-commander in the Navy.

Lieut. (junior grade) Benjamin Tappan, to be a lieutenant in the Navy.

Ensign Charles S. Ripley, to be a lieutenant, junior grade, in the Navy.

Lieut. Charles A. Gove, junior grade, to be a lieutenant in the Navy.
Ensign Walter J. Sears, to be a lieutenant, junior grade, in the Navy.
Commander Francis J. Higginson, to be a captain in the Navy.
Lieut. Commander Edwin S. Houston, to be a commander in the Navy.
Lieut. Richard Rush to be a lieutenant-commander in the Navy.
Lieut. (junior grade) DeWitt Coffman, to be a lieutenant in the Navy.
Ensign John Gibson, to be a lieutenant, junior grade, in the Navy.
Commander George W. Sumner, to be a captain in the Navy.
Lieut. Commander Edwin Longnecker, to be a commander in the Navy.
Lieut. Edward H. Gheen, to be a lieutenant-commander in the Navy.
Lieut. (junior grade) William G. Hannum, to be a lieutenant in the Navy.
Ensign John A. Bell, to be a lieutenant, junior grade, in the Navy.
Commander Benjamin F. Day, to be a captain in the Navy.
Lieut. Commander George E. Ide, to be a commander in the Navy.
Lieut. Wells L. Field, to be a lieutenant-commander in the Navy.
Lieut. (junior grade) Richard Henderson, to be a lieutenant in the Navy.
Ensign John A. Dougherty, to be a lieutenant, junior grade, in the Navy.
Lieut. Harrison Gray Otis Colby, to be a lieutenant-commander in the Navy.
Lieut. (junior grade) Thomas D. Griffin, to be a lieutenant in the Navy.

Ensigns.

Arthur Bainbridge Hoff, a resident of the District of Columbia; Nathan C. Twining, a resident of Wisconsin; Benjamin F. Hutchinson, a resident of Missouri; Sumner E. Kittelle, a resident of North Carolina; William V. Pratt, a resident of Maine; George R. Marvell, a resident of Massachusetts; Thomas P. Magruder, a resident of Mississippi; William D. McDougall, a resident of New York; George P. Bradshaw, a resident of California; Lewis R. de Steigner, a resident of Ohio; William W. Phelps, a resident of Maryland; Louis A. Kaiser, a resident of West Virginia; William C. Cole, a resident of California; Charles A. Brand, a resident of Connecticut: Philip Williams, a resident of the District of Columbia; Warren J. Terhune, a resident of New Jersey; George G. Mitchell, a resident of Indiana; William K. Harrison, a resident of Texas, and George L. Fermier, a resident of Indiana.

Pay Corps.

Pay Inspector Edwin Stewart, to be a pay director in the Navy.
Paymaster George W. Beaman, to be a pay inspector in the Navy.
Passed Assistant Paymaster John C. Sullivan, to be a paymaster in the Navy.
Assistant Paymaster James H. Chapman, to be a passed assistant paymaster in the Navy.
Pay Inspector Ambrose J. Clark, to be a pay director in the Navy.
Paymaster Arthur Burtis, to be a pay inspector in the Navy.
Passed Assistant Paymaster James E. Cann, to be a paymaster in the Navy.
Pay Inspector George Cochran, to be a pay director in the Navy.
Paymaster Edwin Putnam, to be a pay inspector in the Navy.
Passed Assistant Paymaster Otis C. Tiffany, to be a paymaster in the Navy.
Assistant Paymaster John S. Carpenter, to be a passed assistant paymaster in the Navy.
Pay Inspector Joseph A. Smith, to be a pay director in the Navy.
Paymaster Worthington Goldsborough, to be a pay inspector in the Navy.
Passed Assistant Paymaster John N. Speel, to be a paymaster in the Navy.
Assistant Paymaster Livingstone Hunt, to be a passed assistant paymaster in the Navy.

Medical Corps.

Medical Inspector Henry M. Wells, to be a medical director in the Navy.
Surg. J. Rufus Tryon, to be a medical inspector in the Navy.
Passed Assistant Surg. Howard E. Ames, to be a surgeon in the Navy.
Passed Assistant Surg. L. B. Baldwin, to be a surgeon in the Navy.
Passed Assistant Surg. Ernest Norfleet, to be a surgeon in the Navy.
Surg. William H. Jones, to be a medical inspector in the Navy.
Passed Assistant Surg. Frank Anderson, to be a surgeon in the Navy.
Passed Assistant Surg. Phillips A. Lovering, to be a surgeon in the Navy.
Carl de Wolf Brownell, a resident of Rhode Island, to be an assistant surgeon in the Navy.
James Stoughton, a resident of New York, to be an assistant surgeon in the Navy.
Lewis Le Sassier Young, a resident of Louisiana, to be an assistant surgeon in the Navy.
Michael Royston Pigott, a resident of Massachusetts, to be an assistant surgeon in the Navy.
Frederick Gratton Brathwaite, a resident of Connecticut, to be an assistant surgeon in the Navy.
Robert Boyd, a resident of New York, to be an assistant surgeon in the Navy.
Lewis Morris, a resident of Maryland, to be an assistant surgeon in the Navy.
James Shirley Hope, a resident of Virginia, to be an assistant surgeon in the Navy.
Middleton Semmes Guest, a resident of the District of Columbia, to be an assistant surgeon in the Navy.

Engineer Corps.

Passed Assistant Engineer Jefferson Brown, to be a chief engineer in the Navy.
Passed Assistant Engineer John D. Ford, to be a chief engineer in the Navy.
Passed Assistant Engineer John L. Hannum, to be a chief engineer in the Navy.
Passed Assistant Engineer Albert C. Engard, to be a chief engineer in the Navy.
Assistant Engineer Joseph R. Wilmer, to be a passed assistant engineer in the Navy.
Assistant Engineer John L. Gow, to be a passed assistant engineer in the Navy.
Assistant Engineer George E. Burd, to be a passed assistant engineer in the Navy.
Assistant Engineer Walter M. McFarland, to be a passed assistant engineer in the Navy.
Naval Cadet Louis McC. Nulton, to be an assistant engineer in the Navy.
Naval Cadet John B. Patton, to be an assistant engineer in the Navy.
Naval Cadet George W. Danforth, to be an assistant engineer in the Navy.
Naval Cadet Cleland N. Offley, to be an assistant engineer in the Navy.
Naval Cadet Robert E. Carney, to be an assistant engineer in the Navy.

Executive nominations confirmed by the Senate January 6, 1892.

INTERSTATE COMMERCE COMMISSIONERS.

James W. McDill, of Iowa, to be an Interstate Commerce Commissioner.
William R. Morrison, of Illinois, to be an Interstate Commerce Commissioner.
William Lindsey, of Kentucky, to be an Interstate Commerce Commissioner.

CONSULS.

Walter E. Howard, of Fair Haven, Vt., to be consul of the United States at Cardiff.
Elias H. Cheney, of Lebanon, N. H., to be consul of the United States at Matanzas.
Edward P. T. Hammond, of Snow Hill, Md., to be consul of the United States at Buda-Pesth.
Charles Weare, of Cedar Rapids, Iowa, to be consul of the United States at Aix la Chapelle.
Radcliffe H. Ford, of Maine, to be consul of the United States at Leghorn.

FOURTH ASSISTANT POSTMASTER-GENERAL.

Estes G. Rathbone, of Ohio, to be Fourth Assistant Postmaster-General in the Post-Office Department.

POSTMASTERS.

Thomas M. Belknap, to be postmaster at Roselle, in the county of Union and State of New Jersey.
David S. Allen, to be postmaster at Dover, in the county of Morris and State of New Jersey.
John M. Jolley, to be postmaster at Daytona, in the county of Volusia and State of Florida.
Mrs. Martha Brown, to be postmaster at Fort Valley, in the county of Houston and State of Georgia.

Jennie M. Van Arsdale, to be postmaster at Arlington, in the county of Hudson and State of New Jersey.

John T. Rosell, to be postmaster at Freehold, in the county of Monmouth and State of New Jersey.

Mitchell G. Hall, to be postmaster at Cordele, in the county of Dooly and State of Georgia.

Henry D. Attwood, to be postmaster at Brunswick, in the county of Glynn and State of Georgia.

Miss Ella M. Henry, to be postmaster at Elberton, in the county of Elbert and State of Georgia.

Ellen L. Bailhache, to be postmaster at Martinez, in the county of Contra Costa and State of California.

Robert Carson, to be postmaster at New Brunswick, in the county of Middlesex and State of New Jersey.

Pickens B. Hall, to be postmaster at Waynesboro, in the county of Burke and State of Georgia.

Josiah Freeman, to be postmaster at Nantucket, in the county of Nantucket and State of Massachusetts.

John J. Wheeler, to be postmaster at Crown Point, in the county of Lake and State of Indiana.

Henry V. Van Dusen, to be postmaster at Los Angeles, in the county of Los Angeles and State of California.

Joseph M. Hollywood, to be postmaster at Brockton, in the county of Plymouth and State of Massachusetts.

Joseph L. Noyes, to be postmaster at Georgetown, in the county of Essex and State of Massachusetts.

Mrs. Eunice J. Eastman, to be postmaster at Potsdam, in the county of St. Lawrence and State of New York.

Orville C. Robinson, to be postmaster at Fort Edward, in the county of Washington and State of New York.

John F. Jenkins, to be postmaster at Sing Sing, in the county of Westchester and State of New York.

Edgar Hoyt, to be postmaster at Katonah, in the county of Westchester and State of New York.

Joseph A. Sneed, to be postmaster at Newburg, in the county of Orange and State of New York.

George H. Scott, to be postmaster at Coxsackie, in the county of Greene and State of New York.

Orange Sackett, to be postmaster at Avon, in the county of Livingston and State of New York.

Newton M. Wardwell, to be postmaster at Adams, in the county of Jefferson and State of New York.

Asa C. Cary, to be postmaster at Fort Fairfield, in the county of Aroostook and State of Maine.

Daniel A. Curtis, to be postmaster at Machias, in the county of Washington and State of Maine.

Peter W. Carpenter, to be postmaster at Ypsilanti, in the county of Washtenaw and State of Michigan.

John S. Heald, to be postmaster at Hartford, in the county of Van Buren and State of Michigan.

Kirke W. Noyes, to be postmaster at Paw Paw, in the county of Van Buren and State of Michigan.

Homer B. Bryson, to be postmaster at Carlisle, in the county of Nicholas and State of Kentucky.

Samuel T. Howard, to be postmaster at Le Roy, in the county of Genesee and State of New York.

James A. Webster, to be postmaster at Warsaw, in the county of Wyoming and State of New York.

John E. Shields, to be postmaster at Alderson, in the county of Monroe and State of West Virginia.

Samuel B. McLanachan, to be postmaster at Elizabethtown, in the county of Lancaster and State of Pennsylvania.

Simkin B. Welch, to be postmaster at Montpelier, in the county of Williams and State of Ohio.

George H. Tyler, to be postmaster at Chillicothe, in the county of Ross and State of Ohio.

Daniel R. Shriver, to be postmaster at Manchester, in the county of Adams and State of Ohio.

Walter S. Reeve, to be postmaster at Moorestown, in the county of Burlington and State of New Jersey.

Arthur F. Elmendorf, to be postmaster at South Orange, in the county of Essex and State of New Jersey.

Ancil B. Mayhew, to be postmaster at Seymour, in the county of Baylor and State of Texas.

Hiram A. David, to be postmaster at Wolfe City, in the county of Hunt and State of Texas.

James Perry, to be postmaster at Postville, in the county of Alamakee and State of Iowa.

Samuel Sturgeon, to be postmaster at Garner, in the county of Hancock and State of Iowa.

George W. Jamison, to be postmaster at Oelwein, in the county of Fayette and State of Iowa.

William R. Morgan, to be postmaster at Hot Springs, in the county of Fall River and State of South Dakota.

Arthur W. Dampier, to be postmaster at Northfield, in the county of Rice and State of Minnesota.

John H. Sprout, to be postmaster at Blue Earth City, in the county of Faribault and State of Minnesota.

Frank Lewis, to be postmaster at Worthington, in the county of Nobles and State of Minnesota.

Henry Humphrey, to be postmaster at Lake Crystal, in the county of Blue Earth and State of Minnesota.

Myron D. Gibbs, to be postmaster at Tracy, in the county of Lyon and State of Minnesota.

Robert A. Etter, to be postmaster at Monroe, in the county of Green and State of Wisconsin.

George Sackett, to be postmaster at White Haven, in the county of Luzerne and State of Pennsylvania.

Benjamin F. Lantz, to be postmaster at Taylorsville, in the county of Christian and State of Illinois.

Walter Colyer, to be postmaster at Albion, in the county of Edwards and State of Illinois.

Lorenzo D. Carter, to be postmaster at Oakland, in the county of Coles and State of Illinois.

Seth S. Boynton, to be postmaster at Oroville, in the county of Butte and State of California.

Leonard S. Calkins, to be postmaster at Nevada City, in the county of Nevada and State of California.

Agnes Ross, to be postmaster at Ravenswood, in the county of Cook and State of Illinois.

William E. Brand, to be postmaster at Highland Park, in the county of Lake and State of Illinois.

John M. Boicourt, to be postmaster at Golconda, in the county of Pope and State of Illinois.

Thomas Blair, to be postmaster at Staunton, in the county of Macoupin and State of Illinois.

Samuel H. Kellogg, to be postmaster at Colchester, in the county of New London and State of Connecticut.

Charles H. Edwards, to be postmaster at Portland, in the county of Middlesex and State of Connecticut.

George H. Cooper, to be postmaster at Montowese, in the county of New Haven and State of Connecticut.

Duncan A. Macbeth, to be postmaster at Snohomish, in the county of Snohomish and State of Washington.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 6, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

Mr. BLANCHARD. I ask unanimous consent that the Clerk be directed to dispense with the reading of the titles of bills introduced on yesterday.

The SPEAKER *pro tempore*. Is there objection?

There was no objection, and it was so ordered.

The remainder of the Journal was then read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LAWSON, indefinitely, on account of sickness.

To Mr. TAYLOR of Tennessee, for ten days, on account of illness.

To Mr. WHEELER of Alabama, for two days, on account of important business.

To Mr. MCRAE, indefinitely, on account of sickness.

To Mr. BOATNER, for ten days, from and after to-morrow.

To Mr. TARSNEY (on motion of Mr. DE ARMOND), indefinitely, on account of illness.

THE ELEVENTH CENSUS.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of the Treasury, transmitting a communication from the Secretary of the Interior, asking immediate action upon the estimate for the appropriation for the Eleventh Census; which was referred to the Committee on Appropriations.

CHARITIES, DISTRICT OF COLUMBIA.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting the report of the superintendent of charities for the District of Columbia for the year ending June 30, 1891; which was referred to the Committee on Appropriations.

SUSQUEHANNA RIVER.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, the report of the examination and survey of the Susquehanna River above Havre de Grace, Md.; which was referred to the Committee on Rivers and Harbors.

FIFTH ANNUAL REPORT INTERSTATE COMMERCE COMMISSION.

The SPEAKER *pro tempore* also laid before the House a letter from the acting chairman of the Interstate Commerce Commission, transmitting the fifth annual report; which was referred to to the Committee on Interstate and Foreign Commerce.

THE LATE HON. PRESTON B. PLUMB.

The SPEAKER *pro tempore* also laid before the House the following:

IN THE SENATE OF THE UNITED STATES, *December 21, 1891.*

Resolved, That the sudden death of the Hon. Preston B. Plumb causes profound sorrow and deep regret to his associates in the Senate.

Resolved, That a committee of five Senators be appointed by the Vice-President to take order, with a committee of the House of Representatives, for superintending the funeral of the late Senator Plumb, and as a mark of respect for his memory that his body be removed from the capital to the State of Kansas in charge of the Sergeant-at-Arms, and attended by said committee, who shall have full power to carry this resolution into effect.

Resolved, That the Senate will, at 1 o'clock and 30 minutes p. m., to-day, attend in its Chamber the exercises incident to his funeral, and that these resolutions be communicated to the House of Representatives.

In pursuance of the foregoing resolution the Vice-President appointed as said committee Mr. PFEFFER, Mr. DOLPH, Mr. PADDOCK, Mr. RANSOM, and Mr. PALMER.

Attest:

ANSON G. MCCOOK, *Secretary.*

which was ordered to lie upon the table.

EXPORT TRADE IN CATTLE.

The SPEAKER *pro tempore* also laid before the House the joint resolution of the Senate (S. R. 10) in regard to the export trade in cattle; which was referred to the Committee on Foreign Affairs.

VACANCIES IN THE BOARD OF REGENTS, SMITHSONIAN INSTITUTION.

The SPEAKER *pro tempore* also laid before the House the joint resolution of the Senate (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution; which was referred to the Committee on the Library.

RELIEF FOR THE FAMINE-STRICKEN DISTRICTS IN RUSSIA.

The SPEAKER *pro tempore* also laid before the House the joint resolution of the Senate (S. R. 21) authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor of Russia.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Navy be, and he is hereby, authorized to employ any ship or vessel belonging to the Navy of the United States best adapted for such service, for the purpose of transporting to the inhabitants of those provinces of Russia now suffering from want of food, owing to the failure of crops, such contributions as may be made by citizens of the United States for their relief, and, if necessary, to charter and employ, under the authority of the United States, a suitable steamship or ships for the same purpose. Any sum of money which may be necessary to carry out the object of this resolution is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Passed the Senate January 5, 1892.

Mr. BLOUNT. Mr. Speaker, I desire to make a different request from that which I made yesterday to the House, with reference to this matter. I find some differences of opinion in relation to this resolution of the Senate, and that there is a desire to have it referred to a committee. It is easy to be seen that something must be done at an early day, if done at all. The Committee on Naval Affairs think, and I believe with a show of reason, that they have jurisdiction over the subject. Therefore I ask that it be referred to them, with the right to report at any time.

Mr. BOUTELLE. Why not take it up now and pass it?

Mr. KILGORE. I think the Committee on Appropriations have jurisdiction over this subject, and that it should go to that committee. If it requires unanimous consent to send it to the Committee on Naval Affairs, or to any other committee than the Committee on Appropriations, I shall object to it.

The SPEAKER *pro tempore*. The Chair will place before the House the request of the gentleman from Georgia [Mr. BLOUNT]. He asks unanimous consent for the reference of the resolution to the Committee on Naval Affairs, with the right to report at any time. Is there objection?

Mr. KILGORE. Mr. Speaker, I object.

Mr. BOUTELLE. I would like to inquire whether an objection will prevent the simple reference of the resolution to a committee under the existing status of affairs; and, if so, under what rule?

Mr. BLOUNT. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The Chair is of the opinion that a change from the ordinary proceeding under which resolutions have been so referred, which change would allow the right to report at any time, and which must carry with it the right to consider at any time, would be objectionable.

Mr. BOUTELLE. Under what rule?

The SPEAKER *pro tempore*. There has been no code of rules adopted for the government of the body up to this time, but in the absence of such code of rules the Chair would be inclined to hold that the settled practice of the House heretofore would properly be looked to for the government of the body, until rules are adopted, in determining what is the parliamentary law.

Mr. HENDERSON of Iowa. Common parliamentary law, I think.

Mr. BOUTELLE. I do not understand that it has been the practice of the House, in the absence of rules.

The SPEAKER *pro tempore*. The Chair will state that the resolution is before the House to take such action as it may desire.

Mr. MCCREARY. Mr. Speaker——

Mr. BOUTELLE. I hope it will be considered at this time.

Mr. MCCREARY. Mr. Speaker, has there been any reference of the Senate resolution as yet?

The SPEAKER *pro tempore*. There has not.

Mr. MCCREARY. Then, Mr. Speaker, I have a petition, sent to the Congress of the United States by Gen. Cassius M. Clay, a distinguished citizen, who represented the United States as minister to Russia for a number of years. As the petition is short, I ask that it be read.

The SPEAKER *pro tempore*. If there be no objection, the petition will be read in connection with the consideration of the resolution.

Mr. KILGORE. Mr. Speaker, I will not object to the reading of the petition, but I make the point that it is the duty of the Speaker to refer that joint resolution to the Committee on Appropriations, or any other appropriate committee, without any further order upon the part of the House, unless a motion be made to the contrary. I submit that to the Speaker.

The SPEAKER *pro tempore*. The Chair will state, in response to the point made by the gentleman from Texas, that in the absence of a code of rules governing the House the inclination of the Chair would be to submit the matter to the House; but in that disposition the Chair thinks that the first question in order would be its reference to a committee. That being voted down the House can proceed to its consideration.

Mr. BLOUNT. Then, Mr. Speaker, I hope the House sees the situation, and will vote down the motion for its reference, for if it should be referred to a committee without leave to report at any time this matter is smothered by a single objection.

Mr. KILGORE. I suppose we can trust the Committee on Appropriations.

The SPEAKER *pro tempore*. If there be no objection the petition forwarded to the desk by the gentleman from Kentucky will be read. The Chair hears no objection.

The petition was read, as follows:

RUSSIA—THE PETITION OF CASSIUS MARCELLUS CLAY.

To the President, the Senate, and House of Representatives of the United States of America:

Your petitioner, the undersigned, would respectfully represent that he is a native-born citizen of Kentucky and the Federal Union, exercising his constitutional right. He learns that a food famine exists in the Russian Empire, extending over vast areas of land and millions of peoples, which that Government, with all its great resources and humanity, may not be able to meet. That the Russian autocratic dynasty and people have from the earliest times been on the most friendly terms with this nation. Especially in our last war did they stand in moral support and avowed defense of the union of these States against all Europe and Great Britain, not that she loved the North more than the South (for she did not), but because she loved the nation more than both. That in the opinion of this petitioner, in spite of calumnies and sensational misrepresentations, Russia thus saved the life of the Republic. Moreover, that the Russian people are the most hospitable and humane on earth; that civilization and Christianity demand a common sympathy and aid from nations as well as individuals.

Therefore, the undersigned, having had large opportunities of knowing, asserting only what he believes, prays that this Government come promptly to Russia's aid by the donation of food and money.

1. Cornmeal, ground not too fine, made of white grain, having had plenty of sunshine, and kiln-dried to prevent souring, and then sacked, should be shipped by general order, at once.

2. This meal mixed with pure water, when milk can not be had, into a plastic mass, salted and baked well done on iron gridirons or smooth boards, is a wholesome and nutritious and palatable food. I eat it every day. This bread is in the vegetable world what eggs are in the animal economy, and our pioneers and the Indians made hunting and war excursions on it ("parched corn"), and did well without other food.

3. Southern cooks who are experts should be sent on to form schools to teach the Russians the art of making corn bread. Yellow corn—extreme northern corn—without sun, oil, or flavor, with condiments, and too finely ground, is the cause of distaste for corn bread.

4. Money should be donated, to be distributed under Russian control, for the purchase of seeds, as oats, spring wheat, etc., for next year's crop.

5. The Americans are now expending millions on the Columbian Exposition for 1893. This is well enough, but let this pride of display be cut short and the money be given to the starving men, women, and children of Russia. This would be more useful and glorious than anything that can be done at Chicago.

CASSIUS MARCELLUS CLAY.

WHITE HALL, MADISON COUNTY, KY., *December 16, 1891.*

Mr. BLOUNT. Mr. Speaker, I move that the House proceed to consider the Senate resolution.

The SPEAKER *pro tempore*. The gentleman from Georgia moves that the House proceed to the present consideration of the resolution.

Mr. KILGORE. I make the point of order that under the rule adopted yesterday it is the duty of the Speaker to refer the Senate resolution to the appropriate committee.

The SPEAKER *pro tempore*. The Chair has stated what course it would take.

Mr. HOLMAN. Mr. Speaker, I rise to a question of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. HOLMAN. I submit that the parliamentary law of this body requires the consideration of that measure in Committee of the Whole.

The SPEAKER *pro tempore*. The Chair will first state that till the consideration has been entered upon or pending consideration it is within the power of the House to refer the resolution. The Chair has already indicated that he would hold that a motion to refer would have precedence over a motion to consider; and the gentleman from Texas, if he desires to have a reference of the resolution, can accomplish that purpose by making a motion to refer, which the Chair has indicated has precedence over a motion to consider.

Mr. HOLMAN. But my point of order went one step further.

The SPEAKER *pro tempore*. While no code of rules has been adopted, the Chair thinks that the gentleman from Indiana is correct.

Mr. BLOUNT. Mr. Speaker, so far as I am concerned I have no objection to the House going into Committee of the Whole to consider it.

Mr. KILGORE. I make the motion, Mr. Speaker, as indicated by the Chair, that this joint resolution be referred to the Committee on Appropriations. That committee has the right to report at any time, and it is not required to give it that power.

Mr. BLOUNT. Mr. Speaker——

The SPEAKER *pro tempore*. The Chair will state the question. The gentleman from Texas moves that the resolution be referred to the Committee on Appropriations, with leave to report at any time.

Mr. KILGORE. No, sir; I did not ask that, for it has that power under the law.

The SPEAKER *pro tempore*. Very well; the Chair misunderstood the gentleman's statement. The gentleman from Texas moves that the resolution be referred to the Committee on Appropriations. The Chair thinks that is in order.

Mr. BUSHNELL. Mr. Speaker, I ask that the resolution be read.

The SPEAKER *pro tempore*. The House will suspend for a moment to receive a message from the President.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

RELIEF OF SUFFERING IN RUSSIA.

Mr. BLOUNT. Mr. Speaker, on the question of jurisdiction——

Mr. KILGORE. Mr. Speaker, I want to submit a question of order.

The SPEAKER *pro tempore*. The gentleman will state his point of order.

Mr. KILGORE. I understand that a motion to refer is not debatable.

The SPEAKER *pro tempore*. The Chair will state that until the previous question has been ordered debate may be had on this proposition.

Mr. KILGORE. Then I demand the previous question.

The SPEAKER *pro tempore*. But the gentleman from Georgia has the floor. [Laughter.] The Chair entertains the motion of the gentleman from Texas for reference, but will recognize the gentleman from Georgia.

Mr. BUSHNELL. I ask that the resolution be read, that it may be understood.

The SPEAKER *pro tempore*. The resolution has been read once, but if there be no objection it will be reported again.

The resolution was again reported.

Mr. BLOUNT. I wish first to call the attention of the House to the question raised here as to the jurisdiction of this resolution. It is urged that the Committee on Appropriations has jurisdiction of it, and that that committee has the right to report at any time upon any measure that may be referred to it. The Committee on Appropriations, as well as others—the Committee on Military Affairs, the Committee on Naval Affairs, and others having jurisdiction of appropriations—have their jurisdiction specifically assigned to them. The Committee on Appropriations has jurisdiction of "appropriations of the revenue for the support of the Government as herein provided, viz: for legislative, executive, and judicial expenses, for sundry civil expenses, for fortifications, for the District of Columbia, for pensions, and for all deficiencies."

Upon these matters the Committee on Appropriations have the right to report at any time, but beyond this they have no such power. It was intended to vest the Committee on Appropriations with this authority, because these matters relate to the machinery of the Government; but there never was and there never has been in that committee in and of itself, anything that should give to it a power not given to any other of the committees of this House. There was a reason for giving that committee that power, and the power may be exercised within the range of that reason; but beyond that the committee has no such right as is claimed for it here. Now, this pending proposition relates to a use of the Navy of the United States which can not properly take place except by the legislation of Congress.

The Secretary of the Navy has no power to use a Government vessel for any purpose that is not authorized by law. Therefore the question of this change of the law *pro tanto* is by the very rules of this House specifically referred to the Committee on Naval Affairs. The jurisdiction of that committee to make recommendations to the House in regard to the law governing the use of the Navy excludes, if the other point that I have discussed does not, the idea of the Committee on Appropriations having jurisdiction of this matter.

Now, sir, I had hoped that there would be no objection to the reference of this joint resolution. I delight in the conservative tendency of the rule and practice of this House which requires that important matters shall be considered by committees before the House undertakes to legislate in regard to them. But the character of this joint resolution is such that it appeals at once to the humanity of the entire country. It is a simple proposition. Liberal donations have been made by the American people for the relief of the starving people in Russia, and there is no proposition here to take money out of the Treasury for that purpose. It is simply proposed to lend certain vessels of the United States, or, if that can not well be done, to make an appropriation of $100,000 to procure vessels to transport these supplies to sufferers in Russia.

Deferring to a disposition existing in this House not to act hastily, I have sought to have this matter referred to some committee with the right to report it any time, because without that express authority the resolution may not be reported promptly, so that the consideration of it may be postponed for weeks or for months.

Now, what precedents have there been for this action? In 1847 the Congress of the United States provided ships for the conveyance of relief to the suffering Irish people. In 1880 the two Houses of Congress provided, just as this joint resolution does, for the chartering of ships by the Navy Department to transport supplies for the relief of the Irish people, with this difference, that in 1880, so eager was the American Congress to answer the call of humanity which came from distressed Ireland that the proposition was voted that there should be an indefinite appropriation, so that there should be no possible obstacle in the way of the consummation of the national wish.

Mr. KILGORE. I understand the gentleman from Georgia [Mr. BLOUNT] to quote two precedents in relation to Ireland. There are always demagogues enough in the country to pander to the Irish vote. I do not, therefore, ask the gentleman about that, but I ask him whether he can point to any provision of the Constitution which authorizes the making of this appropriation? That is the question.

Mr. BLOUNT. Mr. Speaker, when we have determined to consider this resolution the question of its constitutionality, which is now raised by the gentleman from Texas [Mr. KILGORE] will be in order, and it will be competent for this House, if it finds that it has not the power to pass this joint resolution, to vote it down. I am now inviting the attention of this body to the propriety of considering it now, rather than being put substantially in the attitude that we will not consider it at all.

Mr. DOCKERY. Will the gentleman allow me a question?

Mr. BLOUNT. Certainly.

Mr. DOCKERY. Mr. Speaker, I quite agree with the gentleman from Georgia [Mr. BLOUNT], that the Committee on Appropriations has no jurisdiction to report this resolution at any time unless that jurisdiction is given by the House. I do not care to enter now upon the question of jurisdiction as between the Committee on Appropriations and the Committee on Naval Affairs, inasmuch as the chairman of the Committee on Appropriations has not made a point of order upon that question; but, if I did not misunderstand the gentleman from Georgia, he moved to proceed to the consideration of this resolution now.

Mr. BLOUNT. I did. I made that motion for the reason that objection was made to giving the committee the right to report the joint resolution at any time, which meant that this measure was not to be considered at all, or at least that it was not to be considered for months.

Mr. DOCKERY. Would it not be in order, under the view of

the gentleman from Georgia, to move to refer the matter to the Committee on Naval Affairs, with the right to report it any time?

Mr. BLOUNT. I have no objection at all to that; but the question has been raised as to the reference of this resolution to the Committee on Appropriations, and that is what I have been discussing.

Mr. DOCKERY. The point upon which I insist is that this matter should be considered by some committee, and I am quite willing that that committee shall have the right to report upon it at any time.

Mr. BLOUNT. I do not care what committee considers it. At one time it seemed that the Committee on Foreign Affairs might have jurisdiction of it. The gentleman from Alabama [Mr. HERBERT] claims jurisdiction of the question for the Committee on Naval Affairs. I do not care whether that committee or the Committee on Appropriations or some other committee shall consider the matter; but I think that in view of the action of this House in the past it well becomes this great Democratic majority not to put this manifestation of national sentiment under its feet.

Mr. SNODGRASS. The gentleman will allow me an inquiry in regard to the precedents in matters of this kind. Have not the resolutions of this character, for the relief of suffering in Ireland, been referred in previous Congresses to the Committee on Appropriations?

Mr. BLOUNT. No, sir. I have before me the report from the Committee on Naval Affairs in 1880, made by Mr. Whitthorne, of Tennessee, then chairman of that committee, bringing a matter of this kind before the House, and the House agreed to the adoption of a Senate bill carrying out the object.

Mr. SNODGRASS. How was it in 1847, when the first appropriation of this character was made?

Mr. BRECKINRIDGE of Kentucky. At that time there was no distinct Committee on Appropriations *eo nomine*, but the general subject of appropriations was a part of the jurisdiction of the Committee on Ways and Means. The duties which had previously belonged to the Committee on Ways and Means were divided and distributed about the close of the war, when Mr. Thaddeus Stevens was chairman of that committee.

Mr. CULBERSON. But that committee with its combined jurisdiction made the report referred to.

Mr. BRECKINRIDGE of Kentucky. That may be possible; I have not looked into that matter.

Mr. BLOUNT. I will detain the House only a moment further; I had not thought of discussing this matter at any length.

I have not before me the record of the action which was taken in 1847 in this House. In the Senate the measure came from the Committee on Naval Affairs. Though I have not before me any record as to the action of the House, my impression is that it also came from the Committee on Naval Affairs in this House. Be that as it may, however, the latest action of this kind by this House was in 1880; and the rules in relation to the jurisdiction of matters of appropriations are practically the same at this time that they were in 1880. It is thus shown what has been regarded as the appropriate jurisdiction with reference to matters of this sort.

Mr. Speaker, before yielding the floor, I would like at this stage of our proceedings to take the opinion of the Chair on the question whether or not, if this proposition be voted down, the Chair will then entertain a motion to refer this resolution to the Committee on Naval Affairs with the right to report at any time.

The SPEAKER *pro tempore*. The Chair thinks that the latter part of the proposition would require unanimous consent.

Mr. BLOUNT. I desire then, Mr. Speaker, that the House may see the real attitude of this resolution. If the proposition to refer this resolution to a committee, with the right to report at any time, is subject to be defeated by the objection of a single individual, and thus this resolution postponed for months, while the starvation of humanity is going on, awakening the sympathies of the civilized world, I hope the House will vote down the proposition for reference, and agree to consider the measure now. Let it be amended if the House so desires, but let it not be stifled.

Now, Mr. Speaker, I yield ten minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Speaker——

Mr. KILGORE. Mr. Speaker, I would like to inquire how my friend from Georgia [Mr. BLOUNT] happens to have control of all the time so that he can yield to the gentleman from Alabama?

The SPEAKER *pro tempore*. The Chair understands that the gentleman from Georgia has yielded to the gentleman from Alabama.

Mr. KILGORE. The gentleman from Georgia has his own time; and the gentleman from Alabama, I take it, would have his own time.

The SPEAKER *pro tempore*. The Chair will state that there being no regular code of rules it is somewhat embarrassing to determine exactly the line in which the debate should run. But in the absence of any limitation of debate, it has been the custom to allow each member in discussion an hour. The Chair will, however, recognize the gentleman from Texas [Mr. KILGORE] in due time.

Mr. KILGORE. I assume, from what I understood to be the ruling of the Chair, that no gentleman can control any time except that which he chooses to occupy himself.

The SPEAKER *pro tempore*. It has been so long the practice to allow each member an hour on any matter under discussion unless there has been a specific limitation of time that the Chair will in this instance follow that practice. The Chair will recognize the gentleman from Texas later. The gentleman from Alabama [Mr. HERBERT] will proceed.

Mr. HERBERT. Mr. Speaker, the measure before the House consists of two branches. The first proposition is that the Secretary of the Navy shall be authorized to use naval vessels for transporting to some port in Russia food supplies donated by the people of the United States. Considering this proposition by itself there can be no doubt that under the rules of the House the Committee on Naval Affairs, and that committee alone, has jurisdiction of the proposition.

Then comes the second proposition—that the Secretary of the Navy, if he finds himself unable, with the naval vessels at his disposal and suitable for the purpose, to transport all the provisions which may be donated, shall have authority to use $100,000, or so much of that sum as may be necessary, to carry out the purposes of the resolution.

If that proposition stood by itself, then it may be admitted that the jurisdiction over this matter would be properly, if the House did not order otherwise, in the Committee on Appropriations. Therefore we have here a case of concurrent jurisdiction between two committees. This is not an unusual condition. There are many instances of it which will occur to every member of the House. There are many measures or resolutions introduced before the House of which two, three, or even four committees would have concurrent jurisdiction. In order, therefore, to decide which one of two or more committees having concurrent jurisdiction of a proposition or resolution should have control of it for examination and report, we are to look at what is the gravamen of the proposition itself, taken as a whole.

It seems to me that this is clearly found in the first proposition embodied in this resolution, namely, that the Secretary of the Navy shall use naval vessels, as far as practicable, for the purpose of carrying out the provisions of the resolution. That, I say, is the gravamen of the resolution, and much more is that the case when we find that the appropriation provided in the second branch of the resolution is itself to be entirely under the control of the Secretary of the Navy. In other words, the second branch of the proposition, or the second proposition as a whole, is really an adjunct of the first.

So, Mr. Speaker, it is perfectly clear in this view of the case that it is the duty of the Speaker of the House, if that question should be left to him, to refer the matter to the Committee on Naval Affairs. But, as I understand the position of this matter before the House now, it is not left to the Speaker to decide upon this question of reference. There is a motion pending which is to be decided by the House itself.

I move, therefore, Mr. Speaker, as a substitute for that motion, if it be in order at this time, that the resolution be referred to the Committee on Naval Affairs, with leave to report at any time.

The SPEAKER *pro tempore*. The Chair thinks the proper way to reach that point would be to vote down the motion of the gentleman from Texas.

Mr. HERBERT. Then I ask the House, that being the view of the Chair, to vote down this proposition, in order to make way for a motion which I shall submit myself, if the gentleman from Georgia does not do so, that the whole matter may be referred to the Committee on Naval Affairs, with leave to report at any time, or with instructions, if need be, to report in ten days. I will make the motion in that form, and it seems to me, sir, that the House ought to take that course in this matter.

It is clear that this is the proper course, because we ought to be accurately and fully informed, after an examination of the question, as to how many naval vessels can be used, or what vessels can be used for the purpose of carrying out the intent of this legislation before the House can act intelligently upon the motion. I, therefore, if the motion of the gentlemen from Texas is voted down, will submit that motion, in case the gentleman from Georgia does not do so.

Mr. BLOUNT. I desire to reserve the remainder of my time.

Mr. KILGORE. Mr. Speaker, the only question before the House now, as I understand the matter, is a choice as between committees. The advocates, the partisans of this scheme—measure, or job, or scheme, whatever you choose to call it——

Mr. BLOUNT. Will the gentleman from Texas allow a question?

Mr. KILGORE. Yes, sir; but it seems you are a little "previous." I have not got started yet or concluded a sentence. [Laughter.]

Mr. BLOUNT. I have to be "previous." We have to do that in order to keep even with you. [Laughter.]

Mr. KILGORE. Very well; what is the question?

Mr. BLOUNT. The gentleman from Texas says the only difference is as to the jurisdiction of these committees.

Mr. KILGORE. I said as to a choice of committees.

Mr. BLOUNT. Very well. Now, I am willing that the gentleman shall have his choice of committees, if he will agree that whatever committee it goes to may have leave to report at any time.

Mr. KILGORE. Has not the Committee on Appropriations the right to report at any time?

Mr. BLOUNT. General appropriation bills and nothing more

Mr. KILGORE. I say, Mr. Speaker, this is a matter of choice between two committees, and the advocates of this measure want it to go to the Committee on Naval Affairs, and the chairman of the Committee on Naval Affairs himself contends that it properly belongs to that committee. There is evidently a "junket" in this scheme for naval officers and other agents and employés of the Government.

Now, I can not see why they should object to its going to the Committee on Appropriations, who would investigate the matter and report speedily, if the exigency of the case demanded a speedy report.

I suppose the Committee on Naval Affairs are prepared to report now. If we give them the right to report at any time, that will give the advocates of the measure the right to call it up at any time, and that makes it a privileged question. We have lost sight of the main question, which is as to what committee shall have jurisdiction of this case. I do not see why we should hesitate to trust the Committee on Appropriations, composed as it is of the average men of the House—I will not say the best men [laughter], but composed of the average material of the House, and perhaps those best fitted for that committee of any of the members of the House. Why not let it go there? But we have drifted away from that question and gone into a consideration of the merits of the case. I really think, Mr. Speaker, that the proposition as to the authority of Congress to enact this character of legislation should go to the Committee on the Judiciary, and that committee should be required to report as to the authority of Congress in the premises.

But just a word or two as to the merits of this question. In Texas some years ago we had a famine which covered thirty counties of that great State and included thousands of people. It was a drought-stricken country; fearfully stricken, too, it was. People were compelled to surrender their homes and the accumulations of years of toil and privation on the frontier, and to move back to the settlements to save themselves and their families from starvation. Texas came before Congress with a proposition to extend to them relief—charity if you please—in the nature of an appropriation of $10,000 to buy seed for distribution among those people, and the Texas people were met with the objection that the Government had no authority to expend money for such purpose; that the only purpose——

Mr. RAINES. Mr. Speaker, will the gentleman from Texas yield for a question?

Mr. KILGORE. Well, not now. I do not wish to be disturbed at this moment. I was saying that the people of Texas were met with the objection that all appropriations must be for public purposes and not in the interest of the few; that it was the business of the people of this country to support the Government, and not the business of the Government to support the people; that it could only levy taxation for the purpose of paying the legitimate expenses of the Government, properly and economically administered. And I heartily concur in that view of the Texas bill, and the same rules ought to apply to this measure. It is not the duty nor is it in the authority of Congress to dispense charity to our own people. It is not an eleemosynary institution.

But if the Government has not the authority to extend charity to our own people by appropriating money collected from the people to pay the expenses of this Government, it certainly has not the authority to extend charity to Russians, to people abroad, whatever may have been done heretofore on this subject.

Now, it was stated in the papers yesterday that there were destitute families here in Georgetown. It has been stated in the papers that in the State of Durango, in Mexico, thousands of people are dying of starvation. Every year, as the years go by, suffering will exist somewhere. Every year communities are stricken by flood, by epidemics, or by famine. And every year and every day Congress would be called upon to extend charity to suffering people in every quarter of the globe if we should countenance this policy by adopting this resolution.

This resolution has never been submitted to a committee. It was introduced in the Senate and passed fifteen minutes after its introduction. It never has been considered with any deliberation anywhere. Let it go to the Committee on Appropriations, which is, in the main, responsible for the appropriations that this body must make. Let that committee consider it, and when they have considered it let the House take it up and dispose of it. I yield to the gentleman from Nebraska [Mr. BRYAN] for five minutes.

Mr. BRYAN. Mr. Speaker——

Mr. COMPTON. Mr. Speaker, I rise to a point of order.

The SPEAKER *pro tempore*. The gentleman will state his point of order.

Mr. COMPTON. My point of order is this: As yet this House has adopted no rules under which to operate, and it therefore must be operating under a code which is familiar to very many of us here on both sides of this House, denominated general parliamentary law. Under that code debate upon a proposition for reference is not to be had. There is no rule of general parliamentary law which allows debate upon a motion for reference; much less does it allow debate upon the merits of the pending proposition. Gentlemen are extending this debate away from the naked question of the reference into the field of the merits of the question pending behind the proposition for reference, and I maintain, sir, that all this debate is out of order, and I make that point.

The SPEAKER *pro tempore*. The Chair held that it was the right of the House at this time to consider the measure, but that the proposition to refer took precedence, and the Chair thinks that debate is in order at this time.

Mr. COMPTON. Does the Speaker hold that the motion is debatable?

The SPEAKER *pro tempore*. The Chair so holds.

Mr. COMPTON. I will not appeal.

Mr. BRYAN. Mr. Speaker, the people of Nebraska have had raised against their appeal for governmental assistance a principle which is involved in the bill under discussion. In the summer of 1890 the western portion of our State was visited by an unparalleled drought, and many of the people living on that land usually so fertile and productive were brought to actual want. Private charity was first exhausted, then the State made a liberal contribution, and finally, at the request of the State Legislature, the members of Congress from Nebraska, together with the members elect, appealed to the Fifty-first Congress for additional aid from the Federal Treasury. We were met by the proposition that the General Government had no authority to appropriate money raised by taxation to care for its citizens temporarily in need. Precedents were cited to sustain the position, and I am satisfied that the decision reached by Congress was correct, although the application of the principle at that time was unfortunate for our people.

Last season our State was blest with a bountiful harvest, and her people, in company with sister States of the Northwest, have contributed liberally from their abundance to aid the inhabitants of Russia who are suffering as our people suffered a year ago and from the same cause. Their generosity is commendable and the object worthy.

It is to be hoped that a full share of the munificence of our people will reach those subjects of the Czar who bear the double burden of want and persecution. It might be proper to suggest that if other sections of our country whose industries are less susceptible than the farmers' to the influence of the weather were as liberal, transportation for the gifts of the Northwest could easily be provided without an appeal to Congress. But we are now asked to appropriate $100,000, if necessary, to charter a ship to carry the food to Russia.

I ask, Mr. Speaker, what right have we, even if we had a full Treasury, which we have not, to provide for the carrying of the products of Nebraska to the suffering inhabitants of a foreign land, when we had not the authority last year to aid the distressed citizens of Nebraska?

As has been suggested, scarcely a year passes but some country is afflicted by flood or famine. Shall we aid them all? Will not a precedent be established? Will not other nations, and those, too, more like ours in form of government and more humane in the treatment of their own citizens, justly feel offended if we withhold from them the aid which some gentlemen seem willing to grant without investigation to one of the most despotic of nations? If this appropriation is made, Mr. Speaker, I fear a case may arise which will appeal as strongly to our sense of justice as does this to our sympathies. Our friends on the other side have been boasting that the McKinley law is throwing out of employment thousands of workingmen in foreign countries and bringing them to actual want.

If it is our duty to aid those in other lands whom God in His wisdom has permitted to suffer, how much more imperative the duty to relieve those whom an American Congress in its folly has caused to suffer! [Laughter and applause.] It may be proper, if we have vessels convenient for the purpose which are not in use, to furnish these for the transportation of donations as an act of courtesy, but certainly this House will not attempt to charter private vessels for that purpose. I hope the bill will be referred to the committee, so that an amendment may be reported back, striking out the appropriation of $100,000.

Mr. BLOUNT. Before the gentleman takes his seat I would like to ask if his object to have an amendment reported would be forwarded by reference?

Mr. BRYAN. I want to be sure that an amendment would be made, and I think that is the safest way. If the committee after consideration fails to report an amendment, an amendment can be made by the House.

Mr. BLOUNT. The resolution being referred to the committee, that would not necessarily follow.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman from New York [Mr. RAINES].

Mr. RAINES. Mr. Speaker, I had originally supposed——

Mr. KILGORE. Mr. Speaker, I desire to make an inquiry.

Mr. RAINES. Later on. [Laughter.]

Mr. KILGORE. Mr. Speaker, I want to know in whose time the gentleman from New York is speaking?

The SPEAKER *pro tempore*. The Chair recognizes the gentleman in his own time. The gentleman from Texas, so far as the Chair observed, did not reserve the remainder of his time.

Mr. RAINES. Mr. Speaker, I had supposed that when this resolution came before this House it was one that had been evolved from the inner consciousness of some philanthropist for the benefit of the suffering and starving people in Russia. I find, judging from the remarks of the gentleman from Texas [Mr. KILGORE], that this is a resolution which is for the benefit either of the Naval Committee or the Committee on Appropriations, and is not in the interest of retrenchment and reform. Yesterday we had a resolution which was in the interest of retrenchment and reform, involving the amount of $60, and reform and retrenchment lost the day. [Laughter.] If this resolution is to go to the Committee on Appropriations it is suggested that retrenchment and reform will win $100,000 possibly, and that the Naval Department will be out that amount of appropriations.

Now, in regard to what the gentleman said as to the propriety of such an appropriation or expense of money, I want to ask him who has discovered that the American Congress had no right to make appropriations from the United States Treasury for the relief of the distressed and starving inhabitants of Texas? Was it the late President of the United States or was it not? The discovery has not been patented, Mr. Speaker. The American Congress is capable of deciding this question for itself. There is not a man on this floor who is not just as familiar now with this whole subject as he will be after we shall get a report covering ten lines from the Committee on Appropriations or the Committee on Naval Affairs. He knows the suffering exists; he knows the citizens of the Northwest and of the East are ready to contribute to their relief, and that they have petitioned this Government to provide the means for sending the provisions to their destined ports. He knows, if he has read the papers, that the Naval Department have decided that they have no shipping capacity to transport these provisions, and hence this appropriation of $100,000 is asked, so that they may provide the means for conveying these provisions where they are needed.

Now, I say for one, and I think I speak for others around me, that we are opposed to any reference to any committee of this measure. I think we understand what is wanted. I think that if this charity amounts to anything, and is to do any good or is to accomplish the purpose designed, that the sooner it is carried out and they receive the benefit the better. And we are ready to vote for the proposition, not to refer, for there is no rule that requires its reference; but for the present and immediate consideration and immediate relief to the distressed. [Applause on the Republican side.]

Mr. BOATNER. Mr. Speaker, if the advocates of this measure will point to any authority whatever, either expressed or implied, for passing this appropriation I do not think there will be ten dissenting votes in the House. The House would almost by unanimous consent agree to furnish the means to carry this charity to the distressed and suffering people of Russia. But while gentlemen are discussing the merits of the measure, they overlook the fundamental fact that this House possesses only delegated powers, and that there is not a line or syllable in the Constitution which authorizes, either directly or impliedly, the action which those who advocate this measure ask us to take.

For that reason, Mr. Speaker, I do not see how any Democrat can vote for it, especially those who have for the last twelve months been writing to their constituents that there was no authority under the Constitution for the passage of the subtreasury bill; that under the Constitution of the United States we could not grant any relief to the agriculturists of our own community; that we could find no warrant in law for lending them money on any terms at all; I do not see how any Democrat of that kind can give his consent to vote for an appropriation of money which can not even be advocated under the general welfare clause, because that clause is confined to the general welfare of the United States.

I will say to gentlemen who are advocating this measure, that if they can find any authority, either expressed or implied, in support of this proposition, I am ready to vote for it; but in the absence of any authority at all, I do not see how any member can, in view of his official oath, conscientiously support it.

I agree entirely with the gentleman who has just taken his seat [Mr. RAINES], that we are just as well informed in regard to this matter now as we shall be after it has been considered by a committee and reported back, and that the measure ought to be taken up and considered and acted upon now. If this relief is to be extended at all, it ought to be done at once, without unnecessary delay.

Mr. OATES. Mr. Speaker, I do not agree with my friend from Louisiana [Mr. BOATNER] and the gentleman on my right [Mr. RAINES]. If the committee to whom this matter is referred does its duty—and the presumption is that every committee will do that—this House will be much better informed than they are now by the report of that committee in regard to the necessity or the absence of necessity for this action. It would be the duty of the committee to ascertain the facts and report them to this House as a basis for its action. We have some information now, but to my mind it is of an unsatisfactory character. Russia is a great nation of eighty or ninety millions of people. Where is the evidence before us that that Government is unable to take care of any portion of its own suffering people? And ought we not to have such information before we vote money out of the Treasury for this purpose?

Mr. BOUTELLE. Will the gentleman permit a suggestion?

Mr. OATES. I will yield for a suggestion.

Mr. BOUTELLE. I understand that the joint resolution before the House simply proposes to provide means of transportation. My information is that the substantial relief itself—flour and other food—has been already provided by corporations and individuals, citizens of the United States.

Mr. OATES. I thank the gentleman for that information, for I had it not before; but it does not change my view as to the necessity for further information. If contributions of charity which have already been made or agreed to be made for the relief of any portion of the people of Russia can not be transported by the Russian Government, then it must be that the distress is not very great, or else that Government is very negligent in making proper provision for its suffering people, and we have no right to assume, in the absence of proof, that any government would be guilty of such inhumanity.

Mr. BRECKINRIDGE of Kentucky. Will the gentleman permit me to make a suggestion just there?

Mr. OATES. Yes, sir.

Mr. BRECKINRIDGE of Kentucky. I desire to make a statement which may throw some light on the matter under discussion. The gentleman from Alabama [Mr. OATES] is probably not aware that on yesterday the president of the Red Cross Association, which bears a certain official relation to the United States under an international treaty, addressed a petition or letter to the President of the Senate and the Speaker of the House, accompanied by official communications from the gentleman at present in charge of the Russian embassy here, the Russian minister himself being absent. In those communications two statements substantially are made: first, that the suffering in Russia is great; second, that the acceptance by the Russian Government of the contributions of the American people would be grateful.

Another statement substantially made was, that while Russia would undoubtedly transport whatever America had to give, the time which would thus be occupied would be just about twice what would be required for us to transport this relief; because the cargoes, the contributions of Iowa, Nebraska, and other States, being accumulated at New York, where they have come over our railroads, they could be put upon ships provided by us under this resolution, and could reach Russia just about the time that the Russian ships could reach America. I make this statement because it is in the line of the gentleman's inquiry, and because these papers have happened to come under my eye.

Now, if the gentleman will allow me, I want to call his attention to another question, because I know how much he has studied this matter and what authority any statement from him carries. I wish to ask him whether he has any doubt of the constitutional

power of Congress, in a matter of foreign intercourse, intercourse between us and foreign nations, to vote an appropriation like this—a doubt which I confess I was much surprised to hear expressed by so very admirable a constitutional lawyer as my friend from Louisiana [Mr. BOATNER].

Mr. OATES. Mr. Speaker, I will endeavor to answer the questions of my friend in the order in which he has put them. His first statement is but cumulative evidence to show the necessity for an investigation of this subject by a committee. It is stated by the gentleman from Maine [Mr. BOUTELLE], as well as by the gentleman from Kentucky [Mr. BRECKINRIDGE], that contributions have been made for the relief of the sufferers in Russia, and that speedy action is invoked in order that transportation for those supplies may be provided. If the necessity be so great to relieve the suffering in Russia, the gentleman's statement that it would take a great while for ships to come from Russia to transport these supplies is not an argument why this Government should expend $100,000 in chartering vessels for such transportation. If there is force in the gentleman's suggestion as to the delay which would be occasioned by ships coming from Russia, then let Russia charter the vessels which she can find here to transport the supplies.

I want to be informed as to all these facts before I vote for such an appropriation, if, indeed, I vote for it at all, and upon that point I reserve my judgment. So, sir, I am in favor of a reference of this joint resolution. I would be in favor of referring it to the Committee on Appropriations if the motion of the gentleman from Texas [Mr. KILGORE] were so amended as to allow that committee to report at any time. I think it should go to that committee if the gentleman's motion were so amended; but if there be no rule which allows that committee thus to report, then I would be in favor of the proposition of my colleague [Mr. HERBERT] to refer the resolution to the Committee on Naval Affairs. I do not share in the apprehension of the gentleman from Texas that this is a mere junket and that the Committee on Naval Affairs would report without investigation. I take it for granted that this committee or any other committee charged with such responsibility would investigate, thoroughly investigate, the necessity for the passage of this resolution and report to the House the facts, and nothing but the facts. The facts are what we want. We want to know just what we are doing.

I am not in favor of the hot haste which would appear to be desired by the gentleman from New York on my right [Mr. RAINES]. That gentleman said that he would like to know from the gentleman from Texas or from some other gentleman who invented the idea that Congress has no constitutional right to appropriate money for the relief of the suffering people in any portion of this country and to vote public moneys to charities. He wanted to know whether that idea did not originate with President Cleveland, who vetoed the Texas seed bill. I can inform the gentleman that no one has a patent upon that discovery. It is old and sound Democratic doctrine that Congress has no such power; but his party, in view of the precedents they have established, are entitled to a patent for disregarding constitutional limitations in this respect. [Applause on the Democratic side.]

But, sir, the question in regard to such power is not a new one; it is an old one. It has been discussed in the Congress of the United States for many years and on different occasions. And in answer to the question propounded by my friend from Kentucky [Mr. BRECKINRIDGE] I will say that I have very carefully examined on previous occasions the debates upon the appropriations for the relief of suffering caused by the earthquake at Caracas, and for the relief of the starving Irish during the famine of 1848 as well as in 1880, the periods referred to by the gentleman from Georgia [Mr. BLOUNT]. From my investigation, it seems to have been the conclusion of a majority both in the Senate and in the House upon those occasions that the Constitution of the United States is a limitation upon the power of Congress within the territory over which the Constitution was intended to operate; in other words, that it is a limitation upon the parties to its creation; and although it seems paradoxical to say that Congress may aid the people of other nations with charity voted out of the Treasury but has no right to vote such charity to any portion of our own people, yet that seems to be the fact beyond controversy to the mind of any lawyer who will thoroughly investigate the question.

This results from the fact that the Constitution is a compact—national, it is true, in regard to every power by it delegated to or vested in the Federal Government; but that Government, under the decisions of the Supreme Court as well as by the best precedents of Congress, has no power except that which is derived from that instrument with reference to any matter within the territorial jurisdiction of the United States. But, sir, when this nation deals with another, it does not act through the States, but as one nation. It is so recognized by other nations. Great Britain does not know any compact or agreement entered into between Massachusetts, New York, Georgia, and other States; she knows only the Government of the United States and deals with us as such. It was perhaps wisely left by that instrument to the sound discretion of Congress and the President to decide what powers may properly be exercised in dealing with other nations. This is almost a necessity, if not absolutely such, when you come to consider our relations with other nations.

But the case is different in respect to our internal affairs. When you read the history of the convention which framed the Constitution and of the conventions of the States which ratified it, you will see there the jealousy of the people for the rights and powers and privileges of their respective States, so that they were very chary of giving much power to the Federal Government and none, except such powers as were clearly delegated or granted. Hence the limit to the Federal Government, that it has no powers save such as are granted to it in the Constitution or such as are necessarily implied from express grants. What are implied? Why, sir, every power which is necessary in order to make the express grants efficacious and give them force and validity, but nothing more. Congress is invested with the choice of means to do this; as Chief Justice Marshall said, if the means are appropriate and adapted to the end they are constitutional. Farther than this the framers of the Constitution thought proper not to go; they thought proper to deny to Congress any other powers than those delegated in the instrument to be exercised over the people who were parties to its creation; but as to other peoples, as to foreign nations, there is no limit, and Congress can do whatever it pleases, being responsible to the people.

Congress, if it sees fit, has the power to pass this appropriation.

As to the question whether it should be passed or not I for one prefer to have information which will satisfy me that it is a proper and rightful appropriation to be made. I think, therefore, it ought to go to a committee. If I am to be forced to vote upon the measure in the absence of such information all I can do is to record my vote against it. If you show me that the measure is right, that it appeals to the hearts of us, that this is a real charity, one which ought to be granted where we have the power to grant it, I would favor the proposition. But in the absence of such information I can not vote for the measure. I hope, therefore, Mr. Speaker, that the resolution will be referred to one of the committees which have been suggested.

Mr. BOUTELLE. I would like to call the attention of the gentleman from Alabama [Mr. OATES], before he sits down, to what has probably escaped his observation—the fact that the President of the United States has officially called the attention of the House to this matter by a special message presented here yesterday.

Mr. OATES. That was probably very proper on the part of the President. He should regard with proper consideration and tender care the relations of this Government to all others, and it was therefore right and proper that he should call the attention of Congress to the question. But it does not follow that we should pass this resolution.

Mr. BOUTELLE. I was simply calling the attention of the gentleman to the fact in order to meet his suggestion that we might act with undue haste or before the necessary information was obtained, to show that this information was already in hand. It comes to us from the executive department of the Government, which has considered it.

Mr. OATES. I think it would be undue haste to pass a measure of this kind without proper reference to a committee under any circumstances. But when referred to a committee, and the committee examines the questions involved carefully and reports the conditions existing and all the facts to the House, I am then prepared to act upon it. I trust that step will be taken. It is not a matter of such grave importance as to require that it should be acted upon to-day. A day or two will not make any material difference, I imagine. I want the committee to have an opportunity to examine it and report upon it, and to report at any time, so that we may know that it is right, and I must know it before I can vote for it. If forced to vote without such investigation I shall feel it my duty to vote against it.

Mr. BUTLER. Mr. Speaker, I do not desire to take any part in the discussion of the merits of the question presented at this time, but simply to address myself to the proposed reference of the joint resolution to a committee of this House for examination and report. I believe that if there is any merit whatever in the charity proposed by this resolution it should not be delayed. To-day is the time for us to act, whether for or against it.

I reserve to myself, sir, my judgment in regard to the merits of the resolution; but I believe that there is no need of the investigation the gentleman from Alabama suggests. This question of the needs of the Russian people has been investigated and brought to our notice by a greater committee, so far as searching power is concerned, than this House can name—the press of the United

States of America. They have investigated the needs of that people, and we all know to-day whether Russia requires the assistance of the outside world or not.

I am opposed, therefore, to the reference of the resolution to any committee. Let us pass upon the question now and dispose of it, whether we shall transport this grain and these products to the people of Russia or whether we shall defeat the suggestion entirely. Now is the time.

Mr. BLOUNT. Mr. Speaker, I desire to make a parliamentary inquiry, with a view of facilitating action upon this matter if possible. There is now pending, as I understand it, a motion to refer to the Committee on Appropriations?

The SPEAKER *pro tempore*. That is the motion of the gentleman from Texas.

Mr. BLOUNT. The gentleman from Alabama [Mr. HERBERT] gives notice that if that motion is voted down he will move the reference of this resolution to the Committee on Naval Affairs, with the right to report at any time. Now, I wish to know whether the Chair will entertain that motion or whether it is in order?

The SPEAKER *pro tempore*. The Chair will hold that it is in order to refer with instructions.

Mr. BLOUNT. With instructions to report at any time?

The SPEAKER *pro tempore*. With instructions, but not with leave to report at any time.

The Chair will state that it would also entertain the motion as an amendment to the motion of the gentleman from Texas. On an examination, the Chair thinks that it would be in order to move that as an amendment; in other words, that, like any other proposition, it is amendable.

Mr. BLOUNT. Then, again, Mr. Speaker, if the House shall vote down these several propositions, neither of which contains the right to report at any time, will the Chair entertain a motion to proceed to the consideration of the joint resolution at the present time?

The SPEAKER *pro tempore*. The Chair has held that the motion to commit being voted down, the resolution would be before the House for such disposition as it might see proper to make of it.

Mr. BLOUNT. I desire to ask the gentleman from Texas [Mr. KILGORE] to withdraw his opposition or request, and that this joint resolution be referred to the Committee on Naval Affairs with the right to report at any time.

Mr. KILGORE. Mr. Speaker, I suppose it is not a matter of any particular importance what committee considers the question so it is considered by a committee and properly reported and is properly before the House. I have had a number of my colleagues to suggest that this would be a fair solution of the matter, to withdraw the proposition to send it to the Committee on Appropriations and let it go to the Committee on Naval Affairs, to report at their pleasure. I am inclined to do that. They brought much pressure to bear on me, and I suppose I will have to give up. [Laughter.]

Mr. BOUTELLE. Mr. Speaker, I desire to be heard for a few moments only on this question of reference.

It is a very unusual thing for any member of the House of Representatives to object to having any measure sent to his committee, as all of the members of this body know; and I have no objection whatever to the reference of this proposition to the committee of which I am a very humble member, if it is to be referred at all. But I think it my duty, at this point, to call the attention of the House to the very obvious fact on the face of the resolution itself, and the circumstances surrounding it, that there is neither necessity nor excuse for referring the resolution to any committee.

The President of the United States in his brief message sent here on yesterday has stated the whole matter plainly. He has only stated what everybody who reads the newspapers knew in advance. He has stated the facts in regard to the prevailing distress in Russia. He has stated the facts in regard to the prompt efforts on the part of liberal-minded citizens of the United States in the Northwest to provide flour and other food products for the relief of these starving people; and he has also stated the condition of the Navy Department in regard to furnishing transportation for such supplies.

He says in his message:

> The Secretary of the Navy has no steam vessel at his disposal that could be used for the transportation of these supplies, and I therefore recommend that he be authorized to charter a suitable vessel to receive them.

I understand the fact to be, Mr. Speaker, that when this matter was suggested to the Secretary of the Navy it was first proposed to tender the use of the old frigate Constellation for the purpose. I believe this historical old vessel has been used upon a similar errand in the past; but the capacity of that ship is limited. It would be impossible for that vessel to carry all the provisions required, and therefore, if another vessel is necessary to be chartered, the Secretary could just as well provide for sending the entire amount in a swift vessel, so that the beneficence of our people would be promptly received.

Mr. Speaker, "the quality of mercy is not strained." There is no necessity in this case for straining it through a committee of the House of Representatives. We know that the distress exists. We know that some of our generous people have come forward to vindicate our feelings of humanity, to vindicate the sentiments of friendliness existing between these two great nations, by tendering timely and prompt offerings of relief to a suffering people.

Let us not seek by technicalities to delay this generous and worthy act. The Constitution of the United States ought not to be pleaded against a case of humanity where the liberality and generosity of our Government and our citizens toward foreign peoples are involved. There was nothing in the constitution of France that sent Lafayette here to tender the use of his sword in behalf of the young Republic. There was no organic provision for the tendering of the services of Rochambeau and De Kalb, Von Steuben, Pulaski, and all those other heroic men who came across the sea to mingle their blood with that of our own defenders of liberty and to write their great names on the brightest pages of our country's history.

Mr. OATES. Does not the gentleman know that at that time France was a monarchy?

Mr. BOUTELLE. Certainly.

Mr. OATES. Then why is the gentleman talking about the constitution of France?

Mr. BOUTELLE. I say there was nothing in monarchical power or the traditions of royalty that could restrain that expression of sympathy on the part of the people of France toward the people of this country struggling for freedom. I say, Mr. Speaker, that this House owes it to itself to emulate the promptness and the grace with which the Senate have acted, and to pass this resolution unanimously and speedily.

Mr. BLOUNT. I shall not detain the House, except for a moment. I have taken occasion to examine the RECORD in relation to the action of Congress in 1847 and in 1880, in matters exactly similar to this. In each case the question was examined by a committee of the House and by a committee of the Senate before final action was taken by either body. Never before has a resolution of this kind been disposed of by being brought forward on the motion of a Senator and passed through the Senate, and disposed of in the same way in the House. I say this because I think it but due to this body to vindicate itself from any charge of a lack of fair consideration of this measure.

I would be quite willing to vote upon it at this time, but I do not think it unseemly at all to wait. The Committee on Naval Affairs may report this matter to the House under this agreement to-morrow morning, and we may then dispose of it. There never was such urgency in the consideration of a question of this kind in 1847 or in 1880.

I am in entire sympathy with my friend from Maine [Mr. BOUTELLE]. It is a question of humanity that appeals to all of us. But the matter of a day and of deliberate and regular consideration of it does not impair the character of our acts. I now ask unanimous consent that this joint resolution may be referred to the Committee on Naval Affairs, with the right to report at any time, and I trust there will be no objection.

Mr. PENDLETON. Mr. Speaker——

The SPEAKER *pro tempore*. For what purpose does the gentleman from West Virginia rise?

Mr. PENDLETON. Mr. Speaker, several propositions are involved in this question, to which I think the attention of this House ought to be called. In the first place, we have no evidence whatever at present that there is any disastrous famine prevailing in Russia. I have here an article, published a few days ago in the Washington Post, supposed to come directly from high officials of the Russian Government, which states that this distress is entirely under the control of the Russian Government. Further, Mr. Speaker, why should not the distress, as reported in the newspapers, be under the control of the Russian Government? It is a Government which contains more than 8,000,000 square miles of territory, and has a population of nearly 120,000,000 of people, when you include Russia in Europe and Russia in Asia.

We are further informed that the Russian Government has to-day in gold, lying about in the great banks in the different cities of Europe, nearly $150,000,000; money that is absolutely under control of that Government to-day, and which that Government can call for at any time or moment that it desires to make the call.

That fund is not called for by the Russian Government to relieve the poverty and distress of the Russian people, because Russia to-day is reserving it as a war fund. If she needs help she can use it, but she does not need it, and there is no reason why we should make contributions. Russia as she stands to-day is a menace to modern civilization. She is a threat to the peace

of the world, reserving her funds for war purposes and conflagrations; and the evidence that the American Congress has before it is that the famine, concerning which we are talking, is one that that Government can readily control if it desires to. All it has to do is to use a portion of its own surplus funds. The gentleman from Maine [Mr. BOUTELLE] talks about the traditional friendship that prevails between this country and Russia, and says that for that reason we should send supplies to that mighty Government. Can we have friendship between tyranny and liberty; between Asiatic despotism and modern civilization; between the inertia of barbarism and the spirit of progress? There is no friendship and there can be no friendship between such opposing forces. I hope the hour will come when we can clasp the Russian hand in honest and cordial friendship, but that day should not come until the Tartar has mended his ways; until Poland is free; until persecution for opinion's and religion's sake shall have ceased, and until constitutional government shall prevail from the Baltic to Bering Sea.

If there is any friendship between the two Governments, it is certainly a friendship of the Puritan and a blackleg, if a friendship of that character could prevail between such governments as the American and Russian Governments. Why, gentlemen, when you consider the question of sending charity to Russia, a question that the American liberty-loving citizen would ask is, Are the Jews of Russia, who to-day are being persecuted and driven forth from their native land by the hundreds of thousands, to receive a portion of this magnificent charity which our Government is to confer with a free hand upon the Russian people? If that question can be answered satisfactorily, there are men in this House who would probably vote an appropriation of $100,000. The Hebrews would not receive the value of a dollar, and the whole of it would go to the very people that are urging forward the most wicked and heartless persecution the world ever saw. I for one would not vote it when I am perfectly satisfied that the Russian Government is perfectly capable of taking care of its own people.

Further, this House of Representatives is supposed to have been elected on the issue of retrenchment and reform; and are we to begin at once by appropriating $100,000 for the benefit of the Russian people, when that Government can take care of her own, instead of appropriating $100,000, if we are to appropriate it at all, for the relief of American citizens who might be found within a radius of a hundred miles of the city of Washington.

I believe, sir, that this resolution should not be referred to any committee, but that it should be considered at once and voted down; first, because it is unnecessary; second, because we are pledged to retrenchment and reform; and third, because it is unconstitutional.

The SPEAKER *pro tempore*. The gentleman from Georgia asks unanimous consent that this resolution be referred to the Committee on Naval Affairs, with leave to report at any time. The Chair understands that the gentleman from Texas has withdrawn his motion to refer.

Mr. HOLMAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. HOLMAN. In the event that the committee report back the measure, would it then be before the House with any additional rights resulting from the consent now given to report at any time?

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Indiana that the right to report at any time has always, so far as the present occupant of the chair knows, been held to carry with it the right to consider at any time.

Mr. HOLMAN. But the consent now given to this motion would not waive the right to demand its consideration in Committee of the Whole?

The SPEAKER *pro tempore*. It would not waive any right that attaches to it under general parliamentary practice. Is there objection to the request of the gentleman from Georgia?

Mr. CAMPBELL. Mr. Speaker, I desire to say if there is no limit placed upon the time in which the committee are to report I shall certainly object. If the House is going to make an appropriation to help the unfortunate and suffering, the sooner it be made the better; and I ask the gentleman who makes the motion to refer it to the Committee on Naval Affairs if he can state in what time it will be ready to report? If he does not so state I shall object.

The SPEAKER *pro tempore*. The Chair does not know what the wish of the gentleman is in that regard.

Mr. CAMPBELL. Then I move that the committee be required to report within ten days.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from New York that the right to report at any time carries with it the right to report within one day.

Mr. CAMPBELL. I understand that precisely; but I wish that it shall not be longer than ten days; and I make that motion as an amendment.

The SPEAKER *pro tempore*. The gentleman from New York couples the request of the gentleman from Georgia with the additional provision that the committee shall report within ten days. Is there objection to the request of the gentleman from New York as a modification of the request of the gentleman from Georgia?

Mr. BLOUNT. I have no objection.

Mr. STONE of Kentucky. What is the request?

The SPEAKER *pro tempore*. That the report shall be made within ten days. [After a pause.] Is there objection?

Mr. STONE of Kentucky. Mr. Speaker, do I understand that it requires unanimous consent to refer to the Committee on Naval Affairs with instructions to report within ten days?

The SPEAKER *pro tempore*. It does. That request is made, coupled with the privilege of reporting for consideration at any time.

Mr. STONE of Kentucky. I object.

Mr. BLOUNT. I move that the House proceed to the consideration of the resolution.

Mr. HOLMAN. I shall oppose that motion. I move, in lieu of the motion made by the gentleman from Alabama, to refer this measure to the Committee on Naval Affairs.

Mr. BLOUNT. Does the gentleman propose that they shall have leave to report at any time?

Mr. HOLMAN. I have no objection; but it is objected to by the gentleman from Kentucky [Mr. STONE].

Mr. HERBERT. Mr. Speaker, if the gentleman from Georgia will allow me, as I understand the effect of the ruling as made by the Speaker——

The SPEAKER *pro tempore*. The gentleman from Alabama will suspend until order is restored.

Mr. HERBERT. Mr. Speaker, I was about stating to the House that, as I understood the effect of the rulings made by the Chair this morning, if this motion is made to refer this resolution to the Committee on Naval Affairs, it can not be coupled, without unanimous consent, with a leave to report at any time; but I understood the Speaker to say that it would be in order to refer it with instructions. I want to ask if it would not be in order to refer it to the Committee on Naval Affairs with instructions to report within ten days?

The SPEAKER *pro tempore*. The Chair thinks it would.

Mr. HERBERT. Therefore, if the gentleman from Indiana will permit, I will submit that motion for him.

The SPEAKER *pro tempore*. The gentleman from Alabama moves to refer the joint resolution to the Committee on Naval Affairs with instructions to report within ten days.

Mr. HOLMAN. I withdraw the motion which I submitted.

Mr. BLOUNT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BLOUNT. Would that motion if adopted carry with it the right of consideration when the matter is reported back?

The SPEAKER *pro tempore*. That is a question which the Chair would prefer to look into a little before giving a definite opinion, but at present the Chair is inclined to think that it would not. The motion limits the time within which the report can be made and requires the committee to report within that limit, but the Chair does not remember an instance in which such an instruction has been held to carry with it the right to consideration when the matter is reported back. The Chair, however, will examine the question carefully.

Mr. BLOUNT. I wish to ask another question of the Chair for the guidance of the House in its action. I would like to know whether it is the opinion of the Chair that when this joint resolution is reported back by the committee it will simply take its place on the Calendar like any other measure.

The SPEAKER *pro tempore*. The Chair has stated his impression that the reference made in this way does not carry with it the right to have the matter considered when reported; but the Chair also stated that that was a mere impression, and that he would look into the question when it was raised in the House, and would be governed, of course, by whatever examination should show to be the proper ruling.

Mr. ENLOE. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. ENLOE. As we are proceeding now without any rules, if the committee should report this joint resolution back within ten days, we still being without rules, might not the majority of the House take up and consider that report at any time?

The SPEAKER *pro tempore*. The Chair thinks it would be in the power of the House to consider it in any way and time that was not forbidden by any rule or established parliamentary practice. The question is on the motion of the gentleman from Ala-

bama to refer this joint resolution to the Committee on Naval Affairs with instruction to report within ten days.

Mr. DICKERSON. I move to amend by striking out "Naval Affairs" and inserting "Appropriations."

The SPEAKER *pro tempore*. The Chair will state that that was the original motion of the gentleman from Texas [Mr. KILGORE]. Did the gentleman from Texas withdraw his proposition to refer the joint resolution to the Committee on Appropriations?

Several MEMBERS. He did.

The SPEAKER *pro tempore*. Then the amendment of the gentleman from Kentucky would be in order.

Mr. HOLMAN. I trust that my friend will withdraw that amendment.

Mr. DICKERSON. I will withdraw it, Mr. Speaker, at the request of the gentleman from Indiana, the chairman of the Committee on Appropriations.

Mr. BLOUNT. I trust, Mr. Speaker, that this disposition of the matter will not be made.

Mr. HOLMAN. The proposition is withdrawn.

Mr. BLOUNT. What is withdrawn?

Mr. HOLMAN. The amendment of the gentleman from Kentucky [Mr. DICKERSON].

Mr. BLOUNT. Did the gentleman from Kentucky [Mr. STONE] withdraw his objection?

Mr. STONE of Kentucky. No.

Mr. BLOUNT. Mr. Speaker, I understand that this is a proposition to refer the matter to the Committee on Naval Affairs with instructions to report within ten days.

The SPEAKER *pro tempore*. It is.

Mr. BLOUNT. And that is what I rose to speak to. I hope that the House will observe the situation in which this disposition of the matter would place us. The Chair has already indicated that it is at least doubtful whether, when this matter is reported back, it may be taken up on motion of the Committee on Naval Affairs. He has distinctly announced to the House that the right to report at any time here given is negative, and therefore we are confined to the question whether we shall consider this joint resolution now or postpone it indefinitely. Now, I submit, sir, that such dallying with a question of this character is without any precedent in the House of Representatives or in the Congress of the United States at any time in the past. [Applause on the Republican side.]

I trust that the gentlemen who constitute the overwhelming majority in this House for the Democratic party will, with a feeling of proper pride in the American people, take action now, as our fathers took action upon like occasions [renewed applause on the Republican side]—Webster, Clay, and a whole list of names that are honored in the history of this land, men whose fame was so bright as to dazzle and paralyze anyone who should have made the suggestion of a "job" in regard to a measure which they advocated.

Now, Mr. Speaker, if this were a matter that required any vast amount of information, I would rather have delay. I would rather take chances. But it is not such a matter. There are but two propositions embraced in it. The donations for the relief of these suffering people are already made by American citizens, given freely by our own people, and we have here simply a proposition to allow naval vessels to be used for the transportation of these supplies, and, beyond that, a proposition that in case naval vessels can not be found to answer the purpose, the sum of $100,000 may be utilized to charter other vessels. Now, some gentlemen are insisting that we have not the constitutional power to appropriate this money. Very well; if we have not, let us strike out the $100,000. Let the House express its sense upon that question. Let us strike out the $100,000, if that is the judgment of the House, and let our naval vessels be used for this transportation.

I wish to say right here that in 1847 only the ships of the Navy were authorized to be used; there was no appropriation of money; and that was a time when we were engaged in the Mexican war and had an extraordinary demand for ships and men for naval purposes in connection with the war. I believe, sir, there would be no danger in the House taking up this matter now and striking out the appropriation of $100,000. We should then have a simple proposition which we might go forward and adopt. I trust, therefore, that as we can not authorize a committee to report the resolution back at any time, we shall vote down the proposition for reference, and take up the joint resolution now. [Applause.]

Mr. CAMPBELL. I would like to ask the gentleman whether our Government is prepared to send any ships abroad at this time—whether we do not require them at home to protect the honor of our Government and the flag of the country.

Mr. BLOUNT. I leave that question to my friend from New York.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Alabama to refer.

The question being taken, there were—ayes 70, noes 99.

Mr. HERBERT. I ask for tellers.

Tellers were not ordered, only 28 voting therefor.

Mr. BLOUNT. I move that the House now proceed to the consideration of this joint resolution.

Mr. HOLMAN. I make the point of order that this is a measure involving an appropriation of money, and that, according to the parliamentary law which has been in force for over a hundred years as the law of this House, the measure must receive its first consideration in Committee of the Whole.

Mr. BLOUNT. I acquiesce in the point of order. I have no objection to the consideration of the resolution in the Committee of the Whole.

Mr. ENLOE. I make the point, Mr. Speaker, that it is not in order to proceed to the consideration of this resolution at the present time. We ought to be, and I suppose if the objection had been made at the proper time this morning we would now be, proceeding to execute the special order made yesterday. By the terms of that order it is specifically provided that:

> Immediately after the reading of the Journal on Tuesday, January 5, 1892, the executive and other communications on the Speaker's table shall be laid before the House, to be referred to the appropriate committees, and thereafter the States and Territories shall be called for the introduction of bills and joint resolutions, memorials of State and Territorial Legislatures, for reference to appropriate committees, according to the provisions of Rule II, Fiftieth Congress, so far as the same is applicable, and shall proceed until the call is completed.

Now, I make the point of order that this being a communication upon the Speaker's table it could not be laid before the House under the terms of this special order unless it had been laid before the House yesterday.

The SPEAKER *pro tempore*. The Chair will state in response to the point of order made by the gentleman from Tennessee [Mr. ENLOE] that this resolution came over from the Senate yesterday and was laid before the House, and unanimous consent was asked that it remain upon the Speaker's table. It was again laid before the House this morning. The House has been engaged in the consideration of the question; it has had the resolution before it, and the Chair thinks that even if the agreement of yesterday did not cover the question the gentleman's point would come too late.

Mr. ENLOE. I wish to say that the House has been considering the question of reference, which might, perhaps, properly and rightfully come up for determination; but the present proposition is to consider the resolution itself, and I say such action is prohibited by the distinct terms of the order adopted yesterday.

The SPEAKER *pro tempore*. The Chair will remind the gentleman from Tennessee that the first ruling of the Chair on this subject was that it was in order to move to proceed to the consideration of the resolution, but that the motion to refer would take precedence. The gentleman from Georgia indicated that he desired the consideration of the proposition; and the debate was entered upon.

Mr. ENLOE. I differ with the Chair; but I shall not press the point of order further.

Mr. HOLMAN. I wish to make a suggestion to the gentleman from Georgia [Mr. BLOUNT], who has charge of this matter. The question which will go to the Committee of the Whole will be with regard to the appropriation of the $100,000; and perhaps the House will give unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER *pro tempore*. The gentleman from Georgia does not oppose the consideration of the resolution in Committee of the Whole.

Mr. BLOUNT. If the gentleman from Indiana desires that action I have no objection.

Mr. HOLMAN. Inasmuch as there is perhaps a single question which will come before the Committee of the Whole, my suggestion is that the House, by unanimous consent, consider the measure in the House as in Committee of the Whole.

The SPEAKER *pro tempore*. Is there objection to the suggestion of the gentleman from Indiana [Mr. HOLMAN], that the joint resolution be considered in the House as in the Committee of the Whole? The Chair hears none; and it is so ordered.

Mr. HOLMAN. Mr. Speaker, if the measure is now before the House for consideration I wish to submit a motion.

The SPEAKER *pro tempore*. The Clerk will first report the title of the joint resolution, after which the gentleman from Indiana [Mr. HOLMAN] will be recognized.

The Clerk read as follows:

> Joint resolution authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor of Russia.

Mr. HOLMAN. Mr. Speaker, I move to amend by striking out the last clause of the joint resolution—the one making the appropriation of $100,000.

The SPEAKER *pro tempore*. The Clerk will read the words which the gentleman from Indiana proposes to strike out.

The Clerk read as follows:

Strike out the following words:

"And if necessary to charter and employ under the authority of the United States a suitable steamship or ships for the same purpose. Any sum of money not to exceed $100,000, or so much thereof as may be necessary to carry out the object of this resolution, is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Mr. HOLMAN. Mr. Speaker, in support of that motion I wish to submit a few remarks. It is believed by gentlemen who are thoroughly well acquainted with the condition of our Navy that there will be no trouble whatever on the part of the Secretary of the Navy in supplying the necessary ships to transport these supplies to Russia. Naval officers perhaps will not like the work. Armaments will have to be removed and all of that, but no public interests will suffer.

In the next place this transportation, it should be remembered, is to be provided for the benefit of the people of a wealthy empire, one of the greatest powers of the globe, and it would seem hardly reasonable that the people of the United States should not only contribute with the generosity which always characterizes them to the relief of the hungry in Russia, but at the same time their Government expend a hundred thousand dollars for the transportation of such supplies from our ports to Russia. The Russian Government hardly merits at our hands such extraordinary consideration.

A great and wealthy power like Russia can well perform that duty for her own people. I hope, therefore, the motion to strike out will be adopted.

I wish to add my cordial indorsement of what has been well said on the floor of the House during this discussion, that in the present condition of our Treasury a positive degree of economy is expected of us by our people. To secure the object of this munificence does not require the appropriation of this $100,000; and I trust the House will not agree that this item of unnecessary expenditure should remain in the bill. If Congress thinks these contributions of our generous people to the famishing people of Russia should be transported by us to the Russian ports, instead of Russia using her navy for that purpose, then our Navy clearly should be employed. Can you employ our Navy in any better way? Ships of war are only well employed in such a humane service. The officers of the Navy may not like this kind of work, but it is absurd to say that provision to feed people can not be shipped on war ships. It is the only use you have for them, at least for the present.

Mr. HERBERT. Mr. Speaker, I hope this motion of the gentleman from Indiana will prevail. To the gentlemen of my own party I desire to address myself very briefly. I do not think it worth while to say anything to the gentlemen immediately upon my right. I do not expect any member of this House who is responsible for the billion-dollar appropriations of the last Congress to vote in favor of this amendment. I take it for granted that every gentleman on this side of the House will vote solidly to commit the present Congress, as the very first step it shall take, in favor of this appropriation of $100,000 of the people's money for the purpose of extending charity abroad.

Mr. BYNUM. Will the gentleman from Alabama permit me to make a suggestion?

Mr. HERBERT. Certainly.

Mr. BYNUM. I would like to call the attention of my friend to the fact that the amendment proposed will simply strike out the limitation and leave the Secretary of the Navy free to employ ships without limit of cost.

Mr. HERBERT. I do not know that the gentleman is correct in that proposition, but I take it for granted that the gentleman from Indiana, who proposes the amendment, will see that it is in proper form.

Mr. BYNUM. It should also strike out these words—

and, if necessary, to charter and employ, under the authority of the United States, a suitable steamship or ships, for the same purpose.

Mr. BOUTELLE. I think the gentleman from Indiana misunderstands the object of the amendment. If I understand the amendment correctly, it proposes that the Secretary of the Navy shall hire a ship, but the Russians shall pay the freight.

Mr. HERBERT. I will yield to the gentleman from Indiana to make what correction is necessary by way of an amendment.

Mr. HOLMAN. It is not necessary as an amendment. It simply amounts to this: The Clerk did not read the last clause of the bill which I propose to strike out. The original amendment, of course, embraced the entire proposition embodied in that clause of the resolution.

Mr. HERBERT. Well, I favor the purpose of the amendment, and took it for granted that the gentleman from Indiana would see that the amendment is so framed as to effect his purpose.

Now, the simple question presented at this time to the House of Representatives is just this: Shall the first step a Democratic House takes be to vote this expenditure of $100,000 of the people's money? Why should we do it? Is not Russia able to do that for herself? What reason can be given for it? Why, if it be the duty of Russia, shall we take it upon ourselves? I do not oppose the use of a ship, one or more, if they can be properly spared for this purpose; but I do say that the Democrats of this House ought to pause and consider well before committing themselves to an appropriation of this character.

Russia is one of the greatest governments in this world. In population and in extent of territory she far exceeds our country. Her Government is able to charter ships, and can to-day secure them by telegraph as speedily as we can. There is no reason why that Government can not charter to-morrow morning by telegraph every ship to be found in any port of America necessary to transport these donations. Russia knows better than this Government does whether her people are suffering. She knows whether they need these provisions. It is her duty to take care of her people. She is able to pay for the transportation of these donations, etc.; therefore I am opposed to the payment of this money out of our Treasury. It is said there are precedents for this proposition. If so, they are dangerous—dangerous in the extreme, and I think we should make haste to turn the face of the Government in the other direction. I do not care to occupy the time of the House in arguing the constitutional question. I put it simply upon economical grounds. I say if the people of Russia are suffering the Russian Government ought to know better than this House can without having made any investigation as to the facts.

Mr. TURNER. The gentleman from Alabama seems to assume that the Government of Russia is not only able to provide this transportation, but that it is her duty to do so as well?

Mr. HERBERT. Yes, sir.

Mr. TURNER. If that assumption is correct, is it even charity on our part to provide it?

Mr. HERBERT. Well, it would be much like the charity of many of these associations throughout the country that are formed for looking after the condition of the heathen of Borioboola-Gha while they neglect the indigent and suffering at home. The gentleman means that it would really be an extravagant waste of the people's money, and in that I agree with him.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I sincerely trust that a Democratic House at the beginning of its administration will not be guilty of drawing so paltry a distinction as to send public ships abroad and higgle over appropriating the public money for the employment of private ships for the same purpose, when this is more economical and much more efficient. We own no vessels; and this is the only mode in which we can furnish relief.

This is sticking in the bark. If we are going to furnish relief let us do it as becomes a great nation, without higgling over so small a matter. To pretend to send is to give no relief. We have no ship of the Navy that can do it. It is simply "giving promise to the ear and breaking it to the hope." But if we intend to do, let us do it in good faith; let us charter these ships, load them with the contributions of the teeming Northwest, and send them as the contribution of the American people in an era when suffering makes all the world akin. This is the true ground upon which our fathers put it in 1847, the ground upon which that stalwart Democrat, Whitthorne of Tennessee, put it in 1880, whom I was willing to follow when he was in the House, and whose precedents I am willing to follow now.

It is constitutional; it is humane; therefore it is American, and therefore it is Democratic, and I for one am willing to take Democratic responsibility for it. If we are not going to do it, let us say so frankly. Let us say "we have not the power" or that we have not the will, or that we do not think that in this day we ought to furnish contributions to anybody in any national aspect. Then the country and the world will understand that in the intercourse of America with foreign people, we can commit war, we can cover our seas with our ships of war, we can give medals to sailors, we can decorate those who have saved our ships in foreign ports, we can thank Russia for relieving Melville in the Arctic Ocean, but that we are powerless to aid out of our abundance when God has blessed us with sunshine and rain, and when out of the fertile bosom of our American soil has came a teeming crop, and He has given scarcity and famine to others; that there are constitutional and partisan difficulties which make us stand by and see the suffering die and famine stricken people go to the grave. [Applause.]

Mr. OATES. Will the gentleman allow me to ask him a question?

Mr. BRECKINRIDGE of Kentucky. Certainly, I always yield to the gentleman from Alabama with pleasure.

Mr. OATES. The gentleman's language is so eloquent that it is difficult for me to find a place where I can afford to interrupt him.

Mr. BRECKINRIDGE of Kentucky. There is no time when

I can not find a place to be interrupted by the gentleman from Alabama with pleasure. [Applause.]

Mr. OATES. Is not this appropriation for the purpose of transporting breadstuffs for the relief of suffering in Russia to go through the Russian Government?

Mr. BRECKINRIDGE of Kentucky. I do not know whether it is to go through the Russian Government, or whether it is to go through that remarkable association which is in every nation, and known as the Red Cross Association.

Mr. OATES. Did not the gentleman state——

Mr. HITT. Mr. Speaker——

Mr. BRECKINRIDGE of Kentucky. One moment. If it goes through the Russian Government, it will undoubtedly be properly distributed. And certainly the gentleman from Alabama is not willing to say by his action, as a diplomatic slap in the face of Russia, that she and her officers are not to be trusted with the distribution of our charity to her own suffering people.

Mr. OATES. The gentleman anticipates what I did not intend by the question. He goes beyond it. I understood the gentleman awhile ago to state that the larger part of his information was derived from the representative of the Russian Government here. It therefore seems that the Russian Government is accepting it for the relief of her suffering people, that the necessity is great, and that it would be gladly accepted. Now, is it any hardship, if that be true, that the generous contributions made by the people of this country for the relief of the suffering subjects of Russia should be transported to them at the expense of the Russian Government? If the Russian Government recognizes it and proposes, from all the evidences we have, to see to the distribution of these supplies, is it any hardship that that Government should pay the expense of transportation? It is not only the donations from our citizens for the relief of the suffering—if there be great suffering there, which I doubt not—but it is going further and asking an appropriation out of the Treasury of the United States to supply transportation, which Russia ought to supply for itself.

Mr. BRECKINRIDGE of Kentucky. But it is simply this: The citizens of the Northwest bring in their hands cargoes of breadstuffs and lay them down by the aid of the railroads at the port of New York. They have no transportation there. The American Government takes that contribution and lays it down at the port of Russia. In that way no time is lost. While we are debating suffering is increasing. It is simply a question, shall we do that which we do as a gentleman, graciously, or shall we do it niggardly and hesitatingly and incompletely? [Applause.] If we have the power to put it into the warehouse in New York, shall we not take it out of the warehouse and put it where the starving can get at it without further delay?

Mr. OATES. Does the gentleman consider it niggardly to inquire whether it be a proper appropriation of the people's money?

The SPEAKER *pro tempore*. The time of the gentleman from Kentucky has expired.

Mr. BRECKINRIDGE of Kentucky. With the permission of the Speaker *pro tempore*, I will say that I voted for the reference. That was voted down by the House, and now it is a question of consideration. I would have preferred it to have passed without the motion for reference. I would like this House to have done as the Senate has done, simply to have said without any debate, without any partisan reflection, without any other thing than the graciousness of a rich nation that has heard the story of suffering, to say, "Out of my abundance I do my part to relieve the suffering of people whose very suffering makes them akin to us."

The SPEAKER *pro tempore*. Debate upon the pending amendment is exhausted.

Mr. DOCKERY. I move to strike out the last word.

The SPEAKER *pro tempore*. The gentleman from Missouri moves to strike out the last word, and will be recognized.

Mr. DOCKERY. Mr. Speaker, upon the threshold of this session, and whilst entering upon the consideration of the first appropriation we are asked to make, it may be well to invite the attention of gentlemen on this side of the House to the actual condition of the public Treasury.

The responsibility for the expenditure of the people's money, in so far as it has the approval of this body, must rest upon the Democratic party. I confess, sir, that I share the apprehension expressed by the gentleman from Alabama [Mr. HERBERT] that our friends of the minority may not at all times unite with us in exacting the most rigid scrutiny and economy in respect to the items and aggregate of appropriations. However this may be, it is beyond cavil that the country has the right to insist that Democratic Representatives shall hold fast to their pledges and limit expenditures to the actual needs of the public service.

Mr. Speaker, the statement of the Secretary of the Treasury shows the "net cash balance" in the Treasury January 1, 1892, to be $34,574,128.30. The items of this apparent surplus are subsidiary and minor coin, $14,108,985.35; deposits in national banks, $15,437,669.91; and cash in Treasury vaults, $5,027,473.04.

Deducting the unavailable item of subsidiary and minor coin, which is referred to by the Director of the Mint in his annual report as "an incubus of uncurrent coin," it is obvious that the available cash balance upon which the Treasury Department must rely to meet maturing and past-due obligations is but $20,465,142.95.

Although Secretary Foster's statement discloses an excess of expenditures over revenues for the first half of the present fiscal year of $273,464.57, it is yet probable that the current revenues, together with the meager Treasury surplus, would be entirely adequate to meet the demands of an economic administration, were it not for the overlapping and overdue liabilities imposed by the billion-dollar Congress.

The aggregate liabilities upon the national income for the present fiscal year are $544,531,672.55, but after deducting the amount required by the sinking fund, together with the estimated postal receipts, we ascertain the liabilities for ordinary current expenditures to be $422,501,521.29, or $211,250,760.64 for the half year just closed. The expenditures for the same period having been but $176,018,751.88, it becomes manifest that $35,232,408.76 of the appropriations are still unpaid.

In addition to this outstanding liability, the accomplished clerk of the House Committee on Appropriations [Mr. Courts] estimates that the unexpended appropriations of the last fiscal year aggregate $30,256,177.80. In other words, of the appropriations made by the billion-dollar Congress for the last fiscal year, and the first six months of the present year, there remains $65,488,186.56 unpaid, with a Treasury surplus of only $20,465,142.95, whilst current expenditures are outstripping current revenues.

If to this unpaid mortgage upon the resources of the Government is added the $25,364,500 of 4½ per cent bonds refunded and the $49,224,928.65 demanded by the obligations of the sinking-fund act, it becomes apparent that the matured national indebtedness now aggregates $140,077,615.25.

Mr. Speaker, in the presence of this fiscal exhibit, an actual Treasury deficiency is apparently imminent and inevitable. Indeed, sir, the officials of the Treasury have been compelled to tax their ingenuity to the utmost in order to avert such a disaster, pending the Presidential contest.

It was the lavish appropriations, Mr. Speaker, of the last Congress, coupled with the anticipated reduction of revenues by prohibitory tariff duties, which compelled the Republican party to wrest from the holders of the national-bank notes $54,207,975.75 and cover it into the general Treasury. Of this enforced loan $32,679,299.25 is yet an outstanding liability. It was augmenting expenditures and dwindling revenues which coerced the Administration into a suspension of the sinking fund, and the refunding of $25,364,500 of the bonded indebtedness maturing September 1, 1891. It was the same fiscal exigency confronting the Secretary of the Treasury which induced him to change the old form of stating the national debt so that the "chips and whetstones" of the public Treasury, with its trust and reserve funds, should be made to take the place of the people's money, which had been wasted in prodigal and partisan extravagance.

The condition of the Treasury, Mr. Speaker, may be briefly summarized in the statement that the available surplus is now but $20,465,142.95; current expenditures surpass current revenues; appropriations aggregating $65,488,186.56 are unpaid; the Administration has been constrained to ask an extension upon $25,364,500 of the bonded indebtedness of the Government; whilst actual default is made in $49,224,928.65 required by the provisions of the act establishing the sinking fund.

Now, Mr, Speaker, having concisely stated the Treasury situation, I am constrained to enter an earnest protest against the contribution of $100,000 proposed by the Senate joint resolution.

[Here the hammer fell.]

Mr. MORSE. Mr. Speaker, I desire to offer an amendment.

The SPEAKER *pro tempore*. Does the gentleman from Missouri withdraw his *pro forma* amendment?

Mr. DOCKERY. I do.

The SPEAKER *pro tempore*. The gentleman from Massachusetts offers an amendment, which the Clerk will read.

The Clerk read as follows:

Add at the bottom of the resolution the following words:

"It is the sense of the Government of the United States, in the passage of this bill for the relief of the sufferers by famine in Russia, that no discrimination shall be made in the distribution of these supplies against the citizens of that Empire known as Israelites or Jews."

[Applause.]

The SPEAKER *pro tempore*. Does the Chair understand that this is offered as an amendment to the amendment? If not, it will not be in order at this time.

Mr. MORSE. I do so offer it, Mr. Speaker.

Mr. BLOUNT. Mr. Speaker, I desire to reserve the point of order upon it.

The SPEAKER *pro tempore*. The gentleman from Georgia reserves all points of order upon the amendment. The Chair will hear the gentleman from Massachusetts.

Mr. MORSE. I desire to say, Mr. Speaker, that I am entirely in sympathy with the bill now under consideration.

Mr. BLOUNT. Do I understand that the point of order is reserved?

The SPEAKER *pro tempore*. The Chair stated that the gentleman from Georgia had reserved all points of order.

Mr. BLOUNT. I would as soon make it now, or hereafter, as the gentleman from Massachusetts may prefer.

Mr. MORSE. I will occupy my five minutes, if I am allowed to, at this time, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman from Massachusetts is recognized.

Mr. MORSE. I desire to say, Mr. Speaker, that I am heartily in sympathy with this bill. I believe that it ought to pass. I am opposed to the reference of this resolution to any committee and am in favor of its immediate consideration. However cruel or wrong the Russian Government may be in the treatment of its subjects that is no reason why this grain and these supplies contributed by the benevolent people of the Northwest should not be forwarded to the starving people of Russia. But it seems to me, Mr. Speaker, since it is a fact well known to the people of the United States that 5,000,000 citizens of Russia, known as Israelites or Jews, are subjected by the Russian Government at this time to the most cruel and relentless persecution, I think that no harm can arise from coupling these words of mine to this bill and to this contribution from our Government, or from our citizens, for the relief of those starving people.

The wrongs done these Jews can only be known by reading the Russian laws and edicts with reference to them. I may refer to simply one of them. Whenever a Russian family for any cause is banished from the country in which they lived, the Russian law provides that if there is a daughter in the family she may remain if she will take out a license as a woman of the town. I think that any government that will be guilty of such a damnable law as this and other similar laws directed against 5,000,000 of its subjects deserves to have it made known, and no harm can come from telling the Russian Government that we are cognizant of the facts; and no harm can come from my suggestion that even-handed justice shall be done these people in the distribution of these supplies in the manner I have indicated in my amendment.

Mr. CHIPMAN arose and was recognized.

Mr. BLOUNT. Mr. Speaker, I desired to be heard on the point of order.

The SPEAKER *pro tempore*. The gentleman from Michigan is recognized.

Mr. BLOUNT. If the gentleman desires to go on now I will suspend action on the point of order.

The SPEAKER *pro tempore*. The point of order will be considered as reserved, and the gentleman will have the benefit of it.

Mr. CHIPMAN. Mr. Speaker, this is one of those occasions which are frequent in the history of men, when a proposition is made to be generous with money which does not belong to them. I am very well aware that there may be a certain amount of odium attached to opposition to this joint resolution; yet to my mind there are a hundred reasons why it should not pass, or at least why it should not pass without the most careful consideration. I was forcibly struck by the remarks made by the gentleman from Nebraska [Mr. BRYAN], who adverted to the fact that when the people of his section were in distress we in our seats here could find no way to aid them. A strict constitutional construction was invoked, and no gentleman then arose to announce that the tie of misfortune made us all akin. I remember it very well. No such sentiment as that was indulged in upon that occasion, but an ironclad construction of the Constitution was enforced, and the necessities of our own flesh and blood went unaided, unrelieved.

I have been struck, too, by the remarks of the gentleman from Missouri [Mr. DOCKERY] as to the condition of the Treasury, and without going into that subject at length, I simply say that it behooves us, under the circumstances which bring us here in so great a majority, to scan every item of expense with regard to its necessity as well as to its constitutionality.

I for one am very glad that the gentleman from Massachusetts [Mr. MORSE] has proposed his amendment. It is a serious question in my mind whether Russia, treating the Israelites and the Poles of that country as she is treating them, is entitled to the comity which prevails among civilized nations. I have, I say, strong doubts upon that question, while she is pouring into our midst hundreds and thousands and tens of thousands of these famine-stricken people; not only driving them out from their homes by lack of food, but by civil and religious persecution, and throwing them upon the hands of the people of this country to be taken care of.

I am ready, sir, to perform that work generously and to receive those people with open arms; but at the same time it occurs to me that a nation that can cast its people forth, its bone and sinew, so prodigally, as that nation is doing, that can be guilty of the oppression which that nation is guilty of, has no claim upon the sympathy of a republic like the United States. And for that reason alone, sir, if for no other, I for one would refuse to vote for this joint resolution here to-day.

Mr. BRECKINRIDGE of Kentucky. Does the gentleman from Michigan draw no distinction in such a matter as this between the government which may be guilty of the acts of which he has just spoken and the suffering poor who have no voice in the commission of those acts, but only share in the suffering?

Mr. CHIPMAN. I have thought of that, and my thought takes this shape, that it would be well for the people of that country to understand that their Government is outlawed from human sympathy; that it can expect no comity so long as it continues these oppressions; and I believe that that would be one means of stimulating them to rise and throw off the fetters which bind them.

Mr. PENDLETON. Does not the gentleman from Michigan know also that the very people who are forcing the Russian Government to persecute the Hebrews and Poles there are the Russian peasantry themselves?

Mr. CHIPMAN. I understand so. It is said that their ignorance, their prejudice, their bigotry, their hatred of the Jewish and Polish peoples in a religious way are such that they are foremost in leading on that crusade, which simply shows that they are under a government which makes slaves of them all.

Mr. PATTERSON of Tennessee. Mr. Speaker, I have listened with much interest to the discussion of this question. I listened with very great interest to the eloquent remarks submitted by the distinguished gentleman from Kentucky [Mr. BRECKINRIDGE], but the questions with me are these: First, has this Government, under the Constitution, the right to appropriate money for any purpose except it be a governmental purpose; and, second, is this a governmental purpose? Has this Government the right or power to engage in the distribution of charity out of the public Treasury? That, sir, is the difficulty with me. Notwithstanding the remarks of the distinguished gentleman from Alabama, as I read the organic law of the land, we have no power to appropriate, for any such purpose the money which is paid into the Treasury as taxes by the people.

Another question, Mr. Speaker. What has produced, in a large measure, this condition of affairs in the Empire of Russia? It has been the conduct of the Russian Government itself, which has shocked the moral sensibilities of the Christian world; and, so far as I am concerned, I am not disposed to make that Government the instrumentality for the distribution of American charity. These, Mr. Speaker, constitute the reasons which control me in my opposition to the passage of this joint resolution. So far as the suffering Israelites of Russia are concerned, I am one of those who feel a profound sympathy for them. Their kindred constitute a part of the constituency I represent, and I am rejoiced that their sufferings have shocked the moral sensibilities of the American people.

But let the charity of our people go out to the sufferers through their own instrumentalities, and not through the Russian Government.

Mr. BRECKINRIDGE of Kentucky. Will the gentleman permit a question?

Mr. PATTERSON of Tennessee. Yes, sir.

Mr. BRECKINRIDGE of Kentucky. Does the gentleman from Tennessee think it at all possible that the fact that there are a good many Jews in his constituency, and no other Russians, may cast some light upon the constitutional question as he has been studying it? [Laughter.]

Mr. PATTERSON of Tennessee. Mr. Speaker, in reply to the suggestion of the gentleman from Kentucky I take the position that this Government has no right or power to distribute charity in Russia either to the Israelites or to any other portion of the Russian poor. It is conceded by the gentleman from Alabama, who seems to have examined this question, that we have not the constitutional power to distribute charity to our own deserving poor; and if we have not that power, I submit to this House the question, have we the power or the right to distribute charity to the people of foreign countries? The Government of the United States is not an eleemosynary institution; and I desire here and now to enter my protest against the appropriation of money for any purpose, charitable or otherwise, that is not governmental and clearly within the limitations of the Constitution. [Applause.]

Mr. BUTLER. Mr. Speaker, I favored immediate action upon

this resolution, not because I favored the resolution, but because I believed it was our duty to act promptly in this matter one way or the other. It was a source of great pride to me to know that my own State of Iowa was first among those that raised these contributions for the suffering people of Russia. But it was a matter of greater pride that they were contributions and not appropriations. The people of Iowa, the people of Minnesota, the people of Nebraska, did not appropriate of the public funds, but they gave from their private pockets. I have observed here to-day that not one gentleman from the States that have contributed these amounts have said one word in regard to the matter of transportation; but it is the people who have not furnished one cent by way of contribution who are willing to vote out of the Treasury of the Government money which they would not give out of their own pockets. [Applause.]

For myself, I believe in charity. It is one of the graces that adorn true character and noble manhood; but it is not true charity on my part to give money from another's pocket instead of my own.

I oppose this resolution from beginning to end, so far as it proposes to make use of public funds. Nor is it so much a question of constitutional power as it is a question of moral right. No course of reasoning can in reality justify the use of public moneys for other than purely governmental purposes.

In regard to the amendment presented by the gentleman from Massachusetts, it would be received as a studied insult to the very Government it is proposed to aid. Supplies sent to Russia, labeled with a notification that the contributors demand that the distribution be so made as to meet the American idea of governmental duty, thus reflecting on the Russian policy of government, such supplies, I believe, would be returned, accompanied by the declaration that the Russian Government proposed to act in the matter, if at all, without advice or direction from other powers as to the manner of the distribution.

I oppose both the amendment mentioned and the resolution so far as it provides for the appropriation of money or the chartering of ships, and shall therefore vote to strike out the clause providing for such chartering and such appropriations.

Mr. BLOUNT. Mr. Speaker, the amendment of the gentleman from Massachusetts, against which I have raised a question of order, is in the following language:

> It is the sense of the Government of the United States, in the passage of this bill for the relief of the sufferers by famine in Russia, that no discrimination shall be made in the distribution of these supplies against the citizens of that Empire known as Israelites or Jews.

Now, sir, we have before us in this resolution of the Senate a proposition to distribute or transport supplies which have been raised by contributions on the part of the people of several of the Northwestern States. Those people have not only done this, but they have appointed their agents to follow these supplies and make the distribution amongst the suffering people.

I repeat that the supplies to which this resolution refers are voluntary contributions of many citizens of the Northwestern States, which it is proposed shall be distributed under the direction of their own agents in certain districts in Russia. The resolution simply proposes that the Government shall lend the use of naval vessels, or shall expend not exceeding $100,000, in order to transport those supplies. That is the only question here involved. Now, I submit that upon a single proposition such as this to aid our own citizens in the distribution of supplies, it is not pertinent, it is not germane, to raise another question, and to place upon this joint resolution a declaration that it is the sense of this Government that there should be no discrimination in the distribution against persons known as Jews or Israelites.

Mr. MILLIKEN. Will the gentleman allow me to ask him a question?

Mr. BLOUNT. Yes, sir.

Mr. MILLIKEN. These supplies, as I understand, are not supplies furnished by the Government of the United States?

Mr. BLOUNT. Not at all.

Mr. MILLIKEN. They come from the people of the Northwest?

Mr. BLOUNT. Certainly.

Mr. MILLIKEN. Then does not the proposition of the gentleman from Massachusetts amount to this: that the Government should undertake to direct how the supplies furnished by somebody else shall be distributed?

Mr. BLOUNT. Unquestionably that is the effect of the proposition. These people have raised supplies for a certain purpose; they are simply asking, or we are proposing, that they be transported to Russian territory through the agency of the Government; and on arriving there they are to be taken charge of by agents of those States, and distribution made by them. I submit that it is not germane upon a proposition like this to make a declaration in regard to the mode of distributing these supplies. That is a matter with which we have nothing to do, because this is not the donation of the Government at all.

I will not say anything as to the merits of the proposition until the Chair shall have ruled upon it; but I submit that it is entirely out of order, treating this as a donation from these people to be distributed to persons in the famine-stricken districts of Russia; it is entirely out of order for us to undertake to annex to the donations of these private individuals a declaration as to how they should be distributed. If the people of Minnesota or Nebraska or any other of the Northwestern States want to extend charity to Israelites or to any other class of persons, that is a matter to be directed by themselves, not by this House. I urge upon the Chair the point that under the rules it is not germane to attach to this resolution an amendment of this character.

The SPEAKER *pro tempore*. This resolution embraces a proposition to transport certain supplies from the United States to a foreign country. It makes provision that vessels of the United States, and, if need be, the money of the United States, shall be used in such transportation. The amendment of the gentleman from Massachusetts proposes to couple with this provision for transportation the expression or declaration that when these supplies reach their final destination there should be no discrimination made in the distribution between different classes of people supposed to be worthy recipients of the donations. The Chair is of opinion that it is not out of order for this House in making an appropriation to couple with it such a condition as that proposed in the amendment of the gentleman from Massachusetts. The position taken by the gentleman from Georgia [Mr. BLOUNT] may be a very good argument to show that the amendment should not be adopted, but the Chair thinks that it is in order to allow the House to act upon the amendment, and overrules the point of order made by the gentleman from Georgia.

Mr. BLOUNT. Mr. Speaker, I trust, as the question is now before the House, that it will see fit to reject the proposition. There is not in the whole history of this magnificent charity on the part of these people of the great Northwest the slightest intimation, the slightest suggestion from any quarter or of any character that the relief given to the people of the famine-stricken districts of Russia shall not be equal and uniform and without discrimination as between all races of men found there.

Mr. HOLMAN. Will the gentleman indulge me in a question?

Mr. BLOUNT. Certainly.

Mr. HOLMAN. Does my friend from Georgia believe, assuming that the reports we have received through the press are correct as to the condition of affairs in Russia, and the attitude of the Russian people, as a people, towards the Hebrews, and the Russian Government, as a government, towards the people—does he think that that very considerable portion of the population of that country who may stand in need of relief under the present circumstances are likely to receive any benefit whatever from this munificence on the part of our people?

Mr. BLOUNT. I will answer the gentleman's question, which might as well be called an argument interjected here, by saying that I not only suppose it, but I believe that these kind people in the Northwest who organized this relief and made these contributions, and who propose to distribute the charity by agents of their own, already appointed by the governors of the different States, will make the distribution in accordance with the necessities of the people of the country whom they seek to relieve.

Mr. HOLMAN. But does the gentleman not know that under the despotic system of Russia we have got to take into account its police powers, a power which is manifested everywhere; and in the districts occupied by the Hebrew people we can not organize a movement strong enough to secure justice in the distribution of these supplies?

Mr. BLOUNT. My friend from Indiana has many ways of making his attacks. Now he comes up and raises the question as to what the Russian Government will do in relation to a matter of this sort; and the gentleman from Indiana, venerable as he is in the public service, respected as he is by the people of this country, with the authority of his great name, is raising now in this House a question which is not creditable to him, nor prudent to be raised in the Representative Hall of the American people. It is, to say the least, not proper for this House by any legislative declaration to assume towards any friendly power a purpose to do that which would be contemptible in the eyes of any man on earth. There is no necessity for it, and there is nothing, except in the brain of the gentleman from Indiana, to warrant it. I scarcely think the thought exists that the agents of the governors of these several States, when they shall reach that country, will fail to see that this charity shall be delivered to every starving family within their reach, and with such a suggestion it would be, I think, competent for the Russian Government to guard itself against the assumption which such a remark implies.

I think we may well trust to the Russian Government to guard itself and its own good name in this regard. I know so well the methods of my friend from Indiana in this House that I can not

believe this is a candid suggestion on his part. From the beginning he has fought this measure in every form in which it has been presented.

Mr. HOLMAN. No; I am in favor of the proposition to do just what we have done heretofore and use our Navy for a very proper purpose.

Mr. BLOUNT. Well, let us do it, and do not come and obstruct the doing of it by putting a proposition here which, if you are correct, is an insult to a foreign government.

Mr. HOLMAN. Well, my friend is assailing me without any reference to my friend over yonder from Massachusetts. [Laughter.]

Mr. BLOUNT. I will take care of both gentlemen in due time.

If the gentleman from Indiana is the interpreter of the gentleman from Massachusetts, and I take it that he is—if he is the interpreter of that gentleman in this suggestion, which is but a declaration on the part of the House of Representatives of the United States that the Government of Russia is acting cruelly and inhumanly towards a portion of its people——

Mr. HOLMAN. Is it not true?

Mr. BLOUNT. I would like to know of the gentleman from Indiana, as an American citizen, what he would think of the passage of such a measure towards this country on the part of any foreign government?

Mr. HOLMAN. Has not the whole civilized world denounced the conduct of Russia towards a portion of its own people?

Mr. BLOUNT. That is not the question. I care nothing about it. Let public opinion have its sway. Let us, when we exercise the limited powers conferred upon us, and which we are entitled to exercise under our form of government, pursue those methods which prudence and dignity prescribe, and not attack one of the great friendly nations of the world in a manner such as the gentleman suggests. If the gentleman from Indiana thinks it is right and the duty of this House to make this declaration, perhaps he would not hesitate to go further and make even a declaration of war against any government that was not republican in form and protected the rights of its citizens according to his own notions.

I say that if the gentleman from Indiana interprets correctly the proposition of the gentleman from Massachusetts, and I believe he does, for I think it is the purpose of the gentleman from Massachusetts to do exactly what the gentleman from Indiana has suggested, then I submit that this House of Representatives will not, without very much more careful consideration by some committee, make a declaration here which is calculated to disturb the good relations between this country and the Russian Government, and to affect our intercourse with them politically, commercially, or otherwise. Especially, Mr. Speaker, I trust that we will not take occasion to breed discord when we have before us a proposition to relieve suffering humanity by donations made by our own charitable fellow citizens of the great Northwest. If I believed that there was any purpose anywhere to use this fund for making a discrimination against the Israelites or any other class of people I would not consent to the use of a single vessel of this Government or a single dollar of its money.

This Government and the American people would recognize no distinctions of that sort nor justify it on our part. Let us not belittle this splendid action by this little, mean suggestion in relation to the possibility of the Russian Government, the Czar with his police power, taking up the representatives of our Government going on this friendly mission. If they shall be incarcerated, if our agents shall be imprisoned while in the performance of this act, then I expect to hear from the gentleman from Massachusetts [Mr. MORSE] and the gentleman from Indiana [Mr. HOLMAN] in the matter of a declaration of war.

Mr. MORSE. Mr. Speaker——

Mr. BOUTELLE. I would suggest to the gentleman from Massachusetts [Mr. MORSE] that he withdraw his amendment.

Mr. MORSE. I am not going to withdraw it, and in reply to the gentleman from Georgia [Mr. BLOUNT] who has seen fit to characterize this amendment which I have offered as mean. I will append to my remarks what I have not in my desk, but which I have at my hotel, a copy of several of the laws of the Russian code, and if the gentleman can find anything on God's green earth that is meaner than some of these laws, enacted against the Israelites, the Jewish citizens of that empire, I would like to have him tell me what it is. To say that they are mean does not describe it.

I say, Mr. Speaker, that 5,000,000 citizens of the Russian Empire are subjected to the most cruel, relentless, and heartless persecution. These poor men are driven from their homes, houseless, homeless, and friendless, to strange lands, without any trade or occupations. Thousands of them are coming to these shores, and charitable people throughout the length and breadth of our country are being compelled to support these starving and destitute people who are coming here. If the gentleman from Georgia [Mr. BLOUNT] thinks my amendment is mean, I want him to turn to the RECORD to-morrow morning and read some of these Russian edicts against the Israelites; and then if he can find anything meaner than they are I want to know what it is. Now, Mr. Speaker, I say that any government that is guilty of such a crime as I have here described, that is guilty of enacting any such laws against any great portion of its people, as has the Czar's Government, has placed itself without the pale of sympathy and consideration of any civilized nation on the face of the earth, the United States included.

But while I entertain this view of the Czar's government and believe that no kindness shown to us in the day of our distress during the civil war, referred to by gentlemen, can atone for such crime against humanity, yet because the Russian people are suffering, because the innocent are suffering, I am in favor of this bill, and I was in favor of its immediate consideration, and I voted against referring it to any committee. But I fail to see, Mr. Speaker, what harm can arise from coupling this benefaction on the part of our Government (for that is what it is, because this Government proposes to send these supplies to the Russian people)—Mr. Speaker, I fail to see what harm can come to us or our dignity or what insult can be offered to that Government by coupling with this benefaction this suggestion that we desire these supplies distributed indiscriminately, without any discrimination against the Israelites or Jews of that empire.

Now, Mr. Speaker, once more I tell you that in the light of the Russian code appended, which I ask you to read, unless you couple my amendment to this bill, no Israelite in Russia will ever receive one single spoonful of that flour.

Below are appended the Russian laws with reference to Jews or Israelites. Especial attention is called to the last clause of No. 9:

A RÉSUMÉ OF THE CHIEF RESTRICTIVE LAWS.

RESTRICTIONS ON RESIDENCE.

1. The Jews of Russia have long been compelled—with certain exceptions only—to reside either in Poland or within the adjoining provinces known as the "Pale of Jewish Settlement," which contain comparatively few towns.

2. They may not live within fifty versts (about 33 miles) of the frontier. The effect is to prevent them carrying on trade with neighboring countries.

EXPULSIONS FROM VILLAGES.

3. Under the May laws, which prohibit Jews from settling "outside of cities and towns," those settled in villages since May, 1882, are expelled therefrom, and driven into the overcrowded towns of the Pale.

4. Under certain decisions of the Senate, Jews settled in villages before May, 1882, have the right of remaining there, but only provided they do not move therefrom. Many have been driven out who have settled there before because their names had not been inscribed as villagers, or because they had temporarily left the village, in some cases to perform their military duty.

5. Suburbs of towns and small towns have been in many cases declared villages, and the Jews have been expelled therefrom.

6. Under the May laws, Jews are prohibited from owning or holding on lease, or even managing land; nor can they take a mortgage of land. Those, therefore, who have the right to remain villagers, in consequence of settlement before 1882, can not find a livelihood, and must migrate to the overcrowded towns of the Pale.

EXPULSIONS.

7. Until lately Jews of all classes were allowed to reside in the Grand Duchy of Finland and in Courland. This year all who were not artisans or merchants of the first guild have been expelled and driven into the Pale.

8. Jews have lately been also expelled in large numbers from certain important commercial centers outside the Pale, such as Rostoff, on the Don, Tomsk, in Siberia, and other towns where, for commercial reasons, they had hitherto been allowed to settle; also from the transcaspian provinces, and from Batoum and other Asiatic places formerly owned by Turkey.

9. In all these cases of expulsion the Jews have to find the means of removal by selling off their goods and chattels, as they can not collect debts when they are known to be under orders to leave. If they then are unable to find money enough to pay for removal, they are forwarded to the Pale of Settlement, however distant that may be, by *étape*, *i. e.*, in chains, by the side of condemned criminals, and under the guard of prison warders. Jewesses are, however, allowed to remain if they will apply for a yellow ticket and become enrolled as prostitutes.

10. The result of all these expulsions is not only to deprive of their livelihood the persons expelled, but also to injure the original inhabitants of the towns of the Pale, who have to sustain the competition of the new arrivals, to incur the burden of a crowd of pauperized people, and to find for them house space within limits that were already too contracted.

11. Besides expulsions from Russia proper into the Jewish Pale, a very large number of expulsions of foreign Jews have taken place, not only from Russia proper, but from the Pale itself. Any Jew unable to prove the place of his birth may be prosecuted, and, as registration was formerly a lax institution in Russia, prosecutions and expulsions of Jews as alien vagrants or as rogues and vagabonds (*brodyags*) are of no rare occurrence.

RESTRICTIONS ON EDUCATION.

12. The attainment by a Jew of the highest degree in any university faculty entitles him to the privilege of residing outside the Pale. A large number of Jews have hitherto been candidates for university distinctions, but recent laws have limited admissions not only to the universities, but to the gymnasia, the proportion fixed being 10 per cent in the Pale, 5 per cent outside it, and 3 per cent in St. Petersburg and Moscow. The Jews are not allowed schools of their own. In the special technical schools built and endowed by certain rich Jews the proportion of Jews admitted is limited just as if they had been established by the Government.

13. Jewish children attending the public schools are required to be present on the Jewish Sabbath.

ARTISANS' PRIVILEGES RESCINDED.

14. Skilled artisans and their families have hitherto been allowed to reside outside the Pale of Settlement. Under recent rules, if Jewish artisans residing in Russia proper are found inefficient in their trade, are not actually in work, or past work by reason of age, they are expelled.

15. Skilled artisans who formerly held the right of permanent residence in Moscow and St. Petersburg have lately been deprived of that right by an arbitrary and summary administrative order.

16. The definition of "skilled artisan" has been contracted for the purpose of excluding Jews. It has lately been declared that bakers, vinegar-makers, glaziers, printers' compositors, and other workers in light occupations are not artisans, and Jews carrying on these trades have been expelled from towns in Russia proper.

RESTRICTIONS ON OCCUPATIONS.

17. Jews are not allowed to sell intoxicants except in houses which they own. Jewish waiters may be employed only by Jews.

18. Jews are not allowed to engage in any mining industry, or to hold mining shares, or to act as agents for persons engaged in mining.

19. Those Jews who, as high graduates of a university, or as merchants of the first guild (men paying at least 1,000 rubles taxation annually), are allowed to reside outside the Pale, may have no more than two Jewish employés in their service. (A privileged Jew, who wishes his aged parents to reside with him outside the Pale, frequently registers the one as his valet and the other as his cook.)

20. Jews are prohibited from forwarding goods, as agents or employés, from frontier custom-houses to localities outside the Pale.

PROFESSIONS AND PUBLIC APPOINTMENTS CLOSED.

21. Jews are not allowed to occupy any government or public appointment. They have accordingly been dismissed from railway and post-office service, from the posts of schoolmasters, and from notarial offices. They may no longer be appointed doctors, or even veterinary surgeons, in the army. No Jew may become an advocate, though fully qualified by examination, without the special sanction of the minister of the interior, which has not once been given. No dentist or apothecary of Jewish extraction is to receive a license to practice. No Jew may become an officer in the army, though bound to serve in the rank and file, like all other Russians. The penalty of evading military service is higher for the Jew than for others. No Jew may serve in the navy.

22. No Jew may be elected mayor, councilor, or police magistrate, nor may hold any other town office. The law says: "The duties of judges can not be intrusted to Jews with convenience or decency."

SPECIAL TAXES ON FOOD, ETC.

23. There is a special tax, called the "box tax," levied on the animals killed according to Jewish ritual law—a tax payable on the slaughter of the animal and another on its retail sale. There are also special taxes on house property owned by Jews, on business profits of Jews, on the skull caps used by Jews during domestic prayer, and on the Sabbath candles used by Jews.

DIRECT RELIGIOUS PERSECUTION.

24. Jews on reaching their fourteenth year may be received into the orthodox church, nothwithstanding the objection of their parents. All Jews on conversion receive from the state a considerable subvention, and are thenceforth free from all disqualifications.

25. Synagogues are only allowed in places where there are no fewer than eighty Jewish houses. Jews holding divine worship in their houses without official permission are punished by law.

ALIENATED AND BLACKMAILED.

26. The Russian law declares all Jews "to be aliens whose several rights are regulated by special ordinances." This law and the mass of special ordinances cause the Jews to be regarded as a pariah caste.

27. The minute legal restrictions which hem in every action of the Jew, and compel him to obtain police sanction for everything he requires to do, renders him a ready subject for blackmail, and he can only live by bribing. The poverty of the bulk of the Jews has now reached that stage where bribery is impossible. Hence these restrictive laws are now enforced with all possible rigor.

For the further information of the House I also append to my remarks a few illustrations which have come to my knowledge of the practical working of these laws:

M. S., 37 years old, eleven years in Moscow, was a jeweler, belonging to the second guild, and paid £12 per annum for license. He was doing a good business in Moscow and surrounding districts, but received notice to quit within seven months; and having a good deal of money standing out in the country left Moscow for a few days to collect it. On his return he was ordered to leave in seven days for going out of town without leave. He was obliged to leave behind him a good deal of money outstanding, and, in broken health and fortune, was thus forced to leave his native land.

Abraham Moses, Moscow, belonging to the first guild of merchants. He carried on an extensive business, had thirteen clerks in his office, all Jews, and had to dismiss them by order of the police, and not being allowed to employ Christian employés, had to realize on his property at a great loss and leave Moscow.

Moses Meyerowski, wife, no children, tailor. He had been fourteen years in Kremchuck (Poltava), was making a comfortable living, and had four assistants. He was employed by some of the *élite* of the district; most of his customers, however, taking credit. In answer to his demands for money, he was ordered to leave the place in seven days without being able to collect his debts. All he got for his belongings hardly sufficed to pay half his journey expenses.

Isaac Wolvchinski, 53 years, carpenter, eighteen years at Ikallet, has a wife and seven children. A hard-working man, he could pay his way when at home, but had nothing over; was ordered to leave in three days, and in the short time left him he could not get enough to buy sufficient provisions for the journey.

Here is a letter from a citizen of Edinburgh, describing a scene which he witnessed, which tells its own story. Volumes more of similar testimony might be appended.

Here is a sample of the most recent refugees. A few evenings ago, the Hamburg steamer arrived with its usual freight of exiles. On landing they formed into little family groups, each with its bundle for the inspection of the custom-house officers, and when this was completed the relief committee proceeded with its humane work, giving to each a substantial meal, and distributing clothes and a little money to the very needy. One of the most striking groups consisted of a respectable man and his wife, apparently in good circumstances. He was a watchmaker, P. L., from Moscow, of about 55 years. With tears he told us he was in business in that city for twenty-two years, employing several men, and in a good position; but the hand of the authorities fell on him, and he was hurriedly driven forth. He was now a homeless exile, and all he had in the world was in a basket at his feet. His wife seized both hands of a lady friend who was with me, and amidst her sobs, told that she had left her five children behind her in the grave at Moscow. It was the one touch of nature which makes the whole world kin. I could not say who wept the most, the listener or the speaker. With some reluctance they partook of the charity of a cup of hot coffee. For the sympathy and the little kindness shown them, the husband took my hand and kissed it, and blessed me.

Your space will not admit of a description of the twentieth part of what I see any time at Leith—teachers, lawyers, students, manufacturers, and tradesmen, all at a sudden stroke rendered destitute, and driven out as homeless wanderers to face penury and cold in their efforts to begin life anew in a strange land. It is pitiful, above all things, to see the little children turned old with sorrow, while their parents are sunk in the silent, deep agony of despair. In the presence of such misery one asks the question, What evil thing have these people done to suffer such inhumanity? They only refuse to enter the Greek Church. The Christianity they are accustomed to is to see a rude, ignorant Russian kneeling before a wooden cross on the roadside and kissing an image, and then rising up to spit on the first Jew he meets and to curse him. Whatever the Jews may be, their ancient idolatry has been whipped out of them by ages of suffering, and rather than offend their conscience, they will become homeless and penniless wanderers on the earth. I lose sight of their poverty and poor clothing. I only see men and women of noble heroism, who, for conscience' sake will face cold and hunger and nakedness, and go out into the world to face the Atlantic and an unknown future with their children. I can not but look on these poor Jews with admiration, and loathe the fanaticism which drives them forth, and I feel it a privilege to do anything to cheer and encourage such brave and noble people.

WILLIAM PATERSON.

13 PITT STREET, EDINBURGH, *November 6, 1891.*

It is idle to deny or to attempt to palliate or excuse the horrible barbarity of the Russian Government, as gentlemen have attempted to do on this floor to-day. There is no question about the sentiment of the American people on this subject. Below are a few opinions of the American press which I have gathered.

The New York Herald has an article upon "Life with the Exiles," and says:

We find them to be a peaceable, prudent, patient, and painstaking people; they have all the qualifications for good citizenship, and they cultivate the soil without difficulty and without previous experience.

The New York World:

The policy of persecution which the Russian Government has adopted toward its Jewish subjects is engaging the attention of the civilized world. Whatever the motives which have prompted it, there can be no doubt about the relentless barbarity with which it is being carried out. Proofs of this are accumulating every day, and it is plainly seen that the persecution is nothing short of persecution to the death

The New York Tribune:

This Jew-baiting is a purely religious persecution. The Czar so regards it, and so do his ministers and all Russian officials. The talk about the Jews being obnoxious for social or industrial reasons is nonsense, and when put forward by the Russian Press is intended merely to bamboozle the gullible. The Jews are hated simply because they are not, and will not become, members of the Greek Church.

New York Public Opinion says:

When any Government owning the force of international obligation undertakes to reduce several millions of its subjects to a choice between starvation and flight, the country is likely to become the asylum of multitudes of men, women, and children, reduced to the condition of hunted beasts, have not only the right but the duty of vigorous protest. Owing rather to ignorance of the precise character of Russian policy in this matter than indifference to it, the people of the United States have so far failed to express the sentiments which it naturally evokes. The American press may, we think, be trusted to do its entire duty in the premises.

The San Francisco Chronicle says:

The Jews are hated simply because they are not and will not become members of the Greek Church, and everyone else who persists in remaining outside the pale of orthodoxy is hated just the same. In proof of this one has only to observe the persecution that is being directed against the Stundists, Old Believers, Lutherans, and others. In the eyes of this fanatical and bigoted Government all Protestants and Roman Catholics are accursed heretics, whom it is the duty of the orthodox believers to persecute, despoil, and destroy.

Below is the opinion of an English statesman, who most undoubtedly voices the sentiment of his countrymen.

His Grace the Duke of Argyle has addressed the following letter to a member of the London Russo-Jewish Committee:

INVERARY, ARGYLESHIRE.
September 3, 1891.

SIR: I have been in hopes that some authentic contradiction by Russian authorities might enable us at least to suspend our judgment on the terrible accusations brought against them in respect of the cruel persecution of the Jews.

No such contradiction, however, has yet appeared; and I am afraid we must accept it as a fact that one of the greatest empires in the world, calling itself not only Christian, but preëminently "Orthodox," is now acting toward the Jewish people in a spirit worthy of the darkest period of the Dark Ages.

I know of no resource except the public opinion of the Christian world. Let us all take part in crying "shame" on such conduct. It is thoroughly barbarous.

Yours obediently,

ARGYLE.

Below are opinions of the English press upon the subject under consideration.

The Yorkshire Herald says:

When President Harrison recently appealed to the Russian Government to show mercy to the Jews it was thought that reason at last had penetrated the cabinet of the Czar. It was supposed that the old policy of Russianizing the alien race would be once more adopted. These hopes, however, have been grievously disappointed. It seems almost incredible that in the present state of our civilization one of the great powers of Europe should persecute a large section of its subjects because of their religious belief. Yet the fact is so; and it is for other powers, without interference which would prove offensive, to bring such pressure to bear upon Russian authority as is likely to produce a better state of things.

The Freeman's Journal says:

There is little likelihood that the vigor of the present policy will be lessened, or that the feelings of the civilized world will no more be outraged, by a repetition of the terrible episodes that have recently earned for the Czar and his Government the reprobation of humanity.

The Scottish Leader says:

It is neither right nor possible that the voice of civilized humanity should not be uttered in condemnation of such cruelties as have been inflicted upon the Russian Jews. In spite of the indignant protestations of almost every other civilized community, the expulsion of the Jews from Russia is being continued, with attendant circumstances of cruelty and injustice that could not be paralleled in the history of modern Europe."

The Odessa correspondent of the London Daily News gives the following, and when it is known that these outrages are privately winked at by the Czar's Government the crime grows black:

I have to-day been shown a letter from Starodub, the receiver of which vouches for the integrity and trustworthiness of the writer, stating that during the recent antisemitic excesses perpetrated in that town, five young Jewish girls were outraged and otherwise so barbarously maltreated that they have all since succumbed. The writer also states that, including these five victims to the brutal lust and fanatic barbarity of the mob, the attack on the Jewish quarters has resulted in twenty deaths. The local authorities at Starodub are, as might have been expected, doing their utmost to suppress the real facts of this wanton and infamous attack on the helpless Jews. A report reached Odessa last night that an anti-Jewish riot had with difficulty been suppressed at Balta, a place which earned a disgraceful notoriety during the excesses committed in 1882. The officially described "deplorable incident" at Starodub threatens to become an example to be followed by the fanatical and brutal elements in other Jewish centers. The provincial authorities are, or should be, perfectly cognizant of the threatened danger to the lives, honor, and property of the Jewish inhabitants under their protection, and there can be no excuse or palliation whatever for these responsible officials if, with the police and military forces always at their command and disposition, they do not take instant and rigorous measures for the prompt and exemplary punishment of the primary instigator of these inhuman excesses which are covering Russia with eternal disgrace.

Now I submit, Mr. Speaker, and gentlemen of the House of Representatives, once more, whether any past friendliness of the Czar's Government to our own can atone for such crimes against God and man as I have herein but partially set forth. Once more I repeat that any government that would enter upon such a systematic persecution of its subjects has placed itself without the pale of sympathy of any civilized nation upon the face of the earth.

The record shows, I am sorry to say, that the populace of Russia to some extent at least are parties to this persecution. I am not a prophet or the son of a prophet, but I believe there is a just God that rules on high and governs the affairs of men, and a cry of wrong and distress, unheard by mortal ear, may be heard in heaven; and as He sent plagues to the ancient Egyptians to punish them for their sins against his people, so He may send famine to the people of Russia for the same cause. It is no wonder that the royal family travel in secret and look under every seat for a dynamite bomb.

Mr. Speaker, I am not an Israelite or a Jew. I believe, as the Jews do not, that the Messiah, the Immanuel, the Prince of Peace came in the person of the lowly Nazerine, who walked beneath the palm trees of Judea eighteen centuries ago; that he died on the cross for you and me, Mr. Speaker; that he has been "wounded for our transgressions and bruised for our iniquities;" that he was "brought as a lamb to the slaughter, and as a sheep dumb before her shearer, so he opened not his mouth." But I believe that with all their faults the children of Israel are still the chosen people of God, and finally, when He who sits upon his people "as a refiner and purifier of silver," when the dross is removed, and the Almighty's discipline of centuries shall be fulfilled, the children of Israel will be restored to his favor.

I seem to hear the voice of the Hebrew prophet saying to his chosen people, "For a small moment have I forsaken thee, but in great mercies will I gather thee. In a little wrath I hid my face from thee for a moment; but with everlasting kindness will I have mercy upon thee, saith the Lord thy Redeemer."

Under the call of States on yesterday, I introduced resolutions expressing the sentiment of our people in regard to this persecution, unequaled, I believe, since the children of Israel groaned beneath the taskmaster of Pharaoh in Egypt; unequaled since Moses cried to God in their behalf and the Almighty answered "I have heard their groanings and have come down to deliver." If our people are not moved, Mr. Speaker, upon this subject, what means it that the President of the United States thought it of sufficient consequence to call the attention of Congress to this cruel and relentless persecution, and to advise the representatives of the people that, moved by dictates of humanity, he had offered his good offices to the Czar's Government to secure amelioration and surcease of the same.

What means it that numerous Representatives besides myself, from remote sections of the country, yesterday, under the call of States, offered resolutions upon this subject? Then, once more, the United States has a selfish and pecuniary interest to stop this persecution. If these 5,000,000 subjects of the Russian Government are to be driven from their homes, are compelled to sacrifice their belongings, they must go to some other country, and already the advance army of these people is being landed on these shores, houseless, homeless, friendless, without trade or occupation in this country whereby they may earn their bread, and at present and for a long time dependent upon the charity of our people. I shall vote for this bill with or without my amendment, because I believe that the mass of the peasantry of Russia can not, do not sanction or approve the acts of the Czar's Government which I have described towards the Israelites or Jews. I venture to close these remarks by appending to the same a copy of a preamble and resolution which I offered in the House on yesterday, and which was referred by you, Mr. Speaker, to the Committee on Foreign Affairs, as follows (and I trust that this important matter will receive the early consideration of that committee):

Whereas it has come to the knowledge of our people that 5,000,000 subjects of the Czar of all the Russias, known as Israelites or Jews, are at present subject to the most cruel and relentless persecution, banished from their homes on the most trivial pretext, without opportunity to sell their belongings, thus often driven into exile into strange lands destitute and penniless; and

Whereas the exodus of so large a people is impossible and impracticable:

Resolved, That the Representatives of the United States in Congress assembled, recognizing the Fatherhood of God and the brotherhood of man, desire to express our sympathy for these unfortunate people in this hour of their dire distress.

Resolved, While it is against the policy of this Government to interfere in the affairs of other nations, yet, in view of the appalling facts recited above, and considering the friendly relations that have always existed between the Czar's Government and our own, we ask the President of the United States to continue to use his friendly and good offices to secure from the Czar's Government an amelioration of the condition and a surcease of persecution of these unfortunate people, and that the honorable Secretary of State be requested to forward to our minister at St. Petersburg, and through him to His Majesty's Government, a copy of these resolutions.

Now, Mr. Speaker, in conclusion, I certainly hope that this House will reject the amendment to strike out the appropriation of $100,000, offered by the gentleman from Indiana [Mr. HOLMAN]. In 1848, when our Government was comparatively feeble and poor, we joyfully commissioned the Navy to carry bread to the people of Ireland. Mr. BOUTELLE, former chairman of the Naval Committee, tells us that the modern war vessels now owned by the Government are not suitable for such a purpose. And to refuse the necessary appropriation to carry these supplies to the starving people of Russia—Jews and Gentiles—while it may be in harmony with Democratic "retrenchment and reform," yet it is an act of niggardly parsimony that the Government of the United States of America can not afford to make. To adopt the amendment of the gentleman from Indiana [Mr. HOLMAN] is to emasculate and destroy the bill.

[Here the hammer fell.]

Mr. LIND. Mr. Speaker——

The SPEAKER *pro tempore*. Debate on the pending amendment is exhausted.

Mr. LIND. Mr. Speaker, I move to strike out the last word.

The SPEAKER *pro tempore*. That is the pending amendment.

Mr. LIND. I will ask the gentleman who made it to withdraw it, and then I will renew it.

The SPEAKER *pro tempore*. By unanimous consent it will be considered as withdrawn, and as renewed by the gentleman from Minnesota [Mr. LIND].

Mr. LIND. I desire to say just one word, and that is this: If gentlemen would stop a moment to consider, they would see the absurdity of undertaking to attach a condition to a gift from the people of my State and other Northwestern States. My little town alone, of only 4,000 inhabitants, contributed 10 tons of flour. The gentleman from Massachusetts [Mr. MORSE] has offered an amendment which is not only an insult to the Russian Government, but to our own people. Our own people say that out of our sufficiency, out of our abundance, we are willing that the starving Russians should be fed. The gentleman from Massachusetts [Mr. MORSE] proceeds on the theory that I have often heard, from him and from other gentlemen from his section, that it is always in season to preach to a man to reform.

Our idea is different: it is that when a man is hungry and starving we want to feed him and let that act of humanity do the preaching, and the reformation will come in the course of time. I simply want to emphasize what has been so well expressed by the gentleman from Kentucky [Mr. BRECKINRIDGE], that no gentleman would send a gift to another and have the express charges on it collected on delivery.

Mr. FORNEY. Sent C. O. D.

Mr. LIND. If the American people and if this Congress are not of the opinion that our Treasury is in a condition to justify it, if we do not feel that our nation is able to stand the expense of forwarding this flour, for God's sake do not do it. I believe that there is enough generosity in the people of the Northwest who contributed this flour and this corn to send it over, if the great American people are not able to do it in their capacity as a nation.

We have contributed the flour, and can send it over without begging you to do so, and we certainly should consider it an insult to us to have any objection of the character suggested by the

gentleman from Massachusetts attached to it. [Cries of "Bravo!" and applause.]

Mr. COOLIDGE. So far as this matter is concerned, as a Representative from Massachusetts I know no distinction in race, of Jew or Greek, or bond or free. I only know that where human suffering exists it should be relieved as soon as known. I do not ask any gentleman on this floor, I do not ask any constituent of mine to exercise more charity in a matter like this than I would exercise myself; and that the McKinley bill, as has been stated here, has caused great suffering I do not doubt, but what good that does to the suffering Jew of Russia I fail to see.

Then, again, as to the transportation of this gift to the suffering people of Russia, let me say that I would hardly consider it an advantage for a gift to be sent by express, the charges on which were more than the value of the gift itself. I am certainly in favor of this resolution as it came from the Senate without any amendment whatever.

The SPEAKER *pro tempore*. The question is on the amendment of the gentleman from Massachusetts to the amendment offered by the gentleman from Indiana [Mr. HOLMAN].

The question was taken, and the amendment to the amendment was rejected.

The SPEAKER *pro tempore*. The amendment is rejected, and the question recurs on the amendment offered by the gentleman from Indiana.

Mr. HOLMAN. Mr. Speaker, some misunderstanding may arise as to the words proposed to be stricken out. I therefore ask that the amendment be read.

The SPEAKER *pro tempore*. If there be no objection the amendment of the gentleman from Indiana will be again reported.

The amendment was again reported.

Mr. HOLMAN. Then I ask further that the measure as it would be, in the event the amendment be adopted, be reported.

The resolution as it would read when amended was again reported.

Mr. KILGORE. Now, Mr. Speaker, I would like to inquire further about that amendment of the gentleman from Indiana. If it be adopted and if the resolution should pass and become the law of the land, would it not become incumbent on Congress, and is it not his understanding of it that, as chairman of the Committee on Appropriations, he would have to report an appropriation on some appropriation bill to carry out the purposes of this resolution? Now, that is the effect of it, and if the gentlemen from Indiana——

Mr. BRECKINRIDGE of Kentucky. Will the gentleman allow me to add a piece to his interrogatory? What is the constitutional difference between paying money out of the public Treasury to charter a vessel and paying it to send a vessel of the Navy?

Mr. KILGORE. Now, one moment more. I say, if the gentleman from Indiana will substitute some words in there and say that Congress shall not make any appropriation for the purposes included in this resolution, then it will be complete, and will serve the purposes this House understands is intended by that resolution.

Mr. HOLMAN. Mr. Speaker, I trust I will be indulged a moment. The gentleman from Texas [Mr. KILGORE] takes a very extraordinary view of this matter—very extraordinary. Here are two propositions before the House. One is to employ the vessels of the Navy in shipping to Russia the gifts of our people to the starving people of that country. That is one proposition. That proposition is to remain as it is in the bill if the amendment is adopted. I, for one, am distinctly in favor of that. It is the best use you can put your Navy to.

Mr. KILGORE. Under your amendment?

Mr. HOLMAN. Yes, sir.

The other proposition is to authorize the Secretary of the Navy to charter vessels in addition to using, or without using, any naval vessels, to the extent of $100,000 for transporting these contributions of our people to the famishing people of Russia.

Now, if the latter proposition be stricken out, it leaves the matter exactly as in a former instance in our history; for we have a precedent for the employment of our Navy in the noble work of humanity and charity, a precedent already mentioned. It is a very proper purpose in which to employ the Navy. I say further, there is no excuse for appropriating this $100,000 or any other sum. I hope we will all agree that the Navy shall be employed in this work of humanity. It can be done by the vessels of the Navy of the United States. It requires no statement of experts or official reports to prove this.

Mr. KILGORE. Without any additional appropriation?

Mr. BOUTELLE. I beg the gentleman's pardon at that point. He is mistaken.

Mr. HOLMAN. I feel sure that if the House will strike out this $100,000 that will be the end of that.

Mr. KILGORE. That will be the end of the $100,000.

Mr. HOLMAN. That will be the end of any appropriation unless it be put back in a conference between the two Houses. What expense can be incurred if you strike out the $100,000? The cost of your Navy is the same whether the ships are employed or not, if they are in commission.

Mr. KILGORE. I understand the purpose of the amendment, and that is, it is in the interest of economy and to get rid of that $100,000 appropriation.

Mr. HOLMAN. Certainly.

Mr. KILGORE. Now, sir, we can not anticipate what will be done by a conference committee; but I am sure that a conference committee would try to put this $100,000 back; but I can not understand how this expense that will be incurred under this bill to transport these provisions can be met unless there is an appropriation made either on this or some other bill.

Mr. BLOUNT and Mr. BOUTELLE addressed the Chair.

The SPEAKER *pro tempore*. Debate on the amendment is exhausted.

Mr. BLOUNT. I wish to support the amendment of the gentleman from Indiana for reasons which I desire to state.

The SPEAKER *pro tempore*. Debate on the amendment is exhausted.

Mr. BLOUNT. I move to strike out the last word. Always, heretofore, Mr. Speaker, in the consideration of propositions of this sort they have come into the House of Representatives after examination by a committee. In this case there has been no such examination by the Senate, and none by the House. I was eager that this joint resolution should be referred to a committee of this House, with the right to report at any time, because there are some questions connected with it that are in dispute. The gentleman from Indiana [Mr. HOLMAN], long a member of this House, has made the declaration that there are sufficient transports belonging to the Navy of the United States to convey these supplies.

The gentleman from Maine [Mr. BOUTELLE], who, during the last Congress, was chairman of the Committee on Naval Affairs, and who has been for several years a member of that committee, declares that the vessels of the Navy are not adapted to any such purpose.

Mr. BOUTELLE. Will the gentleman permit me to interrupt him briefly?

Mr. BLOUNT. There is so much brevity in this five-minute discussion that I fear I shall not have time to say all I want to say.

Mr. BOUTELLE. Well, as the gentleman was quoting from me, I thought he might permit me to make a remark.

Mr. BLOUNT. Well, I withdraw the quotation. [Laughter.]

Now, Mr. Speaker, there is a dispute in relation to this fact, and of course the House is entitled to have full information upon the subject. The House has had no communication with the Navy Department about this matter; it has resorted to no means of information as to whether or not the naval vessels can supply the amount of transportation that is required. As I have already stated, in 1847, when relief was to be furnished to the suffering Irish and Scotch people, the Congress of the United States provided that naval vessels of the United States, designating a certain number, might be used for the purpose of transportation. That was during the period of our war with Mexico, when there was a great demand upon our naval resources, but that resolution was adopted and the transportation was effected. Again in 1880 a similar joint resolution was offered in the Senate and was reported back with a provision allowing vessels to be chartered; that was done without reason stated, without debate, without any question being raised as to whether or not the Government had vessels of its own which would answer the purpose.

Now, anxious as I am to have these supplies sent, I am perfectly willing to pause for a moment, in accord with gentlemen who are making suggestions here of economy in the public expenditures, to inquire into the question whether it is necessary to go beyond permitting the use of our own naval vessels and appropriate money to charter others. There is a reasonable desire on the part of the House to have full and accurate information upon that question. Let this amendment be agreed to, and the joint resolution goes back to the Senate of the United States, and opportunity, time, the situation, will furnish us additional information upon this subject.

The gentleman from Texas [Mr. KILGORE], or some other gentleman, has indicated that it is uncertain what a conference committee may do. Sir, we are safe in that regard. When the Senate, if it shall not see fit to concur in this amendment, returns the joint resolution to the House of Representatives, it will be for the House to say whether it will recede from its amendment, or whether it will consent to any committee of conference or not. The whole subject will be in our power then, as it is to-day, and I trust that the amendment will be agreed to and that we shall now dispose of this matter.

Mr. BOUTELLE. Mr. Speaker, I move to strike out the last two words. It seems desirable that the House should not act upon a resolution of this kind under a misconception. Many of the new members would naturally be likely to place a great deal of dependence upon the positive statement made by so experienced a legislator as the chairman of the Committee on Appropriations [Mr. HOLMAN] that the Navy Department is amply supplied with transports to perform this work. Nevertheless, sir, the fact is that the Navy of the United States has no transports whatever.

The United States Government does not own a transport ship. There is also a great misapprehension in the minds of many people in regard to the services that a naval vessel can properly perform. Gentlemen will remember the old story of a Secretary of the Navy from an interior State who was said to have expressed great astonishment when he looked down the main hatch of a ship of war and discovered that "the durned thing was hollow." [Laughter.] A modern naval vessel, however, is hollow only to a very limited extent, and the fact is, as everybody knows who has ever inspected the interior of one of our modern war ships, that the problem is not to find something to load them with, but to find room in them for their crews, provisions, mechanical appliances, and the necessary munitions of war. Now, so far as our modern war ships are concerned it is utterly frivolous to talk of using them to carry cargoes of wheat or flour to Russia or anywhere else.

I suppose my venerable and honored friend from Indiana [Mr. HOLMAN] may have been misled by the fact that naval ships have been used for such purposes as the conveyance of the remains of Ericsson to Sweden, etc., but you can not carry cargoes of freight on board of these modern naval vessels. Among the old vessels of the Navy there is, so far as I know, only one that would be available for this purpose at all, and that is the old frigate Constellation. She is now laid up at Annapolis as a school ship or training ship on which the cadets go out on their annual cruise. She could carry, I understand, only about 6,000 barrels of flour. She is a sailing vessel, and how long it would take her to reach Russia, after fighting the storms of midwinter under sail on the Atlantic, I should not wish to prophesy. But I do know that in order to send that portion of these provisions upon the Constellation it would be necessary to put her in proper condition, to fit her out thoroughly for an ocean voyage, to man her with a full crew of officers and men; and my impression is that by the time we had balanced the books we should find that this attempt at economy had "petered out" to a very small point.

That is the situation; and I simply want the House to understand it. I have no particular personal or political interest in this resolution, except as it appeals to me as an American citizen. I want the House to understand, as a matter due to its own dignity, that if it adopts this amendment authorizing the Secretary of the Navy to assume the responsibility for transporting these provisions and then cuts off from the resolution all authority for him to secure suitable vessels in which to transport the goods, it places upon him the duty of putting these tons upon tons of provisions on board of ships of war, when the House ought to know, and I trust now, accepting my word for it, does know, that he has no steam war vessels that can perform that service. It seems to me that would be very remarkable and very frivolous legislation.

Further, as a member of this body I do not think that upon a measure of this kind, involving considerations broader than State lines, broader than our own country, as broad as humanity itself—I do not think the House of Representatives ought so far to abdicate the functions it ought to exercise as the popular exponent of the sentiments of the American people—their sentiments of honor, their sentiments of national pride, their sentiments of liberality and generosity, as to feel compelled to send back this resolution, simple as it is in its character, to be again indorsed by the Senate of the United States, before we rise to the dignity of our duty and of the occasion.

Mr. WARNER. Mr. Speaker, during this discussion there have been made several suggestions in which I thoroughly concur. One of those is that we should not send a gift to anybody under such conditions that the express charges will eat it all up before it gets to its destination. Another is that when we know of persons who are hungry, our first duty is, as our first impulse should be, to feed them. And if I may suggest an additional consideration, it seems to me equally important that we should endeavor to feed them before they die. I do not believe that the resolution before the House is calculated to effect that, in my mind, benevolent end. As I understand it, the situation is about this: The famine in Russia occurs in inland wheat-raising districts, very far from the seaboard. The reason in great part of that famine, and the reason in most part for its bitterness and continuance, is the fact of the utterly inadequate, I might almost say utterly lacking, facilities for transportation in those districts and from other districts to them. There is no actual stripping of that country of grain. There is grain there now; but on account of the lack of facilities for communication that grain is very high in price—so high that the poor peasantry whose crops have failed can not get the money to buy it and therefore must starve unless food be given them.

Not merely is there grain in these districts, but there is no famine in Austria-Hungary; there is no famine in Asia Minor; there is no famine in a great many of the districts of Russia which are comparatively near the famine-stricken regions. Now, to attempt to take these provisions contributed by our people and to transmit them for use in the famine-stricken districts of Russia, means this: It means in the first place that as the Baltic ports are now closed, we must transport these provisions to the ports on the Black Sea, with a delay of at least a month, and more, probably six weeks. It means that after these provisions arrive at those ports they must not merely be distributed by government agency, with all that that implies, but must be distributed under conditions which involve a transportation as appallingly expensive as would have been that from Omaha to San Francisco before we had the Pacific Railroad. It means that practically six months must elapse in a great many cases before even the remnant of provisions that would reach the famine-stricken regions could be utilized for the benefit of the people there.

Now, if there is anything to be done for those starving people it can be done in this way, and I respectfully submit in no other way—by selling the contributions of our people, turning them into cash, and cabling the proceeds, if necessary to-morrow, to trustworthy sources of distribution upon the spot—to such agencies, for instance, as the Red Cross Association. In this way the famine-stricken people of Russia could be the immediate recipients of our bounty and the sharers in the salvation we hold out to them.

I am not in favor of indiscriminate charity. I am not in favor of stretcthing the prerogatives of Government in order to give vent to our charitable feelings. But even that consideration would not have stood in the way of my support of this resolution. I believe my constituency would not simply have pardoned me, but would have lauded me for supporting a proposition in the form I have indicated. But they, sir, the very ones who understand this matter thoroughly, would pardon me least of all, and I tell you the charity of the world will pardon you least of all, for failing to adopt the means and the only means to give instant relief to these suffering people, and supporting instead a measure whereby, after the offerings of our beneficence are landed in Russia there will be required more than they are worth to transport them to where they are to be used, necessitating that the relief shall arrive only after the green grain of the new year shall be growing over the graves of the poor creatures who have died from famine. [Applause.]

[Here the hammer fell.]

Mr. HERBERT. I move to strike out the last two words for the purpose of addressing myself briefly to the effect of this amendment if it shall be adopted. If the amendment is carried, the effect of the resolution as amended, it seems to me, would be simply this: That the Secretary of the Navy would be authorized to use any vessel—that is the language of the resolution—which is suitable and proper for the transportation of these provisions. As I understand it, he has communicated to the Senate the fact that the Constellation is the only vessel now at his command suitable for this purpose. The Constellation is an old-fashioned sailing ship and has a freight capacity of about 6,000 barrels of flour.

Now, there is no other vessel, as the gentleman from Maine [Mr. BOUTELLE] has said, in the Navy fit for this purpose. Our modern war ships are unfitted for commercial purposes because of the method and manner of their construction. All of them have horizontal engines below the water line, extending more or less from stem to stern, and all are cut up into compartments of various kinds, coal bunkers, which would not hold freight because they are only accessible through manholes, and quarters for men. The vessels also carry immense armaments, much heavier guns than the old ones. For these reasons, and because the hold of the vessels would be always heated to such a degree as to injure, if not destroy, the flour which has been donated, neither of them would be fit for the transportation of such supplies.

The effect, therefore, of the passage of the amendment would be that the Secretary of the Navy would feel himself empowered to use that vessel, the Constellation, which he has heretofore notified the Senate was fit for that purpose, and to that extent I am willing to vote for the resolution. It would show the sympathy of the United States with the suffering poor of Europe, while it would be practically no increase of expenditures, or very little, if any, for the reason that the crew to be employed must be men already enlisted. As I understand it, the Secretary has already enlisted the full number of men authorized by law, so that the crew detailed to go in this ship are already in the employ of the Government, and if there be any increase because of sending

this ship abroad, it would simply be that coal would be required to make the voyage, which possibly would not otherwise be consumed. That is the whole of it.

Now, Mr. Speaker, I am in favor of the resolution, provided that we first adopt the amendment of the gentleman from Indiana. The simple question before us in the consideration of that amendment is whether we shall undertake to perform a duty which, in my opinion, is primarily the duty of the Russian Government, of transporting these provisions across the ocean for the benefit of the Russian poor. Russia has an immense amount of money provided and carefully kept for the purposes of war. Why, if her people are poor and suffering, can she not use some of that money, I am unable to see. I wish, also, to call attention to another point.

[Here the hammer fell.]

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. HERBERT. I should like to have just two minutes more.

The SPEAKER *pro tempore*. Without objection, the gentleman from Alabama will be permitted to proceed for two minutes longer.

There was no objection.

Mr. HERBERT. I desire simply to call the attention of the House specially to the facts stated by the gentleman from Missouri [Mr. DOCKERY], a member of the Committee on Appropriations, who has made a study of this question, and what he has stated was not controverted on this floor. The sum and substance of it is that instead of there being an abundance of money in our Treasury, as the gentleman from Kentucky said in his speech, we are confronted with the fact that there is to-day, if all of the expenditures of the Government were paid up to date, a Treasury deficiency. Now, in that condition of affairs is the Democratic party here on this floor, that came into power on the promise of retrenchment, economy, and reform, prepared, as its first step, with that deficiency staring them in the face, to vote away $100,000 of the people's money in this charitable—I may say this extravagant—generosity towards the people of a Government amply able of itself to perform that duty? That is the proposition presented by the amendment of the gentleman from Indiana, which I hope will receive the approval of the House.

Mr. MILLIKEN. Mr. Speaker, I move to strike out the last word.

So far as the cry of a deficiency in the Treasury is concerned, which has just been raised by the gentleman from Alabama and other gentlemen on the floor to-day, I am not particularly frightened, for I have heard it on the floor of the House so many times during the last eight years that I have been in Congress, by gentlemen who wanted to beat one proposition or another, that it has become like the cry of the boy who shouted "Wolf!" "Wolf!" so many times that at last nobody would believe him at all.

Now, what condition, according to the gentleman's own statement, is the Government to be left in if this proposition of the gentleman from Indiana shall prevail? Why, we are told that the naval vessels are not fit to transport these provisions. I have no doubt that is true. I believe it to be true. And we are also told that there is only one vessel, the Constellation, an old sailing ship, available for such a purpose. She would get to Russia after she leaves here, the Lord only knows when; but most likely after the starving people are all dead and gone, or, as somebody on the other side has just said, when the green crops may be growing over their graves. That is the only vessel available. When it will get there, after it starts, no man can prophesy. She can carry about 12,000 barrels of flour.

Now, the gentleman wants this great Government, as he says, to show its sympathy for the starving and suffering poor of Russia by sending in that vessel only a small part of the flour and grain which has been so generously contributed by the people of the Northwest, and let the rest remain here, unless somebody else, by private contributions, will undertake to send it across. I submit, sir, that such a proposition is worse than doing nothing at all. The people of the great Northwest, representing, as I believe they have done, the great heart of their own countrymen in their generosity, have come forward and answered the demands of suffering humanity across the ocean in a Government that has been friendly to us always and at all times. They have not only brought out of their granaries and storehouses a large part of the fruits of their labor and contributed to this noble purpose, but have also provided the means to transport their donations across one-half of the continent to the edge of the sea. They have no vessels to carry it across the ocean, and the Government is simply asked now to provide transportation to take it to its destination on the shores of Russia where the suffering exists.

Now, sir, let us do it or let us say that we will not do it. Let us not present a gift in a halfway manner. Let us not do it in a way which will show our meanness a thousand times more than as if we did not purpose to do it at all. The gentleman's own statement is that if the amendment is adopted these supplies will not be transported, only a part of them, and those only in an old sailing vessel that, as I said before, will get there the Lord only knows when. Let us pass the resolution and provide the means of transporting these supplies or let us say we will not do it at all. Why, suppose the Secretary of the Navy should come to the conclusion that under this resolution, with the amendment of the gentleman from Indiana, it was his duty to send those supplies across in the naval vessels. Of course they can carry a little. Suppose he furnishes a fleet large enough to carry all these supplies across. Does not the question then arise whether it will not cost this Government much more to send such a fleet of naval vessels as would take all these supplies across than to pay for transports to take them?

Mr. HEARD. Mr. Speaker, I offer, as an apology for my adding anything to the debate that has already gone on so long, the statement that I shall favor the amendment offered by the gentleman from Indiana [Mr. HOLMAN], not because I have faith that it contains much in the way of economy, but for the very excellent reason given by the gentleman from Georgia [Mr. BLOUNT], the chairman of the Committee on Foreign Affairs, when he said that thus sending it to a conference committee would give some time for examination, and I think he might have added very properly that such course would give the time and opportunity necessary to ascertain the facts in the case.

I am told by the gentleman from Maine [Mr. BOUTELLE], the ex-chairman of the Committee on Naval Affairs, and doubtless very correctly, if he is not misinformed, that there is now no vessel in the United States Navy, except perhaps the Constellation, that is fit for this transportation; while my distinguished friend from Indiana [Mr. HOLMAN], with a length of service here so long that the memory of man runneth not to the contrary, informs me with absolute positiveness that we have no less than twenty-two vessels or transports fit for this service. I do not know which of these distinguished gentlemen is in error as to his information. I know they are both usually correct in their statements of fact.

Mr. BOUTELLE. I should yield to the gentleman from Indiana on that point.

Mr. HEARD. Then my friend from Maine [Mr. BOUTELLE], as well as my friend from Indiana [Mr. HOLMAN], must concede that there are some reasons why we should have the means of ascertaining which of these statements is the correct one.

Mr. HOLMAN. I would like my friend to permit me to say that my statements on the subject were in quite general terms. I have insisted that these war ships could transport these supplies.

Mr. HEARD. You said there were twenty-two such vessels.

Mr. HOLMAN. My statement on the subject was in quite general terms. I believe that any of the seagoing war ships can transport supplies. I did not have occasion while on the floor of the House, I think, to mention the number, but I entertain no doubt of the fact that upon inquiry being made it will be found that out of this great mass of vessels we have now, the largest navy we have ever had in time of peace in our history, it will be found that there are ample vessels to transport these barrels and bags of provisions.

I concede that a great many of these vessels are so constructed that they will not carry full cargoes, and I am aware of the fact that the naval officers do not want to be bothered with the transportation of these supplies or with this kind of work. There is nothing war like about it; but your war vessels can transport these provisions to Russia, and will do it if Congress shall order it to be done.

Mr. HEARD. Now, Mr. Speaker, just a moment further. As to the question of economy, the distinguished gentleman from Indiana [Mr. HOLMAN] admits, in reply to the interrogatory put to him by the gentleman from Texas [Mr. KILGORE], that if this amendment is adopted it shuts the door to the specific appropriation of the $100,000 contemplated by the original resolution, but that it does not, of course, and can not provide against the necessity for making whatever appropriation is necessary, or may become necessary, from the Treasury to meet whatever expenditures it may be the duty of the Secretary of the Navy to make to carry into effect this resolution. It occurs to me, therefore, Mr. Speaker, that it is a question first as to whether it will be more expensive to send over the vessels we have or charter others, and whether the amendment of the gentleman from Indiana [Mr. HOLMAN] has not the effect of removing a limitation upon an appropriation, instead of shutting the door to an appropriation which he admits may become necessary.

Mr. HOLMAN. Why, no, I did not admit any such thing. I stated exactly the contrary, that there is no power to expend a dollar.

Mr. HEARD. I beg the gentleman's pardon if I have misun-

derstood him. I understood him to say, and I think the notes of the stenographer will bear me out, that an appropriation would have to be made for the expenses of the Navy Department, and if a part of that money is appropriated to this purpose of course it is part of a general appropriation made.

Mr. HOLMAN. My friend misapprehends me entirely, because these men are already in the employment of the Government.

Mr. HEARD. I understand that, and that they will have to be subsisted and paid by the Government.

Mr. HOLMAN. They would be paid anyhow. [Cries of "Vote!" "Vote!"]

The SPEAKER *pro tempore*. Debate on the pending amendment is exhausted. If there be no objection the pro forma amendment will be considered as withdrawn. The question is on the amendment offered by the gentleman from Indiana [Mr. HOLMAN].

Mr. BLOUNT. Mr. Speaker, before that is taken I desire to move the previous question upon all the amendments.

The SPEAKER *pro tempore*. The question is on ordering the previous question. Does the gentleman move the previous question upon the resolution and all amendments, or does the gentleman's motion embrace only the amendments?

Mr. BLOUNT. If the Chair will put the motion so as to cover the amendments, I think the House is prepared to take action on the question.

The question being taken, the previous question was ordered on the amendments.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Indiana [Mr. HOLMAN] to strike out.

The question being taken, the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. BOUTELLE and others demanded a division.

The House divided; and there were—ayes 133, noes 60.

Mr. BOUTELLE. Yeas and nays. [Cries of "Oh, no!"]

The SPEAKER *pro tempore*. The House is considering the bill in the House as in Committee of the Whole.

Mr. BOUTELLE. What Committee of the Whole?

The SPEAKER *pro tempore*. The Committee of the Whole House.

Mr. BOUTELLE. We have no rules authorizing anything of that kind.

The SPEAKER *pro tempore*. By unaminous consent of the House, which is a rule, the House went into the consideration of this bill in the House as in Committee of the Whole, it being well known that by the usages of this body there is no yea-and-nay vote in the Committee of the Whole.

Mr. BOUTELLE. Then the Chair holds that when the House is in Committee of the Whole, under general parliamentary law, the yeas and nays can not be demanded?

The SPEAKER *pro tempore*. The Chair holds this, that the House itself has consented to that method of business.

Mr. BOUTELLE. Mr. Speaker, I understood a moment ago that the Chair entertained a motion for the previous question.

The SPEAKER *pro tempore*. The Chair did, and that has been customary.

Mr. BOUTELLE. Was that in order.

Mr. SPEAKER *pro tempore*. That was in order?

Mr. BOUTELLE. Under parliamentary law?

The SPEAKER *pro tempore*. Yes, sir.

Mr. BOUTELLE. In Committee of the Whole?

The SPEAKER *pro tempore*. Not in Committee of the Whole, but when the House is considering a bill in the House as in Committee of the Whole. It is one of the advantages in considering a measure in the House as in Committee of the Whole.

Mr. BOUTELLE. Mr. Speaker, I submit, for the decision of the Chair in his wisdom, whether, if it is competent to make a motion for the adoption of the previous question in this stage of procedure, is it not equally in order for me to call for the yeas and nays?

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Maine when the House——

Mr. BRECKINRIDGE of Kentucky. Will the Speaker allow me to make a suggestion?

The SPEAKER *pro tempore*. With pleasure.

Mr. BRECKINRIDGE of Kentucky. In a former case, decided by Speaker CARLISLE, when we had rules, of course, it was decided that this was an anomalous course, for which there were no rules, and therefore he would have to assimilate the proceedings, as far as possible, to the rules; and that a motion for the previous question was in order, because there was a right in the House to limit debate, and that that was only a mode of limiting debate; but he has never decided, and the Speaker will ascertain that on examination, that the yeas and nays could not be called, because that would be to decide that the Constitution was overridden——

Mr. BOUTELLE. The gentleman anticipates the point that I was about to make.

Mr. BRECKINRIDGE of Kentucky. It is a constitutional provision that the yeas and nays shall be called whenever demanded by a sufficient number on any proposition.

The SPEAKER *pro tempore*. The Chair will look into the matter, but remembers no circumstance under which they have been ordered.

Mr. BOUTELLE. I was about to call the attention of the Chair to the fact that the right to call for the yeas and nays is a constitutional one and can not be abrogated.

The SPEAKER *pro tempore*. That is in the House. There is no question but that the gentleman is correct in that statement.

Mr. BOUTELLE. I insist on my motion for the yeas and nays.

Mr. BLOUNT. Has the Chair decided that the demand for the yeas and nays is not in order?

Mr. BOUTELLE. I think the Chair is considering his decision now.

The SPEAKER *pro tempore*. The Chair will look to it in a moment.

Mr. BRECKINRIDGE of Kentucky. The consent of the House to consider a matter as if we were in the Committee of the Whole is consenting to liberalize the rules and not to straighten them. It is to increase the flexibility of the rules and not an impairment of the rules of the House; and therefore to hold that anything that can be done in the House, if we were in the House, could not be done if we were considering it in the House as in Committee of the Whole would be to hold exactly contrary; and therefore I suggest that it would not invalidate a call for the yeas and nays under the constitutional provision.

Mr. Speaker, I hope the gentleman from Maine will not insist on his demand for the yeas and nays. It is quite evident that those of us who, like him, are in favor of this motion, are in the minority.

Mr. BOUTELLE. I understand the Chair is looking up the question. I think, as was well suggested by the gentleman from Kentucky the other day, we ought to start right.

The SPEAKER *pro tempore*. The Chair will now state that he had not heretofore looked into the question; and the Chair was for a moment in doubt, but on reflection is satisfied the right to demand the yeas and nays exists, and so holds unhesitatingly. [Applause.] The gentleman from Maine demands the yeas and nays, the Chair having announced that the ayes had it.

The yeas and nays were ordered.

The question was taken; and there were—yeas 165, nays 72, not voting 94; as follows:

YEAS—165.

Abbott,	Compton,	Houk, Ohio	Pierce,
Alderson,	Cooper,	Johnstone, S. C.	Richardson,
Alexander,	Covert,	Jones,	Rockwell,
Andrew,	Cox, N. Y.	Kem,	Rusk,
Arnold,	Cox, Tenn.	Kendall,	Sayers,
Babbitt,	Crawford,	Kilgore,	Scott,
Bailey,	Crosby,	Kribbs,	Shell,
Baker,	Culberson,	Lane,	Shively,
Bankhead,	Davis,	Lanham,	Simpson,
Barwig,	De Armond,	Lapham,	Snodgrass,
Beeman,	De Forest,	Lester, Ga.	Snow,
Beltzhoover,	Dickerson,	Lewis,	Sperry,
Bentley,	Dixon,	Little,	Springer,
Blanchard,	Dockery,	Livingston,	Stevens,
Blount,	Dungan,	Long,	Steward, Ill.
Boatner,	Elliott,	Mallory,	Stewart, Tex.
Bowman,	English,	Mansur,	Stone, Ky.
Branch,	Enloe,	Martin,	Stump,
Brawley,	Epes,	McClellan,	Tillman,
Breckinridge, Ark.	Everett,	McCreary,	Tracey,
Bretz,	Fellows,	McKaig,	Tucker,
Brookshire,	Forney,	McKeighan,	Turner,
Brunner,	Gantz,	McMillin,	Van Horn,
Bryan,	Geary,	Meredith,	Warner,
Buchanan, Va.	Geissenhainer,	Miller,	Washington,
Busey,	Gillespie,	Mitchell,	Watson,
Bushnell,	Goodnight,	Moore,	Weadock,
Butler,	Grady,	Moses,	Wheeler, Mich.
Bynum,	Greenleaf,	Newberry,	Whiting,
Cable,	Hall,	Oates,	Wike,
Cadmus,	Hallowell,	O'Ferrall,	Willcox,
Caminetti,	Halvorsen,	O'Neil, Mass.	Williams, N. C.
Caruth,	Hamilton,	O'Neill, Mo.	Williams, Mass.
Catchings,	Hare,	Otis,	Williams, Ill.
Cate,	Harries,	Outhwaite,	Wilson, Ky.
Causey,	Haynes,	Page, Md.	Wilson, W. Va.
Chapin,	Heard,	Page, R. I.	Winn,
Chipman,	Hemphill,	Patterson, Tenn.	Wolverton,
Clarke, Ala.	Henderson, N. C.	Paynter,	Youmans.
Clover,	Herbert,	Pearson,	
Cobb, Ala.	Hoar,	Peel,	
Cobb, Mo.	Holman,	Pendleton,	

NAYS—72.

Amerman,	Broderick,	Clark, Wyo.	Dingley,
Atkinson,	Brosius,	Coolidge,	Doan,
Bingham,	Buchanan, N. J.	Cummings,	Dunphy,
Boutelle,	Caldwell,	Curtis,	Enochs,
Bowers,	Campbell,	Dalzell,	Fitch,
Breckinridge, Ky.	Clancy,	Daniell,	Flick,

Griswold,	Johnson, N. Dak.	Owens,	Stephenson,
Grout,	Jolley,	Patton,	Stewart, Pa.
Harmer,	Lind,	Perkins,	Stone, C. W.
Haugen,	Lodge,	Pickler,	Stone, W. A.
Henderson, Ill.	Loud,	Powers,	Storer,
Hermann,	Magner,	Quackenbush,	Taylor, Ill.
Hitt,	McGann,	Raines,	Townsend,
Hooker, N. Y.	McKenna,	Scull,	Wadsworth,
Hopkins, Ill.	Milliken,	Seerley,	Walker,
Huff,	Morse,	Shonk,	Waugh,
Hull,	O'Donnell,	Smith,	White,
Johnson, Ind.	O'Neill, Pa.	Stahlnecker,	Wilson, Wash.

NOT VOTING—94.

Allen,	Dolliver,	Layton,	Rife,
Bacon,	Donovan,	Lester, Va.	Robertson,
Bartine,	Durborow,	Lockwood,	Robinson,
Belden,	Edmunds,	Lynch,	Russell,
Belknap,	Ellis,	McAleer,	Sanford,
Bergen,	Fithian,	McDonald,	Stackhouse,
Bland,	Forman,	McKinney,	Stockdale,
Brickner,	Fowler,	McRae,	Stout,
Brown,	Funston,	Meyer,	Sweet,
Bullock,	Fyan,	Mills,	Tarsney,
Bunn,	Gorman,	Montgomery,	Taylor, Tenn.
Bunting,	Harter,	Mutchler,	Taylor, E. B.
Burrows,	Hatch,	Norton,	Taylor, J. D.
Byrnes,	Hayes,	Parrett,	Taylor, V. A.
Capehart,	Henderson, Iowa	Pattison, Ohio	Terry,
Castle,	Hooker, Miss.	Payne,	Turpin,
Cheatham,	Hopkins, Pa.	Post,	Warwick,
Coburn,	Houk, Tenn.	Price,	Wever,
Cockran,	Johnson, Ohio	Randall,	Wheeler, Ala.
Cogswell,	Ketcham,	Ray,	Wilson, Mo.
Coombs,	Kyle,	Rayner,	Wise,
Cowles,	Lagan,	Reed,	Wright.
Crain,	Lawson, Va.	Reilly,	
Cutting,	Lawson, Ga.	Reyburn,	

So the amendment of Mr. HOLMAN was adopted.

The following-named members were announced as paired until further notice:

Mr. ALDERSON with Mr. TAYLOR of Tennessee.

Mr. FITHIAN with Mr. WRIGHT.

Mr. LAYTON with Mr. REYBURN.

The following were announced as paired for this day:

Mr. HARTER with Mr. HOPKINS of Pennsylvania.

Mr. MILLS with Mr. HENDERSON of Iowa.

Mr. HOOKER with Mr. BELKNAP.

Mr. PATTISON of Ohio with Mr. BELDEN.

Mr. ALLEN with Mr. BERGEN.

Mr. HATCH with Mr. RIFE.

Mr. GORMAN with Mr. HOUK of Tennessee.

Mr. WILSON of Maryland with Mr. ROBINSON of Pennsylvania.

Mr. TARSNEY with Mr. RANDALL.

Mr. NORTON with Mr. PAYNE.

Mr. DONOVAN with Mr. E. B. TAYLOR.

Mr. CRAIN with Mr. V. A. TAYLOR.

Mr. JOHNSON of Ohio and Mr. MCKINNEY were announced as paired on this question.

Mr. DOCKERY. Mr. Speaker, I desire to state that my colleague, Mr. TARSNEY, is detained from the House by illness, and also that my colleague, Mr. BLAND, is kept from the Capitol by sickness in his family.

Mr. HENDERSON of North Carolina. I wish to state, Mr. Speaker, that my colleagues Mr. BOND and Mr. COWLES are detained at home by sickness.

The result of the vote was then announced as above recorded.

Mr. BLOUNT. Mr. Speaker, I move the third reading of the joint resolution.

Mr. BRECKINRIDGE of Kentucky. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BRECKINRIDGE of Kentucky. My inquiry is whether, under our present condition as to rules, it would be in order to move to lay this joint resolution, which has now been emasculated, upon the table?

The SPEAKER *pro tempore*. The equivalent motion of that is the one which is usually applied to Senate bills, the motion to postpone indefinitely. It has the same effect.

Mr. BRECKINRIDGE of Kentucky. Then, is it in order at this time to move to postpone indefinitely?

The SPEAKER *pro tempore*. It is.

Mr. BRECKINRIDGE of Kentucky. It is perfectly clear, Mr. Speaker, that we have not the ships for this purpose, and therefore the joint resolution in its present form is useless, so I move to postpone it indefinitely.

The question was taken on the motion of Mr. BRECKINRIDGE of Kentucky, and the Speaker *pro tempore* declared that the ayes seemed to have it.

Mr. BLOUNT. I ask for a division.

The House divided; and there were—ayes 83, noes 65.

Mr. BLOUNT. I ask for tellers.

Mr. DICKERSON. I demand the yeas and nays.

The yeas and nays were refused, only 14 members voting in favor thereof.

The SPEAKER *pro tempore*. Is the demand for tellers insisted upon?

Mr. BLOUNT. It is; but I wish first to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BLOUNT. If the House shall postpone this joint resolution indefinitely will not that be the end of the matter?

The SPEAKER *pro tempore*. That will be the effect.

Mr. BLOUNT. Then I demand tellers.

Tellers were ordered.

The House again divided; and the tellers reported—ayes 93, noes 87.

So the motion of Mr. BRECKINRIDGE of Kentucky was agreed to, and the joint resolution was indefinitely postponed.

Mr. DOCKERY. Mr. Speaker, I desire to extend my remarks in the RECORD.

There was no objection, and it was so ordered.

The SPEAKER *pro tempore*. The call of the House at the adjournment yesterday was with the State of Ohio.

Mr. CAMPBELL. Mr. Speaker, I move that the House do now adjourn.

Mr. SPRINGER. I ask the gentleman to withhold that motion for a moment while I make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. SPRINGER. My inquiry is this: Will the call be continued to-morrow as if it had gone on to-day?

The SPEAKER *pro tempore*. The Chair is of opinion that it would not be amiss to have a unanimous agreement extending the operation of the rule adopted yesterday to the session of to-morrow, because it is not certain that the terms of the rule would otherwise be sufficient to cover the case.

Mr. SPRINGER. Then I ask unanimous consent that the call be continued for the introduction of bills to-morrow under the rule heretofore adopted.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. SPRINGER] asks unanimous consent that to-morrow the call of the States for the introduction of bills shall be continued under the rule adopted yesterday.

Mr. BUCHANAN of New Jersey. With the further understanding that gentlemen who have been absent heretofore may be called at the end.

The SPEAKER *pro tempore*. That will be understood as a part of the rule.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HATCH, indefinitely, on account of important business.

To Mr. WRIGHT, for two weeks, on account of sickness.

To Mr. NORTON, indefinitely, on account of important business.

WITHDRAWAL OF PAPERS.

Mr. EDMUNDS, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of Charles G. Eddy, filed in the Forty-seventh Congress.

The motion of Mr. CAMPBELL was then agreed to; and the House accordingly (at 4 o'clock and 36 minutes p. m.) adjourned.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk, and referred as follows:

By Mr. ANDREW (by request): Remonstrance of the Evangelical Alliance of Roxbury, Boston, Mass., against opening the Columbian Exhibition on the Lord's Day—to the Select Committee on the Columbian Exposition.

Also, petition of Lawrence Rotch and others, praying that the metric system of weights and measures be used exclusively in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

Also, petition of Francis A. Walker and 27 other citizens of Boston, Mass., for the same purpose—to the Committee on Coinage, Weights, and Measures.

My Mr. BINGHAM: Petition of the Messiah Methodist Episcopal Church of Philadelphia, asking Congress to appropriate $5,000,000 for the Columbian Exposition and prohibiting the opening of the said Exposition on the American Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. BRECKINRIDGE of Arkansas: Petition of Young People's Society of Christian Endeavor of Little Rock, Ark., in favor of Sunday closing of Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, petition of 59 citizens of Pope County, Ark., in favor of

an increase of pension to John D. Brown—to the Committee on Invalid Pensions.

Also, petition of Rev. J. W. G. Spurgeon, J. I. Ford, Helen Williams, M. S. Johnson, Chas. A. Fountain, committee of "pressed hands" of Kentucky, for relief—to the Committee on War Claims.

By Mr. BRICKNER: Petition of the Chamber of Commerce of Milwaukee, Wis., praying for the building of additional light-houses, fog signals, etc., on the Great Lakes—to the Committee on Naval Affairs.

Also, of the same body, for the building of a revenue cutter to take the place of the Andrew Johnson—to the Committee on Naval Affairs.

Also, petition of James Bell and 75 others of the city of Sheboygan, Wis., to allow keepers of life-saving stations a salary of $1,000 per year and the crews $75 per month—to the Committee on Naval Affairs.

By Mr. BOWERS: Petition and papers in claim of L. J. T. Jaeger—to the Committee on War Claims.

Also, petition of citizens of California, for refund of moneys paid for public lands in excess of $1.25 per acre—to the Committee on Appropriations.

Also, for conference of governments in interest of arbitration—to the Committee on Foreign Affairs.

By Mr. BUCHANAN of New Jersey: Petition in behalf of increased pay for the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of Florence Iron Works, Florence, N. J., for metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. BURROWS: Petition of 17 citizens of Benton Harbor, praying an increase of salary to the keepers and crews of life-saving stations—to the Committee on Naval Affairs.

By Mr. CADMUS: Petition of 133 citizens of New Jersey; of members of the Methodist Church of Boonton, N. J.; of members of Asbury Methodist Episcopal Church of Hackensack, N. J., and of members of the Baptist Church of Passaic, N. J., against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. CATCHINGS: Petition of William P. Montgomery, of Washington County, Miss.; of Bernard McCosker, of Madison County, Miss.; of Ann R. Robb, of Washington County, Miss.; of Priscilla W. Gregory, of the same county; of Ann B. Finley, of the same county, and of the heirs at law and next of kin of William Hunt, deceased, of the same county, asking for reference of claim for stores and supplies to the Court of Claims, under the Bowman act—to the Committee on War Claims.

By Mr. CLOVER: Petition of ——, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. COOLIDGE: Petition of citizens of Worcester, Mass.; of citizens of Westhampton, Hampshire County, Mass.; three petitions of citizens of Hawley, Franklin County, Mass.; of citizens of Gill, Franklin County, Mass.; of citizens of Hampden, Hampden County, Mass.; of citizens of Amherst, Hampshire County, Mass.; of citizens of Orange, Franklin County, Mass.; of citizens of Heath, Franklin County, Mass.; of citizens of Dana, Worcester County, Mass.; of citizens of Southampton, Hampshire County, Mass.; of citizens of Hadley, Hampshire County, Mass.; of citizens of New Salem, Franklin County, Mass., and of citizens of Fitchburg, Worcester County, Mass., for the free delivery of mail in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Bernardston, Mass., and of citizens of Greenfield, Mass., favoring national aid to the Columbian Exposition, provided the Sabbath is observed during the same—to the Select Committee on the Columbian Exposition.

Also, two petitions numerously signed by citizens of Massachusetts, against any appropriation for the World's Fair unless the same be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. COOPER: Papers in the case of Col. Daniel McClure—to the Committee on Military Affairs.

By Mr. CUMMINGS: Memorial and petition of United States shipmasters, praying an amendment of section 2809 of the Revised Statutes—to the Committee on Ways and Means.

By Mr. DANIELL: Petition of citizens of New Hampshire; of certain citizens of Whitefield, Coos County, N. H.; and of certain citizens of Fitzwilliam, Cheshire County, N. H., and of certain citizens of Whitefield Township, Coos County, N. H., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. DE FOREST: Petition of Miles Tomlinson and other citizens of the towns of Plymouth and Thomaston, Litchfield County, Conn., and of James C. Colt and other citizens of the towns of Harwinton and New Hartford, Litchfield County, Conn., for legislation to secure free delivery of mail matter—to the Committee on the Post-Office and Post-Roads

Also, petition of Samuel Scoville and other citizens of Stamford, Conn., in favor of loan to the Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, petition of Sereno G. Allen and other citizens of Westford, Conn., for an appropriation for the improvement of the harbor of Westford, Conn.—to the Committee on Rivers and Harbors.

By Mr. DINGLEY: Petition of the Baptist Church of Turner, Me., for aid to the Columbian Exposition at Chicago, and that said Exposition be closed on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, petition of the board of managers of the National Temperance Society, officially signed, asking for a national commission of inquiry concerning the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of citizens of Maine, to increase the salaries of keepers of life-saving stations—to the Committee on Commerce.

By Mr. DUNGAN: Petition of the Oakfield Presbyterian congregation of Oakfield, Perry County, Ohio, to pass the bill prohibiting the opening of any exhibition or exposition on Sunday where appropriations of the United States are expended—to the Select Committee on the Columbian Exposition.

By Mr. EDMUNDS: Petition of Berry Brothers, of Bedford County, Va., in reference to dealers in leaf tobacco or retail dealers in leaf tobacco—to the Committee on Ways and Means.

By Mr. ELLIOTT: Petition of the heirs of Jesse Fish, jr., of Florida, for the formal confirmation of a royal grant from the Crown of Spain made and confirmed to him and his father before him prior to the cession to the United States of East and West Florida—to the Committee on Private Land Claims.

By Mr. ENLOE: Petition of Jim Grisson Post, No. 72, Grand Army of the Republic, of McNairy County, Tenn., asking that a pension be granted to John T. Stansel—to the Committee on Invalid Pensions.

Also, petition of M. M. Palmer, D. D. Dumas, and 74 other citizens of Henry County, Tenn., in favor of amending the pension laws so as to include teamsters of the war with Mexico—to the Committee on Pensions.

By Mr. GILLESPIE: Two petitions numerously signed by citizens of Pennsylvania, against any appropriation for the World's Fair unless the same be closed to visitors on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HALLOWELL: Petition of citizens of Bucks County, Pa., praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. HARTER: Petition of United Presbyterian Church of Hayesville, Ashland County, Ohio, against opening the World's Fair to visitors on the Lord's Day—to the Select Committee on the Columbian Exposition.

By Mr. HAUGEN: Petition of certain citizens of Wisconsin against any appropriations for expositions unless the same be closed on Sunday—to the Select Committee on the Columbian Exposition.

Also, of 32 citizens of Buffalo County, Wis., in favor of the so-called Butterworth bill—to the Committee on Agriculture.

Also, resolutions of the Chamber of Commerce of the city of Milwaukee, asking that a steel propeller revenue cutter be built for service on the lakes, vice the present revenue cutter Andrew Johnson—to the Committee on Naval Affairs.

Also, resolutions adopted by the Military Order of the Loyal Legion of the United States (Headquarters Commandery of the State of Wisconsin), favoring ample coast defenses—to the Committee on Military Affairs.

Also, protest of the Military Order of the Loyal Legion of the United States (Commandery of Indiana), against the desecration of the American flag by using it for advertising purposes—to the Committee on the Judiciary.

Also, memorial of the Military Order of the Loyal Legion of the United States (Commandery of the District of Columbia) in favor of a military chapel in the national cemetery at Arlington, Va.—to the Committee on Military Affairs.

Also, memorial of the Chamber of Commerce of the city of Milwaukee Wis., in favor of legislation under which a complete record of the lake tonnage and commerce of every point on the Great Lakes, all to be kept at the custom-house of said port—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Chamber of Commerce of the same city, asking adequate appropriations for light-houses and fog signals in aid of navigation—to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON of Illinois: Petition of Frank W. Dana and 84 other citizens of Whiteside County, Ill., praying for the passage of the antioption bill (H. R. 5353) introduced in the Fifty-

first Congress by Mr. Butterworth—to the Committee on Agriculture.

Also, petition of C. Crouch and 26 others of Whiteside County, Ill., upon the same subject—to the Committee on Agriculture.

Also, petition of 89 citizens of Sterling, Ill., asking for action of Congress, inviting a conference by governments, to sit during the Columbian Exposition, to consider the advisability of incorporating in treaties measures for arbitration of differences between nations—to the Committee on Foreign Affairs.

Also, petition of A. C. Crouch and 27 others; and of Frank W. Dana and 88 others, citizens of Whiteside County, Ill., praying for the passage of a pure-lard bill—to the Committee on Agriculture.

Also, petition of Mrs. T. S. Andrews, praying for the passage of an act granting pension for patriotic service—to the Committee on Invalid Pensions.

By Mr. HOOKER of New York: Three petitions, numerously signed by citizens of New York, for an appropriation for the Columbian Exposition at Chicago, provided the same is closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HUFF: Petition of citizens of the Twenty-first district of Pennsylvania, representing Clarksburg Church, urging Congress to grant to the directors of the World's Columbian Exposition a loan conditioned upon the closing of the Exposition to visitors on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HULL: Petition of A. A. Cole and 19 other citizens of Story City, Iowa, in favor of the passage of so-called Butterworth option bill, and the bill known as the Conger lard bill—to the Committee on Agriculture.

Also, petition of 14 citizens of Warren County, Iowa, in favor of the Conger lard bill and the Butterworth bill—to the Committee on Agriculture.

Also, petition of W. C. Crusinberry, of Des Moines, Iowa, for the metric system—to the Committee on Coinage, Weights, and Measures.

Also, petition of the United Presbyterian Church of Knoxville, in favor of closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Friends' Church of Iowa, relating to the liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. JOHNSON of North Dakota: Memorial of settlers on lands claimed by the St. Paul, Minneapolis and Manitoba Railway Company in North Dakota, asking relief—to the Committee on the Public Lands.

By Mr. JONES: Petition of J. E. Johnson and others; of James T. Tracy and others; of Charles H. Crumb and others; of W. M. Upshur and others; of T. S. Dishoroon and others; of James H. Fletcher, jr., and others, and of Peter D. Carbin and others, for favorable consideration of a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. KETCHAM: Petition of Henry B. Warring and 41 others, of Armenia, N. Y., against any Congressional appropriation for the World's Fair unless the same be closed on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Mary Sherwood and 33 others, of Pawling, N. Y., for the appointment of an international court to settle by arbitration disputes between nations—to the Committee on Foreign Affairs.

Also, petition of M. D. Andrews and 18 others, of Dutchess County, N. Y., for free delivery of mails in the country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. LANHAM: Petition of David C. Haynes, of Weatherford, Parker, County, Tex.—to the Committee on Claims.

By Mr. LAYTON: Petition for settling international controversies by arbitration—to the Committee on Foreign Affairs.

Also, petition for uniforms for mail carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LIND: Memorial of the Legislature of the State of Minnesota, urging Congress to pass the necessary legislation to prevent the so-called dealing in options of agricultural products—to the Committee on Agriculture.

Also, joint resolution asking that the 12th day of October, the day on which America was discovered, be made a day of national thanksgiving—to the Select Committee on the Columbian Exposition.

By Mr. LODGE: Petition of George H. Brown and 7 others, for increase of pay to Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. McALEER (by request): Petition of citizens of the United States, representing Zion Protestant Episcopal Church, Philadelphia, asking an appropriation for the Columbian Exposition, providing the same will be closed on the Lord's Day—to the Select Committee on the Columbian Exposition.

By Mr. McKAIG: Petition of trustees of United Brethren Church of Boonsboro, Md.; of trustees of Methodist Episcopal Church of Frederick County, Md.; of trustees of Methodist Episcopal Church of Boonsboro, Md.; of trustees of German Lutheran Church of Boonsboro, Md., praying for compensation for use of church buildings during the late war—to the Committee on War Claims.

Also, petition of George R. Rice, executor of John W. Hall, deceased, late of Montgomery County, Md.; of Samuel Stone Street, late of the same county; of estate of Jane M. Rice, of same county; of the estate of Benjamin Philpott, of Frederick County, Md.; of estate of Theophilus Barnett; of David Smith estate; of Andrew Rowland estate; of John H. Myers, of John W. Miller, of A. H. Suman, of Esther E. Knode, executors; of the estate of Samuel Houser; of estate of George Line; of Josiah Hill; of estate of Joseph Gron; and of John D. Davis, all of Washington County, Md., praying the reference of their war claims to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. MEREDITH: Petition of Charlotte V. Davis, for heirs of Josiah Davis, late of Alexandria, Va.; of trustees of Mount Holly Baptist Church, of Fauquier County, Va.; of Thomas Rector, for the estate of Susan Y. Oliver, late of the same county; of John Gregg, executor of Daniel Homes, deceased, late of the same county, and of John Shumate, for the estate of Lewis Shumate, deceased, late of the same county, praying that their war claims be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. O'FERRALL: Petition of George R. Mayhew, for removal of the charge of desertion—to the Committee on Military Affairs.

Also, petition of Isaac W. Canter, administrator of the late Margaret McCauley, of Frederick County, Va.; of Julia A. Corbin, of Rappahannock County, Va.; of Phœbe A. E. Dear, of the same county; of Benjamin Bowman, of Rockingham County, Va., and of F. L. Entsler, for the estate of Winfield S. Bangner, late of the same county, praying that their war claims be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. O'NEILL of Missouri: Resolution urging creation of an efficient navy, adopted by Missouri Commandery Military Order of the Loyal Legion of the United States—to the Committee on Naval Affairs.

By Mr. O'NEILL of Pennsylvania: Statement of Mrs. Caroline V. English, relative to her bill for an increase of pension—to the Committee on Invalid Pensions.

Also, petition of Ellen McNamee, for a pension—to the Committee on Invalid Pensions.

By Mr. OTIS: Petition of the Church of God, Topeka, Kans., asking for prohibition in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of J. F. Grennan and other citizens of Coffey County, Kans., asking for the passage of a law against dealing in futures and speculating in agricultural staples—to the Committee on Agriculture.

Also, petition of L. M. Benedict and others, of Wabaunsee, Kans., asking that Columbian Exposition have financial aid upon condition of the grounds being closed upon Sundays—to the Select Committee on the Columbian Exposition.

Also, petition of J. F. Grennan and others, of Coffey County, Kans., asking that a duty be imposed upon compound lard—to the Committee on Agriculture.

Also, petition of D. C. Lah and other members of the First Presbyterian Church of Osage City, Kans., in relation to the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. OWENS: Petition of Reformed Presbyterian Church of New Concord, Ohio, to close the Columbian Exposition on Lord's Day—to the Select Committee on the Columbian Exposition.

By Mr. PATTERSON of Tennessee: Petition of Mrs. W. F. Privett, for the estate of Mrs. E. T. Horney, late of Shelby County, Tenn.; of Julia Elliott, administratrix, etc., and of Alice E. DeGrout, etc., praying that their war claims be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. PEEL: Petition of G. W. Gordon, for an increase of pension—to the Committee on Invalid Pensions.

Also, petition of Green W. Smith, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition to grant a pension to Jacob Sage, of Company A, Seventy-first Indiana Volunteers—to the Committee on Invalid Pensions.

Also, petition of citizens of Little Rock, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. POWERS: Petition of the Congregational Church of

Salisbury, Vt., praying that a loan be made to the Columbian Exposition on condition that the Exposition be closed to visitors on the Sabbath--to the Select Committee on the Columbian Exposition.

Also, petition of the Congregational Church of Wallingford, Vt., upon the same subject—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Bennington, Vt., upon the same subject—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Readsboro, Vt.; of citizens of North Hero, Vt., and of citizens of Fairfax, Vt., praying for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. RAINES: Petition of citizens of Bellona, N. Y., and of citizens of Rushville, N. Y., to grant a loan of $5,000,000 to the World's Fair, provided it be closed on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Charles Parthall, late of Company B, Thirty-sixth Wisconsin Volunteers, for relief—to the Committee on Invalid Pensions.

Also, petition of Oliver C. Castle, late of Company D, One hundred and twenty-sixth Regiment New York Volunteers, for a change in his record of discharge—to the Committee on Military Affairs.

By Mr. RUSK: Petition of Amelia Eckes, widow of Henry Eckes, late of United States Quartermaster's Department, for a pension—to the Committee on Invalid Pensions.

Also, petition for the relief of George W. Lowrey—to the Committee on Naval Affairs.

By Mr. SMITH of Illinois: Protest of the Sabbath schools of the Western Presbytery of Reformed Presbyterian Church, against keeping the World's Fair open Sundays—to the Select Committee on the Columbian Exposition.

Also, petition from Sparta, Ill., against keeping open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition favoring the keeping of the World's Fair open on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. STAHLNECKER: Petition of the society of Old Brooklynites, favoring tablets to the memory of those who died in British prison ships at Mallabout—to the Committee on the Library.

Also, resolutions of the National Farmers' Congress in convention at Sedalia, Mo., November 10, 1891, favoring harbor and river improvements at Savannah, Ga.—to the Committee on Rivers and Harbors.

Also, copy of memorial of American Peace Society, favoring conference of the Governments of the world at the Columbian Exposition in 1893, favoring arbitration of international troubles—to the Select Committee on the Columbian Exposition.

Also, memorial of the Legislature of the State of Wisconsin, favoring appropriation to aid in repairing Sturgeon Bay and Lake Michigan Ship Canal and Harbor—to the Committee on Rivers and Harbors.

By Mr. ——— STONE: Petition by First Synod of the West of United Presbyterian Church of North America, for closing the World's Fair on the Sabbath, and for the prevention of the sale of liquors—to the Select Committee on the Columbian Exposition.

Also, petition of Eighth United Presbyterian Church, requesting that the World's Fair be closed on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, petition of Lydia Underwood, widow of Wilbur A. Underwood, for relief on account of death of her husband in sinking of steamer I. N. Bunton—to the Committee on Claims.

By Mr. TOWNSEND: Petition of the Ministerial Association of the United Brethren Church of Colorado, in favor of granting aid to Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. TRACEY: Petition of Young People's Society of Christian Endeavor of the First Methodist Episcopal Church of Albany, N Y., favoring the closing of the World's Fair on Sunday, and opposing sale of liquors at the Fair—to the Select Committee on the Columbian Exposition.

Also, petition numerously signed by citizens of Albany, N. Y., favoring free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. WADSWORTH: Four petitions numerously signed by citizens of New York, praying that no appropriations be made to aid the World's Fair unless the same be closed on Sunday, and also praying for the prevention of the sale of liquors at the Fair—to the Select Committee on the Columbian Exposition.

By Mr. WALKER: Five petitions of citizens of Hampden County, Mass., and also two petitions of citizens of Worcester County, in the same State, for the extension of the free-delivery system to country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of certain citizens of Massachusetts, for the establishment of the metric system of weights and measures in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

Also, petition of citizens of the town of Upton, Mass., against any appropriation for the World's Fair unless the same be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WARNER: Petition of Eliza Holmes, widow of John Holmes, late of Company A, Seventy-ninth Regiment New York Infantry, for a pension—to the Committee on Invalid Pensions.

By Mr. WEADOCK: Petition of Erasmus L. Wentz, for a pension—to the Committee on Invalid Pensions.

Also, resolution of the common council of Detroit, Mich., in aid of bill to increase the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. WEVER: Petition of citizens of the Twenty-first district of New York, for a conference of nations at the World's Fair with reference to the settlement of international troubles by arbitration—to the Select Committee on the Columbian Exposition.

By Mr. WRIGHT (by request): Memorial of eight societies of the Young People's Society of Christian Endeavor of Pennsylvania, praying that Congress shall prevent Sabbath-breaking and liquor-selling in Columbian Exposition—to the Select Committee on the Columbian Exposition.

SENATE.

THURSDAY, *January 7, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM NEW YORK.

Mr. HISCOCK. Mr. President, David B. Hill, a Senator elect from the State of New York, whose credentials have heretofore been presented, is now present and ready to take the oath of office.

The VICE-PRESIDENT. The Senator elect from New York will please come forward and receive the oath of office.

Mr. Hill was escorted to the Vice-President's desk by Mr. HISCOCK, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a report of the Commissioner of Indian Affairs relative to the necessity of Congressional action for the disposition of timber on certain Chippewa reservations in the State of Wisconsin; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. WILSON presented a petition of the Iowa Yearly Meeting of Friends, praying for certain specified amendments of the revenue laws of the United States; which was referred to the Committee on Finance.

Mr. McMILLAN presented a petition of the Methodist Episcopal Church of Tekonsha, Mich., praying for the closing of the World's Columbian Fair on Sunday, for the prohibition of the sale of liquor within the grounds, and that the art department be conducted according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAVIS presented a memorial of the Chamber of Commerce of St. Paul, Minn., remonstrating against setting apart certain public lands in Minnesota as a public reservation; which was referred to the Committee on Public Lands.

Mr. QUAY presented a petition of citizens of Bucks County, Pa., praying for the enactment of a statute by Congress subjecting oleomargarine to the provisions of the laws of the several States; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's Christian Association of Germantown, Pa., praying for the ratification of the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. DOLPH. I present sundry petitions signed by citizens of Washington, and also of Oregon, I think—one of them indorsed by Mohawk Grange, No. 147, of the Patrons of Husbandry, of the State of Oregon—the signers being settlers who have located upon and improved lands in the odd-numbered sections of public lands within the limits of the Northern Pacific Railroad Company's general route from Wallula to Portland, Oregon. The petitioners allege that said limits included the odd-numbered sections for 40 miles on each side of the line of the road up to ter-

minal limits running to Portland, Oregon, at right angles to the general course of the road for the last 25 miles; that no part of the line between Wallula and Portland has ever been constructed, and that all of the odd sections within these limits were, by the true intent of the act of September 29, 1890, forfeited to the public domain. They further allege that they are now, notwithstanding this forfeiture, denied the right to enter their respective claims, although they went upon and improved them as bona fide settlers in good faith, and maintained settlements which no withdrawal made or maintained after 1879 could of right defeat, etc., and pray that Congress will pass an act construing the forfeiture act according to its original and true purpose, to forfeit all the lands within the 40-mile boundaries and between the terminal limits drawn at right angles with the general course of the unconstructed road for 25 miles next to such terminals; and for the benefit of these and other settlers under like hardships they ask that an act be passed resuming and restoring to the public domain all lands opposite to and coterminous with those portions of any railroad line not constructed within the time or according to the terms of the law under which they are claimed.

I move that the petitions be referred to the Committee on Public Lands for consideration.

The motion was agreed to.

Mr. ALLEN. I present a petition, I presume the counterpart of the one just presented by the Senator from Oregon [Mr. DOLPH], attested by the secretary of the National Grange, Patrons of Husbandry, addressed to the Senate of the United States, signed by H. Olmstead, L. M. Taylor, and 100 other persons, members of Mill Creek Grange, No. 91, Patrons of Husbandry, of Oregon, and praying for certain legislation for the relief of settlers who have located on and improved lands in the odd-numbered sections of public lands within the limits of the Northern Pacific Railroad Company's general route from Wallula to Portland, Oregon.

I also present a similar petition signed by 29 members of the Siuslaw Grange, No. 54, Patrons of Husbandry, of Oregon.

I move that the petitions be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. ALLEN presented a petition of the Lumber Manufacturers' Association of Puget Sound, Wash., praying for the early construction of the Nicaragua Canal and for Government aid in promoting the same; which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented a petition of the Illinois State Grange, praying for the passage of an income-tax law; which was referred to the Committee on Finance.

He also presented a petition of the Illinois State Grange, praying for the election of Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Illinois State Grange, praying for free mail delivery to farmers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Illinois State Grange, praying for improved water ways; which was referred to the Committee on Commerce.

He also presented a petition of the Illinois State Grange, praying that binder-twine be put on the free list; which was referred to the Committee on Finance.

He also presented a petition of the Illinois State Grange, praying for the passage of a bill for the control of telegraph and telephone lines, and to prohibit dealings in options, etc.; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Congregational Club of Chicago, Ill., praying for the ratification by the United States Senate of the so-called Brussels treaty; which was referred to the Comtee on Foreign Relations.

Mr. GALLINGER presented a petition of the First Congregational Church of Ashburnham, Mass., praying for the ratification of the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. PROCTOR presented the petition of Orvin Nelson and other members of the Congregational Church of Salisbury, Vt., and the petition of J. H. Burnham and other members of the Baptist Church of Johnson, Vt., praying for the closing of the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PETTIGREW presented a petition of citizens of Cranzburg, S. Dak., praying for the passage of legislation to prohibit dealing in options, and praying for the passage of what is known as the Butterworth bill; which was referred to the Committe on Agriculture and Forestry.

He also presented a petition of citizens of Cranzburg, S. Dak., praying that a bill be passed taxing compound lard; which was referred to the Committee on Agriculture and Forestry.

Mr. ALLISON presented the petition of W. F. Owen and a number of other citizens of Sac County, Iowa, praying for the passage of the bill commonly known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of James Fleming and other citizens of Sac County, Iowa, and the petition of O. A. Cole and other citizens of Story County, Iowa, praying for the passage of what is known as the "option bill;" which were referred to the Committee on Agriculture and Forestry.

Mr. BRICE presented the petition of Martin A. Bradley and other citizens of Ohio, praying that the Revenue Marine be transferred to the Navy Department; which was referred to the Committee on Naval Affairs.

Mr. HAWLEY presented the petition of Rev. Andrew S. Park and 21 other members of the Congregational Church of Huntington, Conn., praying for additional aid to the World's Columbian Fair upon the condition that the Fair shall be closed upon Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented a petition of Pleasant Valley Grange, of Cowley County, Kans., praying for the extension of the free-delivery system of the Post-Office Department to the rural sections of the country, and protesting against the reduction of letter postage; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. WHITE presented a memorial signed by Joseph A. Shakspeare, mayor of the city of New Orleans, La., and other ex-officio commissioners of the McDonogh school fund, city of New Orleans, and by Samuel H. Taggart, president of the board of trustees of the McDonogh educational fund and institute of the city of Baltimore, Md., praying indemnity for certain lands in the parish of Plaquemine, La., donated to the McDonogh school fund by the late John McDonogh, and in consequence of an erroneous survey treated as public lands; which was referred to the Committee on Public Lands.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 593) to authorize the construction of a bridge accross the Red River of the North at Drayton, N. Dak., reported it without amendment.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 1183) to extend the privileges of the transportation of dutiable merchandise without appraisement to the port of Sandusky, Ohio, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 747) to repeal section 4145 of the Revised Statutes of the United States and to amend section 4146, reported it with amendments.

Mr. DOLPH, from the Committee on Commerce, to whom was referred the bill (S. 1074) to establish additional life-saving stations, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1104) making an appropriation and providing for the construction of two United States revenue cutters for service on the Pacific coast, reported it with an amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 1421) for the relief of Lewis D. Allen; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1422) concerning chaplains in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BUTLER introduced a bill (S. 1423) for the relief of Jacob I. Cohen and J. Randolph Mordecai, administrators of M. C. Mordecai; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 1424) for the relief of the Atlantic Works, of Boston, Mass.; which was read twice by its title, and referred to the Committee on Claims.

Mr. VANCE introduced a bill (S. 1425) to provide for the erection of a monument to Maj. Gen. Nathaniel Green on the battlefield of the battle of Guilford Court House, N. C., fought March 15, 1781, and for other purposes; which was read twice by its title, and referred to the Committee on the Library.

Mr. DAWES introduced a bill (S. 1426) for the relief of Dabney, Simmons & Co.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1427) for the relief of William R. Boag; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 1428) to provide for the further distribution of the Reports of the Supreme Court; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. QUAY introduced a bill (S. 1429) granting an increase of pension to Col. J. R. Porter; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 1430) for the relief of Leonard I. Brownson, late first lieutenant Company K, Fifth Vermont Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 1431) for the better protection of employés of certain companies and persons in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1432) granting a pension to Anna Burrington; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HANSBROUGH introduced a bill (S. 1433) to incorporate the Washington and Bladensburg Street Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PEFFER (by request) introduced a bill (S. 1434) providing for the loan of money to the farmers of Indiana; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. CULLOM introduced a bill (S. 1435) to regulate commerce carried on by telegraph; which was read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

He also introduced a bill (S. 1436) granting a pension to Lydia Chapman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1437) granting a pension to Mrs. Margaret Wilkins; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 1438) granting a pension to Mrs. Martha Custis Carter, widow of the late Rear-Admiral S. P. Carter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McPHERSON introduced a bill (S. 1439) for the relief of George W. Clapp, of the Washington Iron Works; which was read twice by its title, and referred to the Committee on Claims.

Mr. KYLE introduced a bill (S. 1440) making conditional grants of land to the State of South Dakota; which was read twice by its title, and referred to the Select Committee on Irrigation and Reclamation of Arid Lands.

Mr. JONES of Arkansas introduced a bill (S. 1441) for the relief of the estate of Elias Rector, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. WOLCOTT introduced a bill (S. 1442) for the relief of M. D. Crow; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1443) to remove the charge of desertion now standing against John H. Mitchell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. VEST introduced a bill (S. 1444) for the relief of Arthur P. Selby; which was read twice by its title, and referred to the Committee on Claims.

Mr. MANDERSON introduced a bill (S. 1445) for the relief of Adolph von Haake; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 1446) to provide for pay and certificates of honorable service to the officers and men of Foster's Cavalry Battalion Missouri Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUAY introduced a joint resolution (S. R. 23) relative to the improvement of the harbor at Philadelphia, Pa.; which was read twice by its title, and referred to the Committee on Commerce.

COMMITTEE SERVICE.

Mr. COCKRELL. I desire to tender my resignation as a member of the Committee on Immigration. I am authorized also to tender the resignation of the Senator from New Jersey [Mr. McPHERSON] as a member of the Committee on Territories; of the Senator from Kentucky [Mr. BLACKBURN] as a member of the Committee on Organization, Conduct, and Expenditures of the Executive Departments; of the Senator from Georgia [Mr. COLQUITT] as a member of the Committee on Interstate Commerce, and of the Senator from Indiana [Mr. VOORHEES] as a member of the Select Committee on Relations with Canada; and I ask that the junior Senator from New York [Mr. HILL] be appointed to the places made vacant.

The VICE-PRESIDENT. If there be no objection the resignations named will be accepted, and the Senator from New York [Mr. HILL] will be appointed to the places thus made vacant.

Mr. GORMAN. I ask to be excused from service upon the Select Committee on Relations with Canada, with a view of having the Senator from Georgia [Mr. COLQUITT] appointed in my place.

The VICE-PRESIDENT. If there be no objection the resignation of the Senator from Maryland will be accepted, and the Senator from Georgia [Mr. COLQUITT] will be appointed to fill the vacancy on that committee.

MARITIME CANAL OF NICARAGUA.

Mr. MORGAN. I desire to call up the resolution that I offered yesterday in regard to instructing the Committee on Foreign Relations to inquire into the condition of the Maritime Canal of Nicaragua, and the Senator from Washington [Mr. ALLEN] wishes to occupy the floor upon the resolution.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. MORGAN, as follows:

Resolved, That the Committee on Foreign Relations be, and is hereby, directed to inquire into the progress that has been made in the work upon the Maritime Canal of Nicaragua, and what are the present conditions and prospects of that enterprise, including in their inquiry any additional explorations or surveys of the canal that have been made since the last report of that committee; and what stocks, if any, have been disposed of, or bonds issued by, the Maritime Canal Company of Nicaragua, chartered and organized under the act of Congress approved February 20, 1889; and, for these purposes, said committee shall have authority to send for persons and papers and to administer oaths, or authorize a subcommittee to administer oaths, to persons examined. Said committee is directed to consider and report what, in their opinion, the interests of the United States may require in respect of that interoceanic communication.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. VEST. I offer an amendment to the pending resolution, which I send to the desk.

The VICE-PRESIDENT. The amendment will be read.

The CHIEF CLERK. In line 11, after the words "eighteen hundred and eighty-nine," insert:

And what amount of money has been actually expended for any purpose, and what contracts for construction or other objects have been made by said company.

The VICE-PRESIDENT. The question is on agreeing to the amendment moved by the Senator from Missouri.

Mr. MORGAN. That amendment is entirely in line with the provision of the act of Congress chartering the Maritime Canal Company, and with the permission of the Senate I will accept it and incorporate it in the resolution.

The VICE-PRESIDENT. The amendment will be agreed to if there be no objection. The Chair hears no objection, and the amendment is agreed to.

Mr. ALLEN. Mr. President, at a meeting of the Puget Sound Lumber Manufacturing Association of Washington, held at Seattle, November 17, 1891, after the recitation of premises that logically led up to it, the following resolution was adopted:

Be it resolved by this convention of delegates, representing all the business interests of the State of Washington, That our Representatives at Washington be invited and urged to take such action as will hasten the completion of the Nicaragua Canal, and if in their judgment such action becomes necessary, to use all honorable efforts to hasten the action of Congress toward loaning such credit of the Government of the United States as will insure the speedy completion of this grandest of all works ever contemplated by the civilized world.

In obedience to these expressed wishes and instructions of many of my constituents I avail myself of the earliest opportunity to give utterance to their profound interest in this measure and their solicitude for its speedy success.

I should cheerfully perform the duty because it is their will. I do so with alacrity and pleasure, because I entertain the same opinions, which I have reached through the experience and observations that have taught them.

While the results flowing from this enterprise are beneficial to the commerce of all nations, they will in a special manner stimulate and promote that of our own country, and no part of our country more vitally than the Pacific Slope, and no part of the coast more directly and happily than the State of Washington.

From the days of Christopher Columbus until the western continent had been thoroughly explored it was the dream of navigators, as well as their belief, that some passageway would be found directly connecting the Atlantic and Pacific Oceans. Even as late as 1592, the voyager Juan De Fuca, when first sailing up the magnificent passageway bearing his name that leads from the Pacific Ocean into Puget Sound, thought he had found this much-sought channel.

Where the navigator abandoned the search the surveyor took it up. Modern engineering has demonstrated the practicability of such a water way.

Between the ports of Brito, on the Pacific coast, and Greytown, on the Atlantic, the distance is but 169 miles, the highest water level 102 feet. Of this transit Lake Nicaragua, with its generous breadth and depth, furnishes 56 miles. The San Juan River, discharging from it into the Atlantic Ocean, 63 miles more; while

of the remaining distance, valleys with high rims are so converted into basins that of the entire length of this connecting channel there will be but 8 to 10 miles so contracted as to seriously impede the speed of vessels of any draft, or embarrass their freedom of passing while sailing in opposite directions. Disinterested and competent engineering, frequently revised and tested by experiment, has placed the cost of this enterprise, when fully completed, and upon a scale broad enough to accommodate the present and near future requirements of commerce, at a hundred millions of dollars.

Ample concessions have been made by the Nicaraguan Government and Costa Rica to the Maritime Canal Company of Nicaragua, a corporation created by an act of our own Congress, for a period of ninety-nine years after the completion of the work. The proposed guaranty of the bonds of the company by the United States should make it certain that no onerous tolls can be exacted of commerce in order to pay dividends on fictitious stocks, while the ownership in trust of more than two-thirds of the stock of the company by the Government should render its financial liability but a nominal one, and its control and supervisory authority permanent and unquestioned.

Not only the responsibility assumed, but more especially the national character of the work and the world-wide attention it must command, make it a matter of first importance that every detail of construction and expenditure of money should be honest and proper so far as legislation can make it so. There should in such a work be not only no taint of jobbery or fraud, but not even the opportunity or plausible semblance of any such thing. I doubt not the distinguished and experienced gentlemen who have framed the measure, and given exhaustive attention to all its details, have sought to guard it carefully in these respects. And yet, Mr. President, in the light of a confessedly superficial examination of these features of the bill, the impression is made upon my mind there is not the direct, specific inspection of and control over the construction and expenditure there should be. I trust before a vote is reached it will be shown these impressions are not justified, or the bill will be so amended as to cure the defects.

About twenty-eight hours is the estimated time of the passage of a ship from ocean to ocean, including lockage. Lake Nicaragua and these basins afford abundant and secure fresh-water harborage to any number of vessels without interference in the operation of the canal, Over the low elevation of the mountain range the northeast trade winds are drawn, furnishing constant and cooling breezes, tempering the tropical air and rendering it healthful.

The superabundance of water at all seasons discharging through Lake Nicaragua will admit of enlarged canal facilities to meet any possible development of commerce. Frequent rapid streams along the route will enable the flooding of lake and canal with electric light, so that the movement of ships will not be hindered at night.

Thus lighted, and animated with the movement of every character of water craft, the route will present the most brilliant and enchanting landscape, the most noble and inspiring spectacle that eye can gaze upon and mind contemplate. A land of a midnight sun—the handiwork of man. This short waterway bisects a hemisphere, converts the continent of South America into an island, pierces a stretch of over 9,000 miles of sea wall at the center, and cuts off the detour the commerce of the north half of the world and the adjacent southern latitudes is now compelled to make around Cape Horn. It is the miracle of engineering science, stretching out its hand over the mountains, and their obedient walls opening a permanent highway to the chariots of the sea.

The saving is much more than one of time and distance. It is the escape of commerce from stormy and hazardous seas, and of perishable cargoes from exposure to torrid zones. The construction of this work means the shortening of the voyage between our Atlantic and Pacific ports about 10,000 miles, near two-thirds of the present sailing distance, and largely the substitution of steamers for sailing vessels. It will prove the grand complement of our coastwise navigation, doing for the commerce of the nation what the St. Mary's Canal is effecting for the interior Northwest.

The practical result will be to unite our Atlantic and Pacific seaboards. The people of the Pacific Slope having experienced more directly and sorely the disadvantages of separation than those of the East will, as a result, more keenly appreciate the benefits to result from this enterprise. This is more especially true of the people of the State I have the honor in part to represent in this Chamber than any other of the coast, because they are conscious of the surpassing resources of their State, of forest, of fisheries, of soil (blessed with climate adapting it to the widest range of production), of coal, of iron, of stone, of gold and silver, which they realize must remain comparatively dormant until the cheap and necessary transportation of this canal is afforded.

Transcontinental railroads have done much for the development of the Pacific coast, and each year will do more. Their increasing numbers and sharper competition are lowering rates and furnishing increased facilities and drawing thither population, wealth, and enterprise; but in the transportation of the staple and coarser freight I have mentioned, they can not give the cheap rates this age requires. The Great Lakes and their parallel railroads afford a conspicuous, the most conspicuous, illustration of what can be accomplished in the direct competition of land and water transportation in the development and handling of immense volumes of permanent traffic. In the mind's eye one quickly sees the immense fleets of exchanging commerce of European and Asiatic nations that will move through the Nicaragua Canal; so that of Australia and the Sandwich Islands; of the Republics on the eastern and western South American coasts, lying nearer this canal than Cape Horn; the large local traffic, the rich resources of Nicaragua will develop; and can perhaps form some conception of the enormous contribution the State of California will supply.

But let me, Mr. President, direct your attention for a moment to the northwest Pacific coast, the region lying opposite that tributary to the St. Mary's Canal. The watershed of this broad scope of country requires for its drainage the Columbia River, next in size to the Mississippi. Its principal harbor is Puget Sound, a landlocked sea, with islands, archipelagoes, and indentations, presenting a shore line of over 2,000 miles—peerless among the harbors of the world in the amplitude and security of its waters and the advantages it offers to commerce.

Although lying above the latitude of Duluth, there has not been a day since the ship of the first navigator entered it that ice has hindered a vessel or wind endangered one in its harbors.

No other landlocked sea so strongly pulsates with the ocean or more intimately shares its qualities. None could so easily be mistaken for an inland lake. None so heavily bordered with gigantic forests. None so walled with shores of coal and iron. With limited exceptions, from the coast to the snow line of the mountains, the region is covered with a growth of commercial timber of enormous size and the most varied adaptabilities. It is by competent persons computed there are in the State of Washington alone 21,000,000 acres of such timber lands.

The yield of 100,000 feet has been verified from many a single acre; and one tree is not infrequently found, standing as straight as a ship's mast, without limb or knot or flaw, to a height varying from 150 to 175 feet, and yielding 2,500 to 3,000 feet of lumber.

Experienced lumbermen place the average yield of the entire area at from 20,000 to 25,000 feet of sawed lumber per acre. This timber area reaches far southward into Oregon and northward into the British Possessions. The length, strength, elasticity, and durability and freedom from flaw give to the timber of these forests structural advantages that for special purposes justify its shipment, even at the present consuming freight rates, to the interior of our country, along the Atlantic coast, and, for spars and piling, to Western Europe.

Here, Mr. President, in these hundreds of billions of feet we have the lumber supply of a continent for indefinite years, which, upon the completion of this canal, will profitably bear transportation along our Atlantic coast and to the markets of Western Europe.

The soil upon which these forests stand, supplemented with a mild and favoring climate, guaranty fruit and vegetable production to sustain a dense population in the coming years.

The cold waters moving down from the ice seas of the North furnish food and habitat for innumerable schools of edible and oil-producing fish, while the rivers coming to the ocean from the glaciers of the mountains draw from their mysterious abodes in the sea myriads of salmon in quest of spawning grounds. The catch of the latter fish is already numbered by the millions of pounds.

I doubt if the banks off Newfoundland and Nova Scotia are richer in food fishes than these far more extensive seas, extending from the Columbia River and Puget Sound into the arctic regions of Alaska. It wants but the completion of this enterprise to quicken the fish industry of our northwestern seas into life and gigantic proportions. The unfailing harvests of these waters will burden many a vessel passing through its channel. But greater than the wealth of sea or forest is that beneath the surface of the ground. Development and discovery are daily adding to its extent and richness. Measures of excellent coking, steam, and heat-producing coals underlie much of the Puget Sound basin, easy of access and within short distances from tide water.

At short intervals from the British line, almost to the Columbia River, these coal measures have been found, and in many places opened. But nature, in her prodigality, in close

proximity, has bestowed practically unlimited stores of iron and Bessemer ores and quarries of limestone. Where, Mr. President, I ask, upon our favored continent or in any part of the habitable globe, in so genial a climate, and almost within hearing of the throbbing of the sea (the unwearing and unmonopolizable highway of commerce), will you find such an assemblage of the resources of wealth and of elements fundamental and indispensable to the wants of our civilization?

But, Mr. President, let us pass beyond the Cascade Mountain Range, upon whose icy battlements are stationed the unrelieved sentries of the centuries, Mounts Baker, Rainier, Adams, and Hood, keeping guard between the kingdom of the land and the empire of the sea, and enter the comparatively treeless region, scored with mountains, high plateaus, and valleys, with climate more unlike that of the seacoast than can be found in distances of many hundred miles east of the Alleghanies or in the Mississippi Valley. Yet the mild winds from tropical oceans breathe warmth over these high latitudes and elevations, softening their winters to those of Virginia and Pennsylvania.

The mountains of this country, circling from the northwest to the southeast in a radius of 150 miles, with Spokane as a center, and thence on through Idaho into Montana, are found rich beyond fable in lead, silver, and gold, while the plateaus of Eastern Washington and Oregon and Western Idaho afford a cereal belt more prolific and certain in yield, with a soil more durable and seasons of seeding and harvest more favorable, than any part of our country or of the world, so far as I know. An intelligent and trustworthy farmer in the Walla Walla Valley assured me that the average wheat yield of his large farm for the past twenty years had been 40 bushels per acre. The Senators from Oregon and the senior Senator from the State of Ohio [Mr. SHERMAN], who a few years since drove with me for hours among these grain fields, can assure you this statement is not overdrawn. Were it not for this conspiring of favorable circumstances wheat culture could not be carried on so far away from the markets of the world.

In a sea voyage from the Columbia River or Puget Sound to Europe, twice carrying the cargo through the tropics, consuming from four and a half to five and a half months, the farmer of the far Northwest is forced to be guarantor against every contingency of sea and land, of middlemen and trusts, and, lastly, of the market uncertainties of a coming year's crop, which are upon him before the port of delivery is reached. The last census reveals the fact that the State of Washington is only surpassed by the State of New York in the production of hops, and is closely followed by the State of Oregon.

I noticed a few days ago in a Tacoma paper that aside from the wheat loaded at that port in steamers for San Francisco there had been 5,000,000 bushels shipped foreign since harvest, and that a fleet of eleven ships was in the harbor waiting cargo, while fourteen additional grain ships were on the way thither to be loaded. I might cite something like this of Seattle and Portland, but simply direct attention to the incident as a hint of the grain production of the region when once developed. The completion of the interoceanic canal works a radical and happy revolution in this important agricultural interest and places the harbors of Puget Sound in a position of advantage in the shipment of grain. The lines of navigation from its ports to all markets will be open every day of the year to every character of vessel that floats the seas.

From the time of shipment to final destination no rehandling of cargo will be required. The highway over which this heavy traffic passes will not be liable to wear or be made subject to monopoly, but free to unfettered competition. The result must be, under the inspiration of low rates, enhanced values and enlarged markets, the rapid and gigantic development of every resource and industry I have mentioned, affording a volume of traffic through the Nicaragua Canal little dreamed of at this time. As against the embargo placed upon lake navigation for nearly half the year, following close after the season of garnering, and the rehandling of cargoes in transit to the Atlantic seaboard, the advantages I have enumerated will cause the reach of interior shipment to Puget Sound to constantly enlarge. So you perceive, Mr. President, there is scarcely a limit to be placed upon the traffic the Pacific Northwest will contribute to this canal.

My constituency realize the advantages this great enterprise will confer upon them and their locality, and in return the volume of traffic the Northwest coast will contribute, and the additional guaranty of success it will give to the projectors of the work. They have desired me to call attention to their special and direct interests in the early completion of the canal, not that they look upon it narrowly and regard its benefits local and partial, but because as yet so little is known of this part of our country. Their sweep of vision, Mr. President, takes in a broader, a more patriotic, and a more comprehensive horizon.

They foresee among the beneficent results of this work a more practical drawing together of the remote parts of our vast domain, a firmer welding and cohesion of the widely-separated sections of our country; a stronger feeling of neighborhood and community between our Atlantic and Pacific seaboards; a more actual and vital sense of union than we have before experienced.

They realize through this achievement the naval arm of this Government will be strengthened and rendered doubly available; the hazards of our unprotected seaboards reduced; and temptations to presumption and aggression taken away from nations whose interests and ambitions are brought in conflict with our own.

In the use of this channel by the ships of all nations they also foresee enhanced facilities to general trade, a readier and more economical and consequently a greater exchange of commodities among commercial peoples; a closer and stronger network of common interests, binding together the subjects of alien governments, rendering peace more indispensable and war more obnoxious. The feasibility of the work has been demonstrated. Its necessity is present and imperative. Its consummation is inevitable. It is too great and costly for private enterprise. It can not survive a national foundling. It is offering itself for adoption to some wealthy and dominant commercial nation. The offering is too precious to remain long unaccepted. Opportunity when so presented does not long delay and rarely returns.

It is first presented to the United States. It will be a monument to the civilization of this age, the crowning public work of the century, far more to the western hemisphere than the Suez Canal to the eastern, and therefore should be constructed by citizens of our Republic, and remain under the control and supervision of our Government.

Mr. MORGAN. Mr. President, I move the reference of the resolution the Senator from Washington [Mr. ALLEN] read at the beginning of his remarks to the Committee on Foreign Relations.

The VICE-PRESIDENT. The resolution will be so referred in the absence of objection.

Mr. MORGAN. Mr. President, on the resolution to which the remarks of the Senator from Washington [Mr. ALLEN] have been addressed, I desire to submit a very few words before asking the Senate to act upon it.

Mr. HISCOCK. Will the Senator from Alabama yield to me to introduce two bills?

Mr. MORGAN. I yield for that purpose.

ADDITIONAL BILLS INTRODUCED.

Mr. HISCOCK (by request) introduced a bill (S. 1447) for the relief of Secor & Co., Perine, Secor & Co., and the executors of Zeno Secor; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1448) for the relief of David Myerle, executor of Phineas Burgess, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BUTLER. I ask the Senator from Alabama to yield to me that I may introduce a bill.

Mr. MORGAN. Very well.

Mr. BUTLER introduced a bill (S. 1449) to revive the grade of lieutenant-general in the Army of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 1450) to incorporate the "Zoo" Street Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1451) to provide for the purchase of a site and the erection of a public building thereon at Kansas City, in the State of Kansas; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1452) for the relief of the occupants of the town site of El Reno and to confirm the entry made by J. A Foreman for the lands covered thereby, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1453) for the relief of John K. Miller; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1454) for the relief of W. H. L. Pepperell; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

ADJOURNMENT TO MONDAY.

Mr. HARRIS. If the Senator from Alabama will yield to me, I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

INTERJECTION OF MORNING BUSINESS.

Mr. HALE. I will not interpose an objection now to Senators introducing bills and petitions and matters that properly belong

to the morning hour, but I want to protest against what is a growing habit in the Senate, that instead of the morning hour being devoted, as it should be, to routine business and then the routine business end, it is the habit of Senators—and I know that I do it myself sometimes under pressure, which I ought not to do—of interrupting Senators in the midst of their speeches to introduce a petition or a bill or something which should be confined to the morning hour. The Senator from Alabama [Mr. MORGAN], on the point of addressing the Chair, was interrupted by a Senator who desired to introduce a bill by request, showing that there was no particular interest in it. When that was assented to courteously by the Senator from Alabama, who is always courteous, that let loose several other Senators. This has become a nuisance, and I for one propose hereafter, when a Senator is engaged in addressing the Senate or ready to address the Senate, to object to any interruption of this kind. I do not object now, but hereafter I shall object.

Mr. MORGAN. Mr. President, while agreeing that the views of the Senator from Maine are just and appropriate, I am not making any question about that on this occasion. I shall join him in trying to have a better understanding on that subject.

MARITIME CANAL OF NICARAGUA.

The Senate resumed the consideration of the resolution yesterday submitted by Mr. MORGAN, instructing the Committee on Foreign Relations to inquire into the condition of the Maritime Canal Company of Nicaragua.

Mr. MORGAN. Mr. President, at an early day in this session the Senator from Ohio [Mr. SHERMAN] who is not now in his seat, presented a bill in respect of the Maritime Canal Company of Nicaragua, which is a copy of the bill that was reported by the unanimous action of the Committee on Foreign Relations at the last session of Congress and was not acted upon for want of time. Mr. SHERMAN'S bill has gone to that committee, but I thought it was my duty, as a friend of this enterprise, to avail myself of the provision which is found in section 6 of the charter of the company granted in 1889, which reads as follows:

SEC. 6. Said company shall make a report on the first Monday of December in each year to the Secretary of the Interior, which shall be duly verified on oath by the president and secretary thereof, giving such detailed statement of its affairs, and of its assets and liabilities, as may be required by the Secretary of the Interior, and any willfully false statement so made shall be deemed perjury and punishable as such. And it shall be the duty of the Secretary of the Interior to require such annual statement and to prescribe the form thereof and the particulars to be given thereby.

And, in accordance with that law, to provide for a full examination of the present condition of the enterprise.

That annual report, Mr. President, has been duly made by the canal company, but I have not a copy of it before me, not expecting that I should need it on this occasion. With the permission of the Senate I will insert it in my remarks.

The report is printed in Executive Document No. 4, as follows:

Letter from the Secretary of the Interior, transmitting the report of the Maritime Canal Company of Nicaragua, in compliance with law.

December 10, 1891.—Referred to the Committee on Foreign Relations and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, December 9, 1891.

SIR: I have the honor to transmit herewith for the information of the Senate a copy of the report of the Maritime Canal Company of Nicaragua, submitted to this Department on the 7th instant, in accordance with section 6 of an act of Congress approved February 20, 1889, entitled "An act to incorporate the Maritime Canal Company of Nicaragua."

Very respectfully,

JOHN W. NOBLE, *Secretary.*

The PRESIDENT OF THE SENATE.

THE MARITIME CANAL COMPANY OF NICARAGUA,
44 Wall Street, New York, December 7, 1891.

SIR: In compliance with the requirements of its charter, I beg leave to hand you herewith the annual report of the Maritime Canal Company of Nicaragua to December 1, 1891.

I am, very obediently, yours,

THOMAS B. ATKINS, *Secretary.*

The SECRETARY OF THE INTERIOR,
Washington, D. C.

ANNUAL REPORT OF THE MARITIME CANAL COMPANY OF NICARAGUA.

SIR: Pursuant to section 6 of the act of Congress entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889, which provides that said company shall make a report on the first Monday of December in each year to the Secretary of the Interior, and, in accordance with the instructions received from you prescribing the form of such report and the particulars to be given thereby, the said Maritime Canal Company of Nicaragua hereby reports as follows:

First. That the regular annual meeting of the company was held at No. 44 Wall street, in the city of New York, on the 7th day of May, 1891, pursuant to the provisions of the by-laws, and that at such meeting Mr. Henry E. Howland was elected a director of said company, to fill the vacancy in the class of 1892 caused by the death of Mr. Frederick Billings, and Messrs. Alfred B. Darling, Charles C. Glover, Franklin Fairbanks, C. Ridgely Goodwin, and Alexander T. Mason were duly elected directors of said company, to fill the places made vacant by the class whose term of office expired on the said 7th day of May, 1891, and to serve for the period of three years, as provided for in the said act of incorporation. That since the said annual election the Hon. James B. Eustis has been elected a director, to fill the vacancy existing in the class of 1892 by reason of the death of the Hon. Joseph E. McDonald, who departed this life on the 21st day of June, 1891.

Second. That the board of directors of said company as now constituted is composed of the following stockholders:

Class of 1894.—Alfred B. Darling, Franklin Fairbanks, C. Ridgely Goodwin, and Alexander T. Mason.

Class of 1893.—James Roosevelt, Joseph Bryan, Hiram Hitchcock, Thomas B. Atkins, and Horatio Guzman (Nicaraguan director).

Class of 1892.—Charles P. Daly, Daniel Ammen, Horace L. Hotchkiss, Henry E. Howland, and James B. Eustis.

A majority of the above-named directors are citizens and residents of the United States. The vacancy in the class of 1894, caused by the resignation of Mr. Charles C. Glover, has not yet been filled.

Third. That at a meeting of the board of directors, held, pursuant to notice, on the said 7th day of May, 1891, at the office of the company, No. 44 Wall street in the city of New York, the following officers were duly elected to serve for the ensuing year, to wit: President, Hiram Hitchcock; vice-president, Charles P. Daily; secretary and treasurer, Thomas B. Atkins.

That all of the officers so elected are citizens and residents of the United States.

That at said meeting the following directors were elected members of the executive committee, as provided for in the by-laws of said company, to wit: James Roosevelt, chairman; Hiram Hitchcock, Horace L. Hotchkiss, C. Ridgely Goodwin, and Alexander T. Mason.

Fourth. That during the past year operations on the Nicaragua Canal have been prosecuted with due diligence and energy, and much progress has been made in the actual work of construction. Many of the accessory works referred to in the last annual report of this company as being then in progress have been extended and, in some cases, carried to a completion. The railroad which was under construction from the Atlantic port to the divide has been completed and fully equipped for a distance of 11 miles, and the same is now in operation. The grade of the road has been raised, a large number of culverts built, and the roadbed and track perfected and placed in first-class condition. Several miles of switches, side tracks, and turn-outs have also been constructed, and the rolling stock now consists of 4 locomotives, 50 cars, and other requisite appliances. The machine shops have been enlarged, and are now equipped with a useful and very valuable plant for making repairs, including a varied and extensive assortment of modern machinery and tools, and also with facilities which afford means for such other mechanical work as is necessary and incidental to the construction of the canal.

The jetty or breakwater, which is to protect the harbor entrance on the Atlantic coast from the effects of shifting sand, has been extended into the ocean to a distance of 1,000 feet or more, and the spaces between the piles are now being filled in with rock and hydraulic cement. A second breakwater has been commenced on the west side of the harbor for the protection of the same against northerly storms. Several of the large dredges which were purchased last year from the American Contracting and Dredging Company have been in active operation, and about 1 mile of actual excavation along the line of the canal has been made from the harbor inland, and a channel formed, varying in width from 150 to 230 feet, and being about 17 feet deep.

Important work has also been done during the past year on the Machuca Rapids, and quantities of rock removed from the bed of the San Juan River at that point. On the west side of the lake, 8 miles of the route of the canal have been cleared of timber and undergrowth, and the line of the railroad which is to extend from the lake to the Pacific has been carefully surveyed and located. The large plant owned by the company in Nicaragua has received many important additions during the past twelve months, and is in the very best condition. The buildings now occupied consist of five groups, covering an area of about 1¼ acres, as follows:

Headquarters, 8 buildings; floor space, 13,986 square feet. Hospitals, 10 buildings; floor space, 14,174 square feet. La Fe department, 8 buildings; floor space, 21,869 square feet. Railroad headquarters, 9 buildings; floor space, 18,778 square feet. Camp Cheney, 4 buildings; floor space, 7,100 square feet. Making a total of 39 buildings, having a floor space of 75,902 square feet. In addition to these are numerous and extensive wharves equipped for unloading heavy freights, sheds, water tanks, and other smaller structures.

The health of the employés of the company has been excellent, and the sanitary conditions of the various camps and headquarters has been maintained at the high standard of previous years. During fourteen months there have been admitted into headquarters hospital 1,669 patients, of which number there have been discharged cured or improved 1,646. The total number of deaths has been 23, of which 5 were due to accidents, 6 to chronic diseases contracted before entering the company's employ, and 12 to diseases contracted while in the employ of the company; so that out of 1,669 patients only 12, or seven-tenths of 1 per cent, have died from diseases that may be termed climatic.

In March, 1891, the Hon. Warner Miller, president of the Nicaragua Canal Construction Company, accompanied by a large staff, visited the Republic of Nicaragua and made a complete and thorough examination of the entire line of the canal and of the numerous works connected with the construction thereof. The reports received from this expedition have been most gratifying, and show that the work already accomplished has been done in a systematic manner, with all possible care, thoroughness, and dispatch, and within the estimates of the engineers.

The results already achieved may be summarized as follows: The completion of the final surveys for location and construction; the restoration of the harbor of San Juan del Norte to the extent of securing an easy entrance to the port of vessels of 12 feet draft; the construction of extensive wharves and landing facilities; the erection of permanent buildings for offices, quarters, hospitals, storehouses, shops, etc., having an area of an acre and three-fourths; the building of a large number of temporary camps for the accommodation of employés; the completion of a telegraph line, placing the New York office in ready communication with every part of the work; the clearing of the canal line of timber for some 20 miles; the completion of the surveys and plans for the location and construction of the railroad systems; the acquisition by purchase of the most valuable and efficient dredging plant to be found anywhere in America under one management; and the actual excavation of the canal line for a distance of about 1 mile inland.

Fifth. That the interests of this company are at present represented in the Republic of Nicaragua by the Hon. Henry C. Hall, as resident agent at Managua, while Mr. Louis Chable represents the corporation in a similar capacity at San José, in the Republic of Costa Rica.

Sixth. That since the organization of the Maritime Canal Company of Nicaragua 10,145 shares of the capital stock of said company have been subscribed for at par, amounting in the aggregate to the sum of $1,014,500, of which amount $1,001,450 have been paid into the treasury in cash; that there has been paid into the treasury from other sources about $23,178.53, making the total amount of cash received $1,024,628.53; that the other assets of the company consist of its capital stock, of the concessions, rights, privileges, and franchises which it now owns, and of the plant, equipment, materials, lands, buildings, structures, railways, steamboats, dredges, locomotives, cars, machinery, telephone and telegraph lines, tracks, sidings, turn-outs, warehouses, stores, machine shops, supplies, and other property in Central America, including the lands situated between the lake and the Pacific, which were purchased from the Government of Nicaragua for the route of the canal

at the cost of $50,000, in accordance with the provisions of the Nicaraguan concession.

Seventh. That since the organization of the company it has expended and issued, for property, work, and labor done, and materials furnished in the execution of the work of constructing the canal and in administration expenses, the sum of $799,555.02 in cash and 28,000 shares of the full paid capital stock of the company, of the par value of $2,800,000, and is obligated for $6,000,000 of its first-mortgage bonds. It has also issued 180,000 shares of its capital stock, of the par value of $18,000,000, in payment for concessionary rights, privileges, franchises, and other property.

Eighth. That the liabilities of the company consist of the amounts still due under the concessions granted to the company; of the $6,000,000 of bonds before mentioned, the said bonds being due to the Nicaragua Canal Construction Company for work and labor done and materials furnished in the execution of the work of constructing the interoceanic canal, and of cash liabilities outstanding and unpaid to an amount not exceeding $30,000.

Ninth. That a detailed description of the proposed canal and the work to be accomplished in its construction, together with the maps showing the route thereof as the same has been finally located, was annexed to the last annual report of this company, to which reference is hereby made for said particulars.

In witness whereof the Maritime Canal Company of Nicaragua has caused its corporate seal to be hereunto affixed and these presents to be signed by its president and secretary this 7th day of December, A. D. 1891.

[SEAL.] THE MARITIME CANAL COMPANY OF NICARAGUA,
By HIRAM HITCHCOCK, *President*,
And THOS. B. ATKINS, *Secretary*.

The SECRETARY OF THE INTERIOR.

STATE OF NEW YORK,
City and County of New York, ss:

On the 7th day of December, in the year 1891, before me personally came Thomas B. Atkins, known to me to be the secretary of the Maritime Canal Company of Nicaragua, and with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resided in the city of New York; that he was the secretary of the Maritime Canal Company of Nicaragua; that he knew the corporate seal of said company; that the seal affixed to the foregoing report was such corporate seal; that it was so affixed by the order of the board of directors of said company, and that he signed his name thereto by the like order as secretary of the said company.

And the said Thomas B. Atkins further said that he was acquainted with Hiram Hitchcock, and knew him to be the president of said company; that the signature of the said Hiram Hitchcock subscribed to the said instrument was in the genuine handwriting of the said Hiram Hitchcock, and was thereto subscribed by the like order of the said board of directors, and in the presence of him, the said Thomas B. Atkins.

In witness whereof I have hereunto set my hand and official seal this 7th day of December, A. D. 1891.

[SEAL.] JOHN R. O'HALLORAN,
Notary Public Kings County, certificate filed in New York County.

STATE OF NEW YORK,
City and County of New York, ss:

Hiram Hitchcock, being duly sworn, says: That he is the president of the said The Maritime Canal Company, of Nicaragua; that he has read the foregoing annual report and knows the contents thereof, and that the same is in all respects correct and true.

HIRAM HITCHCOCK.

Sworn to before me this 7th day of December, 1891.

[SEAL.] JOHN R. O'HALLORAN,
Notary Public Kings County, certificate filed in New York County.

STATE OF NEW YORK,
City and County of New York, ss:

Thomas B. Atkins, being duly sworn, says: That he is the secretary of said The Maritime Canal Company of Nicaragua: that he has read the foregoing annual report and knows the contents thereof, and that the same is in all respects correct and true.

THOS. B. ATKINS.

Sworn to before me this 7th day of December, 1891.

[SEAL.] JOHN R. O'HALLORAN,
Notary Public Kings County, certificate filed in New York County.

I was obliged to the Senator from Missouri [Mr. VEST] for suggesting an amendment to my resolution, which was drawn up hastily yesterday at my desk, which amendment penetrates still further into the condition of this company than my resolution probably contemplated, for the friends of this measure and the friends of this canal desire that there shall be no misunderstanding at all about any feature of this project. It is a very great matter, one of very serious public consideration, one in respect of which we should submit to no trifling and no mere whitewashing or passing over defects, troubles, or difficulties.

The condition of the canal at this moment is such as that the Congress of the United States owes it to the country, as well as to the canal company, that whatever action is to be taken by Congress should be taken as speedily as a full investigation and fair discussion will admit. If we are not going to adopt, in substance, the plan suggested by the Committee on Foreign Relations at the last session, or some other plan for giving assistance to this enterprise by the Government of the United States, it is the highest duty we owe to the company and to the people that we should get out of the way and let the company go on and build its canal without our interference.

So I have thought, and the Senator from Ohio has also concluded, that it was best to bring this subject up early in the session, and to have the attention of Congress directed to it closely and carefully, so that every particle of the ground connected with it might be inspected narrowly, and a just conclusion reached; for if we can not assist this company in building this canal; if we can not now through the agency of the company exercise a control over this canal such as I think the destiny of the people of the United States will require should be exercised; if we must postpone this in deference to uninformed or doubting public opinion on this great question, let us postpone the whole matter at once, so far as we are concerned, and rely upon the sublimity of luck to get that control of it hereafter, which we are bound to have as the ruling commercial power on this hemisphere.

The project of the committee at the last session was one which I avow here to have been an effort to get just as close to the control of this canal as existing conditions will permit us to do. We can not exercise sovereignty over it. The right to exercise a limited sovereignty or a limited territorial control over it was stipulated for by the Administration of President Arthur, but the treaty negotiated by Mr. Frelinghuysen came here and was rejected. I speak of it publicly because it has become a public document. After that the Government of Nicaragua, prosecuting its purpose, which has always been patriotic, considered in reference to Nicaraguan affairs, gave a concession to certain citizens of the United States. They came to Congress and got a charter based upon that concession, in which is found the provision which I have just read, showing that the Congress of the United States, in the creation of that charter, exercised, and continues to exercise by careful provision, a supervision over the operations of the company so as to require annually a detailed and specific report of their condition, their assets, their liabilities, and all that is connected with them.

The Government of the United States, while disavowing in the beginning of this work any intention or expectation or purpose of subsidizing it in any form whatever, yet retained over this corporation the sort of control which has been indicated in the language I have just read from the charter, and we are, therefore, not disconnected with it as a government, nor can we, until that act is repealed or that section is changed, ever disconnect ourselves as a government from it. Our governmental control and supervision in a certain sense and in a certain degree will go along with the development of this work now and henceforward until we change it.

I am very glad that we are not to be disconnected from it, for the reason that when we are so relieved of all connection of a political or legislative character with this canal project some other government will be found, probably, to come forward and take up the work and control the canal, because it is impossible in the nature of things that so great a gateway between the Atlantic and the Pacific Oceans for the commerce of the world can escape being controlled by some powerful government. Nicaragua can not do it, Costa Rica can not do it, any more than Egypt could control the Suez Canal. Great Britain saw the necessity of coming into control of the transit through that canal, and did it very much on a plan like that we are doing now, except that she went into the market after the canal had been built and bought up the stock so as to have the controlling interest.

The security of the transit of commerce in ships through the Isthmus of Suez and of Darien requires that their control should engage the attention and good offices of some stable and powerful government. All the maritime nations expect such control over these gateways of commerce.

I do not assume to prophesy, Mr. President, but it seems to me that to the dullest apprehension the time is not distant in the future when this canal will be built. The work will be constantly progressive; it will go right on to completion; and when it is done, then the most momentous question that the people of the United States will have to contend with or to decide in respect of their commerce will be whether they shall control that canal. I prefer to begin to do it now. I prefer to anticipate by a few years the lapse of events, and to put ourselves into such a relation with that canal now as that no nation of this earth can rationally object, either Nicaragua or any other nation; and in doing so I think it wisest and best to take that control of this company which I think we have a right to do under the sixth section of the act I have read; that control of this company which will enable us to secure to our coastwise commerce and to the other commerce of the United States and to the commerce of the world cheap transit from ocean to ocean; so that the canal shall not stand as a burden upon the commerce of the world at a cost of $300,000,000, we will say—for that is about what it will be—when it ought not to cost, at the outside, exceeding $100,000,000.

Now I know, Mr. President, that being a Democrat, and I trust a very sound one, I am questioned continually in the minds of my confrères here upon the attitude which I hold towards this proposed legislation. In what I have had the honor to say in the Senate about it on previous occasions, I think I have vindicated my own attitude, but I have some recent authority on that question which I desire to call the attention of the Senate to for a moment, which is so high and so excellent and comes from a source for which I have such great respect, that I hope the Senate will excuse me while I read some remarks that were sub-

mitted in the other House yesterday on a joint resolution pending there for the purpose of chartering ships, etc., and sending supplies to Russia. That eminent statesman and very accomplished orator, Mr. BRECKINRIDGE of Kentucky, had the floor, and he asked my colleague, Mr. OATES of Alabama, a question, to which he gave a very frank response, as he always responds frankly and clearly to whatever question is submitted to him on the floor of the House or elsewhere. Said Mr. BRECKINRIDGE, addressing his remarks to the gentleman from Alabama:

Now, if the gentleman will allow me, I want to call his attention to another question, because I know how much he has studied this matter and what authority any statement from him carries. I wish to ask him whether he has any doubt of the constitutional power of Congress, in a matter of foreign intercourse, intercourse between us and foreign nations, to vote an appropriation like this—a doubt which I confess I was much surprised to hear expressed by so very admirable a constitutional lawyer as my friend from Louisiana [Mr. BOATNER].

In reply to that, Mr. OATES said:

I am not in favor of the hot haste which would appear to be desired by the gentleman from New York on my right [Mr. RAINES]. That gentleman said that he would like to know from the gentleman from Texas or from some other gentleman who invented the idea that Congress has no constitutional right to appropriate money for the relief of the suffering people in any portion of this country, and to vote public moneys to charities. He wanted to know whether that idea did not originate with President Cleveland, who vetoed the Texas seed bill. I can inform the gentleman that no one has a patent upon that discovery. It is old and sound Democratic doctrine that Congress has no such power; but his party, in view of the precedents they have established, are entitled to a patent for disregarding constitutional limitations in this respect. [Applause on the Democratic side.]

But, sir, the question in regard to such power is not a new one; it is an old one. It has been discussed in the Congress of the United States for many years and on different occasions. And in answer to the question propounded by my friend from Kentucky [Mr. BRECKINRIDGE] I will say that I have very carefully examined on previous occasions the debates upon appropriations for the relief of suffering caused by the earthquake at Caracas, and for the relief of the starving Irish during the famine of 1848 as well as in 1880, the periods referred to by the gentleman from Georgia [Mr. BLOUNT]. From my investigation, it seems to have been the conclusion of a majority both in the Senate and in the House upon those occasions that the Constitution of the United States is a limitation upon the power of Congress within the territory over which the Constitution was intended to operate; in other words, that it is a limitation upon the parties to its creation; and although it seems paradoxical to say that Congress may aid the people of other nations with charity voted out of the Treasury, but has no right to vote such charity to any portion of our own people, yet that seems to be the fact beyond controversy to the mind of any lawyer who will thoroughly investigate the question.

This results from the fact that the Constitution is a compact—national, it is true, in regard to every power by it delegated to or vested in the Federal Government; but that Government, under the decisions of the Supreme Court as well as by the best precedents of Congress, has no power except that which is derived from that instrument with reference to any matter within the territorial jurisdiction of the United States. But, sir, when this nation deals with another, it does not act through the States, but as one nation. It is so recognized by other nations. Great Britain does not know any compact or agreement entered into between Massachusetts, New York, Georgia, and other States; she knows only the Government of the United States and deals with us as such. It was perhaps wisely left by that instrument to the sound discretion of Congress and the President to decide what powers may properly be exercised in dealing with other nations. This is almost a necessity, if not absolutely such, when you come to consider our relations with other nations.

But the case is different in respect to our internal affairs. When you read the history of the convention which framed the Constitution and of the conventions of the States which ratified it, you will see there the jealousy of the people for the rights and powers and privileges of their respective States, so that they were very chary of giving much power to the Federal Government, and none except such powers as were clearly delegated or granted. Hence the limit to the Federal Government, that it has no powers save such as are granted to it in the Constitution or such as are necessarily implied from express grants. What are implied? Why, sir, every power which is necessary in order to make the express grants efficacious and give them force and validity, but nothing more. Congress is invested with the choice of means to do this; as Chief Justice Marshall said, if the means are appropriate and adapted to the end they are constitutional. Farther than this the framers of the Constitution thought proper not to go; they thought proper to deny to Congress any other powers than those delegated in the instrument to be exercised over the people who were parties to its creation; but as to other peoples, as to foreign nations, there is no limit, and Congress can do whatever it pleases, being responsible to the people.

Congress, if it sees fit, has the power to pass this appropriation.

And if Congress, seeing fit, has the power in the opinion of that eminent lawyer to pass that appropriation for the sake of sweet charity, certainly Congress may pass an appropriation, if that is required, in respect of a subject which has in it a governmental purpose. What is a governmental purpose? Carrying the mails is a governmental purpose; regulating commerce is a governmental purpose; floating your Navy from sea to sea is a governmental purpose. If certain imbroglios in which we are now involved were to become flagrant we should find governmental purposes of a very valuable character even in digging a canal to get through Nicaragua and to save a transit of from ten to fifteen days for our men-of-war to the Pacific Ocean.

I allude to this, Mr. President, not because I have the slightest apprehension of such a thing, but to "point a moral," to "adorn a tale;" to show to the Senate that the times are not ripe merely, but pressing upon us, when we by a compulsion of our national dignity and power and authority and destiny must do something to connect these oceans by a water channel.

The very beautiful and remarkable statement made by the Senator from Washington [Mr. ALLEN] this morning to the Senate and the country ought to fill every heart in the United States with thankfulness and joy and gratitude to God that in so short a time the Congress of the United States have been able to reveal to the world such a garden of fruitfulness as Washington State. I had the honor, Mr. President, and I pride myself upon it, I believe, as much as anything that ever occurred to me in this body, to be amongst the early advocates of the admission of the State of Washington into this Union. Now behold what has come from that act! See the wonderful population that has instantly, almost, filled up the State of Washington and is bringing to the attention of the world treasures of wealth of which we scarcely dreamed and of which the world was almost absolutely ignorant!

Now let us bring the borders of our nation together; let our coast line be practically unbroken from the State of Maine to the State of Washington; let the East join hands with the West through this Nicaragua Canal or some other water way. If any man can find a better plan than this I will most cheerfully adopt it; but after years of most patient investigation I have found nothing that approximates it. Indeed, it seems to me as if the divine hand of Providence had placed the lakes of Nicaragua and Managua upon the summit line of the Cordilleras between these two seas with a view of extending an invitation to the genius of the American people and to the intrepidity of their enterprise, to encourage them to make a construction there which would honor this country more than any public work in which she was ever engaged; which would be worth more to the United States than all the territory east of the Rocky Mountains we acquired from Mexico; would give to the Mississippi River another mouth in the Pacific Ocean, and would cause all the commerce of the East and West, which seems to be invited by the very laws of nature themselves and the arrangement of the geography of that country, to float backwards and forwards through the Nicaragua Canal. Then we shall have entered, in the beginning of the next century, upon that glorious destiny which, as compared with what we have achieved, will be almost as light to darkness, and yet we have achieved in this century more than was ever accomplished by any people in all the tide of time.

If the Government of the United States will not do this work by assisting and controlling the only agency that is now available, let us get out of the way and allow the capitalists to construct it. It will cost the world enormous tribute, but better that than to permit our country to remain divided by the vast distance that measures double the length of the continent of South America, and these long lines at its most distant point from our possessions virtually broken by the cold and tempestuous seas that are so fatal to mariners and their ships.

I ask the Senate to adopt the resolution of instruction to the Committee on Foreign Relations.

The PRESIDING OFFICER (Mr. TURPIE in the chair). The question is on agreeing to the resolution.

The resolution was agreed to.

THE LA ABRA SILVER MINING COMPANY.

Mr. DOLPH. I move to take up for present consideration the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868," which is Order of Business No. 4 on the Calendar.

I will announce before the motion is put that it is not my intention to press the bill to-day any further than to have the bill and the report read. I understand that the senior Senator from Indiana [Mr. VOORHEES] is interested either in this bill or another one which has been reported from the same committee.

Mr. MORGAN. It is the bill I reported that he is interested in.

Mr. DOLPH. I merely wish to occupy the time to-day to have the report and the bill read, to have the bill obtain the right of way, and to signify to parties having an interest in it that when we convene again next Monday, if nothing more important commands the attention of the Senate, I shall, after the morning business, ask the Senate to take up and consider and dispose of the bill.

Mr. VEST. Let the bill be read.

Mr. DOLPH. It is Order of Business No. 4 on the Calendar.

The PRESIDING OFFICER. Is there objection to taking up the bill indicated by the Senator from Oregon?

Mr. VEST. I suppose it is the bill in regard to the La Abra claim.

Mr. DOLPH. That is the bill.

Mr. VEST. Does the Senator propose to call it up now for action?

Mr. DOLPH. Yes, to have the right of way, but only to have the bill and the report read to-day, with the understanding that the Senator from Indiana [Mr. VOORHEES] will be here on Monday, who, I understand, is interested in the measure, and to give

all parties notice that it is the intention to press the bill for consideration.

Mr. MORGAN. The Senator from Indiana I think is not interested except in a general sense in this bill.

Mr. DOLPH. He has already seen the report which I shall ask to have read. It is the report made during the Fiftieth Congress, which I desire to have read and spread upon the RECORD. Then I will let the bill be laid aside for adjournment or whatever else the Senate desires to do, and let it go over until Monday, when we meet again.

Mr. MORGAN. It is the bill which I reported that the Senator from Indiana has always manifested solicitude about. I do not think he cares particularly about this bill, except for its effect upon the other measure.

Mr. DOLPH. There can certainly be no objection to having the bill and report read to-day.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri [Mr. VEST].

Mr. VEST. I did not understand what bill it is. I could not hear very distinctly. If it is the La Abra claim——

Mr. DOLPH. That is the case.

Mr. VEST. I want to fix upon some date when it will be convenient for all of us to take it up. Does the bill come from a committee now?

Mr. DOLPH. It comes from the Committee on Foreign Relations. It is upon the Calendar. I simply desire to call it up to-day and have the bill and report read, and then I will give way for an adjournment or let the bill be laid aside. I expect to call it up on Monday when we meet, the Senate having already agreed to adjourn from to-day until Monday.

Mr. VEST. I do not know that I shall be willing to take it up on Monday. I have no objections to its being taken up now simply for the purpose of having it read.

Mr. DOLPH. The friends of the bill were very unfortunate at the last session in postponing its consideration first for a member of the committee who was absent, and then for certain Senators who were interested, and the bill was postponed so long that we were unable to get it up for consideration when other important bills were pressing. I desire at this session to get it out of the way before we have more important business before the Senate. However, as to whether we shall proceed with the bill on Monday, that question can be discussed Monday, and if anybody is likely to be seriously inconvenienced by proceeding with it, the Senate can order some other disposition of the bill.

The PRESIDING OFFICER. Is there objection to the bill and report being read now? The Chair hears none. The bill will be read.

The Secretary read the bill, as follows:

Whereas the Secretary of State, after investigating the charge of fraud presented by the Mexican Government as to the case of La Abra Silver Mining Company, has heretofore reported that the "honor of the United States requires" that said case "should be further investigated by the United States, to ascertain whether this Government has been made the means of enforcing upon a friendly power claims of our citizens based upon or exaggerated by fraud," but that "the executive government is not furnished with the means of instituting and pursuing methods of investigation which can coerce the production of evidence or compel the examination of parties and witnesses," and that "the authority for such an investigation must proceed from Congress;" and

Whereas the President of the United States has transmitted to Congress the recommendation of the Secretary of State that said case "be referred to the Court of Claims, or such other court as may be deemed proper, in order that the charge of fraud made in relation to said claim may be fully investigated:" Therefore,

Be it enacted, etc., That in further execution of the purpose of said act the Attorney-General of the United States be, and he is hereby, authorized and directed to bring a suit or suits in the name of the United States in the Court of Claims against La Abra Silver Mining Company, its successors and assigns, and all persons making any claim to the award or any part thereof in this act mentioned, to determine whether the award made by the United States and Mexican Mixed Commission in respect to the claim of the said La Abra Silver Mining Company was obtained, as to the whole sum included therein or as to any part thereof, by fraud or false swearing or other false and fraudulent practices on the part of the said La Abra Silver Mining Company, or its agents, attorneys, or assigns, and any defendant to such suit who can not be found in the District of Columbia shall be notified and required to appear in such suit by publication as the court may direct, in accordance with law, as applicable to cases in equity.

SEC. 2. That full jurisdiction is hereby conferred on the Court of Claims to hear and determine such suit and to make all interlocutory and final decrees therein, as the evidence may warrant, according to the principles of equity and justice, and to enforce the same by injunction or any proper final process, and in all respects to proceed in said cause according to law and the rules of said court, so far as the same are applicable. And the Secretary of State shall certify to the said court copies of all proofs admitted by the said Mixed Commission on the original trial of said claim, and the said court shall receive and consider the same in connection with such competent evidence as may be offered by either party to said suit.

SEC. 3. That an appeal from any final decision in such cause to the Supreme Court of the United States may be taken by either party within ninety days from the rendition of such final decree, under the rules of practice which govern appeals from said court; and the Supreme Court of the United States is hereby authorized to take jurisdiction thereof and decide the same.

SEC. 4. That in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of La Abra Silver Mining Company, was based upon or obtained through fraud or false swearing, or other false and fraudulent practices of said company or its assigns, or by their procurement, the President of the United States is hereby authorized to release the Government of Mexico from the further payment thereof to the extent that the same is so declared fraudulent, and to return to said Government any money paid by the Government of Mexico on account of said award, remaining in the custody of the United States, that has not been heretofore distributed to said La Abra Mining Company or its successors and assigns, which such court shall decide that such persons are not entitled, in justice and equity, to receive out of said fund.

SEC. 5. That during the pendency of said suit and until the same is decided it shall not be lawful for the Secretary of State to make any further payments out of said fund, on account of said award, to La Abra Silver Mining Company, or its legal representatives, attorneys, or assigns; and in case said court shall decide in said suit that said La Abra Silver Mining Company, or its successors and assigns, are, in justice and equity, entitled to any part of said award that shall remain to be paid or distributed, the Secretary of State shall proceed to distribute the same to the persons entitled thereto.

Mr. DOLPH. When reporting the bill at this session I did not make a written report, but at the second session of the Fiftieth Congress I submitted, by the direction of the committee, a written report, accompanied by evidence which had been taken by a subcommittee of the Committee on Foreign Relations, concerning this claim. I ask that the report made at the Fiftieth Congress be read; that is, the report proper, without the testimony.

The PRESIDING OFFICER. Is there objection to the reading of the report? The Chair hears none, and the report will be read.

The Secretary proceeded to read Report No. 2705, Fiftieth Congress, second session.

Mr. MORGAN. If it would suit the Senator from Oregon, I ask that the report may be printed in the RECORD, without detaining the Senate by its reading.

Mr. DOLPH. It is not late in the day, and I should like to have as many members of the Senate as possible hear the reading of the report in order that they may intelligently act upon the bill.

Mr. MORGAN. I withdraw the objection.

Mr. DOLPH. I am not proposing to discuss the bill until some one attacks it, and so far as I am concerned, I will submit it to the Senate upon the report which I made when the evidence was fresh, and which was agreed to by the entire committee.

Mr. HARRIS. The Senate being very thin, would it not be quite as well to print the report in the RECORD as to have it read now? It will be referred to in the argument, of course.

Mr. DOLPH. I am not very tenacious upon the point.

Mr. HARRIS. It would be an economy of time, and I think quite as efficacious.

Mr. DOLPH. Probably we shall not get a fuller Senate to hear the report read than we have to-day, but I will let it be printed in the RECORD, although that may necessitate my presenting the matter to the Senate when we meet again.

The PRESIDING OFFICER. The report will be ordered printed in the RECORD, if there be no objection. The Chair hears none.

The report is as follows:

[Fiftieth Congress, second session. Senate Report No. 2705.]

IN THE SENATE OF THE UNITED STATES.

March 1, 1889.—Ordered to be printed.

Mr. DOLPH, from the Committee on Foreign Relations, submitted the following report to accompany bill S. 2632:

The Committee on Foreign Relations, to whom was referred the bill (S. 2632) to amend and enlarge the fifth section of an act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868," having had the same under consideration, respectfully report:

THE PROVISIONS OF THE BILL.

It is proposed in substance by the bill to direct a suit or suits to be brought by the Attorney-General of the United States, in the name of the United States, in the Court of Claims (jurisdiction being conferred upon the court to hear and determine the same) against La Abra Mining Silver Company and its assigns, of any portion of the award made by the United States and Mexican Mixed Commission under the convention between the United States and the Republic of Mexico, concluded on the 4th day of July, 1868, in respect of the claim of the said La Abra Company to determine whether the award was obtained as to the whole sum included therein, or as to any part thereof, by fraud, or false swearing, or other false or fraudulent practices on the part of said La Abra Company, its agents, attorneys, or assigns, with the right to either party to appeal from the final decision in any such suit to the Supreme Court of the United States; and in case it shall be finally adjudged in such suit that said award as to said company was based upon or obtained by false swearing, or other false and fraudulent practices of said company or its assigns, or by their procurement, to authorize the President to release the Government of Mexico from further payment thereof, and to return to the said Government any money paid by it on account of said award, remaining in the custody of the United States, to the extent the award is so determined fraudulent; and in case it shall be finally declared that said La Abra Silver Mining Company or its assigns are in justice and equity entitled to any part of said award that shall remain to be paid or distributed, to direct the Secretary of State to proceed to distribute the same to the persons entitled thereto.

THE QUESTIONS STATED.

The questions presented for the consideration of Congress by the bill are:

First. Whether the evidence presented by the Mexican Government to show that the award made by said mixed commission in respect of the claim of La Abra Company was procured by fraud, and the testimony taken by the committee, under the authority of resolutions of the Senate herein referred to, is of such a character as to require investigation by a competent tribunal to determine whether the United States in presenting the claim of La Abra Company to the mixed commission was not made the victim of fraudulent imposition.

Second. Whether Congress has the constitutional power to open the award and direct a suit to be brought to judicially determine, according to the principles of equity, whether the award, in whole or in part, was procured by fraud, in order that what the honor of the United States requires should be done in the premises may be done.

To determine the first of these questions requires a reference to the diplomatic and legislative history of the claim and a review of the evidence.

THE HISTORY OF THE CLAIM.

La Abra Silver Mining Company was incorporated and organized under the laws of the State of New York in 1865, with its principal office at the city of New York in said State.

The object of this incorporation was to work certain silver mines in the State of Durango, Mexico, and it prosecuted the business for which it was incorporated during portions of the years 1866 and 1867.

The Claims Commission, organized under the convention between the United States and Mexico, of July 4, 1868, rendered awards in favor of citizens of the United States for $4,125,622.20, and in favor of citizens of Mexico for $150,498.41. After deducting the awards to Mexican citizens, and making the proper allowance for differences in currency and coinage, there was due the United States from Mexico the sum of $3,865,498.42. It appears from the report of the Secretary of State of February 28, 1888, that up to that date the Government of Mexico had paid to the Government of the United States on account of these awards the sum of $3,495,293.61; and, as since that date another annual installment has been paid, the total amount received from Mexico is $3,791,359.66, leaving a balane now remaining unpaid of $74,138.76.

Among the awards in favor of the United States were those of La Abra Silver Mining Company for $683,041.30, or, in American gold (in which coinage the payments are made), $672,070.99, and of Benjamin Weil for $487,810.68. The amount heretofore paid by Mexico on account of La Abra award is $631,553.22. Out of the first five installments paid by Mexico there was distributed to the claimants of La Abra award the sum of $240,683.06. The Secretary of State then, under an Executive order, suspended further payments, and there are now retained by the State Department, on account of said award, eight installments, amounting to $390,870.16. The award was rendered by the umpire December 27, 1875, and a motion on behalf of the Mexican Government for a rehearing was overruled by him October 20, 1876.

By the provisions of said convention the payment of the total sum of the awards due from Mexico was to be made in annual installments, and, following the usual precedents in such cases, Mr. Fish, then Secretary of State, in 1877 asked Congress for the necessary legislation to enable him to adjust the awards with Mexico, and to make distribution to the respective claimants. The convention provided no method of distributing these awards, and it was necessary that Congress should provide by law for their payment into the hands of the persons entitled thereto. While a bill for this purpose was pending, the Mexican Government notified the Secretary of State that evidence, not within its knowledge or control before the awards were rendered, had been discovered, which, it was claimed, would establish the fact that the awards in the cases of La Abra Company and Benjamin Weil were procured by fraudulent impositions upon the commission and upon the Government of the United States, on the part of the claimants; and the Mexican minister presented the Department of State such evidence as he then claimed to possess, tending to show that said awards were procured by fraud.

The finality of the awards as between the two Governments was not denied by the Mexican Government, and the Mexican minister announced the intention of his Government to comply with the treaty by paying the installments as they became due.

The evidence presented by Mexico led to an examination of the cases by Congress. A bill to carry out the recommendations of Mr. Fish passed the House during the Forty-fourth Congress and was favorably reported in the Senate, but was recommitted to enable the committee to consider the complaints made by the Mexican Government as to the manner in which the awards in favor of La Abra Company and Weil were procured.

At the next session Mr. Davis of Illinois introduced a bill in the Senate which, with amendments, passed both Houses, and was approved June 18, 1878. This act authorized the Secretary of State to make distribution to the claimants of the money received from Mexico on all the awards except those of La Abra Company and Weil. The fifth section of the act was as follows:

"SEC. 5. And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing: Therefore, *Be it enacted*, That the President of the United States be, and he is hereby, requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law or considerations of justice and equity, require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, or either of them, until such case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree, or until Congress shall otherwise direct.

"And in case of such retrial and decision, any moneys paid or to be paid by the Republic of Mexico in respect of said awards respectively shall be held to abide the event, and shall be disposed of accordingly; and the said present awards shall be set aside, modified, or affirmed, as may be determined on such retrial: *Provided*, That nothing herein shall be construed as an expression of any opinion of Congress in respect to the character of said claims, or either of them."

In accordance with the provisions of this section, the President [Mr. Hayes] caused an investigation to be made of the charges of fraud preferred by the Mexican Government, and Mr. Evarts, then Secretary of State, made a careful examination of the newly discovered evidence presented by Mexico, and submitted his conclusions thereon to the President August 12, 1879, to the effect:

"That the honor of the United States does require that these two cases should be further investigated by the United States to ascertain whether this Government has been made the means of enforcing against a friendly power claims of her citizens based upon or exaggerated by fraud."

But was of the opinion that any agreement with Mexico for the opening of the awards would involve the admission by the United States that the results of the convention were not final and conclusive between the two Governments.

President Hayes adopted the views of Secretary Evarts, and in communicating his report to Congress recommended that legislation should be enacted providing for the further investigation of these claims by some domestic tribunal.

The Committee on Foreign Affairs (of the House) reported a bill June 9, 1880, to empower the Court of Claims to make such an investigation. On a bill of like character the Senate Committee on the Judiciary at the same session reported adversely, on the ground that if an investigation of the claims was to be had, it should be by means of a diplomatic agreement providing for a new international commission. Congress having adjourned without making any provision in reference to La Abra and Weil awards, President Hayes, in the absence of Secretary Evarts, directed the Assistant Secretary of State to distribute to the claimants the installments which had been received and were then undistributed.

August 2, 1880, the Mexican Government, through the Mexican legation in this city, notified Secretary Evarts of the intention of that Government to commence suits in equity in the United States courts to impeach and set aside the two awards; and on August 4 Mr. Evarts replied that he could not but regard the proposed action of Mexico as a departure from the line of policy theretofore inaugurated in the diplomatic correspondence, and as being in distinct contravention to the articles of the convention with regard to the finality of the awards of the Commission. Mr. Evarts' note was regarded by Mexico as a diplomatic interdiction of the proposed legal proceedings, and they were accordingly abandoned.

When President Arthur came into office he suspended further distribution of the money received from the Mexican Government on account of the two awards, negotiated a convention with Mexico for a rehearing of the cases by a joint commission, and sent it to the Senate.

While that convention was pending in the Senate, in December, 1882, John J. Key, as assignee of Benjamin Weil and La Abra Company, instituted mandamus proceedings in the supreme court of the District of Columbia against Mr. Frelinghuysen, Secretary of State, to compel him to distribute the installments of the awards that Mexico had paid to the United States which had been withheld by the claimants by direction of President Arthur. The case was appealed to the Supreme Court of the United States, and its decision dismissing the proceedings was rendered January 7, 1884. The judgment of the Supreme Court sustained the action of President Arthur in suspending distribution of the money received on account of said awards.

The treaty, which was pending in the Senate from July 20, 1882, till April 21, 1886, on the latter day failed to receive the required constitutional majority of two-thirds of the Senate, and left to Congress the duty reserved in the fifth section of the act of June 18, 1878, "to otherwise direct" what shall be done with the money received or to be paid to the United States under the award made in the claim of La Abra Company. On the 11th of May, 1886, President Cleveland sent a message to Congress transmitting a report from the Secretary of State, calling attention to the fifth section of the act above cited, and suggesting that the attention of Congress should be earnestly invoked to the consideration of the status of the Weil and La Abra claims, and the duty of the Executive in regard thereto in the event of the adjournment of Congress without further action concerning them.

This committee, on July 7, 1876, submitted a report recommending the passage of Senate bill 2207, which was similar in its provisions to the bill under consideration, the concluding portion of which report was as follows:

"This brief résumé of the correspondence between the two Governments shows that Mexico, while observing, in good faith, all her obligations under the convention, has earnestly and constantly urged upon the United States that these claims were fraudulent. This appeal to the spirit of justice can not be ignored, but should be met by a frank ond open examination by our own courts of the facts presented by Mexico. These claimants have no vested rights growing out of these claims which entitle them to come between Mexico and the United States, and to demand the payment of any part of these awards that are the outgrowth of fraud and perjury."

The Forty-ninth Congress adjourned without final action on the bill, and at the first session of the present Congress the subject was again brought to the attention of Congress by a special message from the President, which was sent to the Senate on the 5th of March last, in response to resolutions of the Senate, of December 21, 1887, and January 16, 1888, which were referred to this committee. This message was accompanied by a report from the Secretary of State, in which the condition of the funds paid by Mexico on account of the awards of the joint commission, and the executive and legislative stages of the history of La Abra and Weil claims, are stated in detail. The Secretary, after citing the conclusion of Secretary Evarts, "that the honor of the United States does require that these two cases should be further investigated by the United States, to ascertain whether this Government has been made the means of enforcing against a friendly power claims of our citizens based upon or exaggerated by fraud," and referring to the treaty concluded by Secretary Frelinghuysen with the Mexican envoy, for an international rehearing of the cases, uses this language:

"It is fair to assume that the rejection by the Senate of the treaty signed by Mr. Frelinghuysen, for an international rehearing of the awards, was in no sense an expression of opinion adverse to their investigation, which Mr. Evarts had recommended. It is rather to be regarded as an approval of the opinion which he also expressed, that the investigation should, under the circumstances, be made by this Government for itself, as a matter affecting solely its own honor.

"It is a remarkable fact that whenever, since the distribution of the Mexican fund was commenced, the deliberate judgment of the official authorized by Congress to make such distribution has been recorded upon the two awards in question, it has uniformly been to the effect that the evidences that the United States, in presenting the claims, had been made the victim of fraudulent imposition were of such a character as to require investigation by a competent tribunal, possessing appropriate powers for that purpose."

He then reviews the grounds upon which the claimants have insisted that the money paid by Mexico should be distributed to them, and states the question at issue as follows:

"The sole question now presented for the decision of this Government is whether the United States will enforce an award upon which the gravest doubts have been cast by its own officers in opinions rendered under express legislative direction, until some competent investigation shall have shown such doubts to be unfounded, or until that branch of the Government competent to provide for such investigation shall have decided that there is no ground therefor."

He adds that the duty of the Government to refuse to enforce an inequitable and unconscionable award has been repeatedly maintained in the most authoritative manner, and cites a number of cases where awards were set aside by Congress, by the courts, and by the Executive, and shows their similarity to the Weil and La Abra cases, in that the money which the claimants seek to obtain is under the control of the Government of the United States, and the demands for its distribution are demands against that Government.

"From this point of view," he says, "the question is not international but domestic; and it is not less so because its decision touches the pecuniary interests of Mexico as well as the honor of the United States." In this connection he quotes the following language of Chief Justice Waite, in delivering the judgment of the court in the case of Frelinghuysen *vs.* Key (110 U. S., 63):

"International arbitration must always proceed on the principles of national honor and integrity. Claims presented and evidence submitted to such a tribunal must necessarily bear the impress of the entire good faith of the government from which they come, and it is not to be presumed that any government will for a moment allow itself knowingly to be made the instrument of wrong in any such proceeding. No technical rules of pleading as applied in municipal courts ought ever to be allowed to stand in the way of the national power to do what is right under all the circumstances. Every citizen who asks the intervention of his own government against another for the redress of his personal grievance must necessarily subject himself and his claim to these requirements of international comity.

* * * * * * *

"As between the United States and the claimants, the honesty of the claims is always open to inquiry for the purpose of fair dealing with the government against which, through the United States, a claim has been made."

The Secretary further reports that upon the adjournment of the last Congress without action upon the bill pending in both Houses to provide for the investigation of the two awards in question by the United States, the attorneys for the claimants at once applied for the distribution of the moneys paid by Mexico on the awards and in his hands. Desiring to avoid further delay the Department of State, in pursuance of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," sought the consent of the claimants in the Weil and La Abra cases to an investigation and decision of the allegations of fraud in relation thereto by the Court of Claims, but the attorneys in behalf of their clients declined the proffered investigation.

In concluding his report, to the end that the claims may be finally disposed of, he suggests to the President "that a recommendation be made to Congress to take action to provide expressly for the reference of the claims in question to the Court of Claims or such other court as may be deemed proper, in order that a proper investigation of the charges of fraud may be made."

The President, in transmitting this report to the Senate, urged Congress to "speedily signify its final judgment upon the awards referred to, and make the direction contemplated by the act of 1878, in default of which the money now on hand applicable to such awards now remains undistributed."

Pending the consideration in the committee of the bill accompanying this report and of the President's message, the authenticity of the newly discovered evidence presented by Mexico, and especially of certain written letters and press copies of letters of the officers and agents of La Abra Company contained in a letter-press copy book purporting to be the letter-press copy book of said company, being questioned by the counsel for La Abra Company, the committee thought proper to ask the Senate for authority to make an investigation respecting the claim, and upon their request the following resolutions were adopted by the Senate:

"IN THE SENATE OF THE UNITED STATES, *August 30, 1888.*

"*Resolved*, That the Committee on Foreign Relations have leave to require the attendance of witnesses before said committee, or a subcommittee thereof, to give evidence under oath respecting the claim of La Abra Silver Mining Company against the Government of Mexico.

"And said committee or subcommittee shall have the power to administer oaths to such witnesses.

"And the expenses of their attendance and other necessary expenses in the execution of this order shall be paid out of the funds appropriated for the contingent expenses of the Senate, on certificates issued by the chairman of said committee or subcommittee.

"*Resolved* (2), That counsel for or against said claimants shall be authorized to appear before said committee or subcommittee and examine and cross-examine any witnesses under the authority of this resolution."

The investigation under the authority of the foregoing resolutions was begun on the 24th of September, 1888, and has extended at various intervals up to the 27th ultimo.

The journal of the subcommittee designated to make the investigation and the testimony taken before it are appended to this report.

THE TESTIMONY.

The testimony taken by the committee is sufficient to establish beyond question the authenticity of the letter-press copy book of La Abra Company presented to the Secretary of State by the Mexican Government. It was identified before the committee by one of the superintendents of the company, Col. Julius A. De Lagnel, as the press copy book in use at the mines in Tayoltita, Mexico, during the time he was superintendent of the company's works, and he identified all the press copies of the letters signed by himself. The press copies of letters signed by Charles H. Exall, the superintendent who succeeded De Lagnel, and the press copies of the letters of James Granger and certain statements of his handwriting in the same book, as also the original letters of David J. Garth, the treasurer of the company, and of Charles H. Exall, were duly proved by competent witnesses to be genuine.

The letter book and original letters submitted by Mexico constitute the most important part of the newly discovered evidence upon which it relies to establish its charge of fraud and perjury in the procurement of the award.

D. J. Garth, the former treasurer of La Abra Company, and the agent of the company who conducted its business in New York and the company's correspondence with the superintendents of the company's works in the mines at Tayoltita during the operations of the company there, in his testimony before the committee admitted the receipt of the originals of nearly all of the letters addressed to him, written by De Lagnel and Exall, and copied in the press copy book, together with the genuineness of the letters purporting to have been written by himself. The letters in the press copy books appear to have been written and copied in the ordinary course of business, and the committee are satisfied beyond a doubt that they and the original letters of D. J. Garth and C. H. Exall produced by the Mexican Government, so far as they go, contain a correct history of the company's transactions at Tayoltita.

In the opinion of the committee the correspondence between the company's superintendents and agents at the mines in Mexico and the managing agent of the company in New York, accompanying this report, is sufficient, considered alone, to show the whole claim of the company to be fraudulent, and the claimant's testimony before the Mixed Commission, so far as it tended to fix the responsibility for the company's loss upon the Mexican Government, to have been rank perjury to show that the company had abandoned its mines because they did not pay for working; that the officers and agents of the company in New York had refused to furnish any more money to the superintendents at the mines, and that the company was bankrupt.

The idea of making a claim against the Mexican Government by the company, judging from this correspondence, appears to have been conceived long after the abandonment of the mines by the company, to have been a gross fraud in its inception, to have been based upon fraudulent allegations supported by false swearing and manufactured testimony; and it is impossible, in the face of the correspondence covering the period when the company was making preparations to work its mines in Mexico and while they were being worked, to conceive that the officers and agents of the company in New York were not active participants in the fraud.

A duly certified copy of the record of the case of La Abra Silver Mining Company against Mexico before the Joint Commission under the treaty of July 4, 1868, including all the evidence upon which the award was passed, has been furnished by the Department of State and is printed with the testimony taken by the committee.

The following is a brief review of the documentary and oral evidence submitted to the committee, compared with the allegations contained in the memorial of La Abra Company, presented to the Mixed Commission. That company represented in its memorial before the Joint Commission that it purchased in 1865 in Tayoltita, State of Durango, Mexico, certain silver mines of great value and extraordinary richness; that it sent intelligent agents to Mexico and made heavy and judicious expenditures on its mining property, to wit, over $300,000; that it had extracted a large amount of the richest ore; that it was subjected to threats, robberies, seizure, and confiscation by the authorities of mule-trains and supplies, forced loans, onerous taxes, imprisonment of its superintendent, murder of one of its officials, and other acts of violence, persecution, and interference by the Mexican civil and military authorities and people; that on account of these persecutions, outrages, and insecurity it was impossible to work the mines, and it was compelled to abandon them (in March, 1868); that in consequence of the forced abandonment the mines and buildings, of the value of $1,000,000, and the silver ore extracted, amounting to 1,000 tons, of the value of $500,000, were wholly lost to the company; that, if permitted to work the mines, the clear annual profits would have been $1,000,000; and that by the forced abandonment the company was utterly ruined. Damages were claimed to the amount of $3,030,000, and the award was rendered for $683,041.30.

At the time of the alleged forced abandonment no complaint whatever was made to the Department of State at Washington, to the Mexican Government, nor to the United States minister at the City of Mexico. It appears from the evidence before the committee that after the last superintendent returned to New York, in May, 1868, and made his report, the officers and directors of La Abra Mining Company took no steps to protect or recover possession of their property in Mexico; sent no agent there to look after or inquire into its condition, and did nothing whatever to maintain their rights. The claims convention with Mexico of July 4, 1868, was proclaimed February 1, 1869, and the memorial of La Abra Company was not filed before the Commission till June 14, 1870, more than two years after the abandonment of the mines.

In the opinion of the committee it is shown that there was no forced abandonment of the mines. Exall, the last superintendent, was the only witness before the Commission who pretended to give the circumstances of the forced abandonment of his own knowledge. Exall's deposition is completely overthrown by his own letters. Months before he left Tayoltita he informed the officers of the company in New York that the mines were not yielding any ores that it would pay to reduce, that he was out of funds and pressed on all sides with debts, and that unless relieved by remittances of money from New York he would be compelled on that account to abandon the property. Finally, January 24, 1868, he wrote to the treasurer in New York that unless he received money by the steamer of the next month, he would be compelled to come to New York and lay the embarrassed situation of the affairs before the company. It also appears that about this time Exall talked publicly concerning his intended visit to New York. The original and press copy of the following letter to the single remaining employé at the mines has been produced before the committee:

"TAYOLTITA, *February 21, 1868.*

"Mr. JAMES GRANGER:

"SIR: As circumstances are of such a nature as to compel me to leave for San Francisco, and probably for New York, to inquire into the intentions of this company, I place in your hands the care and charge of the affairs of the La Abra S. M. Co., together with its property.

"You are invested hereby with all power confided to me, of course, acting in all your transactions with an eye to the interests of the company.

"This will, to you, should occasion require it, be ample evidence of the right possessed by you to act in their behalf.

"Very respectfully,

"CHARLES H. EXALL,
"*Adm'r La Abra S. M. Co.*"

The date fixed by Exall, in his deposition before the Commission, of his expulsion from the mines was on or about March 20, 1868. An original letter of Exall's was produced in evidence before the committee, dated at Mazatlan (the seaport, 150 miles from the mines), March 15, 1868, which shows that he had been at that place some days when the letter was written, and that he had left the property and mines in the quiet possession of Granger, his assistant; that he was on his way to San Francisco and New York to obtain money from the company to pay the overdue salary of himself and his assistant, Granger, and that he expected to return. It was also proved before the committee that Exall met the United States consul when he passed through Mazatlan, and that he made no complaint to him and said nothing to him about any trouble with the authorities or people at the mines.

Copies of other letters of Exall, found in the letter-press copy-book, show that Granger was still in peaceable possession August 12, 1868, undisturbed by the authorities, and witnesses have testified before the committee that he continued to occupy the premises owned by La Abra Company for a considerable time thereafter, and that, receiving no aid or remittances of money from the company in New York, he proceeded to sell off such of the movable property as he could so dispose of, to pay his own claims against the company, and that he at last voluntarily abandoned the property. It is also shown that the Mexican authorities did not claim to exercise any control or authority over the property of the company after Exall's departure, and that since Granger ceased to occupy the premises they have been taken possession of by individual miners, under the Mexican law of *denouncement*, as abandoned property.

The main allegation in the petition of La Abra Company presented by the Mixed Commission, to wit, that the company was dispossessed of its property by the forcible interference of the Mexican authorities, is disproved and shown to have been wholly false, and this mainly by correspondence of the company's own officers and agents; and it appears by the testimony taken by the committee that the abandonment of the property and the failure of the company were wholly due to the poverty of the mines and the consequent financial embarrassment of the company.

The history of the company, as disclosed by the testimony, in brief is as follows: The attention of certain gentlemen in New York was directed to La Abra mine, in the State of Durango, Mexico, which was claimed to have produced fabulous wealth in the time of the Spanish domination, and which, although in recent years abandoned, it was asserted would again produce great wealth if a projected tunnel was completed. A syndicate was formed in New York, and two of its members accompanied the "promoters" of La Abra sale to Mexico to inspect the mine. Neither of the two members of the syndicate possessed any knowledge of mining, and the experts who participated in the negotiation were all connected with the selling parties. At the mines the representatives of the syndicate were shown very rich specimens of ores, assaying as high as $1,300 per ton, and as a result of their investigation they made a purchase on the spot of La Abra mine, paying for the same $22,000 in stock of the company. They also bought of a Spaniard and a Mexican a number of other mines at the same place, and paid for them $50,000 in gold. These mines were represented to be at that time producing very rich ores, and the syndicate were shown by the owners "stacks of silver * * * some tons * * * of pure silver," the supposed recent product of these latter mines.

The representatives of the syndicate returned to New York, and La Abra Company was incorporated, and proceeded to make preparations to work the mines on a large scale with the improved American methods. The Mexican machinery and improvements were removed. New machinery was bought in California, and new buildings were erected for the enlarged operations of the company. Owing to the remoteness and mountainous char-

acter of the locality, and the disturbed condition of the country occasioned by the French war then in progress, this work was greatly delayed and unexpectedly expensive. While it was in progress a large amount of ore was extracted from the mines; and when the mill was finished and the ores began to be reduced to silver, it was found that they were of a very low grade and would not pay for the cost of mining and reduction.

The company in New York had assessed the stock to its full value and collected the assessments, and when the stockholders refused to pay further assessments it for a time resorted to loans. Finally its credit was exhausted, its drafts protested, a heavy judgment was obtained against it, and it became hopelessly bankrupt. All this occurred some months before the date of the alleged forced abandonment of the mines. The treasurer of the company notified the last superintendent that the stockholders would pay no more assessments, that no more money could be borrowed, that the company could send no further aid, and that he (the superintendent) must depend entirely upon the mines for resources to pay the debts and expenses of the company and protect the property.

Ten months before the final abandonment of the mines the company in New York had been informed by its agent at the mines of the poor quality of the ores, and that it had been greatly deceived as to the value of the mines. Before the abandonment of the mines the superintendent wrote several letters to the treasurer and managing agent in New York informing him that the ores would not pay to reduce, and that, unless money was sent from New York, he would be compelled to abandon the property. And, finally, after his urgent appeals for money had been refused, being without means to meet expenses and greatly embarrassed by the debts of the company, he voluntarily left the mines in charge of his assistant and went without molestation to New York to endeavor to secure aid from the directors of the company. A meeting of the directors was called, at which Exall made his report, after which the whole enterprise was abandoned and came to an end. The treasurer and managing director testified before the committee that there was at that time no intention to present a claim against Mexico.

The company filed the annual report required by the incorporations laws of New York, January 20, 1868, and no further annual report was filed until January 20, 1877, being the January following the final decision of the umpire upon the award.

Witnesses from the immediate locality of the mines formerly owned by La Abra Company appeared before the committee and testified that since their abandonment by La Abra Company they have been lying idle the greater part of the time, and have been open to denouncement under the Mexican mining laws by any person who chose to work them; that some of them have been denounced and worked for short intervals, but always with unprofitable results, and that they produce such a low grade of ore that it does not pay to work them.

As to the alleged hostile acts of the Mexican authorities and people: The claimant's memorial, besides charging various specific acts, contains general charges of acts of violence, persecutions, and outrages by the Mexican authorities and people, which are alleged to so have alarmed the employés of the company and to have so interfered with the working of the mines that it became necessary to abandon them. If these allegations had any foundation in fact, some statements would undoubtedly be found in the letter book and letters constituting the correspondence between the superintendent at the mines and the company's agents in New York to sustain them; on the contrary, this correspondence shows that from the very beginning of the company's operations it was specially favored by the authorities. Bartholow, the first superintendent, reported to the New York office in a letter, a copy of which is found in the press copy book, that owing to the war between the Mexican Republic and the French, and the consequent interruption of business, he would not have been able to secure the transportation of the machinery and supplies except for the military protection and permits granted him by the Republican authorities. He also, as it appears, resorted to the expedient of placing the hired mule trains in charge of Americans to secure their exemption from impressment.

Prorogues of special privileges and waivers of forfeitures, as to the working of the mines, were several times granted to the company by the authorities during the period covered by its operations. Suits instituted in the courts to protect the company's titles and rights were decided in its favor. Special indulgence was shown to the company respecting the exhibition and record of its title. The letters of the superintendents found in the letter book show conclusively that whatever difficulties occurred with the officials arose mainly from the inability of the company to meet its financial obligations. The superintendent wrote to the New York office October 6, 1867:

"There is no difficulty about the authorities, boundaries, or anything else concerning the mines or hacienda, provided there is money on hand, and money must be sent."

One of the specific acts alleged to establish the charge of hostility on the part of the Mexican authorities is the imprisonment of the superintendent, Exall. In his deposition before the Commission Exall states that he was arrested by the local judge; that without any form of trial or knowledge of his offense he was sentenced to two months' imprisonment, fined $50, and thurst into prison.

In a letter which Exall wrote to the prefect at San Dimas, the official superior of the local judge, a copy of which is found in the letter book, all the details as to the causes of the arrest are set forth. His own account as there given contradicts his deposition, and shows that his detention must have been of a trivial character. The evidence does not show that he was actually imprisoned. It was an arrest under which he was detained for an hour or so, and was not of sufficient consequence to be mentioned in his correspondence with the New York office, and does not appear to have interfered with his duties as superintendent.

The action of the local officials, Mora and Soto, is relied upon by the claimants to establish interference by the authorities in the working of the mines, and their orders to the superintendent were produced before the Commission. These orders show upon their face that they were occasioned by an alleged failure of the superintendent to observe his contract with the miners, by which they were to be paid two-thirds of their wages in goods from the company's store and one-third in cash. The failure to make the cash payment led to the interference of the local magistrate, which was authorized by the Mexican mining laws.

The last of the orders or letters of the judge to the superintendent is dated July 10, 1867. In the letter book is found the answer of Superintendent Exall, dated July 11, showing that he was at fault in the matter in controversy, and that he had made a peaceable and satisfactory arrangement with the workmen. He closed his letter by expressing the hope "that with this there may be the most friendly understanding about this affair." The matter was reported to the treasurer in New York in a letter by Exall, dated July 13, in which he describes it as "a little spat with the officials which was gotten through without much trouble," adding, referring to the workmen, "we can do better with them when they are a little hungry." Subsequent letters from Exall to the New York office show that the company remained in quiet possession of the mines for at least one year after these orders, and that they had no influence in bringing about the abandonment of the property.

Another allegation to show the hostility to the company is that large quantities of ores were carried off by force. The company in its memorial to the Commission averred that—

"Large quantities of ore were taken, * * * the employé being deterred by threats from resisting such spoliation."

And this is supported by Exall and others, who assert that the ores taken by the Mexicans were very rich. The statements on this point are very general, no dates or names of parties being given. The letter-book, which evidently contains a minute account of everything of importance that occurred at the mines, does not contain a reference to a single event of this character. On the contrary, the letters it contains show that the miners and the people were peaceable and easily controlled, and gave the company no trouble, and this is confirmed by witnesses who testified before the committee. There was no incentive to steal the ores, as it is shown that the ores taken from the mines were so poor that it would not pay to reduce them.

Another specification in the claimants' memorial is that "the authorities repeatedly seized mule trains of the company loaded with provisions, and appropriated the same to their use." The superintendents—Bartholow and Exall—in their depositions before the Commission swore that the company owned large trains of mules engaged in transporting its machinery and supplies from Mazatlan, the seaport, to the mines, and that these trains were repeatedly seized and confiscated by the Mexican troops. One witness estimates the company's losses on this account at from $75,000 to $100,000, and another at $25,000. But there are only two seizures which are specified with any certainty by the witnesses before the joint commission—the one when George Scott, an employé, was robbed of $1,200, and the other when William Grove was murdered.

It appears from the letters, copies of which are found in the testimony of witnesses taken before the committee, that the company never owned any mule trains, but that all its transportation was conducted by hiring mule trains owned by Mexicans. When Bartholow, the first superintendent, turned over the mines and property to his successor, the company only possessed twelve mules. A minute account of the robbery of Scott and the murder of Grove is contained in a letter found in the letter-book, from Superintendent Bartholow to the treasurer of the company in New York, from which it appears that they were both traveling alone, and neither had charge of or was in company with mule trains, and nowhere in the whole correspondence is any reference made to the loss of any mule train owned by the company.

The murder of Grove is thus described in the claimant's memorial:

"Things finally got to such a pass that one of the personnel of the company, in charge of one of its trains, was openly killed by the Liberal forces and the train seized, and that was made boast of by Mexican officials," etc.

This murder was reported by the superintendent to the New York office, with all the detailed circumstances attending it, in two letters, dated March 7 and April 10, 1866, copies of which are found in the letter book. In these letters it is stated that Grove was traveling alone; that he lost his life by his own imprudence in revealing the fact that he had in his possession a large sum of money; that he was killed by one of the company's own employés, and that the authorities arrested, tried, and executed the murderer with commendable promptness.

Prominence was given by the claimants before the Commission to a forced loan of $1,200, alleged to have been collected by a Mexican, Col. Valdespino, from Col. De Lagnel when he was superintendent, and it was also charged that $3,000 or $4,000 of illegal taxes were exacted while Bartholow was superintendent. The full correspondence of Bartholow with the Mexican tax-collector and Gen. Corona is found in the letter book, and in inclosing copies to the treasurer in New York he says:

"The result was, instead of paying the amount of $3,000 or $4,000, as was demanded, we only paid about $30."

The facts as to the forced loan of $1,200 are also fully set forth in the copies found in the letter book. Colonel De Lagnel, the superintendent, wrote the day after he received the notice, July 28, 1866, to the military commander, Valdespino, and also to the prefect of the town, remonstrating against the levy, and informed them that he had no money with which to pay it, and sent, for the use of the soldiers, four pieces of cotton cloth as a token of good will; and that was the end of the affair.

Colonel De Lagnel was examined as a witness before the committee upon this subject and confirmed the statement concerning the matter appearing in the correspondence in the letter book.

The foregoing review of the testimony shows that every material allegation made by the La Abra Company before the Mixed Commission tending to fix the responsibility upon the Mexican Government for the abandonment of its property in Mexico is disproved by the testimony taken by the committee.

The assertion of the claimants that the letter book and original letters of the officers and agents of La Abra Company were in possession of Mexico, and might have been produced at the trial before the Commission, is not proved. Col. De Lagnel, one of the superintendents at the mines, testified before the committee that the letter book was left at the mines with the other books and papers of the company when he transferred the charge of affairs to Exall, the superintendent who succeeded him. Exall's letters, after he left the mines and went to New York, show that the books and papers were placed in charge of Granger, his assistant. Two years after the abandonment Granger produced and delivered to the agent of the company sent out to Mexico to collect testimony to establish its claim, the only original records or papers of the company ever filed by it before the Claims Commission, and these papers Granger declared, in his deposition before the Commission, came into his possession as clerk of the company, and had not up to that date (May 14, 1870) passed out of his possession. The Mexican minister has stated to Secretary Bayard, in an official communication, that the letter book of La Abra Company and the original letters of the treasurer, Garth, and of the superintendent, Exall, were delivered by Granger to the Mexican Government in December, 1877, or two years after the award had been rendered.

It has already been stated that $240,683.06, being five installments on La Abra award, have been paid by the Department of State to the claimants. The president and treasurer of the company testified before the committee that the whole of this sum has been consumed in paying the expenses of prosecuting the claim, and that the stockholders of the company have as yet received nothing, nor has anything been paid on the indebtedness of the company. It also appears from their testimony that a considerable proportion of the installments not yet distributed would be required to discharge the obligations incurred in the prosecution of the claim.

In the opinion of the committee, if the testimony were far less satisfactory than it is to show the fraudulent character of La Abra award, and were sufficient only to create grave doubts as to the substantial integrity of the claim and render it probable that a judicial investigation would establish its fraudulent character, the honor of the United States would require a further judicial investigation of the claim by this Government.

This brings us to a consideration of the second question involved in this measure, which is, Has Congress power to reopen the award?

If it shall be judicially determined in the suit authorized by the bill under consideration to be brought that the award made by the Mixed Commission in respect of the claim of La Abra Company was obtained by fraud and false swearing, what will be the duty of the United States Government in regard

to the payments to become due from the Government of Mexico and the money which has heretofore been paid by that Government on account of said award and not heretofore distributed to the claimants?

There can be but one answer to this question. It is, if Congress has the power to do so, to release the Mexican Government from the payment of future installments and to return to that Government the money still under control of this Government.

As to the power of Congress to reopen La Abra award, it is clear from the decision of the umpire, Sir Edward Thornton, in La Abra and Weil awards, that he took it for granted that power existed in the Government of the United States to set aside the award or relieve Mexico from the results of fraud or perjury if they should thereafter be shown to have been practiced by the Commission. The following is quoted from his decisions:

"In the case No. 477, "Benj. Weil *vs.* Mexico," the agent of Mexico has produced circumstantial evidence which, if not refuted by the claimant, would certainly contribute to the suspicion that perjury has been committed, and that the whole claim is a fraud. For the reason already given, it is not in the power of the umpire to take that evidence into consideration, but if perjury shall be proved hereafter no one would rejoice more than the umpire himself that his decision should be reversed, and that justice should be done."

And in referring to the newly discovered evidence in La Abra claim, Sir Edward said:

"He (the umpire) doubts whether the Government of either (country) would insist upon the payment of claims founded upon perjury." (H. Ex. Doc. 103, 48th Cong., 1st sess., p. 128.)

In the case of La Abra Company *vs.* Frelinghuysen (110 U. S.) the Supreme Court discusses the question of the finality of the award and the power of the Government (so long as the money is within its control) to inquire into the integrity of the claim as between itself and the claimants, its own citizens. Chief Justice Waite, in delivering the opinion of the court, held:

"There is no doubt that the provisions of the convention (of 1868) as to the conclusiveness of the awards are as strong as language can make them. * * * But this is to be construed as language used in a compact of two nations 'for the adjustment of the claims of the citizens of either * * * against the other,' entered into 'to increase the friendly feeling between' republics, and 'so to strengthen the system and principles of republican government on the American continent.' No nation treats with a citizen of another nation except through his government. The treaty, when made, represents a compact between the governments, and each government holds the other responsible for everything done by their respective citizens under it. The citizens of the United States having claims against Mexico were not parties to this convention. * * * The presentation by a citizen of a fraudulent claim or false testimony for reference to the Commission was an imposition on his own Government, and if that Government afterwards discovered that it had in this way been made an instrument of wrong towards a friendly power it would be not only its right, but its duty, to repudiate the act and make reparation as far as possible for the consequences of its neglect, if any there had been.

"International arbitration must always proceed on the principles of national honor and integrity. Claims presented and evidence submitted to such a tribunal must necessarily bear the impress of the entire good faith of the Government from which they come, and it is not to be presumed that any Government will for a moment allow itself knowingly to be made the instrument of wrong in any such proceeding. No technical rules of pleading, as applied in municipal courts, ought ever to be allowed to stand in the way of the national power to do what is right under all circumstances. * * * The United States, when they assumed the responsibility of presenting the claims of their citizens to Mexico for payment, entered into no contract obligations with the claimants to assume their frauds and to collect on their account all that, by their imposition of false testimony, might be given in the awards of the Commission. As between the United States and the claimants, the honesty of the claims is always open to inquiry for the purpose of fair dealing with the Government against which, through the United States, a claim has been made."

An examination of the action of Congress respecting claims adjudicated by virtue of international conventions will show that Congress has not regarded awards rendered on such claims as final and beyond its control. Within the last thirty years our Government has repeatedly reopened awards of this character, which have been rendered in accordance with the provisions of conventions containing stipulations making them final and conclusive between the parties to the convention. To quote counsel:

"To accomplish the annulment or revision of the awards, almost every method of procedure known to modern jurisprudence or diplomatic practice has been resorted to by our Government to protect the honor of the nation or do justice to claimants. These procedures may be classified as follows:

"First. By a resubmission of the cases on which awards had been rendered to a new international commission, as under the conventions with Colombia and Venezuela.

"Second. By an independent resort, through bills in equity, to the established domestic tribunals of the country, as in the Gardiner case under the treaty with Mexico of 1848, or in the Lazare case under the agreement with Haiti of 1884.

"Third. By resubmission, through an act of Congress, to a special tribunal, as the Court of Claims, in the Atocha case under the Mexican treaty of 1848, or the 'Caldera' case under the Chinese convention of 1858.

"Fourth. By reference, through an act of Congress, to the Executive, clothing the Attorney-General with quasi judicial functions, as in the case of Nott & Co., under the Chinese treaty of 1858.

"Fifth. By a direct return of the money to the foreign government by the independent action of the Secretary of State and by act of Congress, without any judicial reëxamination or any hearing afforded the claimant, as in the 'Caroline' case."

This committee, in its report made at the first session of the Forty-ninth Congress upon the bill (S. 2297) relating to the Benjamin Weil claim, discussing the power of Congress to reopen the award in that case, said:

"The Committee on Foreign Relations are satisfied that there is no impediment of law or policy in the way of Congress to prevent the full examination of this award to Benjamin Weil in our own courts, and that the evidence presented to Congress to impeach the claim, both as to fraud and perjury, is of so convincing a nature as to make it our duty to our own country to require that this should be done.

"The method of procedure contemplated by the bill reported by the committee is sustained by a clear precedent in the legislative and judicial records of the country, known as the Gardiner case. By the treaty of 1848 the United States released Mexico from all claims of American citizens and assumed their payment to an amount not exceeding $3,250,000, and provided, by article 15, that 'a board of commissioners shall be established by the Government of the United States, whose awards shall be final and conclusive.' Before this commission George A. Gardiner obtained an award for $428,750, which amount was paid to him or his assignees May 16, 1851. Soon after the payment of the award charges began to be made that the claim was fraudulent, and these having been brought to the attention of both Houses of Congress, the Senate, on the 26th of February, 1852, appointed a committee to investigate the same, with power to send for persons and papers; and the House also appointed a like committee August 24, 1852.

"The Senate committee at once proceeded to a thorough examination of the fraud, sent a special commission to Mexico, brought before its own body a large number of witnesses, and after two years' investigation, in which it was established that the award had been obtained by forged documents and false swearing, the committee made its final report to the Senate March 28, 1854. On March 6, 1854, a resolution was adopted by the House, directing the Judiciary Committee to inquire into the propriety of taking legal proceedings to recover the money paid on the award; and, August 3, 1854, this committee submitted a resolution, which was adopted, requesting the President 'to institute proceedings in law or equity against all such agents, attorneys, and confederates as may have assisted in prosecuting 'Gardiner's claim,' in order to test their liability to refund the amounts paid them * * * out of the award made by said commissioners to said Gardiner.'

"Meanwhile, however, the fraud had been made so apparent by the investigation set on foot by the Senate that the Law Department of the Government had taken action without waiting for the request of the legislative branch. Gardiner was arrested and finally sentenced to ten years' imprisonment, but committed suicide soon after conviction. Bills were filed against Gardiner and his bankers, in whose hands some of the funds were found, in the United States circuit courts in Washington and New York; injunctions obtained in July, 1852, and decrees rendered in favor of the United States March 29, 1856, in Washington, and June 14, 1859, in New York, to the effect 'that said award be, and the same is hereby, in all things reversed and annulled.' On these decrees some $250,000 were recovered and paid back into the Treasury. It does not appear that the treaty stipulation as to the 'final and conclusive' character of the awards was at any time interposed as an objection to the action of Congress or the judicial proceedings. On the contrary, the fraud being made public, all branches of the Government—the legislative, the executive, and the courts—exerted all their powers to bring Gardiner to justice and to recover the money paid on his fraudulent claim."

The House Committee on Foreign Affairs, in a report made by Representative (now Senator) DANIEL, at the first session of the Forty-ninth Congress, upon the bill (H. R. 8122) concerning La Abra claim, and similar in its provisions to the bill under consideration, although reporting against the bill, maintained the power of Congress to reopen the award, as follows:

HAS CONGRESS THE CONSTITUTIONAL POWER TO REOPEN THE AWARD AND ORDER A NEW TRIAL.

"We have no doubt that Congress may waive the benefits of the treaty with Mexico and reopen the case decided in favor of La Abra Company. Sir Edward Thornton took such power for granted as an attribute of our national sovereignty. The existence of such power is sustained by a number of precedents, and to a certain extent it has already been exercised by Congress in the act of 1878 suspending payment of the sums awarded, and of which the present bill is amendatory. The President assumes and the Secretary of State asserts it, and in Key *vs.* Frelinghuysen, the Supreme Court affirmed it."

The minority of the committee, who reported in favor of the passage of the bill, upon this question said:

"We hold that an examination of the legislative and diplomatic history of this country will show that the United States, both in its dealings with other Governments and its own citizens, has never regarded the awards of commissions or final adjudications of claims as irrevocable where the honor of the nation was involved, and in many cases they have been set aside on behalf of claimants. One of the best known is that of the Venezuela Claims Commission, respecting which Congress has repeatedly taken action, and where only recently the whole work of the Commission was annulled on the express recommendation of Congress. The awards under the Mexican treaty of 1848 were twice set aside, once by the courts in the Gardiner claim and once by direct act of Congress in the Atocha claim. (13 Stat., 595; 16 Stat., 633.) In the interest of rejected claimants Congress reopened two of the awards of the Commission under Chinese claims treaty of 1858. (15 Stat., 440; 20 Stat., 171.) In the case of the Caroline the Secretary of State returned to Brazil money which had been paid after a diplomatic settlement, against the protest of the claimant, and Congress appropriated a large sum to reimburse Brazil for moneys paid the United States representative, but which never reached the Treasury. (18 Stat., 70.)

"In the present case there is a concurrence of sentiment on the part of the three departments of the Government—legislative, executive, and judicial—as to the power to legislate on the subject. The jurisdiction to legislate respecting the awards of an international tribunal was fully discussed in Congress when the act of June 18, 1878, suspending the distribution of the Weil and La Abra awards, was pending. It will be seen by reference to the speeches of Hon. Benjamin Wilson, member of Congress from West Virginia, now Assistant Attorney-General, and others (CONG. RECORD, vol. 7, part 4, pp. 4104-'5-'6), that the arguments and citations now made use of by the claimants were then urged upon the House. Notwithstanding it was then contended that Congress had no jurisdiction to legislate respecting a retrial of these cases, the act of June 18, 1878, was passed, requesting the President to investigate the charges of fraud, and providing that 'the said present awards shall be set aside, modified, or affirmed, as may be determined on said retrial.' Congress, by the passage of that act, assumed full authority to control these awards, even to the extent of providing that, in the contingency of no retrial being had, the President should have the power to withhold the money 'until Congress shall otherwise direct;' thereby reserving to itself the duty of finally determining what disposition should be made of the money paid by Mexico on these awards.

"President Hayes and Secretary Evarts held that Congress had 'plenary authority in the matter.' In accordance with the act of 1878, Secretary Evarts examined the evidence of fraud in the Weil and La Abra cases as submitted to him by Mexico, and he found 'that the honor of the United States does require that these two cases should be further investigated by the United States.' But he said: 'The authority for such an investigation must proceed from Congress. I would advise, therefore, that the proofs and the conclusions you [the President] shall come to thereon, if adverse to the immediate payment on these awards of the installments received from Mexico, be laid before Congress for the exercise of their plenary authority in the matter.' And President Hayes thereupon transmitted Secretary Evarts's recommendation to Congress for their action. (See Message, H. Ex. Doc. 103, p. 740.)

"President Cleveland and Secretary Bayard have clearly assumed that in the present status of the cases Congress has power to legislate in respect to them. Secretary Bayard, in his communication to the President of May 6 last, after reciting the history of the Weil and La Abra claims, says: 'It is within the province of the legislative branch of this Government now to renew the history of the proceedings, legislative, executive, and judicial, connected with the two claims.' And he closes as follows: 'I suggest that the attention of Congress should be earnestly invoked to the consideration of the present status of these claims referred to, and the duty of the Executive under an existing treaty, to which the force and effect of paramount law is given by the Constitution in the event of the adjournment of the two Houses without further action in reference thereto." (H. Ex. Doc. 274, p. 284). And

in accordance with the suggestion of the Secretary of State the President submitted the subject to Congress by his message of May 11 last. (Doc. 274, p. 280.)

"There can be no significance whatever in the President's message and the Secretary's letter if Congress is not clothed with power to legislate upon this subject.

"But the Supreme Court has removed all doubt upon this point in its decision in the cases of Key *vs.* Frelinghuysen (Doc. 274, pp. 171-5). The Chief Justice, in referring to the request of Secretary Evarts to Congress for legislation to enable him to pursue the investigation of the cases, says:

"'The report of Mr. Evarts can not be read without leaving the conviction that if the means had been afforded, the inquiries which Congress asked for would have been further prosecuted.'

"This plainly implied the power of Congress to act upon the request. But the court is still more explicit, as follows:

"'The presentation by a citizen of a fraudulent claim or false testimony for reference to the Commission was an imposition on his own Government, and if that Government afterward discovered that it had in this way been made an instrument of wrong toward a friendly power, it would be not only its right, but its duty, to repudiate the act and make reparation as far as possible for the consequences of its neglect, if any there had been. International arbitration must always proceed on the principles of national honor and integrity. Claims presented and evidence submitted to such a tribunal must necessarily bear the impress of the entire good faith of the Government from which they come, and it is not to be presumed that any Government will for a moment allow itself knowingly to be made the instrument of wrong in any such proceedings. No technical rules of pleading as applied in municipal courts ought ever to be allowed to stand in the way of the national power to do what is right under all the circumstances. Every citizen who asks the intervention of his own Government against another for the redress of his personal grievances must necessarily subject himself and his claim to these requirements of international comity.

* * * * * * *

"'The United States when they assumed the responsibility of presenting the claims of their citizens to Mexico for payment, entered into no contract obligations with the claimants to assume their frauds and to collect on their account all that, by their imposition of false testimony, might be given in the awards of the Commission. As between the United States and the claimants, the honesty of the claims is always open to inquiry for the purposes of fair dealing with the Government against which, through the United States, a claim has been made.'

"From this review it is indisputably established that Congress has full power to legislate upon the subject."

It thus appears that the power of Congress to reopen La Abra award and to direct a suit to be brought to judicially determine whether or not it was procured by fraud has been affirmed by successive Secretaries of State, assumed by Congress in the passage of the act of June 18, 1878, expressly declared by committees of both Houses of Congress, and substantially held to exist by the highest judicial tribunal of this Government.

The committee are of the opinion that Congress has power to do what is proposed to be done by the bill under consideration, and recommend its passage with amendments.

Mr. VEST. Would it suit the Senator from Oregon that this measure should be made the special order for Monday a week?

Mr. DOLPH. I greatly fear there will be something else to occupy the attention of the Senate at that time. If it can be agreed by unanimous consent that the bill shall be the order of business and proceeded with a week from Monday, I should be inclined to consent to it, as I do not wish to discommode anybody.

Mr. MORGAN. At the close of the morning business?

Mr. DOLPH. At the close of the morning business. I would not care to have it made a special order, for then it would be displaced by anything that might come over as unfinished business.

Mr. VEST. I do not care in what way the arrangement is made.

Mr. MORGAN. I suggest that at the conclusion of the morning business a week from next Monday the bill be made the regular order, to be taken up and disposed of.

Mr. VEST. That would suit me very well.

Mr. MORGAN. We can unanimously agree to that.

Mr. HARRIS. Is it the intention of the Senate that the bill shall take precedence of any unfinished business at that time? If so, it had better be clearly expressed, because the unfinished business would take precedence of any special order, and such an understanding would only make it a special order for that hour of that day.

Mr. MORGAN. I had that in my mind, that it should take precedence of any business of that kind which would come over from Saturday.

The PRESIDING OFFICER. The question is upon the request of the Senator from Oregon, that by unanimous consent the bill referred to be made the special order for Monday a week.

Mr. HARRIS. Taking precedence of any special order or any unfinished business at that time?

Mr. MORGAN. If the Chair will allow me, let it be made the order of business for a week from Monday after the conclusion of the routine morning business.

The PRESIDING OFFICER. Is there objection to the request that the bill be taken up a week from Monday, after the conclusion of the morning business, taking precedence of any other special order or unfinished business? The Chair hears no objection, and it is so ordered. What is the further pleasure of the Senate?

Mr. VEST. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, January 11, 1892, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 7, 1892.*

The House met at 12 o'clock m., and was called to order by the Speaker *pro tempore*, Mr. MCMILLIN. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

INDIAN LANDS IN OKLAHOMA.

The SPEAKER *pro tempore* laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant, from the Secretary of the Interior, accompanied by an agreement concluded by the Cherokee Commission with the Tonkawa Indians, in Oklahoma Territory, for the cession of all their right, title, claim, and interest of every kind and character in and to the lands occupied by them in said Territory, and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

COLVILLE INDIAN RESERVATION, WASHINGTON.

The SPEAKER *pro tempore* also laid before the House the following message from the President of the United States; which was read, and, with the accompanying documents, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant, from the Secretary of the Interior, submitting the agreement entered into between the Indians of the Colville Reservation, in the State of Washington, and the commissioners appointed under the provisions of the act of August 19, 1890, to negotiate with them for the cession of such portion of said reservation as said Indians may be willing to dispose of, that the same may be opened to white settlement.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

INDIAN LANDS IN OKLAHOMA.

The SPEAKER *pro tempore* also laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant, from the Secretary of the Interior, accompanied by an agreement concluded by and between the Cherokee Commission and the Wichita and affiliated bands of Indians in the Territory of Oklahoma, for the concession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

RIVER AND HARBOR IMPROVEMENTS.

The SPEAKER *pro tempore* also laid before the House the following communications; which were severally referred to the Committee on Rivers and Harbors:

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Rock Hall Harbor, Maryland.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Mispillion River, Delaware.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of St. Louis River, in Minnesota and Wisconsin.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Canapitsit Channel, Massachusetts.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Menemsha Bight, Massachusetts.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Grand River, Ohio.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of the inside routes between Doboy and Sapelo water route.

Letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Brazos River, Texas.

TIMBER ON INDIAN RESERVATIONS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a communication from the Commissioner of Indian Affairs relative to the disposition of timber on certain Chippewa reservations in Wisconsin; which was referred to the Committee on Indian Affairs, and ordered to be printed.

EXPENDITURES IN DEPARTMENT OF AGRICULTURE.

The SPEAKER *pro tempore* also laid before the House a letter

from the Secretary of Agriculture, transmitting a detailed statement of all expenditures of appropriations for the Department of Agriculture for the year ending June 30, 1891; which was referred to the Committee on Expenditures in the Department of Agriculture, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The reference of matters on the Speaker's table being now completed, the Chair will resume the call of States for the introduction of bills. The call rests with the State of Ohio.

ADJOURNMENT TILL MONDAY.

Mr. SPRINGER. Before the call of States is resumed I desire to move that when the House adjourns to-day it adjourn to meet on Monday next.

The question being put,

The SPEAKER *pro tempore* said: The ayes seem to have it.

Several members called for a division.

Mr. BUCHANAN of New Jersey. Is it proposed that the call of States be completed before the adjournment to-day?

Mr. SPRINGER. Oh, yes.

The SPEAKER *pro tempore*. The Chair will state that, as he is informed, it will be within the power of the House to complete to-day the call of States for the introduction of bills.

Mr. BUCHANAN of New Jersey. Then I do not insist on a division.

The question being again taken, there were—ayes 127, noes 34.

The SPEAKER *pro tempore*. The ayes have it.

Mr. EZRA B. TAYLOR. Is there a quorum?

The SPEAKER *pro tempore*. No quorum has voted. Does the gentleman make that point?

Mr. EZRA B. TAYLOR. I do.

The SPEAKER *pro tempore*. The gentleman from Ohio makes the point of order that no quorum has voted; and the Chair appoints as tellers the gentleman from Illinois [Mr. SPRINGER] and the gentleman from Ohio [Mr. EZRA B. TAYLOR].

The House again divided; and the tellers reported—ayes 144, noes 27.

So the motion of Mr. SPRINGER was agreed to.

INDEX OF CONGRESSIONAL RECORD.

Mr. RICHARDSON. I desire to offer a resolution which is privileged in its character.

The SPEAKER *pro tempore*. The Clerk will report the resolution submitted by the gentleman from Tennessee [Mr. RICHARDSON].

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the Joint Committee on Printing be, and is hereby, ordered to examine into the errors in the index to the CONGRESSIONAL RECORD of the present session of Congress and, if possible to do so, to take such steps as will in the future remedy the defects and correct the errors therein.

Mr. RICHARDSON. I only want to be heard, Mr. Speaker, briefly in behalf of the resolution.

Mr. ENLOE. Is this resolution before the House for consideration?

The SPEAKER *pro tempore*. The gentleman from Tennessee introduced the resolution as a privileged matter for present consideration.

Mr. HENDERSON of Iowa. Is it reported from the Committee on Printing?

Mr. RICHARDSON. No, sir; it has never been referred to the committee. But I do not think that any gentleman will object to it when a brief statement is made in regard to it.

Mr. ENLOE. I reserve all points of order upon it until I hear what it is.

Mr. RICHARDSON. It is privileged inasmuch as it affects the dignity of this House and the members in their representative capacity, as will appear if gentlemen will observe the reading of the resolution and then permit me to make a few brief words of explanation.

Mr. McCREARY. Mr. Speaker, I desire to ask if the Chair has ruled that this resolution presents a privileged matter?

The SPEAKER *pro tempore*. The Chair has not yet ruled upon it.

Mr. McCREARY. Personally I am in favor of considering the resolution; but I do not think it a privileged matter. I would like to hear the explanation of the gentleman from Tennessee on that point.

Mr. RICHARDSON. I will endeavor to make one which will be satisfactory to gentlemen. I ask for the reading of Rule IX, rules of the Fiftieth Congress, by the Clerk.

Mr. BUCHANAN of New Jersey. Rule IX of what Congress?

Mr. McCREARY. Let me ask if Rule IX has been adopted by this House?

Mr RICHARDSON. No, sir; it has not been; but I will make my remarks based upon that rule as soon as it shall be read by the Clerk.

The SPEAKER *pro tempore*. The Clerk will read the rule to which the gentleman from Tennessee refers.

Mr. ENLOE. I want to have the call of States and Territories continued, and as this matter does not on its face present a question of privilege, I demand the regular order.

Mr. HENDERSON of Iowa. I make the point of order that this should go to the Committee on Printing.

The SPEAKER *pro tempore*. The Chair will again state that the gentleman from Tennessee rose in his place and stated that he proposed to offer a privileged resolution, with which statement, of course, he is entitled to recognition. The resolution has been read in the hearing of the House, and he now seeks to have read the rule of practice under which such resolutions have been heretofore held to be privileged.

Mr. HENDERSON of Iowa. But he also states that he introduces it himself; that it has not been referred to the committee or reported from the Committee on Printing.

Mr. RICHARDSON. It has not been.

Mr. HENDERSON of Iowa. Then I submit that it should first go to the committee.

Mr. RICHARDSON. I have the floor, Mr. Speaker, on the question, and I do not yield to the gentleman from Iowa for the present.

The SPEAKER *pro tempore*. The Chair will hear the gentleman from Tennessee on the question of privilege.

Mr. RICHARDSON. I desire briefly to explain the reason for offering the resolution. I do not believe that any gentleman will make the slightest objection as soon as he hears the explanation I shall make.

The SPEAKER *pro tempore*. If there be no objection the resolution will be again reported.

Mr. RICHARDSON. And then let Rule IX be read in connection with it.

The Clerk again reported the resolution.

Mr. RICHARDSON. Now let Rule IX be read.

Mr. BOUTELLE. What rule is that?

Mr. RICHARDSON. Rule IX of the Fiftieth and also of the Fifty-first Congress, in relation to questions of privilege.

Mr. BOUTELLE. These rules, I believe, have not been adopted?

The SPEAKER *pro tempore*. They have not been.

Mr. RICHARDSON. I only ask that it be read for information.

The Clerk read as follows:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only; and shall have precedence of all other questions except motions to fix the day to which the House shall adjourn, to adjourn, and for a recess.

Mr. RICHARDSON. The errors to which the resolution refers in the index to the CONGRESSIONAL RECORD are simply these, the compiler of the index has utterly failed to mention the names of seven of the ten members from the State of Tennessee who were present on the first day of this session, and who were sworn in as members of this House. The gentleman from Iowa himself [Mr. HENDERSON], and I call the gentleman's name because he has interrupted me, does not appear in this index.

Mr. HENDERSON of Iowa. I am aware of that.

Mr. RICHARDSON. The gentleman from Kentucky [Mr. McCREARY], who also interrupted me, does not appear in this index; the name of Mr. BRECKINRIDGE of Arkansas does not appear, and I might cite a hundred, I think, which have been omitted from the index.

Mr. HEARD. Here is another.

Mr. RICHARDSON. This being the case, these inaccuracies existing in the index, I undertake to say that this does affect the integrity of the proceedings of this House, the rights and privileges of the members, and is therefore a privileged matter. The resolution directs the Joint Committee on Printing to investigate as to the facts and take such steps as may be necessary to have the inaccuracies corrected.

I want to say that the Printing Office and the Public Printer are not responsible for these errors. This index is compiled by a gentleman appointed by the Joint Committee on Printing, and he is paid by the Public Printer. Therefore, no blame is to be attached to the Public Printer or the Government Printing Office. I do not say that anybody is to blame; but I say that the errors exist, and this investigation should be had with a view to making the proper corrections.

Mr. BUCHANAN of New Jersey. I would like to ask the gentleman a question right on that line.

The SPEAKER *pro tempore*. Does the gentleman yield?

Mr. RICHARDSON. I yield for a question.

Mr. BUCHANAN of New Jersey. Has the gentleman taken any pains to investigate as to whether the RECORD itself is a full

and complete record of all the business transacted here? I ask the question for this reason: Early in the session I introduced a number of petitions which did not appear in the RECORD; and on yesterday I introduced a number of private bills in the way it was indicated by the action of the House they should be introduced, and they do not appear in the RECORD.

Mr. OUTHWAITE. I will say to the gentleman that the file clerks have not had time to properly index them yet, on account of the great number of them. It is no delay.

Mr. RICHARDSON. I want to say that this resolution which I have offered does not cover errors in the RECORD, of which he speaks. If the gentleman imagines that errors have been created in that way he can introduce a resolution upon that point; but this resolution does not affect that question. It simply relates to the indexing of the RECORD.

Mr. BUCHANAN of New Jersey. There is no imagination about it. It is a plain fact of omission.

Mr. RICHARDSON. Now I will move the previous question, unless some gentleman desires to debate the matter.

Mr. HENDERSON of Iowa. Mr. Speaker——

Mr. RICHARDSON. I will withdraw the demand for the previous question if the gentleman from Iowa wishes to make any remarks upon the resolution.

Mr. HENDERSON of Iowa. I reserved the point of order that this resolution must go to a committee, and that point has not been ruled on. I am going to insist upon that point of order, and I feel that I have all the better right, since I was one of the gentlemen whose names were omitted. How in the world any index clerk could omit the name of HENDERSON of Iowa, I do not understand. [Laughter.]

Mr. RICHARDSON. With such an admirable voice and clear head as the gentleman has, it is certain that he has not spoken, or the omission would not have occurred.

Mr. HENDERSON of Iowa. It shows that there are some grave blunders in the business, so grave that I want it to go through the regular course and go to a committee. I am not suffering so much but that I can wait until it goes through the regular channels, especially if it is to go to a committee of which my friend from Tennessee [Mr. RICHARDSON] is chairman. Therefore, Mr. Speaker, I insist upon my point of order that this should go to a committee first.

Mr. RICHARDSON. Mr. Speaker, if the question is privileged we have a right to consider it now.

The SPEAKER *pro tempore*. The Chair will state the pending question before the House——

Mr. RICHARDSON. The question of order is first.

The SPEAKER *pro tempore*. It is the custom of the House to keep a Journal of its proceedings and also a RECORD, setting forth the proceedings more fully than they are set forth in the Journal. The Chair thinks that whatever affects its integrity, if it has omissions, is a question of privilege. Being admitted for consideration as a question of privilege, it will be for the House to determine whether in its consideration it ought to be referred to a committee; but the Chair thinks that under the usual practice of the House all questions affecting the integrity of the RECORD are privileged. Members are recognized frequently as a question of privilege to correct it. The Chair thinks it will be in order to look into this question.

Mr. RICHARDSON. Mr. Speaker, the resolution now being in order, I ask for a vote upon it, and move the previous question upon the adoption of the resolution.

Mr. HENDERSON of Iowa. Mr. Speaker——

Mr. RICHARDSON. I will withdraw the demand for the previous question if the gentleman from Iowa desires to speak upon the resolution.

Mr. HENDERSON of Iowa. Is it now in order, without rules, to move that this go to a committee?

The SPEAKER *pro tempore*. Does the gentleman from Tennessee withdraw his demand for the previous question?

Mr. RICHARDSON. If the gentleman from Iowa wishes to make any remarks on the resolution, I do.

Mr. HENDERSON of Iowa. No; I want to move the reference of the resolution to the Committee on Printing.

Mr. RICHARDSON. The joint committee, I may say, meets to-morrow, and I thought it better to pass this resolution, as it is a concurrent one, so that it can go to the Senate. It ought to be considered to day, so that it may go to the Senate for its concurrence.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Iowa that under the practice of the House it is in order, either before or after the previous question is ordered, to move the reference of a resolution to a committee. Does the gentleman make that motion?

Mr. HENDERSON of Iowa. There are so many members anxious to get to the call of the States that I will not handicap it with any motion.

The SPEAKER *pro tempore*. The question is on the demand for the previous question.

The previous question was ordered.

The resolution was then agreed to.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was agreed to; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

Mr. ENLOE. Mr. Speaker——

The SPEAKER *pro tempore*. For what purpose does the gentleman rise?

Mr. ENLOE. I rise to call attention to the fact, while we are on the subject of the RECORD, that there has not been a single private bill introduced here printed in the RECORD. I would like to inquire why it has not been done, so that gentlemen can get their bills printed and before the proper committees.

The SPEAKER *pro tempore*. The Clerk informs the Chair that upon the first day of the introduction of bills there was so large a number introduced that it was impossible to get all properly indexed and ready for the RECORD, and that is the explanation of it, and that they will appear as soon as that can be done.

Mr. RICHARDSON. Mr. Speaker, I will say, if the House will indulge me, that this is not at all unusual. It occurred at the last session of Congress, and will occur again. When so many bills are presented at one time, it takes considerable time to get them in order and have their titles published in the RECORD. The delay is not unusual.

CALL OF STATES FOR THE INTRODUCTION OF BILLS.

The call of States and Territories was then resumed; when bills and joint resolutions were severally introduced, read twice, ordered to be printed, and referred to the committees named below:

DISTRIBUTION OF REPORTS OF THE SUPREME COURT.

By Mr. EZRA B. TAYLOR: A bill (H. R. 342) to provide for the further distribution of reports of the Supreme Court—to the Committee on the Judiciary.

PRIZE-MONEY TO FLEET OFFICERS.

By Mr. OUTHWAITE: A bill (H. R. 343) to extend the provisions of section 4631, Title LVI, "Prize," of the Revised Statutes, and of the act of June 8, 1874, in relation to prize-money to fleet officers—to the Committee on Naval Affairs.

VIRGINIA MILITARY DISTRICTS OF KENTUCKY AND OHIO.

By Mr. DOAN: A bill (H. R. 344) to provide for the purchase of the original records of entry and surveys of lands within the Virginia military districts of Kentucky and Ohio—to the Committee on Appropriations.

UNIFORM STANDARD FOR WHEAT, CORN, ETC.

By Mr. DOAN: A bill (H. R. 345) to provide for establishing a uniform standard for wheat, corn, oats, barley, and other grains, and for other purposes—to the Committee on Coinage, Weights, and Measures.

REIMBURSEMENT OF SETTLERS ON PUBLIC LANDS.

By Mr. HERMANN: A bill (H. R. 346) to reimburse settlers and purchasers on even-numbered sections of public lands within the limits of Congressional grants in cases of forfeiture of odd-numbered sections—to the Committee on the Public Lands.

ELECTION OF SENATORS BY THE PEOPLE.

By Mr. HERMANN: A joint resolution (H. Res. 20) proposing an amendment to the Constitution of the United States, providing for the election of United States Senators by direct vote of the people of the several States—to the Committee on the Judiciary.

LIFE-SAVING STATION, ETC., AT NEHALEM RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 347) to provide a life-saving station at or near the mouth of the Nehalem River, in the State of Oregon, and for a life-saving crew, etc.—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING AT SALEM, OREGON.

By Mr. HERMANN: A bill (H. R. 348) to provide for the construction of a public building at Salem, Oregon—to the Committee on Public Buildings and Grounds.

LIFE-SAVING STATION AT THE MOUTH OF SIUSLAW RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 349) to provide for the establishment of a life-saving station at mouth of Siuslaw River, in Lane County, Oregon, and for a crew thereat—to the Committee on Interstate and Foreign Commerce.

BREAKWATER AT HARBOR OF PORT ORFORD, OREGON.

By Mr. HERMANN: A bill (H. R. 350) providing for the commencement of work on the project prepared and recommended by a board of United States Engineers for a breakwater at the

harbor of Port Orford, in the State of Oregon, and making an appropriation therefor—to the Committee on Rivers and Harbors.

PENSIONS TO SOLDIERS OF INDIAN WARS.

By Mr. HERMANN: A bill (H. R. 351) pensioning soldiers who served in Indian wars—to the Committee on Pensions.

PUBLIC BUILDING AT BAKER CITY, OREGON.

By Mr. HERMANN: A bill (H. R. 352) to provide for the construction of a public building at Baker City, Oregon—to the Committee on Public Buildings and Grounds.

COMPENSATION OF REGISTERS OF LAND OFFICES, ETC.

By Mr. HERMANN: A bill (H. R. 353) to regulate and fix the compensation of registers of the land office and receivers of public moneys in each land district—to the Committee on Appropriations.

Subsequently

Mr. HERRMAN said: Mr. Speaker, I submit that probably an erroneous reference has been made of the bill to regulate and fix the compensation of registers of the land office and receivers of public moneys in each land district. That bill has been referred to the Committee on Appropriations, and I think it should have been referred to the Committee on Public Lands, inasmuch as it does not involve an appropriation, but simply changes the land laws as to the salaries of officers.

The SPEAKER *pro tempore*. The Chair was under the impression that it involved an appropriation, but will examine the bill and correct the reference if it was erroneous. [After a pause]. The Clerk will report the title of the bill to which the Chair supposes the gentlemen from Oregon refers.

The title of the bill was again reported.

The SPEAKER *pro tempore*. Is that the bill to which the gentleman refers?

Mr. HERMANN. Yes, Mr. Speaker, and the Chair will observe that it does not involve an appropriation.

The SPEAKER *pro tempore*. The Chair will ask the gentleman if it fixes certain salaries in lieu of salaries now existing?

Mr. HERMANN. It involves changes in the existing law.

The SPEAKER *pro tempore*. The Chair will ask the gentleman if some of the salaries to be fixed are to be higher than existing salaries?

Mr. HERMANN. In some cases it does fix them at a higher rate, but the object of the bill is to equalize the compensation.

The SPEAKER *pro tempore*. The Chair thinks it is a matter that properly goes to the Committee on Appropriations, because that committee has heretofore had the question of making appropriations for that branch of the service, and therefore the Chair thinks the reference is correct.

Mr. HERMANN. I have no objection to that reference. I simply called attention to it, thinking it was erroneous.

LIFE-SAVING STATION AT TILLAMOOK BAY, OREGON.

By Mr. HERMANN: A bill (H. R. 354) providing for a life-saving station at the entrance to Tillamook Bay, in Oregon, and for life-saving crew, etc.—to the Committee on Interstate and Foreign Commerce.

COOS BAY, OREGON.

By Mr. HERMANN: A bill (H. R. 355) providing an appropriation for continuing the improvements at the entrance to Coos Bay, Oregon, and for the inner harbor—to the Committee on Rivers and Harbors.

SIUSLAW RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 356) providing an appropriation for continuing the improvements at the entrance to the Siuslaw River, in Oregon—to the Committee on Rivers and Harbors.

COQUILLE RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 357) providing an appropriation for continuing the improvements at the mouth and on the upper waters of the Coquille River, in Oregon—to the Committee on Rivers and Harbors.

NEHALEM RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 358) making an appropriation for the improvement of the Nehalem River, in Oregon—to the Committee on Rivers and Harbors.

TILLAMOOK BAY AND BAR, OREGON.

By Mr. HERMANN: A bill (H. R. 359) making an appropriation for the improvement of Tillamook Bay and Bar, in the State of Oregon—to the Committee on Rivers and Harbors.

YAQUINA BAY, OREGON.

By Mr. HERMANN: A bill (H. R. 360) providing an appropriation for the speedy completion of the improvements at the entrance to Yaquina Bay, Oregon—to the Committee on Rivers and Harbors.

COLUMBIA RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 361) providing an appropriation for continuing the improvements at the entrance to the Columbia River, in Oregon—to the Committee on Rivers and Harbors.

CASCADES OF THE COLUMBIA.

By Mr. HERMANN: A bill (H. R. 362) providing an additional appropriation for the purpose of continuing work on the canal and locks at the Cascades of the Columbia—to the Committee on Rivers and Harbors.

WILLAMETTE RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 363) providing an appropriation for continuing the improvements on the Willamette River above Portland, in Oregon—to the Committee on Rivers and Harbors.

TILLAMOOK BAY, OREGON.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon, for the improvement of the Tillamook Bay, in Oregon—to the Committee on Rivers and Harbors.

PUBLIC LANDS IN OREGON.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon, for adequate appropriations for surveys of the public lands in Oregon—to the Committee on Appropriations.

NATIONAL AID TO AMERICAN STEAMSHIPS.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon, for national aid to American steamships for mercantile use and adapted for service in time of war—to the Committee on Merchant Marine and Fisheries.

NICARAGUA CANAL.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon, for national aid to the Nicaragua Canal by guarantying the principal and 3 per cent interest on the Maritime Canal Company's bonds—to the Committee on Foreign Affairs.

HATCHERY FOR SALMON.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon, to establish and maintain a hatchery for salmon on the Upper Columbia and Snake Rivers—to the Committee on Appropriations.

BOAT RAILWAY.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon, for a boat railway to overcome the obstruction in the Columbia River at "The Dalles," in Oregon—to the Committee on Rivers and Harbors.

SIUSLAW RIVER, OREGON.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon, for jetty improvements at the mouth of the Siuslaw River, in Oregon—to the Committee on Rivers and Harbors.

SALMON HATCHERY.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon to establish and maintain a salmon hatchery on the Umpqua River in Oregon—to the Committee on Appropriations.

FORT KLAMATH, OREGON.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon to reëstablish Fort Klamath in Oregon, and to regarrison the same—to the Committee on Military Affairs.

ELECTION OF UNITED STATES SENATORS.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon for an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people—to the Committee on the Judiciary.

BREAKWATER AT PORT ORFORD, OREGON.

By Mr. HERMANN: A memorial of the Legislature of the State of Oregon for building a breakwater and harbor of refuge at Port Orford, on the coast of Oregon—to the Committee on Rivers and Harbors.

CANAL TO CONNECT LAKE ERIE WITH THE OHIO.

By Mr. DALZELL: A bill (H. R. 364) providing for a survey of a route for a ship canal to connect the waters of Lake Erie and the Ohio River—to the Committee on Rivers and Harbors.

ELECTION OF UNITED STATES SENATORS BY THE PEOPLE.

By Mr. DALZELL: A joint resolution (H. Res. 21) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by direct vote of the people of the several States—to the Committee on the Judiciary.

AUDITOR OF RAILROAD ACCOUNTS.

By Mr. DALZELL: A bill (H. R. 365) to amend an act entitled "An act to create an auditor of railroad accounts, and for other

purposes," approved June 19, 1878—to the Committee on Appropriations.

REPORT ON WAGES.

By Mr. DALZELL: A joint resolution (H. Res. 22) to authorize the Superintendent of Census to continue the report on wages by Joseph D. Weeks—to the Committee on Appropriations.

LAND FOR PARK, PITTSBURG, PA.

By Mr. DALZELL: A bill (H. R. 366) granting the use of certain real estate to the city of Pittsburg, Pa., for a public park—to the Committee on Military Affairs.

DAMAGES TO CITIZENS OF PENNSYLVANIA.

By Mr. DALZELL: A bill (H. R. 367) to authorize the payment of damages sustained by citizens of the State of Pennsylvania from Union and Confederate troops during the late war, as adjudicated and liquidated by the State of Pennsylvania under the provisions of an act of the General Assembly of the said State of Pennsylvania, approved the 22d day of May, A. D. 1871—to the Committee on War Claims.

TRANSCRIPTS OF JUDGMENTS IN UNITED STATES COURTS.

By Mr. DALZELL: A bill (H. R. 368) relating to the filing of transcripts of judgments obtained in United States courts with county officers having charge of judgment records in State courts—to the Committee on the Judiciary.

INDEMNITY TO PENNSYLVANIA.

By Mr. DALZELL: A bill (H. R. 369) to indemnify the State of Pennsylvania for money expended in 1864 for militia called into the military service by the governor under the proclamation of the President of June 15, 1863—to the Committee on War Claims.

PUBLIC BUILDING, M'KEESPORT, PA.

By Mr. DALZELL: A bill (H. R. 370) for the erection of a public building at McKeesport, Pa.—to the Committee on Public Buildings and Grounds.

RELIEF OF RETIRED MEDICAL DIRECTORS.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 371) for the relief of certain senior medical directors on the retired list of the Navy—to the Committee on Naval Affairs.

COMMERCIAL TRAVELERS' SAMPLES.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 372) to amend section 22 of an act entitled "An act to regulate commerce," approved February 4, 1887, and amended March 2, 1889, so as to give common carriers the right to allow a greater weight of sample baggage to commercial travelers and their employés and reduced rates of transportation—to the Committee on Interstate and Foreign Commerce.

POSTAGE ON SECOND-CLASS MATTER.

By Mr. ATKINSON: A bill (H. R. 373) to amend section 25 of the act of March 3, 1879, relating to the rates of postage on second-class matter—to the Committee on the Post-Office and Post-Roads.

CLAIMS IN CERTAIN CASES.

By Mr. ATKINSON: A bill (H. R. 374) to provide for the settlement of accounts and claims in certain cases—to the Committee on the Judiciary.

PAY OF WATCHMEN, TREASURY DEPARTMENT.

By Mr. ATKINSON: A bill (H. R. 375) to determine and increase the pay of watchmen in the Treasury Department—to the Committee on Expenditures in the Treasury Department.

EMPLOYMENT OF PERSONS DISCHARGED FROM THE MILITARY OR NAVAL SERVICE.

By Mr. ATKINSON: A bill (H. R. 376) to revise section 1754 of the Revised Statutes, relative to the employment of persons discharged from the military or naval service—to the Committee on the Post-Office and Post-Roads.

ONE-CENT POSTAGE.

By Mr. ATKINSON: A bill (H. R. 377) to reduce letter postage to 1 cent per ounce—to the Committee on the Post-Office and Post-Roads.

REDUCTION IN THE MEMBERS OF THE ENGINEER CORPS OF THE NAVY.

By Mr. McALEER: A bill (H. R. 378) terminating the reduction in the number of the Engineer Corps of the Navy—to the Committee on Naval Affairs.

SHIP CANAL CONNECTING LAKE ERIE WITH THE OHIO.

By Mr. GILLESPIE: A bill (H. R. 379) authorizing the Secretary of War to cause a survey to be made for a ship canal connecting the waters of Lake Erie and the Ohio River—to the Committee on Rivers and Harbors.

EXTENSION OF FREE-DELIVERY SYSTEM.

By Mr. BINGHAM: A bill (H. R. 380) to extend the free-delivery system of the Post-Office Department, and for other purposes—to the Committee on the Post-Office and Post-Roads.

RETURN OF SECOND-CLASS MAIL MATTER.

By Mr. BINGHAM: A bill (H. R. 381) to provide for the return of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

SUSPENSION OF POST-OFFICE EMPLOYÉS.

By Mr. BINGHAM: A bill (H. R. 382) to allow postmasters in first and second class post-offices to suspend clerks and employés therein without pay, not exceeding thirty days, for neglect of duty, and for other reasons—to the Committee on the Post-Office and Post-Roads.

POSTAGE ON FOURTH-CLASS MATTER.

By Mr. BINGHAM: A bill (H. R. 383) to reduce the postage on fourth-class matter—to the Committee on the Post-Office and Post-Roads.

SECTION 3829, REVISED STATUTES.

By Mr. BINGHAM: A bill (H. R. 384) to amend section 3829 of the Revised Statutes—to the Committee on the Post-Office and Post-Roads.

LOCATION OF LETTER BOXES.

By Mr. BINGHAM: A bill (H. R. 385) to prevent the establishment of letter boxes for the receipt or delivery of certain mail matter in premises not occupied by post-offices or branch offices—to the Committee on the Post-Office and Post-Roads.

LEAVE OF ABSENCE FOR POST-OFFICE EMPLOYÉS.

By Mr. BINGHAM: A bill (H. R. 386) to allow the Postmaster-General to grant leave of absence, with full pay (in addition to the leave now granted by law), to any letter-carrier or clerk in a post-office who shall be disabled by any casualty while in the performance of his duty, etc.—to the Committee on the Post-Office and Post-Roads.

POSTAGE ON SECOND-CLASS MATTER.

By Mr. BINGHAM: A bill (H. R. 387) regulating rates of postage on second-class mail matter at letter-carrier offices—to the Committee on the Post-Office and Post-Roads.

PENSIONS.

By Mr. BINGHAM: A bill (H. R. 388) to adjust the pensions of those who have lost eyes, limbs, or the use of them, or have additional disabilities—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 389) to adjust the pensions of those who have lost limbs, or the use of them, or have additional disabilities—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 390) to adjust the pensions of those who have lost eyes, limbs, or the use of them, or have additional disabilities—to the Committee on Invalid Pensions.

PUBLIC BUILDING AT ALLENTOWN, PA.

By Mr. BRUNNER: A bill (H. R. 391) to provide for the purchase of a site and the erection of a public building thereon at Allentown, in the State of Pennsylvania—to the Committee on Public Buildings and Grounds.

PENSIONS.

By Mr. HUFF: A bill (H. R. 392) to provide for a change in the payment of pensions, making them payable every two months instead of every three months—to the Committee on Invalid Pensions.

REIMBURSEMENT TO PENNSYLVANIA FOR WAR EXPENSES.

By Mr. BROSIUS: A bill (H. R. 393) to indemnify the State of Pennsylvania for money expended in 1864 for militia called into the military service by the governor under the proclamation of the President of June 15, 1863—to the Committee on War Claims.

DEALINGS IN "OPTIONS" AND "FUTURES."

By Mr. BROSIUS: A bill (H. R. 394) defining "options" and "futures" and imposing taxes upon dealers therein, and for other purposes.

The SPEAKER *pro tempore*. This bill will be referred to the Committee on Ways and Means.

Mr. BROSIUS. In the last Congress this subject went to the Committee on Agriculture, and I desire this bill to have that reference.

The SPEAKER *pro tempore*. The bill provides for the raising of revenue, and the Chair thinks it should properly go to the Committee on Ways and Means.

Mr. BROSIUS. I will not insist upon my request, but I would much prefer that the bill go to the Committee on Agriculture, if it be in order. The bill has relation to dealings in agricultural commodities.

The SPEAKER *pro tempore*. Is there objection to the reference of the bill to the Committee on Agriculture?

Mr. SHIVELY. I would like to hear the title of the bill.

The title was again read.

The SPEAKER *pro tempore*. Under the rule the bill would go to the Committee on Ways and Means. The gentleman from Pennsylvania asks that it be referred to the Committee on Agriculture. Is there objection to that reference? The Chair hears none, and it is so ordered.

LARD AND COMPOUND LARD.

By Mr. BROSIUS: A bill (H. R. 395) defining "lard" and imposing a tax on manufacturers of compound lard.

The SPEAKER *pro tempore*. This bill will be referred to the Committee on Ways and Means.

Mr. BROSIUS. May I suggest, in reference to this case also, that the bill on this subject was reported in the last Congress by the Committee on Agriculture; and I prefer that reference of the present bill.

The SPEAKER *pro tempore*. The question is with the House. Under the rules of the Fiftieth Congress bills raising revenue are required to go to the Ways and Means Committee.

Mr. BROSIUS. I will ask unanimous consent that this bill be referred to the Committee on Agriculture.

Mr. SHIVELY. I object.

The SPEAKER *pro tempore*. Objection being made, the bill will be referred under the rules to the Committee on Ways and Means.

LEAVES OF ABSENCE IN NAVY DEPARTMENT.

By Mr. HARMER: A bill (H. R. 396) to allow leaves of absence to certain per diem employés of the Navy Department—to the Committee on Naval Affairs.

MARRIAGE AND DIVORCE.

By Mr. AMERMAN: A joint resolution (H. Res. 23) to amend the Constitution of the United States of America, empowering the Congress to pass uniform laws regulating marriage and divorce—to the Committee on the Judiciary.

CONVICT LABOR ON PUBLIC BUILDINGS.

By Mr. WOLVERTON: A bill (H. R. 397) to prevent the employment of convict labor upon the construction or repair of any building, house, or other structure belonging to the United States—to the Committee on Labor.

DEBTS DUE THE UNITED STATES.

By Mr. WOLVERTON: A bill (H. R. 398) to authorize the Secretary of the Treasury to employ a special agent to investigate judgments and other debts due to the United States and to secure the collection thereof—to the Committee on Appropriations.

PUBLIC BUILDING AT WILKES BARRE, PA.

By Mr. SHONK: A bill (H. R. 399) for the purchase of ground and the erection of a public building at Wilkes Barre, Pa.—to the Committee on Public Buildings and Grounds.

DAM ACROSS ALLEGHENY RIVER, PENNSYLVANIA.

By Mr. WILLIAM A. STONE: A bill (H. R. 400) for the construction of a dam at Tarentum, Allegheny County, Pa., across the Allegheny River, or such other point as shall be most practicable to improve the navigation of said river—to the Committee on Rivers and Harbors.

IMMIGRATION.

By Mr. WILLIAM A. STONE: A bill (H. R. 401) supplementary to an act approved March 3, 1891, entitled "An act in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor"—to the Select Committee on Immigration and Naturalization.

PITTSBURG, FORT WAYNE AND CHICAGO RAILROAD COMPANY.

By Mr. WILLIAM A. STONE: A bill (H. R. 402) to establish a division line between land of the United States and the Pittsburg, Fort Wayne and Chicago Railroad Company—to the Committee on Public Lands.

POST-OFFICE SITE, ALLEGHENY CITY, PA.

By Mr. WILLIAM A. STONE: A bill (H. R. 403) making additional appropriation for the purchase of a site for a post-office building in Allegheny City, Pa., and commencement of the building under the present limit—to the Committee on Appropriations.

PUBLIC BUILDING, ALTOONA, PA.

By Mr. SCULL: A bill (H. R. 404) for a public building at Altoona, Pa., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

PAYMENT OF MINORS DISCHARGED FROM UNITED STATES ARMY.

By Mr. WRIGHT: A joint resolution (H. Res. 24) authorizing payment of pay and allowances to minors who were discharged from Army of United States after close of war of rebellion by special order secured by action of friends and before the date of general order mustering out their commands—to the Committee on War Claims.

REPORT ON DISEASES OF THE HORSE.

By Mr. WRIGHT: A joint resolution (H. Res. 25) to print 100,000 copies of the "Report on the Diseases of the Horse"—to the Committee on Printing.

EFFICIENCY OF NONCOMMISSIONED OFFICERS, UNITED STATES ARMY.

By Mr. PAGE of Rhode Island (by request): A bill (H. R. 405) to increase the efficiency of noncommissioned officers of the United States Army—to the Committee on Military Affairs.

ALLOWANCES OF RETIRED ENLISTED MEN, UNITED STATES ARMY.

By Mr. PAGE of Rhode Island (by request): A joint resolution (H. Res. 26) to construe the act of Congress approved February 14, 1885, relative to allowances of retired enlisted men of the United States Army and Marine Corps—to the Committee on Military Affairs.

RETIRED LIST FOR PRIVATES AND NONCOMMISSIONED OFFICERS.

By Mr. PAGE of Rhode Island (by request): A bill (H. R. 406) to amend the act approved February 14, 1885, entitled "An act to authorize a retired list for privates and noncommissioned officers of the United States Army who have served for a period of thirty years or upwards"—to the Committee on Military Affairs.

POST-OFFICE SITE, PROVIDENCE, R. I.

By Mr. LAPHAM: A bill (H. R. 407) to provide a suitable site for a post-office in the city of Providence, R. I.—to the Committee on Public Buildings and Grounds.

UNITED STATES NAVAL STATION, PORT ROYAL, S. C.

By Mr. ELLIOTT: A bill (H. R. 408) to provide for the purchase of lands adjoining the United States naval station, Port Royal, S. C.—to the Committee on Naval Affairs.

PERMANENT SYSTEM OF HIGHWAYS, DISTRICT OF COLUMBIA.

By Mr. HEMPHILL (by request): A bill (H. R. 409) to provide a permanent system of highways in that part of the District of Columbia lying outside of cities—to the Committee on the District of Columbia.

ECKINGTON AND SOLDIERS' HOME RAILROAD COMPANY.

By Mr. HEMPHILL (by request): A bill (H. R. 410) to amend the charter of the Eckington and Soldiers' Home Railroad Company—to the Committee on the District of Columbia.

RESERVATION OF THE SIOUX INDIANS, DAKOTA.

By Mr. PICKLER: A bill (H. R. 411) to repeal certain portions of an act entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure the relinquishment of the Indian title to the remainder, and for other purposes"—to the Committee on Indian Affairs.

REPORT ON DISEASES OF THE HORSE.

By Mr. PICKLER: A joint resolution (H. Res. 27) to print 300,000 copies of the Report on Diseases of the Horse—to the Committee on Printing.

TIMBER-CULTURE LAWS.

By Mr. PICKLER: A bill (H. R. 412) to amend section 1 of an act entitled "An act to repeal timber-culture laws, and for other purposes"—to the Committee on the Public Lands.

SOLDIERS FOR CIVIL OFFICES.

By Mr. PICKLER: A bill (H. R. 413) to amend section 1754 of the Revised Statutes, giving preference to soldiers for civil offices—to the Select Committee on Reform in the Civil Service.

PUBLIC BUILDING, PIERRE, S. DAK.

By Mr. PICKLER: A bill (H. R. 414) providing for the erection of a public building at the city of Pierre, S. Dak.—to the Committee on Public Buildings and Grounds.

ADMISSION OF UNITED STATES OFFICERS, WORLD'S COLUMBIAN EXPOSITION.

By Mr. PICKLER: A bill (H. R. 415) to provide for the admission of certain officers and enlisted men of the Army, Navy, and Marine Corps of the United States, serving during the late war, to the World's Columbian Exposition free of charge—to the Committee on Military Affairs.

SERVICE PENSION.

By Mr. PICKLER: A bill (H. R. 416) granting a service pension to persons serving in the Army, Navy, or Marine Corps of

the United States during the war of 1861-'65, and for other purposes—to the Committee on Invalid Pensions.

CLOTHING, ETC., TO COLLEGES.

By Mr. PICKLER: A joint resolution (H. Res. 28) directing the Secretary of War to cause the Quartermaster of the Army to issue clothing and camp and garrison equipage to colleges on certain conditions—to the Committee on Military Affairs.

SALE OF PUBLIC LANDS.

By Mr. PICKLER: A bill (H. R. 417) granting to the State of South Dakota 5 per cent of the net proceeds of the sales of public lands in that State—to the Committee on the Public Lands.

PENSION ROLL.

By Mr. PICKLER: A bill (H. R. 418) providing that no person upon the pension roll shall receive less than $6 per month as such pension—to the Committee on Invalid Pensions.

SALARIES OF FOURTH-CLASS POSTMASTERS.

By Mr. PICKLER: A bill (H. R. 419) to provide for the adjustment of the salaries of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

PUBLIC BUILDING, DEADWOOD, S. DAK.

By Mr. PICKLER: A bill (H. R. 420) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

LIGHT AND FOG SIGNAL, NEW BEDFORD, MASS.

By Mr. RANDALL: A bill (H. R. 421) for the establishment of a light and fog signal station near Butler Flats, New Bedford, Mass.—to the Committee on Interstate and Foreign Commerce.

INCOME TAX.

By Mr. RICHARDSON: A bill (H. R. 422) to equalize taxation and impose an income tax—to the Committee on Ways and Means.

CLAIMS AGAINST THE UNITED STATES.

By Mr. RICHARDSON: A bill (H. R. 423) authorizing the Quartermaster-General and Commissary-General to reëxamine claims against the United States and extending time for filing such claims—to the Committee on War Claims.

BUILDINGS USED FOR EDUCATIONAL AND RELIGIOUS PURPOSES.

By Mr. RICHARDSON: A bill (H. R. 424) to authorize the auditing and allowance of claims for use and occupation or destruction of buildings during the late war which were used alone for educational and religious purposes—to the Committee on War Claims.

BANK CIRCULATION.

By Mr. RICHARDSON: A bill (H. R. 425) to repeal sections 3412 and 3413 of the Revised Statutes of the United States and all other laws which provide for a tax of 10 per cent on circulation of all other than national banks—to the Committee on Ways and Means.

SURVIVORS OF INDIAN WARS.

By Mr. RICHARDSON: A bill (H. R. 426) granting pensions to the survivors of the Indian wars—to the Committee on Pensions.

ARMY SUPPLIES.

By Mr. RICHARDSON: A bill (H. R. 427) in relation to the examination of claims for army supplies—to the Committee on War Claims.

PUBLIC BUILDING, TULLAHOMA, TENN.

By Mr. RICHARDSON: A bill (H. R. 428) for the erection of a public building in the city of Tullahoma, Tenn.—to the Committee on Public Buildings and Grounds.

SUBURBAN RAILWAY COMPANY, DISTRICT OF COLUMBIA.

By Mr. RICHARDSON: A bill (H. R. 429) to incorporate the District of Columbia Suburban Railway Company—to the Committee on the District of Columbia.

SIXTH ANNUAL REPORT, COMMISSIONER OF LABOR.

By Mr. RICHARDSON: A joint resolution (H. Res. 29) to print the sixth annual report of the Commissioner of Labor—to the Committee on Printing.

FREE COINAGE OF GOLD AND SILVER.

By Mr. PIERCE: A bill (H. R. 430) to provide for the free coinage of gold and silver bullion, and for other purposes—to the Committee on Coinage, Weights, and Measures.

INCOME TAX.

By Mr. PIERCE: A bill (H. R. 431) to equalize taxation and to impose a graduated income tax—to the Committee on Ways and Means.

ELECTION OF UNITED STATES SENATORS.

By Mr. PIERCE: A joint resolution (H. Res. 30) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people of the several States—to the Committee on the Judiciary.

TRUSTS.

By Mr. PIERCE: A bill (H. R. 432) for the prevention of trusts—to the Committee on Ways and Means.

ARID LANDS.

By Mr. LANHAM: A bill (H. R. 433) for the reclamation of the arid lands of the United States, and for other purposes—to the Select Committee on Irrigation of Arid Lands in the United States.

FREE COINAGE OF SILVER.

By Mr. LANHAM: A bill (H. R. 434) to provide for the free coinage of standard silver dollars—to the Committee on Coinage, Weights, and Measures.

DEPOSITIONS OF WITNESSES, UNITED STATES COURTS.

By Mr. LANHAM: A bill (H. R. 435) to provide an additional mode of taking depositions of witnesses in causes pending in the courts of the United States—to the Committee on the Judiciary.

CERTAIN IMPORT DUTIES.

By Mr. LANHAM: A bill (H. R. 436) to abolish certain import duties, and for other purposes—to the Committee on Ways and Means.

ELECTION OF UNITED STATES SENATORS.

By Mr. LANHAM: A joint resolution (H. Res. 31) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by direct vote of the people of the several States—to the Committee on the Judiciary.

INCOME TAX.

By Mr. LANHAM: A bill (H. R. 437) to provide for an income tax, and for other purposes—to the Committee on Ways and Means.

COINAGE OF GOLD AND SILVER BULLION.

Mr. LANHAM. I offer the following resolution, which I ask to have read, and then to have it referred to the Committee on the Judiciary. The resolution has no title.

The Clerk read as follows:

Resolved, That the Committee on the Judiciary be requested to investigate so much of the act of January 18, 1837, as provides "that gold and silver bullion brought to the mint for coinage shall be received and coined by the proper officers for the benefit of the depositor," and to report to the House whether the same is now in force.

The resolution was referred to the Committee on the Judiciary.

FREE COINAGE OF GOLD AND SILVER BULLION.

By Mr. ABBOTT: A bill (H. R. 438) to provide for the free coinage of gold and silver bullion, and for other purposes—to the Committee on Coinage, Weights, and Measures.

FREE COINAGE OF SILVER.

By Mr. STEWART of Texas: A bill (H. R. 439) for the free coinage of silver, and for other purposes—to the Committee on Coinage, Weights, and Measures.

FREE BAGGING.

By Mr. STEWART of Texas: A bill (H. R. 440) exempting bagging for cotton, and all material of which bagging for cotton is made, from the payment of any impost tax or duty—to the Committee on Ways and Means.

RECIPROCITY BETWEEN THE UNITED STATES AND MEXICO.

By Mr. STEWART of Texas: A joint resolution (H. Res. 32) to promote greater reciprocity in the commercial relations between the United States and the Republic of Mexico—to the Committee on Foreign Affairs.

CAR COUPLINGS.

By Mr. STEWART of Texas: A bill (H. R. 441) requiring the Commissioner of Labor to make or cause to be made an examination of the appliances and machinery used in coupling and uncoupling railway cars, and to report to Congress the comparative safety of the same to brakemen and other employés of railway companies—to the Committee on Railways and Canals.

EIGHT-HOUR LAW ON GOVERNMENT PREMISES.

By Mr. STEWART of Texas: A bill (H. R. 442) for the enforcement of the eight-hour law on Government premises—to the Committee on Labor.

CONVICT LABOR ON GOVERNMENT BUILDINGS.

By Mr. STEWART of Texas: A bill (H. R. 443) to prevent the employment of convict labor upon the construction or repair of any building, house, or other structure belonging to the United States—to the Committee on Labor.

ELECTION OF PRESIDENT AND VICE-PRESIDENT.

By Mr. STEWART of Texas: A joint resolution (H. Res. 33) providing that the Constitution of the United States be so amended that the President and Vice-President shall hold their offices for six years, and that the President shall not be reëligible—to the Select Committee on the Election of President and Vice-President and Representatives in Congress.

ELECTION OF UNITED STATES SENATORS BY THE PEOPLE.

By Mr. STEWART of Texas: A joint resolution (H. Res. 34) providing that the Constitution of the United States be so amended that members of the Senate of the United States shall be elected by the people of the several States—to the Committee on the Judiciary.

GALVESTON BAY SHIP CHANNEL.

By Mr. STEWART of Texas: A bill (H. R. 444) making an appropriation for continuing work on Galveston Bay ship channel—to the Committee on Rivers and Harbors.

BUFFALO BAYOU.

By Mr. STEWART of Texas: A bill (H. R. 445) making an appropriation for continuing the improvement of Buffalo Bayou—to the Committee on Rivers and Harbors.

SABINE PASS, TEX.

By Mr. STEWART of Texas: A bill (H. R. 446) making an appropriation for continuing harbor improvement at Sabine Pass, Tex.—to the Committee on Rivers and Harbors.

CEDAR BAYOU, TEX.

By Mr. STEWART of Texas: A bill (H. R. 447) making an appropriation for continuing the improvements of Cedar Bayou, Tex.—to the Committee on Rivers and Harbors.

PERMANENT AND INDEFINITE APPROPRIATIONS.

By Mr. SAYERS: A bill (H. R. 448) to repeal certain laws relating to permanent and indefinite appropriations—to the Committee on Appropriations.

CLAIMS AGAINST THE UNITED STATES.

By Mr. SAYERS: A bill (H. R. 449) limiting the time within which claims against the United States may be filed and prosecuted—to the Committee on the Judiciary.

FREE COTTON TIES.

By Mr. SAYERS: A bill (H. R. 450) to place cotton ties on the free list—to the Committee on Ways and Means.

FREE COTTON BAGGING.

By Mr. SAYERS: A bill (H. R. 451) to place cotton bagging or other materials suitable for baling cotton on the free list—to the Committee on Ways and Means.

FREE BAGGING AND TIES, BARBED WIRE, AND BINDING-TWINE.

By Mr. LONG: A bill (H. R. 452) to place bagging and ties, barbed wire, and binding-twine on the free list—to the Committee on Ways and Means.

CORPORATE PROPERTY.

By Mr. CULBERSON: A bill (H. R. 453) to prohibit the disposition of corporate property for certain purposes—to the Committee on the Judiciary.

CURRENCY.

By Mr. CULBERSON: A bill (H. R. 454) to prevent contraction of the currency, and to increase the volume of circulation—to the Committee on Banking and Currency.

CAPTURED AND ABANDONED PROPERTY.

By Mr. CULBERSON: A bill (H. R. 455) in relation to claims arising under the provisions of the captured and abandoned property acts and for extension of time in which to bring suit—to the Committee on the Judiciary.

JURISDICTION OF UNITED STATES COURTS.

By Mr. CULBERSON: A bill (H. R. 456) to limit the jurisdiction of the district and circuit courts of the United States—to the Committee on the Judiciary.

SILVER COINAGE.

By Mr. CULBERSON: A bill (H. R. 457) to repeal the restriction upon the coinage of the silver dollar—to the Committee on Coinage, Weights, and Measures.

By Mr. MOORE: A bill (H. R. 458) to provide for the increasing coinage of silver, and for other purposes—to the Committee on Coinage, Weights, and Measures.

UNIFORM SYSTEM OF BANKRUPTCY.

By Mr. BAILEY: A bill (H. R. 459) to establish a uniform system of bankruptcy—to the Committee on the Judiciary.

EQUALIZATION OF TAXATION.

By Mr. SNODGRASS: A bill (H. R. 460) to secure uniform and equalization of taxation and impose an income and direct tax—to the Committee on Ways and Means.

ELECTION OF POSTMASTERS BY THE PEOPLE.

By Mr. GROUT: A bill (H. R. 461) to enable the people to name their postmasters—to the Committee on the Post-Office and Post-Roads.

MILITARY POST BETWEEN BURLINGTON AND HIGHGATE, VT.

By Mr. GROUT: A bill (H. R. 462) to establish a military post on the line of railway between Burlington and Highgate, Vt.—to the Committee on Military Affairs.

DISPUTED FUNDS IN POSSESSION OF THE UNITED STATES.

By Mr. GROUT: A bill (H. R. 463) to provide for the settlement of disputed claims for funds in the possession of the United States or its officers, or for moneys admitted to be owing and due from the United States—to the Committee on the Judiciary.

PUBLIC BUILDING, NEWPORT, VT.

By Mr. GROUT: A bill (H. R. 464) for the erection of a public building at Newport, Vt.—to the Committee on Public Buildings and Grounds.

FRACTIONAL SILVER CERTIFICATES.

By Mr. GROUT: A bill (H. R. 465) authorizing the issue of fractional silver certificates—to the Committee on Banking and Currency.

INCREASED PENSIONS IN CERTAIN CASES.

By Mr. GROUT: A bill (H. R. 466) increasing pension of certain soldiers and sailors—to the Committee on Invalid Pensions.

CONGRESSIONAL REPRESENTATION FOR ALASKA.

By Mr. GROUT: A bill (H. R. 467) providing representation in Congress for Alaska—to the Committee on the Territories.

PENSIONS FOR ARMY NURSES.

By Mr. GROUT: A bill (H. R. 468) to pension army nurses—to the Committee on Invalid Pensions.

POSTAL MONEY-ORDER SYSTEM.

By Mr. GROUT: A bill (H. R. 469) relating to the postal money-order system—to the Committee on Banking and Currency.

UNION SOLDIERS WHO WERE IN SOUTHERN PRISONS.

By Mr. GROUT: A bill (H. R. 470) for the relief of Union soldiers who were confined in Southern prisons—to the Committee on Invalid Pensions.

ALCOHOLIC LIQUOR TRAFFIC.

By Mr. GROUT: A bill (H. R. 471) providing for the appointment of a commission on the subject of the alcoholic liquor traffic—to the Select Committee on Alcoholic Liquor Traffic.

POSTAGE ON FOURTH-CLASS MATTER.

By Mr. GROUT: A bill (H. R. 472) to reduce the postage on fourth-class matter—to the Committee on the Post-Office and Post-Roads.

INCREASE OF CERTAIN PENSIONS.

By Mr. GROUT: A bill (H. R. 473) to increase the pensions of certain soldiers and sailors—to the Committee on Invalid Pensions.

TO PLACE SULPHURIC ACID ON THE FREE LIST.

By Mr. TUCKER: A bill (H. R. 474) to place sulphuric acid or oil of vitriol on the free list—to the Committee on Ways and Means.

TO PLACE BINDING-TWINE ON THE FREE LIST.

By Mr. TUCKER: A bill (H. R. 475) to place binding-twine on the free list—to the Committee on Ways and Means.

PUBLIC BUILDING, LEXINGTON, VA.

By Mr. TUCKER: A bill (H. R 476) for the erection of a public building at the town of Lexington, Va.—to the Committee on Public Building and Grounds.

PUBLIC BUILDING, MANCHESTER, VA.

By Mr. WISE: A bill (H. R. 477) for the erection of a public building at the city of Manchester, Va.—to the Committee on Public Buildings and Grounds.

ROAD TO NATIONAL CEMETERY, COLD HARBOR, VA.

By Mr. WISE: A bill (H. R. 478) to construct a road from the city of Richmond, Va., to the national cemetery at Cold Harbor, in the county of Hanover—to the Committee on Military Affairs.

OPTIONS AND FUTURES.

By Mr. WISE: A bill (H. R. 479) defining "options" and "futures" and imposing special taxes on dealers therein, and for other purposes—to the Committee on Agriculture.

ACCOUNTS WITH RICHMOND AND DANVILLE RAILROAD COMPANY.

By Mr. WISE: A bill (H. R. 480) to provide for the final settlement of the transportation account with the Richmond and Danville Railroad Company—to the Committee on Claims.

PAPERS OF THOMAS JEFFERSON.

By Mr. O'FERRALL: A bill (H. R. 481) to authorize the purchase of certain manuscript papers and correspondence of Thomas Jefferson—to the Committee on the Library.

GRAVE OF GEN. DANIEL MORGAN.

By Mr. O'FERRALL: A bill (H. R. 482) to preserve the grave of Gen. Daniel Morgan and erect a monument over the same—to the Committee on the Library.

ROAD TO FEDERAL CEMETERY, WINCHESTER, VA.

By Mr. O'FERRALL: A bill (H. R. 483) to open and build a roadway to the Federal cemetery at Winchester, Va., and for other purposes—to the Committee on Military Affairs.

SECTION 3477, REVISED STATUTES.

By Mr. O'FERRALL: A bill (H. R. 484) to amend section 3477 of the Revised Statutes of the United States—to the Committee on the Judiciary.

NATIONAL CEMETERY, YORKTOWN, VA.

By Mr. LAWSON of Virginia: A bill (H. R. 485) providing for the building of a road to the national cemetery at Yorktown—to the Committee on Military Affairs.

PUBLIC BUILDING AT NEWPORT NEWS, VA.

By Mr. LAWSON of Virginia: A bill (H. R. 486) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., and making an appropriation therefor—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT PORTSMOUTH, VA.

By Mr. LAWSON of Virginia: A bill (H. R. 487) to provide for the erection of a public building in the city of Portsmouth, in the State of Virginia—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT TACOMA, WASH.

By Mr. WILSON of Washington: A bill (H. R. 488) to provide for the construction of a public building at Tacoma, Wash.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT WALLA WALLA, WASH.

By Mr. WILSON of Washington: A bill (H. R. 489) to provide for the erection of a public building in the city of Walla Walla, Wash.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT SPOKANE, WASH.

By Mr. WILSON of Washington: A bill (H. R. 490) providing for the erection of a public building at the city of Spokane, in the State of Washington—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT SEATTLE, WASH.

By Mr. WILSON of Washington: A bill (H. R. 491) providing for the erection of a public building at the city of Seattle, in the State of Washington—to the Committee on Public Buildings and Grounds.

LIGHT-HOUSE AND FOG SIGNAL, GRAYS HARBOR, WASH.

By Mr. WILSON of Washington: A bill (H. R. 492) making an appropriation for establishing a first order light-house and fog signal at Grays Harbor, Wash.—to the Committee on Interstate and Foreign Commerce.

FEES OF REGISTERS AND RECEIVERS.

By Mr. WILSON of Washington: A bill (H. R. 493) to amend section 2238 of the Revised Statutes of the United States, relating to fees of registers and receivers—to the Committee on the Public Lands.

YAKAMA INDIAN RESERVATION.

By Mr. WILSON of Washington: A bill (H. R. 494) to accept and ratify an agreement made with the confederate tribes and bands of Indians occupying the Yakama Reservation, in the State of Washington—to the Committee on Indian Affairs.

PUBLIC BUILDING AT FOND DU LAC, WIS.

By Mr. BARWIG: A bill (H. R. 495) for the erection of a public building at Fond du Lac, Wis.—to the Committee on Public Buildings and Grounds.

METRIC SYSTEM.

By Mr. BARWIG (by request): A bill (H. R. 496) that the metric system be exclusively used in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

UNITED STATES COURTS IN WISCONSIN.

By Mr. MITCHELL: A bill (H. R. 497) to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin—to the Committee on the Judiciary.

PENSIONS.

By Mr. MITCHELL: A bill (H. R. 498) fixing the rate of pension of widows in certain cases—to the Committee on Invalid Pensions.

STURGEON BAY AND LAKE MICHIGAN SHIP CANAL.

By Mr. MITCHELL: A memorial of the Legislature of Wisconsin, asking for an appropriation to aid in repairing the Sturgeon Bay and Lake Michigan Ship Canal and Harbor, and to relieve the same from tolls—to the Committee on Rivers and Harbors.

ELECTION OF UNITED STATES SENATORS.

By Mr. BABBITT: A joint resolution of the Legislature of Wisconsin, relating to the election of United States Senators by vote of the people—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

NAVIGATION OF UPPER MISSISSIPPI RIVER.

By Mr. BABBITT: A joint resolution of the Legislature of Wisconsin, relative to the navigation of the Upper Mississippi River—to the Committee on Rivers and Harbors.

ERRONEOUS LAND CONVEYANCES TO RAILROADS.

By Mr. MILLER: A resolution instructing the Committee on Public Lands to ascertain whether any of the public lands have been erroneously conveyed to any railroad—to the Committee on Public Lands.

ELECTION OF UNITED STATES SENATORS.

By Mr. MILLER: A joint resolution (H. Res. 35) proposing an amendment to the Constitution and providing for the election of United States Senators by the people—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

FREE BINDING-TWINE.

By Mr. MILLER: A bill (H. R. 499) providing that all kinds of binding-twine be placed on the free list—to the Committee on Ways and Means.

IMPROVEMENT, FOX RIVER, WISCONSIN.

By Mr. MILLER: A bill (H. R. 500) appropriating money for the improvement of Fox River, in Wisconsin—to the Committee on Rivers and Harbors.

FREE COINAGE.

By Mr. BUSHNELL: A bill (H. R. 501) to provide that all silver dollars hereafter coined shall contain one ounce troy of pure silver, and for the free coinage thereof—to the Committee on Coinage, Weights, and Measures.

CUSTOMS DISTRICT, WISCONSIN.

By Mr. HAUGEN: A bill (H. R. 502) to create the northern customs collection district of the State of Wisconsin—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING, EAU CLAIRE, WIS.

By Mr. HAUGEN: A bill (H. R. 503) to provide for the erection of a public building at the city of Eau Claire, State of Wisconsin—to the Committee on Public Buildings and Grounds.

WESTERN JUDICIAL DISTRICT, WISCONSIN.

By Mr. HAUGEN: A bill (H. R. 504) in relation to the western judicial district of Wisconsin—to the Committee on the Judiciary.

PIER LIGHT, BAYFIELD, WIS.

By Mr. HAUGEN: A bill (H. R. 505) to establish a pier light at Bayfield, Wis.—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING, CHEYENNE, WYO.

By Mr. CLARK of Wyoming: A bill (H. R. 506) for the erection of a public building at Cheyenne, Wyo.—to the Committee on Public Buildings and Grounds.

TERM OF UNITED STATES COURTS, EVANSTON, WYO.

By Mr. CLARK of Wyoming: A bill (H. R. 507) to provide for a term of the United States circuit and district court at Evanston, Wyo.—to the Committee on the Judiciary.

GRANT OF CERTAIN LANDS TO THE STATE OF WYOMING.

By Mr. CLARK of Wyoming: A bill (H. R. 508) granting to the State of Wyoming certain lands in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes—to the Committee on Military Affairs.

COMPETENCY OF WITNESSES.

By Mr. CLARK of Wyoming: A bill (H. R. 509) to amend and reënact section 858 of the Revised Statutes of the United States as to the competency of witnesses—to the Committee on the Judiciary.

COURT OF PRIVATE LAND CLAIMS.

By Mr. SMITH of Arizona: A bill (H. R. 510) to amend an act establishing a court of private land claims in certain States and Territories, approved March 3, 1891—to the Committee on the Judiciary.

ADDITIONAL DELEGATE, COMMITTEE ON TERRITORIES.

By Mr. SMITH of Arizona: A resolution authorizing the appointment of an additional Delegate on the Committee on the Territories—to the Committee on Rules.

CONSTITUTION AND STATE GOVERNMENT OF NEW MEXICO.

By Mr. JOSEPH: A bill (H. R. 511) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States—to the Committee on the Territories.

RECLAMATION OF ARID LANDS.

By Mr. JOSEPH: A bill (H. R. 512) to provide for the reclamation of arid lands in certain States and Territories—to the Select Committee on Irrigation of Arid Lands in the United States.

GRANT OF LANDS TO NEW MEXICO.

By Mr. JOSEPH: A bill (H. R. 513) granting lands to the Territory of New Mexico for common school, university, and other purposes—to the Committee on the Public Lands.

IRRIGATION OF LANDS.

By Mr. JOSEPH: A bill (H. R. 514) to provide that certain corporations organized for the purpose of irrigation of lands for colonization and reclamation may acquire, hold, sell, and pledge lands in the Territories—to the Committee on the Public Lands.

REPAYMENT OF PURCHASE MONEY.

By Mr. JOSEPH: A bill (H. R. 515) for the repayment of purchase money in certain cases—to the Committee on the Public Lands.

PUBLIC BUILDING, ALBUQUERQUE, N. MEX.

By Mr. JOSEPH: A bill (H. R. 516) for the erection of a public building at Albuquerque, N. Mex.—to the Committee on Public Buildings and Grounds.

ALLOTMENT OF LANDS TO CHEYENNE AND ARAPAHOE INDIANS.

By Mr. HARVEY: A bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians—to the Committee on Indian Affairs.

JUDICIARY FOR THE INDIAN TERRITORY.

By Mr. HARVEY: A bill (H. R. 518) to provide a more complete judiciary for the Indian Territory, and for other purposes—to the Committee on the Territories.

QUAPAW INDIANS.

By Mr. HARVEY: A bill (H. R. 519) to provide for allotment of lands in severalty to the Quapaw Indians, in the Indian Territory, and for other purposes therein named—to the Committee on Indian Affairs.

CHEROKEE OUTLET.

By Mr. HARVEY: A bill (H. R. 520) to provide for the disposition of certain lands known as the Cherokee Outlet, and for other purposes—to the Committee on Indian Affairs.

INDIAN APPROPRIATION BILL, FISCAL YEAR ENDING JUNE 30, 1892.

By Mr. HARVEY: A bill (H. R. 521) to amend section 16 of "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1892, and for other purposes," approved March 3, 1891—to the Committee on Indian Affairs.

SACRED HEART MISSION.

By Mr. HARVEY: A bill (H. R. 522) providing for the issuance of a patent to lands occupied by the Sacred Heart Mission, in accordance with agreement made by the United States with the Citizen's band of Pottawotamie Indians, of Oklahoma Territory—to the Committee on Indian Affairs.

MILITARY RESERVATION, OKLAHOMA CITY.

By Mr. HARVEY: A bill (H. R. 523) donating the military reservation in Oklahoma City, in Oklahoma Territory, to said city, for the use and benefit of the free public schools thereof, and for other purposes—to the Committee on Military Affairs.

LOCAL GOVERNMENT OF UTAH TERRITORY.

By Mr. CAINE: A bill (H. R. 524) for the local government of Utah Territory, and to provide for the election of certain officers in said Territory—to the Committee on the Territories.

REORGANIZATION OF THE JUDICIARY, UTAH TERRITORY.

By Mr. CAINE: A bill (H. R. 525) to provide for the reorganization of the judiciary of the Territory of Utah—to the Committee on the Judiciary.

FORT DOUGLAS MILITARY RESERVATION.

By Mr. CAINE: A bill (H. R. 526) granting a right of way on the Fort Douglas military reservation, in the Territory of Utah—to the Committee on Military Affairs.

CERTAIN LANDS OF THE UNITED STATES, UTAH TERRITORY.

By Mr. CAINE: A bill (H. R. 527) granting a right of way through certain lands of the United States in the Territory of Utah—to the Committee on Military Affairs.

FOURTH JUDICIAL DISTRICT, UTAH TERRITORY.

By Mr. CAINE: A bill (H. R. 528) to provide for the creation of a fourth judicial district in the Territory of Utah—to the Committee on the Judiciary.

PUBLIC BUILDING, SALT LAKE CITY, UTAH.

By Mr. CAINE: A bill (H. R. 529) to provide for the construction of a public building at Salt Lake City, Utah Territory—to the Committee on Public Buildings and Grounds.

OGDEN LAND DISTRICT, UTAH TERRITORY.

By Mr. CAINE: A bill (H. R. 530) to provide for the creation of the Ogden land district, in the Territory of Utah—to the Committee on the Public Lands.

PUBLIC BUILDING, OGDEN, UTAH.

By Mr. CAINE: A bill (H. R. 531) to provide for the purchase of a site, and the erection of a public building thereon, at Ogden, in the Territory of Utah—to the Committee on Public Buildings and Grounds.

The SPEAKER *pro tempore*. This completes the call of the States and Territories. A number of gentlemen having stated that they were unable to introduce bills when their States were called, for various reasons, if there be no objection the Chair will recognize such gentlemen now, and as there are quite a number of them the Chair will state that all will be recognized in order.

The introduction of bills under the same order was continued as follows:

PORT OF IMMEDIATE TRANSPORTATION, NEWARK, N. J.

By Mr. ENGLISH: A bill (H. R. 532) to constitute Newark, in the State of New Jersey, a port of immediate transportation—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING, PATERSON, N. J.

By Mr. CADMUS: A bill (H. R. 533) to increase the appropriation for the erection of a public building at Paterson, N. J.—to the Committee on Public Buildings and Grounds.

MATES IN THE NAVY.

By Mr. COMPTON: A bill (H. R. 534) relating to the pay and retirement of the mates in the Navy—to the Committee on Naval Affairs.

REVENUE-CUTTER SERVICE.

By Mr. COVERT: A bill (H. R. 535) to transfer the Revenue-Cutter Service from the Treasury Department to the Navy Department—to the Committee on Naval Affairs.

PLANTED OYSTERS IN RARITAN BAY.

By Mr. COVERT: A bill (H. R. 536) authorizing the Secretary of the Treasury to appoint commissioners to investigate certain claims for damages done to planted oysters in Raritan Bay in 1881—to the Committee on the Judiciary.

AMOUNT DUE THE STATE OF NEW YORK.

Mr. COVERT. Mr. Speaker, there was another bill which I sent to the Clerk's desk, and wish to have read.

The SPEAKER *pro tempore*. The Chair was informed that it was a private bill, but as it relates to a whole State the title will be read with the permission of the House.

The Clerk read the title of the bill, which was as follows:

A bill (H. R. 537) to pay to the State of New York the amount reported to be due that State in the letter of the Secretary of the Treasury.

The bill was referred to the Committee on Military Affairs.

ISSUANCE OF ARMS TO STATE MILITIA.

By Mr. ROCKWELL: A bill (H. R. 538) concerning the issuance of arms to the State militia—to the Committee on Military Affairs.

SWEATING SYSTEM OF TENEMENT LABOR.

By Mr. HOAR: A resolution to direct the Committee on Manufactures to investigate the so-called "sweating system of tenement labor"—to the Committee on Rules.

PAY OF MINORS IN THE ARMY.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 539) to regulate the pay of minors enlisted in the Army—to the Committee on Military Affairs.

SUNDAY LABOR.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 540) to prevent persons from being forced to labor on Sunday—to the Committee on the District of Columbia.

DEPARTMENT OF AGRICULTURE AND BUREAU OF PENSIONS.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 541) to enlarge the Department of Agriculture and to transfer the Bureau of Pensions to the War Department—to the Committee on Agriculture.

MONUMENT TO ZACHARY TAYLOR.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 542) to erect a monument to Zachary Taylor—to the Committee on the Library.

LICENSE TO PERSONS LIVING ON BOATS.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 543) to require persons who make their residence on boats on the interior waters of the United States to obtain license, and for other purposes—to the Committee on Interstate and Foreign Commerce.

WATER POWER ON THE KENTUCKY RIVER, KENTUCKY.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 544) to authorize the Secretary of War to grant leases or licenses for the use of water power on the Kentucky River, in the State of Kentucky—to the Committee on Rivers and Harbors.

PUBLIC BUILDING AT PARIS, KY.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 545) for the erection of a public building at Paris, Ky.—to the Committee on Public Buildings and Grounds.

WAR DAMAGES IN STATE OF PENNSYLVANIA.

By Mr. BELTZHOOVER: A bill (H. R. 546) to authorize the payment to the State of Pennsylvania of damages sustained by citizens of said State of Pennsylvania from Union and Confederate troops during the late war, as adjudicated and liquidated by the State of Pennsylvania, under the provisions of an act of the General Assembly of the said State of Pennsylvania, approved the 22d day of May, A. D. 1871—to the Committee on War Claims.

HARBORS OF GAYOZA AND CARUTHERSVILLE, MO.

By Mr. ARNOLD: A bill (H. R. 547) making an appropriation for the protection and improvement of the harbors of Gayoza and Caruthersville, Mo.—to the Committee on Rivers and Harbors.

HARBOR OF NEW MADRID, MO.

By Mr. ARNOLD: A bill (H. R. 548) making an appropriation for the protection and improvement of the harbor of New Madrid, Mo.—to the Committee on Rivers and Harbors.

HARBOR OF CAPE GIRARDEAU, MO.

By Mr. ARNOLD: A bill (H. R. 549) appropriating money for the improvement of the harbor of Cape Girardeau, Mo.—to the Committee on Rivers and Harbors.

BRIDGE OVER NORTH FORK OF WHITE WATERS, MISSOURI.

By Mr. ARNOLD: A bill (H. R. 550) making an appropriation for the building and construction of a bridge over the North Fork of White Water, in Ozark County, Mo.—to the Committee on Rivers and Harbors.

ARMY AND NAVY MUSICIANS.

By Mr. CUMMINGS: A bill (H. R. 551) to define the duties of Army and Navy musicians and to regulate their pay—to the Committee on Military Affairs.

CONTRACT LABOR.

By Mr. CUMMINGS: A bill (H. R. 552) to amend the contract labor law.

The SPEAKER *pro tempore*. This bill will be referred to the Committee on Labor.

Subsequently

Mr. OATES said: Mr. Speaker, if I understood correctly your reference of the bill to amend the contract labor law, the reference was to the Committee on Labor. That is an error. It should go to the Committee on Immigration and Naturalization, as the present law emanated from that Committee.

The SPEAKER *pro tempore*. If there be no objection, the reference indicated by the gentleman from Alabama will be made.

Mr. BUCHANAN of New Jersey. But, Mr. Speaker, bills of that character during the last Congress were referred to both of these committees.

The SPEAKER *pro tempore*. The Chair thinks that they might properly be referred to either one of the two committees. There are a number of cases in which there is concurrent jurisdiction in the committees, and the Chair thinks this is one of them.

PENSIONS TO LIFE-SAVING SERVICE.

By Mr. CUMMINGS: A bill (H. R. 553) granting pensions to certain officers and enlisted men of the Life-Saving Service, and to their widows and minor children—to the Committee on Pensions.

WIDOWS' PENSIONS.

By Mr. BROWN: A bill (H. R. 554) in relation to widows' pensions—to the Committee on Invalid Pensions.

MEXICAN WAR PENSIONS.

By Mr. BROWN: A bill (H. R. 555) relating to pensions of widows of soldiers of the Mexican war—to the Committee on Pensions.

PROOF IN PENSION CASES.

By Mr. BROWN: A bill (H. R. 556) to regulate proof in pension claims—to the Committee on Invalid Pensions.

THE TARIFF.

By Mr. FITCH: A bill (H. R. 557) to amend an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890—to the Committee on Ways and Means.

By Mr. FITCH: A bill (H. R. 558) to amend an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890—to the Committee on Ways and Means.

TOOLS AND IMPLEMENTS ON FREE LIST.

By Mr. STONE of Kentucky: A bill (H. R. 559) placing carpenters and blacksmiths' tools and all agricultural implements, including chains 1 inch in diameter and under, on the free list—to the Committee on Ways and Means.

TO PUT BINDERS' TWINE ON THE FREE LIST.

By Mr. STONE of Kentucky: A bill (H. R. 560) to place binders' twine made from sisal grass or manilla upon the free list—to the Committee on Ways and Means.

THE TARIFF.

By Mr. DOCKERY (for Mr. TARSNEY): A bill (H. R. 561) to amend paragraph 199, Schedule C, of the act of October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes"—to the Committee on Ways and Means.

ACCOUNTS OF THE WAR OF 1812.

By Mr. BUCHANAN of Virginia: A bill (H. R. 562) directing the Secretary of the Treasury to reëxamine and resettle the accounts of certain States and the city of Baltimore, growing out of moneys expended by said States and the city of Baltimore for military purposes during the war of 1812—to the Committee on War Claims.

PUBLIC BUILDING AT JOLIET, ILL.

By Mr. STEWARD of Illinois: A bill (H. R. 563) to provide for the erection of a Government building at Joliet, Ill.—to the Committee on Public Buildings and Grounds.

REPEAL OF TEN PER CENT TAX ON NOTES OF STATE BANKS.

By Mr. HENDERSON of North Carolina: A bill (H. R. 564) to repeal the tax of 10 per cent on notes of State banks used as circulation—to the Committee on Ways and Means.

OPINIONS BY UNITED STATES JUDGES UPON QUESTIONS OF FACT.

By Mr. HENDERSON of North Carolina: A bill (H. R. 565) to deprive the judge in a court of the United States of the authority to give an opinion upon questions of fact—to the Committee on the Judiciary.

AMENDMENT OF INTERNAL-REVENUE LAWS.

By Mr. HENDERSON of North Carolina: A bill (H. R. 566) to amend the internal-revenue laws, and for other purposes—to the Committee on the Judiciary.

DISTRIBUTION OF THE REPORTS OF THE SUPREME COURT.

By Mr. HENDERSON of North Carolina: A bill (H. R. 567) to amend section 683 of the Revised Statutes and section 7 of chapter 333, Laws of 1874 in appendix to Revised Statutes, relating to the distribution of the reports of the Supreme Court—to the Committee on the Judiciary.

ROAD FROM SALISBURY, N. C., TO THE NATIONAL CEMETERY.

By Mr. HENDERSON of North Carolina: A bill (H. R. 568) for the construction of a macadam road from the city of Salisbury, N. C., to the national cemetery near that place—to the Committee on Military Affairs.

RELIEF OF CERTAIN GAUGERS.

By Mr. HENDERSON of North Carolina: A bill (H. R. 569) for the relief of certain gaugers and other internal-revenue employés who have been assigned to duty and have rendered services before the date of their qualification—to the Committee on Claims.

THE FAMINE IN RUSSIA.

By Mr. STUMP: A resolution calling upon the President for information regarding the famine said to exist in Russia—to the Committee on Foreign Affairs.

UNITED STATES BONDS AND CURRENCY.

By Mr. LIVINGSTON: A resolution to create a special committee to prepare and submit certain information touching United States bonds, currency, and other matters related to the financial system of the United States—to the Committee on Rules.

LANDS FOR HOMES FOR OLD SOLDIERS.

By Mr. BAKER: A bill (H. R. 570) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein for homes for old soldiers and their families—to the Committee on the Public Lands.

PUBLIC BUILDING AT HOT SPRINGS RESERVATION.

By Mr. TERRY: A bill (H. R. 571) to provide for a building for the use of the post-office, the office of the superintendent of the Hot Springs Reservation, and the Government offices—to the Committee on Public Buildings and Grounds.

MILITARY POST NEAR LITTLE ROCK, ARK.

By Mr. TERRY: A bill (H. R. 572) to establish a military post near Little Rock, Ark.—to the Committee on Military Affairs.

INTERSTATE RAILWAYS.

By Mr. HALVORSEN: A bill (H. R. 573) to prevent the interstate railways from being used to unjustly centralize business and wealth, to provide for a uniform classification of freights, and to simplify and fix freight rates on all interstate railways in the United States—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING AT ST. CLOUD, MINN.

By Mr. HALVORSEN: A bill (H. R. 574) to provide for the purchase of a site and the erection of a public building thereon at St. Cloud, Minn.—to the Committee on Public Buildings and Grounds.

IMMIGRATION.

By Mr. LODGE: A bill (H. R. 575) to regulate immigration—to the Select Committee on Immigration and Naturalization.

PUBLIC BUILDING AT MEDFORD, MASS.

By Mr. LODGE: A bill (H. R. 576) for the erection of a public building at Medford, Mass.—to the Committee on Public Buildings and Grounds.

LEAVES OF ABSENCE TO GOVERNMENT EMPLOYÉS.

By Mr. LODGE: A bill (H. R. 577) providing for leaves of absence to certain per diem employés of the Government—to the Committee on Military Affairs.

FORLORN HOPE STORMING PARTY.

By Mr. LODGE: A bill (H. R. 578) to grant medals to survivors and heirs of volunteers of the Forlorn Hope storming party—to the Committee on Military Affairs.

LEAVES OF ABSENCE TO GOVERNMENT EMPLOYÉS.

By Mr. LODGE: A bill (H. R. 579) providing for leave of absence for officers and employés of the Government who receive per diem compensation—to the Committee on the Judiciary.

CLAIMS UNDER EIGHT-HOUR LAW.

By Mr. LODGE: A bill (H. R. 580) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law—to the Committee on Claims.

FOURTH-CLASS POSTMASTERS.

By Mr. LODGE: A bill (H. R. 581) to regulate the appointment of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

PROTECTION OF RAILROAD EMPLOYÉS.

By Mr. LODGE: A bill (H. R. 582) for the protection of property, trainmen, and other railroad employés in handling locomotive engines, freight trains, and freight cars engaged in interstate commerce—to the Committee on Interstate and Foreign Commerce.

RELIEF OF POOR SUITORS.

By Mr. O'NEILL of Missouri: A bill (H. R. 583) providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court—to the Committee on the Judiciary.

TRADE-MARKS.

By Mr. O'NEILL of Missouri: A bill (H. R. 584) providing penalties for violation of the laws relating to trade-marks—to the Committee on Patents.

PURCHASE OF A DREDGE-BOAT.

By Mr. O'NEILL of Missouri: A bill (H. R. 585) authorizing and directing the Secretary of War to purchase a dredge-boat for use between the mouth of Missouri and the Ohio River—to the Committee on Rivers and Harbors.

AMENDMENT OF TARIFF LAW.

By Mr. CAMPBELL: A bill (H. R. 586) to amend an act entitled "An act to reduce the revenue and equalize the duty on imports, and for other purposes," approved October 1, 1890—to the Committee on Ways and Means.

DUTY ON TEA.

By Mr. CAMPBELL: A bill (H. R. 587) to impose a discriminating duty on tea imported from this side of the Cape of Good Hope, and for other purposes—to the Committee on Ways and Means.

REPORTS OF SUPREME COURT.

By Mr. CAMPBELL: A bill (H. R. 588) to amend chapter 135 of the laws of 1889, entitled "An act to amend section 683 of the Revised Statutes of the United States, relating to the distribution of the reports of the Supreme Court"—to the Committee on the Judiciary.

REDUCTION OF LETTER POSTAGE.

By Mr. POST: A bill (H. R. 589) to reduce letter postage to 1 cent per ounce—to the Committee on the Post-Office and Post-Roads.

GOLD AND SILVER CERTIFICATES, ETC.

By Mr. POST: A bill (H. R. 590) to authorize the deposit in United States mints of gold and silver bullion, the product of mines in the United States, and to provide for the issuing of legal-tender redeemable gold and silver certificates—to the Committee on Coinage, Weights, and Measures.

DES MOINES, IOWA, A PORT OF DELIVERY.

By Mr. HULL: A bill (H. R. 591) to constitute Des Moines, Iowa, a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," to the said port of Des Moines—to the Committee on Interstate and Foreign Commerce.

RATIONS FOR GRAND ARMY ENCAMPMENT.

By Mr. PICKLER: A bill (H. R. 592) to authorize the Secretary of War to furnish rations to the members of the Grand Army of the Republic who attend the annual encampment at Washington in September, 1892—to the Committee on Military Affairs.

REGISTERED PARCEL POST.

By Mr. TAYLOR of Illinois: A bill (H. R. 593) to establish a registered parcel-post system, and for other purposes—to the Committee on the Post-Office and Post-Roads.

REGISTRATION OF DOMESTIC MAIL MATTER.

By Mr. TAYLOR of Illinois: A bill (H. R. 594) to reduce the charge for registration of domestic mail matter, and for other purposes—to the Committee on the Post-Office and Post-Roads.

PENSIONS.

By Mr. SMITH of Illinois: A bill (H. R. 595) to amend clause 5 of section 4693 of the Revised Statutes of the United States, Title LVII—to the Committee on Invalid Pensions.

REIMBURSEMENT OF SOLDIERS, WAR OF THE REBELLION.

By Mr. SMITH of Illinois: A bill (H. R. 596) to reimburse the soldiers of the war of the rebellion, or their widows, heirs, mothers, or fathers, for the average annual difference between the value of paper currency, in which such soldiers were paid, and the value of gold at such time, and to provide for the issuance of Treasury notes in payment of such amounts, and for other purposes—to the Committee on Claims.

RELIEF OF APPLICANTS FOR PENSION.

By Mr. SMITH of Illinois: A bill (H. R. 597) to relieve applicants for pensions from the necessity of proving that the soldier was free from disease or other disability prior to his being mustered into the service of the United States, and for other purposes—to the Committee on Invalid Pensions.

ADMINISTRATION OF OATHS BY POSTMASTERS.

By Mr. SMITH of Illinois: A bill (H. R. 598) granting authority to postmasters to administer oaths in certain pension cases, and for other purposes—to the Committee on the Judiciary.

ONE-CENT POSTAGE.

By Mr. SMITH of Illinois: A bill (H. R. 599) to reduce letter

postage to 1 cent per one-half ounce—to the Committee on the Post-Office and Post-Roads.

IMPORTATION OF ADULTERATED TEAS.

By Mr. PAYNE: A bill (H. R. 600) to amend the act entitled "An act to prevent the importation of adulterated and spurious teas," approved March 2, 1883—to the Committee on Ways and Means.

PATENTS.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 601) revising and amending the statutes relating to patents—to the Committee on Patents.

PENSIONS, LIFE-SAVING SERVICE.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 602) granting pensions to certain officers and enlisted men of the Life-Saving Service and to their widows and minor children—to the Committee on Pensions.

EFFICIENCY OF THE LIFE-SAVING SERVICE.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 603) to amend and reënact section 5 of an act entitled "An act to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck," approved May 4, 1882—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING, ATLANTIC CITY, N. J.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 604) to authorize the erection of a public building at Atlantic City, N. J.—to the Committee on Public Buildings and Grounds.

MONUMENTAL COLUMN, BATTLE OF PRINCETON.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 605) in regard to a monumental column to commemorate the battle of Princeton—to the Committee on the Library.

LIABILITY OF USERS OF PATENTED ARTICLES.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 606) limiting the liability of the users of patented articles in certain cases—to the Committee on Patents.

REPORTS OF AGRICULTURAL SOCIETIES.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 607) authorizing reports of societies of an agricultural character to be carried at newspaper rates of postage—to the Committee on the Post-Office and Post-Roads.

TONNAGE DUES ON AMERICAN SHIPPING.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 608) to abolish tonnage dues upon American shipping—to the Committee on Merchant Marine and Fisheries.

AMENDMENT, PENSION LAWS.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 609) to amend section 4718 of the Revised Statutes of the United States, and for other purposes—to the Committee on Invalid Pensions.

PORT OF OGDENSBURG, N. Y.

By Mr. CURTIS: A bill (H. R. 610) extending the privileges of the first and seventh sections of the act approved June 10, 1880, governing the transportation of merchandise without appraisement to the port of Ogdensburg, in the State of New York—to the Committee on Interstate and Foreign Commerce.

SAFETY COUPLING APPLIANCES ON RAILWAYS.

By Mr. MARTIN: A bill (H. R. 611) to compel operators of railway lines to use safety coupling appliances, and providing penalties and damages for violation—to the Committee on Railways and Canals.

PUBLIC BUILDING, ELGIN, ILL.

By Mr. HOPKINS of Illinois: A bill (H. R. 612) for the erection of a public building at the city of Elgin, Ill.—to the Committee on Public Buildings and Grounds.

BRANCH MINT AT CHICAGO.

By Mr. HOPKINS of Illinois: A bill (H. R. 613) to establish a branch mint of the United States at Chicago, in the State of Illinois—to the Committee on Coinage, Weights, and Measures.

SPECULATION IN GOLD AND SILVER BULLION.

By Mr. HOPKINS of Illinois: A bill (H. R. 614) to prohibit speculation in gold and silver bullion and certificates representing deposits of gold and silver bullion with trust companies, etc., and for other purposes—to the Committee on Coinage, Weights, and Measures.

NATIONAL BANKS AS AGENTS OF LOTTERY COMPANIES.

By Mr. HOPKINS of Illinois: A bill (H. R. 615) to prevent national banks from acting as agents of lottery companies and forfeiting the charters of said banks for violations of the postal laws—to the Committee on Banking and Currency.

UNIFORM SYSTEM OF BANKRUPTCY.

By Mr. HOPKINS of Illinois: A bill (H. R. 616) to establish a uniform system of bankruptcy throughout the United States—to the Committee on the Judiciary.

CERTAIN LANDS, LAKE COUNTY, ILL.

By Mr. HOPKINS of Illinois: A bill (H. R. 617) to quiet the title to certain lands in Lake County, Ill.—to the Committee on the Public Lands.

DETAIL OF ARMY OFFICERS, WORLD'S COLUMBIAN EXPOSITION.

By Mr. NEWBERRY: A bill (H. R. 618) authorizing the Secretary of War to detail certain officers of the Army for special duty in connection with the World's Columbian Exposition—to the Committee on Military Affairs.

COMMANDER OF THE ARMY OF THE UNITED STATES.

By Mr. NEWBERRY: A bill (H. R. 619) to fix the rank, pay, and emoluments of the commander of the Army of the United States—to the Committee on Military Affairs.

DEPARTMENT OF PUBLIC HEALTH.

By Mr. CALDWELL: A bill (H. R. 620) to establish a department of public health—to the Committee on the Judiciary.

THE LATE WILLIAM HENRY HARRISON.

By Mr. CALDWELL: A bill (H. R. 621) for the erection of a monument to the late William Henry Harrison, at North Bend, Ohio—to the Committee on the Library.

INVALID PENSIONS.

By Mr. LIND: A bill (H. R. 622) to amend section 4693 of the Revised Statutes of the United States relating to invalid pensions—to the Committee on Invalid Pensions.

HARBOR AT SAVANNAH, GA.

By Mr. LESTER of Georgia: A bill (H. R. 623) for the improvement of the harbor at Savannah, in the State of Georgia—to the Committee on Rivers and Harbors.

PUBLIC BUILDING, BRUNSWICK, GA.

By Mr. LESTER of Georgia: A bill (H. R. 624) for the erection of a custom-house and post-office building at Brunswick, Ga.—to the Committee on Public Buildings and Grounds.

TIMBER LANDS OF THE UNITED STATES IN IDAHO.

By Mr. SWEET: A bill (H. R. 625) to provide for the protection and preservation of the timbered lands of the United States in the State of Idaho—to the Committee on the Public Lands.

UNITED STATES COURT, IDAHO.

By Mr. SWEET: A bill (H. R. 626) to provide the times and places for holding the terms of the United States courts in the State of Idaho—to the Committee on the Judiciary.

ARID LANDS, IDAHO.

By Mr. SWEET: A bill (H. R. 627) to provide for the reclamation and irrigation of the arid lands in the State of Idaho—to the Select Committee on Irrigation of Arid Lands in the United States.

PUBLIC BUILDING, BOISÉ CITY, IDAHO.

By Mr. SWEET: A bill (H. R. 628) to provide for the purchase of a site and erection of a public building thereon, at Boisé City, in the State of Idaho—to the Committee on Public Buildings and Grounds.

PRACTICE OF DENTISTRY, DISTRICT OF COLUMBIA.

By Mr. SWEET: A bill (H. R. 629) for the regulation of the practice of dentistry in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

PUBLIC BUILDING, ALPENA, MICH.

By Mr. WEADOCK: A bill (H. R. 630) for the erection of a public building at Alpena, Mich.—to the Committee on Public Buildings and Grounds.

PENSIONS FOR DEAF SOLDIERS AND SAILORS.

By Mr. DE FOREST: A bill (H. R. 631) to allow a pension of $60 per month to soldiers and sailors who have totally lost their hearing—to the Committee on Invalid Pensions.

BEAUFORT LIBRARY, SOUTH CAROLINA.

By Mr. ELLIOTT of South Carolina: A joint resolution (H. Res. 36) for the restoration of the books of the Beaufort Library Society, of Beaufort, S. C.—to the Committee on the Library.

PUBLIC BUILDING, JOPLIN, MO.

By Mr. DE ARMOND: A bill (H. R. 632) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, NEVADA, MO.

By Mr. DE ARMOND: A bill (H. R. 633) to provide for the purchase of a site and the erection of a public building thereon at Nevada, in the State of Missouri—to the Committee on Public Buildings and Grounds.

THE TARIFF.

By Mr. ENLOE: A bill (H. R. 634) to repeal the tariff law of 1890—to the Committee on Ways and Means.

SUGAR AND MOLASSES.

By Mr. ENLOE: A bill (H. R. 635) to place sugar and molasses on the free list in respect to tariff taxes, and to repeal the bounty on sugar—to the Committee on Ways and Means.

MAIL SUBSIDIES.

By Mr. ENLOE: A resolution opposing further contracts for mail subsidies under the act of March 3, 1891—to the Committee on the Post-Office and Post-Roads.

OCEAN MAIL SERVICE.

By Mr. ENLOE: A bill (H. R. 636) to repeal an act entitled "An act to provide ocean mail service between the United States and foreign ports, and to promote commerce," approved March 3, 1891—to the Committee on the Post-Office and Post-Roads.

PARAGRAPH 199, SCHEDULE C OF THE REVENUE LAWS.

By Mr. ENLOE: A bill (H. R. 637) to amend paragraph 199 of Schedule C of an act entitled "An act to reduce revenues and equalize duties on imports, and for other purposes," approved October 1, 1890—to the Committee on Ways and Means.

ELECTION OF UNITED STATES SENATORS BY THE PEOPLE.

By Mr. ENLOE: A joint resolution (H. Res. 37) proposing an amendment to the Constitution of the United States providing for the election of Senators by the legal voters of the States—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

FREE COINAGE OF SILVER.

By Mr. ENLOE: A bill (H. R. 638) for the free coinage of silver—to the Committee on Coinage, Weights, and Measures.

USE OF SCHOOL AND CHURCH PROPERTY DURING THE LATE WAR.

By Mr. ENLOE: A bill (H. R. 639) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims for the use and occupation of church and school buildings and grounds for Government purposes by the United States military authorities during the late war, and all claims for damages resulting from the appropriation to Government use of any of the furnishings or materials in said class of buildings—to the Committee on War Claims.

FREE COTTON-TIES.

By Mr. ENLOE: A bill (H. R. 640) to place cotton-ties on the free list—to the Committee on Ways and Means.

FREE AGRICULTURAL IMPLEMENTS AND MACHINERY.

By Mr. ENLOE: A bill (H. R. 641) to place agricultural implements and machinery on the free list—to the Committee on Ways and Means.

FREE COTTON-BAGGING.

By Mr. ENLOE: A bill (H. R. 642) to place cotton-bagging or other materials suitable for baling cotton on the free list—to the Committee on Ways and Means.

FREE SALT.

By Mr. ENLOE: A bill (H. R. 643) to provide for the importation of salt free of duty—to the Committee on Ways and Means.

FREE TINNED PLATE.

By Mr. ENLOE: A bill (H. R. 644) placing tinned plate on the free list—to the Committee on Ways and Means.

FREE BARBED WIRE.

By Mr. ENLOE: A bill (H. R. 645) to place barbed wire on the free list—to the Committee on Ways and Means.

GRADUATED INCOME TAX.

By Mr. ENLOE: A bill (H. R. 646) to equalize taxation and impose a graduated income tax—to the Committee on Ways and Means.

CONGRESSIONAL FUNERALS.

By Mr. ENLOE: A bill (H. R. 647) to regulate the expenditures of the officers of the Senate and House of Representatives in the matter of Congressional funerals—to the Committee on Accounts.

PENSIONS TO SOLDIERS OF INDIAN WARS.

By Mr. ENLOE: A bill (H. R. 648) granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war—to the Committee on Pensions.

PAYMENT OF CERTIFIED CLAIMS.

By Mr. ENLOE: A bill (H. R. 649) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department—to the Committee on War Claims.

REFUND OF COTTON TAX.

By Mr. ENLOE: A bill (H. R. 650) to refund certain taxes collected by the United States on raw cotton during the years 1863, 1864, 1865, 1866, 1867, and 1868—to the Committee on Ways and Means.

YEA-AND-NAY VOTE ON REVENUE AND APPROPRIATION BILLS.

By Mr. ENLOE: A resolution to amend the rules so as to require a yea-and-nay vote on revenue and general appropriation bills—to the Committee on Rules.

Mr. ENLOE. Mr. Speaker, I ask that that resolution be printed in the RECORD.

The SPEAKER *pro tempore*. If there be no objection the resolution will be printed in the RECORD.

There was no objection.

The resolution is as follows:

Resolved, That Rule XXI be amended by adding thereto as an additional clause the following:

"Upon all general appropriation and revenue bills, and bills for the improvement of rivers and harbors, the yeas and nays shall be taken on the passage of such bills in the House, and entered upon the Journals."

TWO JUDICIAL DISTRICTS IN NEBRASKA.

By Mr. BRYAN: A bill (H. R. 651) to divide the State of Nebraska into two judicial districts—to the Committee on the Judiciary.

WAGON ROADS, ETC., TO COAL MINES.

By Mr. TOWNSEND: A bill (H. R. 652) to authorize the acquisition of lands for coke ovens and other improvements, and for right of way for wagon roads, railroads, and tramways in connection with coal mines—to the Committee on the Public Lands.

DONATIONS TO RUSSIA.

By Mr. MILLER: A resolution authorizing the Secretary of the Navy to order a sufficient number of United States vessels to convey to Russia all donations made by citizens of the United States to the people of Russia—to the Committeeon Foreign Affairs.

RECLAMATION OF ARID LANDS.

By Mr. SPRINGER: A bill (H. R. 653) to provide for the reclamation of the arid lands of the United States and their settlement under the homestead laws—to the Select Committee on Irrigation of Arid Lands in the United States.

MEXICAN AWARDS.

By Mr. SPRINGER: A bill (H. R. 654) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868"—to the Committee on Foreign Affairs.

By Mr. SPRINGER: A bill (H. R. 655) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868—to the Committee on Foreign Affairs.

AVENUE THROUGH THE MALL.

By Mr. SPRINGER: A bill (H. R. 656) to enlarge the eastern end of the Mall, to lay out an avenue through said Mall, and for other purposes—to the Committee on Public Buildings and Grounds.

ROAD TO NATIONAL CEMETERY, GRAFTON, W. VA.

By Mr. WILSON of West Virginia: A bill (H. R. 657) making an appropriation for constructing a road to the national cemetery at Grafton, W. Va.—to the Committee on Military Affairs.

FAMINE IN RUSSIA.

Mr. BLOUNT. Mr. Speaker, on yesterday the House, on motion of the gentleman from Kentucky [Mr. BRECKINRIDGE], postponed indefinitely Senate resolution No. 21, authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor of Russia. I desire now to give notice that hereafter I shall make a motion to reconsider the vote by which that joint resolution was indefinitely postponed.

Mr. SPRINGER. I think that motion ought to be entered now.

Mr. BLOUNT. The gentleman from Illinois thinks so; I do not. If the Chair so decides, however, I will enter the motion.

Mr. BRECKINRIDGE of Kentucky. I rise to a parliamentary

inquiry. Does the Chair think that the gentleman from Georgia [Mr. BLOUNT], having voted against the motion to postpone, has a right to make the motion to reconsider?

Mr. BLOUNT. The gentleman from Kentucky was here yesterday and ought to know.

The SPEAKER *pro tempore*. The Chair will state, in response to the inquiry of the gentleman from Kentucky, that the final vote, which the gentleman from Georgia moved to reconsider, was not a yea-and-nay vote, and therefore any member of the House can move to reconsider it.

Mr. BLOUNT. Mr. Speaker——

Mr. BRECKINRIDGE of Kentucky. I have no doubt the decision of the Chair would be entirely accurate if the rules of any former House had been adopted, but I doubt whether it is so in the absence of rules.

The SPEAKER *pro tempore*. The Chair thinks this has been the practice of the House; a practice so long established and followed that it is a safe guide in this matter.

Mr. BRECKINRIDGE of Kentucky. I think the Chair would be entirely accurate as to any other gentleman except the gentleman from Georgia, because the rule is founded upon this reason: that where there is no record of a vote the gentleman offering to make the motion can not be shown not to have voted in the affirmative; but in this case the Journal and the RECORD will show that the gentleman from Georgia [Mr. BLOUNT] did ask for tellers in opposition to the motion, so that he is on record as having opposed it. Now, no other gentleman is so on record, and therefore the reason of the rule does not apply to anybody but the gentleman from Georgia.

The SPEAKER *pro tempore*. The Chair does not remember any instance in which such a distinction has been drawn, and thinks that the rule and practice have been to allow any member to move a reconsideration in such cases. However, the gentleman from Kentucky can reserve the point of order if he desires.

Mr. BRECKINRIDGE of Kentucky. I have no objection to the motion to reconsider; indeed, I would be willing to enter it myself. But I did not wish the gentleman from Georgia to appear upon the record in an inconsistent position. [Laughter.]

Mr. BLOUNT. Mr. Speaker, I should like the opinion of the Chair as to whether the notice I have given is sufficient, or whether the motion ought to be made now.

The SPEAKER *pro tempore*. The Chair thinks the usual custom is to enter the motion, and it can be called up at any time.

Mr. BLOUNT. Very well. Then I make the motion to reconsider, to be called up hereafter.

Mr. KILGORE. And I move to lay that motion on the table.

The SPEAKER *pro tempore*. The Chair will first state the proposition. The gentleman from Georgia [Mr. BLOUNT] enters a motion to reconsider, and gives notice that he will ask for action upon it at a future time.

Mr. KILGORE. I do not think the gentleman making the motion to reconsider can control the action of other members who are not parties to it, and the motion to lay on the table is in order at any time.

The SPEAKER *pro tempore*. The Chair thinks that if the gentleman from Texas [Mr. KILGORE] insists upon that motion and present consideration of the question, it is in order.

Mr. BLOUNT. Mr. Speaker, such has never been the practice of the House. I have not made the motion to be entertained now, and it will not be entertained at this time. When the House comes to consider my motion, then the motion of the gentleman from Texas will be in order. But the practice of the House has been——

The SPEAKER *pro tempore*. The Chair thinks that while the custom has been to act upon such a motion at the time when the gentleman making it may see fit to call it up, still there is a right on the part of any member, whenever the motion is made, to insist on consideration and move to lay it on the table.

Mr. BRECKINRIDGE of Kentucky. Did the gentleman enter the motion to reconsider, or did he simply give notice of such a motion.

Mr. BLOUNT. I did both.

Mr. BRECKINRIDGE of Kentucky. I understand, Mr. Speaker, the gentleman from Texas [Mr. KILGORE] is willing that both motions shall go over.

Mr. KILGORE. Yes, sir; I have no objection to permitting both motions to go over.

The SPEAKER *pro tempore*. The gentleman from Texas will accomplish his object in that way. His motion to lay upon the table is made, and both motions will go over for future action.

PRINTING FOR COMMITTEE ON WAYS AND MEANS.

Mr. SPRINGER. I desire unanimous consent for the present consideration of a resolution which I send to the Clerk's desk, and which I have been instructed by the Committee on Ways and Means to ask the House to adopt.

The Clerk read as follows:

Resolved, That the Committee on Ways and Means be, and is hereby, authorized to have printed and bound such documents and papers for the use of said committee as it may deem necessary in connection with subjects considered or to be considered by the Committee on Ways and Means during the term of the Fifty-second Congress.

Mr. SPRINGER. A resolution of this character has been usual heretofore, and I ask immediate consideration of the question.

There being no objection, the House proceeded to the consideration of the resolution; which was adopted.

Mr. SPRINGER moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PRINTING LOCAL RIVER AND HARBOR BILLS.

Mr. BLANCHARD. Mr. Speaker, on the call of States for the introduction of bills there have been introduced numerous bills for the improvement of particular rivers and harbors; and under the rule which has been adopted 500 copies of each of these bills will have to be printed. Now, as gentlemen are aware, improvements of rivers and harbors when reported are included in one general bill, and the printing of so many copies of these bills for the improvement of particular rivers and harbors will be an entirely useless expense. I therefore ask unanimous consent that there be printed 50 copies instead of 500 copies of these various bills relating to rivers and harbors.

Mr. BLOUNT. Why should not this whole matter be left to the Committee on Printing? I think my friend from Louisiana [Mr. BLANCHARD] had better leave it there.

Mr. MCCREARY. I suggest that if any order of this kind is to be adopted, we should print at least 100 copies of each bill.

Mr. BLANCHARD. I will accept the gentleman's suggestion, and modify my request in that way.

The SPEAKER *pro tempore*. The gentleman from Louisiana modifies his original request and now asks that of the bills providing for special river and harbor improvements there be printed 100 copies instead of 500, as already provided. Is there objection?

Mr. BUSHNELL. I object. I will say——

Mr. BLANCHARD. Heretofore they have not been printed at all.

Mr. BUSHNELL. It seems to me that they ought to be printed, at least enough of them to give us information as to what we are doing.

Mr. BLANCHARD. My proposition is to print 100 copies of each bill, instead of 500 copies which would be printed unless we take the action I ask. The object is simply to save useless expenditure. These separate bills are never reported back; these particular improvements are all included in one general bill.

Mr. BUSHNELL. If the question is simply as to printing the separate bills, I do not care particularly about that; and I withdraw my objection.

The SPEAKER *pro tempore*. The Chair will state the proposition. The rule provides for the printing of 500 copies of every public bill introduced, which would include these various bills for the improvement of rivers and harbors. The gentleman from Louisiana, the chairman of the committee on that subject, states that in view of the fact that these various local improvements are never reported separately, but are all included in a general bill, the number to be printed of each bill should be reduced to 100.

Mr. OATES. The gentleman's proposition excepts from the rule no other bills than those relating to rivers and harbors?

Mr. BLANCHARD. That is all.

The SPEAKER *pro tempore*. Is there objection to the proposition of the gentleman from Louisiana? The Chair hears none, and it is so ordered.

Mr. DAVIS. I object.

The SPEAKER *pro tempore*. The Chair thinks the gentleman's objection comes rather late; but still, as he was on his feet and may have been seeking the attention of the Chair, the objection will be entertained.

Mr. BLANCHARD. I submit that the objection came too late.

The SPEAKER *pro tempore*. The point is made that the objection came too late. The Chair will ask the gentleman from Kansas [Mr. DAVIS] whether, at the time the announcement from the Chair was made, he was on his feet seeking to obtain recognition from the Chair in order to object.

Mr. DAVIS. I rose for that purpose, Mr. Speaker, but was not heard. Two or three other gentlemen were recognized while I was on my feet seeking the attention of the Chair.

The SPEAKER *pro tempore*. The gentleman's object was to object?

Mr. DAVIS. Yes, sir; I objected four or five times.

The SPEAKER *pro tempore*. The Chair thinks the gentleman's statement covers the case, and will recognize the objection. The gentleman from Kansas [Mr. DAVIS] objects.

Some time subsequently

Mr. DAVIS said: On the explanation which I have received from gentlemen around me I will withdraw the objection.

Mr. ENGLISH. I renew it.

The SPEAKER *pro tempore*. The gentleman from New Jersey renews the objection.

Subsequently

Mr. ENGLISH said: As I understand that this relates only to the printing of the bills introduced for the improvement of rivers and harbors to-day, I will withdraw the objection.

There being no further objection, the request of Mr. BLANCHARD was then agreed to.

PRINTING FOR COMMITTEE ON APPROPRIATIONS.

Mr. HOLMAN. Mr. Speaker, I am directed by the Committee on Appropriations to ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Committee on Appropriations be authorized to have printed and bound all documents for the use of said committee that it may deem necessary in connection with subjects in relation to appropriations being considered, or to be considered, by the said committee during the Fifty-second Congress.

The resolution was adopted.

On motion of Mr. HOLMAN the motion to reconsider the last vote was laid on the table.

PREPARATION OF APPROPRIATION BILLS.

Mr. HOLMAN. I am also directed to ask present consideration of the resolution I now send to the desk.

The Clerk read as follows:

Resolved, That the Committee on Appropriations shall have power to send for persons and papers and administer oaths in pursuing inquiries touching any matters of legislation referred to it by the House, and shall have leave to sit during the sessions of the House, during the Fifty-second Congress.

Mr. HOLMAN. Permit me to say a word in regard to this resolution. The authority to sit during the sessions of the House has usually been granted to that committee, but the other proposition, authorizing the committee to send for persons and papers in regard to inquiries referred to it by the House, has not been uniformly adopted, but at successive sessions of Congress a similar provision has been adopted as a matter of convenience, and to avoid the necessity of directly appealing to the House for such authority in particular cases.

The resolution was adopted.

On motion of Mr. HOLMAN the motion to reconsider the last vote was laid on the table.

ASSIGNMENT OF COMMITTEE CLERKS.

Mr. RUSK. Mr. Speaker, I submit a privileged report from the Committee on Accounts.

The Clerk read as follows:

Resolved, That the Committee on Accounts is hereby authorized and directed to designate the committees of the House to which clerks provided for by the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1892, should be allowed and assigned for the present Congress, and report by resolution to the House for its action thereon.

Mr. RUSK. The report accompanying the resolution recommends its passage.

I will state, for the information of the House, that the object of the resolution, which is passed at the beginning of each Congress, is simply to authorize the Committee on Accounts to make distribution of the clerical force provided for by the appropriation bill to the various committees in order that they may complete their organization and proceed to the work of the session. The necessity that this work should be done by the Committee on Accounts arises from the fact that while the salaries of a number of the clerks provided for by the general appropriation bill is specified, the great majority of the committee clerks are provided for in bulk, and it is necessary in selecting and assigning the clerks that the aggregates of the expenditure provided for salaries should not exceed the total appropriation. Hence it is important that this work should be done.

Further, I will state to the House it is no way bound by the report of the committee, as the resolution requires it to report back to the House for consideration.

The resolution was adopted.

On motion of Mr. RUSK, the motion to reconsider the last vote was laid on the table.

SURVEY OF SHIP CANAL, LAKES MICHIGAN AND SUPERIOR.

Mr. STEPHENSON introduced a bill (H. R. 658) providing for the survey of a ship canal connecting Lakes Michigan and Superior—to the Committee on Rivers and Harbors.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. AMERMAN (by request): A bill (H. R. 659) for the relief of Henry George—to the Committee on Claims.

Also, a bill (H. R. 660) for the relief of Amy C. Capwell—to the Committee on Claims.

By Mr. ATKINSON: A bill (H. R. 661) to increase the pension of John A. Doyle—to the Committee on Pensions.

Also, a bill (H. R. 662) for the relief of Levi Neitz—to the Committee on Military Affairs.

Also, a bill (H. R. 663) for the relief of William Kline—to the Committee on Military Affairs.

Also, a bill (H. R. 664) for the relief of John M. Querry and others—to the Committee on Military Affairs.

Also, a bill (H. R. 665) for the relief of Henry S. Wishart—to the Committee on Military Affairs.

Also, a bill (H. R. 666) authorizing the restoration to the Reform School of boys who have been discharged on probation, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 667) granting a pension to Isaac Wise—to the Committee on Invalid Pensions.

By Mr. ANDREW: A bill (H. R. 668) to carry out the findings of the Court of Claims in the case of Augustus P. Burditt—to the Committee on War Claims.

Also, a bill (H. R. 669) for relief of Dabney, Simmons & Co.—to the Committee on Claims.

Also, a bill (H. R. 670) granting a pension to Ellen Maguire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 671) for the relief of Huldah C. Packard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 672) granting a pension to Mary E. Dillaway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 673) to remove the charge of desertion from Elijah Boston—to the Committee on Military Affairs.

Also, a bill (H. R. 674) to remove the charge of desertion from the military record of Robert Downing—to the Committee on Naval Affairs.

Also, a bill (H. R. 675) for the relief of William R. Boag—to the Committee on Military Affairs.

By Mr. ARNOLD: A bill (H. R. 676) for the relief of Michael Dittlinger—to the Committee on War Claims.

By Mr. BLANCHARD: A bill (H. R. 677) for the relief of Joseph Metoyer and others—to the Committee on War Claims.

Also, a bill (H. R. 678) for the relief of estate of Joseph Martin—to the Committee on War Claims.

Also (by request), a bill (H. R. 679) for the relief of Jacob A. Wolfson—to the Committee on War Claims.

Also, a bill (H. R. 680) for the relief of Charles Dupre and others—to the Committee on War Claims.

Also, a bill (H. R. 681) for the relief of Joseph I. B. Kirk—to the Committee on Claims.

Also, a bill (H. R. 682) for the relief of Charles A. Pierson—to the Committee on War Claims.

Also, a bill (H. R. 683) for the relief of the heirs of John Schwartzenburg, deceased, late of Rapides Parish, La.—to the Committee on War Claims.

Also (by request), a bill (H. R. 684) for the relief of Jeannette D. Calvit, of Rapides Parish, La.—to the Committee on War Claims.

Also (by request), a bill (H. R. 685) for the relief of the estate of Jean Delille, late of Winn Parish, La.—to the Committee on War Claims.

Also (by request), a bill (H. R. 686) for the relief of Louisa Schraeder, widow of Charles Schraeder, and tutrix of minor children, of Rapides Parish, La.—to the Committee on War Claims.

Also (by request), a bill (H. R. 687) for the relief of the legal representatives of John Hoey, deceased—to the Committee on War Claims.

Also (by request), a bill (H. R. 688) for the relief of Thomas Kergon, of Rapides, La.—to the Committee on War Claims.

By Mr. BUSEY: A bill (H. R. 689) granting pension to David White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 690) granting pension to Sarah Jane Hay and helpless child—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 691) granting an increased pension to Jane Lister, mother of Madison Lister, Company C, Forty-first Illinois—to the Committee on Invalid Pensions.

Also, a bill (H. R. 692) granting a pension to Louisa F. Gamron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 693) granting pension to Robert B. Deem—to the Committee on Invalid Pensions.

Also, a bill (H. R. 694) for the relief of James E. Nidiffer—to the Committee on Military Affairs.

Also, a bill (H. R. 695) for the relief of Clifton McCallister—to the Committee on Military Affairs.

Also, a bill (H. R. 696) to correct the military record of William S. Duncan—to the Committee on Military Affairs.

Also, a bill (H. R. 697) granting a pension to Mrs. Sallie A. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 698) granting a pension to Mrs. Lydia E. Hahn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 699) granting a pension to O. C. Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 700) to correct record and grant discharge to John Cheney—to the Committee on Military Affairs.

By Mr. BOWERS: A bill (H. R. 701) for the relief of Charles Hensley—to the Committee on Indian Affairs.

Also, a bill (H. R. 702) to reimburse William Vandever for expenses incurred in defense of his title to his seat as a member of the House of Representatives of the Fiftieth Congress—to the Committee on Appropriations.

Also, a bill (H. R. 703) granting a pension to Charlotte Layton, now Harris—to the Committee on Pensions.

Also, a bill (H. R. 704) to restore William A. Winder to the United States Army and to place him on the retired list with the rank of captain of artillery—to the Committe on Military Affairs.

By Mr. BROSIUS (by request): A bill (H. R. 705) for the relief of the estate of A. H. Herr, deceased—to the Committee on War Claims.

Also, a bill (H. R. 706) to increase the pension of Mrs. Ellen Key Messersmith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 707) for the relief of the legal owners of the Columbia bridge at Columbia, Pa.—to the Committee on War Claims.

Also (by request), a bill (H. R. 708) for the relief of Benjamin F. Bruner—to the Committee on Invalid Pensions.

By Mr. BUCHANAN of Virginia: A bill (H. R. 709) for the relief of William Paxton—to the Committee on War Claims.

Also, a bill (H. R. 710) for the relief of Robert R. Doss—to the Committee on War Claims.

By Mr. BRICKNER: A bill (H. R. 711) to remove the charge of desertion now standing against Albert Keach—to the Committee on Military Affairs.

By Mr. BARWIG: A bill (H. R. 712) granting a pension to Jane A Ward, widow of D. A. Ward—to the Committee on Invalid Pensions.

By Mr. BELTZHOOVER: A bill (H. R. 713) for the relief of Charles S. Griest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 714) for the relief of Charlotte Snavely, of Mount Holly Springs, Cumberland County, Pa.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 715) granting a pension to Sarah Stoner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 716) for the relief of Valentine Sauppe—to the Committee on War Claims.

Also, a bill (H. R. 717) authorizing the President of the United States to appoint Jacob E. Noel, late lieutenant-commander United States Navy, a lieutenant-commander on the retired list of the Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 718) for the relief of Cornelia Smead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 719) granting a pension to Catharine A. Kling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 720) to authorize the payment of damages sustained by citizens of the State of Pennsylvania from Union and Confederate troops during the late war, as adjudicated and liquidated by the State of Pennsylvania under the provisions of an act of the General Assembly of the said State of Pennsylvania, approved the 22d day of May, A. D. 1871—to the Committee on War Claims.

By Mr. BUTLER: A bill (H. R. 721) granting a pension to Esther Doolittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 722) granting a pension to Orman N. Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 723) granting a pension to Sarah L. Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 724) granting a pension to Jane Shierry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 725) granting an honorable discharge to Henry Crangle—to the Committee on Military Affairs.

Also, a bill (H. R. 726) for the relief of Abraham Judd—to the Committee on Military Affairs.

By Mr. BRYAN: A bill (H. R. 727) for the relief of John Little and Hobart Williams, of Omaha, Nebr.—to the Committee on Indian Affairs.

Also, a bill (H. R. 728) authorizing and directing the Secretary of the Treasury to pay to the city of Lincoln, Nebr., one-half the cost of constructing pavements in front of the public square owned by the United States Government in said city—to the Committee on Public Buildings and Grounds.

By Mr. BELKNAP (by request): A bill (H. R. 729) for the relief of John H. Russell—to the Committee on War Claims.

By Mr. BERGEN: A bill (H. R. 730) for the relief of James A. Finley—to the Committee on Military Affairs.

Also, a bill (H. R. 731) granting a pension to Eliza K. Starr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 732) for the relief of James R. Thompson—to the Committee on War Claims.

Also, a bill (H. R. 733) for the relief of Rebecca J. Burdsall—to the Committee on Claims.

Also, a bill (H. R. 734) granting a pension to Amanda C. Appleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 735) granting a pension to Robert F. Easler—to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 736) for the relief Daniel Donovan—to the Committee on the District of Columbia.

Also, a bill (H. R. 737) granting a pension to Andrew M. Luke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 738) granting a pension to Elizabeth Louster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 739) granting a pension to Elijah W. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 740) granting a pension to John M. Kesselmark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 741) for the relief of Robert W. Allen, charged with desertion from the volunteer service—to the Committee on Military Affairs.

Also, a bill (H. R. 742) granting a pension to George Heishman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 743) for the relief of Ephraim Smallwood, George Smallwood, Jesse M. Browning, Allen Goss, and Frank Varney—to the Committee on War Claims.

Also, a bill (H. R. 744) for the relief of Aaron M. Applegate—to the Committee on War Claims.

Also, a bill (H. R. 745) for the relief of Phillip Deuser, charged with desertion from the volunteer service—to the Committee on Military Affairs.

Also, a bill (H. R. 746) for the relief of Ellen Quinn—to the Committee on Claims.

Also, a bill (H. R. 747) for the relief of John Schierling, administrator *de bonis non* of the estate of Gallus Kerchner, deceased—to the Committee on Claims.

Also, a bill (H. R. 748) authorizing and directing the Secretary of the Interior to place the name of Dr. A. Lanning on the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 749) for the relief of James H. Meekin, of New Albany, Ind.—to the Committee on War Claims.

Also, a bill (H. R. 750) for the relief of Mary A. Dawson—to the Committee on Invalid Pensions.

By Mr. BLANCHARD (by request): A bill (H. R. 751) for the relief of June Poitevent, administratrix of the estate of William J. Poitevent, deceased—to the Committee on War Claims.

Also, a bill (H. R. 752) for the relief of Emily Dietrick, Mary T. Hickman, and Ernestine Lemee, of Grant Parish, La.—to the Committee on War Claims.

By Mr. BUTLER: A bill (H. R. 753) granting arrears of pension to John B. Ryndes—to the Committee on Invalid Pensions.

By Mr. BRETZ: A bill (H. R. 754) directing the issue of duplicate United States bonds to Elijah P. Hollcroft, guardian of Burton J. Parr—to the Committee on Claims.

Also, a bill (H. R. 755) to remove the charges of desertion from William B. Grigsby—to the Committee on Military Affairs.

Also, a bill (H. R. 756) granting a pension to John K. Hummer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 757) granting a pension to James Coudra, late of the Marengo Light Guards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 758) granting a pension to Mrs. Rosa Welman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 759) granting a pension to Mrs. Nancy Pittman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 760) to date the pension granted Mary E. Hawn, widow of Emanuel R. Hawn, late surgeon of the Forty-ninth Indiana Volunteers, back to the date of her husband's death—to the Committee on Invalid Pensions.

Also, a bill (H. R. 761) granting a pension to William Longest, late of the Marengo Light Guards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 762) granting a pension to William Mathers, late of the Marengo Light Guards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 763) granting a pension to Washington Hislop, late of the Marengo Light Guards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 764) granting a pension to Joseph Verney, an unassigned Government employé—to the Committee on Invalid Pensions.

Also, a bill (H. R. 765) for the relief of Marion Martin, late second lieutenant Company E, One hundred and seventy-third Ohio Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 766) for the relief of George H. Crane, late of Company E, Sixty-fifth Indiana Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 767) for the relief of James A. Ball, late of Company E, Eighteenth Indiana Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 768) granting an honorable discharge to Anderson Arms—to the Committee on Military Affairs.

Also, a bill (H. R. 769) granting an honorable discharge to Harrison Pittman, of Orange County, Ind.—to the Committee on Military Affairs.

Also, a bill (H. R. 770) granting a discharge to David L. Grismore, late of Company D, Eightieth Indiana Volunteers—to the Committee on Military Affairs.

By Mr. BRUNNER: A bill (H. R. 771) for the relief of the Berks County Agricultural and Horticultural Society, of Berks County, Pa.—to the Committee on War Claims.

By Mr. BOATNER: A bill (H. R. 772) for relief of Hypolite Filhiol *et al.*, of Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 773) for the relief of the heirs of John T. Mason—to the Committee on War Claims.

Also, a bill (H. R. 774) for the relief of the heirs of Myra Clark Gaines—to the Committee on Private Land Claims.

Also, a bill (H. R. 775) for the relief of Emma C. Lovelace and Stephen D. Clark—to the Committee on War Claims.

Also, a bill (H. R. 776) for the relief of David H. Gibson—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 777) for the relief of I. B. Beard, of East Carroll Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 778) for the relief of W. B. Taylor—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 779) for the relief of Mary A. Dennis, formerly McFarland—to the Committee on War Claims.

Also, a bill (H. R. 780) for relief of estate of Nathan Trotter—to the Committee on War Claims.

Also, a bill (H. R. 781) for the relief of Fannie Solari—to the Committee on War Claims.

Also, a bill (H. R. 782) for the relief of Hypolite Filhiol and others, of Ouachita Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 783) for the relief of estate of T. M. Tucker—to the Committee on War Claims.

Also, a bill (H. R. 784) for the relief of estate of Patrick Gilfoil—to the Committee on War Claims.

By Mr. BARWIG: A bill (H. R. 785) for the relief of Catharine L. Kelsey, widow of Curtis F. Kelsey, late lieutenant of Company M, Fourteenth Regiment Heavy Artillery, New York Volunteers—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 786) for the relief of George H. Murdock—to the Committee on Military Affairs.

Also, a bill (H. R. 787) for the relief of Aurelia Rosencrants—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 788) to authorize the extension of the line of the Columbia Railway of the District of Columbia—to the Committee on the District of Columbia.

Also (by request), a bill (H. R. 789) to incorporate the Washington and Benning Street Railway Company—to the Committee on the District of Columbia.

By Mr. BENTLEY: A bill (H. R. 790) granting a pension to Mary Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 791) granting a pension to Mary G. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 792) granting a pension to Leander W. Fiske—to the Committee on Invalid Pensions.

Also, a bill (H. R. 793) to amend the military record of De Loss Cramer—to the Committee on Military Affairs.

Also, a bill (H. R. 794) to remove the charge of desertion from the military record of John W. Hughes—to the Committee on Military Affairs.

Also, a bill (H. R. 795) for the relief of Milo Loomis—to the Committee on Military Affairs.

By Mr. BRECKINRIDGE of Arkansas: A bill (H. R. 796) for the relief of the Pine Bluff Baptist Church, of Jefferson County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 797) for the relief of Henry M. Stone—to the Committee on War Claims.

Also, a bill (H. R. 798) for the relief of Margaret E. Watkins—to the Committee on War Claims.

Also, a bill (H. R. 799) for the relief of the estate of William B. Pool, deceased—to the Committee on War Claims.

Also, a bill (H. R. 800) for the relief of the estate of Samuel J. Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 801) for the relief of the estate of Isaac W. Talkington, deceased—to the Committee on the Public Lands.

Also, a bill (H. R. 802) for the relief of Lizzie E. McCord, administratrix of Moses S. McCord, deceased—to the Committee on War Claims.

Also, a bill (H. R. 803) for the relief of the estate of Thomas Hough, deceased, of Arkansas—to the Committee on War Claims.

Also, a bill (H. R. 804) for the relief of the legal representatives of Calvin B. Cunningham—to the Committee on War Claims.

Also, a bill (H. R. 805) for the relief of the estate of William Wright—to the Committee on War Claims.

Also, a bill (H. R. 806) for the relief of Marian F. Haynie—to the Committee on War Claims.

Also, a bill (H. R. 807) for the relief of James Lafferry—to the Committee on War Claims.

Also, a bill (H. R. 808) for the relief of Holliday S. Ravell—to the Committee on War Claims.

Also, a bill (H. R. 809) for the relief of Bayless E. Cobb—to the Committee on War Claims.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 810) for the relief of William Downing—to the Committee on War Claims.

Also, a bill (H. R. 811) for the relief of James Miller, of Bourbon County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 812) to adjust the accounts of Maj. Green Clay Goodloe, paymaster of the United States Marine Corps—to the Committee on Naval Affairs.

Also, a bill (H. R. 813) for the relief of Mrs. Attoway W. Chism—to the Committee on Invalid Pensions.

Also, a bill (H. R. 814) for the relief of Ann Stewart, administratrix of William A. Stewart, deceased—to the Committee on War Claims.

Also, a bill (H. R. 815) to carry out the findings of the Court of Claims in the case of James H. Dennis—to the Committee on Claims.

Also, a bill (H. R. 816) to pension Alexander Shields—to the Committee on Pensions.

Also, a bill (H. R. 817) to increase the pension of Maj. Andrew S. Bloom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 818) for the relief of Samuel S. Haynes—to the Committee on Claims.

Also, a bill (H. R. 819) to grant a pension to Ann Bolger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 820) for the relief of Eliza Bowman Major Reid—to the Committee on Pensions.

Also, a bill (H. R. 821) for the relief of Harry I. Todd—to the Committee on Claims.

Also, a bill (H. R. 822) to relieve Alexander Warren of the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 823) granting a pension to Judith M. Springate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 824) to increase the pension of Samuel H. Offutt—to the Committee on Pensions.

Also, a bill (H. R. 825) for the relief of John E. Edrington—to the Committee on Military Affairs.

Also, a bill (H. R. 826) for the relief of Samuel S. Haynes—to the Committee on Claims.

Also, a bill (H. R. 827) for the relief of James M. Jessee, Company G, Twenty-first Kentucky Volunteer Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 828) for the relief of Richard Hutchison—to the Committee on Pensions.

Also, a bill (H. R. 829) for the relief of C. W. Threlkeld—to the Committee on Claims.

Also, a bill (H. R. 830) for the relief of R. Hanson Graham—to the Committee on Claims.

Also, a bill (H. R. 831) to grant a pension to B. S. Callis, of Oldham County, Ky.—to the Commitee on Invalid Pensions.

Also, a bill (H. R. 832) for the relief of James C. Lemon—to the Committee on War Claims.

Also, a bill (H. R. 833) for the relief of H. P. Montgomery and Polly W. Garnett, executor and executrix of Granville E. Garnett, deceased—to the Committee on Claims.

Also, a bill (H. R. 834) for the relief of Mrs. R. P. Todhunter, of Fayette County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 835) for the relief of Mattie Ashurst, of Bourbon County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 836) for the relief of Uriah Edwards—to the Committee on War Claims.

Also, a bill (H. R. 837) for the relief of W. S. McChesney—to the Committee on War Claims.

Also, a bill (H. R. 838) for the benefit of A. W. Harper—to the Committee on War Claims.

Also, a bill (H. R. 839) for the relief of William Millican—to the Committee on Military Affairs.

Also, a bill (H. R. 840) for the relief of Dr. William Kenney—to the Committee on War Claims.

Also, a bill (H. R. 841) for the relief of H. P. Montgomery and Patty W. Garnett, executor and executrix of Gean Garnett, deceased—to the Committee on Claims.

Also, a bill (H. R. 842) for the relief of John Glore—to the Committee on Claims.

Also, a bill (H. R. 843) to pension Mrs. Millie Ritchey, widow of Greenberry Ritchey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 844) to relieve W. H. Cohorn from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 845) for the relief of La Fayette Adery—to the Committee on War Claims.

Also, a bill (H. R. 846) for the relief of Mary A. Bradford, administratrix—to the Committee on War Claims.

Also, a bill (H. R. 847) for the relief of D. W. Price—to the Committee on Claims.

Also, a bill (H. R. 848) for the relief of Dr. D. N. Potter—to the Committee on War Claims.

Also, a bill (H. R. 849) for the relief of Oldham County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 850) for the relief of Lawrence Tobin—to the Committee on War Claims.

Also, a bill (H. R. 851) for the relief of Mary B. Wiley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 852) for the benefit of Richard H. Taylor—to the Committee on Pensions.

Also, a bill (H. R. 853) for the relief of John M. Viley—to the Committee on Claims.

Also, a bill (H. R. 854) for the relief of the estate of Thomas V. Stirman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 855) for the relief of William W. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 856) for the relief of James Saffell and the executors of John Witherspoon—to the Committee on Claims.

Also, a bill (H. R. 857) for the relief of Dr. John R. Hall—to the Committee on War Claims.

Also, a bill (H. R. 858) for the relief of Thomas Kephart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 859) for the relief of E. C. Bainbridge—to the Committee on War Claims.

Also, a bill (H. R. 860) for the benefit of William Burton—to the Committee on War Claims.

Also, a bill (H. R. 861) for the benefit of James M. Speer *et al.*—to the Committee on War Claims.

Also, a bill (H. R. 862) for the relief of Leo L. Johnson—to the Committee on Claims.

Also, a bill (H. R. 863) for the relief of Sarah K. T. Baker, of Lexington, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 864) for the relief of the estate of Isaac N. Webb, deceased, William H. Wilson, administrator—to the Committee on War Claims.

Also, a bill (H. R. 865) for the relief of George W. Taylor—to the Committee on Claims.

Also, a bill (H. R. 866) granting a pension to Lewis D. Terry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 867) to authorize the Secretary of the Treasury to accept fountain and lamp from the city of Frankfort, Ky.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 868) for the relief of James S. Frizzell—to the Committee on War Claims.

Also, a bill (H. R. 869) for the relief of the estate of Marcus L. Broadwell—to the Committee on War Claims.

Also, a bill (H. R. 870) for the relief of Thomas C. Isgrig—to the Committee on War Claims.

Also, a bill (H. R. 871) for the relief of Francis Ford—to the Committee on War Claims.

Also, a bill (H. R. 872) for the relief of Susan H. Parker—to the Committee on Pensions.

Also, a bill (H. R. 873) granting the use of parts of certain streets in Washington City to the vestry of Washington Parish for the benefit of the Congressional Cemetery—to the Committee on the District of Columbia.

By Mr. BRODERICK: A bill (H. R. 874) for the relief of Charles H. Grover—to the Committee on Claims.

Also, a bill (H. R. 875) for the relief of Mattie A. Hand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 876) for the relief of Clayton Bowles—to the Committee on Military Affairs.

Also, a bill (H. R. 877) for the relief of James Gillice—to the Committee on Military Affairs.

Also, a bill (H. R. 878) granting a pension to Clark Barton—to the Committee on Pensions.

Also, a bill (H. R. 879) for the relief of Stalnaker Marteney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 880) for the relief of William C. Gilpatrick—to the Committee on Military Affairs.

Also, a bill (H. R. 881) for the relief of Franklin D. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 882) granting pension to Martha Allen and children, the widow and children of Robert A. Allen, of Company I, Second Regiment Kansas State Militia Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 883) for the relief of Jerome Kunkel—to the Committee on Military Affairs.

Also, a bill (H. R. 884) for relief of Stalnaker Marteny—to the Committee on Military Affairs.

Also, a bill (H. R. 885) for the relief of Jonathan Myers—to the Committee on War Claims.

Also, a bill (H. R. 886) for the relief of Thomas F. O'Reilly—to the Committee on Military Affairs.

Also, a bill (H. R. 887) for the relief of William D. Matthews—to the Committee on War Claims.

By Mr. BOWMAN: A bill (H. R. 888) granting a pension to Elizabeth Mohan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 889) for the relief of Daniel J. Ockerson—to the Committee on War Claims.

Also, a bill (H. R. 890) for the relief of E. J. Aldrich—to the Committee on War Claims.

Also, a bill (H. R. 891) to correct the military record of Elisha McColmant, late of Company H, Fourteenth Iowa Volunteer Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 892) for the relief of Denis Kelly—to the Committee on Naval Affairs.

By Mr. BROOKSHIRE (by request): A bill (H. R. 893) for the payment of Sewell Coulson and Porter, Harrison and Fishback for legal services—to the Committee on Claims.

Also, a bill (H. R. 894) to correct the military record of James M. Blankenship, alias Charles M. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 895) granting a pension to Amanda E. Poe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 896) to correct the military record of Elijah Watts—to the Committee on Military Affairs.

Also, a bill (H. R. 897) granting a pension to Sarah A. Conover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 898) to correct the military record of Samuel L. Hartman—to the Committee on Military Affairs.

Also, a bill (H. R. 899) granting a pension to Ella Walsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 900) to correct the military record of Henry Staff—to the Committee on Military Affairs.

Also, a bill (H. R. 901) to correct the military record of Hiram A. Benefiel—to the Committee on Military Affairs.

Also, a bill (H. R. 902) to correct the military record of John H. Stearns—to the Committee on Military Affairs.

Also, a bill (H. R. 903) granting a pension to Candes Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 904) to increase the pension of Ambrose B. Carlton—to the Committee on Pensions.

Also, a bill (H. R. 905) for the relief of Joseph H. Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 906) for the relief of Henry Ayres—to the Committee on Claims.

Also, a bill (H. R. 907) to correct the military record of Charles E. Cregar—to the Committee on Military Affairs.

Also, a bill (H. R. 908) to make and correct the military record of James D. Kelley—to the Committee on Military Affairs.

Also, a bill (H. R. 909) granting a pension to John A. Kirkham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 910) to correct the military record of Enols Loyd—to the Committee on Military Affairs.

Also, a bill (H. R. 911) for the relief of Nathaniel Crane—to the Committee on Military Affairs.

By Mr. BYNUM: A bill (H. R. 912) for the relief of David Barnhart—to the Committee on Military Affairs.

Also, a bill (H. R. 913) granting a pension to Charlotte O'Neil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 914) for the relief of Aquilla Jones, sr.—to the Committee on Claims.

Also, a bill (H. R. 915) for the relief of the heirs of Noah Noble, deceased—to the Committee on Claims.

Also, a bill (H. R. 916) for the relief of Eli Conner—to the Committee on Claims.

Also, a bill (H. R. 917) to authorize the Secretary of War to amend the records of the late war so as to show that John C. Burdette was mustered in as a member of Company E, Thirty-ninth Regiment Indiana Volunteers, on the 14th day of January, 1862, and served until October 1, 1862, and to grant said Burdette an honorable discharge as of said date of October 1, 1862, on account of general disability—to the Committee on Military Affairs.

Also, a bill (H. R. 918) for the relief of the legal representative of George McDougall, deceased—to the Committee on Claims.

Also, a bill (H. R. 919) appropriating money for the payment of the claim of the Western Paving and Supply Company, for paving with asphalt streets adjacent to the United States court-

house and post-office building in the city of Indianapolis, Ind.—to the Committee on Claims.

By Mr. BOUTELLE: A bill (H. R. 920) for the relief of the officers and owners of the brig Olive Frances—to the Committee on Claims.

By Mr. BERGEN: A bill (H. R. 921) to correct the military record of George H. Holmes—to the Committee on Military Affairs.

By Mr. BLANCHARD: A bill (H. R. 922) to confirm to Lucretia Williams the title to one square league of land in the State of Louisiana—to the Committee on Private Land Claims.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 923) granting a pension to William H. Burbank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 924) granting a pension to Catharine Garey—to the Committee on Pensions.

Also, a bill (H. R. 925) referring the claim of William Dolton to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 926) for the relief of Millard Wright—to the Committee on Claims.

Also, a bill (H. R. 927) for the relief of Forman Mathews and David Stout Parker—to the Committee on Claims.

Also, a bill (H. R. 928) for the relief of John H. McClaskey—to the Committee on Military Affairs.

By Mr. BOWERS: A bill (H. R. 929) granting a pension to Mrs. Mary E. Donaldson—to the Committee on Pensions.

Also, a bill (H. R. 930) for the relief of James Ryan—to the Committee on Military Affairs.

Also, a bill (H. R. 931) for the relief of William N. Myers, of Los Angeles, Cal., and to grant him a pension—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 932) removing the charge of desertion against John Connell—to the Committee on Military Affairs.

Also, a bill (H. R. 933) for the relief of the Corn Exchange National Bank, of Philadelphia, Pa.—to the Committee on Claims.

Also, a bill (H. R. 934) for the relief of William Brice & Co., and others—to the Committee on Claims.

Also, a bill (H. R. 935) for the relief J. J. Waterkeyn, Company G, Fifth New York Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 936) directing the issuance of an honorable discharge to Louis Durst, late of Company K, Sixth United States Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 937) for the relief of Capt. Robert McClermont—to the Committee on Military Affairs.

Also, a bill (H. R. 938) for the relief of John K. Betson—to the Committee on Military Affairs.

Also, a bill (H. R. 939) for the relief of Jabez Burchard—to the Committee on Claims.

Also, a bill (H. R. 940) to promote Commodore Louis C. Sartori, now on the retired list of the Navy, to be a rear-admiral on said list, in accordance with his original position on the Navy Register—to the Committee on Naval Affairs.

Also, a bill (H. R. 941) granting a pension to Mrs. Elise Alden McCawley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 942) for the relief of Henry C. Kerr—to the Committee on Claims.

Also, a bill (H. R. 943) to increase the pension of John C. Heazlitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 944) for the relief of Wesley Stillwell—to the Committee on Military Affairs.

Also, a bill (H. R. 945) for the relief of Patrick Hyland—to the Committee on Military Affairs.

Also, a bill (H. R. 946) for the relief of William B. Morgan—to the Committee on Appropriations.

By Mr. CHEATHAM: A bill (H. R. 947) for the relief of the pilot and crew of the steamer Planter—to the Committee on War Claims.

Also, a bill (H. R. 948) to carry out the findings of the Court of Claims in the case of Furneyfold Mercer—to the Committee on War Claims.

By Mr. CLARKE of Alabama: A bill (H. R. 949) to grant a pension to John T. Walton—to the Committee on Pensions.

By Mr. COOPER: A bill (H. R. 950) for the relief of William Mabee—to the Committee on War Claims.

Also, a bill (H. R. 951) for the relief of Francis M. Leach—to the Committee on Military Affairs.

Also, a bill (H. R. 952) to remove the charge of desertion from the military record of William Allen—to the Committee on Military Affairs.

Also, a bill (H. R. 953) for the relief of Robert Spaugh—to the Committee on War Claims.

Also, a bill (H. R. 954) for the relief of William B. Ellis—to the Committee on Military Affairs.

Also, a bill (H. R. 955) for the relief of James McD. Hays—to the Committee on Military Affairs.

Also, a bill (H. R. 956) for the relief of Henry Lanham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 957) for the relief of Morgan Sackett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 958) for the relief of William H. Allen—to the Committee on Military Affairs.

Also, a bill (H. R. 959) to pension Cynthia J. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 960) for the relief of Joseph B. Sellers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 961) for the relief of John Adams—to the Committee on Military Affairs.

Also, a bill (H. R. 962) for the relief of Susan Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 963) for the relief of Francis Ammans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 964) for the relief of Mary Warner—to the Committee on War Claims.

Also, a bill (H. R. 965) for the relief of John Davis—to the Committee on War Claims.

Also, a bill (H. R. 966) for the relief of Sarah McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 967) for the relief of George Gregg—to the Committee on Military Affairs.

Also, a bill (H. R. 968) to correct the military record of Richard M. Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 969) for the relief of David A. Lindsay—to the Committee on Military Affairs.

Also, a bill (H. R. 970) for the relief of Edward Mahoney—to the Committee on War Claims.

Also, a bill (H. R. 971) for the relief of Samuel Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 972) for the relief of Daniel McClure—to the Committee on Military Affairs.

By Mr. CAMPBELL: A bill (H. R. 973) to compensate Elihu Root for services rendered by direction of the Attorney-General—to the Committee on Claims.

Also, a bill (H. R. 974) for the relief of the administrators of the estate of Isaac P. Tice, deceased—to the Committee on Claims.

Also, a bill (H. R. 975) authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as he may be justly and equitably entitled to—to the Committee on Claims.

Also, a bill (H. R. 976) to correct the military record of Lieut. Cornelius McLean—to the Committee on Military Affairs.

By Mr. CUMMINGS: A bill (H. R. 977) for the relief of Samuel Gorman—to the Committee on Military Affairs.

Also, a bill (H. R. 978) for the relief of the administrators of the estate of Isaac P. Tice, deceased—to the Committee on Claims.

Also, a bill (H. R. 979) for the relief of Daniel W. Perkins—to the Committee on Claims.

Also, a bill (H. R. 980) for the relief of Henry E. Rhoades—to the Committee on Naval Affairs.

Also, a bill (H. R. 981) to correct the records of the War Department—to the Committee on Military Affairs.

By Mr. CHIPMAN: A bill (H. R. 982) for the relief of Margaret Kennedy—to the Committee on Claims.

Also, a bill (H. R. 983) for the relief of Hyacinth Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 984) for the relief of Frances M. Burroughs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 985) for the relief of Jane McNeil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 986) for the relief of John Hardy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 987) for the relief of Alfred Rauland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 988) for the relief of Moses Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 989) for the relief of workmen employed in the construction of Poverty Island light-house, Lake Michigan—to the Committee on Claims.

Also, a bill (H. R. 990) for the relief of Antoine Campan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 991) for the relief of W. H. Goodwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 992) for the relief of John Crosby—to the Committee on Claims.

Also, a bill (H. R. 993) for the relief of Thomas Carmody—to the Committee on Invalid Pensions.

Also, a bill (H. R. 994) for relief of Raymon H. Newton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 995) for the relief of Eunice Tripler—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 996) for the relief of James and William Crooks—to the Committee on Foreign Affairs.

By Mr. COBB of Missouri: A bill (H. R. 997) for the relief of the Skrainka Construction Company—to the Committee on Claims.

Also, a bill (H. R. 998) for the relief of George W. Murray—to the Committee on Claims.

Also, a bill (H. R. 999) for the increase of the pension of William Eicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1000) for the relief of Charles P. Chouteau, survivor of Chouteau, Harrison & Vallé—to the Committee on War Claims.

Also, a bill (H. R. 1001) for the relief of Alfred J. Worcester—to the Committee on Claims.

Also, a bill (H. R. 1002) granting a pension to Louis Heninger, of St. Louis, Mo.—to the Committee on Invalid Pensions.

By Mr. COGSWELL: A bill (H. R. 1003) for the relief of the Continental Fire Insurance Company, Eagle Fire Insurance Company, City Fire Insurance Company, and the Commercial Mutual Insurance Company of New York City; the Western National Bank, the Merchants' National Bank, the Chesapeake Bank, and the Maryland Fire Insurance Company of Baltimore, Md., and the Eastern Railroad Company, of Massachusetts—to the Committee on Claims.

Also, a bill (H. R. 1004) to remove charge of desertion standing against Oscar Cram—to the Committee on Invalid Pensions.

By Mr. CHAPIN (by request): A bill (H. R. 1005) for the removal of the charge of desertion from the record of William R. Walsh—to the Committee on Military Affairs.

Also, a bill (H. R. 1006) making an appropriation for the purchase of a work entitled "Port charges and requirements on vessels in the various ports of the world, with tables of moneys, weights, and measures of all nations, and a telegraphic code for masters, owners, and ship-brokers," by Theodore Hunter, for the use of United States consuls that are stationed at seaports, and, through said consuls, for consultation of American ship-masters visiting those ports—to the Committee on Appropriations.

By Mr. COMPTON: A bill (H. R. 1007) for the relief of Mrs. Harriet M. Herrick, of the District of Columbia—to the Committee on the District of Columbia.

Also (by request), a bill (H. R. 1008) for the relief of Zadock Williams—to the Committee on War Claims.

Also (by request), a bill (H. R. 1009) for the relief of Henry Stello—to the Committee on War Claims.

Also (by request), a bill (H. R. 1010) for the relief of Otho Hensen—to the Committee on War Claims.

Also (by request), a bill (H. R. 1011) for the relief of James Byers, George W. Griggs, and John Nolen—to the Committee on War Claims.

Also (by request), a bill (H. R. 1012) for the relief of John R. Condon—to the Committee on War Claims.

Also (by request), a bill (H. R. 1013), for the relief of the Ammoniated Fertilizer Company, of Washington, D. C.—to the Committee on the District of Columbia.

Also (by request), a bill (H. R. 1014) for the relief of Sweeny, Rittenhouse, Fant & Co.—to the Committee on Claims.

Also, a bill (H. R. 1015) for the relief of Rinoldo Johnson and Ann E. Johnson—to the Committee on War Claims.

Also (by request), a bill (H. R. 1016) for the relief of the estate of William H. Arnold—to the Committee on War Claims.

By Mr. CATCHINGS: A bill (H. R. 1017) for relief of Walter R. Billingslea—to the Committee on War Claims.

Also, a bill (H. R. 1018) for the relief of Alfred Smith—to the Committee on War Claims.

Also, a bill (H. R. 1019) for the relief of Jackson Briscoe—to the Committee on War Claims.

Also, a bill (H. R. 1020) for the relief of Allen E. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 1021) for relief of Stephen Duncan Marshall and George M. Miller, executors of the will of Levin R. Marshall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1022) for the relief of James Murphy—to the Committee on War Claims.

Also, a bill (H. R. 1023) for relief of Samuel Scott—to the Committee on War Claims.

Also, a bill (H. R. 1024) for relief of Marcella M. Davis and Mary A. Davis—to the Committee on War Claims.

By Mr. CHIPMAN: A bill (H. R. 1025) affirming the action of the President of the United States in annulling and revoking an order dismissing Martin H. McChesney from service in the armies of the United States and honorably discharging said McChesney from said service—to the Committee on Military Affairs.

Also, a bill (H. R. 1026) for the relief of Michael Bassett—to the Committee on Pensions.

Also, a bill (H. R. 1027) for the relief of Mrs. Candace Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1028) for the relief of Frank Paul—to the Committee on Military Affairs.

Also, a bill (H. R. 1029) for the relief of Daniel McEvoy—to the Committee on Military Affairs.

Also, a bill (H. R. 1030) for the relief of David Sample—to the Committee on Military Affairs.

By Mr. COCKRAN: A bill (H. R. 1031) to remove the charge of desertion from the record of Michael Baker—to the Committee on Military Affairs.

By Mr. CHEATHAM: A bill (H. R. 1032) for the relief of John D. Thorne—to the Committee on War Claims.

Also, a bill (H. R. 1033) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company.

By Mr. CASTLE: A bill (H. R. 1034) for the relief of George F. Roberts, administrator of the estate of William B. Thayer, deceased, surviving partner of Thayer Brothers and others—to the Committee on Claims.

Also, a bill (H. R. 1035) for the relief of the heirs of Joseph Anderson—to the Committee on War Claims.

By Mr. CARUTH: A bill (H. R. 1036) for the benefit of Logan and Simpson Counties and of the city of Louisville, Ky., and of Sumner and Davidson Counties, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 1037) for the relief of Don Carlos Buell—to the Committee on Military Affairs.

Also, a bill (H. R. 1038) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company—to the Committee on Claims.

By Mr. CATE (by request): A bill (H. R. 1039) for the relief of the estate of Thomas J. Brown—to the Committee on War Claims.

Also, a bill (H. R. 1040) for the relief of A. V. Haigh—to the Committee on War Claims.

Also, a bill (H. R. 1041) for relief of John M. Griggs, of St. Francis County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 1042) for the relief of the estate of Richard Higgins, late of Phillips County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 1043) for the relief of Theophilus M. Hamilton, of Cross County, Ark.—to the Committee on War Claims.

By Mr. COX of Tennessee: A bill (H. R. 1044) to correct the military record of Jesse C. Taylor, Sixth Tennessee Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 1045) for the relief of the estate of A. A. Dickerson, deceased—to the Committee on War Claims.

By Mr. CLARK of Wyoming: A bill (H. R. 1046) for the relief of First Lieut. James Regan, United States Army—to the Committee on War Claims.

By Mr. CLARKE of Alabama: A bill (H. R. 1047) for the relief of the Mobile Marine Dock Company—to the Committee on War Claims.

Also, a bill (H. R. 1048) to grant a pension to Archelaus Rudder—to the Committee on Pensions.

Also, a bill (H. R. 1049) for the relief of John Ewing—to the Committee on Pensions.

Also, a bill (H. R. 1050) for the relief of Fred. Rettig—to the Committee on Military Affairs.

Also, a bill (H. R. 1051) for the relief of the Selma and Meridian Railroad Company—to the Committee on Claims.

Also, a bill (H. R. 1052) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala.—to the Committee on Claims.

Also, a bill (H. R. 1053) for the relief of the legal representatives of James A. Torbert, deceased—to the Committee on Private Land Claims.

Also, a bill (H. R. 1054) for the relief of Claude H. Mastin—to the Committee on War Claims.

By Mr. CALDWELL: A bill (H. R. 1055) for the relief of James J. Gildea—to the Committee on Military Affairs.

Also, a bill (H. R. 1056) for the relief of Alexander L. Froehlich—to the Committee on Military Affairs.

By Mr. CROSBY: A bill (H. R. 1057) for the relief of the heirs of Erskine S. Allen—to the Committee on Claims.

By Mr. COBB of Missouri: A bill (H. R. 1058) for the relief of John Nickles—to the Committee on Claims.

By Mr. COOMBS: A bill (H. R. 1059) for the relief of Capt. John T. Bruen, late of Independent Battery, New York Volunteers—to the Committee on War Claims.

Also, a bill (H. R. 1060) for the relief of Charles F. Swain—to the Committee on Claims.

Also, a bill (H. R. 1061) for the relief of the estate of Phineas Burgess, deceased—to the Committee on Claims.

By Mr. LAGAN: A bill (H. R. 1062) for the relief of the heirs of the late Joseph R. Shannon—to the Committee on Claims.

By Mr. COMBS: A bill (H. R. 1063) for the relief of Mary B. Cole, widow of Bvt. Maj. Gen. George W. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1064) granting a pension to Harriet Fawpell—to the Committee on Pensions.

By Mr. COX of Tennessee: A bill (H. R. 1065) for benefit of citizens of Tennessee and to pay claims approved by Court of Claims—to the Committee on War Claims.

Also a bill (H. R. 1066) to appropriate $100 to John P. Kittrell—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 1067) for the relief of Thomas F. Rowland—to the Committee on War Claims.

Also, a bill (H. R. 1068) to remove the charge of desertion from military record of Michael Carroll—to the Committee on Military Affairs.

Also, a bill (H. R. 1069) for the relief of the assignees or legal representatives of John Roach—to the Committee on War Claims.

By Mr. CATCHINGS: A bill (H. R. 1070) for the relief of C. C. Caldwell—to the Committee on War Claims.

By Mr. COVERT: A bill (H. R. 1071) for the relief of Benjamin F. Wells, sr.—to the Committee on Claims.

Also, a bill (H. R. 1072) for the relief of John L. Broome—to the Committee on Naval Affairs.

Also, a bill (H. R. 1073) for the relief of Israel Kimball—to the Committee on Claims.

By Mr. CLOVER: A bill (H. R. 1074) for the relief of Moses B. Jacobs—to the Committee on War Claims.

By Mr. COMPTON (by request): A bill (H. R. 1075) to incorporate the East and West Washington Traction Railway Company of District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 1076) to incorporate the Transanacostia Railway Company—to the Committee on the District of Columbia.

By Mr. CURTIS: A bill (H. R. 1077) to pension Mary Livingstone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1078) to pension Jane Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1079) granting an increase of pension to Reuben Clark—to the Committee on Invalid Pensions.

By Mr. CAINE: A bill (H. R. 1080) for the relief of the inhabitants of the town of Ferron, county of Emery, Territory of Utah—to the Committee on the Public Lands.

By Mr. CLANCY: A bill (H. R. 1081) authorizing the payment of the pension of Edward S. Smith accrued at the date of his death to his mother, Catherine—to the Committee on Pensions.

Also, a bill (H. R. 1082) for the relief of Robert Lennon—to the Committee on Claims.

By Mr. CROSBY: A bill (H. R. 1083) for the relief of Lester Noble—to the Committee on War Claims.

Also, a bill (H. R. 1084) to remove the charge of desertion now standing against Michael Keefe, deceased—to the Committee on Military Affairs.

By Mr. CATCHINGS: A bill (H. R. 1085) for the relief of the heirs of William D. Wilson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1086) for the relief of Louisa Q. Lovell and others—to the Committee on War Claims.

By Mr. COX: A bill (H. R. 1087) for the relief of the estate of Williams Griggsby, deceased, late of Giles County, Tenn.—to the Committee on War Claims.

By Mr. CUMMINGS: A bill (H. R. 1088) for the relief of Charles Marklein, late sutler of the One hundred and seventy-eighth New York Volunteers—to the Committee on War Claims.

Also, a bill (H. R. 1089) for the relief of William P. Wood for services rendered the Treasury Department—to the Committee on Claims.

Also, a bill (H. R. 1090) for the relief of Joseph Hague, of New York City, N. Y.—to the Committee on Claims.

By Mr. CARUTH: A bill (H. R. 1091) to pension Mary A. Bailey—to the Committee on Pensions.

Also, a bill (H. R. 1092) granting an increase of pension to Olivia J. Clark—to the Committee on Pensions.

Also, a bill (H. R. 1093) granting an increase of pension to Samuel J. Bolings—to the Committee on Pensions.

Also, a bill (H. R. 1094) granting a pension to John J. Tully—to the Committee on Pensions.

Also, a bill (H. R. 1095) granting an increase of pension to Joseph H. Dearborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1096) granting a pension to Julia Hood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1097) granting a pension to William E. Keyes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1098) increasing the pension of Mrs. Julia C. Irwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1099) granting a pension to Mike McCarty, afflicted son of Dennis McCarty, late a lieutenant of Company H, Seventh Kentucky Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1100) granting a pension to Mary Catherine Reardon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1101) granting a pension to Frank J. Speckart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1102) to increase the pension of Carter W. Tiller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1103) granting an increase of pension to August Stern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1104) granting an increase of pension to Mrs. Caroline Trauernicht—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1105) for the relief of Henry S. Cohn, late of the One hundred and sixth Ohio Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 1106) for the relief of D. C. Buford—to the Committee on Military Affairs.

Also, a bill (H. R. 1107) for the relief of Benjamin F. Alford—to the Committee on Claims.

Also, a bill (H. R. 1108) for the relief of the estate of Michael Fillion, deceased—to the Committee on Claims.

Also, a bill (H. R. 1109) for the relief of Charles D. Jacob—to the Committee on Claims.

Also, a bill (H. R. 1110) for the relief of Joseph Haxthausen—to the Committee on Claims.

Also, a bill (H. R. 1111) for the relief of Samuel McKee—to the Committee on Claims.

Also, a bill (H. R. 1112) for the relief of W. J. Tapp & Co.—to the Committee on Claims.

Also, a bill (H. R. 1113) for the relief of Thierman & Frost—to the Committee on Claims.

Also, a bill (H. R. 1114) for the relief of Matilda Tisheaur—to the Committee on Claims.

Also, a bill (H. R. 1115) for the relief of the estate of Lucy A. Barker—to the Committee on War Claims.

Also, a bill (H. R. 1116) for the relief of George Lewis Cousens—to the Committee on War Claims.

Also, a bill (H. R. 1117) for the relief of Mrs. Mary T. Duncan—to the Committee on War Claims.

Also, a bill (H. R. 1118) for the relief of Mrs. Emilie M. Ferriere, widow of Louis L. Ferriere, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1119) for the relief of G. Dwight Hamilton—to the Committee on War Claims.

Also, a bill (H. R. 1120) for the relief of R. W. Hawkins, of Jefferson County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1121) for the relief of George Heafer—to the Committee on War Claims.

Also, a bill (H. R. 1122) for the relief of the estate of Elizabeth A. Hoffler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1123) for the relief of the estates of W. C. Hollis and George Hollis—to the Committee on War Claims.

Also, a bill (H. R. 1124) for the relief of Hamilton T. Figg—to the Committee on War Claims

Also, a bill (H. R. 1125) for the relief of the estate of Isaiah James, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1126) for the allowance of certain awards made by a board of claims to certain citizens of Jefferson County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1127) for the relief of the estate of John Judge—to the Committee on War Claims.

Also, a bill (H. R. 1128) for the relief of the estate of Stephen Kulp, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1129) for the relief of Caleb Maratta—to the Committee on War Claims.

Also, a bill (H. R. 1130) for the relief of Mrs. Frances Marshall—to the Committee on War Claims.

Also, a bill (H. R. 1131) for the relief of J. C. Mount, of Oldham County—to the Committee on War Claims.

Also, a bill (H. R. 1132) for the relief of the estate of William Nally, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1133) for the relief of John W. Neville—to the Committee on War Claims.

Also, a bill (H. R. 1134) for the relief of Mrs. Emily Oldham—to the Committee on War Claims.

Also, a bill (H. R. 1135) for the relief of the estate of Henry O'Neal, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1136) for the relief of the estate of Benjamin Parker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1137) for the relief of James H. Quillan—to the Committee on War Claims.

Also, a bill (H. R. 1138) for the relief of Henry S. Saunders—to the Committee on War Claims.

Also, a bill (H. R. 1139) for the relief of Frank Speckart—to the Committee on War Claims.

Also, a bill (H. R. 1140) for the relief of Adelia B. Stewart—to the Committee on War Claims.

Also, a bill (H. R. 1141) for the relief of K. P. Thixton—to the Committee on War Claims.

Also, a bill (H. R. 1142) for the relief of Capt. I. B. Webster, of Louisville, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1143) for the relief of Joseph Werner—to the Committee on War Claims.

Also, a bill (H. R. 1144) for the relief of John Young—to the Committee on War Claims.

Also, a bill (H. R. 1145) for the relief of C. T. Vinnigerholz—to the Committee on War Claims.

By Mr. CATCHINGS: A bill (H. R. 1146) for the relief of Joel Hullum, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1147) for the relief of Mrs. Adam Haver, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1148) for the relief of N. B. Lanier, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1149) for the relief of the estate of B. S. Hallum, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1150) for the relief of James S. A. Cuff, of Warrentown, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1151) for the relief of the estate of Jarred R. Cook, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1152) for the relief of P. T. O'Shea, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1153) for the relief of Red Bone Methodist Episcopal Church, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1154) for the relief of the estate of D. B. Downing, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1155) for the relief of Margaret Young, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1156) for the relief of the estate of Phœbe Cummings, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1157) for the relief of Adeline L. Hebron, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1158) for relief of the estate of Jacob Oates, deceased, late of Warren County, Miss.—to the Committee on War Claims.

By Mr. CUTTING: A bill (H. R. 1159) referring the claims of certain banks of the city of San Francisco, Cal., to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 1160) granting an increase of pension to Mrs. Susan E. Barry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1161) to correct the military record of Charles M. Mayberry—to the Committee on Military Affairs.

By. Mr. CAMINETTI: A bill (H. R. 1162) for the relief of Harlow L. Street—to the Committee on Military Affairs.

Also, a bill (H. R. 1163) for the relief of B. F. Myres—to the Committee on Claims.

Also, a bill (H. R. 1164) for the relief of Maurice G. Griffith—to the Committee on Claims.

By Mr. COMPTON: A bill (H. R. 1165) for the relief of the owners of the Schillinger patents—to the Committee on Claims.

By Mr. COGSWELL: A bill (H. R. 1166) for the relief of Benjamin S. Barnes—to the Committee on War Claims.

Also, a bill (H. R. 1167) granting a pension to Mrs. Eliza Fays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1168) to correct the military record of Levi A. Dow—to the Committee on Military Affairs.

By Mr. CHIPMAN (by request): A bill (H. R. 1169) to submit to the Court of Claims the title of William McGarrahan to the Rancho Panoche Grande, in the State of California, and for other purposes—to the Committee on Mines and Mining.

By Mr. DIXON: A bill (H. R. 1170) granting to J. B. Collins, his heirs and assigns, a right of way for a street-car track over a portion of the Fort Keogh military reservation in Montana—to the Committee on Military Affairs.

By Mr. DE ARMOND (by request): A bill (H. R. 1171) for the relief of Simeon Gilbreath—to the Committee on War Claims.

By Mr. DOLLIVER: A bill (H. R. 1172) to correct the record of the enrollment of Herman A. Stowe, late a private in Company D, First Wisconsin Volunteer Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 1173) in relation to the pay of Rear-Admiral James E. Jouett, retired—to the Committee on Naval Affairs.

Also, a bill (H. R. 1174) for the relief of Julius Seifert—to the Committee on Military Affairs.

Also, a bill (H. R. 1175) for the relief of James B. McNett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1176) for the relief of Patrick McEvoy—to the Committee on Military Affairs.

Also, a bill (H. R. 1177) for the relief of Mrs. M. E. Arnold—to the Committee on Invalid Pensions.

By Mr. ENOCHS: A bill (H. R. 1178) for the relief of Martha Moore—to the Committee on Invalid Pensions.

By Mr. DAVIS: A bill (H. R. 1179) for the relief of Jane Boller—to the Committee on Claims.

Also, a bill (H. R. 1180) for the relief of Mary Matilda Flanigan, late widow of Moses Waters, deceased—to the Committee on Claims.

By Mr. DALZELL: A bill (H. R. 1181) for the relief of the survivors of the explosion at the United States arsenal at Pittsburg, Pa., on September 17, 1862—to the Committee on Claims.

Also, a bill (H. R. 1182) for the relief of Nicholas J. Bigley—to the Committee on Claims.

Also, a bill (H. R. 1183) to reimburse certain citizens of Allegheny County, Pa., for moneys paid to prevent obstructions in the Ohio River—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1184) for the relief of J. D. Golden—to the Committee on Military Affairs.

Also, a bill (H. R. 1185) for the relief of legal representatives of John Wightman, deceased—to the Committee on Claims.

Also (by request), a bill (H. R. 1186) to entitle the widow of William J. Parker, late private Company C, Twenty-second Regiment New York Volunteer Cavalry, to any and all invalid pension that said soldier could have received in his lifetime—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1187) for the relief of the heir or heirs of John Howard Payne—to the Committee on Claims.

Also, a bill (H. R. 1188) granting a pension to William U. Mallorie—to the Committee on Pensions.

By Mr. DANIELL: A bill (H. R. 1189) granting a pension to Betsey B. Olin, widow of Charles Olin, late of Company I, Seventh New Hampshire Volunteers—to the Committee on Invalid Pensions.

By Mr. DE FOREST: A bill (H. R. 1190) to give a pension to Mrs. Sally Jones—to the Committee on Invalid Pensions.

By Mr. DOAN: A bill (H. R. 1191) granting a pension to Isaac Neer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1192) granting a pension to Elizabeth J. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1193) granting a pension to Henry Fishering—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1194) for the relief of James A. Kooken—to the Committee on Invalid Pensions.

By Mr. DICKERSON: A bill (H. R. 1195) granting a pension to James Loyd Young, late of Company A, Sixth Regiment Kentucky Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1196) to pension James Carroll, of Dayton, Ky.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1197) granting a pension to James Loyd Young, late of Company A, Sixth Regiment Kentucky Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1198) granting a pension to Theodora M. Piatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1199) granting certain property to the city of Newport, Ky.—to the Committee on Military Affairs.

Also, a bill (H. R. 1200) for the relief of Ann H. Shaler, of Campbell County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1201) for the relief of Fannie Bostwick, widow of Martin B. Strader—to the Committee on Claims.

Also, a bill (H. R. 1202) for the benefit of Fountain Riddell, administrator of Nancy Pace, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1203) for the relief of the heirs of Catherine Morin—to the Committee on War Claims.

Also, a bill (H. R. 1204) for the relief of William C. Watts, of Boone County, Ky.—the Committee on Claims.

Also, a bill (H. R. 1205) for the relief of Catherine Metz—to the Committee on War Claims.

Also, a bill (H. R. 1206) to authorize the appointment of James William Abert to the retired list of the Army—to the Committee on Military Affairs.

Also, a bill (H. R. 1207) for the relief of R. F. Harrison—to the Committee on Claims.

By Mr. DINGLEY: A bill (H. R. 1208) for the relief of F. F. White—to the Committee on Claims.

Also, a bill (H. R. 1209) to grant a pension to Job C. Dennen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1210) for the relief of Charles H. Davis—to the Committee on Invalid Pensions.

By Mr. DUNPHY: A bill (H. R. 1211) to remove the charge

of desertion from the record of Michael Redican—to the Committee on Military Affairs.

Also, a bill (H. R. 1212) for the relief of Henry B. Plant—to the Committee on War Claims.

Also, a bill (H. R. 1213) for the relief of the estate of Mary E. Neale, deceased—to the Committee on the District of Columbia.

By Mr. ENLOE: A bill (H. R. 1214) for the relief of the estate of Samuel Hayes, deceased, late of Madison County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1215) for the relief of A. J. Ellis—to the Committee on War Claims.

Also, a bill (H. R. 1216) for the relief of the First Methodist Church of the city of Jackson, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1217) to amend the military record of William S. Manley, of Henderson County, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 1218) for the relief of Charles M. Kennerly—to the Committee on War Claims.

Also, a bill (H. R. 1219) for the relief of Hiram Johnson and others—to the Committee on War Claims.

Also, a bill (H. R. 1220) for the relief of the board of trustees of the Memphis Conference Female Institute, of Jackson, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1221) to amend the military record of John H. Skinner—to the Committee on Military Affairs.

Also, a bill (H. R. 1222) to reimburse W. J. Barnes for revenue illegally assessed and collected—to the Committee on Claims.

Also (by request), a bill (H. R. 1223) for the relief of F. B. Parnell—to the Committee on Military Affairs.

Also, a bill (H. R. 1224) granting an increase of pension to John J. Askew—to the Committee on Pensions.

Also, a bill (H. R. 1225) for the relief of R. H. Crider—to the Committee on War Claims.

Also, a bill (H. R. 1226) granting a pension to Salina Bailey, of Hardin County, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1227) for the relief of Stephen Moore, administrator of William Hopper, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1228) for the relief of Randolph Wesson—to the Committee on War Claims.

Also, a bill (H. R. 1229) for the relief of Irwin McAdams—to the Committee on War Claims.

Also, a bill (H. R. 1230) for the relief of William H. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 1231) for the relief of J. P. Randolph—to the Committee on War Claims.

By Mr. EDMUNDS: A bill (H. R. 1232) for the relief of the residuary legatees of Mark Davis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1233) for the relief of the owners of the Schillinger patents—to the Committee on Claims.

By Mr. EVERETT: A bill (H. R. 1234) for the relief of the First Baptist Church of Cartersville, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 1235) for the relief of the trustees of the African Methodist Church of Marietta, Ga.—to the Committee on War Claims.

By Mr. FITCH (by request): A bill (H. R. 1236) for the relief of Edwin Gomez—to the Committee on War Claims.

Also (by request), a bill (H. R. 1237) for the purpose of removing the bar of statute of limitations in the case of the Berdan Firearms Manufacturing Company against the United States—to the Committee on Patents.

By Mr. FORNEY: A bill (H. R. 1238) for the relief of Holmes & Leathers—to the Committee on War Claims.

Also, a bill (H. R. 1239) for the relief of the Mobile and Girard Railroad Company—to the Committee on War Claims.

By Mr. GEARY: A bill (H. R. 1240) for the relief of William J. Bryan—to the Committee on Claims.

Also, a bill (H. R. 1241) for the relief of A. Berding, or A. Berding & Co., of California—to the Committee on Claims.

By Mr. GREENLEAF: A bill (H. R. 1242) granting a pension to John J. Bowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1243) for the relief of Charles A. Danolds—to the Committee on War Claims.

By Mr. GOODNIGHT: A bill (H. R. 1244) for the relief of W. A. Drain, as administrator of A. Drain, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1245) for relief of M. M. Alexander, administrator of Dr. J. E. Alexander, of Marrowbone, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1246) for the relief of T. R. Mason, of Adairville, Ky.—to the Committee on Claims.

Also, a bill (H. R. 1247) for the relief of Albert Page, of Gordonsville, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1248) for the benefit of James M. Deberry, of Auburn, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1249) for relief of James G. Adams, of Warren County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1250) for the relief of James Westbrook, of Bowling Green, Ky.—to the Committee on Military Affairs.

Also, a bill (H. R. 1251) for relief of W. L. Yarbrough, administrator of B. D. Yarbrough, of Lewisburg, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1252) for the relief of Presley B. Potter—to the Committee on War Claims.

Also, a bill (H. R. 1253) for the relief of Martha Ann Mitchell—to the Committee on War Claims.

Also, a bill (H. R. 1254) for the relief of Z. W. Jones, administrator of John Wilson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1255) for the relief of Robert Browder—to the Committee on War Claims.

Also, a bill (H. R. 1256) for the relief of Thomas H. Prewitt—to the Committee on Claims.

Also, a bill (H. R. 1257) for benefit of Douglass Floyd, of Bowling Green, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1258) for the relief of David P. Browder—to the Committee on War Claims.

Also, a bill (H. R. 1259) for the relief of T. T. Roup—to the Committee on War Claims.

Also, a bill (H. R. 1260) for the relief of Albert Mitchell, of Bowling Green, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1261) for the relief of D. E. Downing—to the Committee on War Claims.

Also, a bill (H. R. 1262) for the relief of B. S. Bevier, of Gordonsville, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1263) for the relief of F. F. Lucas—to the Committee on War Claims.

Also, a bill (H. R. 1264) for the relief of B. B. Bass—to the Committee on War Claims.

Also, a bill (H. R. 1265) for the relief of Thomas B. Gossom, administrator—to the Committee on War Claims.

Also, a bill (H. R. 1266) for the relief of Silas H. Clark—to the Committee on War Claims.

Also, a bill (H. R. 1267) for the relief of C. Phelps—to the Committee on War Claims.

Also, a bill (H. R. 1268) for the relief of B. F. Proctor—to the Committee on War Claims.

Also, a bill (H. R. 1269) for the relief of James Fuqua—to the Committee on War Claims.

By Mr. GEISSENHAINER: A bill (H. R. 1270) granting an honorable discharge to Israel P. Clifford, of Keyport, N. J.—to the Committee on Military Affairs.

Also, a bill (H. R. 1271) granting a pension to L. W. Barton, widow of R. P. Barton, late a private of Company I, Twenty-eighth Regiment New Jersey Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1272) granting a pension to Mary D. McChesney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1273) granting a pension to Charlotte Cable, widow of Walton Cable, late a pilot in the Revenue Marine Service—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1274) granting a pension to Harriet B. Cole, widow of Alfred Cole, late a private in Company E, Twenty-second Regiment United States Colored Troops—to the Committee on Invalid Pensions.

By Mr. GROUT: A bill (H. R. 1275) to pension Frank A. Snell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1276) to pension Adeline Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1277) for relief of Julius A. Morrill—to the Committee on Military Affairs.

Also, a bill (H. R. 1278) granting a pension to Samuel W. Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1279) for relief of Byron Stickney—to the Committee on War Claims.

Also, a bill (H. R. 1280) to pension Israel B. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1281) for the relief of George W. Saulpaw—to the Committee on War Claims.

Also, a bill (H. R. 1282) to remove the charge of desertion against Hiram H. Carpenter—to the Committee on Military Affairs.

Also, a bill (H. R. 1283) to pension Harriett Woodbury, Windsor, Vt.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1284) for the relief of Charles F. Sanborn, of St. Albans, Vt.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1285) granting a pension to Sarah W. Decamp, Burke, Vt.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1286) to pension Paul Lacoss—to the Committee on Invalid Pensions.

By Mr. GANTZ: A bill (H. R. 1287) correcting the military record of, and granting an honorable discharge to, R. V. Freeman—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 1288) for the payment of services rendered to the United States by William M. West—to the Committee on War Claims.

Also, a bill (H. R. 1289) correcting the military record of, and granting an honorable discharge to, William B. Stone—to the Committee on Military Affairs.

Also, a bill (H. R. 1290) granting a pension to Samuel Green—to the Committee on Invalid Pensions.

By Mr. GILLESPIE: A bill (H. R. 1291) for the relief of John Grossman—to the Committee on War Claims.

Also, a bill (H. R. 1292) for the relief of Robert Casey—to the Committee on Military Affairs.

Also, a bill (H. R. 1293) for the relief of John Evans—to the Committee on Military Affairs.

Also, a bill (H. R. 1294) granting a pension to Thomas Nelson—to the Committee on Pensions.

Also, a bill (H. R. 1295) granting a pension to Christena Lowe—to the Committee on Pensions.

By Mr. GRISWOLD: A bill (H. R. 1296) for the correction of the army record of Lieut. Harry R. Anderson, United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 1297) for the relief of Henry H. Mulvin, late a private in Company L, Twelfth Regiment of Pennsylvania Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 1298) for the removal of the charge of desertion and for an honorable discharge to Francis Galbraith—to the Committee on Naval Affairs.

By Mr. HARMER: A bill (H. R. 1299) to remit the penalties on the dynamite-gun cruiser Vesuvius—to the Committee on Naval Affairs.

Also, a bill (H. R. 1300) to remove the charge of desertion against David L. Bender—to the Committee on Military Affairs.

Also, a bill (H. R. 1301) removing the charge of desertion against John Connell—to the Committee on Military Affairs.

Also, a bill (H. R. 1302) granting an increase of pension to George W. Roosevelt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1303) for the relief of Julius A. Kaiser—to the Committee on Naval Affairs.

Also (by request), a bill (H. R. 1304) for the relief of the legal representatives of Joseph Hamlin, deceased—to the Committee on Claims.

Also (by request), a bill (H. R. 1305) to remit the penalties on the light-house steamer Pansey—to the Committee on Interstate and Foreign Commerce.

Also (by request), a bill (H. R. 1306) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852—to the Committee on War Claims.

Also, a bill (H. R. 1307) for the relief of Capt. Martin Hammer—to the Committee on War Claims.

By Mr. HEARD: A bill (H. R. 1308) for the relief of the Christian Church of Marshall, Saline County, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 1309) for the relief of the trustees of the Cumberland Presbyterian Church of Syracuse, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 1310) to increase the pension of Riley Rains—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1311) for the relief of William H. Mason—to the Committee on War Claims.

Also, a bill (H. R. 1312) for the relief of Elizabeth J. Roberts, administratrix of the estate of Littleberry Roberts, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1313) for the relief of George B. Harrison, administrator of the estate of Elijah Fisher, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1314) for the relief of Anna Bohling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1315) to correct the military record of Bailey D. Skinner—to the Committee on Military Affairs.

Also, a bill (H. R. 1316) granting a pension to John A. Yancy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1317) for the relief of David Moulder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1318) granting a pension to Martha A. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1319) for the relief of George H. Carey—to the Committee on War Claims.

Also, a bill (H. R. 1320) for the relief of the estate of Robert King, deceased—to the Committee on Claims.

Also, a bill (H. R. 1321) granting a pension to Hoy Cooper—to the Committee on Pensions.

Also, a bill (H. R. 1322) to grant a pension to Robert C. Thomas—to the Committee on Pensions.

Also, a bill (H. R. 1323) for the relief of Elisha Blevins—to the Committee on War Claims.

Also, a bill (H. R. 1324) for the relief of Frederick Smith—to the Committee on War Claims.

Also, a bill (H. R. 1325) granting a pension to Russell A. Townsend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1326) for the relief of Daniel Bentley—to the Committee on War Claims.

Also, a bill (H. R. 1327) for the relief of Richard C. Vaughan—to the Committee on War Claims.

Also, a bill (H. R. 1328) to pay the amount found due by the Court of Claims to George W. Son—to the Committee on War Claims.

Also, a bill (H. R. 1329) for the relief of W. G. Wear—to the Committee on War Claims.

Also, a bill (H. R. 1330) for the relief of James D. Card—to the Committee on War Claims.

Also, a bill (H. R. 1331) to grant a pension to Joseph K. Boone—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 1332) for the relief of Robert Tillson and Maitland Boon—to the Committee on War Claims.

Also, a bill (H. R. 1333) granting a pension to John Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1334) granting a pension to Thomas S. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1335) to remove charge of desertion from the name of Alexander R. Byrum and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. HULL: A bill (H. R. 1336) granting an honorable discharge to Chester F. Grant—to the Committee on Military Affairs.

Also, a bill (H. R. 1337) granting a pension to Mrs. Catharine Mattimore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1338) granting a pension to Mrs. Jennie B. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1339) granting arrears of pension to Mattie C. Chandler—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 1340) granting a pension to Mrs. Beulah Mullen—to the Committee on Invalid Pensions.

By Mr. HARTER: A bill (H. R. 1341) granting a pension to John Sheekly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1342) providing for the restoration of George W. Youngblood as a second lieutenant in the Eighty-second Regiment of Ohio Infantry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 1343) granting a pension to Amos P. Norris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1344) for the relief of John M. Lindsey, Company F, Forty-third Ohio—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1345) to increase the pension of A. A. Gardner—to the Committee on Invalid Pensions.

By Mr. HAYNES: A bill (H. R. 1346) to remove the charge of desertion against the name of David B. Courchaine—to the Committee on Military Affairs.

Also, a bill (H. R. 1347) to remove the charge of desertion against the name of George E. Reading—to the Committee on Military Affairs.

Also, a bill (H. R. 1348) for the relief of Mrs. Susannah Binkley, widow of Jacob Snyder—to the Committee on Military Affairs.

Also, a bill (H. R. 1349) for the relief of Galen Peters—to the Committee on Military Affairs.

Also, a bill (H. R. 1350) granting a pension to Mrs. Sophia Brunder Hinelius—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1351) granting a pension to Edward Chapin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1352) granting a pension to Angeline Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1353) granting a pension to Hannah L. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1354) granting a pension to Aloysius Oberle—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 1355) to remove the charge of desertion from the military record of John Bewly—to the Committee on Military Affairs.

Also, a bill (H. R. 1356) for the relief of Anne C. Livingston—to the Committee on War Claims.

By Mr. HOLMAN: A bill (H. R. 1357) for the relief of the heirs of Joseph Jennison—to the Committee on War Claims.

Also, a bill (H. R. 1358) granting a pension to Maria Thomas, of Union County, Ind.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1359) for the relief of John Dickson, of Madison, Ind.—to the Committee on Military Affairs.

Also, a bill (H. R. 1360) for the relief of Henry J. Bischoff—to the Committee on Military Affairs.

Also, a bill (H. R. 1361) to increase the pension of Peter Wendle, of Madison, Ind.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1362) granting a pension to Elizabeth P. Mullin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1363) granting a pension to Thomas J. South—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1364) granting a pension to Sarah Downs, of Jefferson County, Ind.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1365) granting a pension to John W. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1366) for the relief of Thomas W. Johnson, of Ripley County, Ind.—to the Committee on War Claims.

Also, a bill (H. R. 1367) granting a pension to Laura M. Cheek—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1368) to relieve Elisha Lunsford from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 1369) granting a pension to Nancy Altizer, of Ripley County, Ind.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1370) to restore the name of Druzilla Fowler, of Switzerland County, Ind., to the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1371) to correct the military record of James Corridon, Fourth United States Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 1372) for the relief of the surviving partners of J. and O. P. Cobb, of Aurora, Ind., for the value of the barge Moule, taken by the United States—to the Committee on War Claims.

Also, a bill (H. R. 1373) granting a pension to Theodore Eck, of St. Paul, Ind.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1374) for the relief of the widow and heirs of Martin A. Barnett, deceased—to the Committee on Claims.

Also, a bill (H. R. 1375) for the relief of Isaac M. Brower, of Lawrenceburg, Ind.—to the Committee on Claims.

Also, a bill (H. R. 1376) referring to the Court of Claims the claims of O. P. Cobb and others—to the Committee on War Claims.

Also, a bill (H. R. 1377) granting a pension to Hester A. Bonnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1378) relating to the status of a certain commander in the Navy and to correct the same—to the Committee on Naval Affairs.

Also, a bill (H. R. 1379) granting a pension to Esther Todd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1380) granting a pension to Ardenia Dillon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1381) for the relief of John Colter—to the Committee on War Claims.

Also, a bill (H. R. 1382) granting a pension to Bernard Bruner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1383) increasing the pension of Moses Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1384) granting a pension to Mildred Pate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1385) for the relief of Charlotte Rarison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1386) granting an increase of pension to Thomas H. Kennedy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1387) granting a pension to Samuel Maguire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1388) for the relief of F. W. Zickendrath—to the Committee on Military Affairs.

Also, a bill (H. R. 1389) granting a pension to Joseph M. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1390) granting a pension to Clara I. Worstell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1391) granting a pension to Selinda E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1392) granting a pension to Lucy A. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1393) granting a pension to Johanna Knab—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1394) to remove the charge of desertion against Frank Wempe—to the Committee on Military Affairs.

Also, a bill (H. R. 1395) granting a pension to Julia A. Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1396) granting a pension to Matilda Weed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1397) for the relief of Isaac H. Wheat—to the Committee on Claims.

Also, a bill (H. R. 1398) for the relief of Charlotte H. Fenton—to the Committee on War Claims.

Also, a bill (H. R. 1399) granting a pension to Anna T. Unger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1400) for the relief of George F. Roberts and others—to the Committee on Claims.

Also, a bill (H. R. 1401) for the relief of I. and O. P. Cobb & Co.—to the Committee on War Claims.

Also, a bill (H. R. 1402) granting a pension to Anna H. Anderson, of Decatur County, Ind.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1403) granting a pension to George Pulskamp—to the Committee on Invalid Pensions.

By Mr. HUFF: A bill (H. R. 1404) to increase the pension of Mrs. Helen G. Heiner, widow of the late Capt. Robert G. Heiner, Company A, United States Infantry—to the Committee on Invalid Pensions.

By Mr. HOOKER of New York: A bill (H. R. 1405) to grant relief to Francis A. Bliss, only surviving child and heir of William Bliss, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1406) to pay A. Brooks Fletcher for letter boxes furnished the post-office at Jamestown, N. Y.—to the Committee on Claims.

Also, a bill (H. R. 1407) to grant relief to Thomas L. Higgins—to the Committee on Claims.

By Mr. HENDERSON of Iowa: A bill (H. R. 1408) increasing the pension of Henry E. Williams to $50 a month—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1409) granting a pension to Ellender Mills—to the Committee on Invalid Pensions.

Also (by reqest), a bill (H. R. 1410) for the relief of the legal representatives of John Boyle, deceased—to the Committee on Claims.

Also, a bill (H. R. 1411) granting a pension to Melissa Eggleston—to the Committee on Pensions.

Also, a bill (H. R. 1412) granting a pension to Euretta Eggleston—to Committee on Pensions.

By Mr. HOUK of Tennessee: A bill (H. R. 1413) for the relief of Col. Jesse H. Strickland, Eighth Tennessee Cavalry, United States Volunteers—to the Committee on War Claims.

By Mr. HENDERSON of Illinois: A bill (H. R. 1414) granting a pension to Lydia Chapman—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 1415) for the relief of George F. Brott—to the Committee on War Claims.

Also (by request), a bill (H. R. 1416) for the relief of Albert Wood—to the Committee on Claims.

Also (by request) a bill (H. R. 1417) for the relief of heirs of Miguel Salinas—to the Committee on War Claims.

Also, a bill (H. R. 1418) for the relief of Sarah A. Clapp—to the Committee on War Claims.

Also, a bill (H. R. 1419) for the relief of Catherine Caine—to the Committee on War Claims.

Also, a bill (H. R. 1420) for the relief of the legal representatives of Samuel T. Thompson, deceased—to the Committee on Claims.

By Mr. HALL (by request): A bill (H. R. 1421) for the relief of Henry Hoover—to the Committee on Claims.

By Mr. HARRIES: A bill (H. R. 1422) for the relief of George M. Henry—to the Committee on Military Affairs.

Also, a bill (H. R. 1423) for the relief of H. K. Belding—to the Committee on Claims.

By Mr. HOOKER of New York: A bill (H. R. 1424) for the relief of Hiram Stimson—to the Committee on Military Affairs.

Also, a bill (H. R. 1425) for the relief of Wells Cheney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1426) for the relief of Smith Brown—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 1427) granting a pension to Reuben P. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1428) to refund moneys collected from William Schaus, at the port of New York, on property not subject to duty—to the Committee on Claims.

Also, a bill (H. R. 1429) to amend the record of Fayette Adams, of Company I, Thirty-seventh Illinois Volunteers—to the Committee on Military Affairs.

By Mr. HOPKINS of Illinois: A bill (H. R. 1430) to relieve Orville B. Merrill, late captain Company I, Thirty-sixth Regiment Illinois Volunteers, of the charge of dishonorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 1431) for the relief of Mary P. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1432) for the relief of Irvine Carman—to the Committee on Military Affairs.

By Mr. HEARD: A bill (H. R. 1433) to pay to Joseph L. Walls the amount found due him by the Court of Claims—to the Committee on War Claims.

By Mr. HEMPHILL: A bill (H. R. 1434) for the relief of the heirs of R. L. Wortham—to the Committee on Claims.

By Mr. HARVEY: A bill (H. R. 1435) to readjust the salary

and allowances of the postmasters at Guthrie, Oklahoma City, and Kingfisher, in Territory of Oklahoma—to the Committee on the Post-Office and Post-Roads.

By Mr. HERMANN: A bill (H. R. 1436) for the relief of M. S. Hellman—to the Committee on Claims.

Also, a bill (H. R. 1437) for the relief of P. B. Sinnott, late Indian agent at Grande Ronde Agency, State of Oregon—to the Committee on Claims.

Also, a bill (H. R. 1438) for the relief of John W. Lewis, of Oregon—to the Committee on Claims.

Also, a bill (H. R. 1439) for the relief of H. W. Shipley—to the Committee on Claims.

Also, a bill (H. R. 1440) for the relief of the legal representatives of Chauncey M. Lockwood—to the Committee on Claims.

By Mr. HENDERSON of North Carolina: A bill (H. R. 1441) for the relief of Joseph C. Hogan—to the Committee on Claims.

By Mr. HALLOWELL: A bill (H. R. 1442) granting a pension to Jonathan T. Rorer, late captain Company I, One hundred and thirty-eighth Pennsylvania Volunteers—to the Committee on Invalid Pensions.

By Mr. HOAR (by request), a bill (H. R. 1443) for the relief of Eliza J. Mead, widow, of Waltham, Mass.—to the Committee on Pensions.

Also (by request), a bill (H. R. 1444) for the relief of James H. Willey, of Waltham, Mass.—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 1445) for the relief of Kate P. Mitchell, daughter of Stephen Mitchell, late of the Fifth Maine Battery—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 1446) to restore William F. Peck to the rolls of the Navy and to grant him an honorable discharge—to the Committee on Naval Affairs.

By Mr. HOOKER of Mississippi: A bill (H. R. 1447) for the relief of the estate of John Fisher—to the Committee on War Claims.

Also, a bill (H. R. 1448) for the relief of the estate of Charles H. Borland—to the Committee on War Claims.

Also, a bill (H. R. 1449) for the relief of R. T. Cheek—to the Committee on War Claims.

Also, a bill (H. R. 1450) for the relief of Olivia F. Montgomery—to the Committee on War Claims.

Also, a bill (H. R. 1451) for the relief of G. V. McGuffee, sr., of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1452) for the relief of Ann M. Brown, of Claiborne County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1453) for the relief of Mrs. Olivia F. Montgomery, of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1454) for the relief of the estate of Bryan Askew, deceased, late of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 1455) for the relief of estate of Warren R. Dent—to the Committee on War Claims.

Also, a bill (H. R. 1456) for the relief of estate of J. W. Cunyus, deceased, late of Hinds County, Miss.—to the Committee on War Claims.

By Mr. JOHNSON of North Dakota: A bill (H. R. 1457) authorizing the restoration of the name of Thomas H. Carpenter, late captain Seventeenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers—to the Committee on Military Affairs.

By Mr. JOHNSON of Ohio: A bill (H. R. 1458) to remove the charge of desertion from Edward Hart—to the Committee on Military Affairs.

Also, a bill (H. R. 1459) granting a pension to Joseph Cross—to the Committee on Invalid Pensions.

By Mr. JOSEPH: A bill (H. R. 1460) for the relief of Andrew Cameron—to the Committee on Claims.

Also, a bill (H. R. 1461) for the relief of W. A. Walker, of Albuquerque, N. Mex.—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1462) for the relief of J. H. Blazer, of Mescalero, N. Mex.—to the Committee on Indian Affairs.

Also, a bill (H. R. 1463) for the relief of A. H. Raynolds—to the Committee on Claims.

Also, a bill (H. R. 1464) granting a pension to Henry J. Cuniffe, Nicolas Pino, Tom Antobees Tobius, and the widow of O. B. Rorman—to the Committee on Pensions.

By Mr. JONES: A bill (H. R. 1465) for the relief of the Methodist Episcopal Church South, of Fredericksburg, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1466) for the relief of the personal representatives and heirs of Henry H. and Charlotte K. Sibley—to the Committee on Claims.

Also, a bill (H. R. 1467) for the relief of the legal personal representatives of Henry H. Sibley, deceased—to the Committee on Claims.

Also, a bill (H. R. 1468) for the relief of George H. Plant, of the District of Columbia—to the Committee on Claims.

Also, a bill (H. R. 1469) for the relief of the Potomac Steamboat Company—to the Committee on Claims.

By Mr. KENDALL: A bill (H. R. 1470) for the relief of Mrs. Lucy A. Johns, of Laynesville, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1471) for the relief of Samuel May, of Floyd County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1472) for the relief of John Samuels, of Montgomery County, Ky.—to the Committee on War Claims.

By Mr. KETCHAM: A bill (H. R. 1473) granting a pension to Gen. William H. Morris—to the Committee on Invalid Pensions.

By Mr. KRIBBS: A bill (H. R. 1474) for the relief of Daniel Black—to the Committee on War Claims.

Also, a bill (H. R. 1475) to carry out the findings of the Court of Claims in the case of Susannah P. Swoope—to the Committee on War Claims.

Also, a bill (H. R. 1476) to remove the charge of desertion against William Symonds—to the Committee on Military Affairs.

By Mr. LODGE: A bill (H. R. 1477) for the relief of Charles Thompson—to the Committee on War Claims.

Also, a bill (H. R. 1478) for the relief of John Warren—to the Committee on Military Affairs.

Also, a bill (H. R. 1479) to remove the charge of desertion from the record of James Morrison, alias James C. McIntosh—to the Committee on Naval Affairs.

Also, a bill (H. R. 1480) for the relief of Homer Eugene Sawyer—to the Committee on War Claims.

Also, a bill (H. R. 1481) to pension Catherine McCune—to the Committee on Invalid Pensions.

By Mr. LAGAN: A bill (H. R. 1482) for the relief of Mrs. Eliza E. Hebert—to the Committee on Claims.

By Mr. LANE: A bill (H. R. 1483) for the relief of Dr. John N. Groves—to the Committee on War Claims.

Also, a bill (H. R. 1484) for the relief of Mary A. Lewis—to the Committee on Claims.

By Mr. LOUD: A bill (H. R. 1485) for the relief of Mrs. Abigail A. Brown—to the Committee on Invalid Pensions.

By Mr. LIND: A bill (H. R. 1486) granting a pension to Lavina Eastlick—to the Committee on Pensions.

By Mr. LESTER of Georgia: A bill (H. R. 1487) to remove the political disabilities John R. F. Tatnall—to the Committee on the Judiciary.

Also (by request), a bill (H. R. 1488) for the relief of the legal representative of Maj. William Kendall—to the Committee on War Claims.

Also, a bill (H. R. 1489) to pay Margaret Doyle, administratrix of James Doyle, for certain captured cotton—to the Committee on War Claims.

Also, a bill (H. R. 1490) for the relief of C. M. Gilbert & Co.—to the Committee on Claims.

By Mr. LAWSON of Virginia: A bill (H. R. 1491) granting an increase of pension to Joseph Huff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1492) granting a pension to William Randall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1493) giving William K. Mayo the rank and pay of rear-admiral on the retired list of the Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 1494) for the relief of Civil Engineer U. S. G. White, United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 1495) for the relief of Louisa S. Gutherie, widow and executrix of John J. Gutherie, deceased—to the Committee on Claims.

Also, a bill (H. R. 1496) for the relief of William Rutherford—to the Committee on Claims.

Also, a bill (H. R. 1497) for the relief of Lewis McKenzie—to the Committee on Claims.

Also, a bill (H. R. 1498) for the relief of the Potomac Steamboat Company—to the Committee on Claims.

Also, a bill (H. R. 1499) for the relief of J. E. Hozier—to the Committee on Claims.

Also, a bill (H. R. 1500) for the relief of John S. Braxton—to the Committee on Claims.

Also, a bill (H. R. 1501) for the relief of the estate of John W. Brockenburgh, deceased—to the Committee on the Judiciary.

Also, a bill (H. R. 1502) for the relief of the estate of Asa Biggs, deceased—to the Committee on the Judiciary.

Also, a bill (H. R. 1503) for the relief of the trustees of St. St. Paul's Protestant Episcopal Church at Norfolk, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1504) for the relief of Mrs. Diza King, of Norfolk, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1505) for the relief of Frank L. Slade, administrator of John E. Tunis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1506) for the relief of George Minga—to the Committee on War Claims.

Also, a bill (H. R. 1507) giving the Court of Claims jurisdiction of the claims on account of property of the Chesapeake Female College possessed and used by the United States military authorities—to the Committee on War Claims.

Also, a bill (H. R. 1508) for the relief of Samuel Marsh—to the Committee on War Claims.

Also, a bill (H. R. 1509) for the relief of Temptey Norfleet—to the Committee on War Claims.

Also, a bill (H. R. 1510) for the relief of Sarah G. Smith, executrix and devisee of Francis L. Smith—to the Committee on War Claims.

Also, a bill (H. R. 1511) for the relief of Anna M. Mixson, administratrix of the estate of Charles W. Mixson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1512) for the relief of Luke F. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 1513) for the relief of James F. Carr—to the Committee on War Claims.

Also, a bill (H. R. 1514) for the relief of Adolphus Goddin—to the Committee on War Claims.

Also, a bill (H. R. 1515) for the relief of Thomas Wright—to the Committee on War Claims.

Also, a bill (H. R. 1516) for the relief of the Norfolk County Ferry Committee—to the Committee on War Claims.

Also, a bill (H. R. 1517) for the relief of the trustees of St. Paul's Protestant Episcopal Church at Norfolk, Va.—to the Committee on War Claims.

By Mr. LONG: A bill (H. R. 1518) for the relief of W. B. Morrow—to the Committee on War Claims.

By Mr. LITTLE: A bill (H. R. 1519) to incorporate the Society of the Colonial Dames of America—to the Committee on the Library.

Also, a bill (H. R. 1520) for the relief of Emile M. Blum, late commissioner-general, and James M. Seymour, jr., late assistant commissioner to the Barcelona Exposition—to the Committee on Claims.

Also, a bill (H. R. 1521) for the relief of the legal representatives of George K. Otis, deceased—to the Committee on Claims.

Also (by request), a bill (H. R. 1522) for the relief of Cynthia A. Wood, as executrix, and Charles S. Wood, as executor, of the last will and testament of Charles Squire Wood, late of the city of New York, deceased—to the Committee on Claims.

By Mr. LODGE: A bill (H. R. 1523) for the relief of John Regan—to the Committee on War Claims.

Also, a bill (H. R. 1524) for the relief of George C. Bucknam—to the Committee on Claims.

Also, a bill (H. R. 1525) to increase the pension of George Hayes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1526) for the relief of James M. Alden, secretary to the late Admiral of the Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 1527) granting a pension to Abijah Walden—to the Committee on Pensions.

Also, a bill (H. R. 1528) to pension Samuel O. Fisher, of Lynn, Mass.—to the Committee on Pensions.

By Mr. LOUD: A bill (H. R. 1529) to reimburse the Western Beet Sugar Company of California for duties paid on improved machinery—to the Committee on Claims.

Also, a bill (H. R. 1530) for the relief of J. M. Billings—to the Committee on Claims.

Also, a bill (H. R. 1531) referring the claim of Robert W. Dunbar to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 1532) to restore Chaplain C. M. Blake, United States Army, to rank and pay—to the Committee on Claims.

By Mr. LANHAM: A bill (H. R. 1533) for the relief of David C. Haynes—to the Committee on Claims.

Also, a bill (H. R. 1534) for the relief of D. M. Winn—to the Committee on Claims.

Also, a bill (H. R. 1535) for the relief of William F. Young—to the Committee on Claims.

By Mr. LAGAN: A bill (H. R. 1536) for the relief of Thomas G. Mackie and the heirs at law of William A. Hyde, deceased, or their legal representatives—to the Committee on Claims.

Also, a bill (H. R. 1537) for the relief of Hillel Marks—to the Committee on Pensions.

Also, a bill (H. R. 1538) for the relief of Martha G. Campbell, executrix—to the Committee on Claims.

Also, a bill (H. R. 1539) to authorize the Secretary of the Treasury to refund certain moneys collected by the United States—to the Committee on War Claims.

Also, a bill (H. R. 1540) for the relief of Martha G. Campbell, executrix—to the Committee on Claims.

Also, a bill (H. R. 1541) for the relief of the Union National Bank of New Orleans, as the successors of the Union Bank of Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 1542) granting a pension to Jacob Wakeman, Quartermaster's Department, United States Army—to the Committee on Pensions.

Also, a bill (H. R. 1543) for relief of estate of Samuel McC. Montgomery—to the Committee on War Claims.

By Mr. McALEER: A bill (H. R. 1544) to provide for payment of Rachael Dikeman's pension to J. H. Simpkins, for support, etc.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1545) for the relief of James Kane—to the Committee on Military Affairs.

Also, a bill (H. R. 1546) removing charge of desertion against William H. Gallop—to the Committee on Military Affairs.

Also, a bill (H. R. 1547) for the relief of William Emsley, late lieutenant Company A, One hundred and sixteenth Regiment Pennsylvania Volunteers—to the Committee on Military Affairs.

By Mr. McCREARY: A bill (H. R. 1548) granting a pension to G. W. McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1549) granting a pension to Marcus D. Settle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1550) granting a pension to James D. Nave—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1551) granting a pension to James S. Maratta—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1552) to place the name of James Singleton on the pension roll—to the Committee on Pensions.

Also, a bill (H. R. 1553) granting a pension to Richard W. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1554) granting a pension to Peterson Gibbs—to the Committee on Pensions.

Also, a bill (H. R. 1555) granting a pension to Martin S. Bastin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1156) to increase the pension of H. S. Mayhall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1557) granting a pension to Sarah A. Phelps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1558) to increase the pension of Martin V. Roark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1559) granting a pension to Edwin H. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1560) to restore pension to the widow of William H. Fullerton, Company I, Nineteenth Kentucky Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1561) for the relief of George Denny, sr.—to the Committee on War Claims.

Also, a bill (H. R. 1562) for the relief of the trustees of the Christian Church of Danville, Ky.—to the Committee on War Claims.

Also (by request), a bill (H. R. 1563) for the relief of H. Baronig Matteosian, M. D., late delegate to the International Sanitary Conference at Constantinople, Turkey—to the Committee on Foreign Affairs.

Also, a bill (H. R. 1564) for the relief of G. W. Evans—to the Committee on War Claims.

Also, a bill (H. R. 1565) for the relief of Mary Elkin—to the Committee on War Claims.

Also, a bill (H. R. 1566) for the relief of James Dozier—to the Committee on War Claims.

Also, a bill (H. R. 1567) for the relief of V. C. Lasley—to the Committee on War Claims.

Also, a bill (H. R. 1568) for the relief of T. H. Bohanon, administrator of John Slaughter—to the Committee on War Claims.

Also, a bill (H. R. 1569) for the relief of the heirs of Thomas Stone, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1570) for the relief of George and Charles Shindler, of Spencer County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1571) for the benefit of Levi Lambert—to the Committee on War Claims.

Also, a bill (H. R. 1572) for the relief of Granville Allen—to the Committee on War Claims.

Also, a bill (H. R. 1573) for the relief of William J. Landrum—to the Committee on War Claims.

Also, a bill (H. R. 1574) for the relief of S. J. Brown, of Garrard County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1575) for the relief of Dr. O. P. Hill—to the Committee on War Claims.

Also, a bill (H. R. 1576) for the relief of Merril Denham—to the Committee on War Claims.

Also, a bill (H. R. 1577) for the relief of the heirs of John C. Reed, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1578) for the relief of Charles Gentry—to the Committee on War Claims.

Also, a bill (H. R. 1579) for the relief of Charles L. Carter—to the Committee on War Claims.

Also, a bill (H. R. 1580) for the relief of Mike S. Elkin—to the Committee on War Claims.

Also, a bill (H. R. 1581) for the benefit of Mrs. Elizabeth Moore—to the Committee on War Claims.

Also, a bill (H. R. 1582) for the benefit of John Y. Leavell—to the Committee on War Claims.

Also, a bill (H. R. 1583) for the relief of Maria T. Daveiss, executrix of William Daviess, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1584) for the benefit of Mary Jane Harbison—to the Committee on War Claims.

Also, a bill (H. R. 1585) for the relief of Mrs. Louisa Jackman and the legal representatives of Mrs. Martha Vaughn—to the Committee on War Claims.

Also, a bill (H. R. 1586) for the relief of James Clark—to the Committee on War Claims.

Also, a bill (H. R. 1587) for the relief of Joseph L. Davis and Mrs. Mary E. Dennis, heirs of John Davis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1588) for the relief of Joseph B. Cox—to the Committee on War Claims.

Also, a bill (H. R. 1589) for the relief of Thomas J. Barker—to the Committee on War Claims.

Also, a bill (H. R. 1590) for the relief of Mrs. Jennie Harbison—to the Committee on War Claims.

Also, a bill (H. R. 1591) for the relief of Mrs. C. C. Bogle, widow and administratrix of J. A. Bogle, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1592) for the relief of Henry P. Bottom—to the Committee on War Claims.

Also, a bill (H. R. 1593) for the relief of John Burnside—to the Committee on War Claims.

Also, a bill (H. R. 1594) for the relief of the administrator of John Engleman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1595) for the relief of John H. McGrayer—to the Committee on War Claims.

Also, a bill (H. R. 1596) for the relief of W. G. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 1597) for the relief of Jean Louis Legare of Dominion of Canada—to the Committee on Foreign Affairs.

Also, a bill (H. R. 1598) for the relief of A. Carson—to the Committee on War Claims.

Also, a bill (H. R. 1599) for the relief of D. N. Williams—to the Committee on War Claims.

Also, a bill (H. R. 1600) for the relief of R. H. Givens's heirs—to the Committee on War Claims.

Also, a bill (H. R. 1601) for the relief of James Madison Martin—to the Committee on War Claims.

Also, a bill (H. R. 1602) for the relief of John Baughman—to the Committee on War Claims.

Also, a bill (H. R. 1603) for the relief of W. G. Dunn, administrator of Cooper Dunn, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1604) for the relief of G. W. Herd—to the Committee on War Claims.

Also, a bill (H. R. 1605) for the relief of S. P. Martin—to the Committee on War Claims.

Also, a bill (H. R. 1606) for the relief of Allen M. Snooks—to the Committee on War Claims.

Also, a bill (H. R. 1607) for the relief of G. W. Rogers—to the Committee on War Claims.

Also, a bill (H. R. 1608) for the relief of Thomas Stone's heirs—to the Committee on War Claims.

Also, a bill (H. R. 1609) for the relief of B. F. Bryant—to the Committee on War Claims.

Also, a bill (H. R. 1610) for the relief of M. S. Elkins—to the Committee on War Claims.

Also, a bill (H. R. 1611) for the relief of William Adams—to the Committee on War Claims.

Also, a bill (H. R. 1612) for the relief of the Madison Female Institute, located at Richmond, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1613) for the relief of James D. Bastin—to the Committee on War Claims.

Also, a bill (H. R. 1614) for the relief of William J. Landrum—to the Committee on Military Affairs.

Also, a bill (H. R. 1615) for the relief of John W. Williams—to the Committee on War Claims.

Also, a bill (H. R. 1616) for the relief of B. F. Chatham—to the Committee on War Claims.

Also, a bill (H. R. 1617) for the relief of James M. Clowers—to the Committee on War Claims.

Also, a bill (H. R. 1618) for the relief of W. L. Waddy—to the Committee on War Claims.

Also, a bill (H. R. 1619) for the relief of E. J. Shackelford—to the Committee on War Claims.

Also, a bill (H. R. 1620) for the relief of Smith R. Mershon—to the Committee on Military Affairs.

Also, a bill (H. R. 1621) for the relief of George H. McKinney—to the Committee on War Claims.

Also, a bill (H. R. 1622) for the relief of B. F. Robinson—to the Committee on War Claims.

Also, a bill (H. R. 1623) for the relief of the trustees of the Baptist Church at Crab Orchard, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1624) for the relief of James M. Cornelison—to the Committee on War Claims.

Also, a bill (H. R. 1625) to amend and correct the military record of Barnett C. Young—to the Committee of Military Affairs.

By Mr. McGANN: A bill (H. R. 1626) for the relief of Patrick Gavin—to the Committee on Naval Affairs.

Also, a bill (H. R. 1627) for the relief of Michael J. Doyle—to the Committee on Military Affairs.

Also, a bill (H. R. 1628) to remove the charge of desertion from John Marks—to the Committee on Military Affairs.

Also, a bill (H. R. 1629) for the relief of Thomas Hickey—to the Committee on Military Affairs.

Also, a bill (H. R. 1630) for the relief of Peter Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 1631) to remove the charge of desertion from the military record of Daniel P. O'Donnell—to the Committee on Military Affairs.

Also, a bill (H. R. 1632) to remove the charges of desertion from the military record of William N. Pringle—to the Committee on Military Affairs.

By Mr. McKENNA: A bill (H. R. 1633) for the relief of A. P. Jackson and others—to the Committee on the Public Lands.

Also, a bill (H. R. 1634) for the relief of William R. Wheaton and Charles H. Chamberlain, of California—to the Committee on Claims.

Also, a bill (H. R. 1635) for the relief of Ames & Detrick, of San Francisco, in the State of California—to the Committee on Ways and Means.

Also, a bill (H. R. 1636) for the relief of George B. Cosby—to the Committee on Claims.

Also, a bill (H. R. 1637) for the relief of Christopher Green and Hugh C. Trainor—to the Committee on Claims.

Also, a bill (H. R. 1638) for the relief of James Q. Shirley and the estate of Francis De Long—to the Committee on Claims.

By Mr. McKAIG: A bill (H. R. 1639) for the relief of the trustees of the Methodist Episcopal Church of Frederick County, Md.—to the Committee on War Claims.

Also, a bill (H. R. 1640) for the relief of Ezra Burtner, of Washington County, Md.—to the Committee on War Claims.

Also, a bill (H. R. 1641) for the relief of the trustee of the German Reformed Lutheran Church of Boonsboro, Md.—to the Committee on War Claims.

Also, a bill (H. R. 1642) for the relief of La Grange Lodge, No. 36, Independent Order of Odd Fellows, of Boonsboro, Md.—to the Committee on War Claims.

Also, a bill (H. R. 1643) for the relief of the trustees of the Methodist Episcopal Church of Boonsboro, Md.—to the Committee on War Claims.

Also, a bill (H. R. 1644) for the relief of Martha J. Wroe, of Washington County, Md.—to the Committee on War Claims.

Also, a bill (H. R. 1645) for the relief of the trustees of the United Brethren Church of Boonsboro, Md.—to the Committee on War Claims.

Also, a bill (H. R. 1646) for the relief of Grafton F. Smith, administrator of David Smith, deceased, late of Washington County, Md.—to the Committee on War Claims.

Also, a bill (H. R. 1647) to carry out the findings of the Court of Claims in the case of Daniel N. Middlekauff and Levi Middlekauff, administrators of the estate of John C. Middlekauff, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1648) for the relief of Thomas P. Morgan, jr.—to the Committee on Claims.

Also, a bill (H. R. 1649) granting a pension to Jesse Hyder—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 1650) for the relief of William Lavery—to the Committee on War Claims.

Also, a bill (H. R. 1651) granting a pension to Helen A. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1652) directing the Secretary of the Treasury to pay withheld bounties to certain noncommissioned officers of

the Eighth New Hampshire Volunteers discharged as supernumeraries—to the Committee on War Claims.

By Mr. MAGNER: A bill (H. R. 1653) granting a pension to Eliza Conroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1654) for the relief of the estate of Henry W. Watts, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1655) to grant a pension to Margaret Carew, mother of Michael Carew, deceased, late of Company D, One hundred and thirty-ninth New York Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1656) to place upon the pension rolls the name of Humphrey Bennett, formerly of Company F, Twenty-second New York Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1657) to remove the charge of desertion from the military record of Jeremiah Cleary—to the Committee on Military Affairs.

By Mr. MALLORY: A bill (H. R. 1658) for the relief of John S. Samis—to the Committee on War Claims.

Also, a bill (H. R. 1659) for the relief of Joseph Y. Porter, late captain and assistant surgeon United States Army—to the Committee on Military Affairs.

By Mr. MANSUR: A bill (H. R. 1660) for the relief of John H. Edwards—to the Committee on War Claims.

Also, a bill (H. R. 1661) for the relief of Emily M. Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1662) removing the charge of desertion against John Van Fossen—to the Committee on Military Affairs.

Also, a bill (H. R. 1663) to increase the pension of T. R. Dice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1664) to confirm the title to certain lands to William Morgan and Harrison Moore, and to provide for the issue of patents therefor—to the Committee on Private Land Claims.

Also, a bill (H. R. 1665) granting jurisdiction and authority to the Court of Claims in the case of the towboat Future City, her barges, cargoes, etc.—to the Committee on Claims.

Also, a bill (H. R. 1666) to grant a pension to August Renne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1667) for the relief of Andrew P. Jenkins—to the Committee on Military Affairs.

Also, a bill (H. R. 1668) for the relief of James H. Wyatt—to the Committee on War Claims.

Also, a bill (H. R. 1669) for the relief of Caroline Ritter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1670) for the relief of W. S. Holt—to the Committee on War Claims.

Also, a bill (H. R. 1671) for the relief of Mary E. and Lucien Gordon, as administratrix and administrator of the estate of Thomas J. Gordon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1672) for the relief of O. P. Phillips—to the Committee on War Claims.

Also, a bill (H. R. 1673) granting a pension to Mrs. Stacey E. Stanley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1674) for the relief of Ezra S. Havens—to the Committee on War Claims.

Also, a bill (H. R. 1675) granting a pension to Elisabeth Mathien—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1676) granting a pension to Mrs. Mary Pringle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1677) granting a pension to John Stigler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1678) for the relief of E. R. Shipley—to the Committee on Claims.

Also, a bill (H. R. 1679) granting an increase of pension to Teresa Giberson, widow of Israel W. Giberson, late of Company C, Fifty-seventh Regiment Ohio Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1680) for the relief of John S. Neet, jr.—to the Committee on Military Affairs.

Also, a bill (H. R. 1681) granting a pension to Robert M. Ragsdale—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 1682) to correct the pension certificate of William H. Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1683) to grant a pension to Eliza Tait, a dependent sister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1684) to correct the military record of Madison A. Thomas—to the Committee on Military Affairs.

Also, a bill (H. R. 1685) to correct the military record of Charles A. Larkin—to the Committee on Military Affairs.

Also, a bill (H. R. 1686) to correct the military record of Augustus Somers, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 1687) to correct the military record of Calvin Daniel, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 1688) for the relief of William F. Bryson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1689) to correct the military record of William Ice—to the Committee on Military Affairs.

Also, a bill (H. R. 1690) for the relief of Lewis Deems—to the Committee on War Claims.

Also, a bill (H. R. 1691) for the relief of Elias D. Pierce—to the Committee on War Claims.

Also, a bill (H. R. 1692) to correct the military record of Peter Seibel—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 1693) for the relief of Elias D. Pierce—to the Committee on Claims.

By Mr. MEREDITH: A bill (H. R. 1694) for the relief of Laura E. Maddox, sole executrix of Joseph H. Maddox, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1695) for the relief of John H. Redman, a citizen of King George County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1696) for the relief of loyal citizens therein named of Loudoun County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1697) to confer upon justices of the peace in the District of Columbia jurisdiction, power, and authority to issue writs of attachment and of replevin and regulating the proceedings of such justices and of the constables of said District in respect to such writs—to the Committee on the Judiciary.

Also, a bill (H. R. 1698) for the relief of John W. Fairfax—to the Committee on War Claims.

Also, a bill (H. R. 1699) for the relief of Elizabeth Ann Ogg—to the Committee on War Claims.

Also, a bill (H. R. 1700) for the relief of Rachel Dyer, of Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1701) for the relief of C. F. Swetman—to the Committee on Claims.

Also, a bill (H. R. 1702) for the relief of R. D. Beckley and Leon Howard—to the Committee on Claims.

Also, a bill (H. R. 1703) for the relief of Albert Wren, of Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1704) for the relief of Mary Shrives, administratrix of William Shrives, deceased, late of Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1705) for the relief of Hannah Burke, of Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1706) for the relief of the legal representative of William Y. Dulin, deceased, late of Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1707) for the relief of the estate of Jane Taylor, deceased, late of Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1708) for the relief of the estate of Alexander Poland, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1709) for relief of Amelia A. H. Richards, administratrix of Felix Richards, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1710) for the relief of Lewis McKenzie—to the Committee on Claims.

Also, a bill (H. R. 1711) for the relief of Sewell B. Corbett—to the Committee on War Claims.

Also, a bill (H. R. 1712) for the relief of John T. Henderson, of Virginia—to the Committee on the District of Columbia.

Also, a bill (H. R. 1713) for the relief of William Bushby—to the Committee on War Claims.

Also, a bill (H. R. 1714) for the relief of Theodore Teed, his heirs, legal representatives, or assigns—to the Committee on Claims.

Also, a bill (H. R. 1715) for the relief of Sarah A. Swart, executrix of Barnett T. Swart, deceased, late of the District of Columbia—to the Committee on War Claims.

Also, a bill (H. R. 1716) for the relief of Joseph Redfern and Eliza J. Redfern, his wife—to the Committee on Claims.

Also, a bill (H. R. 1717) for the relief of the trustees of the Mount Holly Baptist Church of Fauquier County, Va.—to the Committee on War Claims.

By Mr. MILLIKEN: A bill (H. R. 1718) referring the claims of the owner of the schooner Grace Gower to the Court of Claims or the United States circuit or district court—to the Committee on Claims.

Also, a bill (H. R. 1719) for the relief of the owners of the brig Abby Ellen—to the Committee on War Claims.

Also, a bill (H. R. 1720) for the relief of the heirs of William Pitcher and Axel Hayford and Samuel Otis and George B. Fergusson—to the Committee on War Claims.

Also, a bill (H. R. 1721) to increase the pension of Emily S. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1722) granting a pension to C. D. Morrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1723) granting a pension to Clarence F. Spaulding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1724) for the relief of Samuel Carter—to the Committee on Military Affairs.

Also, a bill (H. R. 1725) granting a pension to Franklin A. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1726) to remove the charge of desertion against Samuel J. Wallace—to the Committee on Military Affairs.

Also, a bill (H. R. 1727) to remove the charge of desertion against James E. Gray—to the Committee on Military Affairs.

Also, a bill (H. R. 1728) to remove the charge of desertion against Louis B. Weymouth—to the Committee on Military Affairs.

Also, a bill (H. R. 1729) for the relief of A. V. Nickels, agent of the ship Belle, of Bath, Me.—to the Committee on Claims.

By Mr. MITCHELL: A bill (H. R. 1730) for the relief of Peter Flemming—to the Committee on Military Affairs.

Also, a bill (H. R. 1731) granting a pension to Frederick Roggan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1732) for the relief of Bremer & Co.—to the Committee on Claims.

Also, a bill (H. R. 1733) granting a pension to Sophia J. Hamilton, widow of Charles S. Hamilton, major-general of volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1734) granting a pension to Margaret Coghlan, widow of Timothy Coghlan, late private in Company I, Second Provisional New York Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1735) granting an increase of pension to C. E. Philbrook, widow of Alvah Philbrook, major of Twenty-fourth Regiment Wisconsin Volunteers—to the Committee on Invalid Pensions.

By Mr. MORSE: A bill (H. R. 1736) granting a pension to Susan Quigley, widow of Thomas F. Quigley, alias F. W. Howard—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: A bill (H. R. 1737) to increase the pension of Anna Maria Young, a Revolutionary pensioner—to the Committee on Pensions.

By Mr. NEWBERRY: A bill (H. R. 1738) to pension Mrs. Adelia S. Ferris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1739) granting a pension to minor children of Hiram H. Benner, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 1740) for the relief of Samuel Warren, alias Thomas Bugham—to the Committee on Naval Affairs.

Also, a bill (H. R. 1741) for the relief of Charles A. Folsom—to the Committee on War Claims.

Also, a bill (H. R. 1742) for the relief of Mrs. Laura E. Skeels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1743) for the relief of C. C. Roberts—to the Committee on Claims.

Also, a bill (H. R. 1744) for the relief of Mrs. Maria McMurdie—to the Committee on Claims.

Also, a bill (H. R. 1745) for the relief of George W. Eckerson—to the Committee on Military Affairs.

Also, a bill (H. R. 1746) for the relief of George Isenstein—to the Committee on Military Affairs.

By Mr. O'DONNELL: A bill (H. R. 1747) granting a pension to Huldah M. Wingate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1748) granting a pension to Evaline Laverty—to the Committee on Pensions.

Also, a bill, (H. R. 1749) granting a pension to Adaline S. Ransom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1750) granting a pension to Eunice J. Dubois—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1751) granting a pension to Phœbe A. Sisson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1752) for the relief of Francis M. Potter—to the Committee on War Claims.

Also, a bill (H. R. 1753) for the relief of Nelson Green—to the Committee on Claims.

Also, a bill (H. R. 1754) for the relief of William C. Hughes—to the Committee on War Claims.

Also, a bill (H. R. 1755) removing the charge of desertion from the record of Richard H. Marsh—to the Committee on Military Affairs.

Also, a bill (H. R. 1756) for the relief of Guiles Rhodes—to the Committee on Military Affairs.

Also, a bill (H. R. 1757) to relieve Charles H. Colley of the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 1758) to remove from the record of Monroe Webster, deceased, the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 1759) granting a pension to Ellen Goff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1760) granting a pension to George W. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1761) granting a pension to Susan Goucher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1762) granting a pension to Phœbe M. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1763) granting a pension to Mary Cochran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1764) granting a pension to Belinda Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1765) granting a pension to Adaline Camp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1766) granting a pension to Cleona E. Gaines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1767) granting a pension to Adaline Bryner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1768) to increase the pension of George W. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1769) to increase the pension of George Raymond—to the Committee on Invalid Pensions.

By Mr. OTIS: A bill (H. R. 1770) granting a pension to Martha Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1771) for relief of Daniel W. Boutwell—to the Committee on War Claims.

Also, a bill (H. R. 1772) for the relief of D. W. Boutwell—to the Committee on War Claims.

Also, a bill (H. R. 1773) granting a pension to Harriet S. Seaman—to the Committee on Invalid Pensions.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 1774) for the relief of John C. Howe—to the Committee on Claims.

Also, a bill (H. R. 1775) for the relief of Mary C. Winslow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1776) for the relief of the Atlantic Works, of Boston, Mass.—to the Committee on War Claims.

Also, a bill (H. R. 1777) to remove the charge of desertion from the record of James M. Thompson—to the Committee on Military Affairs.

Also, a bill (H. R. 1778) for the relief of heirs of Philip C. Rowe—to the Committee on Claims.

By Mr. O'NEILL of Missouri: A bill (H. R. 1779) for the relief of Henry Drehman's heirs—to the Committee on War Claims.

Also, a bill (H. R. 1780) granting a pension to W. Zister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1781) for the relief of Calvin Gunn—to the Committee on Claims.

Also, a bill H. R. 1782) for the relief of Cogswell & Co.—to the Committee on Claims.

Also, a bill (H. R. 1783) granting a pension to Honora Shea—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1784) granting a pension to James Reed, jr.—to the Committee on Invalid Pensions.

By Mr. O'NEILL of Pennsylvania: A bill and petition (H. R. 1785) granting an increase of the pension of Capt. John D. Yerkes, late of Company H, Forty-second Regiment of Pennsylvania—to the Committee on Invalid Pensions.

Also a bill (H. R. 1786) granting jurisdiction to the Court of Claims, notwithstanding any statutory bar, of the claims of J. F. Bailey & Co. and others—to the Committee on Claims.

Also, a bill (H. R. 1787) granting an increase of pension to Caroline V. English—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1788) for the relief of Augustus Boyd—to the Committee on Military Affairs.

Also, a bill (H. R. 1789) granting a pension to Ellen McNamee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1790) for the relief of the legal representatives and devisees of James W. Shaumburg—to the Committee on War Claims.

Also, a bill (H. R. 1791) for the relief of the Corn Exchange National Bank of Philadelphia, Pa.—to the Committee on Claims.

Also, a bill (H. R. 1792) for the relief of the heirs of Richard W. Meade—to the Committee on Claims.

By Mr. O'FERRALL: A bill (H. R. 1793) for the relief of Casper Rinker, of Frederick County, Va—to the Committee on War Claims.

Also, a bill (H. R. 1794) to increase the pension of John P. Brock, late a second lieutenant in the Eleventh Regiment of Infantry in the Mexican war—to the Committee on Pensions.

Also, a bill (H. R. 1795) to increase the pension of A. J. Copenhaver, late a soldier in the Mexican war—to the Committee on Pensions.

Also (by request), a bill (H. R. 1796) for the relief of James W. Walsh and others—to the Committee on the District of Columbia.

Also, a bill—(H. R. 1797) increasing the pension of Thomas Ward—to the Commitee on Invalid Pensions.

Also, a bill (H. R. 1798) to increase the pension of Gertrude V. Ross, widow of John Monroe Ross, late first lieutenant Twenty-

second Infantry, United States Army—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1799) for the relief of B. R. Walker—to the Committee on Claims.

Also, a bill (H. R. 1800) for the relief of Daniel Thomas—to the Committee on Claims.

Also, a bill (H. R. 1801) for the relief of H. H. Farmer—to the Committee on Claims.

Also, a bill (H. R. 1802) for the relief of William E. Logan—to the Committee on Claims.

Also, a bill (H. R. 1803) for the relief of Albert Blaisdell—to the Committee on Claims.

Also (by reqest), a bill (H. R. 1804) for the relief of the estte of Benjamin F. Gibbs—to the Committee on Claims.

Also, a bill (H. R. 1805) for the relief of Mrs. Emma M. Moore—to the Committee on Claims.

Also, a bill (H. R. 1806) for the relief of C. A. Worthington—to the Committee on Military Affairs.

Also, a bill (H. R. 1807) for the relief of George R. Mayhew, private Company F, Eighth Regiment New York Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 1808) for the relief of the personal representative of Peter Wise, deceased, late of Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1809) for the relief of A. B. Hunton—to the Committee on War Claims.

Also, a bill (H. R. 1810) for the relief of Martin Belaw—to the Committee on War Claims.

Also, a bill (H. R. 1811) for the relief of Branon Thatcher, of Frederick County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1812) for the relief of William H. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 1813) for the relief of Jacob H. Lindsey, of Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1814) for the relief of the personal representative of George H. Skelton, deceased, late of Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1815) for the relief of the legal representatives of Isaac Fisher, deceased, late of Shenandoah Co., Va.—to the Committee on War Claims.

Also, a bill (H. R. 1816) for the relief of Casper Rinker, of Frederick County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1817) for the relief M. F. E. Kline, of Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1818) for the relief of F. L. Entzler, administrator of Winfield S. Baugher, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1819) for the relief of Isaac W. Canter, administrator of Margaret McCauley, deceased, late of Frederick County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1820) for the relief of Juliet A. Corbin, of Rappanannock County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1821) for the relief of Phœbe A. E. Dear, of Rappahannock County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1822) for the relief of Benjamin Bowman, of Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1823) for the relief of the trustees of the Centenary Reformed Church of Winchester, Va.—to the Committee on War Claims.

Also, a bill (H. R. 1824) directing the Secretary of the Treasury to examine and settle the accounts of certain States and the city of Baltimore, growing out of moneys expended by said States and the city of Baltimore for military purposes during the war of 1812—to the Committee on War Claims.

By Mr. OUTHWAITE (by request): A bill (H. R. 1825) for the presentation of badges to the officers and men of the Greely relief expedition—to the Committee on Naval Affairs.

Also (by request), a bill (H. R. 1826) granting an increase of pension to Andrew H. Byers—to the Committee on Military Affairs.

Also, a bill (H. R. 1827) granting an increase of pension to John S. Walker—to the Committee on Military Affairs.

Also, a bill (H. R. 1828) for the relief of Fred. W. Snell—to the Committee on War Claims.

By Mr. OWENS: A bill (H. R. 1829) to remove the charge of desertion from the military record of James A. McElroy—to the Committee on Military Affairs.

Also, a bill (H. R. 1830) to remove the charge of desertion from the military record of Abraham Bennett—to the Committee on Military Affairs.

Also, a bill (H. R. 1831) to remove the charge of desertion from the military record of Stanton Maines—to the Committee on Military Affairs.

Also, a bill (H. R. 1832) to remove the charge of desertion from the military record of John Snyder—to the Committee on Military Affairs.

Also, a bill (H. R. 1833) to remove the charge of desertion from the military record of Peter C. Lawyer—to the Committee on Military Affairs.

Also, a bill (H. R. 1834) to remove the charge of desertion from the military record of John Porcella—to the Committee on Military Affairs.

Also, a bill (H. R. 1835) to remove the charge of desertion from the military record of Nicholas Swingle—to the Committee on Military Affairs.

Also, a bill (H. R. 1836) to remove the charge of desertion from the military record of Isaac Sensabaugh—to the Committee on Military Affairs.

Also, a bill (H. R. 1837) granting a pension to Daniel Layton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1838) granting a pension to Jane Linn—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Tennessee: A bill (H. R. 1839) for relief of Martha A. Booth, administratrix—to the Committee on War Claims.

Also, a bill (H. R. 1840) for relief of estate of Stativa Moore—to the Committee on War Claims.

Also, a bill (H. R. 1841) for the relief of Thomas C. Jones—to the Committee on War Claims.

Also, a bill (H. R. 1842) for the relief of Leger Restle—to the Committee on War Claims.

Also, a bill (H. R. 1843) for the relief of Alfred B. Carter—to the Committee on War Claims.

Also, a bill (H. R. 1844) for the relief of Ed. Tarry, administrator of Mary S. Hunt, deceased, of Tipton County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1845) for the relief of Alfred B. Carter, of Shelby County, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 1846) for the relief of Joseph A. Hill, of Fayette County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1847) for the relief of Arthur Connell, of Memphis, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1848) for the relief of Mary E. Keegan, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1849) for the relief of the La Grange Synodical College of Tennessee—to the Committee on War Claims.

Also, a bill (H. R. 1850) for the relief of the legal representatives of Marcus Holbrook, deceased, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1851) for the relief of Benjamin Hahn, of Fayette County, Tenn,—to the Committee on War Claims.

Also, a bill (H. R. 1852) for the relief of William C. Postal, of Memphis, Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1853) for the relief of Pearson C. Montgomery, of Memphis, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1854) for the relief of J. J. Murphy, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1855) for the relief of William H. Noland, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1856) for the relief of the Overton Hotel Company, of Memphis, Tenn.—to the Committee on War Claims.

By Mr. PAGE of Rhode Island: A bill (H. R. 1857) granting an honorable discharge certificate to Hugh Kerr, late of Company K, First Battalion, Fourteenth Regiment, United States Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1858) granting a pension to Mary Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1859) for the relief of William C. Stewart, late of Company A, First Regiment, Rhode Island Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 1860) granting an increase of pension to Anne Duffy, widow of John M. Duffy, late lieutenant-colonel, United States Army—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1861) for the relief of Robert Carrick, late first lieutenant Eighth United States Cavalry—to the Committee on Invalid Pensions.

By Mr. PEEL: A bill (H. R. 1862) to incorporate the Washington and Bladensburg Street Railway Company—to the Committee on the District of Columbia.

Also, a bill (H. R. 1863) to compensate J. M. Bryan for property at Choteau Station, taken from him by the Cherokee Nation—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 1864) to pension Harvey A. Fletcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1865) to correct military record of Bennett Dorsey, Battery A, First Arkansas Artillery—to the Committee on Military Affairs.

Also, a bill (H. R. 1866) to correct military record of John J. Johnson, late of Company D, Second Arkansas Cavalry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 1867) for the relief of William Clay, United States Navy—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 1868) for the relief of Davidson Dickson and others—to the Committee on War Claims.

Also (by request), a bill (H. R. 1869) granting a pension to John C. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1870) to correct military record of Randall J. Woodworth, late of Company D, Third Wisconsin Infantry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 1871) to correct the military record of James Fanning, private Company G, First Arkansas Cavalry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 1872) to grant pension to Thomas J. Erwin, late Company N, Seventy-third Missouri Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1873) to correct the military record of John Payton, Company K, First Kentucky Cavalry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 1874) to grant a pension to Michael Hayhurst, late private Company I, First Arkansas Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1875) to place William J. Sowell on the rolls of the Arkansas Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 1876) to pay E. J. Wolem, for carrying the mail in 1865 from Rome, Ga., to Blue Mountain, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1877) granting an increase of pension to Joseph D. Tate—to the Committee on Pensions.

Also, a bill (H. R. 1878) to pay Bluford West for saline salt work in Cherokee Nation—to the Committee on Indian Affairs.

Also, a bill (H. R. 1879) to grant pension to children of John W. Jones, late private Company D, Second Arkansas Cavalry Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1880) to confer jurisdiction on the United States court for western district of Arkansas in a cause of George T. Lincoln *vs.* Choctaw Nation—to the Committee on the Judiciary.

Also, a bill (H. R. 1881) to correct the military record of William G. Lefors, Company F, First Arkansas Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 1882) to grant a pension to Jesse Tabor, Company D, Seventy-second Enrolled Missouri Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1883) to grant a pension to Thomas Higgs, of the Florida and Seminole war—to the Committee on Pensions.

Also, a bill (H. R. 1884) to grant a pension to Samuel P. Smith, late of Company A, Kentucky Battalion Volunteer Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1885) granting a pension to John M. Bailey, for services in the war with Mexico—to the Committee on Pensions.

Also, a bill (H. R. 1886) to increase the pension of J. D. Tate, private Company C, Fourth Arkansas Cavalry—to the Committee on Invalid Pensions.

By Mr. PIERCE: A bill (H. R. 1887) for the relief of Peyton Gill—to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 1888) authorizing the legal representatives and assignees of Jonathan L. Jones and W. D. Porter to sue in the Court of Claims—to the Committee on War Claims.

By Mr. PEARSON: A bill (H. R. 1889) for the relief of Battelle & Evans—to the Committee on War Claims.

By Mr. PENDLETON: A bill (H. R. 1890) granting a pension to George Waddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1891) authorizing additional compensation to the assistant commissioners to the Industrial Exhibition held at Melbourne, Australia—to the Committee on Foreign Affairs.

Also, a bill (H. R. 1892) granting relief to J. K. Botsford, of Wheeling, W. Va., for damages done to property by United States troops during the late war—to the Committee on Claims.

Also, a bill (H. R. 1893) for the relief of West Virginia troops acting under the authority of the governor of said State during the late war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1894) granting relief to James R. Shrodes for services rendered during the late civil war—to the Committee on Military Affairs.

Also, a bill (H. R. 1895) granting a pension to Lovina A. Patton and Belle Hartley, heirs at law of the late Samuel Hartley, of Wheeling, W. Va.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1896) for the relief of Abraham Shriver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1897) granting a pension to Richard Crutcher—to the Committee on Pensions.

Also, a bill (H. R. 1898) for the relief of Alexander Shock—to the Committee on War Claims.

Also, a bill (H. R. 1899) granting an increase of pension to Gen. J. A. J. Lightburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1900) for the relief of William Dillon—to the Committee on Claims.

Also, a bill (H. R. 1901) for the relief of Henry Snider, Moundsville, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 1902) granting relief to Philo L. Kimberly and others, of Wheeling, W. Va., on account of salary due them as clerks in the Wheeling post-office for the year 1861—to the Committee on Claims.

Also, a bill (H. R. 1903) granting a pension to Henry Snider, of Marshall County, W. Va.—to the Committee on Invalid Pensions.

Also a bill (H. R. 1904) granting relief to W. E. Mason, of Marshall County, for money destroyed in January, 1887—to the Committee on Claims.

Also, a bill (H. R. 1905) for the relief of John W. Kennedy—to the Committee on Claims.

Also, a bill (H. R. 1906) for the relief of J. M. Price, of Marshall County, W. Va.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1907) granting a pension to Elizabeth A. Jefferson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1908) granting an increase of pension to Lieut. Col. J. H. Lockwood, of Marshall County, W. Va.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1909) for the relief of A. H. Shaw and others—to the Committee on Claims.

Also, a bill (H. R. 1910) for the relief of the trustees of the Methodist Episcopal Church of Flat Woods, Braxton County, W. Va.—to the Committee on Claims.

Also, a bill (H. R. 1911) for the relief of Franklin M. Davisson—to the Committee on Military Affairs.

Also, a bill (H. R. 1912) for the relief of Mrs. Jane Falls, widow of William Falls—to the Committee on War Claims.

Also, a bill (H. R. 1913) to remove charge of desertion in the matter of Richard Crutcher—to the Committee on Military Affairs.

Also, a bill (H. R. 1914) for the relief of George W. Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 1915) for the relief of William M. Riggs—to the Committee on Military Affairs.

Also, a bill (H. R. 1916) to remove charge of desertion as to Sanford Wood—to the Committee on Military Affairs.

Also, a bill (H. R. 1917) to pay Andrew F. McLure for use of horse and horse equipments during the late war—to the Committee on War Claims.

By Mr. PIERCE: A bill (H. R. 1918) for the relief of A. W. Stephenson—to the Committee on War Claims.

Also, a bill (H. R. 1919) for the relief of Joseph B. Somerville—to the Committee on War Claims.

Also, a bill (H. R. 1920) for the relief of Humboldt Female College—to the Committee on War Claims.

Also, a bill (H. R. 1921) for the relief of J. M. Hines, of Gibson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1922) for the relief of Julia Holbrook, of Haywood County, Tenn.—to the Committee on War Claims.

By Mr. PERKINS: A bill (H. R. 1923) granting an honorable discharge to William W. Wedgwood—to the Committee on Military Affairs.

By Mr. PAGE of Maryland: A bill (H. R. 1924) for the relief of the owners of the schooner Chesapeake Trader—to the Committee on Claims.

Also, a bill (H. R. 1925) for the relief of Reany, Son & Archbold—to the Committee on War Claims.

Mr. PAGE of Rhode Island (by request), a bill (H. R. 1926) authorizing the President to place upon the retired list of the Army Sergt. Long and others, late of the Signal Corps, United States, survivors of the Lady Franklin Bay Expedition—to the Committee on Military Affairs.

By Mr. PEEL: A bill (H. R. 1927) making an appropriation for the benefit of the estate of William Moss, deceased—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1928) for the relief of William W. Burns—to the Committee on Claims.

Also, a bill (H. R. 1929) to grant a pension to Mrs. Martha J. McHenry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1930) to grant a pension to Isom Gibson, Company B, in Florida war—to the Committee on Pensions.

Also, a bill (H. R. 1931) to correct the military record of George W. Boling, Company H, Twenty-fourth Kentucky Volunteers—to the Committee on Military Affairs.

By Mr. PATTERSON of Tennessee: A bill (H. R. 1932) for the relief of Samuel Tate—to the Committee on War Claims.

Also, a bill (H. R. 1933) for the relief of R. D. Beckley and Leon Howard—to the Committee on Claims.

Also, a bill (H. R. 1934) for the relief of W. J. Smith and D. M. Wisdom—to the Committee on Claims.

Also, a bill (H. R. 1935) for the relief of J. W. Jefferson—to the Committee on War Claims.

Also, a bill (H. R. 1936) for the relief of Sarah A. Etchevarne—to the Committee on Claims.

By Mr. PARRETT: A bill (H. R. 1937) granting a pension to Wilson H. Daniels—to the Committee on Invalid Pensions.

By Mr. PICKLER: A bill (H. R. 1938) granting a pension to Caroline E. Quigg, formerly C. Elizabeth Henry, an army nurse in the late war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1939) granting a pension to Frederick Andros—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1940) for the relief of William G. McSpadden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1941) granting a pension to Patrick E. O'Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1942) for the relief of Caleb H. Ellis, late captain Company E, Thirty-first Maine Volunteers—to the Committee on War Claims.

By Mr. POST: A bill (H. R. 1943) for the relief of Moses M. Bane—to the Committee on Claims.

Also, a bill (H. R. 1944) for the relief of the estate of the late Revere W. Gurley—to the Committee on Claims.

By Mr. PENDLETON: A bill (H. R. 1945) for the relief of the late A. S. Core—to the Committee on Claims.

By Mr. ROBERTSON: A bill (H. R. 1946) for the relief of the estate of Benjamin Roach, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1947) for the relief of Victor Lastrapes, of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1948) for the relief of the estate of Charles Lemelle, deceased, late of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1949) for the relief of Leon Lemelle, of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1950) for the relief of George W. Munday, administrator—to the Committee on Claims.

Also, a bill (H. R. 1951) for the relief of Sarah A. Powell—to the Committee on War Claims.

Also, a bill (H. R. 1952) for the relief of E. W. Goude, widow of C. F. Goude—to the Committee on War Claims.

Also, a bill (H. R. 1953) for the relief of estate of Pierre Lement—to the Committee on War Claims.

Also, a bill (H. R. 1954) for relief of Lucien Meuillon—to the Committee on War Claims.

Also, a bill (H. R. 1955) for the relief of estate of Jean Baptiste Lazare—to the Committee on War Claims.

Also, a bill (H. R. 1956) for relief of heirs of Francis Meuillon—to the Committee on War Claims.

Also, a bill (H. R. 1957) for the relief of Sarah J. Vallean—to the Committee on War Claims.

Also, a bill (H. R. 1958) for the relief of the heirs of Mary Carlin—to the Committee on War Claims.

Also, a bill (H. R. 1959) for relief of Auguste Donato—to the Committee on War Claims.

Also, a bill (H. R. 1960) for the relief of Polina Vignes—to the Committee on War Claims.

Also, a bill (H. R. 1961) for the relief of William Lawhead, administrator of John Lawhead—to the Committee on War Claims.

Also, a bill (H. R. 1962) for the relief of Alexis Leduff—to the Committee on War Claims.

Also, a bill (H. R. 1963) for the relief of Clarissa Bishop—to the Committee on War Claims.

Also, a bill (H. R. 1964) for the relief of W. F. Sanderson, administrator of W. W. Sanderson—to the Committee on War Claims.

Also, a bill (H. R. 1965) for the relief of heirs of Davis Lannoux—to the Committee on War Claims.

Also, a bill (H. R. 1966) for the relief of A. E. and M. E. Goodrich—to the Committee on War Claims.

Also, a bill (H. R. 1967) for the relief of Lucian Males and Denophon Tureaud, administrators estate of Emile Fagot—to the Committee on War Claims.

Also, a bill (H. R. 1968) for the relief of the heirs of Mary Carlin—to the Committee on War Claims.

Also, a bill (H. R. 1969) for the relief of Virginia McGloughlin, of Pointe Coupée Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1970) for the relief of Mary E. Monahan—to the Committee on War Claims.

Also, a bill (H. R. 1971) for the relief of the estate of John Shelton—to the Committee on War Claims.

Also, a bill (H. R. 1972) for the relief of Louis Vauquat—to the Committee on War Claims.

Also, a bill (H. R. 1973) for the relief of Martin Gullory—to the Committee on War Claims.

Also, a bill (H. R. 1974) for the relief of Alphonse Meuillon—to the Committee on War Claims.

Also, a bill (H. R. 1975) for the relief of Jean Baptiste Rabot—to the Committee on War Claims.

Also, a bill (H. R. 1976) for the relief of Julia Gallot—to the Committee on War Claims.

Also, a bill (H. R. 1977) for the relief of Florimand Izard—to the Committee on War Claims.

Also, a bill (H. R. 1978) for the relief of Jean Marie Tatin—to the Committee on War Claims.

Also, a bill (H. R. 1979) for the relief of Joseph Block, of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1980) for the relief of the estate of Rigobert Lemelle, of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1981) for the relief of Jacob A. Wolfson—to the Committee on War Claims.

Also, a bill (H. R. 1982) for the relief of Marianne C. Lemelle—to the Committee on War Claims.

Also, a bill (H. R. 1983) for the relief of Odon Deucatte—to the Committee on War Claims.

Also, a bill (H. R. 1984) for the relief of Marcelin Lafleur, of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1985) for the relief of Florimand Izard, of Avoyelles Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1986) for the relief of Jean Pierre Lafleur, of Washington, La.—to the Committee on War Claims.

Also, a bill (H. R. 1987) for the relief of Alfred A. Taylor, of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1988) for the relief of Joseph Collins, of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1989) for relief of the estate of Ludger Lemelle, deceased, late of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1990) for the relief of George Neck, sr., of Avoyelles Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 1991) for the relief of the estate of Rebecca V. Packer—to the Committee on War Claims.

Also, a bill (H. R. 1992) for the relief of Ben. M. Lafleur, of St. Landry Parish, La.—to the Committee on War Claims.

By Mr. RICHARDSON: A bill (H. R. 1993) granting a pension to Elizabeth McCabe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1994) for the relief of the legal representatives of Mrs. L. Bivens, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1995) for the relief of N. G. Terry—to the Committee on Claims.

Also, a bill (H. R. 1996) for the relief of Alexander J. Drumright—to the Committee on War Claims.

Also, a bill (H. R. 1997) for the relief H. S. Simmons—to the Committee on War Claims.

Also, a bill (H. R. 1998) making an appropriation for the benefit of the Primitive Baptist Church at Pelham, Grundy County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1999) for the relief of the legal representatives of William Pepper, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2000) for the relief of John Leiper—to the Committee on War Claims.

Also, a bill (H. R. 2001) for the relief of the estate of Theodoric C. Lyon—to the Committee on Claims.

Also, a bill (H. R. 2002) for the relief of John A. Herrod—to the Committee on War Claims.

Also, a bill (H. R. 2003) granting a pension to James W. Robertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2004) for the relief of James G. Wooten—to the Committee on War Claims.

Also, a bill (H. R. 2005) making an appropriation for the benefit of the Presbyterian Church at Murfreesboro, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2006) for the relief of J. M. Carney, of Franklin County, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 2007) for the relief of the Cumberland Presbyterian Church, Fayetteville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2008) for the relief of the legal representatives of Dennis Mahoney, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2009) for the relief of William H. Gannon—to the Committee on War Claims.

Also, a bill (H. R. 2010) for the relief of L. D. Sugg—to the Committee on War Claims.

Also, a bill (H. R. 2011) for the relief of Charles J. Hill—to the Committee on War Claims.

Also, a bill (H. R. 2012) for the relief of the legal representatives of Charles Anderson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2013) for the relief of the legal representa-

tives of Richard F. Wasson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2014) for the relief of William Cunningham—to the Committee on War Claims.

Also, a bill (H. R. 2015) for the relief of Mrs. Fanny P. Murfree—to the Committee on War Claims.

Also, a bill (H. R. 2016) for the relief of John N. Smith—to the Committee on War Claims.

Also, a bill (H. R. 2017) making an appropriation for the benefit of the Presbyterian Church at Smyrna, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2018) granting a pension to Mrs. Nancy J. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2019) granting a pension to Mrs. Hannah Fowler, widow of Charles Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2020) for the relief of Jere Webb from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 2021) for the relief of representatives of William Tolley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2022) for the relief of John G. and Carrie Sims, and Cleveland and R. P. Webster—to the Committee on War Claims.

Also, a bill (H. R. 2023) for the relief of the legal representatives of B. B. Taylor, deceased—to the on Committee War Claims.

Also, a bill (H. R. 2024) for the relief of Andrew J. McNabb—to the Committee on War Claims.

Also, a bill (H. R. 2025) for the relief of Alexander Moffitt—to the Committee on War Claims.

Also, a bill (H. R. 2026) for the relief of William Whittaker, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 2027) for the relief of J. J. Bailey, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2028) for the relief of James C. Hoover, Rutherford County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2029) for the relief of Mary Ellen Atkinson, administratrix of the estate of Richard Atkinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2030) for the relief of the estates of Charles Northrup and S. H. Bevoise, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2031) for the relief of James C. Hoover, of Rutherford County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2032) for the relief of Asa B. Ayres—to the Committee on War Claims.

By Mr. RANDALL: A bill (H. R. 2033) for the relief of Capt. Francis A. Beuter—to the Committee on War Claims.

Also, a bill (H. R. 2034) for the relief of Susan T. Salisbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2035) to pension Sarah W. West—to the Committee on Invalid Pensions.

By Mr. RAINES: A bill (H. R. 2036) for the relief of Oliver C. Castle, Company D, One hundred and Twenty-sixth Regiment New York State Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 2037) to increase the pension of Charles Parshall, Company B, Thirty-sixth Regiment of Wisconsin Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2038) to remove charge of desertion against Royal S. White—to the Committee on Military Affairs.

Also, a bill (H. R. 2039) to correct the muster into the service of the United States of Jacob H. Saltsman, late second lieutenant of Company G, One hundred and seventh Regiment New York Volunteer Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 2040) for the relief of John M. Clawson—to the Committee on Military Affairs.

Also, a bill (H. R. 2041) authorizing the Secretary of War to place the name of Edwin H. Wetmore on the roll of Company I, One hundred and sixty-first Regiment New York Volunteers, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 2042) for the relief of De Witt C. Amey—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 2043) referring to the Court of Claims the claims of Elias E. Barnes and others—to the Committee on the District of Columbia.

By Mr. ROCKWELL: A bill (H. R. 2044) for the relief of W. H. Huson—to the Committee on Claims.

Also, a bill (H. R. 2045) for the relief of Jeremiah Rumsey—to the Committee on Military Affairs.

Also, a bill (H. R. 2046) for the relief of Gamabil Benjamin—to the Committee on Claims.

Also, a bill (H. R. 2047) granting a pension to Smith H. Hildreth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2048) for the relief of William C. Dodge—to the Committee on Claims.

Also, a bill (H. R. 2049) for the relief of Aaron J. Oliver—to the Committee on Military Affairs.

Also, a bill (H. R. 2050) for the relief of John A. Westlake—to the Committee on Military Affairs.

By Mr. RUSK: A bill (H. R. 2051) for the relief of the crew of the United States steamship Wyoming—to the Committee on War Claims.

Also, a bill (H. R. 2052) for the relief of Fink, Brother & Co.—to the Committee on Claims.

Also, a bill (H. R. 2053) for the relief of Frederick Engelhardt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2054) for the relief of William De Ford, trustee for C. D. De Ford & Co.—to the Committee on Claims.

Also, a bill (H. R. 2055) for the relief of Michael Carling, assignee of Joseph R. Shannon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2056) for the relief of James H. Morrison—to the Committee on Naval Affairs.

Also, a bill (H. R. 2057) for the relief of Amelia Eckes, widow of Henry Eckes, late of United States Quartermaster's Department—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2058) for the relief of William C. Spencer, late captain Seventeenth Infantry, United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 2059) granting a pension to Julia Nolan—to the Committee on Invalid Pensions.

By Mr. SHIVELY: A bill (H. R. 2060) granting a pension to Julia A. O'Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2061) for the relief of Charles E. Bentley—to the Committee on Military Affairs.

Also, a bill (H. R. 2062) granting a pension to James C. Wattleworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2063) increasing the pension of Joseph Quillan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2064) for the relief of L. M. McDermott—to the Committee on Military Affairs.

Also, a bill (H. R. 2065) granting a pension to Mrs. Emily B. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2066) for the relief of Henry C. Hooker and Henry L. Hinds—to the Committee on Indian Affairs.

Also, a bill (H. R. 2067) granting a pension to Horace B. Hollenback—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2068) granting a pension to William H. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2069) for the relief of Jacob J. Currey—to the Committee on Military Affairs.

Also, a bill (H. R. 2070) granting a pension to Polly Aspinwall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2071) granting a pension to John F. Langenbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2072) providing for the payment of bounty due Daniel Morrissey—to the Committee on Military Affairs.

Also, a bill (H. R. 2073) granting a pension to Mrs. Jennie Y. Wade—to the Committee on Invalid Pensions.

By Mr. STUMP: A bill (H. R. 2074) for the relief of the legal representatives of Robert R. Vandiver, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2075) for the relief of the heirs of Nathan C. and Hezekiah J. Winslow, deceased—to the Committee on Claims.

Also, a bill (H. R. 2076) for the relief of Lieut. Col. Michael P. Small, assistant commissary-general of subsistence, United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 2077) for the relief of William B. Price—to the Committee on Military Affairs.

By Mr. TAYLOR of Illinois: A bill (H. R. 2078) for the relief of Joseph M. Spahn—to the Committee on Military Affairs.

By Mr. SMITH of Illinois: A bill (H. R. 2079) granting a pension to Robert W. Fitch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2080) granting a pension to Jacob F. Blessing, late a private of Company H, Thirty-first Regiment of Illinois Volunteers, in the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2081) to remove the charge of desertion from the record of James W. Cline, alias Eugene L. Smith, a former member of Company G, Fifteenth Indiana Volunteers, in the war of the rebellion, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 2082) granting a pension to Mrs. Lucinda C. Wheeler, widow of John H. Wheeler, late private in Company L, Seventh Regiment Tennessee Cavalry Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2083) to remove the charge of desertion from the record of Andrew Grugett, as a former member of Company E, Sixth Tennessee Cavalry, in the war of the rebellion, and to grant him an honorable discharge therefrom—to the Committee on Military Affairs.

Also, a bill (H. R. 2084) granting a pension to Mrs. Nancy Carter, widow of Laban Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2085) granting a pension to Mrs. Nancy Lively, widow of Turner Lively, a private in Capt. Absalom Cox's company of mounted militia, of the Territory of Illinois, in the war of 1812—to the Committee on Pensions.

Also, a bill (H. R. 2086) granting a pension to Miss Mary E. Hull, dependent sister of John A. Hull, deceased, late of Company F, Eighty-first Regiment of Illinois Volunteer Infantry, in the late war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2087) for the relief of James B. Phillips—to the Committee on War Claims.

Also, a bill (H. R. 2088) granting a pension to Thomas Joyce, late a drummer in Company D, Second Regiment of New York Infantry, in the Florida war—to the Committee on Pensions.

Also, a bill (H. R. 2089) for the relief of C. C. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 2090) for the relief of Edward A. Buder—to the Committee on War Claims.

Also (by request), a bill (H. R. 2091) for the relief of Thomas J. Spencer, late a captain Tenth United States Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 2092) granting a pension to William H. Sharp, late a private in Company K, One hundred and twentieth Regiment of Illinois Infantry Volunteers in the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2093) to remove the charge of desertion from the record of Frank Clemens, late of Company C, Eighth Regiment Heavy Artillery, Colored, Kentucky Volunteers, in the war of the rebellion—to the Committee on Military Affairs.

Also, a bill (H. R. 2094) granting an increase of pension to John Robbins, late of Company A, Second Regiment of Illinois Volunteers, in the Mexican war—to the Committee on Pensions.

Also, a bill (H. R. 2095) to remove the charge of desertion standing against Henry Casey, late a private in Company K, Ninth Regiment of Illinois Volunteer Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 2096) to grant a pension to Blewett Bain, who was a teamster for the United States forces in the war with Mexico—to the Committee on Pensions.

Also, a bill (H. R. 2097) for the relief of Sarah A. Oakes, legal heir of Capt. Hugh Worthington, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2098) for the relief of Michael Bradley—to the Committee on Naval Affairs.

Also, a bill (H. R. 2099) for the relief of Mrs. Louisa Harrington, widow of Thomas Harrington, deceased—to the Committee on Claims.

Also, a bill (H. R. 2100) for the relief of Julius C. Zanone, only heir of John B. Zanone, late of Mound City, in Pulaski County, Ill., deceased—to the Committee on Claims.

Also, a bill (H. R. 2101) for the relief of Noah W. Crane, late of Company F, Eighty-first Regiment of Illinois Volunteer Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 2102) to compensate George K. Kirchner for his stock of goods taken and destroyed by Federal soldiers in the year A. D. 1862—to the Committee on Claims

Also, a bill (H. R. 2103) for the relief of Marian Goodloe, widow, and Laura Blinn, Richard V. Goodloe, and Joseph A. Goodloe, children, and James H. Goodloe and Mrs. Fannie Hough, grandchildren of James Goodloe, deceased—to the Committee on Claims.

By Mr. SNODGRASS: A bill (H. R. 2104) for the relief of James Nipper, of Cleveland, Tenn.—to the Committee on Pensions.

By Mr. STOCKDALE: A bill (H. R. 2105) for the relief of Audley C. Britton—to the Committee on War Claims.

Also, a bill (H. R. 2106) for the relief of Henry Ware—to the Committee on Claims.

Also, a bill (H. R. 2107) for the relief of James M. Newman—to the Committee on War Claims.

By Mr. STAHLNECKER: A bill (H. R. 2108) granting a pension to Sarah Willetts, mother of Charles Child, late captain Company G, Ninth Regiment New York Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2109) for the relief of P. H. Doyle, assignee of William M. Shimmins and George H. McPherson—to the Committee on Claims.

By Mr. SPRINGER: A bill (H. R. 2110) for the relief of Bvt. Lieut. Col. J. Madison Cutts—to the Committee on Military Affairs.

Also, a bill (H. R. 2111) granting an honorable discharge to Orrin M. Cheney—to the Committee on Military Affairs.

By Mr. STONE of Kentucky (by request): A bill (H. R. 2112) for the relief of Lewis D. Allen—to the Committee on War Claims.

By Mr. STUMP: A bill (H. R. 2113) for the relief of James Herron—to the Committee on War Claims.

Also, a bill (H. R. 2114) for the relief of the Locust Point Company of Baltimore—to the Committee on Claims.

By Mr. SHIVELY: A bill (H. R. 2115) increasing the pension of Elizabeth Newberry—to the Committee on Invalid Pensions.

By Mr. SIMPSON: A bill (H. R. 2116) granting an honorable discharge to James Campbell—to the Committee on Military Affairs.

Also, a bill (H. R. 2117) for the relief of G. F. Mecklem—to the Committee on Private Land Claims.

By Mr. STORER: A bill (H. R. 2118) for the relief of the estate of John H. Piatt, deceased—to the Committee on Claims.

Also (by request), a bill (H. R. 2119) for the relief of members of militia organizations in Hamilton County, Ohio, who enlisted and were mustered into the United States military service during the threatened Kirby Smith raid in September, 1862—to the Committee on Military Affairs.

Also, a bill (H. R. 2120) for the relief of Sarah K. McLean—to the Committee on Military Affairs.

Also, a bill (H. R. 2121) for the relief of W. W. Bradley—to the Committee on Military Affairs.

By Mr. SNODGRASS: A bill (H. R. 2122) for the relief of Cumberland Female College of McMinnville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2123) for the relief of Thomas Fitzgibbons—to the Committee on Pensions.

By Mr. SAYERS: A bill (H. R. 2124) for the relief of the estate of John W. Whitfield—to the Committee on Claims.

By Mr. CHARLES W. STONE: A bill (H. R. 2125) to remove the charge of desertion from the record of Charles Gould—to the Committee on Military Affairs.

By Mr. WILLIAM A. STONE: A bill (H. R. 2126) for the relief of C. B. Bryan & Co.—to the Committee on Claims.

Also, a bill (H. R. 2127) granting a pension to Mrs. Mary Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2128) granting a pension to John Fields—to the Committee on Pensions.

Also, a bill (H. R. 2129) for the relief of Capt. W. J. Kountz—to the Committee on Claims.

Also, a bill (H. R. 2130) to remove the charge of desertion from the military record of Martin L. Mehaffey—to the Committee on Military Affairs.

By Mr. STEVENS: A bill (H. R. 2131) to restore Harry Reade to his rank in the Army, etc.—to the Committee on Military Affairs.

Also, a bill (H. R. 2132) for the relief of George Bagshaw—to the Committee on Military Affairs.

By Mr. SANFORD: A bill (H. R. 2133) for the relief of Frederick William Rawdon—to the Committee on Military Affairs.

Also, a bill (H. R. 2134) for the relief of Austin A. Yates—to the Committee on Claims.

Also, a bill (H. R. 2135) for the relief of Charles W. Lambert—to the Committee on Military Affairs.

Also, a bill (2136) for the relief of Kate A. Hill—to the Committee on Claims.

Also, a bill (2137) for the relief of John Thompson, alias Dennis Stockwell—to the Committee on Military Affairs.

Also, a bill (H. R. 2138) for the relief of Daniel Grant—to the Committee on War Claims.

Also, a bill (H. R. 2139) for the relief of Catherine J. Hill—to the Committee on Invalid Pensions.

By Mr. STEVENS: A bill (H. R. 2140) for the relief of George W. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2141) for the relief of Angus McVigor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2142) for the relief of Sylvanus C. Smiley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2143) for the relief and payment of certain moneys to the heirs and legal representatives of the late Jeremiah French—to the Committee on War Claims.

By Mr. SNOW (by request): A bill (H. R. 2144) granting an increase of pension to Louis C. Schilling—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 2145) for the relief of Thomas A. Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2146) to restore the name of John B. Ford to the Army rolls—to the Committee on Military Affairs.

By Mr. SHONK: A bill (H. R. 2147) for the relief of Spencer D. Hunt—to the Committee on Military Affairs.

By Mr. STEPHENSON: A bill (H. R. 2148) for the relief of Thomas Chambers—to the Committee on the Post-Office and Post-Roads.

By Mr. SMITH of Illinois: A bill (H. R. 2149) granting a pension to J. F. Graham, late enrolling officer for Johnson County, Ill.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2150) for the relief of Thomas J. Smith—to the Committee on Claims.

By Mr. STEWART of Texas: A bill (H. R. 2151) granting an

increase of pension to William C. Howell—to the Committee on Pensions.

Also, a bill (H. R. 2152) for the relief of Edward P. Alsbury, sole surviving heir of Harriette R. Alsbury, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2153) for the relief of Levi Starn—to the Committee on War Claims.

By Mr. STORER: A bill (H. R. 2154) for the relief of H. C. Brewster—to the Committee on Invalid Pensions.

By Mr. SHIVELY: A bill (H. R. 2155) for the relief of James Cavanagh—to the Committee on Military Affairs.

By Mr. STUMP: A bill (H. R. 2156) for the relief of the heirs of Henry Leef, deceased, owner of the bark Mary Teresa, illegally seized by Alexander H. Tyler, consul of the United States at Bahia, Brazil—to the Committee on Claims.

Also, a bill (H. R. 2157) for the relief of Robert E. Morgan—to the Committee on War Claims.

Also, a bill (H. R. 2158) for the relief of the legal representatives of Henry W. Archer, deceased—to the Committee on War Claims.

By Mr. STOCKDALE (by request): A bill (H. R. 2159) for the relief of Henry Ware—to the Committee on War Claims.

By Mr. SEERLEY: A bill (H. R. 2160) for the relief of R. A. Schellhous—to the Committee on War Claims.

Also, a bill (H. R. 2161) granting an increase of pension to David Sharp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2162) granting a pension to James W. Fuqua—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2163) granting a pension to Samuel G. Robinson and Mary E. Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2164) granting an increase of pension to Andrew Kramer—to the Committee on Pensions.

Also, a bill (H. R. 2165) granting a pension to Rev. W. F. Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2166) for the relief of Washington Galland—to the Committee on War Claims.

Also, a bill (H. R. 2167) for the relief of Henry Polite Parson—to the Committee on War Claims.

By Mr. STONE of Kentucky: A bill (H. R. 2168) giving a military record to Alexander Francesco, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 2169) for the relief of Thomas H. Flournoy—to the Committee on War Claims.

Also, a bill (H. R. 2170) for the relief of Thomas J. Flanary—to the Committee on War Claims.

Also, a bill (H. R. 2171) for the relief of R. E. Fowler—to the Committee on War Claims.

Also, a bill (H. R. 2172) for the relief of Nathan Fralick—to the Committee on War Claims.

Also a bill (H. R. 2173) for the relief of Samuel Fels—to the Committee on War Claims.

Also, a bill (H. R. 2174) for the relief of L. G. Faxon—to the Committee on Claims.

Also, a bill (H. R. 2175) for the relief of the heirs of James A. Gregory—to the Committee on War Claims.

Also, a bill (H. R. 2176) for the relief of P. F. Genoway—to the Committee on War Claims.

Also, a bill (H. R. 2177) for the relief of Frank Gray—to the Committee on War Claims.

Also, a bill (H. R. 2178) for the relief of William G. Groom—to the Committee on War Claims.

Also, a bill (H. R. 2179) for the relief of Whitfield E. Graddy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2180) for the relief of Samuel F. Green—to the Committee on War Claims.

Also, a bill (H. R. 2181) for the relief of Robert B. Gregory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2182) for the relief of William H. Greenwood—to the Committee on Military Affairs.

Also, a bill (H. R. 2183) for the relief of S. M. Grace—to the Committee on War Claims.

Also, a bill (H. R. 2184) for the relief of J. B. Groom—to the Committee on War Claims.

Also, a bill (H. R. 2185) for the relief of W. L. Gardner—to the Committee on Pensions.

Also, a bill (H. R. 2186) to remove charge of desertion from the record of Samuel G. Gray—to the Committee on Military Affairs.

Also, a bill (H. R. 2187) for the relief of H. Wilhite—to the Committee on War Claims.

Also, a bill (H. R. 2188) for the relief of officers and privates of the Kentucky State troops—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2189) to carry out the findings of the Court of Claims in the case of William H. Hughes, administrator of the estate of David Unsell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2190) for the relief of John Spicer—to the Committee on War Claims.

Also, a bill (H. R. 2191) to increase the pension of Azariah Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2192) for the relief of the estate of James W. Perry, deceased—to the Committee on Claims.

Also, a bill (H. R. 2193) for the relief of John A. Lynch—to the Committee on War Claims.

Also (by request), a bill (H. R. 2194) for the relief of Robert Carter—to the Committee on War Claims.

Also (by request), a bill (H. R. 2195) for the relief of Lewis D. Allen—to the Committee on War Claims.

Also (by request), a bill (H. R. 2196) for the relief of Warren Hall—to the Committee on War Claims.

Also, a bill (H. R. 2197) for the relief of E. B. Carter—to the Committee on War Claims.

Also, a bill (H. R. 2198) for the relief of Company E, Sixteenth Regiment of Kentucky Cavalry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 2199) granting a pension to Christina Delany, widow of Francis Delany—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2200) granting a pension to Lucinda Dunlap—to the Committee on Pensions.

Also, a bill (H. R. 2201) for the relief of John N. Dorr, sr.—to the Committee on War Claims.

Also, a bill (H. R. 2202) for the relief of Thomas Dew—to the Committee on War Claims.

Also, a bill (H. R. 2203) to remove the charge of desertion from the record of Thomas C. Dyson—to the Committee on Military Affairs.

Also, a bill (H. R. 2204) for the relief of John F. Davis—to the Committee on War Claims.

Also, a bill (H. R. 2205) for the relief of Abigail C. Dyson, widow of Thomas M. Dyson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2206) for the relief of John Davis—to the Committee on Pensions.

Also, a bill (H. R. 2207) to correct the military record of Thomas M. Dyson—to the Committee on Military Affairs.

Also, a bill (H. R. 2208) for the relief of Gillum M. Ezell—to the Committee on Pensions.

Also, a bill (H. R. 2209) for the relief of Rhoda Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2210) for the relief of Granvil F. Clement—to the Committee on War Claims.

Also, a bill (H. R. 2211) for the relief of A. J. Carr—to the Committee on War Claims.

Also, a bill (H. R. 2212) for the relief of A. B. Carlin—to the Committee on War Claims.

Also, a bill (H. R. 2213) for the relief of Joel H. Curd—to the Committee on War Claims.

Also, a bill (H. R. 2214) for the relief of Thomas Crenshaw—to the Committee on War Claims.

Also, a bill (H. R. 2215) for the relief of P. Conway—to the Committee on War Claims.

Also, a bill (H. R. 2216) for the relief of George L. Colley—to the Committee on War Claims.

Also, a bill (H. R. 2217) for the relief of John W. Chappel—to the Committee on War Claims.

Also, a bill (H. R. 2218) for the relief of Mrs. C. C. Carner—to the Committee on War Claims.

Also, a bill (H. R. 2219) for the relief of Lewis Carter—to the Committee on War Claims.

Also, a bill (H. R. 2220) for the relief of William Canady—to the Committee on Pensions.

Also, a bill (H. R. 2221) for relief of estate of M. L. J. Christian—to the Committee on War Claims.

Also, a bill (H. R. 2222) for the relief of S. F. Crider—to the Committee on War Claims.

Also, a bill (H. R. 2223) for the relief of Matilda Cook—to the Committee on War Claims.

Also, a bill (H. R. 2224) for the relief of Allard & Crozier—to the Committee on War Claims.

Also, a bill (H. R. 2225) for the relief of E. B. Carter—to the Committee on War Claims.

Also, a bill (H. R. 2226) for the relief of Carr, Rogers & Co.—to the Committee on War Claims.

Also, a bill (H. R. 2227) for the relief of Mrs. Elizabeth W. Coleman—to the Committee on War Claims.

Also, a bill (H. R. 2228) for the relief of the heirs of H. Cothes, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2229) for the relief of Caleb R. Clement—to the Committee on War Claims.

Also, a bill (H. R. 2230) for placing the name of Thomas Coleman on the rolls of Company B, Seventeenth Regiment, Kentucky Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 2231) granting a pension to Mrs. D. E. Chapmen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2232) for relief of David Carroll—to the Committee on War Claims.

Also, a bill (H. R. 2233) to remove the charge of desertion from the record of Thomas Crawford—to the Committee on Military Affairs.

Also, a bill (H. R. 2234) for the relief of W. J. Chitwood—to the Committee on War Claims.

Also a bill (H. R. 2235) for the relief of G. F. Colley, of Wingo, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 2236) for the relief of Aneil M. Canfield—to the Committee on Military Affairs.

Also, a bill (H. R. 2237) for the relief of Lucretia E. Cook—to the Committee on Pensions.

Also, a bill (H. R. 2238) for the relief of J. W. Bradburn—to the Committee on Military Affairs.

Also, a bill (H. R. 2239) for the relief of Charles S. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2240) granting a pension to William A. M. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2241) for the relief of K. Battoe—to the Committee on War Claims.

Also, a bill (H. R. 2242) for the relief of the estate of Howard B. Bush, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2243) for the relief of James Bishop—to the Committee on War Claims.

Also, a bill (H. R. 2244) for the relief of John G. W. Brooks—to the Committee on War Claims.

Also, a bill (H. R. 2245) for the relief of Sallie Bigham—to the Committee on War Claims.

Also, a bill (H. R. 2246) for the relief of George Bradshaw—to the Committee on Military Affairs.

Also, a bill (H. R. 2247) for the relief of the heirs of D. A. Butler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2248) for the relief of T. M. Butler—to the Committee on War Claims.

Also, a bill (H. R. 2249) for the relief of J. H. Bugg and others—to the Committee on War Claims.

Also, a bill (H. R. 2250) for the relief of George Aton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2251) for the relief of the estate of P. W. Austin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2252) for the relief of Asa Alvis—to the Committee on War Claims.

Also, a bill (H. R. 2253) to amend section 4414 of the Revised Statutes—to the Committee on Commerce.

Also, a bill (H. R. 2254) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims for the use and occupation of church and school buildings and grounds for Government purposes by the United States military authorities during the late war and all claims for damages resulting from the appropriation to Government use of any of the furnishings or materials in said class of buildings—to the Committee on War Claims.

Also, a bill (H. R. 2255) for the relief of Gertrude A. Leftwich, widow of John W. Leftwich—to the Committee on War Claims.

Also, a bill (H. R. 2256) for the relief of Robert N. Nation—to the Committee on Military Affairs.

Also, a bill (H. R. 2257) requiring the Secretary of War to place on the rolls of Company E, Sixteenth Kentucky Regiment Cavalry, the name of John C. Quinn—to the Committee on Military Affairs.

Also, a bill (H. R. 2258) granting a pension to Lucy Quisenberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2259) for the relief of William Pritchard—to the Committee on War Claims.

Also, a bill (H. R. 2260) for the relief of the estate of Aman Price, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2261) for the relief of John W. Peek—to the Committee on Military Affairs.

Also, a bill (H. R. 2262) for the relief of George W. Patterson—to the Committee on War Claims.

Also, a bill (H. R. 2263) to fix a salary in lieu of fees for the clerks of the circuit and district courts at Paducah, Ky.—to the Committee on the Judiciary.

Also, a bill (H. R. 2264) for the relief of A. W. Pollard—to the Committee on War Claims.

Also, a bill (H. R. 2265) for the relief of J. C. Peebles—to the Committee on War Claims.

Also, a bill (H. R. 2266) for the relief of Richard Porter—to the Committee on War Claims.

Also, a bill (H. R. 2267) granting a pension to Winford B. Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2268) for the relief of Ebenezer Petty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2269) granting a pension to J. A. McCadden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2270) for the relief of Michael Mayer—to the Committee on War Claims.

Also, a bill (H. R. 2271) for the relief of John R. Martin—to the Committee on War Claims.

Also, a bill (H. R. 2272) for the relief of James McMullin—to the Committee on Pensions.

Also, a bill (H. R. 2273) granting a pension to Cyrus Mulvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2274) for the relief of John O. McDonald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2275) for the relief of R. L. Moore—to the Committee on War Claims.

Also, a bill (H. R. 2276) for the relief of Mrs. Mary A. Miller, formerly Hollsapple—to the Committee on War Claims.

Also, a bill (H. R. 2277) for the relief of Hugh F. McNairy, executor of A. C. Thomson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2278) for the relief of Manning Long, of Livingston County, Ky—to the Committee on Military Affairs.

Also, a bill (H. R. 2279) for the relief of G. W. Latham—to the Committee on War Claims.

Also, a bill (H. R. 2280) for the relief of Samuel Lancaster—to the Committee on War Claims.

Also, a bill (H. R. 2281) for the relief of Miss Jane Linn—to the Committee on War Claims.

Also, a bill (H. R. 2282) for the relief of James Love—to the Committee on War Claims.

Also, a bill (H. R. 2283) granting a pension to Elvira Kidd, widow of W. Henry Kidd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2284) for the relief of Anthony Koons—to the Committee on War Claims.

Also, a bill (H. R. 2285) granting a pension to Mrs. W. H. Kidd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2286) giving a military record to James King—to the Committee on Military Affairs.

Also, a bill (H. R. 2287) granting a pension to Elizabeth R. Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2288) for the relief of Hugh M. Henson—to the Committee on War Claims.

Also, a bill (H. R. 2289) for the relief of John M. Higgins—to the Committee on War Claims.

Also, a bill (H. R. 2290) for the relief of C. H. Hubbard—to the Committee on War Claims.

Also, a bill (H. R. 2291) for the relief of Mrs. E. H. Hopper—to the Committee on War Claims.

Also, a bill (H. R. 2292) for the relief of Hugh M. Henson—to the Committee on War Claims.

Also, a bill (H. R. 2293) for the relief of Charles S. Hamlin—to the Committee on War Claims.

Also, a bill (H. R. 2294) for the relief of the legal representatives of William W. Hildreth, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2295) for the relief of John H. Harris—to the Committee on War Claims.

Also, a bill (H. R. 2296) for the relief of John Hill—to the Committee on War Claims.

Also, a bill (H. R. 2297) granting a pension to Mrs. W. C. Hannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2298) for the relief of S. Hodge—to the Committee on War Claims.

Also, a bill (H. R. 2299) to increase the pension of O. M. Jenkins—to the Committee on Pensions.

Also, a bill (H. R. 2300) for the relief of Merritt Rose—to the Committee on War Claims.

Also, a bill (H. R. 2301) for the relief of the estate of Mary H. S. Robertson—to the Committee on War Claims.

Also, a bill (H. R. 2302) to relieve John W. Robinson of the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 2303) granting a pension to Sarah Rickman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2304) for the relief of J. L. Rickman—to the Committee on War Claims.

Also, a bill (H. R. 2305) for the relief of Mary E. Robertson, widow of John Robertson, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2306) to authorize the Secretary of War to remove the charge of desertion from the record of Edward Lee Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 2307) for the relief of B. H. Stovall—to the Committee on Claims.

Also, a bill (H. R. 2308) for the relief of the estate of R. M. Scanlan—to the Committee on War Claims.

Also, a bill (H. R. 2309) for the relief of the estate of David B. Sanders, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2310) for the benefit of Isaac Sisco—to the Committee on Military Affairs.

Also, a bill (H. R. 2311) for relief of the Spies Lumber Company, of Cairo, Ill.—to the Committee on Claims.

Also, a bill (H. R. 2312) granting a pension to Barton S. Shivell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2313) for the relief of W. M. Starks—to the Committee on War Claims.

Also, a bill (H. R. 2314) for the relief of J. H. Stovall and William Hughes—to the Committee on War Claims.

Also, a bill (H. R. 2315) for the relief of W. H. Slack & Co.—to the Committee on War Claims.

Also, a bill (H. R. 2316) for the relief of W. H. Slack—to the Committee on War Claims.

Also, a bill (H. R. 2317) for the relief of Isaac Spurr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2318) for the relief of W. H. Vaughan—to the Committee on War Claims.

Also, a bill (H. R. 2319) for the relief of Jacob Ullman, of McCracken County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 2320) for the relief of Samuel Ullman—to the Committee on War Claims.

Also, a bill (H. R. 2321) authorizing the Secretary of War to place the name of William A. Wilson on the roll of Company B, Fifteenth Regiment of Kentucky Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 2322) granting a pension to Mary F. Watts—to the Committee on Pensions.

Also, a bill (H. R. 2323) referring the claims of John E. Williamson, administrator of the estate of John B. Thompson, deceased, and other citizens of Paducah, Ky., to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 2324) for the relief of the estate of P. F. Warterfield, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2325) for the relief of G. T. Wallace—to the Committee on War Claims.

Also, a bill (H. R. 2326) for the relief of J. F. Wahl—to the Committee on War Claims.

Also, a bill (H. R. 2327) for the relief of H. Wilhite—to the Committee on War Claims.

Also, a bill (H. R. 2328) for the relief of Mathias G. Workman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2329) for the relief of Benjamin Wiley—to the Committee on War Claims.

Also, a bill (H. R. 2330) for the relief of John F. White—to the Committee on War Claims.

Also, a bill (H. R. 2331) to remove the charge of desertion from the record of John M. Wiggins—to the Committee on Military Affairs.

Also, a bill (H. R. 2332) for the relief of Stephen Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2333) for the relief of Steven Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2334) for the relief of Clifton R. Young—to the Committee on War Claims.

Also, a bill (H. R. 2335) for the relief of Robert Young—to the Committee on Military Affairs.

Also, a bill (H. R. 2336) for the relief of Richard C. Triplett—to the Committee on Military Affairs.

Also, a bill (H. R. 2337) for the relief of the estate of Sally Sterrett Tate, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2338) for the relief of William L. Travis—to the Committee on War Claims.

Also, a bill (H. R. 2339) for the relief of A. Thomas, M. D.—to the Committee on War Claims.

Also, a bill (H. R. 2340) for the relief of W. C. M. Travis—to the Committee on War Claims.

Also, a bill (H. R. 2341) granting a pension to Joseph D. Tweddle—to the Committee on Pensions.

Also, a bill (H. R. 2342) for the relief of Sarah A. Trimble—to the Committee on Invalid Pensions.

By Mr. WILLIAM A. STONE: A bill (H. R. 2343) for the relief of Francis Reilly—to the Committee on Military Affairs.

Also, a bill (H. R. 2344) for the relief of Lyda Underwood—to the Committee on Claims.

Also, a bill (H. R. 2345) for the relief of Samuel N. Young and Eliza Young—to the Committee on Claims.

Also, a bill (H. R. 2346) for the relief of Dr. W. S. Hosack—to the Committee on Claims.

Also, a bill (H. R. 2347) to remove the charge of desertion from the record of E. J. Kulb—to the Committee on Military Affairs.

Also, a bill (H. R. 2348) granting a pension to William T. Armstrong—to the Committee on Pensions.

By Mr. CHARLES W. STONE: A bill (H. R. 2349) to pension Luman Bell for services rendered in the war with Mexico—to the Committee on Pensions.

By Mr. EZRA B. TAYLOR: A bill (H. R. 2350) granting a discharge to James M. Powell—to the Committee on Military Affairs.

Also, a bill (H. R. 2351) for the relief of the heirs of John Byrnes—to the Committee on Claims.

Also, a bill (H. R. 2352) for the relief of John S. Allen—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2353) to correct the record of George D. Parker on the military rolls—to the Committee on Military Affairs.

Also, a bill (H. R. 2354) for the removal of the charge of desertion against Edmund Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 2355) to remove the charge of desertion against Nathan Bugbee—to the Committee on Military Affairs.

Also, a bill (H. R. 2356) to remove the charge of desertion from the record of John Cartner—to the Committee on Military Affairs.

Also, a bill (H. R. 2357) to remove the charge of desertion against Edward Whitehouse, alias Edward Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 2358) to remove the charge of desertion against Frank Woolever—to the Committee on Military Affairs.

Also, a bill (H. R. 2359) for the relief of Otis H. Gaylord—to the Committee on Military Affairs.

Also, a bill (H. H. 2360) for the relief of the administrator of the estate of John W. Dear, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 2361) for the relief of Sanford M. Downing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2362) for the relief of Orris O. King—to the Committee on Military Affairs.

Also, a bill (H. R. 2363) for the relief of Joseph K. Wing—to the Committee on Military Affairs.

Also, a bill (H. R. 2364) for the relief of Abel Mead—to the Committee on Military Affairs.

Also, a bill (H. R. 2365) for the relief of Ruth Francis, mother of James D. Prosser, Company D, Sixty-third Regiment Pennsylvania Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2366) for the relief of Burt Dunlap—to the Committee on Claims.

Also, a bill (H. R. 2367) for the relief of George E. W. Sharretts—to the Committee on Claims.

Also, a bill (H. R. 2368) for the relief of Collins Morse and Henry C. Gray—to the Committee on Claims.

Also, a bill (H. R. 2369) for the relief of Charles Baker—to the Committee on Military Affairs.

Also, a bill (H. R. 2370) for the relief of Nathaniel Lang—to the Committee on Military Affairs.

Also, a bill (H. R. 2371) granting a pension to Samuel Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2372) granting a pension to James Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2373) granting a pension to Friend S. Esmond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2374) granting a pension to William H. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2375) granting a pension to Lafayette Gregory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2376) granting a pension to Rufus N. Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2377) granting arrears of pension to Dwight E. Cowden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2378) granting an increase of pension to Thomas J. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2379) granting a pension to Charles O. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2380) granting a pension to Horace E. Woodin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2381) granting a pension to Mrs. Tamer Slater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2382) granting a pension to India Remalia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2383) granting a pension to Joseph Mathews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2384) granting a pension to Marion Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2385) granting a pension to George L. Riker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2386) granting a pension to Martha J. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2387) granting a pension to John Kalbfleisch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2388) granting a pension to Jacob Winans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2389) granting a pension to Selinda A. Howell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2390) to remove the charge of desertion from John Schleittler—to the Committee on Military Affairs.

By Mr. TERRY: A bill (H. R. 2391) authorizing and directing the Secretary of the Interior to examine certain claims of persons who owned or occupied buildings on the Hot Springs Mountain Reservation, which had been condemned by the Hot Springs Commission and afterwards burned, and to fix a reasonable value for each of said buildings from the evidence now on file in the Interior Department—to the Committee on Claims.

Also, a bill (H. R. 2392) granting a pension to John S. Elder—to the Committee on Pensions.

Also, a bill (H. R. 2393) for the relief of W. Jasper Blackburn—to the Committee on Claims.

Also, a bill (H. R. 2394) for the relief of Silas F. Feild, one of the sureties on the bond of John G. Halliburton, deceased, late marshal of the United States in and for the eastern district of Arkansas—to the Committee on Claims.

By Mr. TURNER: A bill (H. R. 2395) granting a pension to D. M. Lang—to the Committee on Pensions.

Also, a bill (H. R. 2396) granting a pension to Sterling Kingsly—to the Committee on Pensions.

Also, a bill (H. R. 2397) granting a pension to Stark Frazier—to the Committee on Pensions.

Also, a bill (H. R. 2398) granting a pension to William S. Woodward—to the Committee on Pensions.

Also, a bill (H. R. 2399) granting a pension to John Mercer—to the Committee on Pensions.

By Mr. TARSNEY: A bill (H. R. 2400) granting a pension to Willis Luttrell—to the Committee on Pensions.

Also, a bill (H. R. 2401) for the relief of Lydia A. Magill, administratrix—to the Committee on War Claims.

Also, a bill (H. R. 2402) to provide for pay and certificates of honorable service to the officers and men of Foster's Cavalry Battalion, Missouri Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 2403) granting a pension to Jane Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2404) for the relief of James D. Cook—to the Committee on Claims.

Also, a bill (H. R. 2405) to remove the charge of desertion from the record of John N. A. Breno—to the Committee on Military Affairs.

Also, a bill (H. R. 2406) for the relief of Theodore S. Case, authorizing the settlement of his accounts in the Post-Office Department—to the Committee on Claims.

Also, a bill (H. R. 2407) granting a pension to Samuel Luttrell—to the Committee on Pensions.

Also, a bill (H. R. 2408) for the relief of the legal representatives of James Bridger—to the Committee on Claims.

Also, a bill (H. R. 2409) for the relief of Midshipman Frank B. Case—to the Committee on Naval Affairs.

Also, a bill (H. R. 2410) for the relief of the legal representatives of A. L. H. Crenshaw—to the Committee on War Claims.

Also, a bill (H. R. 2411) for the relief Capt. Irvin Walley—to the Committee on War Claims.

Also, a bill (H. R. 2412) for the relief of Patrick McIntyre—to the Committee on Claims.

By Mr. TOWNSEND: A bill (H. R. 2413) for the relief of Meyer B. Haas—to the Committee on Claims.

Also, a bill (H. R. 2414) for the relief of D. H. Dickason—to the Committee on Claims.

Also, a bill (H. R. 2415) for the relief of Graeme W. Hood, late major Enrolled Missouri Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2416) for the relief of Royal M. Hubbard—to the Committee on Claims.

Also, a bill (H. R. 2417) for the relief of William M. Keightley—to the Committee on Claims.

Also, a bill (H. R. 2418) for the relief of Horace A. W. Tabor—to the Committee on Claims.

Also, a bill (H. R. 2419) for the relief of B. F. Rockafellow—to the Committee on Claims.

Also, a bill (H. R. 2420) for the relief of A. G. Boone—to the Committee on Claims.

Also, a bill (H. R. 2421) for the relief of Mrs. Julia A. Humphries—to the Committee on War Claims.

Also, a bill (H. R. 2422) to increase the pension of John J. Lockrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2423) to remove the charge of desertion against Francis A. Land—to the Committee on Military Affairs.

Also, a bill (H. R. 2424) for the relief of Edward J. Handly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2425) granting a pension to Mrs. Jennie Vaughan—to the Committee on Invalid Pensions.

By Mr. TRACEY: A bill (H. R. 2426) granting a pension to Mary Elizabeth Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2427) granting a pension to Margaret Byron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2428) granting a pension to Mary O'Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2429) granting a pension to Elizabeth Harley—to the Committee on Pensions.

Also, a bill (H. R. 2430) for the relief of Abram Groat—to the Committee on Military Affairs.

Also, a bill (H. R. 2431) for the relief of Michael Guilfoy—to the Committee on Military Affairs.

Also, a bill (H. R. 2432) for the relief of Lansing Shear—to the Committee on Military Affairs.

Also, a bill (H. R. 2433) granting a pension to Elizabeth Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2434) to grant a pension to Elizabeth Slawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2435) granting a pension to Emma S. Cassidy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2436) granting a pension to Bridget Maloy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2437) for the relief of Leonard Appleby—to the Committee on Military Affairs.

Also, a bill (H. R. 2438) for the relief of the executrix of R. A. Francis—to the Committee on Claims.

Also, a bill (H. R. 2439) for the relief of Thomas C. Ellison—to the Committee on Claims.

Also, a bill (H. R. 2440) for the relief of Daniel Leary—to the Committee on War Claims.

Also, a bill (H. R. 2441) for the relief of Saxe Bros.—to the Committee on Claims.

Also, a bill (H. R. 2442) for the relief of Michael Guilfoy—to the Committee on Military Affairs.

Also, a bill (H. R. 2443) for the relief of Mrs. Catherine Lemaire—to the Committee on Claims.

By Mr. VAN HORN: A bill (H. R. 2444) for the relief of Samuel Warrender—to the Committee on Military Affairs.

Also, a bill (H. R. 2445) to authorize and direct the Secretary of War to remove the charge of desertion from the records of the War Department as to Charles Whitham, late private, United States Army, Battery F, Fifth Regiment Artillery, and to issue to him an honorable discharge—to the Committee on Military Affairs.

By Mr. WALKER: A bill (H. R. 2446) for the relief of John C. Howe, Sullivan Forehand, and Henry C. Wadsworth—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 2447) to provide an American register for the steamer yacht Golden Fleece—to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 2448) for the relief of Alexander Watts—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 2449) for the relief of Charles Gallagher, of New York—to the Committee on War Claims.

Also, a bill (H. R. 2450) for the relief of Charles Gallagher, of New York, and to refer his claims to the Court of Claims for adjudication—to the Committee on War Claims.

By Mr. WATSON: A bill (H. R. 2451) for the relief of Alexander Moffatt, of Georgia—to the Committee on Claims.

By Mr. WAUGH: A bill (H. R. 2452) for the relief of Elenor Brookbank and others—to the Committee on War Claims.

Also, a bill (H. R. 2453) granting a pension to Cathorine Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2454) for the relief of Charles A. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2455) granting a pension to Prudence J. Mulvaney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2456) granting a pension to Marguret T. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2457) to correct the military record of John M. Butler—to the Committee on Military Affairs.

Also, a bill (H. R. 2458) to correct the military record of Broad Cole—to the Committee on Military Affairs.

Also, a bill (H. R. 2459) to correct the military record of Abraham Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 2460) to correct the military record of Thomas C. Workman—to the Committee on Military Affairs.

Also, a bill (H. R. 2461) to remove the charge of desertion against William J. Kline—to the Committee on Military Affairs.

Also, a bill (H. R. 2462) to correct the military record of Robert H. Pyke—to the Committee on Military Affairs.

Also, bill (H. R. 2463) to reimburse Isaac D. Armstrong for stolen bonds—to the Committee on Claims.

Also, a bill (H. R. 2464) for the relief of Silas Quackenbush—to the Committee on War Claims.

Also, a bill (H. R. 2465) for the relief of William Pyke—to the Committee on War Claims.

By Mr. WEADOCK: A bill (H. R. 2466) granting a pension to Solomon C. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2467) to correct the military record of Joseph MacKerly—to the Committee on Military Affairs.

Also, a bill (H. R. 2468) for the relief of Mrs. C. A. Nunn—to the Committee on War Claims.

Also, a bill (H. R. 2469) granting a pension to Erasmus L. Wenz—to the Committee on Invalid Pensions.

By Mr. WHITING: A bill (H. R. 2470) for the relief of John Donahue—to the Committee on Private Land Claims.

Also, a bill (H. R. 2471) granting muster and pay and allowance of captain of cavalry to Michael Sheehy from June 13, 1864, to March 25, 1866—to the Committee on Military Affairs.

Also, a bill (H. R. 2472) granting pay and allowances of a second lieutenant of infantry to Samuel Bevins—to the Committee on Military Affairs.

Also, a bill (H. R. 2473) for the relief of Jesse C. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2474) for the relief of William J. Terney—to the Committee on Military Affairs.

Also, a bill (H. R. 2475) for the relief of John B. Hinks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2476) to remove the charge of desertion against George A. Jeffers—to the Committee on Military Affairs.

Also, a bill (H. R. 2477) granting a pension to Thomas Tucker, of Battery A, Fourth United States Artillery—to the Committee on Pensions.

Also, a bill (H. R. 2478) for the relief of David Sarsfield—to the Committee on Military Affairs.

By Mr. WILLCOX: A bill (H. R. 2479) for the relief of Nancy E. Day, administratrix of the estate of James L. Day, deceased—to the Committee on Claims.

Also, a bill (H. R. 2480) for the relief of the heirs of Davis B. Bonfoey—to the Committee on Claims.

Also, a bill (H. R. 2481) for the relief of the National New Haven Bank, of the State of Connecticut—to the Committee on Claims.

Also, a bill (H. R. 2482) for the relief of the estate of John Ericsson—to the Committee on Claims.

Also, a bill (H. R. 2483) granting an honorable discharge to William Pullman—to the Committee on Military Affairs.

Also, a bill (H. R. 2484) to correct the military record of John Lyons, etc.—to the Committee on Military Affairs.

Also, a bill (H. R. 2485) granting an honorable discharge to Christopher C. Wright—to the Committee on Military Affairs.

Also, a bill (H. R. 2486) for the relief of William Bond & Co. and others—to the Committee on Claims.

By Mr. WIKE (by request): A bill (H. R. 2487) for the relief of J. B. Boyd, late a private in Company B, Seventy-seventh Pennsylvania Volunteers, etc.—to the Committee on Military Affairs.

Also, a bill (H. R. 2488) for the relief of William B. Payne—to the Committee on War Claims.

Also, a bill (H. R. 2489) for the relief of Francis I. Bizaillion—to the Committee on Military Affairs.

Also, a bill (H. R. 2490) for the relief of W. S. Henry—to the Committee on War Claims.

Also, a bill (H. R. 2491) for the relief of Mrs. Mary Head, widow of Henry Head, deceased, late of Quincy, Ill.—to the Committee on War Claims.

Also, a bill (H. R. 2492) to place the name of John B. Henderson on the pension roll and pay him $30 per month—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 2493) granting a pension to Jesse Cleaveland—to the Committee on Pensions.

Also, a bill (H. R. 2494) granting a pension to Daniel Bryant—to the Committee on Pensions.

Also, a bill (H. R. 2495) granting a pension to Wiley Causey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2496) granting a pension to Noah Staley—to the Committee on Pensions.

Also, a bill (H. R. 2497) to increase the pension of John Prendergast—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2498) for the relief of James Bamfield—to the Committee on Military Affairs.

Also, a bill (H. R. 2499) for the relief of Thistle M. Thomas—to the Committee on War Claims.

Also, a bill (H. R. 2500) to increase the pension of William B. Barton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2501) to pension Susan Davenport—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2502) to increase the pension of James Lane—to the Committee on Pensions.

Also, a bill (H. R. 2503) for relief of R. A. Spaulding, administrator of estate of Solomon Blue—to the Committee on War Claims.

Also, a bill (H. R. 2504) for relief of Samuel M. Nalley—to the Committee on War Claims.

Also, a bill (H. R. 2505) for the relief of Fannie Pemberton, formerly Fannie Glass—to the Committee on War Claims.

Also, a bill (H. R. 2506) for the relief of Hiram Somerville—to the Committee on War Claims.

Also, a bill (H. R. 2507) for the relief of Michael A. Dace—to the Committee on War Claims.

Also, a bill (H. R. 2508) for the relief of Martha Black—to the Committee on War Claims.

Also, a bill (H. R. 2509) for the relief of Mrs. E. C. Turner—to the Committee on War Claims.

Also, a bill (H. R. 2510) for the relief of Jacob J. Talbott—to the Committee on War Claims.

Also, a bill (H. R. 2511) for the relief of John J. Vincent—to the Committee on War Claims.

Also, a bill (H. R. 2512) for the relief of George W. Cook—to the Committee on War Claims.

Also, a bill (H. R. 2513) for the relief of Edmund Drake—to the Committee on War Claims.

Also, a bill (H. R. 2514) for the relief of Emeline E. Musgrave—to the Committee on War Claims.

Also, a bill (H. R. 2515) for the relief of the heirs of James Deford—to the Committee on War Claims.

Also, a bill (H. R. 2516) to remove the charge of desertion from the record of John A. Jack—to the Committee on Military Affairs.

Also, a bill (H. R. 2517) for the relief of Samuel Burrell—to the Committee on Military Affairs.

Also, a bill (H. R. 2518) for the relief of Isaac Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 2519) for the relief of Thomas D. Wagnon—to the Committee on Military Affairs.

Also, a bill (H. R. 2520) for the relief of Joseph C. Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 2521) for the relief of John McClain—to the Committee on Military Affairs.

Also, a bill (H. R. 2522) for the relief of William Wood—to the Committee on Naval Affairs.

Also, a bill (H. R. 2523) for the relief of Albert Hill—to the Committee on Military Affairs.

Also, a bill (H. R. 2524) to pay Sarah E. Hall $100 bounty—to the Committee on Military Affairs.

Also, a bill (H. R. 2525) for the relief of Daniel Ward—to the Committee on Military Affairs.

Also, a bill (H. R. 2526) for the relief of Harrison Thurmond—to the Committee on Military Affairs.

Also, a bill (H. R. 2527) for the relief of Allen Anderson—to the Committee on Military Affairs.

Also, a bill (H. R. 2528) for the relief of John W. Gassett—to the Committee on Military Affairs.

Also, a bill (H. R. 2529) for the relief of Pleasant Markham—to the Committee on Military Affairs.

Also, a bill (H. R. 2530) to remove the charge of desertion from the record of Robert Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 2531) to remove the charge of desertion from Hugh Ferrell—to the Committee on Military Affairs.

Also, a bill (H. R. 2532) for the relief of James A. McFarland—to the Committee on Military Affairs.

Also, a bill (H. R. 2533) granting a pension to James H. Willis—to the Committee on Pensions.

Also, a bill (H. R. 2534) granting a pension to Joseph Smith—to the Committee on Pensions.

Also, a bill (H. R. 2535) granting a pension to James K. Rainey—to the Committee on Pensions.

By Mr. WILSON of West Virginia: A bill (H. R. 2536) for relief of the sureties of Dennis Murphy—to the Committee on Claims.

Also, a bill (H. R. 2537) to remove the charge of desertion from John Lyons—to the Committee on Military Affairs.

Also, a bill (H. R. 2538) for the relief of Thomas G. Flagg, executor of Thomas G. Flagg, deceased, late of Berkeley County, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 2539) for the relief of the trustees of the Methodist Episcopal Church of Martinsburg, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 2540) for the relief of the trustees of St. Joseph's Catholic Church at Martinsburg, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 2541) to place the name of Ida Button on the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2542) for relief of Robert Williams, sergeant of ordnance, United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 2543) to place the name of May Button on the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2544) for the relief of C. M. Shaffer—to the Committee on War Claims.

Also, a bill (H. R. 2545) for the relief of Aaron Van Camp and V. P. Chapin & Co.—to the Committee on Claims.

Also, a bill (H. R. 2546) for the relief of the trustees of the German Evangelical Church of Martinsburg, W. Va.—to the Committee on War Claims.

By Mr. WILLIAMS of Massachusetts (by request): A bill (H. R. 2547) granting an honorable discharge to John Liberty—to the Committee on Military Affairs.

Also, a bill (H. R. 2548) for the relief of the legal representatives of William Johnnot, Joseph Torrey, and Thomas Blackwell—to the Committee on War Claims.

By Mr. WILSON of Kentucky: A bill (H. R. 2549) for the relief of the soldiers of the Three Forks Battalion of Kentucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2550) for the relief of John F. Rogers—to the Committee on War Claims.

Also, a bill (H. R. 2551) for the relief of James N. Brafford—to the Committee on Claims.

Also, a bill (H. R. 2552) for the relief of T. J. Pitzer—to the Committee on War Claims.

Also, a bill (H. R. 2553) for relief of T. T. Garrard, of Clay County, Ky.—to the Committee on War Claims.

By Mr. WISE: A bill (H. R. 2554) for the relief of Mrs. Minnie A. Fortune—to the Committee on Claims.

Also, a bill (H. R. 2555) to provide for the final settlement of the transportation account with the Richmond and Danville Railroad Company—to the Committee on Claims.

By Mr. WINN: A bill (H. R. 2556) for the relief of estate of Frank H. Nichols—to the Committee on War Claims.

Also, a bill (H. R. 2557) to amend the records of the War Department in case of Curtis C. Hutcheson—to the Committee on War Claims.

Also, a bill (H. R. 2558) for the relief of Sanford A. Pinyan—to the Committee on War Claims.

Also, a bill (H. R. 2559) for the relief of William T. Edwards—to the Committee on War Claims.

Also, a bill (H. R. 2560) for the relief of James B. Fowler—to the Committee on War Claims.

Also, a bill (H. R. 2561) for the relief of Jasper N. Martin—to the Committee on War Claims.

Also, a bill (H. R. 2562) for the relief of Samuel Garner—to the Committee on War Claims.

By Mr. WASHINGTON: A bill (H. R. 2563) for relief of trustees of Stewart College, Montgomery County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2564) for the relief of the La Grange Synodical College of Tennessee—to the Committee on War Claims.

Also, a bill (H. R. 2565) for the relief of the city of Nashville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2566) for the relief of the county of Davidson, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2567) increasing the pension of Daniel Birchett—to the Committee on Pensions.

By Mr. WILSON of Washington: A bill (H. R. 2568) for the relief of the inhabitants of the town of Chelan, in Okanogan County, State of Washington—to the Committee on the Public Lands.

Also, a bill (H. R. 2569) for the relief of George P. Ihrie—to the Committee on Military Affairs.

By Mr. WASHINGTON: A bill (H. R. 2570) for the improvement of the Cumberland River below Nashville, Tenn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2571) for the improvement of the Cumber land River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2572) to construct a road to the national cemetery at Dover, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 2573) for the relief of William H. Quinn—to the Committee on Claims.

Also, a bill (H. R. 2574) for the relief of W. T. Garrett—to the Committee on War Claims.

Also, a bill (H. R. 2575) for the relief of Christopher Powers—to the Committee on Military Affairs.

Also, a bill (H. R. 2576) for the relief of the estate of Andrew J. Duncan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2577) for the relief of the estate of Henry S. French—to the Committee on War Claims.

Also, a bill (H. R. 2578) for the relief of the legal representatives of Henry S. French, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2579) for the relief of R. N. Drake—to the Committee on Claims.

Also, a bill (H. R. 2580) for the relief of Sarah A. Page—to the Committee on War Claims.

Also, a bill (H. R. 2581) for the relief of Cummings, Doyle & Co., and Doyle & Co.—to the Committee on War Claims.

Also, a bill (H. R. 2582) for the relief of Payne, James & Co.—to the Committee on War Claims.

Also, a bill (H. R. 2583) for the relief of Mrs Jane L. Taylor—to the Committee on War Claims.

Also, a bill (H. R. 2584) for the relief of the legal representatives of Adelicia Cheatham, for money illegally assessed and paid the Government under protest—to the Committee on Claims.

Also, a bill (H. R. 2585) for the relief of D. W. and Minna H. Glassie and Joseph C. Nash—to the Committee on War Claims.

Also, a bill (H. R. 2586) for relief of the book agents of the Methodist Episcopal Church South—to the Committee on War Claims.

Also, a bill (H. R. 2587) for the relief of the Protestant Episcopal Church of St. Paul, at Franklin, Tenn.—to the Committee on War Claims.

By Mr. YOUMANS: A bill (H. R. 2588) to correct the record of Elindsley W. Murray—to the Committee on Military Affairs.

Also, a bill (H. R. 2589) to amend military record of James H. Gould—to the Committee on Military Affairs.

Also, a bill (H. R. 2590) granting a pension to Mrs. Mary J. Imhoff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2591) removing the charge of desertion from the record of Erastus Confer—to the Committee on Pensions.

Also, a bill (H. R. 2592) for the relief of Andrew B. Knapp—to the Committee on Military Affairs.

Also, a bill (H. R. 2593) granting a pension to Mrs. Caroline M. French—to the Committee on Pensions.

Also, a bill (H. R. 2594) removing charge of desertion from the record of H. H. Sanborn—to the Committee on Pensions.

Also, a bill (H. R. 2595) for the relief of Henson D. Pittman—to the Committee on Pensions.

By Mr. BERGEN: A bill (H. R. 2596) granting a pension to Beulah B. Tuttle—to the Committee on Invalid Pensions.

By Mr. COGSWELL: A bill (H. R. 2597) to provide for the recovery of internal-revenue taxes and penalties erroneously assessed and paid in certain cases—to the Committee on Claims.

By Mr. WILSON, of Kentucky: A bill (H. R. 2598) for the relief of the heirs of J. and D. White, deceased, late of Clay County, Ky.—to the Committee on War Claims.

By Mr. MILLIKEN: A bill (H. R. 2599) for the relief of Davis Pattie—to the Committee on Invalid Pensions.

And then, on motion of Mr. SPRINGER (at 2 o'clock and 48 minutes p. m.), the House adjourned until Monday next.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following resolutions and petitions were laid on the Clerk's desk and referred as follows:

By Mr. BABBITT: Petition of 102 members of the Congregational Church of Union Grove, Wis., favoring a loan to the World's Columbian Exposition under certain conditions—to the Select Committee on the Columbian Exposition.

By Mr. BELTZHOOVER: Petition of Mulberry Grange, Patrons of Husbandry, of York County, Pa., in favor of the free delivery of mails—to the Committee on the Post-Office and Post-Roads.

By Mr. BENTLEY: Petition of citizens of Harrisburg, N. Y., for the delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens representing the Immanual Baptist Church of Utica, N. Y., favoring a loan to the World's Columbian Exposition conditional upon Sunday observance—to the Select Committee on the Columbian Exposition.

By Mr. BOWMAN: Resolutions passed by the eleventh annual session of the National Farmers' Congress, held at Sedalia, Mo.—to the Committee on Agriculture.

By Mr. BRODERICK: Petition numerously signed by citizens of Kansas for a conference of nations to settle difficulties by arbitration during the Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. BUTLER: Petition of citizens of Clayton County, Iowa, and of citizens of Winneshiek County, Iowa, praying the passage of the compound lard bill, known as the Conger lard bill—to the Committee on Agriculture.

Also, petition of citizens of Clayton County and of citizens of Winneshiek County, Iowa, urging the passage of House bill 5353 of the Fifty-first Congress, known as the option bill—to the Committee on Agriculture.

By Mr. CAINE: Memorial of the bar of the Territory of Utah, setting forth the necessity of an increased number of judges and asking for the organization of an independent supreme court and

the appointment of additional district judges for said Territory—to the Committee on the Judiciary.

By Mr. CHIPMAN: Petition of vessel owners to accompany bill for Alpena cable—to the Committee on Interstate and Foreign Commerce.

By Mr. COMPTON: Resolution of the mayor and city council of Baltimore, requesting its Representatives in Congress to urge the passage of a bill for the transfer of the Revenue Cutter Service to the naval establishment—to the Committee on the Judiciary.

By Mr. COOMBS: Petition of the faculty of the Adelphi Academy, Brooklyn, N. Y., for the exclusive use of the metric system of weights and measures in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

Also, petition of the Puritan Congregational Church of Brooklyn, N. Y., opposing the exportation of alcoholic liquor to heathen countries—to the Committee on Foreign Affairs.

By Mr. DALZELL: Petition of sundry dealers in tobacco in the Twenty-second Congressional district of Pennsylvania, in favor of an amendment so as to impose a tax on dealers in leaf tobacco—to the Committee on Ways and Means.

By Mr. DICKERSON: Papers in the case of William C. Watts, of Boone County, Ky.—to the Committee on Claims.

By Mr. ENGLISH: Petition of S. A. Farrand, of S. C. Leonard and E. W. Given, of Wilson Farrand, of L. B. Varney, and of Charles A. Mead, in favor of the adoption of the metric system in the customs service—to the Committee on Coinage, Weights, and Measures.

Also, petition of William H. Woodruff and others, for an appropriation to the Columbian Exposition on condition that the latter be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. FITCH: Petition of H. K. Spaulding, for metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

Also, petition to correct the military record of Robert M. Shurtleff, of New York—to the Committee on Military Affairs.

Also, petition of Edwin Gomez, for relief for arrest and false imprisonment—to the Committee on Foreign Affairs.

By Mr. GRISWOLD: Sundry petitions of Henry H. Muloin and others, for the relief of the said Muloin from the findings of a court-martial—to the Committee on Military Affairs.

By Mr. GROUT: Petition of J. C. Taylor and others, of Craftsbury, Vt., against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HALVORSEN: Petition of representatives of the Congregational Church of Morris, Minn., asking the appropriation by Congress of $5,000,000 as a loan to the Columbian Exposition on condition that the Exposition be closed to visitors on the Lord's Day—to the Select Committee on the Columbian Exposition.

Also, petition of National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HEARD: Petition of Charles W. Coombs, Department messenger, for extra compensation—to the Committee on Accounts.

Also, petition of citizens of the Sixth Congressional district of Missouri, in favor of an amendment to the internal-revenue law affecting the tax on tobacco—to the Committee on the Judiciary.

By Mr. HOPKINS of Illinois: Petition of Board of Trade of Chicago, in reference to the Revenue Cutter Service—to the Committee on Naval Affairs.

By Mr. HUFF: Petition of the Presbyterian Church of Pleasant Unity, Pa., praying that the Columbian Exposition be closed on Sundays—to the Select Committee on the Columbian Exposition.

Also, petition of the Woman's Christian Temperance Union of Pleasant Unity, Pa., against the opening of the World's Fair on Sunday and the sale of liquors therein, and requesting that the art department be conducted in accordance with the American standard of purity in art—to the Select Committee on the Columbian Exposition.

By Mr. KILGORE: Petition of John T. Garrison, W. C. Carrow, and others, in relation to deep water at Sabine Pass—to the Committee on Rivers and Harbors.

Also, petition of L. A. Sinclair, D. M. Short, and others, asking an appropriation of $50,000 to improve the navigation of Sabine River from Orange to Logansport—to the Committee on Rivers and Harbors.

Also, petition of By Armstrong, Jerre Padon, and others, asking an appropriation to secure deep water at Sabine Pass—to the Committee on Rivers and Harbors.

By Mr. MALLORY: Petitions of the citizens of the villages of Warrington and Woolsey, adjoining the United States navy-yard and on the naval reservation on Pensacola Bay, in the State of Florida, praying for the establishment of a public school for the benefit of children living on said reservation—to the Committee on Education.

By Mr. MITCHELL: Resolutions of the Chamber of Commerce, Milwaukee, Wis., on the subject of an improved method of recording marine commerce and tonnage at lake ports—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the same body, urging an appropriation for a new revenue cutter to replace the worn-out Andy Johnson—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the same body, relative to the necessity of additional light-houses, fog signals, etc., on the Great Lakes—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Milwaukee, recommending increased salaries for keepers and crews of life-saving stations—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Wisconsin Commandery, Military Order of the Loyal Legion of the United States, indorsing plan for coast defenses—to the Committee on Military Affairs.

Also, resolutions of the same body, to prevent desecration of the American flag—to the Committee on Military Affairs.

Also, resolutions of the same body, indorsing the proposed military chapel at Arlington, Va.—to the Committee on Military Affairs.

By Mr. MORSE: Memorial of the New York committee for the prevention of State regulation of vice, signed by Mrs. Abby Hoffer Gibbons, president, and Mrs. Anna Rice Powell, secretary, asking for a national commission of inquiry concerning the subject of social vice and the alleged traffic in young girls and women for immoral purposes—to the Committee on Education.

By Mr. OTIS: Petition of Horace White and 22 other citizens of Coffey County, Kans., asking to have the Butterworth option bill, so called, passed by the Fifty-second Congress—to the Committee on Agriculture.

By Mr. PAGE of Maryland: Petition of the keeper and crew of the Ocean City life-saving station—to the Committee on Interstate and Foreign Commerce.

Also, petition to promote the efficiency of the Life-Saving Service by increasing the pay of the keepers and crews—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNTER: Petition of Horace Janney, asking that a pension be granted—to the Committee on Invalid Pensions.

Also, petition of the Grand Army Post of Grayson, Ky., that W. L. James be relieved of the charge of desertion—to the Committee on Military Affairs.

By Mr. RANDALL: Petition of Daniel Dean and others, for the free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. RUSK: Petition to accompany House bill for the relief of Frederick Engelhart—to the Committee on War Claims.

By Mr. SNODGRASS: Petition of 45 citizens of Chattanooga, Tenn., asking that the Columbian Exposition be closed on the Sabbath day—to the Select Committee on the Columbian Exposition.

By Mr. SNOW: Petition of 91 citizens of Wenona, Ill., in favor of arbitration of national questions instead of resorting to war—to the Select Committee on the Columbian Exposition.

By Mr. SPRINGER: Petition of the Illinois State Grange, against option deals by telegraph, telephone, or mail—to the Committee on Agriculture.

Also, petition of the same organization, for free mail delivery to farmers—to the Committee on the Post-Office and Post-Roads.

Also, petition of the same organization, for improved water ways—to the Committee on Rivers and Harbors.

Also, petition of the same organization, for free binding twine—to the Committee on Ways and Means.

Also, petition of the same organization, for an income-tax law—to the Committee on Ways and Means.

Also, petition of the same organization, for Senators to be elected by popular vote—to the Select Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. STEVENS: Petition of 42 citizens of Lowell, Mass., representing the First Baptist Church, protesting against the opening of the World's Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of 49 citizens of Lunenburg, Mass., and of 69 citizens of Ashby, Mass., praying for the free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. STEWARD of Illinois: Petition of certain citizens representing the College Church of Christ of Wheaton, Ill., favoring a loan of $5,000,000 to assure the Columbian Exposition on condition that the Exposition be closed on the Lord's Day—to the Select Committee on the Columbian Exposition.

Also, to settle international disputes and to sit during and in connection with the Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, two petitions, numerously signed by citizens of La Salle County, Ill., praying the passage of a bill defining options and futures—to the Committee on Agriculture.

Also, petition of certain citizens of the same county, for the passage of Conger Lard bill—to the Committee on Agriculture.

By Mr. TAYLOR of Illinois: Resolutions of the Chicago Board of Trade, urging favorable action upon the bill to construct new revenue cutters for the lakes and Pacific coast—to the Committee on Naval Affairs.

Also, resolutions of the same body, relative to the transfer of the Revenue Cutter Service of the Navy—to the Committee on Military Affairs.

By Mr. EZRA B. TAYLOR: Petition of John Schlittler, Company A, Twenty-fourth Regiment Michigan Infantry Volunteers, for the removal of the charge of desertion—to the Committee on Military Affairs.

By Mr. WEADOCK: Petition for passage of bill to promote efficiency of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. WARWICK: Petition of O. F. Dailey and other citizens of Seville, Ohio, favoring the so-called Butterworth option bill—to the Committee on Agriculture.

Also, petition of certain citizens of Fredericksburg, Ohio, for closing the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WHITE: Petition of Sabbath League of Albia, Iowa, praying for the closing of the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Keokuk County, Iowa, and of Chester Township, Poweshiek County, Iowa, praying for the passage of the Butterworth antioption bill—to the Committee on Agriculture.

Also, petition of citizens of Wapello and Keokuk Counties, Iowa, praying for the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of Oak Grove Alliance, No. 2119, Monroe County, Iowa, praying for free-delivery mail system throughout rural communities—to the Committee on the Post-Office and Post-Roads.

Also, resolution on the improvement of Humboldt Bar—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS of Massachusetts: Petition of 19 citizens representing the Baptist Church of Newton Center, Mass., protesting against the opening of the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, of the Congregational Club, of Newton, Mass., upon the same subject—to the Select Committee on the Columbian Exposition.

Also, of the Young People's Society of Christian Endeavor of Auburndale, Mass., upon the same subject—to the Select Committee on the Columbian Exposition.

Also, petition of 23 citizens of Wrentham, Norfolk County, Mass., of 27 citizens of Marlboro, Mass., of 19 citizens of Bellingham, Mass., and of 59 citizens of Foxboro, Mass., praying for certain reform in the postal service—to the Committee on the Post-Office and Post-Roads.

Also, petition of the pastor and standing committee of the first Congregational Church of Dedham, Mass., praying for the closing of the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Joseph H. Lovering and 5 other citizens of Cambridge, Mass., praying that after July 1, 1893, the metric system of weights and measures shall be used exclusively in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

Also, petition of President Charles W. Eliot of Cambridge, Mass., and 2 other professors of Harvard College upon the same subject—to the Committee on Coinage, Weights, and Measures.

By Mr. WILSON of West Virginia: Petition of Thomas G. Flagg, executor of Thomas G. Flagg, deceased, lately of Berkeley County, W. Va.; of Henrietta M. Waugh, of Jefferson County, W. Va.; of Jacob H. Long, of Tucker County, W. Va.; and of Christian Nisewarner, for the estate of John Nisewarner, late of Jefferson County, W. Va.—to the Committee on War Claims.

By Mr. WISE: Petition from manufacturers of tobacco, proposing an amendment to section 26 of the act known as the tariff bill, approved October 1, 1890—to the Committee on Ways and Means.

Also, petition of Winnie A. Fortune, daughter of Malinda Grimes, by her attorneys, claiming for relief due her mother, deceased, who was a nurse in a Federal hospital—to the Committee on Claims.

SENATE.

MONDAY, *January 11, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a letter addressed to the First Comptroller of the Treasury Department by the Acting Secretary of the Treasury, submitting certain questions which have arisen in connection with the provisions contained in an act of Congress approved March 3, 1891, authorizing the sale of the property known as the United States custom-house and post-office site and building in the city of Milwaukee, Wis., etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs relative to an urgent deficiency estimate of $150,000 for subsistence of the Sioux Indians during the current fiscal year; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in obedience to law, certain statements relative to supplying food and other necessities of life in case of distress among Indians not having treaty funds; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in obedience to law, a report of the Commission appointed under the provisions of the act of August 19, 1890, as to the correct location of the northern line of the Warm Springs Indian Reservation, in the State of Oregon; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

ANACOSTIA AND POTOMAC RIVER RAILROAD COMPANY.

The VICE-PRESIDENT laid before the Senate the report of the capital stock, receipts, and expenditures of the Anacostia and Potomac River Railroad Company for the year ending December 31, 1891; which was referred to the Committee on the District of Columbia, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Presbyterian Synod of New York, representing 1,100 ministers, nearly 900 churches, and 165,000 communicants, praying for the ratification of the treaty to prohibit the traffic in intoxicants in Africa; which was referred to the Committee on Foreign Relations.

He also presented a petition of the board of health of Philadelphia, Pa., praying for the establishment of one or more stations for the treatment of persons suffering from leprosy; which was referred to the Committee on Epidemic Diseases.

Mr. SHERMAN presented a petition of 49 members of the Sherman brigade and other ex-soldiers of Ohio, praying for the passage of a bill to compensate Mrs. Jessie Hunt for her care of wounded soldiers during the war; which was referred to the Committee on Pensions.

He also presented a petition of 56 citizens of Medina County, Ohio, and a petition of 19 citizens of Ashtabula County, Ohio, praying for the passage of legislation similar to the Butterworth option bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of 60 citizens of Medina County, Ohio, praying for the passage of what is known as the compound-lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the members of the United Presbyterian Church of Londonderry, Ohio; a petition of members of the United Presbyterian Church of Utica, Ohio; a petition of the Northwood Farmers' Association of Ohio; a petition of the Ohio Sabbath Association, and a petition of 68 citizens of Elyria, Ohio, praying for the passage of legislation looking to the closing of the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. ALDRICH. I present a memorial of the National Association of Woolen Manufacturers, protesting against any change in the tariff act of 1890, particularly in Schedule K of that act, relating to wool and woolens. In view of the importance of the subject and the representative character of the organization, I ask that the memorial, which is short, may be read.

The VICE-PRESIDENT. Is there objection?

Mr. HARRIS. I suggest to the Senator that he have the memorial printed as a document. We ought not to encumber the RECORD with memorials.

Mr. ALDRICH. The memorial is upon a very important subject and from a representative organization; it is very short; and I trust that the Senator from Tennessee will not object to its being read.

Mr. HARRIS. The precedent is a very bad one, to encumber the RECORD with various memorials. I object.

The VICE-PRESIDENT. Objection is made.

Mr. SHERMAN (to Mr. ALDRICH). Have it printed as a document.

Mr. ALDRICH. I ask that the memorial be printed as a document.

The VICE-PRESIDENT. The memorial will be printed as a document, if there be no objection, and referred to the Committee on Finance.

Mr. FRYE presented a petition of the board of managers of the National Temperance Society, officially signed, praying for the ratification of so much of the general act of the Brussels Conference as provides for the prohibition of the liquor traffic in Africa; which was referred to the Committee on Foreign Relations.

Mr. PADDOCK presented a petition of citizens representing the Congregational Church and people, of Franklin, Nebr., praying Congress to authorize the loan of $5,000,000 by the National Government to the World's Columbian Exposition on condition that such Exposition shall not be managed so as to discredit in any way the American Sabbath; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Board of Trade of the city of Omaha, Nebr., praying for the establishment of a permanent Census Bureau under the direction of the Secretary of the Interior; which was referred to the Committee on the Census.

He also presented a petition of C. E. Malstrom, of Mapleton Utah, praying that a tract of the Government public lands may be granted to him for use in sheep husbandry; which was referred to the Committee on Public Lands.

Mr. HAWLEY presented the petition of Rev. Samuel Scoville, pastor, and 29 others, members of the First Congregational Church of Stamford, Conn., praying that financial aid be granted to the Columbian Exposition conditioned upon Sunday closing; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. McPHERSON presented the memorial of Rev. John Gaston, pastor, and 80 members of the First Reformed Church of Passaic, N. J., and the memorial of Rev. James Boyd Brady, pastor, and 88 members of the Franklin Street Methodist Episcopal Church of Newark, N. J., remonstrating against the opening of the Columbian Exposition on the Sabbath; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. WILSON presented a petition of 23 citizens of Calhoun County, Iowa, praying for the passage of a bill similar to the one known as the Butterworth option bill of the Fifty-first Congress; which was referred to the Committee on Agriculture and Forestry.

Mr. QUAY presented the petition of Weyman & Bro. and other citizens of Pittsburg Pa., praying for an amendment of section 26 of the tariff act of October 1, 1890; which was referred to the Committee on Finance.

He also presented a memorial of the Producers' Protective Association of Bradford, Pa., remonstrating against the passage of any amendments to the interstate-commerce act which shall in any way change, abridge, or affect section 5 of that act in regard to the pooling of freights; which was referred to the Committee on Interstate Commerce.

He also presented the petition of J. J. Purman, of Waynesburg, Pa., praying for the passage of a bill granting him a pension; which was referred to the Committee on Pensions.

He also presented the petition of John D. Yerkes, of Philadelphia, Pa., praying for the passage of a bill granting him an increase of pension; which was referred to the Committee on Pensions.

He also presented the petition of T. A. Morton, of the National Military Home of Ohio, praying for the passage of certain pension legislation; which was referred to the Committee on Pensions.

He also presented the petition of J. L. Talman and 3 other maimed ex-Union soldiers, of La Fayette, Tenn., praying for the passage of a bill to increase the pensions of those who have lost eyes, limbs, or the use of them, or have additional disabilities; which was referred to the Committee on Pensions.

He also presented a petition of the Temperance Association of Friends of Philadelphia, Pa., and a petition of the Woman's Foreign Missionary Society of Friends of Philadelphia, Pa., praying for the ratification of the so-called Brussels treaty; which were referred to the Committee on Foreign Relations.

He also presented the petition of G. Martin and other members of Center Church, Lawrence County, Pa.; the petition of the Woman's Christian Temperance Union of Pleasant Unity, Pa.; the petition of S. G. Alford and other citizens of Rose Point, Pa.; the petition of W. M. Brown and other citizens of Butler, Pa.; the petition of William Dick and other citizens of Prospect, Pa.; the petition of Henry Bruninger and other citizens of White Oak Spring, Pa.; the petition of J. J. Stevenson and other citizens of Mount Chestnut, Pa.; the petition of J. M. Calvert and other citizens of Renfrew, Pa.; the petition of J. M. Dight and other citizens of Evans City, Pa.; and the petition of James M. Rowan and other citizens of Butler County, Pa., praying for the closing of the World's Columbian Fair on Sunday, the prohibition of the sale of liquor within the inclosure, and that the art department be managed according to the American standard of purity in art; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the congregation of the Mantua Presbyterian Church of Philadelphia, Pa., praying for a loan by Congress to the World's Columbian Exposition on condition that the Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Monongahela City, Pa.; a petition of the quarterly conference of the Methodist Episcopal Church of Bedford, Pa.; a petition of 225 citizens of Beaver County, Pa.; a petition of 180 citizens of Beaver County, Pa.; a petition of the Bethany Presbyterian Congregation of Bridgeville, Pa.; and a petition of citizens of Allegheny, Pa., praying for the passage of a bill to prohibit the opening of any exhibition or exposition on Sunday where appropriations of the United States are expended; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Bloomsburg Grange, No. 322, Patrons of Husbandry, of Columbia County, Pa.; a petition of Mifflin Grange, No. 250, Patrons of Husbandry, of Lycoming County, Pa.; a petition of Washington Grange, No. 953, Patrons of Husbandry, of Allegheny County, Pa.; and a petition of West Pennsboro Grange, No. 505, Patrons of Husbandry, of Cumberland County, Pa., praying for the free coinage of silver and the increase of the currency of the United States to $40 per capita; which were referred to the Committee on Finance.

Mr. PETTIGREW presented a petition of 25 citizens of Brown County, S. Dak., praying for the passage of what is known as the Butterworth option bill, or similar legislation to prevent gambling in options on agricultural products; which was referred to the Committee on Agriculture and Forestry.

Mr. SAWYER presented a petition of 45 citizens of Rock County, Wis., praying for the free delivery of the mails in country districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. VANCE presented the petition of Polly Tatham, of Cherokee County, N. C., praying for the payment of certain claims for surveying Cherokee lands; which was referred to the Committee on Claims.

Mr. PERKINS presented the petition of Rev. E. Richards and 74 other citizens of Wabaunsee, Kans., praying that an appropriation be made to aid the World's Columbian Exposition on condition that it shall be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HOAR presented the petition of W. Ellsworth, of Marion, Iowa, praying for the passage of a bill to promote and encourage the display of the flag of the United States; which was referred to the Committee on Military Affairs.

Mr. CULLOM presented a petition of the Presbyterian Church of Elkhorn, Ill., praying that an appropriation of $5,000,000 be made in aid of the World's Fair on condition that the Exposition shall be closed on the Sabbath; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Quincy, Ill., praying for an amendment to the act "to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, in relation to the tobacco schedule; which was referred to the Committee on Finance.

Mr. PASCO presented the petition of W. A. Addison and 95 other citizens of Dade County, Fla., praying for certain legislation with reference to lands in that county included in what is known as the Perrine grant; which was referred to the Committee on Public Lands.

Mr. MITCHELL presented petitions of Charity Grange, No. 103, and San Antonio Grange, No. 286, of the National Grange, Patrons of Husbandry, praying for the passage of an act construing the late forfeiture act according to its original and true purpose, to forfeit all the lands within the 40-mile boundaries and

between the terminal limits drawn at right angles with the general course of the unconstructed road for 25 miles next to such terminals; also an act resuming and restoring to the public domain all lands opposite to and coterminous with those portions of any railroad line not constructed within the time, or according to the terms of the law under which they are claimed; which were referred to the Committee on Public Lands.

Mr. CAMERON presented the memorial of the Young People's Christian Endeavor Society of South Warren, Pa.; the memorial of Rev. R. B. McDaniel and 63 members of the Wissahickon Baptist Church of Philadelphia, Pa., and the memorial of the Ministerial Association of Steelton, Pa., remonstrating against the opening of the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 28 citizens of Pensylvania, praying for the enactment of a measure subjecting oleomargarine to the provisions of the laws of the several States; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Board of Trade of Scranton, Pa., praying for the reduction of postage to 1 cent per ounce on letters; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Woman's Christian Association of Germantown, Pa., praying for the ratification of the so-called Brussels treaty looking to the abolishment of slavery; which was referred to the Committee on Foreign Relations.

Mr. CHANDLER presented the petition of Milbra Grange, No. 228, Patrons of Husbandry, of Oregon, signed by H. S. McDaniel, master, and E. W. Garlick, secretary, and Carl Teetz and 9 other members of the grange, praying for the passage of legislation for the relief of settlers on the claimed limits of the Northern Pacific Railroad grant between Wallula and Portland, Oregon; which was referred to the Committee on Public Lands.

Mr. FELTON. I present a petition of the Traffic Association of California, officially signed by James B. Stetson, president, and Thomas J. Haynes, secretary, composed of business firms employing an active business capital of more than $50,000,000, praying that Congress will at its present session enact legislation securing the prompt construction of the Nicaragua Maritime Canal under the control of the United States Government. I beg permission to say that the association is composed of many representative citizens of the State, representing its varied interests, and as the memorial is short and concise, I should be glad to have it read as part of my remarks.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from California?

Mr. HARRIS. I object for the reason suggested a while ago; and if one Senator is allowed to put into the RECORD a memorial he receives from his constituents, every other Senator will be criticised if he does not follow up that practice. Our RECORD is vastly too voluminous now. I am bound to object to the printing of the memorial in the RECORD.

The VICE-PRESIDENT. Objection being made, the memorial will be printed as a document, if the Senator from California so desires.

Mr. FELTON. I ask that it be printed as a document.

The VICE-PRESIDENT. The memorial will be printed as a document, and referred to the Committee on Foreign Relations.

Mr. TURPIE presented the petition of William Simmons, late private Company I, Second Regiment United States Infantry, during the war with Mexico, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. ALLISON presented the petition of John M. Peters and other citizens of Wapello County, Iowa, and the petition of Albert Smith and other citizens of Keokuk County, Iowa, praying for the passage of what is known as the antioption bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of 23 members of the Collins Chapel Young People's Society of Christian Endeavor, of Boone, Iowa; a petition of the First Methodist Episcopal Epworth League, representing 90 persons, of Boone, Iowa; a petition of the Christian Young People's Society of Christian Endeavor, representing 103 members, of Boone, Iowa; and a petition of the Presbyterian Young People's Society of Christian Endeavor, representing 115 members, of Boone, Iowa, praying that the World's Columbian Fair be closed on Sunday; also protesting against the sale of liquors thereat; also praying that the art department be managed according to the American standard of purity in art; which were referred to the Committee on the Quadro-Centenial (Select).

Mr. DANIEL presented resolutions adopted by the General Assembly of Virginia, favoring the transfer of the Revenue Marine to the Navy Department; which were referred to the Committee on Naval Affairs.

He also presented the petition of Mr. James H. Fletcher, jr., and other citizens of Accomac County., Va, praying for the passage of a bill to promote the efficiency of the Life-Saving Service; which was referred to the Committee on Commerce.

He also presented the petition of Berry Bros. and other tobacconists of Bedford City, Va., and the petition of Cosby & Bro., Penn & Rison, and other citizens of Danville, Va., praying for an amendment of section 26 of the tariff act of 1890; which were referred to the Committee on Finance.

Mr. COCKRELL presented a petition of the Neosho Young People's Society of Christian Endeavor, local union, signed by Frances Jenks, secretary, of Neosho, Mo., praying for the closing of the World's Fair on the Sabbath day, and the prevention of the sale of rum within the limits of the exposition; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WASHBURN presented a resolution adopted by the Chamber of Commerce of St. Paul, Minn., favoring the effort to place the maritime pilot service under the control of the Federal Government; which was referred to the Committee on Commerce.

He also presented the petition of F. M. Carrier, secretary, and 41 other members of the Blue Earth County (Minn.) Farmers' Alliance, praying for the passage of the antioption bill; which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the Blue Earth County (Minn.) Farmers' Alliance, favoring the passage of the bill now before Congress having for its object the suppression of "option gambling" in grain and other farm products; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Congregational Church of Faribault, Minn., praying for the loan of $5,000,000 to the World's Columbian Fair, provided it be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition adopted at a meeting of all classes and churches of Minneapolis, Minn., signed by Rev. S. L. B. Spean, president, and Rev. D. E. Wells, secretary, praying, first, that the World's Columbian Fair be closed on the Sabbath; second, that liquor shall not be sold within the National Exhibition; and, third, that the art department shall be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. TURPIE presented a petition of citizens of Allen County, Ind., praying for the passage of legislation similar to what is know as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. GIBSON of Louisiana. I present resolutions adopted by the New Orleans Board of Trade, of which F. J. Odendahl is president, Louis Rush, Pearl White, and James J. Schmidt are vice-presidents, and Hy H. Smith is secretary. They invoke the aid of the Senators and Representatives from Louisiana towards the defeat of the bill recently introduced into the Senate by the Senator from Minnesota [MR. WASHBURN], defining options in futures, and imposing special taxes on dealers therein, and for other purposes. I move that the resolutions be referred to the Committee on the Judiciary.

The motion was agreed to.

RETURN OF TROPHIES OF THE MEXICAN WAR.

Mr. PERKINS. Mr. President, I beg leave to present a communication written by our minister to Mexico. It was addressed to my late distinguished predecessor, but reached here after his death. I ask that it may be read and referred to the appropriate committee. I do not know that I endorse the view expressed, but I ask that the communication may be read.

The VICE-PRESIDENT. Is there objection to the reading of the communication?

Mr. HARRIS. Is it a memorial?

The VICE-PRESIDENT. It is a communication from the United States minister to Mexico, addressed to the predecessor of the Senator from Kansas.

Mr. HARRIS. Let it be read.

The VICE-PRESIDENT. The communication will be read.

The Chief Clerk read as follows:

DECEMBER 19, 1891.

MY DEAR SENATOR: It has been suggested that it would be a generous and neighborly act on the part of the United States to return to Mexico the trophies of war we captured from her armies in the war of 1847.

Whatever may be the sentiment among our people regarding the justice or necessity of that invasion of more than forty years ago, it is believed they would heartily approve Congressional action giving the Executive such authority.

Mexico is our sister, our next-door neighbor, and, excepting our own, the greatest nation on this hemisphere, with whom it is desirable in every way that we promote friendly relations.

To return her the arms we captured in that war would illustrate on our part a neighborly spirit that would be appreciated and would do much to remove lingering prejudices.

If you think well of it, and find the President, Mr. Blaine, and the Senators favorably disposed, I trust you will take appropriate action in the matter.

Very sincerely, yours,

THOMAS RYAN.

Hon. P. B. PLUMB,
United States Senate, Washington, D. C.

The VICE-PRESIDENT. To what committee shall the communication be referred?

Mr. PERKINS. I suggest that it be referred to the Committee on Foreign Relations.

The VICE-PRESIDENT. It will be so referred.

REPORTS OF COMMITTEES.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 636) for the relief of Chester B. Sweet, of California, reported it without amendment, and submitted a a report thereon.

He also, from the same committee, to whom was referred the bill (S. 800) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 625) to grant to the State of Oregon, townships 27, 28, 29, 30, and 31 south, in ranges 5 and 6 east, of the Willamette meridian, in the State of Oregon, for a public park, reported it without amendment.

Mr. BERRY, from the Committee on Public Lands, to whom was referred the bill (S. 875) for the relief of Thomas Guinean, reported it without amendment.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 386) to provide for the disposal of Fort Hartsuff, Fort Sheridan, and Fort McPherson military reservations, in the State of Nebraska, to actual settlers under the provisions of the homestead laws, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1374) to aid the State of Colorado to support a school of mines, reported it without amendment.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 440) to authorize the construction of a bridge across the Missouri River between the city of Chamberlain, in Brulé County and Lyman County, in the State of South Dakota, reported it with amendments.

He also, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 430) making appropriation for the purchase of ground and the erection thereon in the city of Washington, D. C., of a building to be used as a hall of records, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 427) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for three years preceding have exceeded $3,000 annually, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 426) to provide for the erection of a public building for the use and accommodation of the post-office at Mammoth Hot Springs, in the Yellowstone National Park, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 70) to increase the limit of cost of the erection of a public building at Hoboken, N. J., reported it with an amendment.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 902) to provide for the erection of a public building at Bradford, Pa., reported it without amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1095) for the relief of Thomas Chambers, reported it without amendment, and submitted a report thereon.

Mr. PETTIGREW, from the Committee on Public Lands, to whom was referred the bill (S. 435) to aid the State of South Dakota to support a school of mines, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 444) granting to the State of South Dakota section No. 36, in township No. 94 north, of range No. 56 west, in the county of Yankton, in said State, for the purpose of an asylum for the insane, to correct an act approved June 16, 1880, attempting to make such grant to the Territory of Dakota, and for other purposes, reported it without amendment.

Mr. WHITE, from the Committee on Public Lands, to whom was referred the bill (S. 143) to increase the endowment of the Louisiana State University and Agricultural College and for the Southern University of Louisiana, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1342) for the relief of John R. Blankenship, reported it with an amendment, and submitted a report thereon.

Mr. COCKRELL subsequently said: This morning the bill (S. 1342) for the relief of John R. Blankenship was reported by the junior Senator from Louisiana [Mr. WHITE] from the Committee on Public Lands. I ask that the bill and report may be recommitted in order that I may submit some additional papers to the committee.

The VICE-PRESIDENT. It will be so ordered in the absence of objection.

Mr. PASCO. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 81) to relinquish the interest of the United States in a certain parcel of land in the city of Pensacola, Fla., to Escambia Lodge, No. 15, Free and Accepted Masons, to report it without amendment. I will submit a report later.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 686) granting a pension to Mrs. Charlotte O. Van Cleve, asked to be discharged from its further consideration, and that it be referred to the Committee on Pensions; which was agreed to.

REPORT OF COMMISSION ON GEOGRAPHIC NAMES.

Mr. MANDERSON. I am directed by the Committee on Printing, to which committee was referred a message from the President transmitting the report of the board constituted to consider the advisability of establishing uniformity in geographic nomenclature and orthography to report it back adverse to its printing, because it has been already printed by the House of Representatives.

The VICE-PRESIDENT. The report will be agreed to, and the committee discharged from the further consideration of the subject.

REVISED SENATE MANUAL FOR 1892.

Mr. ALDRICH, from the Committee on Rules, reported the following resolution; which was referred to the Committee on Printing:

Resolved, That there be printed for the use of the Senate, under the direction of the Committee on Rules, 1,500 copies of the Revised Senate Manual for 1892, with corrections to January 1, 1892.

BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 1455) granting an increase of pension to Mary B. Hunt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1456) to authorize the construction of an addition to the public building at Hartford, Conn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1457) to remove the charge of desertion now standing against the name of Bartholomew Mulcahy, and grant him an honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1458) for the relief of Robert Carrick, late first lieutenant of Eighth United States Cavalry; which was read twice by its title, and referred to the Committee on Miltary Affairs.

Mr. CULLOM introduced a bill (S. 1459) for the relief of the city of Cairo, in the State of Illinois; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. McPHERSON introduced a bill (S. 1460) for the relief of the legal administrators of Daniel McLeod, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1461) increasing the pension of John P. Veach; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1462) granting a pension to Margaret Burke; which was read twice by its title, and, with the accompanying papers, referred the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 1463) for the relief of James A. Finley; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1464) to place James T. Peale on the retired list of the United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1465) for the relief of Frank J. Burrows; which was read twice by its title, and referred to the Committee on Post-Offices and Post Roads.

He also introduced a bill (S. 1466) granting a pension to William H. Baker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUAY (by request) introduced a bill (S. 1467) defining the term "artists" in the act of Congress entitled "An act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," approved February 26, 1885; which was read twice by its title, and referred to the Committee on Immigration.

He also (by request) introduced a bill (S. 1468) prohibiting enlisted men in the Army and Navy of the United States from performing service in civil life for pay or emolument, and for other

purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1469) granting an increase of pension to John D. Yerkes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1470) granting an increase of pension to Isaac N. Durborow; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1471) granting an increase of pension to James Jackson Purman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON introduced a bill (S. 1472) granting a pension to Mrs. Sarah Schafer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 1473) to amend and reënact section 5 of an act entitled "An act to promote the efficiency of the Life-Saving Service, and to encourage the saving of life from shipwreck," approved May 4, 1882; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 1474) granting a pension to Marrilla Parsons, of Detroit, Mich.; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1475) granting a pension to Gil Blas Wilcox; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1476) to grant a pension to Henry Allett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1477) to incorporate the Cross-Town Railroad of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1478) to restore to market public lands in the States of Michigan, Wisconsin, and Minnesota, and to provide for the disposition of land hereafter surveyed in said States; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1479) for the relief of George H. Murdoch; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1480) for the relief of James Campbelle; which was read twice by its title, and, with the accompany papers, referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 1481) granting a pension to John Eckland; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 1482) granting a pension to Marrilla Parsons; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1483) for the relief of James R. Walker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. CHANDLER introduced a bill (S. 1484) in addition to the provisions of the Revised Statutes relative to the election of Senators and to prevent vacancies in the Senate after elections and appointments have been made; which was read twice by its title, and referred to the Committee on Privileges and Elections.

He also introduced a bill (S. 1485) granting a pension to James T. Minard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STANFORD introduced a bill (S. 1486) granting to the State of California 5 per centum of the net proceeds of the cash sales of public lands in said State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1487) for the relief of the heirs or assigns of Joshua Shaw; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HISCOCK introduced a bill (S. 1488) to amend the act entitled "An act to prevent the importation of adulterated and spurious teas," approved March 2, 1883; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1489) for the relief of Amelia R. Webster; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1490) for the relief of Benjamin F. Wells, sr.; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced a bill (S. 1491) to establish a free public and departmental library and reading room; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1492) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1493) to incorporate the Washington Northeastern Street Railway Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1494) to create additional associate justices of the supreme court of the District of Columbia; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1495) to amend "An act relating to the supreme court of the District of Columbia," approved June 21, 1870; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. STEWART introduced a bill (S. 1496) for the relief of Gen. Napoleon J. T. Dana; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1497) for the relief of P. S. Corbett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PASCO introduced a bill (S. 1498) for the establishment of additional aids to navigation in Tampa Bay, Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1499) to grant a pension to Mrs. Mima A. Read; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1500) for the relief of the legal representatives of Joseph Sierra, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S 1501) for the relief of William H. Atkins, formerly commissary sergeant, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1502) for the relief of Luther Herrick, late first lieutenant, Company A, Ninth Regiment, New York Cavalry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 1503) to establish a first-order light-house on North Head, Cape Disappointment, in the State of Washington; which was read twice by its title, and referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 1504) for the relief of David Dealy and Moses Younkin; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MANDERSON introduced a bill (S. 1505) providing for the survey of a part of the northern boundary of Nebraska, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

He also introduced a bill (S. 1506) granting a pension to William T. Hutton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 1507) for the relief of Mathew S. Priest; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 1508) for the relief of William B. Stokes, M. M. Brien, sr., Thomas Waters, and William T. Haskins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1509) for the relief of Samuel B. Kepner; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1510) for relief of Jacob Barr; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1511) to authorize the Secretary of War to cause to be mustered Frank Gray; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1512) granting an honorable discharge to Patrick Burke; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1513) granting a pension to Thomas S. Mattox; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1514) to correct the military record of Albert Stratton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1515) granting a pension to the children of William H. Nessle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PEFFER introduced a bill (S. 1516) granting the right to erect and maintain dams across the Kansas River within Shawnee County, in the State of Kansas; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. FRYE introduced a bill (S. 1517) granting an increase of pension to Charles F. Ward; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FELTON (by request) introduced a bill (S. 1518) for the relief of Lewis J. F. Iaeger; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARLISLE introduced a bill (S. 1519) to increase the pension of Mrs. Mary L. Scott, of Lincoln County, Ky.; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VANCE introduced a bill (S. 1520) for the relief of the Cape Fear Steamboat Company; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1521) for the relief of John D. Thorne; which was read twice by its title, and with the accompanying paper, referred to the Committee on Claims.

Mr. BARBOUR introduced a bill (S. 1522) for the relief of John T. Henderson; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MORGAN introduced a bill (S. 1523) to forfeit to the United States the lands claimed by the Northern Pacific Railroad Company, as having been granted to said company between Bismarck, in North Dakota, and Wallula, in Washington; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SAWYER introduced a bill (S. 1524) granting the right of way and depot grounds upon and through the Court O'Reilles Indian Reservation in the county of Sawyer and State of Wisconsin to the Wisconsin Bee Line and Superior Railway Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. TURPIE (by request) introduced a bill (S. 1525) directing the issue of duplicate United States bonds to Elijah P. Hollcroft, guardian of Burton J. Parr; which was read twice by its title, and referred to the Committee on Finance.

Mr. PLATT introduced a bill (S. 1526) granting a pension to Daniel L. Robinson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WASHBURN introduced a bill (S. 1527) granting a pension to John Heinz; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 1528) granting an increase of pension to Frank L. Avery; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1529) granting a pension to Eliza A. Riley; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1530) granting an increase of pension to David S. Corser; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1531) granting a pension to James H. Preston; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 1532) to construct a public building at Arkansas City, Kans., and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1533) to construct a public building at Parsons, Kans., and for other purposes: which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1534) to resurvey township 18, range 9 west, sixth principal meridian of Kansas; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1535) to increase the pension of Andrew J. Monroe; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1536) to increase the pension of Leroy Root; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1537) for the relief of Margaret Thierer, widow of Jacob Thierer; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALDRICH introduced a bill (S. 1538) for the relief of the heir of James S. Ham; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1539) for the relief of the heirs of John W. Vose; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1540) granting a pension to Ira Ingraham; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1541) granting a pension to C. G. McKnight; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 1542) for the relief of C. C. McCoy; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. DANIEL introduced a bill (S. 1543) authorizing and directing the Secretary of the Navy to contract for the purchase of a lot of land opposite to the Gosport navy-yard; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1544) for the erection of a public building at the town of Lexington, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1545) to provide for the erection of a public building at Bedford City, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1546) appropriating $100,000 for construction of Mount Vernon avenue; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CHILTON introduced a bill (S. 1547) for the relief of M. D. Putnam; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 1548) to extend the jurisdiction of the Supreme Court of the United States, as the same is defined in section 709 of the Revised Statutes of the United States, to include the judgments and decrees of the highest courts of the Cherokee, Creek, Seminole, Choctaw, and Chickasaw tribes of Indians, respectively; which was read twice by its title, and referred to the Committee on Indian Affairs.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a concurrent resolution ordering the Joint Committee on Printing to examine into the errors in the Index to the CONGRESSIONAL RECORD of the present session of Congress.

INTERNATIONAL BIMETALLIC AGREEMENT.

Mr. TELLER introduced a joint resolution (S. R. 24) to provide for an international bimetallic agreement; which was read the first time by its title.

Mr. TELLER. I ask that the joint resolution may be read at length.

The joint resolution was read the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the determined policy of the United States Government to use both gold and silver as full legal-tender money under the ratio now existing in the United States, or that may be hereafter established by the United States alone, or acting in accord with other nations; that the President shall invite the governments of the countries comprising the Latin Union, so called, and of such other nations as he may deem advisable, to join the United States in a conference to adopt a common ratio between gold and silver, for the purpose of establishing, internationally, the use of bimetallic money and securing fixity of relative value between those metals, such conference to be held at such place as may be mutually agreed upon by the executives of the governments joining in the same, whenever the governments so invited, or any three of them, shall have signified their willingness to unite in the same, and when, in the judgment of the President a sufficient number of nations shall have entered into such international arrangement, he may declare the ratio so fixed to be the existing ratio in the United States, and all coinage thereafter shall be at such ratio until changed by law.

The President shall, by and with the advice of the Senate, appoint not less than three nor more than five commissioners, who shall attend such conference on behalf of the United States, and shall report the doings thereof to the President, who shall transmit the same to Congress. Said commissioners shall receive the sum of $5,000 and their reasonable expenses, to be approved by the Secretary of State; and the amount necessary to pay such compensation and expenses is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. TELLER. Mr. President, I do not desire to ask the action of the Senate on the joint resolution without its going to the regular committee, but I do desire to call the attention of the Committee on Finance to this measure.

On the 11th of July, 1890, I presented to the Senate and had referred to the Committee on Finance a resolution almost exactly the same as this. It slumbered in that committee until the session closed. I am not overconfident that this joint resolution will receive any other attention than the former. We are told repeatedly that everybody in this country who is not in favor of free coinage is in favor of the use of silver if it can be safely done, and that that can only be done through an international arrangement or agreement. As I said the other day, the opponents of free coinage have never yet taken any steps toward securing such an agreement, at least not since 1881. As the Finance Committee is now composed entirely either of men who are in favor of free coinage or all of them in favor of a bimetallic arrangement (and all free-coinage men are in favor of a bime-

tallic arrangement) it seems to me we ought to be able to get a report from that committee.

I wish to say, however, that while I believe in an international agreement, or I believe if that could be secured there would be no further difficulty with this question, I, for one, do not intend to rest my case entirely upon an international agreement. I am not prepared myself to surrender the effort to secure free coinage and a full recognition of silver in this country until an international agreement can be made. That is a step which the people who have opposed free coinage say ought to be taken. I give them now an opportunity to take it, and I will say for myself that I am not wedded to the wording of the joint resolution. I do not care how the thing is done; it must be done, to be of any value, by the action of the Government in an official way, not by sending a man here and a man there to discuss with European financiers this question; but we must give the world to understand that the Government of the United States is desirous of an international bimetallic arrangement or agreement, and more than that, we must give them to understand that whether we have an international agreement or whether we do not, we propose to use silver as money on equal terms with gold, either at the ratio that we have now established or at such ratio as we shall ultimately declare to be the proper one, whether it be 15½ or 20 to 1, or any other; but that on some ratio the people of the United States intend to use silver and gold as legal-tender money, and not silver as a subsidiary money only; that we propose to take the bullion now in the Treasury where it is threatening, I say, the stability of the bimetallic system all over the world, out of the category of a commodity and make it money.

I have made these remarks so that nobody should misunderstand me and believe that because I am in favor of a bimetallic agreement I think we ought to sit down and fold our arms until a bimetallic agreement is made, for I do not so believe.

The VICE-PRESIDENT. What reference of the joint resolution does the Senator from Colorado desire?

Mr. TELLER. Let it be referred to the Committee on Finance.

Mr. STEWART. A few days ago I offered a resolution instructing the Committee on the Judiciary to inquire what further legislation, if any, is necessary to secure free coinage. I have since that time looked further into the facts and prepared a short statement, which I shall either read or ask to have printed in the RECORD.

Mr. MORGAN. Let it be read.

Mr. STEWART. I will read it, then.

From the foundation of the Government continuously the owner of silver bullion has been authorized to deposit the same at the several mints of the United States, to be coined either into standard dollars, trade dollars, or formed into bars for the benefit of the depositor.

There never has been any question of the right of the owner of silver bullion to deposit the same at the mint and receive the stamp of the Government for his benefit. The only question has been as to what kind of coin the Government would make for the depositor. Under the act of 1837 the silver bullion deposited was coined into standard dollars. Under the act of 1873 the silver bullion deposited could only be coined into trade dollars or formed into bars. Under the act of 1878 the standard silver dollar was restored, and it was enacted that it should be coined as provided in the act of January 18, 1837, since which time it is believed that the law has required the coinage of standard dollars for the benefit of the depositor.

The various provisions of the law relating to this matter are as follows:

The act of 1837 provides—

That gold and silver bullion brought to the mint for coinage shall be received and coined, by the proper officers, for the benefit of the depositor. (U. S. Stat. at Large, vol. 5, p. 138, sec. 14.)

This law was modified by sections 15 and 21 of the act of Februaury 12, 1873. Section 15 of that act omitted the standard dollar from the list of coins and substituted the trade dollar therefor. Section 21 provided—

That any owner of silver bullion may deposit the same at any mint, to be formed into bars, or into dollars of the weight of 420 grains, troy, designated in this act as trade dollars, and no deposit of silver for other coinage shall be received. (U. S. Stat. at Large, vol. 17, p. 427.)

This provision continued the right, which had never been denied, of the owner of silver bullion to deposit for coinage for his benefit, and added thereto the additional privilege to have it formed into bars and stamped by the Government for his use.

It is true that the trade dollar was a useless coin, designed for export, and a legal tender for only $5. On the 22d of July, 1876, Congress passed a resolution the second section of which reads as follows:

SEC. 2. That the trade dollar shall not hereafter be a legal tender, and the Secretary of the Treasury is hereby authorized to limit from time to time the coinage thereof to such an amount as he may deem sufficient to meet the export demand for the same. (U. S. Stat. at Large, vol. 19, p. 215.)

The right of the owner of bullion to deposit the same to be formed into bars or coined into trade dollars still remained. The only effect of the section of the resolution above quoted was to limit the amount which might be so deposited to be coined into trade dollars. No limit or restriction was placed upon the right to deposit silver bullion to be formed into bars for the benefit of the depositor.

This was the state of the law when the act of February 28, 1878, was passed. The title of that act is significant as denoting a change of policy with regard to silver coinage. It is as follows:

An act to authorize the coinage of the standard silver dollar, and to restore its legal-tender character.

The act provides—

That there shall be coined, at the several mints of the United States, silver dollars of the weight of 412½ grains troy of standard silver, as provided in the act of January 18, 1837, on which shall be the devices and superscriptions provided by said act; which coins, together with all silver coins heretofore coined by the United States, of like weight and fineness, shall be a legal tender at their nominal value, for all debts and dues public and private, except where otherwise expressly stipulated in the contract. (U. S. Stat. at Large, vol. 20, p. 25, sec. 1.)

Mark the language:

There shall be coined at the several mints of the United States, silver dollars * * * as provided in the act of January 18, 1837.

The question is, how were silver dollars coined under the act of 1837?

The fourteenth section of the act declares that they shall be coined for the benefit of the depositor. It was unnecessary to provide in the act of 1878 for the deposit of silver bullion at the mint to be manipulated for the benefit of the depositor. That was already the law. But it required the restoration of the silver dollar as a coin of the United States and a law authorizing its coinage, both of which were expressly provided for in the act of 1878. That act also gave the right to the depositor of silver bullion as authorized by the act of 1873 to have it coined into standard dollars.

We also find the following provision in the act of 1878:

And the Secretary of the Treasury is authorized and directed to purchase, from time to time, silver bullion, at the market price thereof, not less than $2,000,000 worth per month nor more than $4,000,000 worth per month, and cause the same to be coined monthly, as fast as so purchased, into such dollars. (U. S. Stat. at Large, vol. 20, p. 25, sec 1.)

It appears to have been supposed that the purchase provided for in the foregoing provision was the only means of procuring silver bullion for coinage, but no such conclusion is sustained by the language of the act. The requirement that bullion deposited shall be coined at the mint by the proper officers for the benefit of the depositor is unequivocal and positive, and is not qualified by anything that follows.

The provision above quoted authorizes, in addition to the coinage of such bullion as may be deposited, the purchase of bullion for coinage. Whatever may have been the reason for this additional purchase of bullion for coinage is immaterial so long as the act requiring bullion deposited to be coined for the benefit of the depositor is plain and unequivocal.

But it may be fairly assumed that in view of the resumption of specie payments in the following year after the passage of the act of 1878 that the United States desired to accumulate coin. Besides the silver dollar was worth a premium of over 3 per cent while the act of 1837 remained in force, because it contained more silver in proportion to gold than European coinage, our ratio being 16 to 1 and that of other commercial nations 15½ to 1.

But whatever may have been the intention of Congress the provision for the purchase of bullion for coinage did not in any way interfere with the plain language of the law which restored the standard silver dollar and commanded its coinage as provided in the act of 1837.

The repealing clause of the act of July 14, 1890, reads as follows:

That so much of the act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar, and to restore its legal-tender character," as requires the monthly purchase and coinage of the same into silver dollars of not less than $2,000,000 nor more than $4,000,000 worth of silver bullion, is hereby repealed. (U. S. Stat. at Large, vol. 26, p. 289, sec. 5.)

It will be observed that this act deals only with the purchase of bullion by the Government, and has no reference to the deposits of bullion by private parties to be manipulated by the Government into bars or into coin, which right was fully recognized and declared in the act of 1878.

If it should be suggested that the Treasury Department has not recognized the act of 1878 as a full restoration of the silver dollar and the right of the depositor to have silver bullion coined as provided in the act of 1873, it may be said in reply that the Treasury Department has been in favor of the single gold standard and opposed to the execution of any law recognizing silver as legal-tender money. The principal objection urged to the passage of the Bland act of 1878 was that it would be a violation of public faith and in derogation of the rights of the public creditor to provide for the coinage of the standard silver dollar and to restore its legal-tender character. The two Houses of Congress, fifteen

days before the passage of the Bland act, passed the following resolution:

Whereas by the act entitled "An act to strengthen the public credit," approved March 18, 1869, it was provided and declared that the faith of the United States was thereby solemnly pledged to the payment in coin, or its equivalent, of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of such obligations had expressly provided that the same might be paid in lawful money or other currency than gold and silver; and

Whereas all the bonds of the United States authorized to be issued by the act entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, by the terms of said act, were declared to be redeemable in coin of the then present standard value, bearing interest payable semi-annually in such coin; and

Whereas all bonds of the United States authorized to be issued under the act entitled "An act to provide for the resumption of specie payments," approved January 14, 1875, are required to be of the description of bonds of the United States described in the said act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt;" and

Whereas at the date of the passage of said act of Congress last aforesaid, to wit, the 14th day of July, 1870, the coin of the United States of standard value of that date included silver dollars of the weight of 412½ grains each, declared by the act approved January 18, 1837, entitled "An act supplementary to the act entitled 'An act establishing a mint and regulating the coins of the United States,'" to be a legal tender of payment, according to their nominal value, for any sums whatever: Therefore,

Resolved by the Senate (the House of Representatives concurring therein), That all the bonds of the United States issued or authorized to be issued under the said acts of Congress hereinbefore recited are payable, principal and interest, at the option of the Government of the United States, in silver dollars, of the coinage of the United States, containing 412½ grains each of standard silver; and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith, nor in derogation of the rights of the public creditor.—CONGRESSIONAL RECORD, Forty-fifth Congress, second session, volume 7, part 1, page 627.

This resolution passed both Houses by more than a two-thirds vote, and in the preamble a full statement is contained of the obligations entered into by the United States in contracting the public debt which was outstanding at that time. The fact that the Treasury Department has deemed it its duty, whatever might be the law, to maintain the gold standard and pay the public debt in gold is a sufficient reason for a failure of the Secretary of the Treasury to coin silver into standard dollars for the benefit of the depositor; but such action furnishes no guide as a rule of construction. The failure to execute a law does not repeal it. The act of 1878 requiring silver bullion to be coined, as provided in the act of 1837, for the benefit of the depositor, is still in force. Besides, no silver bullion was deposited at the mint for coinage under the act of 1878 until within the past year. The question has probably never been considered by any Secretary of the Treasury.

Mr. SHERMAN. Has the joint resolution been referred?

The VICE-PRESIDENT. It has not been.

Mr. MITCHELL. Before it is referred I should like to ask the Senator from Nevada a question. I did not hear all the remarks of the Senator from Nevada, but I wish to know from him if he is quite sure, having examined the matter carefully, that the act of 1890 does not repeal that portion of the act of 1878 which he claims, and perhaps correctly, revives the act of 1837.

Mr. STEWART. It certainly does not. It only repeals a specific portion of the act, only that portion of it which provides for the purchase of not less than $2,000,000 nor more than $4,000,000 of silver bullion per month to be coined into silver dollars. It recites the portions of the act which it does repeal and provides a substitute for the parts repealed, leaving the remainder in force, without being affected.

Mr. MORGAN. I desire to ask the Senator a question.

Mr. STEWART. Very well.

Mr. MORGAN. Has the Senator presented any joint resolution to declare what is the state of the law upon this subject?

Mr. STEWART. I have presented a resolution instructing the Committee on the Judiciary to inquire and report to the Senate.

Mr. MORGAN. Did that resolution pass the Senate?

Mr. STEWART. That resolution passed the Senate and is now before the committee.

Mr. MORGAN. An instruction to have the committee inquire?

Mr. STEWART. To inquire.

Mr. MORGAN. I wish to ask the Senator whether any case has been made at the suit of any individual, by mandamus or otherwise, against the Secretary of the Treasury, to compel him to coin silver bullion.

Mr. STEWART. A suit has been instituted and it is pending in the supreme court of the District of Columbia, but it is uncertain when it will be reached. The parties are very anxious to press it. If the Government will facilitate the matter, it may be taken up at an early day to the Supreme Court of the United States, *pro forma*, for a final determination of the question, but whether this will be done or not I do not know.

Mr. MORGAN. From the reading of the memorandum the Senator has presented this morning I am satisfied he is correct in his conclusion that the law is and has been all the time that the citizen has the right to have silver dollars of 412½ grains coined at the mint.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Finance in the absence of objection.

Mr. ALDRICH introduced a joint resolution (S. R. 25) for the relief of the children of John W. Judson, late agent of the United States at Oswego, N. Y., for public works on Lake Ontario; which was read twice by its title, and referred to the Committee on Claims.

Mr. VANCE introduced a joint resolution (S. R. 26) to reappropriate and apply the amount appropriated by the act of Congress approved March 3, 1877, to pay certain Southern mail contractors; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

WITHDRAWAL OF PAPERS.

On motion of Mr. PASCO, it was

Ordered, That the papers in the case of Allson J. Tinsley be withdrawn from the files of the Senate, under the rules.

BUSINESS BEFORE THE COURT OF CLAIMS.

Mr. MITCHELL submitted the following resolution; which was read:

Resolved, That the Committee on the Judiciary be, and it is hereby, instructed to make inquiry as to what legislation, if any, should be enacted by Congress for the purpose of relieving the Court of Claims in the transaction of business before that court, and for expediting such business, and to report to the Senate by bill or otherwise at its earliest convenience.

Mr. MITCHELL. I ask that the resolution be printed and lie on the table, and I give notice that I shall call it up to-morrow for the purpose of submitting a few remarks to show the necessity for some speedy legislation on the subject.

The VICE PRESIDENT. The resolution will be printed and lie on the table.

TAXES ON STATE BANK CIRCULATION.

Mr. BUTLER submitted the following resolution; which was ordered to lie on the table, and be printed:

Resolved, That the Committee on Finance be, and it is hereby, instructed to report a bill repealing all taxes imposed by Congress on the circulation of State banks of issue.

CONGRESSIONAL RECORD INDEX.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution, this day received from the House of Representatives; which was read, and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That the Joint Committee on Printing be, and is hereby, ordered to examine into the errors in the Index to the CONGRESSIONAL RECORD of the present session of Congress, and, if possible to do so, to take such steps as will in the future remedy the defects and correct the errors therein.

EXECUTIVE SESSION.

The VICE-PRESIDENT. If there be no further morning business, the Calendar is in order.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifty minutes spent in executive session, the doors were reopened, and (at 2 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 12, 1892, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate, January 11, 1892.

REGISTER OF LAND OFFICE.

Ralph K. Nichols, of North Yakima, Wash., to be register of the land office at North Yakima, Wash., vice Ira M. Krutz, to be removed.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 11, 1892:

CONSULS.

David S. K. Buick, of Roseburg, Oregon, to be consul of the United States at Sonneberg.

Campbell L. Maxwell, of Xenia, Ohio, to be consul of the United States at Santo Domingo.

Sigmund C. Braida, of New Jersey, to be consul of the United States at San Juan del Norte.

CONSULS-GENERAL.

William B. Hess, of Indiana, to be consul-general of the United States at Constantinople.

William D. McCoy, of Indianapolis, Ind., to be minister resident and consul-general of the United States to Liberia.

PROMOTIONS IN THE NAVY.

Chief Engineer George W. Melville, United States Navy, to be engineer in chief and Chief of the Bureau of Steam Engineering.

Passed Assistant Surg. Robert Whiting, to be a surgeon in the Navy.

Lieut. (junior grade) Henry Minett, to be a lieutenant in the Navy.

Ensign Daniel P. Menefee, to be a lieutenant, junior grade, in the Navy.

PROMOTIONS IN THE ARMY.

Cavalry arm.

Capt. William B. Kennedy, Tenth Cavalry, to be major.

First Lieut. Charles G. Ayres, Tenth Cavalry, to be captain.

Second Lieut. Willard A. Holbrook, First Cavalry, to be first lieutenant.

Infantry arm.

Maj. Henry C. Cook, Thirteenth Infantry, to be lieutenant-colonel.

Capt. Aaron S. Daggett, Second Infantry, to be major.

First Lieut. John Kinzie, Second Infantry, to be captain.

Second Lieut. William M. Wright, Second Infantry, to be first lieutenant.

Corps of Engineers.

Maj. Garrett J. Lydecker, to be lieutenant-colonel.

Capt. John C. Mallery, to be major.

First Lieut. George W. Goethals, to be captain.

Second Lieut. Henry Jervey, to be first lieutenant.

Second Lieut. Tiemann N. Horn, Third Cavalry, to be second lieutenant of artillery.

SUPERVISING SURGEON-GENERAL, MARINE HOSPITAL SERVICE.

Walter Wyman, of Missouri, to be supervising surgeon-general of the Marine Hospital Service of the United States.

CHIEF OF THE WEATHER BUREAU.

Mark W. Harrington, of Michigan, to be Chief of the Weather Bureau in the Department of Agriculture.

COMMISSIONER OF GENERAL LAND OFFICE.

Thomas H. Carter, of Helena, Mont., to be Commissioner of the General Land Office.

JUSTICES OF COURT OF PRIVATE LAND CLAIMS.

Wilbur F. Stone, of Colorado, to be associate justice of the Court of Private Land Claims.

Henry C. Sluss, of Kansas, to be associate justice of the Court of Private Land Claims.

Thomas C. Fuller, of North Carolina, to be associate justice of the Court of Private Land Claims.

William W. Murray, of Tennessee, to be associate justice of the Court of Private Land Claims.

RECEIVERS OF PUBLIC MONEYS.

William H. Hare, of Ellensburg, Wash., to be receiver of public moneys at North Yakima, Wash.

Willis L. Thompson, of Leadville, Colo., to be receiver of public moneys at Leadville, Colo.

Willis G. Clarke, of Carson City, Nev., to be receiver of public moneys at Carson City, Nev.

Henry H. Alpin, of West Bay City, Mich., to be receiver of public moneys at Grayling, Mich.

REGISTERS OF LAND OFFICE.

Monroe Nichols, of Duluth, Minn., to be register of the land office at Duluth, Minn.

Hugh Thompson, of Fisher, Minn., to be register of the land office at Crookston, Minn.

Henry Kernaghan, of Brandon, Miss., to be register of the land office at Jackson, Miss.

APPRAISER OF MERCHANDISE.

Lewis A. Dodge, of Massachusetts, to be appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts.

ASSISTANT APPRAISER OF MERCHANDISE.

Thomas H. Dunham, of Massachusetts, to be assistant appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts.

SURVEYOR-GENERAL.

James Compton, of Fergus Falls, Minn., to be surveyor-general of Minnesota.

DISTRICT POLICE JUDGE.

Ivory G. Kimball, of the District of Columbia, to be judge of the police court of the District of Columbia.

UTAH PROBATE JUDGE.

Andrew J. Sargent, of Utah Territory, to be judge of probate in Pi Ute County, in the Territory of Utah.

DISTRICT JUDGES.

Warren Truitt, of Oregon, to be United States district judge for the district of Alaska.

William W. Morrow, of California, to be United States district judge for the northern district of California.

John S. Woolson, of Iowa, to be United States district judge for the southern district of Iowa.

Henry C. Niles, of Mississippi, to be United States district judge for the northern and southern districts of Mississippi.

UNITED STATES ATTORNEYS.

Edgar W. Camp, of North Dakota, to be attorney of the United States for the district of North Dakota.

Beniah Watson, of Delaware, to be attorney of the United States for the district of Delaware.

Mack A. Montgomery, of Mississippi, to be attorney of the United States for the northern district of Mississippi.

ATTORNEY FOR PRIVATE LAND CLAIMS COURT.

Matthew G. Reynolds, of Missouri, to be United States attorney of the Court of Private Land Claims.

PRINCIPAL CLERK OF SURVEYS.

Daniel A. Ray, of Oak Park, Ill., to be principal clerk of the surveys in the General Land Office.

CHIEF JUSTICE PRIVATE LAND CLAIMS COURT.

Joseph R. Reed, of Iowa, to be chief justice of the Court of Private Land Claims.

POSTMASTERS.

Robert F. Haun, to be postmaster at Milan, in the county of Gibson and State of Tennessee.

Smith Wilbur, to be postmaster at Fairport, in the county of Monroe and State of New York.

George McPherson, to be postmaster at Jonesboro, in the county of Washington and State of Tennessee.

Wallace K. Sheddan, to be postmaster at Cleveland, in the county of Bradley and State of Tennessee.

John E. Patton, to be postmaster at Springfield, in the county of Robertson and State of Tennessee.

Asa H. Faulkner, to be postmaster at McMinnville, in the county of Warren and State of Tennessee.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 11, 1892.*

The House met at 12 o'clock m., and was called to order by the Speaker *pro tempore*.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Thursday, January 7, 1892, was read and approved.

CORRECTION.

Mr. DOCKERY. Mr. Speaker, I desire to correct the RECORD. In the last issue of the RECORD there appears a statement of the financial condition of the Treasury on the 1st day of January, in which I am made to say that "actual default" has been made in the sinking fund. I wish to say that the statement is incorrect. The sinking fund for the current fiscal year has in part been provided for, and, according to the estimate of the Secretary, will all be provided for, with possibly the exception of about $11,000,000. The aggregate of——

Mr. HENDERSON of Iowa. Mr. Speaker——

The SPEAKER *pro tempore*. For what purpose does the gentleman from Iowa arise?

Mr. HENDERSON of Iowa. I rise for the purpose of saying that if this is a correction of the RECORD I have no objection to the gentleman's statement. If the gentleman wishes to correct statements that he himself has made, I have objections. This is not the time for the gentleman to change his statements.

Mr. DOCKERY. I desire, also, in this connection, Mr. Speaker, to correct the aggregate of the total of the outstanding liabilities——

Mr. HENDERSON of Iowa. I make the point of order, Mr. Speaker, that this is not a correction of the RECORD, but that it is a change of the original statement which the gentleman made.

The SPEAKER *pro tempore*. The Chair understood the gentleman to state to the House that he was misquoted in the RECORD, or rather, misprinted.

Mr. DINGLEY. I did not understand him so to state.

Mr. DOCKERY. "The gentleman" does not state that. He simply states that he was in error in stating that there had been default in the sinking fund.

Mr. HENDERSON of Iowa. Then he is correcting his own error, and not correcting any error in the RECORD of the debate the other day.

Mr. DOCKERY. Certainly. I also desire to state that instead of the aggregate——

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Missouri [Mr. DOCKERY] that if he was misquoted in the RECORD it is his privilege to correct it, but the Chair thinks that the gentleman from Iowa [Mr. HENDERSON] is correct in the position that it is not the privilege of the gentleman at this time to change his own statement, provided it was correctly recorded.

Mr. DOCKERY. If the gentleman from Iowa [Mr. HENDERSON] is not willing to allow me to correct the statement, I will wait until a more opportune time.

Mr. HENDERSON of Iowa. If the gentleman from Missouri will change his whole speech, I will consent to that.

Mr. DOCKERY. "The gentleman from Missouri" would be very glad to change his whole speech if the facts would justify it; but the statement to which the "gentleman from Missouri" desired and desires to advert is something that the gentleman from Iowa apparently does not wish to hear.

Mr. DINGLEY. Mr. Speaker, I would suggest, that by unanimous consent, leave be given to the gentleman from Missouri and the gentleman from Iowa both to make statements in reference to the matter.

The SPEAKER *pro tempore*. Does the gentleman from Missouri desire——

Mr. DOCKERY. I only desired to avail myself of the usual courtesy extended to members.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Missouri?

Mr. HENDERSON of Iowa. I object unless the gentleman from Missouri comes within the rule. I am willing to allow him to do so if he will allow me to make a statement.

Mr. DOCKERY. Very well; I have no objection to that.

The SPEAKER *pro tempore*. Is there objection to allowing both the gentleman from Missouri and the gentleman from Iowa to make statements in regard to the matter? [After a pause.] The Chair hears no objection.

Mr. HENDERSON of Iowa. I only want it understood that when the gentleman makes his statement I will claim the right to discuss his entire statement. Let there be no misunderstanding about that.

The SPEAKER *pro tempore*. The Chair would inquire of the gentleman from Missouri what time he desires in which to make his statement.

Mr. DOCKERY. I will say, Mr. Speaker, that I desire also to be heard in reply to any statement the gentleman from Iowa may make unless he confines himself to the issues which I propose to discuss.

The SPEAKER *pro tempore*. The Chair thinks this may be properly adjudicated by having an understanding with the House as to the length of time which each gentleman shall occupy.

Mr. HENDERSON of Iowa. Let the gentleman from Missouri [Mr. DOCKERY] have an hour and I will take an hour.

The SPEAKER *pro tempore*. Is there objection to the request?

Mr. OATES. Mr. Speaker, I object to the devoting of an hour to any such purpose. Neither of these gentlemen has spoken loud enough so that we could understand what they were talking about, but, as I understand, it is a matter in relation to the correction of the RECORD. I object to the consumption of two hours' time for that.

ORDER OF BUSINESS.

Mr. MCRAE. I ask unanimous consent that the resolution heretofore adopted allowing the introduction and reference of bills be extended to to-day, and that the call of the States be now proceeded with.

The SPEAKER *pro tempore*. The gentleman from Arkansas [Mr. MCRAE] asks unanimous consent that the resolution heretofore adopted for the introduction of bills, resolutions, etc., be extended to to-day, there being a number of gentlemen who were unable to present their bills when the call of States occurred the other day. Is there objection?

There was no objection.

RECIPROCITY PROCLAMATIONS.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, before that is done I would like to send to the desk a resolution that I ask to have read, and of which I ask immediate consideration.

The SPEAKER *pro tempore*. The gentleman from Kentucky [Mr. BRECKINRIDGE] asks unanimous consent for the present consideration of the resolution which the Clerk will report. After the resolution is read the Chair will ask for objection.

Mr. REED. Mr. Speaker, it seems to me that it would be well enough first to execute the order already granted by the House.

The SPEAKER *pro tempore*. This requires unanimous consent. Does the gentleman from Maine object?

Mr. REED. But we have already had one unanimous consent——

The SPEAKER *pro tempore*. It requires unanimous consent.

Mr. REED. And it is proposed to supersede it by another.

The SPEAKER *pro tempore*. It is in order, however, if the House sees fit to consider it. Does the gentleman from Maine object?

Mr. REED. Not at all.

The SPEAKER *pro tempore*. The resolution will be read, after which the Chair will ask for objection to its present consideration.

The resolution was read, as follows:

Whereas the Secretary of State, by the direction of the President, has written to the diplomatic representatives of Venezuela, Nicaragua, Colombia, Honduras, and other nations to the United States the following letter, to wit:

"DEPARTMENT OF STATE,
"*Washington, D. C., January 7, 1892.*

"SIR: I am directed by the President to again bring to your attention the provisions of the tariff law of the Congress of the United States approved March 1, 1890, in which provision was made for the admission into the United States free of all duty of the following articles, to wit: All sugars not above No. 16 Dutch standard in color, molasses, coffee, tea, and hides. In section 3 of this law it is declared that these remissions of duty were made 'with a view to secure reciprocal trade with countries producing' those articles; and it is provided that on and after January 1, 1892, 'whenever and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw or uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States which, in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States, he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides, the production of such country, for such time as he shall deem just, and in such case and during such suspension duties shall be levied, collected, and paid on sugar, molasses, coffee, tea, and hides, the product of or exported from such designated country,' at the rates set forth in said section 3.

"I am further directed by the President to inform you that in view of the free introduction into the United States of the articles named, the product of Venezuela, he deems the duties imposed upon the agricultural and other products of the United States on their introduction into Venezuela to be reciprocally unequal and unreasonable, and that unless on or before March 15 next some satisfactory commercial arrangement is entered upon between the Government of the United States and the Government of Venezuela, or unless some action is taken by the latter Government whereby the unequal and unreasonable state of the trade relations between the two countries is removed, the President will on the date last named issue his proclamation suspending the provisions of the tariff law cited relating to the free introduction of such sugar, molasses, coffee, tea, and hides, the production of Venezuela, and during such suspension the duties set forth in section 3 of said law shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides, the product of or exported from Venezuela.

In asking you to transmit to your Government the foregoing information I desire to repeat the assurance which has been given to you and your Government at various times since the enactment of the law cited, of the earnest desire of this Government to maintain with Venezuela the most intimate and friendly trade relations, and to express the hope that you may yet be empowered by your Government to enter with me upon a commercial arrangement reciprocally equal and mutually advantageous.

"JAMES G. BLAINE.

"To Señor Don NICANOR BOLET-PERAZA,
"*Envoy Extraordinary and Minister Plenipotentiary of Venezuela.*"

And whereas the act of the President therein threatened, if carried out, would impose taxes upon the citizens of the United States—put obstacles in the growth of commerce between the United States and such nations, and give undue advantage to certain persons engaged in the purchase and sale of similar commodities upon which duties would be thus imposed, and which act of the President would be unconstitutional, onerous, and unjust: Therefore,

Be it resolved, That the Committee on Ways and Means be, and is hereby, instructed to report, on or before the 25th of February, a bill repealing the third section of the act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, and enacting in lieu thereof the following, viz:

"The President of the United States is hereby authorized, without further legislation, to declare the ports of the United States free and open to all the products of any nation of the American hemisphere upon which no export duties are imposed, whenever and so long as such nation shall admit to its ports, free of all national, provincial (State), municipal, and other taxes, flour, corn meal, and other breadstuffs, preserved meats, fish, vegetables, and fruits, cotton-seed oil, rice, and other provisions, including all articles of food, lumber, furniture, and all other articles of wood, agricultural implements and machinery, mining and mechanical machinery, structural steel and iron, steel rails, locomotives, railway cars and supplies, street cars, refined petroleum, or such other products of the United States as may be agreed upon."

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. BURROWS. I object to its consideration.

Mr. BRECKINRIDGE of Kentucky. Then I move that it be referred to the Committee on Ways and Means.

The SPEAKER *pro tempore*. Is there objection to the introduction of this resolution for reference?

Mr. BURROWS. It had better be taken in the regular order under the call of States.

ORDER OF BUSINESS.

Mr. DOCKERY. I desire to offer the preamble and resolutions which I send to the Clerk's desk for reference to the Committee on Appropriations.

The SPEAKER *pro tempore*. The Chair will state that that can be done under the general call of States and Territories for the introduction of bills.

Before entering on the call of States and Territories the Chair desires to lay before the House the following executive and other communications, which will be referred under the rules.

REDEMPTION OF PAPER CURRENCY.

The SPEAKER *pro tempore* laid before the House a letter of the Acting Secretary of the Treasury, inviting the attention of Congress to a clipping from the annual report of the Treasurer recommending the free transportation of paper currency to Washington for redemption; which was referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BUILDING IN MILWAUKEE.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of his letter to the First Comptroller, submitting certain questions which have arisen in connection with the sale of property known as the United States custom-house and post-office site and building in Milwaukee, Wis.; also reply of First Comptroller, asking for appropriation to pay rent for fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

DISBURSING OFFICERS OF THE ARMY.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War transmitting report of the inspections of the money account of the disbursing officers of the Army for the year ending June 30, 1891; which was referred to the Committee on Expenditures in the War Department.

The SPEAKER *pro tempore*. The Chair will state that there are voluminous documents accompanying this report, which the Chair thinks should not be printed; and if there be no objection there will be no order made for the printing of the documents. [After a pause.] The Chair hears no objection, and it is so ordered.

PORT DAY, N. Y.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, the report of the examination and survey of Port Day, above Niagara Falls, N. Y.; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

SIOUX INDIANS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs, asking for an appropriation for the subsistence of the Sioux Indians; which was referred to the Committee on Appropriations, and ordered to be printed.

INDIANS NOT HAVING TREATY FUNDS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a statement prepared by the Commissioner of Indian Affairs on the expenditures for food and other necessities of life among the Indians not having treaty funds; on open market purchases made during the fiscal year in excess of $500; and on receipts and expenditures of Indian money "Proceeds of labor," for 1891; which was referred to the Committee on Indian Affairs, and ordered to be printed.

WARM SPRING RESERVATION.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting the report of the commission appointed under the act of August 19, 1890, as to correct location of northern line of Warm Spring Reservation, Oregon; which was referred to the Committee on Indian Affairs, and ordered to be printed.

FINDINGS OF COURT OF CLAIMS.

The SPEAKER *pro tempore* also laid before the House letters from the assistant clerk of the Court of Claims, transmitting copies of findings of fact in the cases of Alexander Davis against the United States, William A. Carr against the United States, John C. Middlekauff (deceased) against the United States, William H. Hughes, administrator of the estate of David Unsell (deceased) against the United States, and John C. Bailey against the United States; which were severally referred to the Committee on War Claims, and ordered to be printed.

SUPERINTENDENT OF FREE DELIVERY.

Mr. HOPKINS of Illinois. Mr. Speaker, I ask unanimous consent for the consideration of the joint resolution which I send to the Clerk's desk.

The SPEAKER *pro tempore*. The gentleman from Illinois asks unanimous consent for the present consideration of the resolution which the Clerk will report, after which the Chair will ask for objection.

The Clerk read as follows:

Joint resolution to correct an error in the enrollment of the act making appropriations for legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1892, and for other purposes, approved March 3, 1891.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $3,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the salary of the superintendent of free delivery in the office of the First Assistant Postmaster-General for the fiscal year ending June 30, 1892.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. SAYERS. I think the resolution should go to the Committee on Appropriations.

Mr. HOPKINS of Illinois. One moment, Mr. Speaker. I desire to make a statement. Will the gentleman from Texas hear a statement from me? This is——

The SPEAKER *pro tempore*. A statement can only be made by unanimous consent.

Mr. HOPKINS of Illinois. Well, I ask unanimous consent to make a statement.

The SPEAKER *pro tempore*. The gentleman from Illinois asks unanimous consent to make a statement pertaining to the resolution. Is there objection? [After a pause.] The Chair hears none.

Mr. HOPKINS of Illinois. Mr. Speaker, I desire to say that the office of superintendent of free delivery in the Post-Office Department is an office which is as fixed and permanent as that of the Postmaster-General. The salary—$3,000 a year—has been fixed by law and has stood at that amount for a long number of years. When the appropriation bill in the last Congress was prepared and passed in this House the usual appropriation of $3,000 to pay this officer was included in the bill, but in the Senate, by a mistake in the enrolling of the bill, the appropriation for the payment of that salary was omitted, and the officer has been performing his duties since last June without pay. Now, inasmuch as this resolution creates no new office and adds nothing to the burdens of the Government, but simply provides for paying an officer who is now performing his duties without pay, it seems to me that there should be no objection to its immediate passage. I may add, Mr. Speaker, that this is not an innovation in the practice of the House. In 1884 a resolution of like character was passed by unanimous consent to reimburse the Chief Stenographer, in consequence of a clerical error in the engrossment and enrollment of a bill. For these reasons it seems to me that no gentleman ought to object to the immediate consideration of this resolution.

Mr. SAYERS. Mr. Speaker, it will not take more than twenty-four hours for the proper committee to investigate this matter and make a report, and I think the resolution had better be referred.

Mr. HOPKINS of Illinois. If the gentleman objects, then I move that the resolution be referred to the Committee on Appropriations.

The SPEAKER *pro tempore*. It will go there under the rules. Before the Chair proceeds to call the States and Territories for the introduction of bills and resolutions, the gentleman from Pennsylvania [Mr. CHARLES W. STONE] asks unanimous consent for the present consideration of a resolution to which there will probably be no objection.

PORTRAITS OF EX-SPEAKERS GROW AND RANDOLPH.

Mr. CHARLES W. STONE. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The resolution was read, as follows:

Resolved, That January 21, at 2 o'clock p. m., be set apart for presentation to the House of Representatives of the portraits of ex-Speakers Grow and Randall by the Commonwealth of Pennsylvania, and that upon that occasion the committees of the Senate and House of Representatives of that State be admitted to the floor.

The resolution was adopted.

Mr. CHARLES W. STONE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. SIMPSON. Mr. Speaker——

The SPEAKER *pro tempore*. For what purpose does the gentleman rise?

Mr. SIMPSON. I wish to introduce a resolution, and I ask unanimous consent to have it read at this time.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman later, after executing the order for the call of States and Territories for the introduction of bills and resolutions.

The States and Territories were then called; when bills and joint resolutions were presented, read a first and second time, ordered to be printed, and referred as follows:

TORREY BANKRUPT BILL.

Mr. OATES. Mr. Speaker, I desire to introduce what is known as the Torrey bankrupt bill. I introduce it at the request of the distinguished author of the bill.

By Mr. OATES: A bill (H. R. 2600) to establish a uniform system of bankruptcy throughout the United States—to the Committee on the Judiciary.

INCREASE OF BANK CIRCULATION.

By Mr. WHEELER of Alabama: A bill (H. R. 2601) to authorize an increase of bank circulation—to the Committee on Banking and Currency.

PUBLIC BUILDING, FLORENCE, ALA.

By Mr. WHEELER of Alabama: A bill (H. R. 2602) for the erection of a public building at Florence, Ala.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, DECATUR, ALA.

By Mr. WHEELER of Alabama: A bill (H. R. 2603) for the erection of a public building at Decatur, Ala.—to the Committee on Public Buildings and Grounds.

JURISDICTION OF COURT OF CLAIMS.

By Mr. WHEELER of Alabama: A bill (H. R. 2604) to amend an act entitled "An act to restrict the jurisdiction of the Court of Claims and to provide for the payment of certain demands for quartermaster's stores and subsistence supplies furnished to the Army of the United States"—to the Committee on the Judiciary.

INVESTIGATION OF CLAIMS.

By Mr. WHEELER of Alabama: A bill (H. R. 2605) to amend an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government"—to the Committee on the Judiciary.

TO DISPENSE WITH PROOF OF LOYALTY.

By Mr. WHEELER of Alabama: A bill (H. R. 2606) to dispense with proof of loyalty in certain cases—to the Committee on the Judiciary.

REFUND OF COTTON TAX.

By Mr. WHEELER of Alabama: A bill (H. R. 2607) to provide for refunding to the several States certain sums of money which were collected from persons residing in said States as a tax upon cotton—to the Committee on the Judiciary.

TIME FOR THE CONVENING OF CONGRESS.

By Mr. WHEELER of Alabama: A bill (H. R. 2608) to designate the time for the convening of Congress—to the Committee on the Judiciary.

CLAIMS OF THE STATES AGAINST THE UNITED STATES.

By Mr. WHEELER of Alabama: A bill (H. R. 2609) to adjust the claims of the States against the United States—to the Committee on the Judiciary.

PENSIONS.

By Mr. WHEELER of Alabama: A bill (H. R. 2610) granting pensions to the survivors of the Indian wars of 1835 to 1842 who have attained the age of 70 years—to the Committee on Pensions.

SCHOOL FUND OF ALABAMA.

By Mr. WHEELER of Alabama: A bill (H. R. 2611) to increase the school fund of the State of Alabama—to the Committee on Education.

PRINTING REBELLION RECORDS.

By Mr. WHEELER of Alabama: A bill (H. R. 2612) to provide for the printing of additional copies of the Records of the War of the Rebellion—to the Committee on Printing.

DEPOSITORS IN FREEDMAN'S BANK.

By Mr. WHEELER of Alabama: A bill (H. R. 2613) directing the Secretary of the Treasury to ascertain the amount still due and unpaid to depositors in the Freedman's Bank—to the Committee on Banking and Currency.

CIVIL SERVICE.

By Mr. WHEELER of Alabama: A bill (H. R. 2614) to amend an act to regulate and improve the civil service of the United States—to the Committee on Reform in the Civil Service.

SPIRITS FROM FRUIT.

By Mr. WHEELER of Alabama: A bill (H. R. 2615) to remove the tax from spirits made from fruit in certain cases—to the Committee on Ways and Means.

ACCOUNTS WITH UNITED STATES GOVERNMENT.

By Mr. WHEELER of Alabama: A bill (H. R. 2616) to determine final balances of accounts due to and from the United States Government, and other purposes—to the Committee on Expenditures in the Treasury Department.

PUBLIC LANDS IN ALABAMA.

By Mr. WHEELER of Alabama: A bill (H. R. 2617) to amend an act entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral lands," approved March 3, 1883—to the Committee on the Public Lands.

PAY OF FOURTH-CLASS POSTMASTERS.

By Mr. WHEELER of Alabama: A bill (H. R. 2618) to increase the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

COMMAND OF ENLISTED SOLDIERS.

By Mr. WHEELER of Alabama: A bill (H. R. 2619) providing for the command of enlisted soldiers—to the Committee on Military Affairs.

POSTAGE.

By Mr. WHEELER of Alabama: A bill (H. R. 2620) to reduce the postage on certain letters—to the Committee on the Post-Office and Post-Roads.

FREE COTTON BAGGING, ETC.

By Mr. WHEELER of Alabama: A bill (H. R. 2621) to place cotton bagging or other materials suitable for baling cotton on the free list—to the Committee on Ways and Means.

LEAVE OF ABSENCE TO GOVERNMENT EMPLOYÉS.

By Mr. WHEELER of Alabama: A bill (H. R. 2622) providing for leaves of absence for officers and employés in the customs service of the Government who receive per diem compensation—to the Committee on Expenditures in the Treasury Department.

COINAGE OF THE SILVER DOLLAR.

By Mr. WHEELER of Alabama: A bill (H. R. 2623) to repeal the restriction upon the coinage of the silver dollar—to the Committee on Coinage, Weights, and Measures.

FLORENCE, ALA., A PORT OF DELIVERY.

By Mr. WHEELER of Alabama: A bill (H. R. 2624) to establish a port of delivery at Florence, Ala.—to the Committee on Interstate and Foreign Commerce.

TARIFF STATISTICAL BUREAU.

By Mr. WHEELER of Alabama: A bill (H. R. 2625) to create and establish a tariff statistical bureau—to the Committee on Ways and Means.

COMPENSATION OF DEPUTY MARSHALS.

By Mr. WHEELER of Alabama: A bill (H. R. 2626) to regulate the payment of the compensation due to deputy marshals—to the Committee on the Judiciary.

MILITARY BOARD OF REVIEW.

By Mr. WHEELER of Alabama: A bill (H. R. 2627) to authorize the Secretary of War to appoint a board of review in certain cases—to the Committee on Military Affairs.

RELIEF OF FARMERS.

By Mr. WHEELER of Alabama: A bill (H. R. 2628) for the relief of farmers—to the Committee on Ways and Means.

COINAGE, NATIONAL CURRENCY, ETC.

By Mr. McRAE: A bill (H. R. 2629) for the free coinage of gold and silver; for the issue of gold and silver certificates; for the issue of and for an increase in the issue of Treasury notes; for the retirement of national-bank notes and for the repeal of all laws for the sale of bonds and for the accumulation of a gold reserve, and for other purposes.

The SPEAKER *pro tempore*. This bill will be referred to the Committee on Coinage, Weights, and Measures.

Mr. McRAE. The Chair, on examination of the bill, will find that either of two committees might have jurisdiction of it. I ask the reference of the bill to the Committee on Banking and Currency, as the greater part of the bill deals with questions of which that committee properly takes cognizance.

The SPEAKER *pro tempore*. The Chair thinks the bill embraces matter which, if taken separately, would perhaps go to any one of three committees. The gentleman from Arkansas asks the reference of the bill to the Committee on Banking and Currency.

Mr. BLAND. What is the title of the bill?

The title was then read.

The SPEAKER *pro tempore*. The Chair thinks that in view of the matters embraced in the bill it would be referable to either the Committee on Coinage, Weights and Measures, or the Committee on Banking and Currency. The question is on the reference suggested by the gentleman from Arkansas.

Mr. BLAND. The bill provides, as I understand, for coinage of gold and silver and for the issue of paper money representing coin or bullion. I ask that the bill be referred to the Committee

on Coinage, Weights, and Measures, which appears to be the appropriate reference.

Mr. McRAE. I have no objection to that suggestion, though it occurred to me that the Committee on Banking and Currency would be the proper reference.

The bill was referred to the Committee on Coinage, Weights, and Measures.

RELIEF OF PURCHASERS SWAMP AND OVERFLOWED LANDS.

By Mr. McRAE: A bill (H. R. 2630) for the relief of purchasers and other grantees of the United States of certain swamp and overflowed lands and to reimburse and indemnify certain States—to the Committee on the Public Lands.

SETTLEMENT OF BONDS, STATE OF ARKANSAS.

By Mr. McRAE: A bill (H. R. 2631) for the compromise and settlement of the bonds of the State of Arkansas held by the United States—to the Committee on the Public Lands.

FORFEITURE UNEARNED LAND GRANTS.

By Mr. McRAE: A bill (H. R. 2632) to declare the forfeiture of all unearned land grants, and for other purposes—to the Committee on the Public Lands.

ATLANTIC AND PACIFIC RAILROAD COMPANY.

By Mr. McRAE: A bill (H. R. 2633) to forfeit the rights and lands granted to the Atlantic and Pacific Railroad Company for a branch road—to the Committee on the Public Lands.

GRANT OF LANDS FOR SCHOOL PURPOSES.

By Mr. McRAE: A bill (H. R. 2634) to grant the thirty-sixth sections of land to certain States for free schools, and for other purposes—to the Committee on the Public Lands.

ENLARGEMENT OF FREE LIST.

By Mr. McRAE: A bill (H. R. 2635) to enlarge the free list—to the Committee on Ways and Means.

TRUSTS.

By Mr. McRAE: A bill (H. R. 2636) to define and tax trusts and to authorize the free importation of articles covered by them, and for other purposes—to the Committee on Ways and Means.

INCOME TAX.

By Mr. McRAE: A bill (H. R. 2637) to lay a graduated income tax and to provide for the manner of collecting the same, and for other purposes—to the Committee on Ways and Means.

ACCOUNT BETWEEN UNITED STATES AND STATE OF ARKANSAS.

By Mr. McRAE: A bill (H. R. 2638) directing the statement of an account between the United States and the State of Arkansas—to the Committee on the Public Lands.

MEMBERS OF CONGRESS AS ATTORNEYS.

By Mr. McRAE: A bill (H. R. 2639) to prohibit members of Congress from acting as attorneys or employés for railroad companies holding charters or having received grants of lands or pecuniary aid from the United States—to the Committee on the Judiciary.

REFUND OF COTTON TAX.

By Mr. McRAE: A bill (H. R. 2640) to credit and pay to the States all moneys collected as a tax or duty on raw cotton under the act approved July 1, 1862, and the acts amendatory thereto—to the Committee on the Judiciary.

RIGHT OF ACTION UNDER CAPTURED AND ADANDONED PROPERTY ACTS.

By Mr. McRAE: A bill (H. R. 2641) to revive the right of action under the captured and abandoned property acts, and for other purposes—to the Committee on the Judiciary.

ELECTION OF SENATORS BY THE PEOPLE.

By Mr. McRAE: A joint resolution (H. Res. 39) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

SURVIVORS OF INDIAN WARS.

By Mr. McRAE: A bill (H. R. 2642) to pension the survivors of the Indian wars—to the Committee on Pensions.

EDUCATION IN CERTAIN STATES.

By Mr. McRAE: A bill (H. R. 2643) to aid the cause of education in certain States—to the Committee on Education.

PUBLIC BUILDING, VAN BUREN, ARK.

By Mr. PEEL: A bill (H. R. 2644) to provide for the construction of a public building at Van Buren, Ark.—to the Committee on Public Buildings and Grounds.

JAPANESE INDEMNITY FUND.

By Mr. BOWERS: A bill (H. R. 2645) to amend an act entitled "An act in relation to the Japanese indemnity fund," approved February 22, 1883—to the Committee on Foreign Affairs.

DUTY ON OPIUM.

By Mr. CUTTING: A bill (H. R. 2646) to fix the rate of duty on crude opium—to the Committee on Ways and Means.

GEN. JOHN A. SUTTER.

By Mr. CAMINETTI: A joint resolution (H. Res. 40) to present suitable memorial to the State of California in honor of Gen. John A. Sutter—to the Committee on the Library.

PROTECTION OF TREES ON THE PUBLIC LANDS.

By Mr. CAMINETTI: A bill (H. R. 2647) for protection of trees and other growth on the public lands and on the public parks and reservations of the United States from destruction by fire—to the Committee on Agriculture.

IRRIGATION, ETC., IN CALIFORNIA.

By Mr. CAMINETTI: A bill (H. R. 2648) making conditional grants of lands and lakes to the State of California, and counties and irrigating districts therein, for storage reservoirs, for irrigating, mining, manufacturing, or any industrial or other useful purpose—to the Select Committee on Irrigation of Arid Lands in the United States.

SURVEY OF THE EASTERN BOUNDARY OF CALIFORNIA.

By Mr. CAMINETTI: A bill (H. R. 2649) to authorize the Secretary of the Interior to secure a correct survey of the eastern boundary of the State of California, southeastward from the intersection of the thirtieth degree of north latitude with the one hundred and twentieth degree of longitude west of Greenwich, and to distinctly mark the same—to the Committee on the Public Lands.

PUBLIC BUILDING, HARTFORD, CONN.

By Mr. SPERRY: A bill (H. R. 2650) to authorize the construction of an addition to the public building at Hartford, Conn.—to the Committee on Public Buildings and Grounds.

PUBLIC SCHOOL, NAVAL RESERVATION, PENSACOLA, FLA.

By Mr. MALLORY: A bill (H. R. 2651) to authorize the Secretary of the Navy to establish and cause to be maintained a free public school for children under 17 years of age at the village of Warrington, on the naval reservation on Pensacola Bay, in the State of Florida—to the Committee on Naval Affairs.

RELIEF OF CERTAIN MACHINERY FROM DUTY.

By Mr. MALLORY: A bill (H. R. 2652) to relieve of duty for the term of three years machinery and implements used for the preparation or cultivation of land which are actuated by wire rope—to the Committee on Ways and Means.

INTERNATIONAL BIMETALLIC AGREEMENT.

By Mr. SWEET: A joint resolution (H. Res. 41) to provide for an international bimetallic agreement—to the Committee on Coinage, Weights, and Measures.

DISPLAY OF THE CORN PRODUCT OF THE UNITED STATES, WORLD'S COLUMBIAN EXPOSITION.

By Mr. SCOTT: A joint resolution (H. Res. 42) appropriating $100,000 to make a display of the corn product of the United States at the World's Columbian Exposition—to the Committee on Appropriations.

FORFEITURE OF CERTAIN LANDS.

By Mr. SNOW: A bill (H. R. 2653) to declare a forfeiture of certain lands granted to aid in the construction of railroads, and for other purposes—to the Committee on the Public Lands.

HAMBURG BAY, MISSISSIPPI RIVER.

By Mr. WIKE: A bill (H. R. 2654) to improve Hamburg Bay, on the Mississippi River, in Calhoun County, Ill.—to the Committee on Rivers and Harbors.

TRANSFER OF CERTAIN CAUSES NOW PENDING IN THE SUPREME COURT.

By Mr. BYNUM: A bill (H. R. 2655) for the transfer of certain causes pending in the Supreme Court to the several circuit courts—to the Committee on the Judiciary.

WASHINGTON AND GREAT FALLS ELECTRIC RAILWAY COMPANY.

By Mr. BROWN (by request): A bill (H. R. 2656) to incorporate the Washington and Great Falls Electric Railway Company—to the Committee on the District of Columbia.

TIMBER-CULTURE ACT.

By Mr. HOLMAN: A bill (H. R. 2657) declaring the construction of an act therein named—to the Committee on the Public Lands.

PUBLIC BUILDING, MOUNT VERNON, IND.

By Mr. PARRETT: A bill (H. R. 2658) to erect a public building at Mount Vernon, Ind.—to the Committee on Public Buildings and Grounds.

MARINE-HOSPITAL SITE, EVANSVILLE, IND.

By Mr. PARRETT: A bill (H. R. 2659) providing for the purchase of additional ground at the city of Evansville, Ind., adjoining the marine-hospital site, and to cover additional expenditures thereby occasioned, and appropriating $25,000 therefor—to the Committee on Public Buildings and Grounds.

RECLASSIFICATION OF CLERKS, RAILWAY MAIL SERVICE.

By Mr. BUTLER: A bill (H. R. 2660) providing for a reclassification of clerks in the Railway Mail Service—to the Committee on the Post-Office and Post-Roads.

PENSIONS IN CERTAIN CASES.

By Mr. HENDERSON of Iowa: A bill (H. R. 2661) to amend section 3 of the act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890—to the Committee on Invalid Pensions.

PENSIONS IN CERTAIN CASES.

By Mr. HENDERSON of Iowa: A bill (H. R. 2662) to amend the act approved March 4, 1890, so as to give $50 a month to soldiers periodically totally helpless—to the Committee on Invalid Pensions.

REMOVAL OF DISABILITIES IN CERTAIN CASES.

By Mr. HENDERSON of Iowa: A bill (H. R. 2663) amending the pension laws so as to remove the disability of those who, having participated in the rebellion, have, since its termination, enlisted in the Navy of the United States and become disabled in the line of duty—to the Committee on Invalid Pensions.

FRAUDULENT OR ILLEGAL PENSIONS.

By Mr. HENDERSON of Iowa: A bill (H. R. 2664) authorizing the Secretary of the Interior Department to secure reimbursement on account of fraudulent, illegal, or excessive payments of pension money—to the Committee on Invalid Pensions.

PUBLIC BUILDING AT IOWA CITY, IOWA.

By Mr. BOWMAN (for Mr. HAYES): A bill (H. R. 2665) to provide for the construction of a public building at Iowa City, Iowa—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT MUSCATINE, IOWA.

By Mr. BOWMAN (for Mr. HAYES): A bill (H. R. 2666) to provide for a public building at Muscatine, Iowa—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT CLINTON, IOWA.

By Mr. BOWMAN (for Mr. HAYES): A bill (H. R. 2667) for the construction of a public building at Clinton, Iowa—to the Committee on Public Buildings and Grounds.

CLERKS TO REPRESENTATIVES AND DELEGATES.

By Mr. BOWMAN (for Mr. HAYES): A bill (H. R. 2668) to authorize the appointment and prescribe the compensation of clerks to Representatives and Delegates—to the Committee on Accounts.

CLERKS TO REPRESENTATIVES AND SENATORS.

By Mr. BOWMAN (for Mr. HAYES): A bill (H. R. 2669) to authorize the appointment and prescribe the compensation of clerks to Senators and Representatives and to pay them out of the contingent fund—to the Committeeon Accounts.

PAY OF LETTER-CARRIERS.

By Mr. BOWMAN (for Mr. HAYES): A bill (H. R. 2670) to authorize the payment of salary to letter-carriers not allowed leave of absence—to the Committee on the Post-Office and Post-Roads.

COINAGE.

By Mr. WHITE: A joint resolution (H. Res. 43) proposing an amendment to the Constitution—to the Committee on the Judiciary.

PUBLIC BUILDING AT KANSAS CITY, KANS.

By Mr. FUNSTON: A bill (H. R. 2671) for the erection of a public building at Kansas City, Kans.—to the Committee on Public Buildings and Grounds.

DIVISION OF STATE OF KANSAS INTO TWO JUDICIAL DISTRICTS.

By Mr FUNSTON: A bill (H. R. 2672) to divide the State of Kansas into two judicial districts, a northern and a southern district—to the Committee on the Judiciary.

LABORATORY BUILDING.

By Mr. FUNSTON: A bill (H. R. 2673) to erect a laboratory building for the use of the Department of Agriculture in Washington, D. C.

The SPEAKER *pro tempore*. This bill will be referred to the Committee on the District of Columbia

Mr. FUNSTON. Mr. Speaker, I think that bill ought to be referred to the Committee on Agriculture.

The SPEAKER *pro tempore*. Really, the Chair thinks it ought to go to the Committee on Public Buildings and Grounds.

Mr. FUNSTON. It has heretofore gone to the Committee on Agriculture.

The SPEAKER *pro tempore*. The Clerk will report the title of the bill, and the House can then act upon it.

The title of the bill was again reported.

Mr. FUNSTON. I move that the bill be referred to the Committee on Agriculture.

The motion was agreed to; and it was so ordered.

FOURTEENTH CAVALRY VOLUNTEERS.

By Mr. FUNSTON: A bill (H. R. 2674) to define the status and for the relief of the heirs or legal representatives of certain recruits of the Fourteenth Kansas Cavalry Volunteers who were killed at Lawrence, Kans., August 21, 1863—to the Committee on Military Affairs.

MANUFACTURE OF SUGAR.

By Mr. FUNSTON: A bill (H. R. 2675) to establish a school in connection with the chemical division of the Department of Agriculture for instruction in the manufacture of sugar—to the Committee on Agriculture.

WAR DAMAGES.

By Mr. FUNSTON: A bill (H. R. 2676) to reimburse the State of Kansas for moneys expended in the adjustment and settlement of the claims of citizens of said State for property captured or destroyed by the Confederate forces during the late war, and for other purposes—to the Committee on War Claims.

COMMISSION ON WAR DAMAGES.

By Mr. FUNSTON: A bill (H. R. 2677) authorizing the appointment of a commissioner and a settlement of the claims of certain citizens of Kansas named therein—to the Committee on Claims

DRAFTING.

By Mr. DICKERSON: A bill (H. R. 2678) for the relief of persons illegally drafted into the military service of the United States—to the Committee on Military Affairs.

OCEAN MAIL SERVICE.

By Mr. DICKERSON: A bill (H. R. 2679) to repeal an act entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce," approved March 3, 1891—to the Committee on Merchant Marine and Fisheries.

LIQUOR LICENSES.

By Mr. CARUTH: A bill (H. R. 2680) to repeal "An act to prohibit the granting of liquor licenses, etc., in the District of Columbia;" approved February 28, 1891—to the Committee on the District of Columbia.

DRY DOCK AT ALGIERS, LA.

By Mr. MEYER: A bill (H. R. 2681) for the establishment of a dry dock on the Government reservation near Algiers, La., with an appropriation therefor—to the Committee on Naval Affairs.

HARBOR OF NEW ORLEANS, LA.

By Mr. MEYER: A bill (H. R. 2682) for the improvement of the harbor of the city of New Orleans, La., with an appropriation therefor—to the Committee on Rivers and Harbors.

LIFE-SAVING STATION AT PORT EADS, LA.

By Mr. MEYER: A bill (H. R. 2683) to establish a life-saving station at or near Port Eads, La.—to the Committee on Interstate and Foreign Commerce.

PENSIONS.

By Mr. MEYER: A bill (H. R. 2684) to allow arrears of pensions to certain invalid pensioners whose names were dropped from the pension rolls, and who were pensioned again by act of Congress—to the Committee on Invalid Pensions.

INSECTS INJURIOUS AND BENEFICIAL TO AGRICULTURE.

By Mr. ROBERTSON: A bill (H. R. 2685) to provide for the preparation by the Agricultural Department of a series of collections representative of the insects injurious and beneficial to the agricultural and other industries in the United States and for the distribution of such collections to the agricultural colleges in the different States—to the Committee on Agriculture.

SQUARE 927, WASHINGTON, D. C.

By Mr. ROBERTSON (by request): A bill (H. R. 2686) to provide for the removal of the wall surrounding square 927, Washington, D. C., and certain of the buildings erected thereon, and for the opening of said square for a public park—to the Committee on Public Buildings and Grounds.

SALE OF MILITARY RESERVATION, CASTINE, ME.

By Mr. MILLIKEN: A bill (H. R. 2687) authorizing the Secretary of the Treasury to sell a certain lot of land belonging to the United States and located in the town of Castine, Hancock County, State of Maine—to the Committee on Military Affairs.

NIGHT INSPECTORS, NEW YORK AND BALTIMORE.

By Mr. RAYNER: A bill (H. R. 2688) for the relief of night inspectors in the ports of New York and Baltimore—to the Committee on Claims.

INTERSTATE-COMMERCE LAW.

By Mr. RAYNER: A bill (H. R. 2689) to amend section 22 of an act entitled "An act to regulate commerce," approved February 4, 1887, and amended March 2, 1889, so as to give common carriers the right to allow a greater weight of sample baggage to commercial travelers and their employés and reduced rates of transportation—to the Committee on Interstate and Foreign Commerce.

MEXICAN WAR PENSIONS.

By Mr. McKAIG: A bill (H. R. 2690) to amend an act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887—to the Committee on Pensions.

PENSIONS IN CERTAIN CASES OF DEAFNESS.

By Mr. McKAIG: A bill (H. R. 2691) to increase the rate of pension for certain cases of deafness—to the Committee on Invalid Pensions.

CLAIMS OF NAVAL OFFICERS AND CREWS.

By Mr. RUSK: A bill (H. R. 2692) to provide for the settlement of claims of officers and crews of the Navy to certain moieties and conferring jurisdiction on the Court of Claims to hear and determine the same—to the Committee on War Claims.

EFFECT OF TARIFF ON MANUFACTURING INTERESTS.

By Mr. HOAR: A resolution directing the Committee on Manufactures to investigate and report the effect of the present revenue laws upon the manufacturing interests of the country—to the Committee on Rules.

CONSTRUCTIONS OVER NAVIGABLE WATERS.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 2693) limiting the operation of certain acts relating to constructions over navigable waters—to the Committee on Interstate and Foreign Commerce.

ARCADIAN, GULF COAST AND LAKELAND RAILROAD.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 2694) granting a right of way to the Arcadian, Gulf Coast and Lakeland Railroad Company through the Government reservation on Gasparilla Island, Florida—to the Committee on Interstate and Foreign Commerce.

ST. JOSEPH HARBOR, MICHIGAN.

By Mr. BURROWS: A bill (H. R. 2695) making an appropriation for the improvement of the St. Joseph Harbor, Michigan—to the Committee on Rivers and Harbors.

REESTABLISHING SILVER COIN AS A LEGAL TENDER.

Mr. CHIPMAN offered the following resolution:

Resolved, That the President, if not incompatible with the public service, is requested to communicate to the House what, if any, negotiations have been carried on between this Government and foreign governments relative to reëstablishing the use of silver coin as legal-tender money.

The SPEAKER *pro tempore*. This not being a joint resolution it does not, in strictness, come under the rule; but if there be no objection it will be received and referred.

There was no objection; and the resolution was referred to the Committee on Coinage, Weights, and Measures.

PUBLIC BUILDING, IONIA, MICH.

By Mr. BELKNAP: A bill (H. R. 2696) for the erection of a public building at the city of Ionia, State of Michigan—to the Committee on Public Buildings and Grounds.

LIFE-SAVING STATION, SAUGATUCK, MICH.

By Mr. BELKNAP: A bill (H. R. 2697) to establish a life-saving station at or near Saugatuck, Mich.—to the Committee on Interstate and Foreign Commerce.

INCOME TAX, ETC.

By Mr. ARNOLD: A bill (H. R. 2698) to tax incomes and free certain articles of necessity from further taxation—to the Committee on Ways and Means.

OPTIONS AND FUTURES.

By Mr. HATCH: A bill (H. R. 2699) defining "options" and "futures" and imposing special taxes on dealers therein, and for other purposes—to the Committee on Agriculture.

FREE COINAGE OF SILVER.

By Mr. BLAND: A bill (H. R. 2700) for the free coinage of silver, and for other purposes—to the Committee on Coinage, Weights, and Measures.

EXCHANGE OF POSTAL CARDS.

By Mr. O'NEILL of Missouri: A bill (H. R. 2701) authorizing and directing the Postmaster-General to exchange postal cards for those soiled or otherwise injured—to the Committee on the Post-Office and Post-Roads.

SPECIAL REPORT OF THE AGRICULTURAL DEPARTMENT.

By Mr. HEARD: A joint resolution (H. Res. 44) to provide for printing 100,000 copies of the special report of the Agricultural Department on "The diseases of the horse"—to the Committee on Agriculture.

ROCK CREEK PARK.

Mr. DOCKERY. Mr. Speaker, I offer, by request, the preamble and resolution which I send to the desk, to authorize an inquiry as to the cost of Rock Creek Park, and I ask unanimous consent that it be printed in the RECORD.

There was no objection.

The preamble and resolution were read, as follows:

Whereas Congress did, on the 27th day of September, 1890, pass an act entitled "An act authorizing the establishing of a public park in the District of Columbia;" and

Whereas by the terms of said act it was, among other things, provided that the cost of said park, including all expenses incident to the location and establishing of the same, should not exceed the sum of $1,200,000; and

Whereas commissioners have been appointed to locate said park and make purchase of the real estate to be embraced therein, and said commissioners have purchased and paid for a large tract of said land: and

Whereas appraisers have also been appointed to appraise the value of lands for said park not purchased by said commissioners; and

Whereas the amount paid by said commissioners and the aggregate amount of the awards determined to be paid by the said appraisers, taken together, are largely in excess of the sum of $1,200,000 appropriated for said park; and

Whereas the said commissioners and appraisers have been engaged for nearly one year last past in making condemnation of said land, as provided by said act, at great cost and expense to the United States: Therefore,

Be it resolved, That the Committee on Appropriations be, and they are hereby, directed to ascertain and report to this House:

First. The amount of money already paid out and expended by said commission and by the United States, under said act, in proceedings thus far had in locating and establishing said park.

Second. The amount of money, as near as may be, which it will be necessary to expend to complete the purchase of the land required by said act to be taken for said park.

Third. The amount of money, as near as may be, which will be required to make requisite and necessary improvements to complete said park.

Fourth. Whether or not it is desirable to include in said park a less amount of land than the number of acres selected and designated by said commissioners, viz, 1,980 acres of land.

Fifth. The amount of money already paid out and expended by said commission and by the United States in locating said park.

Sixth. Such other facts connected with the creation, location, and establishment of said park as may, in the opinion of said committee, be beneficial and important to be ascertained and reported to the House.

Mr. DOCKERY. I ask that the resolution be referred to the Committee on Appropriations.

The SPEAKER *pro tempore*. The Chair thinks that under the rule this resolution should go to the Committee on Rules, but if the gentleman desires the reference which he has indicated the Chair will put the question.

Mr. DOCKERY. I ask unanimous consent that it be referred to the Committee on Appropriations.

There was no objection; and it was so ordered.

MESSAGES FROM THE PRESIDENT.

Several messages in writing from the President of the United States were communicated to the House by Mr. PRUDEN, one of his secretaries.

FREE COTTON-TIES.

By Mr. KYLE: A bill (H. R. 2702) to amend section 140, chapter 1244, Statutes at Large, volume 26, first session, Fifty-first Congress, in relation to duty on cotton-ties, and to put them on the free list—to the Committee on Ways and Means.

RELIEF OF AUTHORS.

By Mr. HOOKER of Mississippi: A bill (H. R. 2703) for the relief of authors—to the Committee on the Post-Office and Post-Roads.

RELIEF OF HOMESTEAD SETTLERS.

By Mr. McKEIGHAN: A bill (H. R. 2704) for the relief of such settlers upon the public domain as took land by homestead entry and afterwards commuted the same to a cash entry—to the Committee on the Public Lands.

PUBLIC BUILDING AT HASTINGS, NEBR.

By Mr. McKEIGHAN: A bill (H R. 2705) to provide for the construction of a public building at Hastings, Nebr.—to the Committee on Public Buildings and Grounds.

MANUFACTURES OF THE UNITED STATES, ETC.

By Mr. CAMPBELL: A joint resolution (H. Res. 45) authorizing and directing the Secretary of State to contract for the

purchase of copies of the publication entitled "The Manufactures of the United States for Domestic and Foreign Trade," for use in the United States consular service—to the Committee on Foreign Affairs.

PUBLIC BUILDING AT SUSPENSION BRIDGE, N. Y.

By Mr. BUNTING: A bill (H. R. 2706) providing for the erection of a public building at Suspension Bridge, N. Y.—to the Committee on Public Buildings and Grounds.

NATURALIZATION CERTIFICATES, BIDDEFORD, ME.

By Mr. CUMMINGS: A bill (H. R. 2707) to make legal and valid naturalization certificates issued by the municipal court of Biddeford, Me., in the First Congressional district of Maine, and for other purposes—to the Committee on the Judiciary.

MATES IN THE NAVY.

By Mr. CUMMINGS: A bill (H. R. 2708) relating to the pay and retirement of mates in the United States Navy—to the Committee on Naval Affairs.

ENLISTED MEN IN THE NAVY.

By Mr. WADSWORTH: A bill (H. R. 2709) to confer appointments upon the enlisted men of the Navy—to the Committee on Naval Affairs.

RECORD OF WILLS, DISTRICT OF COLUMBIA.

By Mr. PAYNE: A bill (H. R. 2710) to amend an act entitled "An act relating to the record of wills in the District of Columbia," approved July 9, 1888—to the Committee on the District of Columbia.

SHIP CANAL AROUND NIAGARA FALLS.

By Mr. PAYNE: A bill (H. R. 2711) directing the United States of America to make a ship canal around Niagara Falls, in the State of New York—to the Committee on Railways and Canals.

PAY OF COLLECTORS OF CUSTOMS, ETC.

By Mr. CURTIS: A bill (H. R. 2712) to fix and limit the compensation of collectors of customs and surveyors of customs at certain ports, and for other purposes—to the Committee on Interstate and Foreign Commerce.

MARRIAGE AND DIVORCE.

By Mr. RAY: A joint resolution (H. Res. 46) amending the Constitution of the United States and providing for uniform laws on the subject of marriage and divorce—to the Committee on the Judiciary.

PENSION PAPERS.

By Mr. RAINES: A bill (H. R. 2713) in relation to the execution of declarations and other papers in pension claims—to the Committee on Invalid Pensions.

ELECTION OF SENATORS.

By Mr. HENDERSON of North Carolina: A joint resolution (H. Res. 47) proposing an amendment to the Constitution of the United States authorizing the election of Senators by the qualified voters of the several States when the legislatures thereof shall so provide—to the Committee on the Election of President, Vice-President, and Representatives in Congress.

UNITED STATES NOTES.

By Mr. HENDERSON of North Carolina: A bill (H. R. 2714) to provide for the issuing of new United States notes in lieu of notes of national banks hereafter redeemed or canceled—to the Committee on Banking and Currency.

COSTS OF DEFENDANTS.

By Mr. BUNN: A bill (H. R. 2715) requiring the United States to pay costs of defendants in certain indictments wherein the defendants are acquitted—to the Committee on the Judiciary.

PUBLIC BUILDING AT DURHAM, N. C.

By Mr. BUNN: A bill (H. R. 2716) to provide for the erection of a public building at Durham, N. C.—to the Committee on Public Buildings and Grounds.

UNITED STATES COURT, RALEIGH, N. C.

By Mr. BUNN: A bill (H. R. 2717) to establish a United States district court to be held in Raleigh, N. C.—to the Committee on the Judiciary.

NATIONAL CEMETERY, RALEIGH, N. C.

By Mr. BUNN: A bill (H. R. 2718) to provide for constructing a road to the national cemetery near Raleigh, N. C., and for other purposes—to the Committee on Military Affairs.

ASSISTANT CLERK, COMMITTEE ON CLAIMS.

By Mr. BUNN: A resolution authorizing the Committee on Claims to employ an assistant clerk during the session of Congress—to the Committee on Accounts.

PUBLIC BUILDING, MASSILLON, OHIO.

By Mr. WARWICK: A bill (H. R. 2719) to provide for the erection of a public building at Massillon, Ohio—to the Committee on Public Buildings and Grounds.

SECTION 3247, REVISED STATUTES.

By Mr. HAYNES (by request): A bill (H. R. 2720) to amend section 3247, Revised Statutes, relating to distilled spirits—to the Committee on Ways and Means.

COMPULSORY EDUCATION, INDIAN CHILDREN.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 2721) to provide for the compulsory education of Indian children—to the Committee on Indian Affairs.

EDUCATIONAL FUND.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 2722) to establish an educational fund to aid in the support of public schools in the several States and Territories—to the Committee on Education.

LOANS BY NATIONAL BANKS.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 2723) to authorize national banks in cities, towns, and villages whose population is less than 20,000 inhabitants to make loans to the extent of one-half of their capital and surplus upon mortgage of real estate, and providing that national banks shall be entitled to receive circulating notes equal in amount to the par value of the bonds deposited as security therefor—to the Committee on Banking and Currency.

ALCOHOLIC LIQUOR TRAFFIC.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 2724) to provide for a commission on the subject of the alcoholic liquor traffic—to the Committee on the Alcoholic Liquor Traffic.

PUBLIC BUILDING, STEUBENVILLE, OHIO.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 2725) for the erection of a public building in the city of Steubenville, in the State of Ohio—to the Committee on Public Buildings and Grounds.

DISABILITIES OF CERTAIN OFFICERS.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 2726) removing disabilities from certain officers—to the Committee on Military Affairs.

SERVICE AND DISABILITY PENSIONS.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 2727) granting service and disability pensions to officers, soldiers, sailors, and marines in the Army and Navy of the United States of the war of the rebellion, their widows and orphans, and for other purposes—to the Committee on Invalid Pensions.

EQUALIZATION OF BOUNTIES.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 2728) to equalize the bounties of soldiers who served in the late war for the Union—to the Committee on War Claims.

COLLECTION OF REVENUE BY CUSTOMS DUTIES.

By Mr. HOUK of Ohio: A resolution providing that the Committee on Interstate and Foreign Commerce shall investigate and report to this body the effect upon the foreign commerce of the United States of the existing law for the collection of revenue by customs duties—to the Committee on Rules.

TRUSTS.

Mr. HARTER submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That the Committee on Manufactures be, and hereby is, requested to report to this body a plan for the destruction of trusts, combinations, and associations formed for the purpose of controlling the production, distribution, and prices of articles of general consumption in the United States.

TEMPORARY IMPROVEMENT OF NAVIGABLE RIVERS.

By Mr. HERMANN: A bill (H. R. 2729) authorizing the Secretary of War to order certain repairs and improvements of a temporary character in navigable rivers, in order to preserve and continue the use and uninterrupted navigation thereof, and to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such expenditures—to the Committee on Rivers and Harbors.

CLAIMS FOR HORSES, ETC.

By Mr. HERMANN: A bill (H. R. 2730) to extend the time for filing certain claims for compensation for horses and other property lost in the military service of the United States—to the Committee on War Claims.

COMPLETION OF TITLE TO CERTAIN LANDS.

By Mr. HERMANN: A bill (H. R. 2731) prescribing limitations of time for completion of title to certain lands disposed of under the act of Congress approved September 27, 1850, and the acts amendatory and supplemental thereto and commonly known as the "Donation act," and for the protection of purchasers and occupants on said lands—to the Committee on the Public Lands.

OVERPAYMENTS ON ENTRIES OF PUBLIC LANDS.

By Mr. HERMANN: A bill (H. R. 2732) for relief of parties who have made overpayments on entries of public lands—to the Committee on the Public Lands.

NESTUCCA RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 2733) providing for an examination and survey of the Nestucca River, in the State of Oregon, with a view to its improvement—to the Committee on Rivers and Harbors.

WILLAMETTE RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 2734) providing an examination and survey of the Willamette River at and near the city of Salem, in Oregon, with a view to the improvement and protection of navigation thereat—to the Committee on Rivers and Harbors.

ALSEA RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 2735) providing for the examination and survey with a view to the improvement of navigation of the Alsea River and its entrance, in Oregon—to the Committee on Rivers and Harbors.

IMPROVEMENT OF UMPQUA RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 2736) providing for continuation of existing work for improvement of navigation on the Umpqua River in Oregon—to the Committee on Rivers and Harbors.

SURVEY OF THE YAMHILL RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 2737) providing for an examination and survey of the Yamhill River in the State of Oregon, with a view to the improvement of navigation to the town of McMinnville—to the Committee on Rivers and Harbors.

RELIEF OF THE FAMINE-STRICKEN DISTRICTS OF RUSSIA.

By Mr. BROSIUS: A joint resolution (H. Res. 48) to authorize the appropriation of $100,000 for the relief of the famine-stricken people of Russia, and directing the Secretary of the Treasury to cable that amount to the United States minister at St. Petersburg for that purpose—to the Committee on Appropriations.

PRACTICE IN THE COURTS OF THE UNITED STATES.

By Mr. HARMER: A bill (H. H. 2738) relating to the form, practice, and proceedings in action in the courts of the United States—to the Committee on the Judiciary.

PUBLIC BUILDING, POTTSVILLE, PA.

By Mr. REILLY: A bill (H. R. 2739) to erect a public building at Pottsville, Pa.—to the Committee on Public Buildings and Grounds.

CONVICT LABOR.

By Mr. REILLY: A bill (H. R. 2740) to prevent the product of convict labor from being furnished to or for the use of any department of the Government, and to prevent the product of convict labor from being used upon public buildings or other public works—to the Committee on Labor.

ENGINEER CORPS OF THE NAVY.

By Mr. CHARLES W. STONE: A bill (H. R 2741) to increase the efficiency of the Engineer Corps of the Navy—to the Committee on Naval Affairs.

BANKRUPTCY OF CERTAIN NATIONAL BANKS.

By Mr. MUTCHLER: A resolution requiring the Committee on Banking and Currency to investigate the cause of the bankruptcy of certain national banks—to the Committee on Rules.

BRIDGE ACROSS THE TENNESSEE RIVER.

By Mr. COX of Tennessee: A bill (H. R. 2742) to authorize the building of a bridge across Tennessee River—to the Committee on Interstate and Foreign Commerce.

EASTERN JUDICIAL DISTRICT, TENNESSEE.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2743) to create a new division in the eastern judicial district of the State of Tennessee—to the Committee on the Judiciary.

SOLDIERS' HOME, GREENEVILLE, TENN.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2744) to establish a soldiers' home at or near Greeneville, Green County, Tenn.—to the Committee on Military Affairs.

PENSIONS TO CERTAIN EAST TENNESSEEANS.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2745) granting a pension to certain East Tennesseeans engaged in the secret service of the United States during the war of the rebellion—to the Committee on Invalid Pensions.

DATE OF MEETING OF CONGRESS, ETC.

By Mr. CRAIN: A joint resolution (H. Res. 49) proposing an amendment to the Constitution, substituting the 31st day of December for the 4th day of March as the commencement and termination of the official term of members of the House of Representatives and of United States Senators, and providing that Congress shall hold its annual meeting on the first Monday in January, and substituting the 30th of April for the 4th of March as the date for the commencement and limitation of the term of the President and Vice-President—to the Committee on the Election of President and Vice-President and Representatives in Congress.

Mr. CRAIN. Mr. Speaker, I ask unanimous consent that that resolution may be printed in the RECORD.

The SPEAKER *pro tempore*. The gentleman from Texas [Mr. CRAIN] asks unanimous consent that this resolution be printed in the RECORD. Is there objection?

There was no objection.

The joint resolution is as follows:

Resolved, etc., That the following articles be proposed to the Legislatures of the several States as amendments to the Constitution of the United States, namely:

"ARTICLE —.

"The term of the President who may be in office when this amendment shall have been adopted shall continue until noon on the 30th day of April next succeeding the 4th day of March upon which his term would otherwise expire, and the 30th day of April, at noon, shall thereafter be substituted for the 4th day of March as the commencement and termination of the official term of the President and Vice-President."

The twelfth article of the amendments to the Constitution of the United States shall be amended by striking out the words "fourth day of March," and substituting instead thereof the words "thirtieth day in April, at noon."

"ARTICLE —.

"The 31st day of December, at noon, is substituted for the 4th day of March as the commencement and termination of the official term of the Senators and of the members of the House of Representatives.

"The Congress in existence when the members of the first House of Representatives are elected after the ratification of this amendment shall hold no annual session after such election, and its term of office shall expire on the 1st day of the following December: *And provided*, That there shall be no diminution of the salaries of the members of Congress the term of which is curtailed by this amendment.

"The Senators whose existing term would otherwise expire on the 4th day of March next succeeding the day on which the term of the first Congress shall commence after the ratification of this amendment shall continue in office until their successors are appointed or elected.

"Congress shall assemble at least once in each year, and such meeting shall be on the first Monday in January, unless Congress shall by law appoint a different day."

VETO POWER OF THE PRESIDENT.

By Mr. CRAIN: A joint resolution (H. Res. 50) proposing an amendment to the Constitution of the United States authorizing the President to veto separate items in appropriation bills—to the Committee on the Judiciary.

NATIONAL BOUNDARY BETWEEN THE UNITED STATES AND MEXICO.

By Mr. CRAIN: A joint resolution (H. Res. 51) requesting the President of the United States to negotiate with the Government of Mexico for the creation of an international commission to determine, according to the rules of the Washington convention of November 12, 1884, all questions touching the boundary line between the United States and Mexico where it follows the bed of the Rio Grande and Colorado Rivers—to the Committee on Foreign Affairs.

DUTY ON COTTON BAGGING.

By Mr. CRAIN: A bill (H. R. 2746) to exempt from duty the importation of bagging for cotton or other manufactures suitable to the uses to which cotton bagging is applied—to the Committee on Ways and Means.

SUBTREASURY, GALVESTON, TEX.

By Mr. CRAIN: A bill (H. R. 2747) to provide for the establishment of a subtreasury at Galveston, Tex.—to the Committee on Ways and Means.

JETTIES, BREAKWATERS, ETC., AT THE MOUTH OF ROPES PASS.

By Mr. CRAIN: A bill (H. R. 2748) to authorize the construction of jetties, piers, and breakwaters at private expense in the Gulf of Mexico, at the mouth of Ropes Pass, in the State of Texas—to the Committee on Rivers and Harbors.

PUBLIC BUILDING, LAREDO, TEX.

By Mr. CRAIN: A bill (H. R. 2749) for the erection of a public building at Laredo, Tex.—to the Committee on Public Buildings and Grounds.

SUBPORT OF ENTRY, LAREDO, TEX.

By Mr. CRAIN: A bill (H. R. 2750) making Laredo, Tex., a subport of entry—to the Committee on Interstate and Foreign Commerce.

PORT OF ENTRY AT VELASCO.

By Mr. CRAIN: A bill (H. R. 2751) making Velasco a subport of entry—to the Committee on Interstate and Foreign Commerce.

BRIDGE ACROSS THE RIO GRANDE AT BROWNSVILLE, TEX.

By Mr. CRAIN: A bill (H. R. 2752) authorizing the Continental Bridge Company to construct a bridge across the Rio Grande River at or near Brownsville, Tex.—to the Committee on Interstate and Foreign Commerce.

BRIDGE ACROSS BRAZOS RIVER, TEX.

By Mr. CRAIN: A bill (H. R. 2753) authorizing the Velasco Terminal Railway Company to construct a bridge across the Brazos River, in the State of Texas—to the Committee on Interstate and Foreign Commerce.

UNITED STATES DISTRICT COURT, TEXAS.

By Mr. CRAIN: A bill (H. R. 2754) to amend an act approved February 4, 1890, changing the time and places for holding the United States district court in and for the western judicial district of Texas—to the Committee on the Judiciary.

CLERKS TO UNITED STATES COURTS IN TEXAS.

By Mr. CRAIN: A bill (H. R. 2755) to regulate the appointment of clerks of the district and circuit courts in the eastern and western districts of Texas—to the Committee on the Judiciary.

PENSIONS TO MEXICAN SOLDIERS.

By Mr. CRAIN: A bill (H. R. 2756) to amend the act granting pensions to surviving soldiers of the Mexican war so as to include all persons who actually fought in the Mexican war—to the Committee on Pensions.

STATUE OF GEN. GRANT IN WASHINGTON.

By Mr. CRAIN: A bill (H. R. 2757) for the erection of a monument and statue of Gen. Ulysses S. Grant on ground belonging to the United States Government in the city of Washington, D. C.—to the Committee on the Library.

FRESH AIR TO ENGINE ROOMS OF STEAMERS.

By Mr. CRAIN: A bill (H. R. 2758) to compel owners of steamers to supply fresh air to the engine rooms—to the Committee on Interstate and Foreign Commerce.

TELEGRAPH LINE FROM THE MISSOURI RIVER TO THE PACIFIC OCEAN.

By Mr. CRAIN: A bill (H. R. 2759) to amend an act entitled "An act to aid in the construction of a railway and telegraph line from the Missouri River to the Pacific Ocean, and to secure the Government use of the same for postal, military, and other purposes," approved July 1, 1862; also, to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act, and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of the railroads, and to secure to the United States payment of all indebtedness of certain of the companies therein mentioned—to the Committee on the Pacific Railroads.

DRAPING PUBLIC BUILDINGS IN MOURNING.

By Mr. CRAIN: A bill (H. R. 2760) declaring it to be unlawful to drape in mourning the public buildings, or to put the national flag at half-mast over such buildings, or at any place within the exclusive jurisdiction of the United States in honor of any deceased person unless said person at the time of his death is in the civil, military, or naval service of the United States—to the Committee on Public Buildings and Grounds.

ARTISANS' DAY.

By Mr. CRAIN: A bill (H. R. 2761) declaring September 1 a legal holiday in the District of Columbia, to be called Artisans' Day—to the Committee on Labor.

NATIONAL MUSEUM.

By Mr. CRAIN: A bill (H. R. 2762) to provide for the opening of the National Museum during a greater number of hours in every week—to the Committee on the Library.

TRANSFER OF CAUSES TO CIRCUIT COURTS OF APPEALS.

By Mr. CULBERSON: A bill (H. R. 2763) to transfer certain causes pending in the Supreme Court of the United States to the circuit court of appeals, and for other purposes—to the Committee on the Judiciary.

CAPTURED AND ABANDONED PROPERTY.

By Mr. CULBERSON: A bill (H. R. 2764) to revive and extend the right of action in the Court of Claims in certain cases—to the Committee on the Judiciary.

GEORGETOWN, ARLINGTON AND FALLS CHURCH RAILWAY COMPANY.

By Mr. MEREDITH: A bill (H. R. 2765) to incorporate the Georgetown, Arlington and Falls Church Railway Company of the District of Columbia—to the Committee on the District of Columbia.

MOUNT VERNON AVENUE.

By Mr. MEREDITH: A bill (H. R. 2766) to commence the construction of the Mount Vernon avenue—to the Committee on the District of Columbia.

PUBLIC PARK AT ARLINGTON.

By Mr. MEREDITH: A bill (H. R. 2767) to make a public park of the Arlington estate near Washington, D. C., and for the construction of a bridge thereto—to the Committee on Public Buildings and Grounds.

CROSS-TOWN RAILROAD OF DISTRICT OF COLUMBIA.

By Mr. MEREDITH: A bill (H. R. 2768) to incorporate the Cross-Town Railroad of the District of Columbia—to the Committee on the District of Columbia.

BOUNTY TO DISTRICT OF COLUMBIA VOLUNTEERS.

By Mr. MEREDITH: A bill (H. R. 2769) to provide for the payment of a bounty to District of Columbia volunteers—to the Committee on War Claims.

BALTIMORE AND POTOMAC RAILROAD.

By Mr. MEREDITH (by request): A bill (H. R. 2770) supplementary to an act entitled "An act to authorize the construction, extension, and use of a lateral branch of the Baltimore and Potomac Railroad into and within the District of Columbia"—to the Committee on the District of Columbia.

CLAIMS AGAINST THE DISTRICT OF COLUMBIA.

By Mr. MEREDITH: A bill (H. R. 2771) to amend an act entitled "An act to provide for the settlement of all outstanding claims against the District of Columbia, and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes"—to the Committee on the District of Columbia.

WASHINGTON, FAIRFAX AND ALEXANDRIA RAILWAY COMPANY.

By Mr. MEREDITH: A bill (H. R. 2772) to incorporate the Washington, Fairfax and Alexandria Railway Company—to the Committee on the District of Columbia.

WAR OF 1812 CLAIMS.

By Mr. WISE: A bill (H. R. 2773) directing the Secretary of the Treasury to examine and settle the accounts of certain States and the city of Baltimore growing out of moneys expended by said States and the city of Baltimore for military purposes during the war of 1812—to the Committee on War Claims.

TO MAKE ARLINGTON A PUBLIC PARK.

By Mr. WISE: A bill (H. R. 2774) to make a public park of the Arlington estate near Washington, D. C., and for the construction of a bridge thereto—to the Committee on Public Buildings and Grounds.

PAY OF SOUTHERN MAIL CONTRACTORS.

By Mr. WISE: A joint resolution (H. Res. 52) to reappropriate and apply the amount appropriated by the act of Congress approved March 3, 1877, to pay certain Southern mail contractors—to the Committee on the Post-Office and Post-Roads.

PUBLIC BUILDING, BEDFORD CITY, VA,

By Mr. EDMUNDS: A bill (H. R. 2775) for the erection of a public building in Bedford City, Bedford County, Va.—to the Committee on Public Buildings and Grounds.

ADULTERATION OF FOOD AND DRUGS.

By Mr. EDMUNDS: A bill (H. R. 2776) to prevent the adulteration of and misbranding of food and drugs—to the Committee on Agriculture.

PARK IN THE DISTRICT OF COLUMBIA.

By Mr. BARWIG: A bill (H. R. 2777) to repeal an act entitled "An act authorizing the establishing of a park in the District of Columbia"—to the Committee on the District of Columbia.

SECTION 9, INDIAN APPROPRIATION BILL, MARCH 3, 1885.

By Mr. SMITH of Arizona: A bill (H. R. 2778) to amend section 9 of "An act making appropriations for expenses of Indian Department and for fulfilling treaty stipulations with various Indian tribes for year ending June 30, 1886, and for other purposes," approved March 3, 1885—to the Committee on the Judiciary.

SETTLERS ON UNSURVEYED LANDS WITHIN LAND GRANTS.

By Mr. SMITH of Arizona: A bill (H. R. 2779) for the relief of settlers on unsurveyed Government lands lying within certain railroad land grants—to the Committee on the Public Lands.

WHITE MOUNTAIN APACHE RESERVATION.

By Mr. SMITH of Arizona: A bill (H. R. 2780) to change the west boundary line of the White Mountain Apache Indian Reservation, in Arizona—to the Committee on Indian Affairs.

MINING—CHAPTER 340, UNITED STATES STATUTES AT LARGE.

By Mr. SMITH of Arizona: A bill (H. R. 2781) to amend chapter 340, United States Statutes at Large, volume 24, Forty-ninth Congress, and to promote and encourage mining—to the Committee on Mines and Mining.

PRIVATE LAND CLAIMS, ARIZONA.

By Mr. SMITH of Arizona: A bill (H. R. 2782) to promote the speedy settlement of private land claims in Arizona—to the Committee on Private Land Claims.

FREE RETURN OF ESTRAY CATTLE FROM MEXICO.

By Mr. SMITH of Arizona: A bill (H. R. 2783) to authorize citizens of the United States to return their estray cattle from Mexico without payment of duty—to the Committee on Ways and Means.

RECLAMATION OF DESERT LANDS, ARIZONA.

By Mr. SMITH of Arizona: A bill (H. R. 2784) to develop the water resources of Arizona and provide for reclamation of the desert lands therein, and for other purposes—to the Committee on Irrigation of Arid Lands.

INCORPORATION LAW OF THE DISTRICT OF COLUMBIA.

By Mr. HEMPHILL: A bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882—to the Committee on the District of Columbia.

ANACOSTIA AND POTOMAC RIVER RAILROAD.

By Mr. HEMPHILL: A bill (H. R. 2786) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia—to the Committee on the District of Columbia.

SPECIAL MESSENGER.

By Mr. BLANCHARD: A resolution for the appointment of a special messenger—to the Committee on Accounts.

NORTHERN DISTRICT OF GEORGIA.

By Mr. MOSES: A bill (H. R. 2787) to amend an act entitled "An act to create a new division in the northern judicial district of Georgia"—to the Committee on the Judiciary.

SECTIONS 3412 AND 3413, REVISED STATUTES.

By Mr. LIVINGSTON: A bill (H. R. 2788) to repeal sections 3412 and 3413 of the Revised Statues of the United States and all other laws which provide for a tax of 10 per centum on circulation of all other than national banks—to the Committee on Ways and Means.

PUBLIC BUILDING, MOUNT STERLING, KY.

By Mr. KENDALL: A bill (H. R. 2789) to erect a post-office building in the city of Mount Sterling, Montgomery County, Ky.—to the Committee on Public Buildings and Grounds.

EFFECT OF THE TARIFF ON AGRICULTURE.

By Mr. McKINNEY: A resolution requesting the Committee on Agriculture to report to this body the effect upon agriculture of the present law for the collection of revenue by means of duties upon imports—to the Committee on Agriculture.

PUBLIC BUILDING, NORWICH, N. Y.

By Mr. RAY: A bill (H. R. 2790) providing for the erection of a public building at the village of Norwich, N. Y.—to the Committee on Public Buildings and Grounds.

EFFECT OF THE TARIFF UPON LABOR.

By Mr. LAPHAM: A resolution requesting the Committee on Labor to investigate and report to the House the effect upon labor of the present law for the raising of revenue by means of duties upon imports—to the Committee on Labor.

GOVERNMENT RECEIPTS AND EXPENDITURES SINCE 1884.

By Mr. LAPHAM: A resolution directing the Committee on Appropriations to report to the House the receipts and expenditures of the Government for each fiscal year since and including the year 1885, with the appropriations for each fiscal year—to the Committee on Rules.

COLUMBIAN EXPOSITION.

Mr. SCOTT. I ask unanimous consent that the joint resolution introduced by me, providing for an exhibit of the corn product of the United States at the Columbian Exposition, be referred to the Select Committee on the Columbian Exposition instead of the Committee on Appropriations.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. SCOTT], who introduced a joint resolution making an appropriation of $100,000 for an exhibit at the Columbian Exposition, which resolution was, under the rule, referred to the Committee on Appropriations as the committee having jurisdiction of that subject, asks now unanimous consent that the reference may be changed to the Committee on the Columbian Exposition. Is there objection?

Several members objected.

MEMORIAL OF FARMERS' ALLIANCE.

Mr. PIERCE asked and obtained unanimous consent to have printed in the RECORD the following memorial:

WASHINGTON, D. C., *January 6, 1892.*

To the honorable the House of Representatives and Senate of the United States in Congress assembled:

Your memorialists, a committee elected by the supreme council of the National Farmers' Alliance and Industrial Union, under its instructions and on its behalf, would most respectfully represent:

That the universal and unparalleled depression in all departments of our great agricultural industry has impressed the farmers of the United States with the gravest concern and alarm. That despite their fruitful soils, the favoring conditions of climate, their faithful application and courageous industry, and irrespective of seasons or harvests, their farms and the products of their labor are constantly and steadily depreciating in value. That the inspiriting hope of competency and comfort, as a reward for their toil, is vanishing in their earnest struggle for sustenance and the preservation of home. That patient, honest, and earnest investigation of this anomalous condition of affairs has impressed the farmers of the country with the solemn conviction that the evils which are thus clogging and paralyzing their energies are largely due to discriminating inequalities in our governmental policy and which are the legitimate outgrowth of partial and unfriendly legislation.

Your memorialists would further respectfully represent:

That in their organized capacity the farmers in thirty-eight States and Territories of the Union, after long and earnest deliberation and with remarkable unanimity, formulated and adopted a declaration of principles (an official copy of which is hereto appended) which they believe, if enacted into law, would restore agriculture to its true and just position among the great industries of the country, and would conserve the highest and best interests of the public good. That they respectfully, but most earnestly, commend to the patriotic consideration and favor of your honorable bodies the justice and wisdom of enacting such laws as will embody the principles enunciated in the declaration referred to.

Your memorialists would respectfully represent:

That they are specially charged to ask the attention of your honorable bodies to the great and urgent necessity for immediate legislative action for the financial relief of the industrial and business interests of the country. That they believe that the present financial system of the country is not only inherently defective, but that it is incompatible with the genius and spirit of our institutions, and is in conflict with the fundamental principles of our Government. That they believe that the system, born of the terrible exigencies of a mighty civil war, purely as a military expedient and necessity, which, while it doubtless saved the life of the nation in war, has been demonstrated, under the test of experience, not to be the system for preserving and perpetuating that life in peace. That they believe that a sacred and steadfast observance and maintenance of the powers and functions conferred upon the Government by the Constitution for making, issuing, and controlling the money of the people is absolutely essential to healthful and symmetrical development in our material progress, and that these powers and functions can not in any manner be relinquished or transferred without violence to equity and justice and gravest peril to the safety and liberties of the people. That they believe that the exclusive right secured to the Government by the Constitution to make money carries with it the unavoidable obligation and responsibility to supply it in such manner and amount as to meet at all times the requirements of the legitimate business of the country and of our growing country and trade. That they believe that the exercise of the legitimate and rightful functions of the Government in the control of money would obviate a recurrence of the ruinous effects of undue contraction in the volume, as demonstrated in the present depressed conditions, which are paralyzing the energies of the people in all departments of industrial enterprise. That they believe that all money should be issued direct by the Government to the people at a low rate of interest and in sufficient volume to meet the legitimate demands of the legitimate business of the country, on safe and valid securities, and that it should be a full legal tender for all debts. That they believe that silver should have all the rights in coinage and all the qualities of legal tender which gold possesses.

Your memorialists would further respectfully represent:

That those for whom they speak do not ask your honorable bodies to venture upon doubtful expedient or experiment, but respectfully and most earnestly present the deplorable and alarming financial condition of the agricultural interests of the country, with the hope that a remedy may be speedily sought and devised through which they may be relieved from impending bankruptcy and ruin, and which will secure to our people and to posterity the blessings of a permanent, just, and equitable financial system.

Respectfully submitted.

L. L. POLK,
C. W. MACUNE,
MANN PAGE,
W. F. GWYNNE,
L. P. FEATHERSTONE,
National Legislative Committee of the N. F. A. and I. U.

Declaration of principles of the National Farmers' Alliance and Industrial Union.

1. (*a*) We demand the abolition of national banks.

(*b*) We demand that the Government shall establish subtreasuries in the several States which shall issue money direct to the people at a low rate of tax, not to exceed 2 per cent per annum, on nonperishable farm products, and also upon real estate, with proper limitations upon the quantity of land and amount of money.

(*c*) We demand that the amount of the circulating medium be speedily increased to not less than $50 per capita.

2. We demand that Congress shall pass such laws as will effectually prevent the dealing in futures of all agricultural and mechanical productions, providing a stringent system of procedure in trials that will secure prompt conviction, and imposing such penalties as shall secure the most perfect compliance with the law.

3. We condemn the silver bill recently passed by Congress, and demand in lieu thereof the free and unlimited coinage of silver.

4. We demand the passage of laws prohibiting alien ownership of land, and that Congress take prompt action to devise some plan to obtain all lands now owned by foreign syndicates, and that all lands now held by railroads and other corporations in excess of such as is actually used and needed by them be reclaimed by the Government, and held for actual settlers only.

5. Believing in the doctrine of equal rights to all and special privileges to none, we demand—

(a) That our national legislation shall be so framed in the future as not to build up one industry at the expense of another.
(b) We further demand a removal of the existing heavy tariff tax from the necessities of life that the poor of our land must have.
(c) We further demand a just and equitable system of graduated tax on incomes.
(d) We believe that the money of the country should be kept as much as possible in the hands of the people, and hence we demand that all national and State revenues shall be limited to the necessary expenses of the Government economically and honestly administered.
6. We demand the most rigid, honest, and just State and national governmental control and supervision of the means of public communication and transportation, and if this control and supervision does not remove the abuses now existing, we demand the Government ownership of such means of communication and transportation.
7. We demand that the Congress of the United States submit an amendment to the Constitution providing for the election of United States Senators by direct vote of the people of each State.

DUTIES ON WOOL AND WOOLEN GOODS.

Mr. DINGLEY. I ask unanimous consent to have printed in the RECORD the memorial which I send to the desk.

The Clerk read the title of the memorial, as follows:

Memorial of National Association of Wool Manufacturers against any change in the wool and woolen schedule of the tariff act of 1890.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Maine [Mr. DINGLEY]?

Mr. WISE. I object.

Mr. DINGLEY. I withdraw the memorial.

REPORT OF BUREAU OF ETHNOLOGY.

By Mr. RICHARDSON: A concurrent resolution to print 15,500 copies of the eleventh and twelfth annual reports of the Bureau of Ethnology—to the Committee on Printing.

REPORT OF GEOLOGICAL SURVEY.

By Mr. RICHARDSON: A concurrent resolution to print 15,500 copies of the thirteenth annual report of the Director of the Geological Survey—to the Committee on Printing.

REPORT OF CIVIL SERVICE COMMISSION.

By Mr. RICHARDSON: A concurrent resolution to print extra copies of the eighth annual report of the Civil Service Commission—to the Committee on Printing.

STATE BANK CIRCULATION.

By Mr. BOATNER: A bill (H. R. 2791) to repeal sections 3412 and 3413 of the Revised Statutes of the United States, and to repeal all laws imposing taxation on State bank circulation—to the Committee on Banking and Currency.

PINKERTON'S DETECTIVE AGENCY.

By Mr. WATSON: A resolution directing the Judiciary Committee to inquire into the charter, the wages, the organization, and the purposes of the Pinkerton detective agency.

The SPEAKER *pro tempore*. This resolution will be referred to the Committee on Rules.

Mr. WATSON. As the resolution involves a purely legal question, I ask its reference to the Committee on the Judiciary.

The SPEAKER *pro tempore*. As the resolution seeks to extend the scope ordinarily given to one of the committees of the House, so as to enable it to investigate a particular question, the Chair regarded the resolution as one which should properly go to the Committee on Rules. However, if the gentleman desires to move the reference to the Committee on the Judiciary, the Chair will entertain that motion.

Mr. WATSON. As the resolution presents a purely legal question, I move its reference to the Committee on the Judiciary.

The motion was agreed to.

NICARAGUA CANAL.

Mr. CUTTING. I ask unanimous consent to have printed in the RECORD the memorial of the Traffic Association of California, praying a prompt construction of the Nicaragua Canal under control of the United States Government.

The SPEAKER *pro tempore*. Is there objection to printing this memorial in the RECORD? The Chair hears none; and it is so ordered.

Mr. BUTLER. I rose to object.

The SPEAKER *pro tempore*. Objection being made, the request can not be entertained.

Mr. MCKENNA. I do not understand that the gentleman from Iowa [Mr. BUTLER] objected.

The SPEAKER *pro tempore*. The Chair so understood the gentleman.

Mr. MCKENNA. The proposition was put to the House, Mr. Speaker, and the gentleman from Iowa did not say one word.

The SPEAKER *pro tempore*. But the gentleman from Iowa was standing for the purpose of making objection.

Mr. BUTLER. I rose for that purpose and addressed the Chair.

Mr. MCKENNA. Why, then, did you not object?

Mr. BUTLER. Because I was not recognized by the Chair at the time.

The SPEAKER *pro tempore*. The gentleman from Iowa states that he addressed the Chair, though the Chair did not hear him.

Mr. MCKENNA. I will say to the gentleman that this is a memorial of the Traffic Association of California, an important public body. The request is that this memorial be printed in the RECORD. I ask the gentleman to withdraw his objection.

Mr. BUTLER. If it be in order at all, we have petitions here from all classes of people and all kinds of resolutions. I see no reason why one petition or resolution should be printed instead of another.

The SPEAKER *pro tempore*. Objection is made and debate is not in order.

DEFICIENCY IN APPROPRIATIONS.

Mr. DOCKERY. I now ask unanimous consent for the present consideration of the resolution which I send to the desk.

The SPEAKER *pro tempore*. The resolution will be read, after which the Chair will ask for objections.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to inform the House of Representatives the aggregate amount of unexpended appropriations on account of the fiscal year 1891, at the close of that fiscal year; also the amount of expenditures made during the first six months of the fiscal year 1892, giving the information for both periods in detail by specifying the amounts expended under each of the regular annual appropriation bills under deficiencies, under miscellaneous acts, and under permanent appropriations.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. DINGLEY. Reserving the right to object, I wish to suggest to the gentleman from Missouri that the resolution is not by any means broad enough to cover the facts in question.

Mr. DOCKERY. I will say to the gentleman from Maine that it covers exactly the facts at issue between us——

Mr. DINGLEY. Not at all.

Mr. DOCKERY (continuing). Growing out of the remarks made by me a few days since and published in the RECORD of last Thursday. It calls for information as to the unexpended balance of appropriations for the fiscal year 1891——

Mr. DINGLEY. So far the gentleman is correct.

Mr. DOCKERY. And it also calls for an exhibit of the expenditures for the first six months of the present fiscal year. When on the floor a few days since discussing the condition of the Treasury, January 1, 1892, I alleged—to which allegation I understand the gentleman from Maine takes exception as being inaccurate—that of the appropriations for the fiscal year 1891 (according to to the statement of the clerk of the House Committee on Appropriations) $30,256,177.80 were yet unexpended. I also stated that $35,232,408.76 of appropriations for the present fiscal year were unexpended—that is, for the first half of the fiscal year.

Now, the inquiry which I seek by this resolution goes directly to these points, and if in my statement I was inaccurate the report of the Secretary of the Treasury will be conclusive upon the question.

Mr. DINGLEY. If the gentleman from Missouri will pardon me, the gentleman alleged that the $30,000,000 which he estimated to have been unexpended of the appropriations of 1891 came over to be expended in the first half of the present fiscal year, 1892——

Mr. DOCKERY. I did not catch what the gentleman from Maine has just said.

Mr. DINGLEY. I said that the gentleman from Missouri, in the remarks which were made the other day, and which were not heard at the time either by myself or by gentlemen sitting around me, but which have since been printed in the RECORD as revised, alleged, first, that $30,000,000 of unexpended appropriations for the fiscal year ending June 30, 1891, had come over into the present fiscal year, and were to be added to $35,000,000 which (as he gave the impression) remained of one-half of the appropriations to be expended in the fiscal year 1892, making an unpaid liability of $65,000,000 January 1, 1892, instead——

Mr. DOCKERY. If the gentleman will allow me, with all due respect, I will say that I made no remarks which either in express or implied terms declared an actual Treasury deficiency of $65,000,000, but only an outstanding liability on account of unpaid appropriations of that amount.

Mr. DINGLEY. I suggest to the gentleman that as long as there is some question whether the resolution covers exactly the point at issue or not, that he permit it to go to the Committee on Appropriations, so that the committee may enlarge, if necessary, the scope of the inquiry, in order to bring out the facts.

Mr. DOCKERY. I stated, if the gentleman will permit me, that which I reiterate now, upon information obtained from the clerk of the House Committee on Appropriations, that thirty millions of appropriation for 1891 were still unexpended. I further asserted that thirty-five millions fairly chargeable against the first half of the present fiscal year were unexpended, making

a total of outstanding liabilities on account of unpaid appropriations for the first half of the present year and the fiscal year 1891, in round numbers, of sixty-five millions.

Mr. DINGLEY. At the end of the first six months.

Mr. DOCKERY. For the fiscal year 1891 and the first half of 1892, sixty-five millions of appropriations were unexpended.

Now, Mr. Speaker, my resolution of inquiry goes directly to the facts at issue, and if the statement is inaccurate I desire the Secretary of the Treasury to so inform the House.

Mr. HENDERSON of Iowa. Mr. Speaker, I raise a question of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. HENDERSON of Iowa. What is the issue now before the House?

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr DOCKERY] asks unanimous consent for the present consideration of the resolution which has been reported. The gentleman from Maine [Mr. DINGLEY], reserving the right to object, made certain inquiries of the gentleman from Missouri [Mr. DOCKERY], which inquiries are now being answered.

Mr. DOCKERY. The object of the inquiry proposed by the resolution is to show to the House and to the country whether the fiscal exhibit I submitted is correct. If the gentleman objects, that, of course, sends the resolution to the committee, as under the rule it is not now in order for consideration.

Mr. DINGLEY. My suggestion was simply this, that the resolution of inquiry go to the Committee on Appropriations in order that it may be made broad enough to cover the points that are at issue. It is not broad enough as stated, but simply covers a few technical points.

Mr. DOCKERY. It covers every issue I raised against the Administration relating to unexpended appropriations.

Mr. DINGLEY. The gentleman's remarks, which were not heard by myself or by several other gentlemen, and which have gone abroad to the country, seem to have given the impression that for the first six months there was a deficiency of $65,000,000, instead of the revenue substantially equalling the expenditures, as I understand to be the fact.

Mr. DOCKERY. I will state to the gentleman that I made no such remarks, and the record will verify this statement.

Mr. HENDERSON of Iowa. You made it $140,000,000 on the 1st of January. This is made simply to strengthen a bad case, and I want it to go to the Committee on Appropriations and be made broad enough to cover the inquiry.

The SPEAKER *pro tempore*. Does the gentleman object?

Mr. HENDERSON of Iowa. I do object, and make no bones about it.

Mr. DOCKERY. Let it go to the Committee on Appropriations, then. If the gentleman does not want the inquiry made, of course he can delay it in this way.

Mr. HENDERSON of Iowa. We want it, and we want it broad enough to cover your case. Most emphatically let it go to the Committee on Appropriations.

Mr. DOCKERY. If the gentleman objects, of course under the rule it goes to the committee. We desired to get reliable information.

Mr. HENDERSON of Iowa. We can not get reliable information from that source [pointing to Mr. DOCKERY].

Mr. DOCKERY. What, not from the Secretary of the Treasury? [Laughter on the Democratic side.] I was about to say that I would agree with the gentleman upon that point, but I will not.

The SPEAKER *pro tempore*. Debate is not in order. Objection is made by the gentleman from Iowa [Mr. HENDERSON], and the resolution will be referred to the Committee on Appropriations.

STENOGRAPHERS TO MEMBERS.

Mr. O'NEILL of Missouri. I offer the resolution which I ask the Clerk to read.

The Clerk read as follows:

Resolved, That the Committee on Accounts are hereby authorized to employ stenographers, who shall be placed under the control of said committee. The duty of said stenographers shall be to aid the members of the House in their work, and shall be paid out of the contingent fund, such compensation per folio for the actual amount of work done as is customary. The number of stenographers to be determined by the Committee on Accounts.

The resolution was referred to the Committee on Accounts.

DEPARTMENT OF AGRICULTURE.

Mr. SIMPSON. I offer the resolution which I send to the Clerk's desk. I ask that it be read, and ask also for immediate consideration of the resolution.

The SPEAKER *pro tempore*. The gentleman from Kansas [Mr. SIMPSON] asks unanimous consent for the present consideration of the resolution which the Clerk will report. After it is read the Chair will ask if there be objection to its present consideration.

The Clerk read as follows:

Whereas the Department of Agriculture has come to that degree of national importance that its head official has reached the dignified position of a cabinet officer, and hence a constitutional adviser of the President; and

Whereas President Harrison, in his late message to Congress, in referring to this branch of the public service, said, "If the establishment of the Department of Agriculture was regarded by any one as a mere concession to the unenlightened demands of a worthy class of people, that impression has been most effectually removed by the great results already attained;" and

Whereas there may have arisen in the minds of several of that "worthy class of people" known as tillers of the soil, grave doubts concerning "the great results already attained," in the interest of American agriculture, by this Department, by reason of a belief, more or less prevalent, that presumed authoritative data concerning crops, growing or harvested, has been furnished to boards of trade, chambers of commerce, and conventional grain dealers, who may be characterized as "market wreckers" and as operators in "futures," prior to the conveyance of this knowledge to the toiling husbandman; by reason, also, of a quite considerable impression that obtains, that garden seeds are purchased for the purpose of distribution among the farmers of the land that were grown so long ago that they are destitute of proper germinating qualities; and further, by reason of an extensive feeling in the mind of the general public that is practically interested in agricultural pursuits that the Department is made a harbor for a large number of employés because of political considerations and influences inimical to the public weal: Therefore,

Be it resolved, That a committee of five members of the House of Representatives be appointed by the Speaker for the purpose of inquiring into the condition of the Department and of all matters relating to it that have a bearing upon the things above referred to and stand connected with a clean, economical, honest, and just administration of its affairs. Said committee shall be granted power and authority to send for persons and papers, to employ a clerk, to administer oaths, to take testimony, and when their investigations are ended they shall report their conclusions to this House.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. HOPKINS of Illinois. I object, and move its reference to the Committee on Ways and Means.

Mr. SPRINGER. I hope the gentleman from Illinois [Mr. HOPKINS] will withdraw his objection.

Mr. HOPKINS of Illinois. I am moving to have it sent to your committee.

Mr. SPRINGER. That is not the proper committee for it.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. HOPKINS] objects, and under the rules for the introduction of bills under which we are acting this would go to the Committee on Rules. The gentleman from Illinois [Mr. HOPKINS] moves its reference to the Committee on Ways and Means.

Mr. SPRINGER. I hope it will go to the Committee on Rules.

Mr. HOPKINS of Illinois. I think it should go to the Committee on Ways and Means.

The question being taken on the motion of Mr. HOPKINS of Illinois, the motion was disagreed to.

The SPEAKER *pro tempore*. Under the rules the resolution will go to the Committee on Rules.

AGREEMENTS WITH INDIANS.

The SPEAKER *pro tempore* laid before the House the following messages from the President of the United States; which were severally read, referred to the Committee on Indian Affairs, and, with the accompanying papers, ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant, from the Secretary of the Interior, submitting the agreement entered into between the Indians of the Pyramid Lake Reservation and the commission appointed under the provisions of the Indian appropriation act of March 3, 1891, for the cession and relinquishment of the southern portion of their reservation in the State of Nevada.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication of the 4th instant, from the Secretary of the Interior, submitting the agreement entered into between the Shoshone and Arapahoe Indians of the Shoshone or Wind River Reservation, in the State of Wyoming, and the commission appointed under the provisions of the Indian appropriation act of March 3, 1891, for the cession and relinquishment of a portion of their reservation.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication of the 8th instant, from the Secretary of the Interior, submitting the agreement concluded by and between the Cherokee Commission and the Kickapoo tribe of Indians, in the Territory of Oklahoma, for the cession of certain lands, and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

BUREAU OF CORRESPONDENCE.

By Mr. CAMINETTI: A resolution instructing the Committee on Accounts to report a bill for the establishment of a bureau of correspondence for the House of Representatives—to the Committee on Rules.

SELECT COMMITTEE ON PUBLIC PARKS AND RESERVATIONS.

By Mr. CAMINETTI: A resolution to provide for the appointment of a select committee on public parks and reservations—to the Committee on Rules.

LEAVE TO PRINT.

Mr. HENDERSON of North Carolina. Mr. Speaker, I ask for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER *pro tempore*. The gentleman from North Carolina asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Resolved, That the Committee on the Post-Office and Post-Roads be authorized to have printed and bound such papers and documents for the use of the said committee as it may deem necessary in connection with subjects considered by the committee during the present Congress.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this resolution? [After a pause.] The Chair hears none.

The question was put, and the resolution was agreed to.

Mr. HENDERSON of North Carolina moved to reconsider the vote by which the resolution was passed; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

Mr. CATCHINGS. Mr. Speaker, I move that the House do now adjourn.

Mr. McKINNEY. Before that motion is put, I would like to ask for leave of absence for my colleague, Mr. DANIELL, for ten days, on account of important business.

Leave of absence was granted to Mr. DANIELL.

The motion to adjourn was then agreed to.

The SPEAKER *pro tempore*. Before announcing the vote, the Chair will submit the following personal requests:

WITHDRAWAL OF PAPERS.

Mr. HERBERT, by unanimous consent, obtained leave to withdraw from the files of the House the papers in the case of John Halloran, without leaving copies, the claimant Halloran leaving his receipt for the same.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BRANCH, indefinitely, on account of sickness in his family.

The result of the vote on Mr. CATCHING'S motion to adjourn was then announced; and accordingly (at 2 o'clock and 40 minutes) the House adjourned.

PRIVATE BILLS.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. ANDREW: A bill (H. R. 2792) increasing the pension of John D. Creighton, late of Company F, Twelfth Massachusetts Infantry Volunteers—to the Committee on Invalid Pensions.

By Mr. AMERMAN: A bill (H. R. 2793) to remove the charge of desertion from the military record of Albert R. Woodward—to the Committee on Military Affairs.

By Mr. ARNOLD: A bill (H. R. 2794) for the relief of R. W. Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2795) for the relief of F. M. Coleman—to the Committee on War Claims.

Also, a bill (H. R. 2796) for the relief of Henry W. Hahs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2797) for the relief of Henry Rongey, of Van Buren, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 2798) for the relief of D. K. Ponder—to the Committee on War Claims.

Also, a bill (H. R. 2799) for the relief of John Smith—to the Committee on War Claims.

Also, a bill (H. R. 2800) for the relief of Miles Stephens—to the Committee on War Claims.

Also, a bill (H. R. 2801) for the relief of Corydon N. Brooks—to the Committee on Pensions.

Also, a bill (H. R. 2802) for the relief of Nelson Smith—to the Committee on War Claims.

By Mr. ALEXANDER: A bill (H. R. 2803) for the relief of Calvin J. Cowles and George B. Hanna—to the Committee on Claims.

Also, a bill (H. R. 2804) for the relief of the legal representatives of John Baptiste Ashe—to the Committee on Claims.

By Mr. BELKNAP (by request): A bill (H. R. 2805) granting a pension to Adeline Kenzie Evans—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 2806) granting a pension to Mary A. Ripley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2807) for the relief of Robert H. Montgomery—to the Committee on Military Affairs.

Also, a bill (H. R. 2808) granting a pension to Sarah L. Pangborn, widow of Asal Tobias— to the Committee on Invalid Pensions.

Also, a bill (H. R. 2809) granting a pension to Electa Ann Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2810) placing James W. Long, late a captain, United States Army, on the retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 2811) for the relief of Rodman Hart—to the Committee on Military Affairs.

Also, a bill (H. R. 2812) for the relief of Philip Dodds—to the Committee on Military Affairs.

By Mr. BURROWS: A bill (H. R. 2813) granting a pension to Isabella Morrow, widow of the late Henry A. Morrow, colonel of the Twenty-first Regiment United States Infantry—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 2814) granting a pension to Eliza Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2815) for the relief of W. F. Baker—to the Committee on Claims.

Also, a bill (H. R. 2816) for the relief of William Beasley—to the Committee on Military Affairs.

Also, a bill (H. R. 2817) for the relief of J. S. Williams—to the Committee on Claims.

By Mr. BRODERICK: A bill (H. R. 2818) granting a pension to Elizabeth Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2819) directing the Secretary of War to enter the name of Joseph B. Samuels as second lieutenant upon the muster rolls of Company H, of First Kansas Colored Volunteers—to the Committee on War Claims.

Also, a bill (H. R. 2820) for the relief of Matthew J. J. Cagle—to the Committee on War Claims.

Also, a bill (H. R. 2821) for the relief of Daniel W. Boutwell—to the Committee on War Claims.

Also, a bill (H. R. 2822) granting a pension to Letistry Parker, a daughter of a Revolutionary soldier, now in almshouse—to the Committee on Pensions.

By Mr. BYNUM: A bill (H. R. 2823) for the relief of Frederick Cook—to the Committee on Military Affairs.

By Mr. BRECKINRIDGE of Arkansas: A bill (H. R. 2824) for the relief of Ed. S. Carl Lee, administrator of Cora C. Bancroft, deceased, of Woodruff County, Ark., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

By Mr. BEEMAN: A bill (H. R. 2825) for the relief of Franklin Sessions—to the Committee on War Claims.

Also, a bill (H. R. 2826) for the relief of Mary A. Dougherty and Marshall Davis, of Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 2827) for the relief of David K. Patterson, of Scott County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 2828) for the relief of T. B. Stewart, administrator of Joseph W. Stewart, deceased, of Scott County, Miss., as found due by the Court of Claims—to the Committee on War Claims.

By Mr. BUNN: A bill (H. R. 2829) for the relief of the estate of Franklin A. Davis, late of Orange County, N. C.—to the Committee on Claims.

Also, a bill (H. R. 2830) for the relief of Thomas R. Debnam, of Raleigh, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 2831) for the relief of W. Dallas Haywood, of Raleigh, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 2832) for the relief of W. Dallas Haywood, Raleigh, N. C.—to the Committee on War Claims.

By Mr. BURROWS: A bill (H. R. 2833) granting an increase of pension to Daniel F. Mevis, late of Company D, Fourteenth Regiment Michigan Volunteers—to the Committee on Invalid Pensions.

By Mr. BRUNNER: A bill (H. R. 2834) to reimburse the Mellert Foundry and Machine Company for money retained by the United States for failure to complete a contract within a specified time—to the Committee on Claims.

Also, a bill (H. R. 2835) granting a pension to Clara Geiser—to the Committee on Invalid Pensions.

By Mr. BLOUNT: A bill (H. R. 2836) providing for the payment of $450 to pay W. S. Brantly, executor of J. H. Brantly, for damages to property by United States troops in 1865—to the Committee on War Claims.

Also, a bill (H. R. 2837) for the relief of William T. Maynard—to the Committee on War Claims.

Also, a bill (H. R. 2838) for the relief of Briggs H. Napier, executor of Leroy Napier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2839) for the relief of A. V. Toole—to the Committee on War Claims.

By Mr. BAKER (by request): A bill (H. R. 2840) to relinquish the interest of the United States in certain lands in Kansas—to the Committee on Public Lands.

Also, a bill (H. R. 2841) for the relief of W. H. Collards, John A. Elsaser, Peter Johnson, and others—to the Committee on War Claims.

Also (by request), a bill (H. R. 2842) granting a pension to Daniel Fike—to the Committee on Invalid Pensions.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 2843) granting a pension to Edward Heck—to the Committee on Invalid Pensions.

By Mr. BUSEY: A bill (H. R. 2844) to correct the military record of William Myers, Company F, Eighty-fifth Indiana, and pay him $376.36—to the Committee on Military Affairs.

Also, a bill (H. R. 2845) for relief of John V. Bovell, second lieutenant Company E, Sixty-sixth Illinois—to the Committee on Military Affairs.

Also, a bill (H. R. 2846) for the relief of the heirs of Alpha A. Leach for accrued pension—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2847) granting pension to the heirs of James F. Cassatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2848) for the relief of Lankfort Mullis—to the Committee on Military Affairs.

By Mr. BUNN: A bill (H. R. 2849) to refund to the State of North Carolina certain moneys therein named—to the Committee on War Claims.

Also, a bill (H. R. 2850) for the relief of F. Y. Ramsey, the heir at law and distributee of Joseph Ramsey—to the Committee on Claims.

By Mr. BRYAN: A bill (H. R. 2851) for the relief of Sarah E. Ingham—to the Committee on Claims.

By Mr. CRAIN: A bill (H. R. 2852) for the relief of George W. Barnes—to the Committee on Foreign Affairs.

Also, a bill (H. R. 2853) for the relief of the heirs of Joseph E. Wilson—to the Committee on Claims.

Also, a bill (H. R. 2854) for the relief of John Friery—to the Committee on Military Affairs.

Also, a bill (H. R. 2855) for the relief of A. M. Shannon & Co., of Galveston, Tex.—to the Committee on Claims.

Also, a bill (H. R. 2856) for the relief of Adams & Wickes—to the Committee on Military Affairs.

Also, a bill (H. R. 2857) authorizing the Secretary of the Treasury of the United States to refund certain duties paid by James J. Haynes—to the Committee on Military Affairs.

Also, a bill (H. R. 2858) for the relief of Albert Wood—to the Committee on Claims.

Also, a bill (H. R. 2859) for the relief of Mrs. Catherine Allen—to the Committee on War Claims.

Also, a bill (H. R. 2860) for the relief of Abraham Levi—to the Committee on War Claims.

Also, a bill (H. R. 2861) for the relief of Mrs. Carolina Rochow—to the Committee on War Claims.

Also, a bill (H. R. 2862) for the relief of the legal representatives or heirs of Green Berry Dycus, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2863) for the relief of the heirs of Alexander McCoppin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2864) for the relief of the estate of A. Underwood—to the Committee on War Claims.

Also, a bill (H. R. 2865) for the relief of Vidal Hernandez—to the Committee on War Claims.

Also, a bill (H. R. 2866) for the relief of Lucas Dubois—to the Committee on War Claims.

Also, a bill (H. R. 2867) for the relief of the legal representatives of Charles Eichlitz, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2868) granting jurisdiction and authority to the Court of Claims in the case of the steamer De Soto—to the Committee on War Claims.

Also, a bill (H. R. 2869) for the relief of Cornelius Phetzing—to the Committee on War Claims.

Also, a bill (H. R. 2870) for the relief of the heirs of David G. Burnett—to the Committee on War Claims.

Also, a bill (H. R. 2871) for the relief of the heirs of John McDonald—to the Committee on War Claims.

Also, a bill (H. R. 2872) for the relief of Ernest A. Heinan—to the Committee on War Claims.

Also, a bill (H. R. 2873) granting a pension to William E. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2874) for the relief of Cornelius Johnson, of steamship Brooklyn, United States Navy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2875) to grant a pension to Richard Galway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2876) for the relief of Ezra A. Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 2877) for the relief of Robert Carrick—to the Committee on Military Affairs.

Also, a bill (H. R. 2878) granting a pension to William T. Williams—to the Committee on Pensions.

By Mr. CATE: A bill (H. R. 2879) for the relief of James M. Humphreys, of Phillips County, Ark., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 2880) for the relief of James C. Tappan, administrator of Samuel T. Sutton, deceased, of Phillips County, Ark., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also (by request), a bill (H. R. 2881) for the relief of Martha A. Lanford—to the Committee on War Claims.

Also (by request), a bill (H. R. 2882) for the relief of John J. Govan—to the Committee on War Claims.

Also, a bill (H. R. 2883) for the relief of the heirs of Mark W. Izard, deceased—to the Committee on Claims.

Also, a bill (H. R. 2884) for the relief of the board of trustees of the Old School Presbyterian Church of Helena, Phillips County, Ark.—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 2885) for the relief of Andrew Lutz—to the Committee on War Claims.

Also, a bill (H. R. 2886) for the relief of George W. Spencer—to the Committee on Military Affairs.

Also, a bill (H. R. 2887) for the relief of the Rev. William J. Larkin—to the Committee on Military Affairs.

Also, a bill (H. R. 2888) to provide an American register for the bark Belgium—to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 2889) for the relief of George C. Ellison—to the Committee on Claims.

By Mr. COX of Tennessee: A bill (H. R. 2890) for the relief of William M. Beasley, Giles County, Tenn.—to the Committee on War Claims.

By Mr. CRAWFORD: A bill (H. R. 2891) for the relief of the heirs of Thomas C. Tatham, on account of the Eastern band of Cherokee Indians—to the Committee on Indian Affairs.

Also, a bill (H. R. 2892) for the relief of John Yelton—to the Committee on War Claims.

Also, a bill (H. R. 2893) to remove the charge of desertion against Ossing I. Edwards—to the Committee on Military Affairs.

Also, a bill (H. R. 2894) for the relief of William A. Hemphill—to the Committee on War Claims.

Also, a bill (H. R. 2895) for relief of J. B. Duckett—to the Committee on Military Affairs.

Also, a bill (H. R. 2896) for the relief of Benjamin F. Buckner and Taylor Buckner—to the Committee on Military Affairs.

Also, a bill (H. R. 2897) to place the name of Samuel Massey on the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2898) for the relief of John Barrett—to the Committee on War Claims.

Also, a bill (H. R. 2899) for the relief of Anson B. Sams—to the Committee on War Claims.

By Mr. CALDWELL: A bill (H. R. 2900) for the relief of Robert H. Montgomery—to the Committee on Military Affairs.

By Mr. COOPER: A bill (H. R. 2901) to pension Ida Cassell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2902) for the relief of David L. Truex—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2903) granting a pension to Thomas Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2904) for the relief of William J. Alexander—to the Committee on War Claims.

Also, a bill (H. R. 2905) for the relief of Mary A. Temple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2906) to remove the charge of desertion from the military record of Charles Reep—to the Committee on Military Affairs.

Also, a bill (H. R. 2907) to pension Isaac A. Chandler—to the Committee on Pensions.

Also, a bill (H. R. 2908) to increase the pension of William M. Neal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2909) to increase the pension of Joseph Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2910) to pension Charlotte Gourley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2911) to increase the pension of Charles H. Twomey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2912) to pension John T. Fleenor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2913) to pension Francis Ammans—to the Committee on Invalid Pensions.

By Mr. CUTTING: A bill (H. R. 2914) for the relief of Thomas Fletcher Foley—to the Committee on Military Affairs.

By Mr. CATCHINGS: A bill (H. R. 2915) for the relief of Margaret Summer, of Washington County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 2916) for the relief of Mrs. H. O. Fitzhugh, of Vicksburg, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 2917) for the relief of Mary T. Leake, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 2918) for the relief of Preston Chavis, of Warren County, Miss., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

By Mr. COVERT: A bill (H. R. 2919) for the relief of Alexander Stoddart, of New York—to the Committee on Claims.

By Mr. CHIPMAN: A bill (H. R. 2920) for the relief of William H. Bournes, of Washington, D. C.—to the Committee on Invalid Pensions.

By Mr. CAINE: A bill (H. R. 2921) for the recognition of Henry C. Hill as captain and aid-de-camp on the staff of Maj. Gen. B. F. Butler, United States Volunteers—to the Committee on Military Affairs.

By Mr. CUMMINGS: A bill (H. R. 2922) for the correction of the records of the War Department in the case of Edward Fisher—to the Committee on Military Affairs.

By Mr. COBB of Missouri: A bill (H. R. 2923) for the relief of Arthur P. Selby—to the Committee on War Claims.

Also (by request), a bill (H. R. 2924) for the relief of Phillip T. Butler—to the Committee on War Claims.

Also, a bill (H. R. 2925) for the relief of Conrad Stork, William Luchman, and Julius Lefoldt—to the Committee on War Claims.

Also (by request), a bill (H. R. 2926) for the relief of Johanna Doyle—to the Committee on War Claims.

By Mr. COCKRAN: A bill (H. R. 2927) granting a pension to Hannah Crum—to the Committee on Invalid Pensions.

By Mr. CADMUS (by request): A bill (H. R. 2928) for the relief of the legal administrators of William Boardman, deceased—to the Committee on War Claims.

Also (by request), a bill (H. R. 2929) for the relief of the legal administrators of Daniel McLeod, deceased—to the Committee on War Claims.

Also (by request), a bill (H. R. 2930) for the relief of George M. Clapp, of the Washington Iron Works—to the Committee on War Claims.

By Mr. CUTTING: A bill (H. R. 2931) for the relief of the heirs or assigns of Joshua Shaw—to the Committee on Claims.

By Mr. DURBOROW: A bill (H. R. 2932) for the relief of Charles T. Garrard—to the Committee on Military Affairs.

Also, a bill (H. R. 2933) for the relief of John C. Phillips—to the Committee on Military Affairs.

Also, a bill (H. R. 2934) for the relief of the letter-carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2935) to remove the charge of desertion from the military record of William N. Pringle—to the Committee on Military Affairs.

Also, a bill (H. R. 2936) for the relief of Peter Casey—to the Committee on Military Affairs.

Also, a bill (H. R. 2937) for the relief of George G. Eagle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2938) granting an increase of pension to Mrs. M. Augusta Barnes, widow of Surg. Norman S. Barnes, late of the Twenty-seventh New York Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2939) providing for leave of absence for officers and employés in the customs service of the Government who receive per diem compensation—to the Committee on Expenditures in the Treasury Department.

Also, a bill (H. R. 2940) to remove the charge of desertion from the military record of Owen E. Neale—to the Committee on Military Affairs.

Also, a bill (H. R. 2941) for the relief of Mrs. Ellen Kehoe—to the Committee on Claims.

Also, a bill (H. R. 2942) for the relief of Martin Keating—to the Committee on War Claims.

Also, a bill (H. R. 2943) to appoint Louis J. Sacriste a second lieutenant in the Army, and place him on the retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 2944) for the relief of Nicholas G. Chesbrough—to the Committee on Military Affairs.

Also, a bill (H. R. 2945) for the relief of August Leschinsky—to the Committee on Claims.

By Mr. DE ARMOND (by request): A bill (H. R. 2946) for the relief of the heirs of Mrs. W. C. Lucas—to the Committee on War Claims.

By Mr. DAVIS: A bill (H. R. 2947) for the relief of Margaret Thierer, widow of Jacob Thierer, deceased—to the Committee on Claims.

By Mr. DOAN (by request): A bill (H. R. 2948) for the relief of the heirs of John W. West—to the Committee on Claims.

By Mr. ENLOE: A bill (H. R. 2949) for the relief of Hiram Johnson, of Madison County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2950) for the relief of Frederick Webb, of Madison County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2951) for the relief of the estate of John M. Campbell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2952) for the relief of Archibald Thomas, of Madison County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 2953) for the relief of Edward Burke, administrator of Peter Kelly, deceased, of Madison County, Tenn., as found due by the Court of Claims—to the Committee on War Claims.

By Mr. EVERETT: A bill (H. R. 2954) for the relief of the trustees of the Catholic Church at Dalton, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2955) for the relief of Gordon Lee, administrator of James M. Lee, deceased, of Walker County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2956) for the relief of estate of Charles Coulter, late of Walker County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2957) for the relief of Joel Cross, of Dade County, Ga.—to the Committee on War Claims.

By Mr. EPES: A bill (H. R. 2958) for the relief of W. H. Harrison, of Prince George County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2959) for the relief of the estate of William G. Birchett, deceased, late of Prince George County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2960) for the relief of Mrs. R. J. Harrison, executrix of Richard M. Harrison, deceased, late of Prince George County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2961) for the relief of the legal representatives of John Avery, deceased, late of Virginia—to the Committee on War Claims.

Also, a bill (H. R. 2962) for the relief of the estate of John Flower and Thomas B. Flower, deceased—to the Committee on War Claims.

By Mr. ENOCHS: A bill (H. R. 2963) for the relief of Frederick Ford—to the Committee on War Claims.

By Mr. FITCH: A bill (H. R. 2964) for the relief of Horace B. Gardner, of New York City—to the Committee on War Claims.

Also, a bill (H. R. 2965) for the relief of George Conway—to the Committee on War Claims.

Also, a bill (H. R. 2966) for the relief of Michael Pfoertner—to the Committee on Military Affairs.

Also, a bill (H. R. 2967) for the relief of Capt. Edward O'Shea—to the Committee on War Claims.

Also, a bill (H. R. 2968) for the relief of James Eagan—to the Committee on Military Affairs.

By Mr. FUNSTON: A bill (H. R. 2969) to increase the pension of Joseph Ballance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2970) to place the name of Frances Sullivan on the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2971) to remove the charge of desertion against John Lamb—to the Committee on Military Affairs.

By Mr. FELLOWS: A bill (H. R. 2972) for the relief of Charles C. Overton, shipping merchant, of New York City—to the Committee on Claims.

Also, a bill (H. R. 2973) to provide payment to the captain and owners of the ship Cadmus, for losses and expenses of bringing General de Lafayette and suite to the United States as the nation's guests in 1824—to the Committee on Claims.

Also, a bill (H. R. 2974) for the relief of Andrew B. Knapp—to the Committee on Military Affairs.

By Mr. GRADY: A bill (H. R. 2975) for the relief of the Cape Fear Steamboat Company—to the Committee on Claims.

By M. GILLESPIE (by request): A bill (H. R. 2976) authorizing and directing the repayment to Josiah B. Orbison, of Donegal Township, Butler County, Pa., the sum of $300 (with interest) that he paid to avoid the draft in 1863—to the Committee on War Claims.

Also, a bill (H. R. 2977) to increase the pension of James A. Morrison, late first lieutenant Fourth Pennsylvania Volunteer Cavalry—to the Committee on Invalid Pensions.

By Mr. HOUK of Tennessee: A bill (H. R. 2978) removing the charge of desertion standing against the name of James W. Thomas—to the Committee on Military Affairs.

Also, a bill (H. R. 2979) for the relief of James A. Doughty—to the Committee on War Claims.

Also, a bill (H. R. 2980) for the relief of Sarena E. Cardwell—to the Committee on War Claims.

Also, a bill (H. R. 2981) to amend the military record of Wiley E. Brummet—to the Committee on Military Affairs.

Also, a bill (H. R. 2982) for relief of William Cecil—to the Committee on Military Affairs.

Also, a bill (H. R. 2983) for relief of William Lawson, Com-

pany G, First Tennessee Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 2984) for the relief of John C. Buckner—to the Committee on War Claims.

Also, a bill (H. R. 2985) for the relief of M. M. Corbett—to the Committee on War Claims.

Also, a bill (H. R. 2986) removing charge of desertion standing against Peter Bird—to the Committee on Military Affairs.

Also, a bill (H. R. 2987) for the relief of Alexander P. Rambo—to the Committee on War Claims.

Also, a bill (H. R. 2988) for the relief of A. D. Rutherford—to the Committee on Military Affairs.

Also, a bill (H. R. 2989) for the relief of J. W. Long—to the Committee on War Claims.

Also, a bill (H. R. 2990) for the relief of Daniel Connor—to the Committee on Claims.

Also, a bill (H. R. 2991) for the relief of Mrs. Sophia Fowler—to the Committee on War Claims.

Also, a bill (H. R. 2992) for the relief of John M. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 2993) for the relief of Elijah Crudgington—to the Committee on War Claims.

Also, a bill (H. R. 2994) for the relief of Andrew J. McNabb—to the Committee on War Claims.

Also, a bill (H. R. 2995) granting an increase of pension to Lavater Wear—to the Committee on Pensions.

Also, a bill (H. R. 2996) amending the militia record of Alexander Gossett—to the Committee on Military Affairs.

Also, a bill (H. R. 2997) granting a pension to Champion Duncan, of Huntsville, Tenn.—to the Committee on Pensions.

Also, a bill (H. R. 2998) for the relief of G. D. Ashburn, of Clarkrange, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2999) for the relief of the estate of Ann E. McGhee—to the Committee on War Claims.

Also, a bill (H. R. 3000) granting a pension to Mandy and W. H. Carter, of Ripley, Miss.—to the Committee on Pensions.

Also, a bill (H. R. 3001) granting an honorable discharge to W. M. Clendennin, of Allensville, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 3002) for the relief of John T. Brown—to the Committee on War Claims.

Also, a bill (H. R. 3003) for the relief of Andrew J. Shell, of Chattanooga, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3004) for the relief of William Millican—to the Committee on Military Affairs.

Also, a bill (H. R. 3005) for the relief of Hermans Burk—to the Committee on Military Affairs.

Also, a bill (H. R. 3006) for the relief of J. C. Julian, of Knox County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3007) for the relief of A. K. Meek—to the Committee on War Claims.

Also, a bill (H. R. 3008) for the relief of Elijah Bomar, of Caldwell, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3009) for the relief of John Jones, of Campbell County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3010) for the relief of Thomas F. Lee, of Martin, Weakley County, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 3011) for the relief of Pleasant M. Chapman—to the Committee on Military Affairs.

Also, a bill (H. R. 3012) for the relief of William Lillard—to the Committee on Military Affairs.

Also, a bill (H. R. 3013) for the relief of Jerry Simerly—to the Committee on War Claims.

Also, a bill (H. R. 3014) granting a pension to Ezekiel M. Lacey—to the Committee on Pensions.

Also, a bill (H. R. 3015) for the relief of John S. Spangles—to the Committee on War Claims.

Also, a bill (H. R. 3016) for the relief of Daniel Smith, of Maynardville, East Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3017) for the relief of H. J. Fryor—to the Committee on War Claims.

Also, a bill (H. R. 3018) for the relief of Jacob Henry—to the Committee on War Claims.

Also, a bill (H. R. 3019) for the relief of William F. Miller, of Whitley County, Ky.—to the Committee on Military Affairs.

Also, a bill (H. R. 3020) for the relief of Joel Thomason—to the Committee on Pensions.

Also, a bill (H. R. 3021) for the relief of Elizabeth Johnston—to the Committee on War Claims.

Also, a bill (H. R. 3022) for the relief of the trustees of New Market College, located at New Market, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3023) for the relief of B. L. Roaks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3024) for the relief of Daniel Connor—to the Committee on Claims.

Also, a bill (H. R. 3025) for the relief of James White and the legal representatives of William White, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3026) for the benefit of John Q. Brummit, Company A, First Light Artillery, Tennessee Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3027) for the benefit of Catherine Kensinger, mother of David Kensinger, deceased, Company A, Eighth Regiment Tennessee Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3028) for the relief of Josiah Haynes—to the Committee on War Claims.

Also, a bill (H. R. 3029) for the relief of James H. Bunn, of Oliver Springs, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 3030) for the relief of B. R. Hackney—to the Committee on War Claims.

Also, a bill (H. R. 3031) to correct the military record of Alvis Beshears—to the Committee on Military Affairs.

Also, a bill (H. R. 3032) granting an honorable discharge to Pleasant Slover, of Offutt, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 3033) for the relief of Nancy J. Houk, of Sevier County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3034) granting an honorable discharge to John J. Lowe, of Clinton, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 3035) for the relief of Joel Lindsay, of Sevier County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3036) for the relief of Willis N. Arnold—to the Committee on War Claims.

Also, a bill (H. R. 3037) for the relief of William E. Scott—to the Committee on War Claims.

Also, a bill (H. R. 3038) for the relief of William Colquitt—to the Committee on War Claims.

Also, a bill (H. R. 3039) for the relief of John Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3040) granting a pension to Jackson Hickman—to the Committee on Pensions.

Also, a bill (H. R. 3041) for the relief of H. J. Fryor, of Adolphus, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3042) for the relief of Jacob S. Fritts, of Emory Gap, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3043) for the relief of Joseph C. Hodges—to the Committee on War Claims.

Also, a bill (H. R. 3044) for the relief of Joel Lindsey, Emerts Cove, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3045) for the relief of George Turner—to the Committee on War Claims.

Also, a bill (H. R. 3046) removing the charge of "absence without leave" now pending against Jacob S. Plunk, of Adamsville, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 3047) for the relief of J. H. Norwood, of Trigonia, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3048) for the relief of John W. Long, of Unitia, Loudon County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3049) for the relief of William Robbins, of Forkvale, Campbell County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3050) for the relief of Milton Shootman—to the Committee on Military Affairs.

Also, a bill (H. R. 3051) for the relief of Robert McCampbell, of Knoxville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3052) for the relief of James Trammell, of Winfield, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3053) for the relief of Hardin Skaggs—to the Committee on War Claims.

Also, a bill (H. R. 3054) for the relief of Patrick J. Griffin—to the Committee on Military Affairs.

Also, a bill (H. R. 3055) for the relief of J. H. Blackburn—to the Committee on War Claims.

Also, a bill (H. R. 3056) for the benefit of Joseph M. Kensinger, private, Company A, Eighth Regiment Tennessee Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3057) for the benefit of Malisia Burton, widow of William Burton, private, Company A, First Regiment Tennessee Light Artillery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3058) for the relief of G. D. Ashburn, of Clarkrange, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3059) granting a pension to Martha M. Titsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3060) granting a pension to Mrs. Arthur E. Murphy, of Pokeberry, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3061) granting a pension to Eliza Robbins, of Nettle Carrier, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3062) for the relief of James H. Layne, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3063) for the relief of Rebecca Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3064) for the relief of E. C. and J. J. Randolph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3065) granting a pension to William M. Nourse, of Knoxville, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3066) for the relief of James Deloach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3067) for the relief of James M. Duggan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3068) granting a pension to John E. Creswell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3069) granting a pension to J. H. Howks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3070) granting a pension to Eliza A. Bridges, of Adamsville, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3071) granting a pension to George F. Gaudin, of Kismet, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3072) for the relief of Robert Heiskell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3073) for the relief of James Brogdon, of Stockton, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3074) granting a pension to Josiah Terry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3075) for the relief of Thomas L. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3076) granting a pension to Comfort Bird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3077) granting a pension to Michael Low—to the Committee on Pensions.

Also, a bill (H. R. 3078) for the relief of Charlotte Marrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3079) granting a pension to George W. Keith, of Leedom, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3080) granting a pension to Lieut. James W. Ventis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3081) granting a pension to Martha A. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3082) for the relief of John A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3083) for the relief of Susan Lindsay, of Dickson County, Tenn.—to the Committee on Pensions.

Also, a bill (H. R. 3084) granting a pension to George E. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3085) granting a pension of John W. Armstrong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3086) for the relief of Kate K. Parsons, of Mayo, Knox County, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3087) granting a pension to R. M. Carden, of Philadelphia, Tenn.—to the Committee on Pensions.

Also, a bill (H. R. 3088) granting a pension to Solomon Weese, of Fossil, Tenn.—to the Committee on Pensions.

Also, a bill (H. R. 3089) for the relief of James J. Gibbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3090) granting a pension to Margaret A. Cate, of ——— County, Tenn.—to the Committee on Pensions.

Also, a bill (H. R. 3091) for the relief of Julia Ann Corder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3092) for the relief of Richard G. Sharp, of Little Barren, Tenn.—to the Committee on Pensions.

Also, a bill (H. R. 3093) granting a pension to Mrs. Elizabeth Herron, of Silver Point, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3094) granting a pension to William W. Kidwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3095) granting a pension to Tirza E. Hendrix, of Scarboro, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3096) to restore the name of John J. Hart to the pension rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3097) granting a pension to Isaac Riseden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3098) granting a pension to Mary A. Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3099) for the relief of T. J. Powell—to the Committee on War Claims.

Also, a bill (H. R. 3100) granting a pension to Sarah C. Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3101) granting a pension to C. B. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3102) to restore the name of Pleasant Sharp to the pension rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3103) granting a pension to Oliver P. Chambers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3104) granting a pension to Jane Dagley—to the Committee on Pensions.

Also, a bill (H. R. 3105) granting a pension to H. H. Haggard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3106) granting a pension to William H. Huchison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3107) granting a pension to Seaborn Seagraves, of Clinton, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3108) granting a pension to Malinda Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3109) granting a pension to John Jones, of Fincastle, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3110) granting a pension to Capt. Isaac A. Duncan, of Shady Grove, Tenn.—to the Committee on Invalid Pensions,

Also, a bill (H. R. 3111) for the relief of John S. Spangler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3112) for the relief of William Robinson—to the Committee on War Claims.

Also, a bill (H. R. 3113) for relief of Cisco Turner, Engineer Department, clothing and unpaid service in Army—to the Committee on War Claims.

Also, a bill (H. R. 3114) for the relief of Cisco Turner—to the Committee on Pensions.

Also, a bill (H. R. 3115) for the relief of Malvin J. Childres—to the Committee on War Claims.

Also, a bill (H. R. 3116) for the relief of James Dowell—to the Committee on War Claims.

Also, a bill (H. R. 3117) for the relief of William Sillard—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 3118) to pension John S. Dunham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3119) for the relief of Robert Travila, for loss of carbine in late war—to the Committee on War Claims.

Also, a bill (H. R. 3120) to pension Abraham Landes for services in the Black Hawk war—to the Committee on Pensions.

Also, a bill (H. R. 3121) to pension Charles Brown for meritorious services rendered the Government in the Oregon and California Indian wars—to the Committee on Pensions.

Also, a bill (H. R. 3122) to pension William Russell, for services in Oregon Indian wars—to the Committee on Pensions.

Also, a bill (H. R. 3123) to pension Andrew J. Jones, for services in the Indian wars—to the Committee on Pensions.

Also, a bill (H. R. 3124) for the relief of Henry Judge, of Ashland, Oregon—to the Committee on War Claims.

By Mr. HENDERSON of Iowa (by request): A bill (H. R. 3125) for the relief of Henry H. Wright—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 3126) for the relief of Austin A. Scott—to the Committee on Military Affairs.

Also, a bill (H. R. 3127) for the relief of Theodore S. Loveland—to the Committee on Military Affairs.

Also, a bill (H. R. 3128) for the relief of August Schlapp—to the Committee on Military Affairs.

Also, a bill (H. R. 3129) for the relief of Benjamin F. Hershe—to the Committee on Military Affairs.

Also, a bill (H. R. 3130) for the relief of Joseph Murray—to the Committee on Military Affairs.

Also, a bill (H. R. 3131) for the relief of Ira Seeley—to the Committee on Military Affairs.

Also, a bill (H. R. 3132) for the relief of Willis F. Hanson—to the Committee on Military Affairs.

Also, a bill (H. R. 3133) for the relief of Orcinus C. Snyder—to the Committee on Military Affairs.

Also, a bill (H. R. 3134) for the relief of George E. Butin—to the Committee on Military Affairs.

Also, a bill (H. R. 3135) for the relief of John Butler—to the Committee on Military Affairs.

Also, a bill (H. R. 3136) for the relief of Daniel Madden—to the Committee on Military Affairs.

Also, a bill (H. R. 3137) for the relief of Joseph M. Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 3138) for the relief of Michael Houps—to the Committee on Military Affairs.

Also, a bill (H. R. 3139) for the relief of Abram Treadwell—to the Committee on Military Affairs.

Also, a bill (H. R. 3140) for the relief of Miles Holton—to the Committee on Military Affairs.

Also, a bill (H. R. 3141) for the relief of F. B. Matthews—to the Committee on Military Affairs.

Also, a bill (H. R. 3142) for the relief of George W. Thompson—to the Committee on Military Affairs.

By Mr. HOUK of Tennessee: A bill (H. R. 3143) for the relief of Thomas L. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3144) for the relief of John L. Rhea, executor of Samuel Rhea, deceased, and Joseph R. Anderson—to the Committee on Claims.

Also, a bill (H. R. 3145) for the relief of Milton Shootman—to the Committee on Military Affairs.

Also, a bill (H. R. 3146) for the relief of William E. Scott—to the Committee on War Claims.

Also, a bill (H. R. 3147) for the relief of the trustees of the Strawberry Plains Presbyterian Church, of Strawberry Plains, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3148) for the relief of the estate of George W. and Richard B. Cooper, deceased, late of Knox County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3149) for the relief of William Cecil—to the Committee on Military Affairs.

Also, a bill (H. R. 3150) for the relief of Robert Heiskell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3151) for the relief of the estate of Isaac Hull, deceased, late of Jefferson County, Tenn.—to the Committee on War Claims.

By Mr. HITT: A bill (H. R. 3152) for the relief of Beeri Serviss, Company K, Ninety-sixth Illinois—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3153) for the relief of John D. Waterman, late postmaster at Rockford, Ill.—to the Committee on the Post-Office and Post-Roads.

By Mr. HARTER: A bill (H. R. 3154) for the relief of Frank S. Sowers—to the Committee on War Claims.

By Mr. HAYNES: A bill (H. R. 3155) for the relief of Bernard Teague—to the Committee on Military Affairs.

By Mr. HOLMAN: A bill (H. R. 3156) to correct the military record of James Corridon, Fourth United States Infantry—to the Committee on Military Affairs.

By Mr. HOOKER of Mississippi: A bill (H. R. 3157) for the relief of Benjamin F. Jones—to the Committee on Claims.

Also, a bill (H. R. 3158) for the relief of R. H. Hoffman—to the Committee on War Claims.

By Mr. HOPKINS of Illinois: A bill (H. R. 3159) for the relief of Goff A. Hall—to the Committee on War Claims.

By Mr. HOAR (by request): A bill (H. R. 3160) for the relief of Francis S. Davidson—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 3161) to refer the claim of the owner of the brig Tally-Ho to the Court of Claims—to the Committee on Claims.

Also (by request), a bill (H. R. 3162) for the relief of Mary A. Myers, widow of George Myers—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 3163) granting a pension to Arra Van der Sinden—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 3164) granting a pension to Henry Schaper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3165) granting a pension to Orinda Leach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3166) granting a pension to William Daley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3167) restoring the pension of Sallie M. Swigart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3168) granting a pension to John Ashworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3169) granting a pension to Adam Mueller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3170) granting a pension to Sarah A. Noble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3171) granting a pension to Deitrick Metzgar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3172) granting a pension to George W. Bagley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3173) granting a pension to Henrietta Henne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3174) granting a pension to Milton G. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3175) for the relief of Fritz Horn—to the Committee on Military Affairs.

Also, a bill (H. R. 3176) for the relief of Enoch Davis—to the Committee on War Claims.

Also, a bill (H. R. 3177) for the relief of Frederick Bartemeyer—to the Committee on War Claims.

Also, a bill (H. R. 3178) for the relief of Fred. Daut & Co.—to the Committee on Claims.

Also, a bill (H. R. 3179) for the relief of James R. Wyrick—to the Committee on War Claims.

Also, a bill (H. R. 3180) for the relief of Barnard McNally—to the Committee on War Claims.

Also, a bill (H. R. 3181) for the relief of Mary Barron—to the Committee on War Claims.

Also, a bill (H. R. 3182) for the relief of Charles C. Baumann—to the Committee on War Claims.

Also, a bill (H. R. 3183) for the relief of H. C. Stolle and others—to the Committee on Claims.

Also, a bill (H. R. 3184) correcting the muster of Lieut. Gilman L. Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 3185) for the relief of B. F. Moody & Co. or their legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 3186) for the relief of Isiah H. Dunster—to the Committee on Military Affairs.

Also, a bill (H. R. 3187) directing the Secretary of War to amend the record of Robert Ward—to the Committee on Military Affairs.

Also, a bill (H. R. 3188) authorizing the Secretary of War to place the name of Hugh McClain on the roll of the First Regiment of Iowa Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 3189) for the relief of Nicholas Dunfee—to the Committee on Military Affairs.

Also, a bill (H. R. 3190) for the relief of Prentice Holmes—to the Committee on Military Affairs.

Also, a bill (H. R. 3191) for the relief of William H. N. Sutliff—to the Committee on Military Affairs.

Also, a bill (H. R. 3192) directing the Secretary of War to amend the record of William H. De Freest—to the Committee on Military Affairs.

Also, a bill (H. R. 3193) directing the Secretary of War to grant an honorable discharge to William M. Dalzell—to the Committee on Military Affairs.

Also, a bill (H. R. 3194) directing the Secretary of War to amend the record of John Danberman—to the Committee on Military Affairs.

Also, a bill (H. R. 3195) to grant William D. Pearne an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 3196) to correct the record of H. Lofland—to the Committee on Military Affairs.

By Mr. HEARD: A bill (H. R. 3197) for the relief of Joseph M. Pilkington—to the Committee on War Claims.

By Mr. McRAE (by request): A bill (H. R. 3198) for the relief of certain enlisted men of the First Battalion of the Fourth Regiment of Arkansas (Union) Cavalry or Mounted Infantry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 3199) to pension Margaret Turner—to the Committee on Pensions.

Also, a bill (H. R. 3200) to pension Lucretia Boyett—to the Committee on Pensions.

Also, a bill (H. R. 3201) to pension Adeline E. Bundy—to the Committee on Pensions.

Also, a bill (H. R. 3202) to pension Nancy E. Renfro—to the Committee on Pensions.

Also, a bill (H. R. 3203) to pension ——— Campbell—to the Committee on Pensions.

Also, a bill (H. R. 3204) to pension Lewis Lane—to the Committee on Pensions.

Also, a bill (H. R. 3205) for the relief of the estate of Thomas C. Monroe, deceased—to the Committee on Claims.

Also, a bill (H. R. 3206) for the permanent improvement of the Ouachita River in the States of Arkansas and Louisiana—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3207) making an appropriation for the benefit of the estate of William Moss, deceased.

By Mr. McCLELLAN: A bill (H. R. 3208) for the relief of Henry J. K. Brosius—to the Committee on Claims.

By Mr. McCREARY (by request): A bill (H. R. 3209) to increase the pension of George T. Shackelford—to the Committee on Invalid Pensions.

By Mr. McMILLIN: A bill (H. R. 3210) for the relief of Mrs. Jane M. Goodall, of Smith County, Tenn.—to the Committee on War Claims.

By Mr. McKEIGHAN: A bill (H. R. 3211) for the relief of Rev. M. M. Travis—to the Committee on Indian Affairs.

By Mr. McKINNEY: A bill (H. R. 3212) for the relief of Sarah C. Mitchell, widow of Richard T. Mitchell, deceased, late of Montgomery County, Md., for stores and supplies taken and used by the United States Army during the war for the suppression of the rebellion—to the Committee on War Claims.

Also, a bill (H. R. 3213) for the relief of Mary H. Noonan, of Jersey City, N. J., for the allowance of a certain claim for rent and occupation of property taken by the military forces of the United States, as reported by the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 3214) for the relief of Loftin D. Allen, for the allowance of a certain claim for stores and supplies taken and used by the United States Army, as reported by the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 3215) for the relief of Henry C. Nichols, of Marshall County, Miss., for a claim for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, a bill (H. R. 3216) for the relief of John C. Bailey, administrator of Andrew Nichols, deceased, late of Marshall County, Miss., for stores and supplies taken and used by the United States

Army, as reported by the Court of Claims—to the Committee on War Claims.

Also, a bill H. R. 3217) for relief of Lewis Trone, of Washington County, Md., for stores and supplies, as reported by the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, a bill (H. R. 3218) for relief of C. M. Keedy and others, executors of J. J. Keedy, deceased, late of Washington County, Md., for a certain claim for stores and supplies, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act—to the Committee on War Claims.

Also, a bill (H. R. 3219) for the relief of R. A. Hurley, administrator of A. F. Hurley, being a claim for twenty-three head of cattle furnished to the Utah Volunteers, as reported by the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the Bowman act—to the Committee on War Claims.

Also, a bill (H. R. 3220) for the relief of Charles W. Shreve, for the rent and occupation of land in Montgomery County, Md., by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the Bowman act—to the Committee on War Claims.

Also, a bill (H. R. 3221) for the relief of Sarah L. Smith and Mary E. Smith, daughters and only heirs at law of Sarah G. Smith, deceased, late of Stafford County, Va., for stores and supplies taken by the military forces of the United States for their use—to the Committee on War Claims.

Also, a bill (H. R. 3222) for the relief of the Reformed Church of Sharpsburg, Washington County, Md., for the use and occupation of their building for hospital purposes during the war for the suppression of the rebellion and for property used in the care of the sick and wounded—to the Committee on War Claims.

Also, a bill (H. R. 3223) for the relief of Henry Schreider, administrator of Philip Shearer, of Montgomery County, Md.—to the Committee on War Claims.

Also, a bill (H. R. 3224) for the relief of John C. Bailey for stores and supplies taken from him by the military forces of the United States during the war for the suppression of the rebellion, as found by the Court of Claims—to the Committee on War Claims.

By Mr. MANSUR (by request): A bill (H. R. 3225) for the relief of Robert Proctor and Louis D. Cain—to the Committee on the Public Lands.

Also, a bill (H. R. 3226) for the relief of Jesse M. Blue—to the Committee on War Claims.

Also, a bill (H. R. 3227) to relieve William H. Fields from the charge of desertion—to the Committee on Military Affairs.

By Mr. MEYER: A bill (H. R. 3228) to authorize the Court of Claims to hear and determine the claim of the Citizens' Bank of Louisiana, etc.—to the Committee on War Claims.

Also, a bill (H. R. 3229) for the relief of the creditors of the Bank of Louisiana, in bankruptcy—to the Committee on War Claims.

Also, a bill (H. R. 3230) for the relief of the State National Bank of New Orleans, formerly Louisiana State Bank—to the Committee on Claims.

Also, a bill (H. R. 3231) for the relief of A. Cusimano & Co.—to the Committee on Ways and Means.

Also, a bill (H. R. 3232) for the relief of the estate of Hugh Montgomery—to the Committee on War Claims.

Also, a bill (H. R. 3233) to remove the charge of desertion against F. Pessica—to the Committee on Military Affairs.

Also, a bill (H. R. 3234) for the relief of Catherine M. Pritchard or her legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 3235) for the relief of William W. Handlin—to the Committee on War Claims.

Also, a bill (H. R. 3236) for the relief of the heirs of Maurice Grivot—to the Committee on War Claims.

Also, a bill (H. R. 3237) for the relief of the legal representative of the estate of William H. H. Brooks—to the Committee on War Claims.

Also, a bill (H. R. 3238) for the relief of certain heirs of the officers and crew of the United States light-house schooner Mignonette, lost near Brazos Santiago, Tex., in the storm of September 21, 1887—to the Committee on Claims.

Also, a bill (H. R. 3239) for the relief of Emilie L. Major or her legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 3240) for the relief of C. Augusta Urquhart or her legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 3241) for the relief of Cora A. Di Brazza or her legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 3242) for the relief of Eliza E. Phillips and others—to the Committee on War Claims.

Also, a bill (H. R. 3243) for the relief of the heirs of Pierre Sauve—to the Committee on War Claims.

Also, a bill (H. R. 3244) referring to the Court of Claims the claims for moneys paid as customs duties and as internal-revenue taxes on cigars imported from the island of Cuba by Francis A. Gonzales and by Francis A. Gonzales and Antonio Gonzales—to the Committee on Ways and Means.

Also, a bill (H. R. 3245) for the relief of Emilie L. Major—to the Committee on War Claims.

Also, a bill (H. R. 3246) for the relief of Mrs. Matilda M. Fairex, administratrix of Daniel Fairex, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3247) for the relief of G. P. Work's heirs—to the Committee on Claims.

Also, a bill (H. R. 3248) for the relief of John F. Kranz—to the Committee on Claims.

Also, a bill (H. R. 3249) for the relief of Alphonse Desmarc—to the Committee on War Claims.

By Mr. MARTIN: A bill (H. R. 3250) to increase the pension of Abel S. Chase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3251) to grant a pension to Reuben Fightner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3252) for the relief of Charles T. Brant—to the Committee on Claims.

Also, a bill (H. R. 3253) to increase the pension of William G. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3254) for the relief of Rufus Neal—to the Committee on War Claims.

By Mr. MEREDITH: A bill (H. R. 3255) for the relief of the residuary legatees of Mark Davis, deceased—to the Committee on War Claims.

By Mr. MEYER: A bill (H. R. 3256) for the relief of John Rhodes and wife—to the Committee on War Claims.

By Mr. KRIBBS: A bill (H. R. 3257) granting a pension to Harriet C. Gregg, widow of Gen. John I. Gregg, late of the United States Army, retired—to the Committee on Invalid Pensions.

By Mr. KEM: A bill (H. R. 3258) to grant Patrick Philben an honorable discharge—to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 3259) to remove the charge of desertion from the military record of Henry Maddox and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 3260) to place on the pension roll the name of Mrs. S. A. Fraley, of Newcombe, Ky.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3261) for the relief of Mrs. Kate C. Welsh, of Mount Sterling, Ky.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3262) for the relief of the soldiers of the Three Forks Battalion of Kentucky—to the Committee on Military Affairs.

By Mr. NEWBERRY: A bill (H. R. 3263) for the relief of E. A. Jennings—to the Committee on Military Affairs.

By Mr. OWENS: A bill (H. R. 3264) to remove the charge of desertion from the military record of Peter R. Eddy—to the Committee on Military Affairs.

Also, a bill (H. R. 3265) granting a pension to Henry J. Burkhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3266) to remove the charge of desertion from the military record of Stanton Maines—to the Committee on Military Affairs.

By Mr. O'DONNELL: A bill (H. R. 3267) directing the Secretary of War to issue an honorable discharge to Almond Hall—to the Committee on Military Affairs.

Also, a bill (H. H. 3268) granting an increase of pension to Amos D. Avery—to the Committee on Invalid Pensions.

By Mr. OATES: A bill (H. R. 3269) for the relief of the legal representatives of Robert Cornell White—to the Committee on War Claims.

Also (by request), a bill (H. R. 3270) for the relief of William J. Poitevent—to the Committee on War Claims.

Also (by request), a bill (H. R. 3271) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852—to the Committee on War Claims.

Also, a bill (H. R. 3272) for the relief of Mrs. R. D. Smith—to the Committee on War Claims.

By Mr. PATTERSON of Tennessee: A bill (H. R. 3273) for the relief of Mary E. Mette, administratrix of H. H. Mette, deceased, of Memphis, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3274) for the relief of James M. Flinn, of Shelby County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3275) for the relief of J. B. Blackwell, administrator of Harvey S. Williams, deceased, of Shelby County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3276) for the relief of Thomas S. Galloway, administrator of Darling Allen, deceased, of Fayette County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3277) for the relief of J. and J. Steal, of Shelby County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3278) for the relief of Mrs. Ann Kannell, administratrix of John Kannell, deceased, late of Shelby County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3279) for the relief of Lucy E. Dowdy, of Fayette County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3280) for the relief of I. A. Beaumont, administrator of Claiborn Deloach, of Memphis, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 3281) for the relief of T. D. Thurman, administrator of John G. Thurman, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3282) for the relief of Mrs. Fredonia Knight, administratrix of Joseph T. Knight, deceased, of Hardeman County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3283) for the relief of Robert Tally, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3284) for the relief of William G. Provine, admistrator of James M. Provine, deceased, of Memphis, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3285) for the relief of Wilkin Thomas, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3286) for the relief of estate of Jane Newell—to the Committee on War Claims.

Also, a bill (H. R. 3287) for the relief of the estate of James C. Anderson, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3288) for the relief of A. M. Applewhite, administrator of A. J. Newsom, deceased, of Collierville, Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3289) for the relief of estate of George W. Reeves, deceased, late of Fayette County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3290) for the relief of J. W. Simmons, of Fayette County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3291) for the relief of Eliza A. Swift, of Fayette County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3292) for the relief of Mrs. W. A. Scott, of Hardeman County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3293) for the relief of the estate of Julius Walker, deceased, of Memphis, Shelby County, Tenn.—to the Committee on War Claims.

By Mr. PARRETT: A bill (H. R. 3294) to pension Henry Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3295) to increase the pension of Jacob Underwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3296) to pension Samuel F. Tennant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3297) for the relief of John G. Eigenman and John Biedenkopf—to the Committee on Claims.

Also, a bill (H. R. 3298) granting a pension to Barbara Schreiner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3299) granting a pension to Oliver R. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3300) for the relief of Green B. Parrett—to the Committee on War Claims.

Also, a bill (H. R. 3301) granting a pension to Rebecca J. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3302) to pension Christian Pfeifer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3303) for the relief of Elisha Madden—to the Committee on War Claims.

Also, a bill (H. R. 3304) for the relief of August Dupont—to the Committee on Military Affairs.

Also, a bill (H. R. 3305) for the relief of Merriman Thompson—to the Committee on War Claims.

Also, a bill (H. R. 3306) to remove the charge of desertion from the military record of Larkin T. Robinson—to the Committee on Military Affairs.

Also, a bill (H. R. 3307) granting a pension to George V. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3308) granting a pension to Benjamin F. Coy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3309) for the relief of Henry Gumberts, sr.—to the Committee on War Claims.

By Mr. PATTON: A bill (H. R. 3310) for the relief of Jerome H. Biddle—to the Committee on Military Affairs.

Also, a bill (H. R. 3311) granting a pension to Michael Costello—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 3312) for the relief of W. H. Ward—to the Committee on Claims.

Also, a bill (H. R. 3313) for the relief of James D. Hopkins—to the Committee on Military Affairs.

Also, a bill (H. R. 3314) for the relief of Francis W. Osterhout, late of Company F, Sixteenth United States Infantry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 3315) for the relief of Reuben R. Weed, late first lieutenant Company A, One hundred and fourth New York Infantry Volunteers—to the Committee on Military Affairs.

By Mr. POWERS: A bill (H. R. 3316) granting a pension to Emma J. Furniss—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 3317) for the relief of Susan McCluskey—to the Committee on Invalid Pensions.

By Mr. PEEL: A bill (H. R. 3318) for the relief of Joseph W. Parish—to the Committee on Claims.

Also, a bill (H. R. 3319) for the relief of John Harper—to the Committee on War Claims.

Also, a bill (H. R. 3320) to grant a pension to James H. Murphy, as recruiting officer—to the Committee on Invalid Pensions.

By Mr. QUACKENBUSH: A bill (H. R. 3321) granting a pension to Capt. Joseph Egolf, late of Second New York Infantry Volunteers and One hundred and twenty-fifth New York Volunteers—to the Committee on Invalid Pensions.

By Mr. RUSK: A bill (H. R. 3322) for the relief of Patrick H. Philbin—to the Committee on Naval Affairs.

By Mr. REILLY: A bill (H. R. 3323) for the relief of Daniel Woodson and of the estate of Ely Moore—to the Committee on Claims.

By Mr. RAY: A bill (H. R. 3324) for the relief of Emeline L. Landers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3325) for the relief of Charles A. Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3326) for the relief of Sarah A. Walsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3327) for the relief of Emeline E. Graves, widow of James F. Graves—to the Committee on War Claims.

Also, a bill (H. R. 3328) for the relief of John E. Stebbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3329) for the relief of James E. Mosher—to the Committee on Invalid Pensions.

By Mr. RAINES: A bill (H. R. 3330) to incorporate the Washington Northeastern Street Railway Company—to the Committee on the District of Columbia.

By Mr. RAYNER: A bill (H. R. 3331) for the relief of the legal representatives of A. F. Dulin, deceased, late of Baltimore, Md.—to the Committee on War Claims.

Also, a bill (H. R. 3332) for the relief of Mary R. Koehl, an imbecile daughter of Frederica M. Koehl, mother of Edward W. Koehl, second assistant engineer, United States Navy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3333) for the relief of the heirs of Edmund Wolf—to the Committee on War Claims.

Also, a bill (H. R. 3334) for the relief of Mrs. Sarah H. Wood—to the Committee on War Claims.

Also, a bill (H. R. 3335) for the relief of the legal representatives of John Clemson and John C. Cookson—to the Committee on War Claims.

Also, a bill (H. R. 3336) granting a pension to Katesbury R. Warrington—to the Committee on Pensions.

Also, a bill (H. R. 3337) referring the claim of Mitchell B. Baer and Herman Grau to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 3338) for the relief of James Hooper—to the Committee on Claims.

Also, a bill (H. R. 3339) for the relief of Wilbur F. Mathews—to the Committee on War Claims.

Also, a bill (H. R. 3340) to pay a pension to Martha P. E. Kenly—to the Committee on Pensions.

Also, a bill (H. R. 3341) for the relief of Jacob I. Cohen, etc.—to the Committee on Claims.

By Mr. RICHARDSON: A bill (H. R. 3342) for the relief of J. J. McCowan, of Lincoln County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3343) for the relief of W. H. Bryan, of Gibson County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

By Mr. ROBERTSON: A bill (H. R. 3344) for the relief of Alberie Duplantier, of East Baton Rouge, La., for stores and sup-

plies taken from him by the military forces of the United States for their use during the war for the suppression of the rebellion—to the Committee on War Claims.

Also, a bill (H. R. 3345) for the relief of the heirs of Mrs. B. W. F. Chevis—to the Committee on War Claims.

Also, a bill (H. R. 3346) for the relief of the heirs of Mrs. Hermina Martel, wife of B. Martel, of St. Laudry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 3347) for the relief of W. R. Wimbish, of West Feliciana, La., for stores and supplies taken from him by the military forces of the United States during the war for the suppression of the rebellion—to the Committee on War Claims.

Also, a bill (H. R. 3348) for the relief of Belote Auguste Donato—to the Committee on War Claims.

Also, a bill (H. R. 3349) for the relief of the estate of Hilliare Paillett—to the Committee on War Claims.

Also, a bill (H. R. 3350) to confirm to the heirs of Mrs. Courtney Ann Claiborne the title to a certain tract of land in the State of Louisiana—to the Committee on Private Land Claims.

Also, a bill (H. R. 3351) for the relief of Bertrand and Gaudin Cazes—to the Committee on War Claims.

Also, a bill (H. R. 3352) for the relief of Mrs. Margaret T. Dugan, or her heir, for property taken by the Government during the rebellion—to the Committee on War Claims.

By Mr. SCOTT: A bill (H. R. 3353) for the relief of John Sullivan—to the Committee on War Claims.

Also, a bill (H. R. 3354) to relieve Norman B. Roberts from the record of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 3355) to relieve William H. Rodgers from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 3356) for the relief of Benjamin J. Kilbourn—to the Committee on War Claims.

By Mr. STEPHENSON: A bill (H. R. 3357) for the relief of Dr. H. C. Farrand—to the Committee on Claims.

Also, a bill (H. R. 3358) for the relief of Lorenzo D. Harvey—to the Committee on Claims.

Also, a bill (H. R. 3359) for the relief of John McCrudden—to the Committee on Military Affairs.

By Mr. STORER (by request): A bill (H. R. 3360) for the relief of Eliza C. C. Arnin—to the Committee on Claims.

By Mr. SNODGRASS (by request): A bill (H. R. 3361) for the relief of the estate of Isaac Easterly, deceased, late of Grundy County, Tenn.—to the Committee on War Claims.

By Mr. STEWARD of Illinois: A bill (H. R. 3362) for the relief of John Donnelly—to the Committee on Military Affairs.

Also, a bill (H. R. 3363) for the relief of Jacob A. Henry—to the Committee on Claims.

By Mr. SMITH of Illinois: A bill (H. R. 3364) for the relief of John Heberer—to the Committee on War Claims.

Also, a bill (H. R. 3365) for the relief of the administrator of the estate of Phebe Leibarger, deceased, widow of Jacob Leibarger, late of Company H, Twenty-seventh Regiment of Illinois Volunteers, in the war of the rebellion—to the Committee on Invalid Pensions.

By Mr. WILLIAM A. STONE: A bill (H. R. 3366) for the relief of Martha W. Holmes—to the Committee on War Claims.

By Mr. CHARLES W. STONE: A bill (H. R. 3367) for the relief of C. H. Raymond—to the Committee on Claims.

By Mr. SAYERS: A bill (H. R. 3368) for the relief of the heirs and legal representatives of Matthew Allison, deceased—to the Committee on War Claims.

By Mr. STUMP: A bill (H. R. 3369) for the relief of the legal representatives of Henry W. Freedley, late major in the United States Army—to the Committee on Military Affairs.

By Mr. STOUT: A bill (H. R. 3370) to amend the military record of John M. Barlow, deceased, late of Company F, First Michigan Engineer and Mechanics' Volunteers—to the Committee on Military Affairs.

By Mr. SIMPSON: A bill (H. R. 3371) granting to Sergt. Thomas O. Harter, Company I, First Indiana Cavalry, $10,000 and a gold medal, for losses and services which, in July and August, 1862, saved Pope's army and the nation's capital from capture by Lee's army—to the Committee on War Claims.

By Mr. TOWNSEND: A bill (H. R. 3372) for the relief of M. D. Crow—to the Committee on Claims.

Also, a bill (H. R. 3373) for the relief of David M. Watson—to the Committee on War Claims.

By Mr. TRACEY: A bill (H. R. 3374) for the relief of John V. Behan, administrator—to the Committee on War Claims.

By Mr. TERRY (by request): A bill (H. R. 3375) for the relief of the Little Lock and Memphis Railroad Company—to the Committee on War Claims.

Also, a bill (H. R. 3376) for the relief of Jacob W. Parker—to the Committee on the Public Lands.

Also (by request), a bill (H. R. 3377) for the relief of the estate of Charles Labill—to the Committee on War Claims.

Also, a bill (H. R. 3378) for the relief of Samuel Evans—to the Committee on War Claims.

Also, a bill (H. R. 3379) for relief of estate of Joshua Hill—to the Committee on War Claims.

Also, a bill (H. R. 3380) to authorize the trustees of Trinity Church, Hot Springs, Ark., to purchase certain lots—to the Committee on the Public Lands.

Also (by request), a bill (H. R. 3381) for the relief of John A. McDaniel, of Pulaski County, Ark.—to the Committee on War Claims.

Also (by request), a bill (H. R. 3382) for the relief of A. C. Kerr, of Patterson Bluffs, Logan County, Ark.—to the Committee on War Claims.

Also (by request), a bill (H. R. 3383) for the relief of Elvy Brewer, of Saline County, Ark.—to the Committee on War Claims.

By Mr. TAYLOR of Illinois: A bill (H. R. 3384) to recognize Louis Semmler as of United States Veteran Volunteer Engineers—to the Committee on Military Affairs.

Also, a bill (H. R. 3385) granting a pension to Edmund C. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3386) for the relief of Patrick Gavin—to the Committee on Military Affairs.

Also, a bill (H. R. 3387) for the relief of Dearborn Foundry Company, of Chicago, Ill.—to the Committee on Claims.

Also, a bill (H. R. 3388) to recognize Elias J. Beymer as an enrolling officer and for the relief of his widow and minor children—to the Committee on Invalid Pensions.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 3389) for the relief of J. Stephen Wilcoxen—to the Committee on War Claims.

Also, a bill (H. R. 3390) for the relief of Capt. E. Y. Gaines, Company E, Ninety-first Indiana Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 3391) granting a pension to George E. Littleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3392) for the relief of John Kirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3393) to remove charge of desertion in the case of Oliver Armsey—to the Committee on Military Affairs.

Also, a bill (H. R. 3394) for the relief of C. C. Taggart—to the Committee on War Claims.

Also, a bill (H. R. 3395) granting a pension to Zach Burris—to the Committee on Pensions.

Also, a bill (H. R. 3396) for the relief of Francis Hammond—to the Committee on War Claims.

Also, a bill (H. R. 3397) for the relief of William Welsh—to the Committee on Military Affairs.

Also, a bill (H. R. 3398) for the relief of Mathew S. Priest—to the Committee on War Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 3399) granting a pension to Alfred T. Moreland, of Johnson County, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3400) for the relief of Isaac H. Deihl—to the Committee on War Claims.

Also, a bill (H. R. 3401) granting a pension to Catherine Vaughn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3402) granting a pension to Eveline Campbell, Company I, Eighth Tennessee Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3403) for the relief of George Jackson, of Grainger County, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 3404) for the relief of A. S. Johnson, administrator of Thomas Johnson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3405) for the relief of George T. Larkin—to the Committee on Claims.

Also, a bill (H. R. 3406) for the relief of Robert Stone—to the Committee on War Claims.

Also, a bill (H. R. 3407) for the relief of James Allen—to the Committee on War Claims.

Also, a bill (H. R. 3408) for the relief of Elizabeth Burke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3409) granting a pension to Eliza Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3410) for the relief of Col. S. K. N. Patton—to the Committee on War Claims.

Also, a bill (H. R. 3411) for the relief of Nelson McLaughlin—to the Committee on War Claims.

Also, a bill (H. R. 3412) granting a pension to Samuel Cloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3413) for the relief of John M. Holt—to the Committee on War Claims.

Also, a bill (H. R. 3414) for the relief of Jesse P. Hartman—to the Committee on War Claims.

Also, a bill (H. R. 3415) for the relief of William M. Henry—to the Committee on War Claims.

Also, a bill (H. R. 3416) for the relief of Samuel Hicks—to the Committee on War Claims.

Also, a bill (H. R. 3417) for the relief of Lewis White—to the Committee on War Claims.

Also, a bill (H. R. 3418) for the relief of Andrew C. Fondren, of Washington County, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 3419) for the relief of the estate of S. K. N. Patton, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 3420) for the relief of J. W. Divine, administrator of J. G. Newlee—to the Committee on War Claims.

Also, a bill (H. R. 3421) for the relief of J. E. Denny, of Hawkins County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3422) for the relief of the estate of Jane W. Cannon, deceased—to the Committee on War Claims.

By Mr. EZRA B. TAYLOR: A bill (H. R. 3423) granting a pension to Emelia A. Yeomans, of Warren, Ohio—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 3424) for the relief of William R. Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 3425) granting a pension to Margaret Mathes, widow of William Mathes, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3426) for the relief of Solomon S. Crosswhite—to the Committee on Military Affairs.

Also, a bill (H. R. 3427) for the relief of Charles M. Gourley, of Tennessee—to the Committee on Military Affairs.

Also, a bill (H. R. 3428) for the relief of John K. Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 3429) to amend the military record of certain enlisted men of the war of the rebellion named therein, and for other purposes—to the Committee on Military Affairs.

By Mr. WHEELER of Alabama: A bill (H. R. 3430) to grant a pension to Susan Bryant—to the Committee on Pensions.

Also, a bill (H. R. 3431) to grant a pension to Green D. Yealock—to the Committee on Pensions.

Also, a bill (H. R. 3432) to grant a pension to Augustus D. Gunter—to the Committee on Pensions.

Also, a bill (H. R. 3433) to grant a pension to Thomas Stewart—to the Committee on Pensions.

Also, a bill (H. R. 3434) to grant a pension to Samuel G. Briggs—to the Committee on Pensions.

Also, a bill (H. R. 3435) to grant a pension to William S. Allin—to the Committee on Pensions.

Also, a bill (H. R. 3436) to grant a pension to John Caulfield—to the Committee on Pensions.

Also, a bill (H. R. 3437) to grant a pension to Jesse Nelson—to the Committee on Pensions.

Also, a bill (H. R. 3438) to grant a pension to James Daniel—to the Committee on Pensions.

Also, a bill (H. R. 3439) to grant a pension to Green D. Yealock—to the Committee on Pensions.

Also, a bill (H. R. 3440) to grant a pension to William S. Allin—to the Committee on Pensions.

Also, a bill (H. R. 3441) to grant a pension to Hyram Peters—to the Committee on Pensions.

Also, a bill (H. R. 3442) to grant a pension to Jesse Edwards—to the Committee on Pensions.

Also, a bill (H. R. 3443) to grant a pension to James G. Caperton—to the Committee on Pensions.

Also, a bill (H. R. 3444) to grant a pension to James M. Kirk—to the Committee on Pensions.

Also, a bill (H. R. 3445) to grant a pension to John Thompson—to the Committee on Pensions.

Also, a bill (H. R. 3446) to pension Nancy E. Renfro—to the Committee on Pensions.

Also, a bill (H. R. 3447) to pension William Boss—to the Committee on Pensions.

Also, a bill (H. R. 3448) granting a pension to Henry B. Greer—to the Committee on Pensions.

Also, a bill (H. R. 3449) granting a pension to Mrs. Susannah Hughes—to the Committee on Pensions.

Also, a bill (H. R. 3450) granting a pension to Mrs. Rebecca Livingston—to the Committee on Pensions.

Also, a bill (H. R. 3451) granting a pension to Henry B. Green—to the Committee on Pensions.

Also, a bill (H. R. 3452) granting a pension to Mrs. Eliza Jane Rogers—to the Committee on Pensions.

Also, a bill (H. R. 3453) granting a pension to George W. Humphries—to the Committee on Pensions.

Also, a bill (H. R. 3454) granting a pension to Mrs. Talitha Oliver—to the Committee on Pensions.

Also a bill (H. R. 3455) granting a pension to Mrs. Lettice Taylor—to the Committee on Pensions.

Also, a bill (H. R. 3456) for the relief of Benjamin J. Marion—to the Committee on Pensions.

Also, a bill (H. R. 3457) for the relief of Annie Grimes—to the Committee on Pensions.

Also, a bill (H. R. 3458) for the relief of Mrs. Mary L. Clemens—to the Committee on Pensions.

Also, a bill (H. R. 3459) for the relief of John C. Nance—to the Committee on Pensions.

Also, a bill (H. R. 3460) for the relief of Joseph Thibeaud—to the Committee on Pensions.

Also, a bill (H. R. 3461) for the relief of Cornelius Holder—to the Committee on Pensions.

Also, a bill (H. R. 3462) for the relief of A. J. Weatherford—to the Committee on Pensions.

Also, a bill (H. R. 3463) for the relief of Aaron Wilhite—to the Committee on Military Affairs.

Also, a bill (H. R. 3464) for the relief of Anderson Wilhite—to the Committee on Military Affairs.

Also, a bill (H. R. 3465) for the relief of Dr. James W. Stewart—to the Committee on War Claims.

Also, a bill (H. R. 3466) for the relief of David Wilbanks—to the Committee on Military Affairs.

Also, a bill (H. R. 3467) for the relief of William G. Tidwell—to the Committee on Military Affairs.

Also, a bill (H. R. 3468) for the relief of James L. Northcut—to the Committee on Military Affairs.

Also, a bill (H. R. 3469) for the relief of Henry Jackson—to the Committee on Military Affairs.

Also, a bill (H. R. 3470) for the relief of Peter Crenshaw—to the Committee on Military Affairs.

Also, a bill (H. R. 3471) for the relief of Charles A. Hall—to the Committee on the Public Lands.

Also, a bill (H. R. 3472) for the relief of John T. Green—to the Committee on Appropriations.

Also, a bill (H. R. 3473) for the relief of Arthur H. Keller—to the Committee on Appropriations.

Also, a bill (H. R. 3474) for the relief of Thomas W. White—to the Committee on Claims.

Also, a bill (H. R. 3475) for the relief of John J. Brown—to the Committee on Claims.

Also, a bill (H. R. 3476) to correct the record of Milligan Fossett—to the Committee on Military Affairs.

Also, a bill (H. R. 3477) for the relief of Rev. E. J. Stockton, a soldier of the Florida war—to the Committee on Claims.

Also, a bill (H. R. 3478) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased—to the Committee on Claims.

Also, a bill (H. R. 3479) to remove the charge of desertion from the record of John W. Dickson—to the Committee on Military Affairs.

Also, a bill (H. R. 3480) to remove charge of desertion from Jackson Burlison—to the Committee on Military Affairs.

Also, a bill (H. R. 3481) for removal of charge of desertion from Anderson Malone—to the Committee on Military Affairs.

Also, a bill (H. R. 3482) to correct the military record of James McGee—to the Committee on Military Affairs.

Also, a bill (H. R. 3483) to correct the record of John Andrew Reid—to the Committee on Military Affairs.

Also, a bill (H. R. 3484) to change the military record of James Oliver—to the Committee on Military Affairs.

Also, a bill (H. R. 3485) to change the military record of Lieut. George B. McFaul—to the Committee on Military Affairs.

Also, a bill (H. R. 3486) to appropriate $500 to pay balance of rent of court building in Huntsville, Ala., for the year 1888—to the Committee on Claims.

Also, a bill (H. R. 3487) to correct an error made by the register and receiver of the land office at Huntsville, Ala.—to the Committee on the Public Lands.

Also, a bill (H. R. 3488) to grant to the Birmingham, Sheffield and Tennessee River Railway Company a right of way over the public lands traversed by it—to the Committee on the Public Lands.

Also, a bill (H. R. 3489) for the improvement of the Tennessee River—to the Committee on Military Affairs.

Also, a bill (H. R. 3490) for the relief of the heirs of William Farmer and Jeremiah Farmer—to the Committee on Pensions.

By Mr. WILSON of Washington: A bill (H. R. 3491) for the relief of the heirs of the late Mrs. Catherine P. Culver—to the Committee on Claims.

Also, a bill (H. R. 3492) for the relief of Robert Williams, sergeant of ordnance, United States Army—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: A bill (H. R. 3493) to increase the pension of James M. Blades—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3494) to increase the pension of Attalas Choisser—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Massachusetts: A bill (H. R. 3495) for the relief of the First National Bank, of Newton, Mass.—to the Committee on Claims.

By Mr. WISE: A bill (H. R. 3496) for the relief of A. S. Lee—to the Committee on War Claims.

Also, a bill (H. R. 3497) for the relief of John Dillord, of Goochland County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 3498) for the relief of William B. Grover, administrator of Emily J. Grover, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3499) for the relief of Mrs. C. N. Graves—to the Committee on War Claims.

Also, a bill (H. R. 3500) for the relief of John Bowers, of Henrico County, Va.—to the Committee on War Claims.

Also, a bill (H. R 3501) for the relief of W. H. Wesson—to the Committee on War Claims.

By Mr. WINN: A bill (H. R. 3502) for the relief of G. D. Mullins—to the Committee on War Claims.

Also, a bill (H. R. 3503) for the relief of Albert Moseley—to the Committee on War Claims.

Also, a bill (H. R. 3504) for the relief of Wesley Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3505) for the relief of Benjamin F. Rogers—to the Committee on War Claims.

Also, a bill (H. R. 3506) for the relief of Robert McCutchen—to the Committee on War Claims.

Also, a bill (H. R. 3507(for the relief of George R. Mullins—to the Committee on Claims.

Also, a bill (H. R. 3508) for the relief of Nemiah Garrison, assignee of Moses Perkins—to the Committee on War Claims.

By Mr. WARWICK (by request): A bill (H. R. 3509) for the relief of the legal representatives of John H. Jones and Thomas D. Harris—to the Committee on War Claims.

Also, a bill (H. R. 3510) for the relief of Charlotte Betz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3511) to increase the pension of Jeremiah Myers—to the Committee on Invalid Pensions.

By Mr. YOUMANS: A bill (H. R. 3512) for the removal of the charge of desertion from the record of William H. Heart—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk and referred as follows:

By Mr. BAKER: Three petitions from citizens of the Sixth Congressional district of Kansas, against any appropriation by Congress for the Columbian Exposition unless the same be closed on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of certain citizens of Kansas, demanding such legislation as will place the "gunholder" on an equality with the "bondholder"—to the Committee on Coinage, Weights, and Measures.

By Mr. BANKHEAD: Petition of John B. Stedman, Malinda J. Scott, and another, of Walker County, Ala., for the reference of their claim to the Court of Claims; of Henry and Elijah J. Ferguson, heirs of James Ferguson, deceased, late of Townley, Walker County, Ala., of Albert and Thomas L. Hendon, of John W. and Columbus D. Gothing, of William Y. Norris, of Jonathan Sides, of Joseph C. Pike, of William C. Rovine, of Carter Scott, of Archibald Kecton, of James R. Townley, of Nathaniel Sanders, of Margaret Ann Barton, of Martha A. Fiske, of Cader Burton, of Joshua Blackwell, of William R. King, of Peter S. Burton, of Isham Guthery, jr., of Francis M. Cooner, of James M. Williams and heirs of Salina Williams, deceased, of James Smith, and of Jesse and James M. Kitchens, of the same place, for the same purpose—to the Committee on War Claims.

By Mr. BEEMAN: Petition of John E. Pearson, of Ludlow Post-Office, Scott County, Miss.; of Jesse M. Pearson, of the same county; of Mrs. Rachael R. McMullen, of Newton County, Miss., for reference of their claims to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. BERGEN: Petition of keeper and crew of Turtle Gut life-saving station, for increase of salaries—to the Committee on Interstate and Foreign Commerce.

By Mr. BLANCHARD: Memorial of Joseph A. Shakspeare, mayor of New Orleans, and others, asking an appropriation of $500,000 for the improvement of the harbor of New Orleans—to the Committee on Rivers and Harbors.

By Mr. BUTLER: Petition of citizens of Cerro Gordo County, Iowa, praying the passage of the Butterworth option bill—to the Committee on Agriculture.

Also, of citizens of the same county, for the passage of the lard bill—to the Committee on Agriculture.

By Mr. CALDWELL: Petition of Richard Atkinson for payment under lease—to the Committee on War Claims.

By Mr. CAMINETTI: Papers in the matter of the claim of the States of Oregon, California, and Nevada for moneys by them expended in the suppression of the rebellion—to the Committee on Claims.

Also, papers accompanying bill for the relief of Maurice G. Griffith—to the Committee on Claims.

Also, papers in claim of Calvin Gunn—to the Committee on Claims.

By Mr. COMPTON: Petition and papers accompanying bill for the relief of Rinaldo Johnson and Ann E. Johnson—to the Committee on War Claims.

By Mr. COVERT: Petition of Frank Rorke and others, for increase of salaries at life-saving stations—to the Committee on Interstate and Foreign Commerce.

Also, petition of Gilbert H. Seaman and others, of John H. Phillips and others, and of A. C. Penney and others, for the promotion of the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of F. Frederick Norton and others, for granting a loan to directors of Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. COX of Tennessee: Paper in the case of William F. Moore, against the United States; also paper in the case of George D. Gray against the United States; also paper in the case of W. J. Embrey, executor of John P. Burn; also paper in the case of John W. Alexander, administrator of the estate of James S. Williams against the United States—to the Committee on War Claims.

By Mr. CRAIN: Petition of citizens of Velasco, Tex., and of other citizens of Texas, asking for the passage of a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS: Papers accompanying the case of John Reegan—to the Committee on Invalid Pensions.

By Mr. DINGLEY: Memorial of National Association of Wool Manufacturers, against any change in wool and woolen schedule of the tariff act of 1890—to the Committee on Ways and Means.

By Mr. DURBOROW (by request): Resolutions for certain changes in spelling in certain cases—to the Committee on Education and Labor.

By Mr. ENGLISH: Petition of Nathaniel Tooker, of East Orange, N. J., for the adoption of the metric system in the customs service—to the Committee on Coinage, Weights, and Measures.

Also, petition of Mrs. J. S. Clark and others, representing the Calvary Church, Newark, N. J., asking for a loan to the Columbian Exposition on condition that said exposition be closed on the American Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. EVERETT: Petition of James M. Foster, Paulding County, Ga., for reference of his case to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of Daniel Lowry, sr., of Bartow County, Ga., praying that his war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. FITCH: Petition in the case of Edwin Gomez—to the Committee on War Claims.

By Mr. FUNSTON: Petition of citizens of Kansas and of certain citizens of Franklin County, Kans., for peace conference at the World's Fair—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Kansas, for the observance of the Sabbath at the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. GILLESPIE: Petition asking that the Columbian Exposition may be closed on Sunday—to the Select Committee on the Columbian Exposition.

Also, memorial of Nasario Gonzales, of La Cienega, county of Santa Fé, N. Mex., asking that a claim made by him against the United States be referred to the Court of Claims for adjudication for reasons given in his memorial; also proofs in support of said memorial—to the Committee on Claims.

By Mr. GREENLEAF: Petition and papers accompanying claim of John A. Field, for loss of barge City Belle—to the Committee on War Claims.

By Mr. HARMER: Petition of William F. Winstanley, for the removal of the charge of desertion—to the Committee on Military Affairs.

By Mr. HARTER: Petition of the Ohio Presbytery of the Reformed Presbyterian Church, held at Mansfield, Ohio, against the dishonor of the Sabbath day by opening the World's Fair on such day—to the Select Committee on the Columbian Exposition.

By Mr. HAYNES: Petition of Joseph Lambour and 137 other citizens of Ottawa County, Ohio, and of V. J. Emerick, mayor of the city of Toledo, and 18 others, asking for the passage of a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. HEARD: Petition of John W. Pilkington, to accompany bill praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. HERBERT: Papers accompanying a bill for the relief of the creditors of the Deposit Savings Association of Mobile, Ala.—to the Committee on War Claims.

Also, papers in the claim of the Mobile Marine Dock Company of Alabama—to the Committee on War Claims.

Also, petition of Asbury Herbert, of Montgomery, Ala., praying for the reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. HENDERSON of Illinois: Petition of A. W. Safford and 23 other citizens of Rock Falls, Ill., and representing the Congregational Church of that city, for aid to the Columbian Exposition, but upon the condition that it is not to be opened on the Lord's Day—to the Select Committee on the Columbian Exposition.

By Mr. HENDERSON of Iowa: Memorial of 143 patrons of the post-office at Hubbard, Iowa, in favor of giving fourth-class postmasters fair pay for good service—to the Committee on the Post-Office and Post-Roads.

By Mr. HERMANN: Memorial of citizens of Oregon, for improvement of the Alsea River in Oregon—to the Committee on Rivers and Harbors.

Also, petition from citizens of Tillamook County, Oregon, asking for improvement of navigation of Tillamook Bay—to the Committee on Rivers and Harbors.

Also, resolutions of Grange No. 18, of Farmer, Oregon, asking for further forfeitures of Northern Pacific Railroad lands in Oregon and Washington—to the Committee on the Public Lands.

By Mr. HOPKINS of Illinois: Petition of certain citizens of Kane, Kendall, and Du Page Counties, Ill., in favor of the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of certain citizens of the same counties, in favor of a bill defining options and futures—to the Committee on Agriculture.

By Mr. HOOKER of New York: Petition of Wells Cheeney, a dependent father, for a pension—to the Committee on Invalid Pensions.

By Mr. HOUK of Tennessee: Petition of C. J. and T. L. Gilson, of Knox County, Tenn., and of the estate of J. S. Moffett, deceased, for reference of their cases to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. JOSEPH: Memorial of the Board of Trade of Santa Fé, N. Mex., requesting Congress to repeal the act commonly known as the alien act—to the Committee on the Public Lands.

By Mr. KEM: Petition of Patrick Philben, for removal of the charge of desertion and for an honorable discharge—to the Committee on Military Affairs.

By Mr. LIVINGSTON: Petition of Thomas T. Tucker, Clayton County, Ga., for reference of his case to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. LONG: Petition of Grand Prairie Grange, No. 10; of Mono Grange, No. 25; of Milk Creek Grange, No. 91; of Siuslaw Grange, No. 54; of Corvallis Grange, No. 242; of Mohawk Grange, No. 147, Patrons of Husbandry, of the State of Oregon; of La Comas Grange, No. 74; of Mount Pleasant Grange, No. 197, Patrons of Husbandry, of the State of Washington; of San Antonio Grange, No. 256; of Arroyo Grande Grange, No. 74; of Tulare Grange, No. 198; of San José Grange, No. 10, and of North Butte Grange, No. 225, Patrons of Husbandry, of the State of California, for the relief of settlers on the Northern Pacific Railroad—to the Committee on the Public Lands.

By Mr. McCLELLAN: Petition of P. H. Rerrick, editor of the La Grange Standard, Indiana, praying that the decimal system be retained, but that it be modified so as to make it better adapted to our use than the French system—to the Committee on Education and Labor.

By Mr. McKAIG: Papers in the case of Grafton F. Smith, administrator of the estate of David Smith, deceased; also, petition of James S. Crawford, for relief; of D. H. Battie & Co., and Samuel Kramer, major Third Regiment Maryland Volunteers, in their claim against the United States Government; also, papers in the claim of Mrs. Ellen D. Jones, administratrix of Mrs. M. A. Doll, for property used while in occupation of the United States; also, petition of John Hammond, of Washington County, Md., praying reference of his war claim to the Court of Claims under the Bowman act; also, petition of James Hooper, of Maryland, and of J. A. Ramsburg, of the same State, for relief; also, petition of Elizabeth E. Tyson, for compensation for occupation of her land by troops of the United States, and for fences used as fuel; also, petition of Ezra Williard, for relief; also, petition of Daniel Witmer (90 years of age), for payment of war claim; also, petition of George Line, for relief; also, petition of John J. Myers, of Washington County, Md., praying that his war claim be referred to the Court of Claims under the provisions of the Bowman act; also, petition of Mrs. Martha J. Wroe, of Washington County, Md., for the same relief; also, papers accompanying the claim of Mrs. A. McDemitt—to the Committee on War Claims.

By Mr. McKINNEY: Petition of John Sharp, of West Virginia; of Moritz Lowenback and of Angeline Windsor, of Frederick, Md., praying that their claims for stores and supplies may be sent to the Court of Claims under the Bowman act—to the Committee on War Claims.

Also, petition and accompanying affidavits of Catherine Gerber, late widow of Frederick Koeler, Company A, Twenty-fourth Wisconsin Volunteers, praying that she may be restored to the pension rolls—to the Committee on Invalid Pensions.

By Mr. MARTIN: Letters from War Department from Lieut. J. B. Harris, C. B. Porter, and other matters, to accompany the bill (H. R. 1684) to correct the military record of Madison A. Thomas—to the Committee on Military Affairs.

Also, petition of Madison A. Thomas, Company G, Thirty-fourth Regiment Indiana Volunteers, for the correction of his military record—to the Committee on Military Affairs.

Also, letter from the War Department, to accompany bill (H. R. 1685) to correct the military record of Charles A. Larkin—to the Committee on Military Affairs.

Also, letter from the Secretary of War, to accompany the bill (H. R. 1691) for the relief of Elias D. Pierce—to the Committee on Military Affairs.

Also, papers and copies of affidavits, to accompany the bill (H. R. 1687) to correct the military record of Calvin Daniel, deceased—to the Committee on Military Affairs.

Also, petition and other papers to accompany the bill (H. R. 1692) to correct the military record of Peter Seibel, Company K, Twenty-seventh Regiment Indiana Volunteer Infantry—to the Committee on Military Affairs.

Also, statement of Wm. H. Sutton, to accompany the bill (H. R. 1682) to amend his pension certificate—to the Committee on Invalid Pensions.

By Mr. MEREDITH: Papers in the case of the heirs of Tilghman Weaver's heirs, and papers in the case of Benwood Hunter—to the Committee on War Claims.

By Mr. MITCHELL: Petition of Peter Fleming, in support of a bill to relieve him from the charge of desertion—to the Committee on Military Affairs.

By Mr. O'DONNELL: Petition of 85 members of the Methodist Episcopal Church of Tekonsha, Mich., praying that the World's Fair be closed on Sunday and that the sale of liquors be prohibited on the grounds; also, of 136 citizens of the same place, for the same purpose—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Boston, Mass.; of citizens of Ukiah, Mich., and of citizens of Auburndale, Mass., praying for the passage of a bill to revise and simplify the spelling of the English language—to the Committee on Education and Labor.

By Mr. O'NEILL of Pennsylvania: Petition of John O. Yerkes, late captain of Company H, Forty-second Pennsylvania Regiment, asking for an increase of pension—to the Committee on Invalid Pensions.

By Mr. PATTON: Documents in the case of Jerome H. Bedal, late private in Company K, Seventh Regiment Kentucky Cavalry—to the Committee on Military Affairs.

Also, documents in the case of Michael Costello, of construction corps, Department of the Tennessee—to the Committee on Invalid Pensions.

By Mr. PAYNE: Papers accompanying a bill for the relief of Francis W. Osterhout—to the Committee on Military Affairs.

Also, petitions of 110 vessel-owners and others; of 144 other vessel-owners and others, and 169 other vessel-owners and others, for construction of harbor of refuge at mouth of Salmon River, on Lake Ontario—to the Committee on Rivers and Harbors.

Also, petition of citizens of New Haven, Oswego County, N. Y., and of citizens of Granby, in the same county, for free delivery of mail matter throughout the United States—to the Committee on the Post-Office and Post-Roads.

Also, petition to accompany bill for the relief of James O. Hopkinton from the charge of desertion—to the Committee on Military Affairs.

Also, remonstrance of citizens of Wayne County, N. Y., against

opening the World's Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of the Methodist Episcopal Church of Clyde, N. Y., and of 449 citizens of Hannibal, Oswego County, N. Y., for the same purpose—to the Select Committee on the Columbian Exposition.

By Mr. PEEL: Memorial of trustees of Cane Hill College, Arkansas, asking compensation for college building destroyed by United States troops—to the Committee on War Claims.

Also, petition of Isaac F. Lychlyter, of Springdale, Ark., for a pension—to the Committee on Invalid Pensions.

Also, petition of Robert Lane, with affidavit, for a pension—to the Committee on Invalid Pensions.

Also, petition of Joseph Alexander, for restoration to rolls—to the Committee on Military Affairs.

Also, petition for the relief of members of Company B, First Arkansas Infantry—to the Committee on Military Affairs.

Also, petition and proof in support of bill for the relief of William Mills—to the Committee on Invalid Pensions.

By Mr. PENDLETON: Petition of W. J. W. Cowden, Rev. J. S. McClure, and others, to close the World's Fair on the Lord's Day—to the Select Committee on the Columbian Exposition.

By Mr. RAY: Petition of the citizens of Canastota, N. Y., and of Tioga County, N. Y., asking for international arbitration—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Chenango County, N. Y., and of citizens of Binghamton, N. Y., in regard to closing the World's Fair on Sunday and in regard to appropriations therefor—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of McDonough, N. Y.; of Union Grange, of the same county; of citizens of Chenango County, N. Y.; of citizens of Union, Broome County, N. Y.; of citizens of Pharsalia, N. Y., and of citizens of Colesville, Broome County, N. Y., for delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. RICHARDSON: Papers in the case of Lydia A. Magill, administratrix of the estate of John C. Magill—to the Committee on War Claims.

Also, petition for the relief of R. H. Hoffman—to the Committee on War Claims.

Also, petition of the estate of Samuel Smith, deceased, late of Franklin County, Tenn., for reference of case to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. RUSK: Resolution for the appointment of two special messengers—to the Committee on Accounts.

Also, for providing for the House document room certain indexes and books of reference—to the Committee on Accounts.

By Mr. SCOTT: Petition of certain citizens of Minier, Ill., and of certain citizens of Bloomington, Ill., for a conference of the governments of the world, to sit during the Columbian Exposition, for the purpose of discussing treaties for the arbitration of international difficulties—to the Select Committee on the Columbian Exposition.

By Mr. SNODGRASS: Petition of Young People's Society of Christian Endeavor of Chattanooga, Tenn., asking that the gates of the Columbian Exposition be closed on the Sabbath day—to the Select Committee on the Columbian Exposition.

By Mr. STONE of Kentucky: Papers in case of H. Wilhite; papers to accompany the bill for the relief of A. Gertrude Leftwich, widow of John W. Leftwich, deceased; papers in the case of Jane Linn; papers accompanying a bill for the relief of W. H. Slack & Co.; papers to accompany a bill for the relief of William B. Ennis; papers in the case of W. G. Groom; proof in the case of Anthony Koon; papers in the claim of L. F. Crider; papers accompanying bill for the relief of A. W. Pollard; papers to accompany a bill for the relief of William Hughes and others; papers in the claim of W. H. Vaughan; papers in the claim of Allard and C. W. Gier; papers in the case of Merritt Rose; papers in the case of Matilda Cook; papers in the case of William W. Hildreth on claim for quartermaster's stores; papers in the case of Hugh F. McNairy, executor of A. C. Thompson, deceased; papers to accompany bill for the relief of John N. Dorr, sr.; papers in the case of the estate of Francis M. Murray, deceased; papers accompanying a bill for the relief of Hugh M. Henson; papers in the case of the estate of James A. Gregory; papers and record evidence in the case of Samuel Fils against the United States; papers in the case of H. Corths; papers in the case of the estate of David B. Sanders, and papers in the case of John G. W. Brooks—to the Committee on War Claims.

Also, resolution calling for reports of Court of Claims in certain cases—to the Committee on War Claims.

By Mr. STORER: Petition of Spence Brothers and others, for an amendment to the tariff and tax bill of 1890—to the Committee on Ways and Means.

By Mr. EZRA B. TAYLOR: Petition of D. W. Hayward and other citizens of Ashtabula County, Ohio, for prevention of adulteration and imitation of dairy products—to the Committee on Agriculture.

Also, petition of the same persons, to prevent gambling in farm products—to the Committee on Agriculture.

Also, petition of 84 citizens of Ohio, praying for the enactment of a law of Congress subjecting oleomargine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. TARSNEY: Petition of Harriet Dixon, administratrix of Ebenezer Dixon, deceased, for allowance of claim for commissary supplies—to the Committee on Claims.

Also, petition of Irwin Malley, for reference of his claim for property taken during the war to the Court of Claims—to the Committee on War Claims.

By Mr. JOSEPH D. TAYLOR: Petition bearing signatures representing 1,377 persons of Columbiana County, Ohio, praying for the invitation of the governments of the world to sit during and in connection with the World's Fair for the purpose of devising, discussing, and recommending measures by which the principle of arbitration may be incorporated in treaties, conflicting international laws may be harmonized, and an international court established having jurisdiction in cases which governments shall fail to settle by negotiation—to the Select Committee on the Columbian Exposition.

Also, resolutions of the Ohio Sabbath Association, held at Zanesville, Ohio, relative to the World's Fair—to the Select Committee on the Columbian Exposition.

Also, petition of 475 persons, representing congregations at Yellow Creek, Grants Hill, and Bergholtz, Jefferson County, Ohio; of 400 persons, representing the United Presbyterian Congregation of Wellsville, Columbiana County, Ohio; of 100 persons, representing the Christian Church of Brilliant, Ohio; of 91 persons, representing the United Presbyterian Church of Knoxville, Jefferson County, Ohio; of 200 persons, representing the United Presbyterian Church of Londonderry, Ohio; of 47 persons, representing the United Presbyterian Church of Tippecanoe, Harrison County, Ohio; of 60 persons, representing the Reformed Presbyterian Church of Londonderry, Ohio; of 200 persons, representing the United Presbyterian Church of Antrim, Guernsey County, Ohio; of 160 persons of the United Presbyterian Congregation of Mount Perry, Ohio; of the Young People's Society of Christian Endeavor of Mount Pleasant, Ohio; of 230 persons, representing the United Presbyterian Church of Steubenville, Ohio; of 150 persons of the United Presbyterian Church of Cadiz, Ohio—to the Select Committee on the Columbian Exposition.

Also, petition of the board of managers of the National Temperance Society, officially signed, asking for the prohibition of the liquor traffic in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition signed by 137 citizens of Steubenville, Ohio, praying that Congress pass a law which will restrict, if not entirely prohibit, any further influx of ignorant and dangerous immigrants into the United States—to the Select Committee on Immigration and Naturalization.

By Mr. TOWNSEND: Protest of Denver Trades and Labor Assembly against army bands—to the Committee on Military Affairs.

By Mr. TURNER: Petition of 954 citizens of Georgia and Florida interested in the production of sea island cotton, for the removal of the duty on gins used in the preparation of said cotton for market—to the Committee on Ways and Means.

By Mr. WALKER: Petition of certain citizens of Massachusetts, for aid by Congress of the Columbian Exposition, provided the same is not opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WEADOCK: Petition for improvement of the National Park at Mackinac Island, Michigan—to the Committee on Public Buildings and Grounds.

By Mr. WIKE: Petition of William Lawler and other citizens of Fieldon, Jersey County, Ill., to prohibit dealing in options—to the Committee on Agriculture.

By Mr. WILLCOX: Petition of citizens of New York, New Haven, etc., for continuance of work on breakwater at New Haven—to the Committee on Rivers and Harbors.

Also, petition of Chamber of Commerce, of New Haven, Conn., relating to seacoast defenses at entrance of Long Island Sound—to the Committee on Military Affairs.

Also, petition of many citizens of Guilford County, and of citizens of Middlesex and New Haven Counties, Conn., for the free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

SENATE.

TUESDAY, *January 12, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioner of Indian Affairs relative to legalizing the records of the Indian Office and authorizing the use of a seal, together with the draft of a bill for that purpose; also a communication from the Assistant Attorney-General for the Interior Department recommending the adoption of the measure suggested; which, with the accompanying papers, were referred to the Committee on Indian Affairs, and ordered to be printed.

AGREEMENT WITH SHOSHONE AND ARAPAHO INDIANS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant, from the Secretary of the Interior, submitting the agreement entered into between the Shoshone and Arapaho Indians of the Shoshone or Wind River Reservation, in the State of Wyoming, and the commission appointed under the provisions of the Indian appropriation act of March 3, 1891, for the cession and relinquishment of a portion of their said reservation.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

PYRAMID LAKE RESERVATION LANDS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant, from the Secretary of the Interior, submitting the agreement entered into between the Indians of the Pyramid Lake Reservation and the commission appointed under the provisions of the Indian appropriation act of March 3, 1891, for the cession and relinquishment of the southern portion of their reservation in the State of Nevada.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

AGREEMENTS WITH KICKAPOO INDIANS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication of the 8th instant from the Secretary of the Interior, submitting the agreements concluded by and between the Cherokee Commission and the Kickapoo tribe of Indians in the Territory of Oklahoma for the cession of certain lands, and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented the petition of Rev. W. H. White and 9 other citizens of Stillwater, Minn., and the petition of J. M. Johnson and 12 other citizens of the United States, representing the Methodist Episcopal Church of Stillwater, Minn., praying for the passage of a bill loaning $5,000,000 to the directors of the World's Columbian Exposition, provided that the enactment granting such loan shall contain a guaranty that the Exposition will be closed to visitors on the Lord's day; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a resolution adopted by the Vessel Owners' and Captains' Association of Philadelphia, Pa., favoring the passage of a bill to transfer the Revenue Marine Service from the Treasury to the Navy Department; which was referred to the Committee on Naval Affairs.

Mr. SQUIRE. I present several petitions from the State of Washington representing that the settlers on the public lands within the limits of the Northern Pacific Railroad Company's grant are denied the benefit of the forfeiture act of September 29, 1890. The petitioners allege that this is done by a construction which, in effect, says the act does not forfeit all the lands opposite to and coterminous with the portion of such road not now constructed, although it says so in these exact terms. Wherefore the petitioners respectfully petition Congress to pass an act construing the forfeiture act according to its original and true intent to forfeit all the lands within the 40-mile boundary, and between the terminal limits drawn at right-angles with the general course of the unconstructed road for 25 miles next to such terminals. And for the benefit of these and other settlers under like hardship they also petition that an act be passed resuming and restoring to the public domain all lands opposite to and coterminous with those portions of any railroad line not constructed within the time or according to the terms of the law under which they are claimed.

I move that the petitions be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. QUAY presented a petition of Post 100, Grand Army of the Republic, Department of Pennsylvania, and the petition of William P. Morrison, of Newcastle, Pa., praying that William P. Morrison be granted a pension; which were referred to the Committee on Pensions.

Mr. TURPIE presented a petition of citizens of Jefferson County, Ind., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PEFFER presented a petition of sundry citizens of Johnson County, Kans., praying for the passage of what is known as "the option bill;" which was referred to the Committee on Agriculture and Forestry.

Mr. MITCHELL presented the petition of J. Altman, of Portland, Oregon, praying to be reimbursed for property taken by the United States during the war of the rebellion; which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. MANDERSON. On behalf of the special committee of both Houses, appointed under a concurrent resolution passed in the Fifty-first Congress, and for the Committee on Printing of the Senate, I report a bill providing for the public printing and binding and the distribution of public documents.

This bill is the result of a very great deal of investigation and labor by the special committee, and I ask that it be twice read by title and placed upon the Calendar, and I shall ask the Senate to take a very early day for the consideration of the bill. The report is not quite ready for publication, but I shall probably present it to-morrow.

I call the attention of Senators to the fact that in the report will be found very abundant and urgent reasons for the passage of the bill. The committee, in the performance of its duty, took a great deal of testimony, some three hundred printed pages; it called before it experts, officers of the Government having detailed knowledge of this matter, and explored the Departments as to their printing. I shall ask the consent of the Senate to present the report to-morrow or the next day. In the mean time I ask that the bill be placed upon the Calendar after a second reading.

The bill (S. 1549) providing for the public printing and binding and the distribution of public documents was read twice by its title.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. DOLPH, from the Committee on Coast Defenses, to whom was referred the bill (S. 1247) to make an appropriation for the purchase of sites for fortifications, reported it without amendment.

Mr. DOLPH. By direction of a majority of the Committee on Coast Defenses I am directed to report favorably, with amendments, the bill (S. 871) to provide for fortifications and other seacoast defenses.

Mr. BERRY. Mr. President, I desire to say, as a member of the Committee on Coast Defenses, that I did not agree with the report which has been made in favor of the bill just reported by the Senator from Oregon. The bill carries with it an appropriation of $123,000,000, that appropriation extending over a period of eleven years. In view of the fact that the revenues of the Government to-day are hardly sufficient to meet the ordinary expenditures, and in view of the further fact that there is almost a universal demand for relief from the excessive taxation that is now being levied, I, as one member of that committee, was not willing at this time to report in favor of a bill carrying such a large appropriation of money for coast defenses.

Mr. DOLPH. Mr. President, I desire to say a word in regard to the bill reported. The bill was amended in the committee so that, as reported, it provides for an appropriation of only $100,000,000, $10,000,000 of the amount to be available the first year, and $9,000,000 a year for ten years, making the total amount.

The bill adopts the plan reported by the Board on Fortifications and Other Defenses, for the fortification of twenty-seven of our principal seaports, where fortifications are most urgently needed. It adopts the plan in regard to coast defenses which has been adopted so successfully in reference to a few river and harbor improvements by the Committee on Commerce of the Senate and by Congress, of making a lump appropriation for a great public work.

The bill has received the approval of two successive Secretaries of War, of the Chief of Ordnance under two Administrations, of the Board of Engineers in the city of New York. It is the most economical proposition in regard to coast defenses that was ever put before Congress.

I undertake to say that, if we may judge by the reduction in the prices of work which has obtained in contracts made for certain river and harbor improvements under similar provisions in the last river and harbor act, the $100,000,000 provided in this bill will go as far as $150,000,000 appropriated in the ordinary manner. And I wish to say that the way Congress proceeds in providing for great public works, making an appropriation one year and failing to appropriate another, making inadequate appropriations, is wasteful and almost criminal on the part of those who have the disbursement of the people's money.

I now venture the prediction that if this bill does not pass—and I hardly hope it will; the committee reported it more with a view of bringing the matter to the attention of the Senate and of the country, and agitating the question of coast defenses and directing public attention to it than with the hope that it would pass as an independent measure—in twenty years Congress will appropriate $100,000,000 for coast defenses in an irregular and inadequate manner, which will be expended, and then $50,000,000 more will be required to do the work which would be done by this appropriation if made now to be available for eleven years.

I wish to say also that if any voter in the United States can not distinguish between a proposition to appropriate $100,000,000 in one year to be expended in a year, and a proposition to appropriate $100,000,000 to run through eleven years and to be distributed according to the necessities of the public work during that time, I care but very little about his opinion in regard to a public measure.

Mr. CHILTON. Mr. President, I was unable to be present at the meeting of the Coast Defense Committee at which this report was ordered, but I wish to say, without particularizing my objections at this time, that I concur with the Senator from Arkansas [Mr. BERRY] in his opposition to the report.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 79) for the erection of a public building at Tampa, Fla., reported it with an amendment, and submitted a report thereon.

Mr. STANFORD. I am instructed by the Committee on Public Buildings and Grounds to report favorably and without amendment the following bills, which were passed upon by the committee and by the Senate at the last Congress:

A bill (S. 237) for the erection of a public building at Waterbury, Conn.;

A bill (S. 1054) to provide for the construction of a public building at Hastings, Nebr.;

A bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.;

A bill (S. 303) to provide for the erection of a public building in the city of Mansfield, Ohio;

A bill (S. 197) providing for the erection of a public building at the city of Norfolk, Nebr.;

A bill (S. 94) to provide for the purchase of a site and the erection of a public building thereon at Jacksonville, in the State of Illinois;

A bill (S. 339) for the erection of a public building at Fergus Falls, Minn.;

A bill (S. 367) to provide for the purchase of a site and the erection of a public building thereon at Nashua, in the State of New Hampshire;

A bill (S. 1206) to provide for the purchase of a site and the erection of a public building thereon at Fresno, in the State of California (with a written report);

A bill (S. 304) to provide for the erection of a public building in the city of Zanesville, Ohio;

A bill (S. 377) to provide for the purchase of a site and the erection of a public building thereon, at Grand Haven, in the State of Michigan;

A bill (S. 1207) to provide for the purchase of a site and the erection of a public building thereon at Alameda, in the State of California (with a written report);

A bill (S. 436) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota;

A bill (S. 368) to provide for the purchase of a site and the erection of a public building thereon at Dover, in the State of New Hampshire;

A bill (S. 1212) to provide for the erection of a public building at San Diego, Cal. (with a written report);

A bill (S. 687) for the erection of a public building at Stillwater, Minn.;

A bill (S. 1214) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California (with a written report);

A bill (S. 534) to provide for the construction of a public building at Salem, Oregon;

A bill (S. 1215) for an extension of appropriation for the erection of a public building at Los Angeles, Cal. (with a written report);

A bill (S. 601) for the erection of a public building for a post-office and United States land office at the city of The Dalles, Oregon; and

A bill (S. 580) to provide a suitable site for a post-office in the city of Providence, R. I.

The VICE-PRESIDENT. The bills will be placed on the Calendar and the reports printed.

Mr. STANFORD also, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally with an amendment:

A bill (S. 55) for the erection of a public building at Virginia City, State of Nevada;

A bill (S. 56) for the erection of a public building at Reno, State of Nevada; and

A bill (S. 591) to provide for the erection of a public building in the city of Grand Forks, N. Dak.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments:

A bill (S. 1270) to provide for the purchase of a site and the erection of a public building thereon at Kansas City, in the State of Kansas;

A bill (S. 1045) to provide for the purchase of a site and the erection of a public building thereon at Leadville, in the State of Colorado; and

A bill (S. 592) to provide for the erection of a public building in the city of Bismarck, N. Dak.

BILLS INTRODUCED.

Mr. WILSON introduced a bill (S. 1550) to construct a public building at Oskaloosa, Iowa, and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also (by request) introduced a bill (S. 1551) to amend section 707 of the Revised Statutes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. QUAY introduced a bill (S. 1552) granting a pension to William P. Morrison; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1553) granting an increase of pension to George C. Smith; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1554) granting an increase of pension to Eugene Hyatt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 1555) for the relief of Mrs. Sarah H. Wood; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 1556) for the benefit of Logan and Simpson Counties and of Louisville, Ky., and of Sumner and Davidson Counties, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1557) for the relief of the estate of Mary H. S. Robertson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1558) to remit the penalties on the dynamite-gun cruiser Vesuvius; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. WHITE (by request) introduced a bill (S. 1559) for the relief of Alberie Duplantier, of East Baton Rouge, La., for stores and supplies taken from him by the military forces of the United States for their use during the war for the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1560) for the relief of W. R. Wimbish, of West Feliciana, La., for stores and supplies taken from him by the military forces of the United States during the war for the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1561) for the relief of the heirs of Hermina Martel, wife of B. Martel, of St. Landry Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1562) for the relief of the heirs of Mrs. B. W. F. Chevis; which was read twice by its title, and referred to the Committee on Claims.

Mr. STOCKBRIDGE introduced a bill (S. 1563) providing for the erection of a public building at the city of Battle Creek, Mich.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. GORMAN introduced a bill (S. 1564) for the relief of Pat-

rick H. Philbin; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PETTIGREW introduced a bill (S. 1565) for the relief of the heirs of D. Fulford; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1566) granting an increase of pension to Michael Ackerman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1567) granting an increase of pension to David S. Clark; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1568) to remove the charge of desertion from William H. H. Cook; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1569) granting an increase of pension to Thomas B. Davis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES of Arkansas introduced a bill (S. 1570) for the erection of a public building at Pine Bluff, Ark.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. COLQUITT (by request) introduced a bill (S. 1571) to regulate liquor licenses in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PADDOCK introduced a bill (S. 1572) granting an increase of pension to H. Cook Griffith; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1573) granting a pension to Kate A. S. Connor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1574) to provide for the purchase of a site and the erection of a public building thereon at Grand Island, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MANDERSON introduced a bill (S. 1575) providing for the erection of a public building at the city of Plattsmouth, Nebr., and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1576) providing for the erection of a public building at the city of Norfolk, Nebr.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CHILTON introduced a bill (S. 1577) for the relief of Mrs. Emma M. Moore; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a joint resolution (S. R. 27) providing that the statute of limitations shall not be interposed as a defense by the United States in the Court of Claims in suits wherein laborers, workmen, and mechanics are seeking to recover for wages due; which was read twice by its title.

Mr. PERKINS. I am not certain whether the joint resolution should be referred to the Committee on the Judiciary or the Committee on Claims.

The VICE-PRESIDENT. It will be referred to the Committee on the Judiciary, in the absence of objection.

Mr. STEWART introduced a joint resolution (S. R. 28) providing for the preparation, printing, and distribution of a law subject catalogue of the books in the United States Supreme Court law library; which was read twice by its title, and referred to the Committee on Printing.

SUPPRESSION OF AFRICAN SLAVE TRADE.

Mr. SHERMAN, from the Committee on Foreign Relations, reported the following resolution; which was read, and referred to the Committee on Printing:

Resolved, That there be printed for distribution by the Senate 5,000 copies of "A general act, signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers for the suppression of the African slave trade," and of "A convention of commerce and navigation between the United States and the independent State of Congo, signed at Brussels, January 24, 1891," as amended, with the proceedings of the Senate thereon.

WITHDRAWAL OF PAPERS.

On motion of Mr. WASHBURN, it was

Ordered, That certain memorials and resolutions of commercial, industrial, and professional bodies presented March 3, 1891, be withdrawn from the files of the Senate.

On motion of Mr. MITCHELL, it was

Ordered, That the papers relating to the claim of Peter Grant Stewart, of Oregon, be taken from the files and referred to the Committee on Claims.

PRINTING OF BILL.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That there be printed in document form for use of the Senate 500 additional copies of Senate bill No. 1127, entitled "A bill to enlarge the shiproom and increase the comfort of immigrants."

LIFE-SAVING APPLIANCES.

Mr. HOAR submitted the following order; which was considered by unanimous consent, and agreed to:

Ordered, That the Secretary of the Treasury be directed to communicate to the Senate the proceedings of the Board of Supervising Inspectors of Steam Vessels at its sessions extending from September 28 to October 10, 1891, in regard to the matter of life-saving appliances on steamers, including all communications made to said board on the subject, whether in support of or adverse to the repeal of the present law, and all other documents and evidence relating to the use of projectiles and other life-saving appliances, which were before said board.

SANITARY CONDITION OF BASEMENT OF CAPITOL.

Mr. HALE. I offer an order, and ask for its immediate passage.

The order was read, as follows:

Ordered, That the Architect of the Capitol be, and he is hereby, directed to report forthwith to the Senate the condition of the Senate end of the Capitol in respect to its ventilation, drainage, and plumbing, and to state fully whether any defects exist which unfavorably affect the sanitary condition of the building.

Mr. HALE. Mr. President, I do not offer this order with a view of casting any censure or reproach upon the Architect of the Capitol, whom I believe to be a faithful and competent officer; but I have been informed that there is a condition of affairs in the basement or sub-basement of this end of the Capitol that is dangerous to every employé and to members of this body. Whether it be true I do not know, but I am informed that the board of health of this District has been invoked and has visited this end of the Capitol in the lower stories, and has found there a condition of things which may well be alarming to every one.

If that is the case, and if extensive changes are needed and new plumbing and new drainage required, the hands of the Architect ought to be upheld and strengthened; and if larger appropriations than are now available at his control are needed this is a subject of importance to everybody and ought to be acted upon at once; and I have made the order in its language require an immediate report. I hope that nobody will object to its passage.

The VICE-PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. HARRIS. Is it a resolution? If it is a proposition for action I should like to know what it is. I did not hear it.

The VICE-PRESIDENT. It is the order submitted by the Senator from Maine.

Mr. HALE. Let it be read again for the information of the Senator.

The VICE-PRESIDENT. The order will be again read.

The Chief Clerk again read the proposed order.

Mr. HARRIS. The order ought to be adopted at once.

The resolution was considered by unanimous consent, and agreed to.

MEXICAN COMMISSION AWARDS.

Mr. MORGAN. I submit a resolution calling for information; and I ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That the Secretary of State be directed to send to the Senate a statement of the amount of money paid, and the date of each payment, by Mexico in compliance with the awards of the commissioners, or the umpire, made under the convention concluded between Mexico and the United States of America, concluded July 4, 1868; and, also, a statement of the amount paid out of said fund to each claimant thereof; to whom paid, and the date of payment. And the amount of any award made under said convention that has been refused payment by the State Department, and what person or persons are now the claimants of interests in said awards, the payment of which has been so refused.

The Secretary of State will also inform the Senate whether any of said fund, remaining in the Department of State, is invested, and, if so, in what securities the same is invested.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. CHANDLER. I do not want to object, but I did not catch the statement as to what the resolution does.

Mr. MORGAN. The resolution calls for a report from the Department of State as to the condition and state of the fund under the convention with Mexico of July 4, 1868. It is the Weil and La Abra matter.

Mr. CHANDLER. I make no objection.

The resolution was considered by unanimous consent, and agreed to.

BUSINESS BEFORE COURT OF CLAIMS.

Mr. MITCHELL. There is a resolution on the table that I introduced yesterday relating to the business before the Court of Claims. I ask that it may lie over until to-morrow. It is not necessary to read it. Let it go over.

The VICE-PRESIDENT. The resolution will lie over until to-morrow.

ESTATE OF JAMES C. BOOTH.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Calendar is in order. The first bill on the Calendar will be stated.

The bill (S. 1122) for the relief of the heirs and legal representatives of James C. Booth, deceased, late melter and refiner of the mint of the United States at Philadelphia, was announced as the first bill on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration.

It provides for paying to the heirs at law and legal representatives of James C. Booth, deceased, late melter and refiner of the mint of the United States at Philadelphia, the sum of $1,841.87, in full for the cost value of 1,980.12 ounces of silver bullion, of standard fineness, deposited by him with the superintendent of the mint at Philadelphia to make good a deficiency of that amount of bullion in the accounts of the mint for the fiscal year 1885, the same being the number of ounces of standard silver bullion contained in three bars missing from the mint, supposed to have been stolen while in charge of the melter and refiner, but for which safe storage could not be provided for want of vault capacity in the mint.

Mr. COCKRELL. Let the report be read.

The VICE-PRESIDENT. The report will be read.

The Chief Clerk read the following report, submitted by Mr. MORRILL, from the Committee on Finance, January 6, 1892:

The facts connected with this bill for the relief of the heirs and legal representatives of James C. Booth, deceased, are fully set forth in the following letter of the Director of the Mint:

"TREASURY DEPARTMENT, BUREAU OF THE MINT,
"*Washington, D. C., March 15, 1890.*

"SIR: Referring to your letter of the 11th instant, inclosing Senate bill No. 1367, for the relief of the heirs of James C. Booth, late melter and refiner of the mint at Philadelphia, and asking a report on the advisability of allowing the claim, I respectfully submit the following statement:

"Prof. James C. Booth was appointed melter and refiner of the mint of the United States at Philadelphia in 1849, and continued to serve in that capacity until the date of his death, March 23, 1888. During this time Mr. Booth handled large amounts of both gold and silver bullion. During the fiscal year 1885, as melter and refiner of the mint, Mr. Booth received 646,626,931 standard ounces of gold bullion, with a wastage of only 7.885 ounces, and 28,936,069.91 standard ounces of silver bullion, with an apparent wastage of 3,541.93 ounces.

"It appears that on the 3d of January, 1885, the melter and refiner missed three silver bars which had been delivered to him during the year, numbered 7087, 7093, and 7113, which contained 1,980.12 ounces of silver. As his books showed no record of these bars having been melted, he immediately communicated the information of the loss by letter to the superintendent, so that on the settlement of his accounts for the fiscal year the wastage actually allowed him was 1,561.81 ounces. No trace of these bars has ever been found.

"Owing to the lack of vault room at the mint at Philadelphia the silver in bars, and for which the melter and refiner was obliged to receipt, was stored in the courtyard without any protection whatever from theft except that afforded by the watchman, and as the melter and refiner had no power to provide extra means for the safety of the bullion, it would appear that he was only technically responsible for it. As credit could not be allowed the melter and refiner for the stolen bars as wastage he was required to deposit with the superintendent an equal amount of silver bullion, which he did promptly when called upon to do so by purchasing the bullion in the open market.

"Inasmuch as proper storage facilities were not afforded the melter and refiner by the Government in which to store the bullion in his custody, I am clearly of the opinion that relief should be granted in this case to the heirs of the late melter and refiner for the loss of this bullion.

"From July 1, 1874, to March 23, 1888, Prof. Booth, as melter and refiner of the mint, handled 31,255,534.264 ounces of gold bullion of the value of $581,498,309, on which the legal allowance for wastage under section 3542 of the Revised Statutes would be $581,496.31, while the actual wastage was only $58,137. He handled of silver bullion during this time 341,940,331 ounces, of which the coining value in silver dollars was $397,894,401. The legal allowance for wastage on this under section 3542 of the Revised Statutes would be $596,841, while the amount actually wasted was only $14,565.

"Respectfully yours,

"E. O. LEECH.
"*Director of the Mint.*

"Hon. JUSTIN S. MORRILL,
"*Chairman of the Committee on Finance.*"

The committee are therefore of the opinion that the relief asked for should be granted by the passage of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BETTS, NICHOLS & CO.

The bill (S. 69) for the relief of Betts, Nichols & Co. was considered as in Committee of the Whole. It proposes to pay to the holder draft No. 5453, on Treasury-Interior warrant No. 4801, dated March 1, 1860, payable to and indorsed by Sampson & Hendricks, of Austin, Tex., on the assistant treasurer of the United States at New Orleans, for $250.

Mr. ALLISON and Mr. COCKRELL. Let the report be read.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. HARRIS January 6, 1892:

The Committee on Finance, to which was referred bill (S. 69) for the relief of Betts, Nichols & Co., has considered the same, and report:

There was a favorable report upon this claim made by the chairman of this committee in 1884, and the same report was adopted by the committee in the Fifty-first Congress, and the bill passed the Senate, but failed of consideration in the House. The committee adopts the former report, as follows:

"This is a claim for the payment of draft No. 5453, issued by the assistant treasurer at New Orleans on Interior Department warrant No. 4801, to Sampson & Hendricks, March 1, 1860, for $250, originating out of mercantile transactions prior to the recent war, which draft remains unpaid in consequence of the inability of the payees to prove the loyalty of the drawer, according to the joint resolution of March 2, 1867 (section 3480, Revised Statutes).

"The draft was indorsed in blank, and is now held by F. B. Betts, the surviving partner of Betts, Nichols & Co.; and although it appears that great remissness occurred on the part of Betts, Nichols & Co. in the presentation of the claim, it having been first presented in June, 1870, again in March, 1874, and lastly in January, 1884, yet as there does not appear to be any doubt in relation to the loyalty of the payees, the parties really in interest, it is difficult to see why the claim should be refused.

"As these facts appear from the subjoined letter from the Treasury Department, which is appended hereto and made a part of this report, the committee recommend that the bill pass as amended.

"TREASURY DEPARTMENT, OFFICE OF THE FIRST AUDITOR,
"*Washington, D. C., January 18, 1884.*

"SIR: Referring to the letter of Senator MCPHERSON, of January 16 instant, addressed to you and by you sent to this office, in which he asks to be advised of the reasons why the claim of Betts, Nichols & Co., for the payment of a certain draft, can not be allowed, I have the honor to report as follows:

"Under date of March 1, 1861, draft No. 5453, on Treasury-Interior warrant No. 4801, for $250, was issued in favor of Sampson & Hendricks upon the assistant treasurer of the United States at New Orleans.

"The draft is indorsed in blank by the payees.

"In June, 1870, the draft was sent to this office and claim made for payment by Betts, Nichols & Co.

"June 29, 1870, the claimants were informed by the First Auditor that it would be necessary, before payment could be made, to prove the loyalty of the payees and of the present holders of the draft, under the joint resolution of March 2, 1867 (now section 3480, Revised Statutes).

"June 21 the claimants reply, stating that they can not prove the loyalty of Sampson & Hendricks, but presume it will be sufficient to prove their own loyalty.

"June 22 the Auditor again writes that the requirements of his letter of the 20th must be complied with before the draft can be paid.

"This office is not aware of any similar cases that have been favorably acted upon by Congress.

"I return herewith the letter of Senator MCPHERSON with the inclosures (4).

"Very respectfully,

"R. M. REYNOLDS,
"*First Auditor.*

"Hon. CHARLES J. FOLGER,
"*Secretary of the Treasury.*"

The committee recommends the passage of the bill.

Mr. COCKRELL. I should like to ask if there is any evidence that the draft was assigned to these parties prior to the passage of the joint resolution of March 2, 1867, which I believe was the date requiring proof of loyalty in all such cases. It strikes me that this matter ought properly to have been before the Committee on Claims. I remember that in the Forty-fourth Congress there was a bill pending before that committee in regard to a draft, I think for $200, I am not sure as to the amount, but I scarcely think it was this particular draft. However, there was a bill pending for the payment of a draft drawn in 1860, and that committee reported adversely on the ground that the owner could not prove loyalty. This report says that "there does not appear to be any doubt as to the loyalty of the payee." Now, the question is when his right accrued. If a mere assignment to a loyal person by a disloyal claimant after the law has taken effect and has barred the right of that person revives the right and enables the payee to come in, then all those drafts that were drawn in 1860 ought to be paid, because they can all be assigned now at any moment to some loyal man.

Mr. HARRIS. The fact is, that in this case the assignment was made in 1871. The draft was issued March 1, 1861, and very soon thereafter it was assigned to these merchants in Baltimore, the present holders, and I suppose it was pigeonholed during the war excitement and not presented until after the end of the war.

Mr. COCKRELL. I desired that information because it is not stated in the report. The report does not state the date of the assignment, and it is a very material point.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT BRADFORD, PA.

Mr. QUAY. Order of Business 21 on the Calendar is a bill to provide for the erection of a public building at Bradford, Pa., which was reported favorably by the Committee on Public Buildings and Grounds. As that bill will probably not be reached to-day in regular order, and as I may be necessarily absent for some days hereafter, I shall be glad if the Senate will indulge me by taking it up out of order.

The PRESIDING OFFICER (Mr. PASCO in the chair). Is there objection to the request of the Senator from Pennsylvania?

Mr. DOLPH. I will not object to the Senator's request, but the Calendar is a short one, and we can certainly dispose of all the unobjected cases on it to-day.

Mr. QUAY. I renew the request, Mr. President.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 902) to provide for the erection of a public building at Bradford, Pa.

Mr. COCKRELL. Let the report be read on that bill, as it is a short one.

The PRESIDING OFFICER. The report will be read.

The Chief Clerk read the following report, submitted by Mr.

DARLINGTON, from the Committee on Public Buildings and Grounds of the House of Representatives, May 7, 1890:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 7986) to provide for the erection of a public building at Bradford, Pa., report as follows:

Bradford is situated in McKean County, is the center of the northern Pennsylvania oil regions; has a population of 15,000 and 5,000 suburban population.

The city was incorporated in 1878, and presents remarkable growth and thrift, over five hundred buildings having been erected during the past year. The manufacturing industries are represented by lumber, planing mills, chairs, oil refineries, tanneries, tannin-extract works, wood-alcohol works, boilers, engines, brass, glass, tools, wagons, carriages, paint, hubs, toothpicks, etc. The amount paid for labor in the city aggregates more than $200,000 per month.

Nine railroads connect the city with other commercial centers. There are ten churches, two daily and four weekly newspapers, forty-two beneficiary orders represented, three express companies, public schools with 2,000 scholars, besides one business college and three private schools; three national banks, with an aggregate capital of $450,000; driving park and fair grounds; two petroleum exchanges. The receipts of the United States post-office aggregate over $20,000 per annum, besides the collections of internal revenue.

In view of the foregoing facts we recommend the passage of said bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE LA ABRA SILVER MINING COMPANY.

The bill (S. 606) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868," was announced as next in order on the Calendar.

Mr. VEST. That bill is to be taken up on Monday next.

Mr. DOLPH. That bill was made a special order for Monday next, and of course it will go over to-day.

The PRESIDING OFFICER. The bill will be passed over, and also the bill next in order, being Senate bill 539, on the same subject.

RED RIVER BRIDGE AT DRAYTON, N. DAK.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 593) to authorize the construction of a bridge across the Red River of the North at Drayton, N. Dak.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PORT OF SANDUSKY, OHIO.

The bill (S. 1183) to extend the privileges of the transportation of dutiable merchandise without appraisement to the port of Sandusky, Ohio, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LICENSING AND REGISTRY OF VESSELS.

The bill (S. 747) to repeal section 4145 of the Revised Statutes of the United States and to amend section 4146, was considered as in Committee of the Whole.

The bill was reported by the Committee on Commerce with an amendment to strike out section 3, as follows:

SEC. 3. This act shall not invalidate the bonds heretofore given under the provisions of said section 4145.

And insert in lieu thereof:

SEC. 3. That section 4320, Revised Statutes, is hereby amended so as to read:

"SEC. 4320. No licensed vessel shall be employed in any trade whereby the revenue laws of the United States shall be defrauded. The master of every such vessel shall swear that he is a citizen of the United States, and that such license shall not be used for any other vessel or any other employment than that for which it was specially granted, or in any trade or business whereby the revenue of the United States may be defrauded; and if such vessel be less than 20 tons burden, the husband or managing owner shall swear that she is wholly the property of citizens of the United States; whereupon it shall be the duty of the collector of the district comprehending the port whereto such vessel may belong to grant a license."

SEC. 4. That no bond shall be required on the licensing of yachts; no licensed yacht shall engage in any trade, nor in any way violate the revenue laws of the United States; and every such yacht shall comply with the laws in all respects. Section 1 of the act approved March 3, 1883, amending section 4214, Revised Statutes, etc., is amended accordingly.

SEC. 5. Any master or owner violating the provisions of this or the preceding section shall be liable to the penalty of $200, in addition to any other penalty imposed by law. The Secretary of the Treasury shall have power to remit or mitigate any such penalty if in his opinion it was incurred without negligence or intention of fraud.

SEC. 6. This act shall not invalidate the bonds heretofore given under the requirements of law.

The amendment was agreed to.

Mr. COCKRELL. I have sent for the Senator in charge of the bill. As the bill seems to be a very important one, I should like to have some explanation of it and of the changes it makes in the existing law.

Mr. FRYE. The existing laws require a bond, first, for every registered vessel, that is, a vessel engaging in foreign trade; second, for every coastwise and lake vessel, a separate statute; third, for every yacht. These bonds were provided for very early in the history of legislation in the United States. They have fallen into utter uselessness. They are still required by the statute. It occasions, of course, considerable trouble to give them. Sureties are required, and, depending upon the size of the vessel, there is a bond running from $400 up to $2,500. For the last thirty or forty years no one has ever been put in suit, and the reason is that other statutes have provided penalties for the violations which these bonds guard against. For instance, a captain gives a bond that his vessel shall not engage in any smuggling operation, but there is a statute passed since which punishes for smuggling, and if there is any violation of existing law the Government pursues the penalty instead of the bond.

The custom-house officers all over the country are exceedingly desirous that these bonds shall be surrendered, and the Secretary of the Treasury reported in favor of it four years ago, three years ago, and two years ago, and the Commissioner of Navigation also reported in favor of it. This bill has passed the Senate twice, and there is no possible objection to it.

The bill also provides, at the end of it, a penalty, and authorizes the Secretary of the Treasury to mitigate the penalty if he finds there has been no intentional violation of the law, but a mere technical violation of it. I know of no objection on the part of anyone to the provisions of the bill.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to repeal section 4145 of the Revised Statutes of the United States, and to amend sections 4146, 4320, also section 1 of the act amending section 4214 of the Revised Statutes, approved March 3, 1883, and for other purposes."

LIFE-SAVING STATION AT ROGUE RIVER, OREGON.

The bill (S. 1074) to establish additional life-saving stations was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with amendments, in line 4, after the word "establish," to strike out "additional" and insert "a;" in the same line, after the word "life-saving," to strike out "stations on the coast of Oregon as follows: One" and insert "station;" and in line 6, after the words "Rogue River," to strike out "and one at or near Port Orford" and insert "on the coast of Oregon;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is authorized to establish a life-saving station at or near the mouth of Rogue River, on the coast of Oregon.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to establish a life-saving station on the coast of Oregon."

REVENUE CUTTERS ON THE PACIFIC COAST.

The bill (S. 1104) making an appropriation and providing for the construction of two United States revenue cutters for service on the Pacific coast was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, in line 3, to fill the blank before the word "dollars" with the words "two hundred and twenty-five thousand;" so as to make the bill read:

Be it enacted, etc., That the sum of $225,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of constructing two first-class revenue cutters for service on the Pacific coast, one of which shall have at least 450 tons displacement and the other not less than 600 tons displacement, and each of which shall be so constructed and equipped as to secure a speed of 15 knots per hour.

Mr. COCKRELL. Let the report be read.

Mr. DOLPH. I wish, in the first place, to say that I was authorized to report the bill in accordance with the recommendation of the Treasury Department, and they had inserted in figures the amount to be appropriated for the vessels, but by some oversight I read it "$225,000" instead of "$325,000." I send up a letter, since received, which asks that "$325,000" be inserted instead of "$225,000." The report may be read after the bill is perfected. I ask that the letter of the Acting Secretary of the Treasury may be read.

The PRESIDING OFFICER. The letter will be read.

The Secretary read as follows:

TREASURY DEPARTMENT, *January 11, 1892.*

SIR: Referring to the letter of the Committee on Commerce, United States Senate, dated the 23d ultimo, calling upon this Department for its views regarding Senate bill 1104, providing for the construction of two revenue cutters for service on the Pacific coast, and to Department letter dated December 30, setting forth the necessity for the two vessels mentioned, and recommending the passage of the bill; also estimating the cost of the two vessels at $325,000, I have the honor to call the attention of the committee to the fact that the bill as reported provides for but $225,000 for these vessels, which amount, in

the opinion of the Department, is inadequate to construct two steamers of the sizes and requirements specified in said bill.

Respectfully, yours,

O. L. SPAULDING,
Acting Secretary.

Hon. WILLIAM P. FRYE, U. S. S.,
Chairman Committee on Commerce, United States Senate.

Mr. COCKRELL. Now, as I believe there is no written report with the bill, I should like to have some explanation of it.

Mr. DOLPH and Mr. MITCHELL. There is a written report.

Mr. COCKRELL. I should like to have it read.

Mr. MITCHELL. It is report No. 5.

Mr. COCKRELL. I ask that it may be read.

The PRESIDING OFFICER. The report will be read.

The Secretary read the following report, submitted by Mr. DOLPH January 7, 1891:

The Committee on Commerce, to whom was referred the bill (S. 1104) making an appropriation and providing for the construction of two revenue cutters for service on the Pacific coast, having considered the same, respectfully report:

The urgent necessity for the construction of two revenue cutters for service on the Pacific coast is shown by a letter from Acting Secretary of the Treasury Spaulding to the chairman of the committee, which is hereto appended.

Your committee recommend that the bill be amended by inserting in the blank the following words. "Two hundred and twenty-five thousand," and that when so amended the bill do pass.

TREASURY DEPARTMENT, *December 30, 1891.*

SIR: I have the honor to respectfully acknowledge the receipt of your letter, dated the 23d instant, inclosing Senate bill 1104, "making an appropriation and providing for the construction of two revenue cutters for service on the Pacific coast," and requesting this Department to furnish your committee with such suggestions as it may deem proper touching upon the merits of the bill and the propriety of its passage.

In reply thereto I would say that the Department has considered the necessity for two new cutters on the Pacific coast so urgent that it has included in the regular estimates the sums of $175,000 and $150,000 for the construction of two vessels, the former sum for a vessel for service at San Francisco and, during the summer months, in Bering Sea, for the protection of the seal islands and the Government interests in Alaska, and the latter for a vessel for service in Puget Sound and the waters adjacent to the State of Washington.

The revenue cutters now on the Pacific coast were built many years ago, and have been kept steadily at work in the performance of the multifarious duties required of them. They are of the age when vessels require frequent repairs, and they should gradually be replaced by new vessels of more modern type of hull and machinery which will give greater power and speed.

The difference between the laws of this country and those of the Dominion of Canada regulating the importation of Chinese and opium offers special inducements to smugglers to make the Canadian ports on Puget Sound the base of their operations, and the many hundreds of miles of shore line contiguous to this foreign territory requires the constant patrol and watching by a revenue cutter to prevent, as far as possible, the illegal landing of these people and their goods.

During the season just past all of the cutters available were withdrawn temporarily from their stations on the coasts of California, Oregon, and Washington, and sent to Bering Sea for patrol duty around the seal islands and the protection of the Government interests in those waters, and as similar demands will probably be made for cutters in those waters for years to come the number of revenue vessels on the Pacific coast should be increased by two or three so soon as they can be constructed.

I earnestly recommend to your committee the passage of Senate bill 1104, and name the amounts mentioned herein respectively as necessary to properly build and equip the new vessels.

The bill (S. 1104) is herewith returned.

O. L. SPAULDING,
Acting Secretary.

Hon. WILLIAM P. FRYE,
Chairman Committee on Commerce, U. S. Senate.

Mr. COCKRELL. I should like to ask if there are not already some vessels employed in that business on the Pacific coast?

Mr. DOLPH. Yes, there is a small vessel that was constructed many years ago, but which is badly out of repair, is not sufficient for the service, and which, part of the time, is stationed on Puget Sound. I think it is stated in the letter which has been read, but, if not, such is the case, that at one time last summer all the vessels on the coast had to be sent off to the north to look after matters there. There could not be a stronger statement of the necessity for these vessels than is contained in the report as made by the board.

Mr. ALLEN. If the Senator from Oregon will permit me to interrupt him a moment, I will say, in regard to the vessel of which he is speaking, if it be the one in charge of the collector, that it was merely a rejected vessel that had become useless and was filled with water. It was improvised by the customs officers by permission of the Department having the matter in charge, and has been used as best it could; it was really a makeshift, a rejected craft, and only used because the collector had nothing else to use.

Mr. COCKRELL. Have they no other vessel in the Revenue Marine Service over there?

Mr. DOLPH. I think there are two on the coast. I think there is one in California, and the condition of that is not much better than the one on the Sound.

Mr. ALLEN. The trouble with the old revenue cutter on the Sound, also, is that it is so slow; it is ineffectual for the services required to be rendered. Smugglers come in, and if they get a few minutes start of the revenue cutter, they land, are gone—and there is no means whatever of arresting them.

The necessity for the cruisers the Senator has spoken of has been the crying need of those waters for several years past. Any one who is there to witness the attempt at the enforcement of the revenue laws or the Chinese exclusion act, feels how imperatively these cruisers are required, and recognizes there is no way of enforcing the law except by swift cruisers, such as are provided for in this bill.

Mr. MITCHELL. I wish to say a word. I introduced this bill in pursuance of a very earnest recommendation of the Secretary of the Treasury in his annual report. The report submitted by the committee states the facts fully and shows the necessity for this legislation. I hope, if there is no objection to it, the bill will be allowed to pass promptly.

Mr. COCKRELL. This involves a side issue. The Revenue Marine Service has been drumming all the possible influence that it could to get boards of exchange and other bodies to pass resolutions for the transfer of that service to the Navy Department. A bill has been introduced, and was pressed during the last Congress with a great deal of force, for the transfer of the Revenue Marine to the Navy. That bill is before Congress now, and every morning or two we have the lobbyist influence bringing in resolutions from boards of trade and other bodies favoring the passage of that bill.

If the Revenue Marine is to be transferred to the Navy there is no necessity for any vessels being built for it. That service will go into and become part of the Navy and will have the use of naval vessels. The Revenue Marine Service seems to be playing hot and cold with its own existence, trying to wipe out its existence and have itself transferred to the Navy.

Mr. MITCHELL. I should like to inquire of the Senator from Missouri what the proposition to transfer this service from the Treasury Department to the Navy Department has to do with this bill.

Mr. COCKRELL. If the Revenue Marine Service is transferred to the Navy the officers of that service will be placed in charge of naval vessels, and there will be no need of constructing simply revenue vessels. They will then go out of the control of the Secretary of the Treasury. Let us get a report from the Secretary of the Navy as to whether any additional vessels are needed or not.

Mr. MITCHELL. Is the Senator certain that we have any surplus vessels in the Navy now?

Mr. COCKRELL. There would be plenty of vessels for that service.

Mr. MITCHELL. As a matter of fact the Revenue Marine Service has not been transferred to the Navy Department and is still under the control of the Treasury Department.

Mr. COCKRELL. With the influences which have been brought to bear, I think it probable that they will be able to have a bill passed through this body for the transfer of that service; I think it likely that such a bill will be passed at the instance of these men to wipe out their own existence and to destroy their identity as a body and merge them into another body, so that they may get increased pay and be placed upon the pension and the retired lists.

Mr. MITCHELL. Judging from the very able and very lengthy speech of the Senator from Missouri in opposition to the proposed transfer at the last session, it seems to me the influence is all the other way, and the transfer is not likely to be made if the Senator from Missouri can prevent it.

Mr. COCKRELL. You are right there. It will not be transferred if I can prevent it. I will continue that fight a little while longer if I can. I do not want them to commit suicide.

Mr. DOLPH. I am glad to believe that the Senator from Missouri is making no particular opposition to this bill; that he merely wishes at this time to call attention to the proposition to transfer the Revenue Marine to the Navy; but we have already heard from the Senator elaborately on that point.

The Senator should remember and the Senate should remember that there are upon the Pacific coast over 1,600 miles of coast from the southern line of California to Puget Sound; that there are then along the navigable indentations of Puget Sound over 1,900 miles of shore line on the American side; that there is a purely imaginary line drawn between British Columbia and the State of Washington, and that the facilities for smuggling are very great anywhere along the line that marks the boundary between the two countries. Running through the Sound there are scattered all along the line islands. The distance from the islands to the main shore is not great, and there is a great deal of smuggling of opium, of Chinese, and of merchandise into this country. It would require more than one vessel and a much larger force of customs officers than we now have upon the Sound to prevent smuggling entirely. Of course the faster and better the vessels and the more of them the better it can be prevented.

Then there are our Alaskan possessions, which are said to contain, following the indentations, 25,000 miles of shore or coast; there is the Bering Sea question and the necessity of patrolling

those seas and preventing the unlawful taking of seals, which is required of vessels in the marine and naval service.

All these things are matters requiring attention and demanding a better class of vessels than we have on the coast. I think it would be a matter of economy to make the necessary appropriation and have these new vessels constructed.

I shall say no more unless there is further opposition to the measure, because I can not believe that any one can seriously object to the construction of these vessels. Let us have one thing at a time, and let us get the necessary vessels to enable the customs officers to enforce the laws, and then, when we come to the other question in which the Senator from Missouri is interested, we shall listen to him discuss that, and then we shall determine it according to its merits.

Mr. COCKRELL. That is putting the cart before the horse. If the Revenue Marine Service is to continue as it is now organized, under the Secretary of the Treasury, and as it has been from the foundation of the service, then I admit that there are very reasonable and just grounds for asking for these additional vessels; but if the Revenue Marine Service is to be transferred bodily to the Navy and absorbed in the Navy and become a part of the Navy, then this is wasteful, extravagant, and unnecessary. That is the position I take. If the Senate wants to make this appropriation with the expectation of the Revenue Marine Service continuing as it is, it is a just and proper appropriation. If it is made with the intention of in a very short time transferring the Revenue Marine to the Navy Department, then it is the grossest kind of extravagant and wasteful legislation.

Mr. MCPHERSON. It seems to me, sir, as though the inquiry raised by the Senator from Missouri is a very pertinent and a very proper one. No Senator can doubt, I think, from the vote taken in this body at the last session of Congress, that the Revenue Marine Service will ultimately be placed under the control of the Navy Department of the country. If the Revenue Marine should be transferred to the Navy Department they will require an entirely different character of vessels from those used at the present time in that service. The vessels created by the Navy Department to supervise the Revenue Marine will probably also be vessels for offensive and defensive warfare measurably; and as it would require an additional number of vessels of a different character, it seems to me as though an appropriation of money at the present time to build revenue cutters is an expenditure which might possibly in the future be considered entirely useless.

I am in full sympathy with the position taken by the Senator from Oregon [Mr. DOLPH] with respect to a want of something in the shape of vessels to patrol the seas on the Pacific coast, but as I understand the situation the Revenue Marine as a department has but little to do with the protection of the seas. The business of the Revenue Marine is to protect so far as it can the collections of the revenue.

Mr. MITCHELL. May I inquire of the Senator if it is not a fact that that service requires a different class of vessels entirely from the regular naval vessels?

Mr. MCPHERSON. Not necessarily. The naval vessel of to-day is a vessel of great speed. The vessel to secure the collection of the revenue and to do that thing which the Revenue Marine does to-day may also be a naval vessel measureably, a small vessel with great speed, with great power, capable of being armed and carrying a battery, while the present light, flimsy structures that we are now building for the Revenue Marine would be impossible for such an emergency or for such a purpose.

If it be the object of Congress to transfer the Revenue Marine to the Navy Department in order, as the argument has been made here, that it may relieve to a certain extent the overburdened Treasury Department of the Government, which everybody admits is overburdened and overworked to-day by reason of the multitude of things that have been thrown in upon that Department, it certainly would seem to me to be very proper to wait a few months longer, in order that there might be then an intelligent construction of vessels which would serve the purpose of the Revenue Marine, and also a purpose for naval vessels in shoal water where great speed is required and perhaps armament. Certainly one of our Revenue Marine vessels could make but little progress upon the sealing grounds in opposition to vessels that are, as I understand some of them have been, armed for the purpose of poaching upon the sealing grounds.

I believe we ought to have vessels to patrol the seas, and that the action now proposed would be premature in anticipation of what I think is sure to follow, that the Revenue Marine Service will be transferred to the Navy Department. While I am not much in sympathy with that transfer myself, yet at the same time I think we have sufficient reason for believing that it may take place. Therefore it is infinitely wiser and better for us to postpone action upon this bill until that first question is determined. Then let the Navy Department determine for itself the character of vessels it will build, both to patrol the seas and collect the revenue, as that will be a part of its responsibility, and also to so construct the vessels that they may be utilized for offensive and defensive warfare to the extent of their military ability.

Mr. DOLPH. Mr. President, I think the Senator from New Jersey [Mr. MCPHERSON] is entirely mistaken. The proposition to transfer the Revenue Marine to the Navy is to transfer the vessels and the personnel. The same vessels will be required in the same service in which they are now employed. They will simply be transferred to the Navy Department. The same officers and the same crews and the same appliances will be used, and the change will be that they will be used under the direction of the Secretary of the Navy instead of under the direction of the Secretary of the Treasury. The same requirements will exist for these new vessels if the Revenue Marine should be transferred to the Navy Department as if it is to remain under the Treasury Department.

It seems to me an almost extraordinary proposition. Our friends are looking ahead to what one Senator evidently hopes may take place and what another Senator contends shall not take place if he can prevent it; and they want to postpone this necessary and useful legislation (the suggestion and recommendation of which came from the Department charged with the duties which are to be performed by these vessels) until something may or may not happen in the future—until some legislation may or may not take place upon which we are divided. It seems to me a most extraordinary proposition to make in regard to a bill which has taken the usual course and come from the committee charged with its consideration, recommended by the Department as necessary in the public interest. I hope the bill will pass.

Mr. MCPHERSON. Mr. President, I only want to say a single word in answer to the Senator from Oregon. The Senator is quite right when he says that the proposed transfer involves the transfer of the personnel of the Revenue Marine and its vessels to the Navy; but let me ask the Senator from Oregon what an intelligent administration of the Navy Department would mean when all that is done? Would it mean to continue the construction of this class of vessels, or would it mean the construction of vessels of the same speed with all the requirements of a Revenue Marine vessel, and in addition the other and the better and more useful requirements of vessels capable of both offensive and defensive warfare?

Mr. DOLPH. Most assuredly the construction of this same character of vessels, which are supposed to be the vessels adapted, and best adapted, to the purpose for which they are used. If there should be an attempt to put upon one of these vessels those things which would be necessary to make it useful in the Navy and for coast defense, it would be ruined for the purpose for which the vessels are desired.

Mr. SQUIRE. Mr. President, I am entirely in sympathy with the object and purpose of the bill. I am familiar with the circumstances attending the smuggling of opium and the bringing of Chinese into the United States in violation of the exclusion act. It has been a scandal on Puget Sound for many years that there has been conducted the manufacture or refinement of opium. There are many factories going there day and night, and it seems impossible to repress this smuggling unless we have some facilities connected with the revenue service to prevent the carrying on of this nefarious business. The collector of the port at Puget Sound has written me a letter recently in which he says that he finds himself utterly unable to intercept the smugglers who are bringing over opium and the Chinese. Even if he has three hours' notice, the craft they have there, the revenue cutters, can only go about seven or eight miles an hour at most; and it has been stated, although I will not vouch for its correctness, that there is a vessel there employed by smugglers which proceeds at the rate of 17 knots an hour, bringing opium and Chinese from the Island of Vancouver to the United States.

Now, in my humble judgment the rate of speed should be higher than 15 knots per hour. I think the speed of the vessels ought to be 18 knots an hour, and I feel that it is my duty to rise here and insist that there should be such an amendment proposed. While I do not expect to succeed in it against the Committee on Commerce, yet I feel that it is my duty to make the proposition myself right here and now, and I do propose to amend the bill by striking out the word "fifteen" and inserting "eighteen" before the word "knots" in the last line.

We want a vessel there that will accomplish the purpose. We are tired of the scandal which has been going on for years and years. I remember very well when I was governor of the Territory of Washington, that Capt. C. L. Hooper, of the United States Revenue Marine, addressed a letter to me which I incorporated in my report to the Secretary of the Interior calling attention to the inefficiency of the customs service at that time. Although he was doing his best to carry out the wishes of the

Department, it has been a scandal to my personal knowledge for about seven or eight years. They are unable to intercept the smugglers; they are unable to intercept those who are bringing over Chinese. The Chinese are brought over and parties bringing them are paid $50 a head to land them at any point in the United States. If we mean anything by the Chinese exclusion act, if we mean anything by our duty upon opium, and by our endeavors to repress the smuggling of opium, we ought to give the Treasury Department the proper facilities to prevent the consummation of the smuggling of opium and the bringing in of Chinese.

Therefore, with great deference to the chairman of the Committee on Commerce, I feel it to be my duty, even if it is voted down, to move the amendment I have indicated, and I ask him to accept it in behalf of the committee.

The PRESIDING OFFICER. The amendment of the Senator from Washington [Mr. SQUIRE] will not be in order until after the committee amendment and the amendment to it have been disposed of.

Mr. FRYE. Mr. President, it does not seem to me that the Senators from New Jersey and Missouri are really serious about this matter. It does not seem to me that the Senator from Missouri, who has been in the Senate so long and is so familiar with these matters, dreams that a naval vessel will be ordered to the Revenue Service. There is not a vessel in the United States Navy that would be fit for the Revenue Service at all. These must all be light-draft vessels. They are obliged to run up rivers and around islands and over shoals, and all that sort of thing, to pursue the smugglers whose boats do not ever draw perhaps over 5 or 6 feet of water. That is their business. In the Alaskan waters I do not believe that either Senator ever heard of a naval vessel being employed in pursuing sealers. There was the Bear, and there were the revenue cutters we had over there. Our revenue cutters up to the present time do not run in those waters more than 7 or 8 miles an hour. They can not overtake a good yacht-built schooner of 100 tons—not one of them. The sealers are generally yacht-built schooners that will run from 70 tons to 100 tons. They do not draw over 6 or 7 or 8 feet of water. They are very swift. They will run, with a good wind, 10 or 12 miles an hour, and you must have vessels built on purpose to meet the requirements of that service. There is not a vessel in the United States Navy that the Secretary of the Navy would dream to-day of ordering into the service of detecting or arresting violations of the revenue laws. They are not equipped, they are not armed, they are not manned at all for that sort of service, but for a much more fleet and broader service.

These vessels would be absolutely necessary whether the service should be transferred to the Navy Department or not—just as necessary then as now. They must be built. One naval vessel alone, such as the Senator from New Jersey is taking about, for this business, would cost over $500,000. You do not need such vessels. You have them armored; you say they must be able to meet the enemy on water. For this service we do not need anything of the kind. The sealers and smugglers are not armed with any weapons that can do any special harm to an ordinary vessel, such a vessel as this bill provides for. They have a little swivel or something of that kind, a few rifles, and that is about all they have.

Mr. McPHERSON. If the Senator will yield to me for a moment, I will state the position that I take in the matter.

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from New Jersey?

Mr. FRYE. Certainly.

Mr. McPHERSON. It requires a large number of vessels to accomplish the work of the Revenue Marine, at least a large number is in use. I understand that the vessels of the Revenue Marine are nearly all of them old vessels. We have been building one, I think, every two years for the past eight or ten years. We have very few good vessels in that service. They are an old style of vessels; they are slow, most of them, and they are of but little use even for the purpose to which they are applied.

Now, if you transfer to the Navy Department the Revenue Marine the probability is, I would assume, that an intelligent administration of that office would accomplish the purpose of building vessels similar to our gunboats, of which we are constructing a certain number, of light draft, with great speed, even more speed than is provided for in this bill, for Revenue Marine purposes. Those gunboats in time of peace could certainly be posted along the shore and patrol the shore; and we always expect it to be a time of peace in this country. Therefore the vessel could serve two purposes—in an emergency it could be a vessel of war to its limited military capacity; in time of peace it would accomplish the other purpose. It has all the speed, the light draft, and could have the armament without any additional expenditures of money in manning the vessel. That was the position I took.

Mr. FRYE. I still insist, and I will not argue it, that the employment of a gunboat in the Revenue Service is an absurdity; that it never will be done; that it can not be done. It is utterly impracticable.

Now, I want to say a word in relation to the proposed amendment of the Senator from Washington [Mr. SQUIRE]. The bill provides for a vessel that will run 17 miles and a little over an hour. There is not a vessel on the Pacific coast to-day engaged in smuggling or engaged in bringing in Chinese that can make 15 miles an hour. I think it is perfectly safe to state that one can not be found that will make 15 miles an hour. Most of them are sail, and there is not a sailing vessel that can be relied upon to make over 10 miles an hour.

Mr. SQUIRE. If the Senator will pardon me for a moment I will state what the collector of the Puget Sound collection district personally stated to me of his own knowledge. He is an old sea captain who knows something about navigation and knows all about this business. He has been engaged in repressing the smuggling of opium, and he says that they have now to contend with a vessel which is owned, as he believes, by an officer of the British navy, though perhaps I ought not to make it public in this way, a private vessel, that does make 17 knots an hour. He has this to contend with now.

Mr. FRYE. Did he say "knots" or "miles?"

Mr. SQUIRE. I understood him to say "knots," and I believe he did say "knots."

Mr. FRYE. I should beg leave to doubt whether there is any such vessel in existence. Seventeen miles an hour for a 400 ton vessel is exceedingly swift. It must occupy a good deal of room for engines that will drive such a vessel at that speed. If you add to the number of knots that the Senator from Washington now requires, the whole bill must be changed; you must increase the cost largely. It will take quite double the coal to run 18 knots an hour that it will take to run 15 knots, and of course it will take double the number of men to handle that coal.

The Treasury Department know what is required on the Pacific coast and they have called on that coast for the swiftest vessels there are in the Revenue Marine. There are no swifter vessels than these. We talk nowadays about 15, 18, and 20 knots an hour, and we tried in our postal bill 20 knots an hour. Those vessels at 20 knots an hour are vessels that cost from a million and a half to two million dollars and take 300 tons of coal a day. The City of Paris always takes that amount on board, 300 tons a day, and it takes 175 men to handle that coal. There is no use to talk anything about that. The ratio of increase when you get the increased speed is perfectly enormous. The Treasury Department have allowed for the Pacific service the best revenue vessels that ever have been built. If the Senator insists upon his amendment and should carry it, it would defeat the bill, because the amount of the appropriation it contains would be entirely inadequate. The size of the vessel would be inadequate on account of the increased amount of machinery and the room which it occupies.

I hope that the Senate will pass the bill as the Treasury Department recommended it. They possess entire information of all the necessities of the service there, and they have been asking for this measure for the last three years.

Mr. ALLEN. Mr. President, I am well content with the bill as it has been reported, and I would very much prefer to have it as it is than to run the hazard of failing in the measure by attempting to secure something even more desirable. I think if Senators were familiar with the exact condition of things on our northwestern waters they would see not only the propriety but the imperative necessity of just such vessels as are provided for in the bill.

I wish to call their attention to the fact that from the Pacific Ocean up to Puget Sound is a distance of 85 miles. This is the common highway of the British Government as well as our own nation. The international boundary line is the thread of the Straits of Fuca, a broad roadway from 8 to 12 miles in width all the way from the ocean into Puget Sound. It is densely grown with forests much of the way along on both shores, as well as I remember.

Owing to the very high duty placed upon opium every incentive is given to smuggling it into the United States. The smallest quantity brought over becomes exceedingly remunerative to those engaged in this unlawful business. The result is that this illicit commodity is shipped in immense quantities into British Columbia to run over in our country, and a whole army of men, who are engaged in the smuggling business, resort to every method and device their ingenuity suggests to reap the advantages that come from successful smuggling. They have small steamers, very fleet, and all sorts of small sail and row boats. They not only have this great roadway of 85 miles, along which, if they make a successful run and landing, they are secure in smuggling, but they have the waters intersected with islands from Port Town-

send to Bellingham Bay and Blaine. It is necessary, in order to intercept the smugglers, that there should be some fleet vessel, that in the night or in the fog can quickly overtake and capture them before they succeed in making a landing; for once on shore and in the timber and dense undergrowth they are secure.

It is necessary in order to successfully enforce the law over this greatly exposed frontier that vessels of just this character should be placed in the service, and nothing else will answer the purpose. Their presence will operate effectively as a preventive against persons attempting to violate the law. They must be of this fleetness and of light draft to enable them to get around quickly between the islands, through the narrows, in the shallows, and in those places where the smuggler goes. They must be able to pursue this class of violators wherever they appear upon the face of those waters.

Therefore, it is that the Treasury Department have recommended the construction of these vessels just as the bill has been reported to the Senate. I hope the measure will be adopted. I hope it will be adopted at once, because it is urgent.

Mr. MITCHELL. The committee reported the bill as recommended by the Department, except as to the amount. I think the recommendation of the Treasury Department is $325,000, while the report of the committee is $225,000.

Mr. FRYE. That is simply an error. The amendment the committee have agreed to modify to make the bill correspond with the figures of the Department.

Mr. ALLEN. I thought that amendment had been made. I was acquiescing in it in the amended form.

Mr. SQUIRE. Mr. President, I do not desire to delay the Senate unduly in this matter, nor to delay action, but I think now is the time to state the truth plainly and pertinently on this question. I have already spoken briefly about it. I did not know the bill was to be brought up this morning, or I would have been prepared to say something more and decidedly better. But I want to say that I am familiar with this subject. I have studied it for a number of years. I have paid a great deal of attention to it. I know the facts and details about it. I have conversed with the special agent of the Treasury Department on the subject. Mr. Mulkey confirmed the statement made to me by the collector of the port, that there is a vessel which runs at the rate of 17 knots per hour plying between the shores of the island of Vancouver and the United States.

Now, it seems to me that we make a great mistake if we are going to lay out $325,000 for a suitable vessel for the customs marine there and do not aim to have one that is suitable and fully competent for the purpose intended.

With regard to the remarks of the Senator from Maine, the chairman of the Committee on Commerce, as to the relative cost of such a vessel, it seems to me that $325,000, which I understand the committee have agreed to recommend in place of $225,000, as proposed in the bill, will be enough to construct a proper vessel that will have the speed of 18 knots per hour.

Mr. FRYE. The bill provides for two vessels.

Mr. DOLPH. It provides for two vessels.

Mr. SQUIRE. I had not studied the text of the bill; but will not $325,000 construct two suitable vessels? Can not they use part of this money for the purpose of speed? You do not require any armament of any importance on such a vessel as that. It is to be used for the purpose of intercepting the smugglers; it is not to be used for the ordinary purposes of a vessel of the Navy. It is to be used for the purpose of benefiting the Revenue Marine Service. We have been going on for several years——

Mr. DOLPH. Will the Senator from Washington allow me to state that these vessels are not intended for Puget Sound alone. They are intended for use along the California coast; they are intended for use on Puget Sound; they are intended for use in Alaska; they are intended for use in the Bering Sea.

Mr. SQUIRE. So I understand.

Mr. DOLPH. The necessity of preventing smuggling is probably greater in Alaska than it is on Puget Sound. On Puget Sound there is more loss to the Government, but in Alaska intoxicating liquors are constantly being smuggled into the Territory, and, on account of there being from 33,000 to 35,000 Indians there and only two or three thousand white persons and persons of mixed blood, the lives and the property of individuals are constantly jeopardized by the illicit traffic. These vessels are intended to be used on the entire Pacific coast.

Mr. SQUIRE. Mr. President, I only want to emphasize one point. The revenue-marine cutters now in those waters and that have been there for the past two years are characterized by the collector of the port under whose direction they move as being absolutely worthless to-day. I have that from him in a letter received——

Mr. FRYE. There is no doubt about that at all.

Mr. SQUIRE. They are absolutely worthless, they are good for nothing. We want something that is suitable for the purpose and we want the best kind of vessels for the purpose. We do not want to come short of the very best thing. It may be that there should be more money provided than is named in the bill; but certainly I would have that money laid out for the purpose of getting speed. That is what we want. I do not feel like withdrawing my amendment, and I wish the chairman of that committee would allow it to be the recommendation of the committee. Can you not do that, sir?

Mr. FRYE. No, sir.

Mr. DOLPH. It would jeopardize the bill.

Mr. SQUIRE. Let us have the best we can get, or make an effort for it anyway.

Mr. CHANDLER. I should like to ask either the Senator who reported the bill or the chairman of the Committee on Commerce whether the Secretary of the Treasury has expressed the opinion that 15 knots speed can be obtained for these two vessels, one of them of 450 tons and the other of 600 tons? Is it conceded that even that speed can be obtained as a sustained sea speed in vessels of this size?

Mr. FRYE. Yes, that a contract can be made guaranteeing that speed.

Mr. CHANDLER. Then I think the Senator from the State of Washington had better withdraw his amendment, for certainly the statement made by the chairman of the Committee on Commerce is correct, that if you undertake to go above that speed you can not get it in these two vessels. Speed requires displacement, and these are two very small vessels. I concede that there are small vessels to be built for $225,000, and I shall vote cheerfully for the increase which has been proposed to $325,000. But it is my judgment, from a superficial knowledge of this subject, that it will take nearly all the space there is in the 450-ton vessel and in the 600-ton vessel to get 15 knots speed. There will be very little room for coal, for stores, and for the crew, if they are built exactly as the Treasury Department proposes to build them. If you were to pass the amendment of the Senator from Washington, and order that these little boats should be carried up to an 18-knot speed, which is about 21 or 22 miles an hour, the ship would have to be built like the Cushing or Stiletto—nothing but boilers and engines—and the ships would not answer at all for the purpose for which they are designed.

Mr. SQUIRE. Will the Senator permit me?

Mr. CHANDLER. Certainly.

Mr. SQUIRE. There is one point I wish to mention for the information of the Senator, and that is that there are coal mines and coaling stations all around Puget Sound. The vessels can coal there every two hours if they wish to do so.

Mr. CHANDLER. As the Senator from Oregon has said, if these boats were to be simply confined to Puget Sound and not to go outside, up and down the coast, where they would encounter heavy weather, and up to meet the stormy weather of the Bering Sea, then you might get into two boats of this size the boilers and engines that would give them a very high speed. But they would be nothing but boilers and engines, with a light hull around, and they could not be outside cruising cutters at all.

Mr. President, while I am up I will take occasion to say that I shall vote with pleasure for this appropriation. I think there is no place on our coast where we need more revenue-cutter vessels nor better vessels than on the very line of coast about which we are speaking. I do not think the question of the transfer of the Revenue Marine to the Navy Department arises upon this bill, for while it may be true, as the Senator from Maine says, that the ordinary naval gunboat would not be suitable for this cutter service, yet it is true that if you were to transfer the Revenue Marine Service to the Navy Department to-day, the Navy Department would require for the work which it would then do at the service of the Treasury Department precisely these two vessels which you undertake to build.

So I suggest, and I make this suggestion to the Senator from New Jersey, if the Revenue Marine is transferred to the Navy Department, as I think it should be, it will be necessary for the Navy to have under its control, to put at the service of the Treasury Department, a different class of vessels from the present small gunboats of the Navy. There would go to the Navy Department the present revenue cutters, which would serve their purpose until new ships could be built, and then we should require a class of small light-draft and rapid coast vessels, revenue vessels, also suitable to be used by the Navy for certain war purposes. The two ships which are proposed by the bill would be exactly what would be wanted, whether the Revenue Marine remains with the Treasury Department or passes to the Navy Department.

Instead of putting us in a position of voting down an attempt to get 18-knot ships upon the Pacific coast, instead of putting us in the ungracious position of being unwilling to give the Pacific coast as fleet vessels as can be built, I hope that the Senator from Washington will withdraw his amendment. I beg leave to say

to him that no act of Congress will get 18-knot speed out of a 450-ton ship.

Mr. SQUIRE. I believe that if the Treasury Department were fully informed in regard to the situation on that coast, and on the part of the coast that I know most about, they would be willing to recommend, upon the request of the committee for information, a higher rate of speed. But this question has come up, as I said, without my having known of it in time. I do not wish to embarrass Senators by pressing the amendment. I would rather have the bill pass as it is, with the amendment recommended by the committee, than not to have the bill pass; and if it is the opinion of the Senator from Oregon [Mr. MITCHELL], who introduced the bill, and the other Senators who have been advocating it, that I should withdraw the amendment, I will consent to do so.

The PRESIDING OFFICER. The amendment of the committee is pending, and the Senator from Oregon has moved an amendment to it.

Mr. DOLPH. Let the amendment to the amendment of the committee be read.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In line 3, before the word "hundred," it is proposed to strike out "two" and insert "three;" so as to read: $325,000.

Mr. FRYE. That was the original amount agreed upon in the committee, but in figuring, a mistake was made by the Senator from Oregon and by me, and it was put at $225,000, when it should have been $325,000.

Mr. DOLPH. I read the figure "50" instead of "150." It was not a mistake in addition, but a mistake in reading the letter from the Department.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Chair understands that the amendment offered by the Senator from Washington will not be pressed.

Mr. COCKRELL. It was withdrawn.

Mr. SQUIRE. I withdrew the amendment.

The PRESIDING OFFICER. It was not regularly offered, only notice of it having been given. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. CAMERON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened, and (at 2 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 13, 1892, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 12, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

LEGALIZING RECORDS OF INDIAN OFFICE.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Interior, transmitting a copy of a communication from the Commissioner of Indian Affairs relative to legalizing the records of the Indian Office and authorizing the use of a seal, together with a draft of a bill for that purpose; which was referred to the Committee on Expenditures in the Interior Department, and ordered to be printed.

PUBLIC DOCUMENTS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a report with regard to the receipt, distribution, and sale of public documents on behalf of the Government by the Department of the Interior; which was referred to the Committee on Expenditures in the Interior Department, and ordered to be printed.

DISTRICT AND CIRCUIT COURTS OF IOWA.

Mr. EZRA B. TAYLOR. Mr. Speaker, I have been requested by the Committee on the Judiciary to report favorably a certain bill, and am also instructed by the committee to ask for unanimous consent for its immediate consideration.

The SPEAKER *pro tempore*. The gentleman from Ohio asks unanimous consent for the present consideration of a bill the title of which the Clerk will read, after which the Chair will ask if there is objection to its present consideration.

The Clerk read as follows:

A bill (H. R. 123) fixing the time for holding the district and circuit court of the United States in the northern district of Iowa.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill. [After a pause.] The Chair hears none. The Clerk will proceed to read the bill.

The Clerk read as follows:

Be it enacted, etc., That hereafter terms of the district and circuit courts of the United States shall be held in the several divisions of the northern district of Iowa at the times herein stated:

In the eastern division at Dubuque on the third Tuesday in April and first Tuesday in December.

In the central division at Fort Dodge on first Tuesday in June and second Tuesday in November.

In the western division at Sioux City on the third Tuesday in May and first Tuesday in October.

In the Cedar Rapids division at Cedar Rapids on the first Tuesday in April and second Tuesday in September.

SEC. 2. That no action, suit, proceeding, information, indictment, recognizance, bail bond, or other process in either of said courts shall abate or be rendered invalid by reason of the change of time in the holding of the terms of said courts, but the same shall be deemed to be returnable to, pending, and triable at the terms herein provided for.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. EZRA B. TAYLOR moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PRINTING FOR COMMITTEE ON MILITARY AFFAIRS.

Mr. OUTHWAITE. Mr. Speaker, I am directed by the Committee on Military Affairs to present and ask the present consideration of the resolution which I send to the Clerk's desk.

The resolution was read, as follows:

Resolved, That the Committee on Military Affairs be, and hereby is, authorized to have printed and bound such documents and papers for the use of said committee as it may deem necessary in connection with subjects considered or to be considered by this committee during the Fifty-second Congress.

The resolution was adopted.

Mr. OUTHWAITE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CLAIM OF THE STATE OF NEW YORK.

Mr. OUTHWAITE, from the Committee on Military Affairs, reported back the bill (H. R. 537) to pay to the State of New York the amount reported to be due that State in the letter of the Secretary of the Treasury, and asked that that committee be discharged from its further consideration, and that the bill be referred to the Committee on War Claims.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE OF EMPLOYÉS, NAVY DEPARTMENT.

Mr. OUTHWAITE also, from the Committee on Military Affairs, reported back the bill (H. R. 577) providing for leave of absence to certain per diem employés of the Government, and asked that that committee be discharged from its further consideration, and that the bill be referred to the Committee on Expenditures in the Navy Department.

There was no objection, and it was so ordered.

PUBLIC PRINTING.

Mr. RICHARDSON, by unanimous consent, introduced a bill (H. R. 3513) providing for the public printing and binding and the distribution of public documents.

Mr. MANSUR. I would suggest, Mr. Speaker, that that bill be printed in the RECORD for the information of members.

Mr. RICHARDSON. I do not think, Mr. Speaker, that that is necessary. This is a public bill and will be printed in the regular way, and that, I think, will meet the convenience of members without printing the bill in the RECORD. It is quite long and would take up several pages of the RECORD. The bill is reported by the joint committee created at the close of the Fifty-first Congress to consider this question of public printing. It embodies the views of that committee and regulates the entire question of public printing and the distribution of public documents, not only printing by Congress—Congressional printing, as it may be termed—but also the printing in the various Departments and bureaus of the Government.

I mention this in order that members who desire to do so may procure copies of the bill at an early day and examine its provi-

sions. I want to say further, if the House will indulge me, that I shall ask the House at an early day to take up this bill and consider it, in order that the question may be disposed of as soon as possible; which is necessary if we are to obtain any benefit at this session from the reforms which the committee have attempted to institute in this matter of public printing.

The bill was referred to the Committee on Printing.

INTRODUCTION OF BILLS.

By unanimous consent, bills of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred as follows:

CONSOLIDATION OF CUSTOMS COLLECTION DISTRICTS.

By Mr. HARTER: A bill (H. R. 3514) to authorize the consolidation of customs collection districts, and for other purposes—to the Committee on Ways and Means.

KENNON COUNTERPOISE BATTERY.

By Mr. TUCKER (by request): A bill (H. R. 3515) authorizing and directing the Secretary of War to contract for the purchase of the letters patent granted to the late Beverly Kennon for his invention of a counterpoise battery—to the Committee on Military Affairs.

REGISTER FOR BARGE SEABIRD, OF NEW JERSEY.

By Mr. FOWLER: A bill (H. R. 3516) to provide an American register for the barge Seabird, of New Jersey—to the Committee on Merchant Marine and Fisheries.

INCREASED PENSIONS IN CERTAIN CASES.

By Mr. FELLOWS: A bill (H. R. 3517) to increase the pension of those who have lost eyes, limbs, or the use of them, and for other purposes—to the Committee on Invalid Pensions.

REPAYMENT OF CERTAIN ADVANCES MADE BY MARYLAND AND VIRGINIA.

By Mr. COMPTON: A bill (H. R. 3518) to provide for paying certain advances made to the United States by the States of Maryland and Virginia for public buildings—to the Committee on Claims.

DAMS ACROSS KANSAS RIVER.

By Mr. OTIS: A bill (H. R. 3519) granting the right to erect and maintain dams across the Kansas River within Shawnee County, in the State of Kansas—to the Committee on Rivers and Harbors.

SILK CULTURE IN THE UNITED STATES.

By Mr. LONG: A bill (H. R. 3520) for the development and encouragement of silk culture in the United States, under the supervision of the Secretary of Agriculture—to the Committee on Agriculture.

SESSIONS OF THE COMMITTEE ON ELECTIONS.

Mr. O'FERRALL. Mr. Speaker, I am authorized by the Committee on Elections to submit the resolution which I send to the desk and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Committee on Elections be, and is hereby, authorized to sit during the sessions of the House.

The resolution was adopted.

Mr. SPRINGER. Mr. Speaker, unless some gentleman has some business which he desires to bring to the attention of the House at this time, I move that the House do now adjourn.

The motion was agreed to; and the House accordingly (at 12 o'clock and 20 minutes p. m.) adjourned.

PRIVATE BILLS.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. ABBOTT: A bill (H. R. 3521) to quiet the title of certain lands in the State of Mississippi, and for the relief of Eli Ayers, or his legal representatives, etc.—to the Committee on Indian Affairs.

Also, a bill (H. R. 3522) for the relief of A. J. Hudson, a citizen of Dallas, Tex.—to the Committee on Claims.

By Mr. BOATNER: A bill (H. R. 3523) for the relief of the heirs of Sterling T. Austin, deceased—to the Committee on War Claims.

By Mr. BELTZHOOVER: A bill (H. R. 3524) to place James T. Peale on the retired list of the United States Army—to the Committee on Military Affairs.

By Mr. BUCHANAN of Virginia: A bill (H. R. 3525) increasing the pension of Rebecca Mayo, a Revolutionary pensioner—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 3526) for the relief of William W. Webb—to the Committee on Military Affairs.

Also, a bill (H. R. 3527) for the relief of Louisa O. Lovell and others—to the Committee on War Claims.

By Mr. CLARKE of Alabama: A bill (H. R. 3528) for the relief of Timothy Meaher, administrator of J. M. Meaher—to the Committee on War Claims.

Also, a bill (H. R. 3529) for the relief of the personal representatives of James Rhodes, deceased—to the Committee on War Claims.

By Mr. COBB of Missouri: A bill (H. R. 3530) for the relief of James Clarkson, Company C, Sixty-ninth Regiment Ohio Infantry—to the Committee on Claims.

By Mr. COMPTON: A bill (H. R. 3531) for the relief of Thomas G. Hayes—to the Committee on Claims.

Also, a bill (H. R. 3532) for the relief of Nathan Plummer—to the Committe on Claims.

By Mr. COVERT: A bill (H. R. 3533) for the relief of Frederick, Victor & Achelis, importers and merchants, of the city of New York—to the Committee on Claims.

By Mr. CUTTING: A bill (H. R. 3534) authorizing the President to appoint and retire Thomas Garvey with the rank of captain in the mounted service of the United States—to the Committee on Military Affairs.

By Mr. DICKERSON: A bill (H. R. 3535) for the relief of L. T. Dix, of Dayton, Ky.—to the Committee on Invalid Pensions.

By Mr. ENGLISH: A bill (H. R. 3536) providing for the relief of Charles W. Cronk—to the Committee on War Claims.

Also, a bill (H. R. 3537) granting a pension to Elizabeth H. Newman—to the Committee on Invalid Pensions.

By Mr. FORNEY: A joint resolution (H. Res. 53) for the relief of William B. Matchett—to the Committee on Foreign Affairs.

By Mr. GEARY: A bill (H. R. 3538) for the relief of the estate of James T. Sanford, deceased—to the Committee on Claims.

By Mr. GEISSENHAINER (by request): A bill (H. R. 3539) to provide an American register for the barge Sea Bird, of Perth Amboy, N. J.—to the Committee on Merchant Marine and Fisheries.

By Mr. GRADY (by request): A bill (H. R 3540) for the relief of C. G. Holt, administrator of Wiley Holt, deceased, of Wayne County, N. C.—to the Committee on War Claims.

By Mr. HERBERT: A bill (H. R. 3541) for the relief of the heirs of John Mantel, sr., deceased—to the Committee on Claims.

Also, a bill (H. R. 3542) for the relief of Weil & Moore—to the Committee on Claims.

Also, a bill (H. R. 3543) for the relief of Thomas W. White—to the Committee on War Claims.

By Mr. HOPKINS of Pennsylvania: A bill (H. R. 3544) for the relief of Wilhelmina V. Craus, widow of Samuel M. Craus—to the Committee on Claims.

Also, a bill (H. R. 3545) for the relief of Frank J. Burrows, late postmaster at Williamsport, Pa.—to the Committee on Claims.

Also, a bill (H. R. 3546) to remove the charge of desertion from the military record of Bernhard Stueber—to the Committee on Military Affairs.

By Mr. HOUK of Tennessee: A bill (H. R. 3547) for the relief of William H. Turley—to the Committee on War Claims.

Also, a bill (H. R. 3548) for the relief of D. Framberger, of Knox County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3549) for the relief of W. A. Quarles, administrator of Mary Quarles, deceased, of Jefferson County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3550) for the relief of Thomas Patrick, administrator of Marion Patrick, deceased, of Jefferson County, Tenn., as found due by the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 3551) for the relief of James Raither, of Loudon County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3552) for the relief of Preston Kennedy, of Jefferson County, Tenn.—to the Committee on War Claims.

By Mr. JOHNSON of Ohio (by request): A bill (H. R. 3553) for the relief of Charles A. de Arnaud—to the Committee on War Claims.

By Mr. JONES: A bill (H. R. 3554) for the relief of John S. Braxton—to the Committee on Claims.

By Mr. LAGAN: A bill (H. R. 3555) to provide an American register for the steamer S. Oteri, of New Orleans, La.—to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 3556) to provide an American register for

the steamer Foxhall, of New Orleans, La.—to the Committee on Merchant Marine and Fisheries.

By Mr. McCLELLAN: A bill (H. R. 3557) amending the record of and granting an honorable discharge to James Wilkinson—to the Committee on Military Affairs.

By Mr. MANSUR: A bill (H. R. 3558) for relief of Hamilton Crews—to the Committee on War Claims.

Also (by request), a bill (H. R. 3559) for the relief of David L. Black, late private Company C, Second United States Volunteers, or "Berdan's Sharpshooters"—to the Committee on Military Affairs.

By Mr. MEREDITH: A bill (H. R. 3560) for the relief of J. V. Davis—to the Committee on Claims.

Also, a bill (H. R. 3561) for the relief of Sarah G. Smith, executrix and devisee of Francis L. Smith—to the Committee on War Claims.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 3562) for the relief of Richard A. Neuert—to the Committee on Claims.

By Mr. OTIS: A bill (H. R. 3563) for the relief of John Gibson—to the Committee on War Claims.

By Mr. PEEL: A bill (H. R. 3564) to grant a pension to J. N. Anderson for injuries received in the late war—to the Committee on Invalid Pensions.

By Mr. PIERCE: A bill (H. R. 3565) for the relief of John A. Roe, of Gibson County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3566) for the relief of Jesse L. Branch, of Gibson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3567) for the relief of W. H. Bryan, of Gibson County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 3568) for the relief of A. W. Stevenson, of Gibson County, Tenn.—to the Committee on War Claims.

By Mr. SNODGRASS: A bill (H. R. 3569) for the relief of James Nipper—to the Committee on Pensions.

Also, a bill (H. R. 3570) for the relief of James Nipper, of Cleveland, Tenn.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 3571) for the relief of Capt. E. W. Bass, of Dowelltown, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 3572) for the relief of Richard M. Edwards, of Cleveland, Tenn.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 3573) for the relief of S. H. Fox—to the Committee on War Claims.

Also (by request), a bill (H. R. 3574) for the relief of John Masoner, assignee of Isaac Masoner—to the Committee on War Claims.

By Mr. SPERRY: A bill (H. R. 3575) giving William K. Mayo the rank and pay of rear-admiral on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. STONE of Kentucky: A bill (H. R. 3576) for the relief of the estate of R. M. Scanlan—to the Committee on War Claims.

Also, a bill (H. R. 3577) for the relief of Joseph Cordill—to the Committee on War Claims.

Also, a bill (H. R. 3578) for the relief of the estate of James S. Clark, deceased—to the Committee on War Claims.

By Mr. STAHLNECKER: A bill (H. R. 3579) for the relief of Secor & Co., Perine, Secor & Co., and the executors of Zeno Secor—to the Committee on Claims.

By Mr. TARSNEY: A bill (H. R. 3580) granting jurisdiction and authority to the Court of Claims in the case of the scow Rowena—to the Committee on Claims.

By Mr. EZRA B. TAYLOR (by request): A bill (H. R. 3581) for the relief of Eugene D. Crane—to the Committee on Claims.

Also (by request), a bill (H. R. 3582) for the relief of Mrs. Sarah Elizabeth Holroyd, widow and administratrix of the estate of John Holroyd, deceased—to the Committee on Claims.

Also (by request), a bill (H. R. 3583 (for the relief of Maj. William M. Maynadier, a paymaster in the United States Army—to the Committee on Claims.

Also (by request), a bill (H. R. 3584) for the relief of Frank Della Torre and Susan F. Della Torre, heirs of Peter Della Torre, deceased—to the Committee on Claims.

By Mr. TERRY: A bill (H. R. 3585) for the relief of Henry N. Posey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3586) for the relief of Henry N. Posey—to the Committee on Military Affairs.

Also, a bill (H. R. 3587) for the relief of Jonathan Ramey, Mexican war veteran—to the Committee on Pensions.

By Mr. WALKER: A bill (H. R. 3588) granting arrears of pension to William H. Cummings—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 2 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Petition of the Board of Trade of Gainesville, Tex., asking for the establishment of a United States district court—to the Committee on the Judiciary.

Br Mr. BELKNAP: Petition of August F. H. Hain, late a major and aid-de-camp in the military service of the United States, praying for relief—to the Committee on Military Affairs.

By Mr. BENTLEY: A resolution to continue the lease of the premises at 225 Pennsylvania avenue NW. for one year from January 1, 1892—to the Committee on Accounts.

By Mr. BELTZHOOVER: Petition of James Fisher, Company C, Twenty-eighth Regiment Pennsylvania Volunteers, for the removal of the charge of desertion—to the Committee on Military Affairs.

By Mr. BLAND: Petition of Valentine Sutton, of Texas County, Mo.; of Robert W. Hardin, of the same county; of Alexander Jadwin, of the same county, and of Absalom McKinney, of Houston, in the same county, asking Congress to refer their quartermaster claims and commissary claims to the Court of Claims under the so-called Bowman act—to the Committee on War Claims.

By Mr. COBB of Missouri: Petition and papers in support of special bill for the relief of Lillie Reis—to the Committee on Invalid Pensions.

By Mr. COX of Tennessee: Petition of J. W. Choat, of Maury County, Tenn., showing that he is the identical J. W. Coat whose claims for supplies furnished the Union Army during the late war—to the Committee on Claims.

By Mr. CRAWFORD: Petition of citizens of Franklin, N. C., asking for an increase of pay to fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. CUTTING: Memorial of the Traffic Association of California, praying prompt construction of the Nicaragua Canal under contract of the United States Government—to the Committee on Railways and Canals.

By Mr. ENGLISH: Petition of Elizabeth H. Newmann, for a pension—to the Committee on Invalid Pensions.

By Mr. GEARY: Resolution on the improvement of Humboldt Bar—to the Committee on Rivers and Harbors.

By Mr. GEISSENHAINER: Petition of the members of the Second Methodist Episcopal Church of Rahway, N. J., and of the members of the Methodist Episcopal Church of New Providence, N. J., for an appropriation to the Columbian Exposition on condition that the latter be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HATCH: Petition of Giles Otis Pearce, of Keokuk, Iowa, for general relief—to the Committee on the Judiciary.

By Mr. HOUK of Tennessee: Petition of Strawberry Plains Presbyterian Church, of Strawberry Plains, Tenn., praying compensation for use of church during the late war—to the Committee on War Claims.

By Mr. HUFF: Petition of the citizens of Richardsville, Pa., in relation to the restriction and regulation of immigration—to the Select Committee on Immigration and Naturalization.

By Mr. HULL: Petition of S. G. Crawford and 17 other citizens of St. Charles, Madison County, Iowa, and of Joseph W. Pinckney and 3 others, of Madison County, Iowa, in favor of the Butterworth option bill—to the Committee on Agriculture.

Also, petition of Joseph W. Pinckney and 14 others, and of G. M. McCrea and 17 others, of Madison County, Iowa, in favor of taxing compound lard—to the Committee on Agriculture.

By Mr. JONES: Petition of E. T. Powell and others, and of S. E. Core and others, asking for favorable consideration of a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of Senator H. T. Wickham and others, members of the Virginia Legislature, asking for favorable consideration of bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. LONG: Petition for the relief of William B. Morrow, late a citizen of Middleburg, Tenn., to accompany a bill for his relief—to the Committee on War Claims.

Also, petition of Pleasant Grange, No. 456, Robertson County, Tex., asking relief for bona-fide settlers on lands in the odd-numbered sections within the limits of the Northern Pacific Railroad Company's route from Wallula, Wash., to Portland, Oregon—to the Committee on the Public Lands.

Also, petition of Concord Grange, Patrons of Husbandry, of the same State, and upon the same subject—to the Committee on the Public Lands.

By Mr. McCLELLAN: Petition of 200 citizens of Auburn, Ind., for the closing of the World's Fair on the Sabbath, to prevent our

nation from becoming a rumseller by the sale of liquors within the National Exposition, and that the art department be managed according to the American standard of purity in art—to the Select Committee on the Columbian Exposition.

By Mr. McKAIG: Petition of James H. Elgin, Washington County, Md., administrator of the estate of William S. Elgin, deceased, asking Congress to refer his quartermaster claims to the Court of Claims under the so-called Bowman act—to the Committee on War Claims.

Also, petition of John H. Cassin and Isaac E. Toshunter, paymaster's clerks in the Army of the United States during the war with Mexico, and in actual service, for relief—to the Committee on Pensions.

By Mr. McKINNEY: Petition of Jarret C. Hiddleston, of Fayette County, W. Va.; of Sebastian S. Cockey, administrator of Sebastian S. Cockey, of Frederick County, Md., and of J. Calvin Fox, of Frederick County, Md., that their claims may be referred to the Court of Claims under the Bowman act—to the Committee on War Claims.

By Mr. MARTIN: Petition of William G. Smith, for the passage of the bill H. R. 3253, to increase his pension—to the Committee on Invalid Pensions.

Also, statement of William G. Smith, to accompany the bill H. R. 3253, to increase his pension—to the Committee on Invalid Pensions.

Also, petition of citizens of Indiana, for the passage of the bill (H. R. 3253) to increase the pension of W. G. Smith—to the Committee on Invalid Pensions.

Also, letter of Treasurer of United States, to accompany the bill (H. R. 3252) for the relief of Charles T. Brandt—to the Committee on Claims.

Also, affidavit of Rufus Neal, to accompany the bill H. R. 3254, for his relief—to the Committee on War Claims.

Also, petition of citizens of Indiana, for the passage of the bill (H. R. 3250) to increase the pension of Abel S. Chase—to the Committee on Invalid Pensions.

Also, petition (to accompany House bill 3251) of citizens of Indiana, to grant a pension to Reuben Fightner—to the Committee on Invalid Pensions.

By Mr. MITCHELL: Petition of John V. Hartwick, a veteran of the Mexican war, praying for an increased pension—to the Committee on Pensions.

By Mr. POWERS: Petition of Dr. William B. Lind and others, praying that a pension be granted to Emma J. Furness—to the Committee on Invalid Pensions.

By Mr. RANDALL: Petition of C. R. Kelley and others, of New Bedford, Mass., for promoting the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, application of William H. Smallwood, for House restaurant—to the Committee on Public Buildings and Grounds.

Also, petition of keeper and crew of Caskata Life-Saving Station, Nantucket, for promoting the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY: Sundry petitions of citizens of Schuylkill County, Pa., in opposition to the opening of the Columbian Exposition at Chicago on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. RUSK: Petition of the Board of Trade of Baltimore that a light be established in Point-no-Point, Chesapeake Bay—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Illinois: Petition of 136 citizens of Coulterville, Ill., favoring the loan of $5,000,000 by the Government to aid the Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. SNODGRASS (by request): Petition of James Nipper, Cleveland, East Tennessee, to have his name duly enrolled as a volunteer in the war for the suppression of the rebellion—to the Committee on Invalid Pensions.

Also (by request), petition of John T. Masoner, of Big Spring, Meigs County, Tenn., for reference of his case to the Court of Claims under the provision of the Bowman act—to the Committee on War Claims.

By Mr. STONE of Kentucky: Petition of Peter H. Speas, for reference of his case to the Court of Claims under the provision of the Bowman act—to the Committee on War Claims.

By Mr. WARWICK: Petition to close the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of United Presbyterians of Wellersville, Ohio, for the closing of the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WISE: Petition of manufacturers of tobacco of Richmond, Va., requesting that section 26 of the act known as the tariff act, approved October 1, 1890, be amended—to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *January 13, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM NEVADA.

Mr. STEWART. Mr. President, my colleague, Mr. John P. Jones, whose credentials have heretofore been presented, is present, and I ask that he be sworn in.

The VICE-PRESIDENT. The Senator elect from Nevada will please come forward and receive the oath of office.

Mr. Jones of Nevada was escorted to the Vice-President's desk by Mr. STEWART, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

PETITIONS AND MEMORIALS.

Mr. ALLISON presented the petition of Chris. Marti and other citizens of Long Grove, Iowa, praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of E. V. Nauman and other citizens of Keokuk County, Iowa; the petition of John Homrighaus and other citizens of Bremer County, Iowa, and the petition of J. S. Crawford and other citizens of Iowa, praying for the passage of what is known as the option bill; which were referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted at the eleventh annual session of the Farmers' Congress, held at Sedalia, Mo., praying that State and national laws be so framed that no class or set of men shall derive advantages and benefits at the expense of or to the detriment of the masses of the people; also favoring the election of President by popular vote and the election of United States Senators by the direct vote of the people of the several States; also that national taxation be limited to the wants of the Government economically and honestly administered, and also praying for other legislation; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of the Worcester (Mass.) Congregational Club, praying for the ratification of the Brussels agreement; which was ordered to lie on the table.

Mr. KYLE presented a petition of 30 citizens of Meade County, S. Dak., praying for the passage of what is known as the Butterworth option bill, prohibiting gambling in agricultural products; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of 33 citizens of Meade County, S. Dak., praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. BRICE presented a petition of George E. Henderson, of New Athens, Ohio, praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Elm Tree National Farmers' Alliance, Lodge No. 51, of Buena Vista, Ohio, praying for the passage of legislation for the free collection and delivery of mails in the settled rural portions of the country; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PADDOCK presented a petition of 76 students of Doane College, Crete, Nebr., praying that Congress authorize the loan of $5,000,000 by the National Government to the World's Columbian Exposition on condition that such exposition shall not be managed so as to discredit in any way the American Sabbath; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. JONES of Arkansas presented the petition of Jesse Huston and other members of the First Presbyterian Church of Little Rock, Ark., praying for legislation to prevent the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HAWLEY presented the petition of J. B. Calton and 47 other citizens and taxpayers of East Hartford, Conn., praying for the free delivery of mails in country districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE presented a memorial of shipbuilders and shipowners, of Bath, Me., remonstrating against the passage of Senate bill 153, to provide American registers for the steamers Foxhall and S. Oteri, of New Orleans, La.; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Portland, Me., praying for the transfer of the Revenue Marine Service to the Navy Department; which was referred to the Committee on Naval Affairs.

Mr. TURPIE presented the petition of Amanda Jackson, of Petersburg, Ind., praying to be granted a widow's pension; which was referred to the Committee on Pensions.

Mr. QUAY presented the petition of Benjamin F. Bruner, of Lancaster County, Pa., praying to be allowed an invalid pension; which was referred to the Committee on Pensions.

Mr. HISCOCK. I present resolutions and petition of the New York Cotton Exchange, remonstrating against the passage of Senate bill 685, levying a tax on sales for future delivery of cotton, etc., on the ground that it would necessitate the closing up of the commercial exchanges of the country, and asking Congress to refrain from legislation of the kind.

I ask that the resolutions and petition be printed in the RECORD. I believe the bill to which the paper refers was introduced by the Senator from Minnesota [Mr. WASHBURN] and referred to the Committee on the Judiciary.

The VICE-PRESIDENT. The Chair is advised that the bill was referred to the Committee on Agriculture and Forestry.

Mr. HISCOCK. I understand not. The paper refers to the bill which was introduced by the Senator from Minnesota [Mr. WASHBURN], and that bill was referred to the Committee on the Judiciary. I inquire of the Senator from Nebraska [Mr. PADDOCK] if there has been a like bill referred to the Committee on Agriculture?

Mr. PADDOCK. There are three or four bills pending before the Committee on Agriculture on this subject. There is one, and possibly there are two, of like import pending before the Committee on Interstate Commerce, and there is one before the Committee on the Judiciary. It seems to me that it would be wise to have all these bills in some one committee and to have one committee charged with the responsibility of considering the whole subject and reporting upon it to the Senate. I have no particular personal interest in the matter and no concern about it, except to have the subject fairly and thoroughly treated. It seems to me to be a subject that would properly come within the jurisdiction of the Agricultural Committee. However, I have no care or solicitude as to the particular committee to which the subject shall be referred.

Mr. HISCOCK. It seems to me all the bills on this subject ought to be referred to the Committee on Interstate Commerce, as the power to tax depends upon the theory that the properties come within interstate commerce; but I do not desire to make any motion on the subject. I merely rose for the purpose of suggesting that the paper which I presented, referring, as it does, to the bill of the Senator from Minnesota, should be referred to the same committee to which the bill was referred.

Mr. PADDOCK. Undoubtedly it should be, Mr. President.

Mr. WASHBURN. I conferred with the Senator from Nebraska [Mr. PADDOCK], as I had some doubt in regard to the reference of the bill when I introduced it. It should probably have gone to the Committee on Agriculture, but as I felt that it was pretty sure ultimately to be referred to the Judiciary Committee for a final report, I thought I would ask the reference of the bill in the first place to that committee, as I desired to have an early report and early discussion and action on the bill.

So far as the printing in the RECORD of the memorial, or protest, or argument, or whatever it is, which has been presented by the Senator from New York [Mr. HISCOCK] is concerned, I should have no objection to that proposition, excepting that it is not, as I understand, in accordance with the practice of the Senate. If that is done in this case I have a volume of memorials on the same subject, which I shall ask to have printed also in the same form.

Mr. HISCOCK. I withdraw the request for the printing of the paper in the RECORD.

The VICE-PRESIDENT. The petition will be referred to the Committee on the Judiciary if there be no objection.

Mr. COCKRELL. I desire to present preamble and resolutions which were adopted at a meeting of the merchants, manufacturers, and representatives of the municipal government of the city of St. Louis, held at the Merchants' Exchange on November 24, 1891, in regard to the improvement of the Mississippi River, and especially that portion of it between St. Louis and the mouth of the Ohio River, and also containing a report of the legislative committee presented at a meeting of the executive committee held on January 6, 1892, in which they favor an appropriation of $11,000,000 for the improvement of the river from the mouth of the Illinois River to the mouth of the Ohio River, said sum to be expended under the direction of the Secretary of War; and further requesting the Senators and Representatives in Congress from Missouri to support Senate bill 1199, introduced by Senator GIBSON, of Louisiana, entitled "A bill to improve the navigation and to afford ease and safety to the trade and commerce of the Mississippi River, and to prevent destructive floods, by building and repairing and extending the levees and dikes and other works, with an appropriation therefor." Nearly all the representative bodies and organizations of St. Louis are represented in the membership of the executive committee.

I ask that these resolutions and preamble may be received and referred to the Committee on Commerce.

The VICE-PRESIDENT. They will be so referred.

PRINTING OF A PETITION.

Mr. ALLISON. I ask that a petition in the nature of a resolution, adopted by the Eleventh Annual Farmers' Congress, held at Sehalia, Mo., which I presented on the 5th instant, praying for legislation impartial in its advantages and benefits, favoring the election of the President and United States Senators by a direct vote of the people, etc., may be printed as a document. It is brief, and I think for the convenience of Senators it should be printed.

The VICE-PRESIDENT. The petition will be printed as a document, if there be no objection. The Chair hears none, and it is so ordered.

PERSONAL EXPLANATION.

Mr. GORDON: Mr. President, I ask the privilege of interrupting the regular order long enough, at this stage, to make a personal explanation and to give the reason for my absence from the regular meeting of the Committee on Coast Defenses, which met yesterday.

In looking over the printed list of the committees as recorded in the daily RECORD I found that the name of my distinguished friend from Maryland [Mr. GORMAN] was mentioned as a member of that committee, and not myself. I therefore naturally concluded that I was not a member of the committee and that the first announcement was a mistake. This was my reason for being absent. That misapprehension having been removed, I shall in the future be present at its meetings.

Now that I am on my feet, if the Senate will indulge me, I wish to make one other explanation. While the bill reported favorably from that committee yesterday morning is one of great importance, and merits grave consideration, yet had I been present I should have felt constrained, in the present condition of the country and of the people, to have voted against its favorable report. There are, I think, no war clouds visible to give us unusual concern or alarm. No man will be more prompt than myself in voting money for the country's defense whenever the exigencies shall demand it, and to any amount required for defense. It does seem to me, however, that the country is in much greater danger from the burdens of taxation from which the people are suffering than from any invasion from a foreign foe. It occurs to me, therefore, that it would be wiser for us to rather curtail than increase expenditures, and thus avoid the necessity for raising such large sums from the people. Let us first relieve our people, as far as we may, from the present exactions of taxation and then, when the occasion arises, look to the remote and contingent danger from outside.

REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Volunteer Army, reported it with an amendment, and submitted a report thereon.

Mr. DOLPH, from the Committee on Commerce, to whom was referred the bill (S. 1503) to establish a first-order light-house on North Head, Cape Disappointment, in the State of Washington, reported it without amendment.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 80) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 53) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada, reported it without amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 522) for the erection of a public building at Cheyenne, Wyo., reported it with amendments.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 211) for the relief of the sureties of Dennis Murphy, reported it without amendment, and submitted a report thereon.

Mr. PADDOCK, from the Committee on Agriculture and Forestry, to whom was referred the bill (S. 1) for preventing the adulteration and misbranding of food and drugs, and for other purposes, reported it with amendments.

Mr. PADDOCK. The Committee on Agriculture and Forestry have had under consideration the bill (S. 1434) providing for the loan of money to the farmers of Indiana, and have in-

structed me to report it back to the Senate and ask to be relieved from the further consideration of the proposition. As the bill relates exclusively to the subject of finance it clearly belongs, we think, to the jurisdiction of the committee having charge of all finance measures, and I am therefore instructed, without any expression whatever as to the views of the committee respecting the merits of the proposition itself, to move that it be referred to the Committee on Finance. I call the attention of the Senator from Kansas [Mr. PEFFER] to this report, who, as the RECORD shows, introduced the bill by request.

The VICE-PRESIDENT. The Committee on Agriculture and Forestry will be discharged from the further consideration of the bill, and it will be referred to the Committee on Finance if there be no objection. The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a bill (H. R. 123) fixing the time for holding the district and circuit courts of the United States in the northern district of Iowa; in which it requested the concurrence of the Senate.

BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 1578) for the relief of the First National Bank of Newton, Mass.; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 1579) to establish the port of Ashland, in the State of Wisconsin, as a port of entry; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McPHERSON introduced a bill (S. 1580) granting an increase of pension to Frances A. T. Emmons; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 1581) for the relief of Mary J. Bealmear; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1582) for the relief of Henry M. Cannon, administrator of the estate of James Cannon, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARLISLE introduced a bill (S. 1583) to provide for military telegraph lines; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WHITE introduced a bill (S. 1584) for the relief of Christina A. Relf; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1585) for the relief of the New Orleans and Bayou Sara Mail Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. TURPIE introduced a bill (S. 1586) to reimburse Isaac D. Armstrong for stolen bonds; which was read twice by its title, and referred to the Committee on Claims.

Mr. BRICE introduced a bill (S. 1587) providing for the compensation of fourth-class postmasters; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1588) for the relief of Charles B. Stivers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. KYLE introduced a bill (S. 1589) to repeal section 3699 of the Revised Statutes, which empowers the Secretary of the Treasury to anticipate interest upon the public debt; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1590) making certain issues of money a full legal tender in payment of all debts; which was read twice by its title, and referred to the Committee on Finance.

Mr. McMILLAN introduced a bill (S. 1591) to amend an act entitled "An act for the further protection of property from fire and safety of lives in the District of Columbia," approved January 26, 1887; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1592) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. WASHBURN introduced a bill (S. 1593) for the relief of George F. Brott; which was read twice by its title, and referred to the Committee on Claims.

Mr. HISCOCK introduced a bill (S. 1594) to increase the pension of Elizabeth Deshler Whiting, widow of Lieut. Henry Whiting; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1595) for the relief of Alexander Van Loan, private Company B, Fourth New York Heavy Artillery; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 1596) to grant a pension to Martha Noble Brainerd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1597) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company to construct and operate a railroad, telegraph, and telephone line from the city of Anthony, in the State of Kansas, through the Indian Territory, to some point in the county of Grayson, in the State of Texas," approved September 26, 1890; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 1598) to insure preference in appointment, employment, and retention therein, in the public service of the United States, to veterans of the late war; which was read twice by its title, and referred to the Committee on Civil Service and Retrenchment.

Mr. PERKINS introduced a bill (S. 1599) to create a third division of the district of Kansas for judicial purposes, and to fix the time and place for holding Federal courts therein; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CAREY introduced a bill (S. 1600) to provide for the completion and repair of quarters, barracks, and stables at Forts Washakie and McKinney, Wyo.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1601) to provide for the creation of the Ogden land district, in the Territory of Utah; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1602) granting a right of way on the Fort Douglas military reservation, in the Territory of Utah; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1603) for the relief of the inhabitants of the town of Ferron, county of Emery, Territory of Utah; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1605) granting a right of way through certain lands of the United States in the Territory of Utah; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1606) to provide for the reorganization of the judiciary of the Territory of Utah; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1607) to amend the charter of the Rock Creek Railroad Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PASCO introduced a bill (S. 1608) to make Punta Gorda, Fla., a port of entry; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CULLOM introduced a bill (S. 1609) for the relief of Joseph W. Parish; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Louisiana introduced a bill (S. 1610) to increase the endowment of the Louisiana State University and Agricultural and Mechanical College, and for the Southern University of Louisiana; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GORMAN introduced a bill (S. 1611) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the preparation of plans and specifications for a new custom-house building; which was read twice by its title, and referred to the Committee on Public buildings and Grounds.

He also introduced a bill (S. 1612) to compensate Thomas G. Hayes for legal services rendered under direction of the Attorney-General; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MORGAN (by request) introduced a bill (S. 1613) for the relief of Charles A. de Arnaud; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 1614) for the relief of Rev. William J. Larkin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McPHERSON introduced a bill (S. 1616) for the purchase of a site and the erection of a public building thereon in the city of Elizabeth, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. KYLE introduced a joint resolution (S. R. 29) proposing an amendment to the Constitution of the United States relating to marriage and divorce; which was read twice by its title.

Mr. KYLE. I desire that the joint resolution shall lie on the table for the time being, and I give notice that at an early day I shall move to take up the measure and refer it to the Judiciary Committee; and I also give notice that at that time I shall make a few remarks pertaining to the joint resolution.

The VICE-PRESIDENT. The joint resolution will lie on the table for the present.

Mr. HISCOCK (by request) introduced a joint resolution (S. R. 30) for the relief of Charles Stoughton, in reference to his services in the Harlem River improvement project, New York; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a joint resolution (S. R. 31) authorizing and requiring the Secretary of War to contract with Charles Stoughton for the completion of the Harlem River Canal from the Hudson River to the upper end of Randalls Island, commencing the work where the present contractor leaves it, and for the entire work of excavating a canal through the Harlem Kills from the upper end of Randalls Island to the deep water of Long Island Sound; each channel to be 250 feet wide and 15 feet deep at mean low water, except where previous work on the Harlem River channel has exceeded these dimensions; both to be completed on or before the 31st day of May, 1893; the contract price for the completion of the Harlem River Canal to be $970,000; the work to be carried out in strict accordance with Col. Newton's official survey report, as sent up to Congress February 22, 1875, except that the width shall be 250 feet, as above stated, instead of 350 feet; the contract price for the Harlem Kills Channel to be $1,650,000; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

SECURITY OF DISTRICT BUILDINGS.

Mr. MCMILLAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Commissioners of the District of Columbia be, and are hereby, directed to inquire into and to report to the Senate, as soon as practicable, if any of the public halls, theaters, or other public buildings within the District of Columbia are specially dangerous to life in case of fire or panic, by reason of height of the auditorium above the street, lack of direct and capacious exits, the presence of boilers or furnaces under the auditorium or stairways leading thereto, defective construction, or for any other causes.

COMMITTEE ON RELATIONS WITH CANADA.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Relations with Canada shall hereafter be one of the standing committees of the Senate.

EXTENSION OF FREE MAIL DELIVERY.

Mr. HANSBROUGH submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Postmaster-General be, and he is hereby, instructed to furnish the Senate of the United States with all the information that may be on file in his Department, including copies of reports and statements of post-office inspectors and others, relative to the question of extending the free-delivery system to rural communities, or for substituting said system for that of the present star-route service, as far as the same may be found practicable.

REPORT OF HENRY W. ELLIOTT.

Mr. MORGAN submitted the following resolution; which was read:

Resolved, That the Secretary of the Treasury is directed to furnish for the information of the Senate a copy of the report of Henry W. Elliott, made in obedience to the order of an act of Congress approved April 5, 1890, with all maps and illustrations that accompany it.

Mr. COCKRELL. What does the act refer to?

Mr. MORGAN. Mr. Elliott was sent out and made his report to the Secretary of the Treasury as required by act of Congress, and it is very desirable and it is very important that that report should be furnished.

Mr. CHANDLER. I ask that the resolution may be again reported.

The VICE-PRESIDENT. The resolution will be again read.

The Chief Clerk read the resolution.

The resolution was considered by unanimous consent, and agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 123) fixing the time for holding the district and circuit courts of the United States in the northern district of Iowa was read twice by its title, and referred to the Committee on the Judiciary.

COMMITTEE SERVICE.

Mr. DOLPH. I ask to be relieved from service as chairman of the Committee on Coast Defenses, retaining a position upon the committee as a member.

The VICE-PRESIDENT. The Senator from Oregon will be excused, if there be no objection.

Mr. CULLOM. I move that the Senator from Oregon [Mr. DOLPH] be made chairman of the Committee on Public Lands.

The VICE-PRESIDENT. The question is on the motion of the Senator from Illinois, that the Senator from Oregon [Mr. DOLPH] be made chairman of the Committee on Public Lands.

The motion was agreed to.

Mr. CAREY. I ask to be relieved from further service upon the Committee on Patents.

The VICE-PRESIDENT. The Senator from Wyoming will be excused, if there be no objection.

Mr. CULLOM. I move that the Senator from Kansas [Mr. PERKINS], who succeeds the late Senator Plumb, be made a member of the Committee on Patents, a member of the Committee on the District of Columbia, and a member of the Select Committee on the Transportation and Sale of Meat Products.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Illinois.

The motion was agreed to.

Mr. CULLOM. I move that the Senator from Wyoming [Mr. CAREY] be made a member of the Committee on Public Lands.

The motion was agreed to.

BUSINESS BEFORE THE COURT OF CLAIMS.

Mr. MITCHELL. If the regular morning business is through I desire to call up the resolution I submitted on the 11th instant, and I ask that it be read, as I desire to submit a few remarks in relation to it.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution submitted by Mr. MITCHELL January 11, 1892, as follows:

Resolved, That the Committee on the Judiciary be, and it is hereby, instructed to make inquiry as to what legislation, if any, should be enacted by Congress for the purpose of relieving the Court of Claims in the transaction of business before that court, and for expediting such business, and to report to the Senate by bill or otherwise at its earliest convenience.

Mr. MITCHELL. Mr. President, the purpose of this resolution is to bring speedily to the attention of the Senate the pressing necessity for such early legislation as will tend to expedite the transaction of business now pending, and which, with alarming rapidity, is constantly accumulating on the calendar of the Court of Claims, and which will bring relief to the judges of and litigants in that overburdened court. Nothing, it seems to me, except a total lack of information as to the amount, importance, and state of the business now pending in that court would justify opposition to some proper and speedy legislation on this subject. The startling facts presented in the report of the Attorney-General and those of his assistants are of themselves amply sufficient not only to justify but induce appropriate and speedy action by Congress looking to the relief of both court and litigants.

During the past few Congresses various acts have been passed largely increasing the jurisdiction of that court, and which, taken together, have resulted in an avalanche of cases that literally overwhelm the court, not merely by the number of cases on the calendar, but also by the magnitude of the interests and amounts involved. Whereas originally the jurisdiction of the court attached only to cases arising under contract, express or implied, now, there are in all, under existing laws, no less than seven sources of jurisdiction, namely, general; specially conferred; Congressional, under what are known as the Bowman and Tucker acts; French spoliation claims; Indian depredation claims; departmental; and District of Columbia. And while this constant enlargement of jurisdiction has been going on nothing has been done of a material character either to enlarge the court or strengthen the aids of the court by increase of clerical force or of the assistants to the Attorney-General, whose Department must, in the protection of the interests of the Government, look after and give attention to this vast amount of business. The only legislation that has been enacted which in any manner tends to lessen the accumulation of business in the Court of Claims is the act of March 3, 1887, conferring upon the circuit and district courts of the United States concurrent jurisdiction in a certain specified class of cases with the Court of Claims.

Under this act, as appears from the report of the Assistant Attorney-General in charge of the business of the Department of Justice in the Court of Claims, there have since its passage been 951 suits brought, 828 of which have been decided, and 123 of which are still pending. But notwithstanding this diversion of business, the startling fact remains that there are now, or were at the date of the report of the Assistant Attorney-General, November 5 last, 19,117 cases pending on the dockets of the Court of Claims. Of these, 1,271 cases arise under general and special jurisdictions; 7,393 under the Bowman-Tucker acts; 4,952 French spoliation claims; 11 departmental cases; 23 District of Columbia cases, and 5,467 Indian depredation cases.

Some conception of the magnitude and importance of this vast number of cases will be had when it is stated that according to the estimate of the Assistant Attorney-General that in the 5,569 petitions filed under the French spoliation act, 2,399 vessels are involved, including claims in the aggregate of about $30,000,000, former estimates made in the Department of Justice having

been as high as $42,000,000. Of these 5,569 cases filed under the French spoliation act but 617 have been adjudicated and disposed of or passed upon by the court. Three hundred and twenty-eight of these have been decided favorably to the claimants, 54 unfavorably to the claimants, while 235 petitions have been dismissed; the aggregate amount allowed in cases certified favorably being $2,352,169.52. Of this amount Congress, in the act of March 3, 1891, appropriated $1,304,095.37, covering 250 claims. And as showing the slow progress this court must necessarily make on account of the great number of sources of jurisdiction and the mass of cases constantly accumulating from each source or class, it may be said, as appears from the report of the Assistant Attorney-General, that during the past year out of 97 cases that had been remanded for further proceedings but 14 had been decided after reargument, and 57 petitions argued and submitted. But the number of cases and amounts involved in the French spoliation claims sink into insignificance when compared with the number of cases which have found their way to the docket of the Court of Claims in pursuance of the provisions of the Bowman act.

From 1884 to March 3, 1891, we are told in the report of Assistant Attorney-General Cotton, there were docketed under the Bowman act an aggregate of 8,503 cases; the number docketed each year being as follows:

1884	217	1888	4,502
1885	177	1889	632
1886	858	1890	866
1887	786	1891	405

The present Assistant Attorney-General hesitates to attempt even an approximate estimate of the aggregate amount of the claims involved in these cases from the fact, as stated by him, in many instances no sum is mentioned in the petition, but he does remind us that former reports of the Attorneys-General have placed the estimate at the enormous sum of $400,000,000.

But passing over the cases arising under the general and special jurisdiction, departmental, and the District of Columbia, I desire to attract attention to the number of cases, amounts involved, and general state of the business in the Court of Claims arising under the Indian depredation act. It is claims arising under this act that the constituency I in part represent are more particularly interested in; and it is a constituency, moreover, than which none are more worthy or more entitled to the favorable consideration of Congress.

The claimants who are to-day attempting to procure by suit in the Court of Claims, in pursuance of the act of the last Congress, that just compensation which was their honest due from this Government in most cases more than a third of a century ago, are of the sturdiest and worthiest of that worthy and noble class of pioneers who, braving the innumerable dangers of frontier life, risking at every step their property and their lives, laid the foundation stones of civilization in the far West, and by their industry, integrity, perseverance, and aggressive natures erected thereon a superstructure of magnificent States, which now add luster, wealth, dignity, and power to the nation. And one main purpose in view at this time on my part is to endeavor to bring about such further and speedy legislation as will properly supplement and make effective the legislation of last Congress in the interest of those who have suffered so much and been neglected so long, and whose just rights have been unreasonably and unjustifiably withheld by this great Government.

Since the passage by Congress, March 3, 1891, of what is commonly known as the Indian depredation act, and prior to November 1 last, 5,467 suits have been docketed under this act in the Court of Claims. The smallest amount claimed in any one action, we are told in his report by Assistant Attorney-General Colby, is $19.75, and the largest amount $1,281,250, while the aggregate amount claimed in the 5,467 actions that have been commenced up to November 1, 1891, is $21,241,908. All of these claims were on November 1 last still pending and undecided. I believe a very few have been disposed of since that date.

The Assistant Attorney-General says:

The number of depredations committed in the several States and Territories for which actions have been commenced, as shown by the petitions on file, is as follows:

State.	No.	State.	No.
Alabama	63	Nevada	30
Arizona	156	New Mexico	1,113
Arkansas	4	Nebraska	156
California	145	Oregon	271
Colorado	125	Texas	1,464
North and South Dakota	179	Utah	151
Georgia	2	Washington	54
Indian Territory	49	Wyoming	83
Idaho	49	States and Territories not designated	671
Iowa	8		
Kansas	200	Total	5,101
Montana	34		
Minnesota	34		

The Assistant Attorney-General in his report estimates that the aggregate number of claims under the Indian depredation jurisdiction will probably reach a point between 10,000 and 15,000. It is my opinion, however, that the minimum of this estimate is too large. I think it very probable that considerably more than one-half of all the actions that ever could be instituted under this act have already been brought.

But should there be no increase in the number of cases from this source of jurisdiction—and there certainly will be many hundred if not several thousand more cases commenced—it must be apparent to all that, with a docket weighted down, as it is now, with nearly if not quite 20,000 cases—there were on the docket on November 1 last 19,117 cases—it is to this class of claimants, the suits in relation to which have all been docketed since March 3, 1891, little less than a mockery and denial of justice, unless some further legislation is had, either by increasing the number of the judges of the Court of Claims, the number and compensation of the assistant attorneys, the number of the clerical force both in the office of the Attorney-General and the Court of Claims, the appointment of a number of special agents to work in coöperation with the Department of Justice and Court of Claims, or some or all of these, and, in addition, an amendment of the Indian-depredation act conferring concurrent jurisdiction with the Court of Claims on the circuit courts of the United States. Whatever else may be done, I am strongly of the opinion that concurrent jurisdiction should be given to the circuit courts, both as to actions to be commenced and by transfer, at the instance of the claimant, of cases now pending in the Court of Claims. When the Indian-depredation bill was under discussion in the Senate last session I strongly insisted that this should be done. There are many and forcible reasons, other than that arising out of the present burdened docket of the Court of Claims, why this should be done. As it is now, claimants, the most of whom reside from 2,000 to 3,000 miles from Washington, where the court is held, are compelled to come here, or at least have their attorneys come here, at great expense, or employ attorneys residing here. Their Senators and Representatives can not look after this business for them, as they can not appear or practice in the Court of Claims, even though they be lawyers. Had the circuit courts jurisdiction much of the cost and time now necessarily expended could be saved to claimants. Each claimant could then have his case brought, investigated, and decided in a tribunal sitting within the boundaries of his own State.

Now, Mr. President, in what has been said there must be no inference to the effect that the Court of Claims or any of its able and industrious justices are in any manner responsible for the present condition of things, the present overburdened state of the docket in that court, or in any degree subject to any censure on account thereof. On the contrary, my information is, and the reports of the Attorney-General and his assistants, as well as the records and reports of the court itself, confirm this, that the court is and has been diligent in the exercise of official duty, the judges bringing to the discharge of such duty industrious, able, and faithful effort; and the same must undoubtedly be said of the Assistant Attorneys-General and assistant attorneys who have had charge of the business of the Government in this court.

There were disposed of during the past year by the court, by trial or otherwise, 653 cases; the amounts claimed in these cases, according to the report of the Attorney-General, being $7,377,011.54. Of these, 489 cases were decided favorably to the United States, and 164 favorably to the plaintiffs; the aggregate amount allowed to plaintiffs being $700,817.86. This statement does not include, says the Assistant Attorney-General, "Cases prepared and tried and now under advisement, neither does it include many cases prepared and tried and afterwards removed, for various reasons, to the general docket."

It is quite evident, therefore, from this showing, that no blame can properly attach to the court for the present enormous calendar of cases in that court. The fault is elsewhere—it rests not with the court; not with the Department of Justice, but with Congress. The Congress should apply the remedy, and it should be done without any unnecessary delay. A spirit of intelligent dispatch should characterize the action of Congress in this regard. With 20,000 cases now on the docket, and assuming there are to be no further cases docketed—and they are being docketed by the scores every day—it would require, disposing on an average 653 cases annually, the number disposed of the past year, over thirty years to clear the docket. The situation is farcical. It is ridiculous in the extreme. It is absurd. It is a travesty on justice. I move the adoption of the resolution instructing the Committee on the Judiciary to formulate and report a remedy.

Mr. CHANDLER. Mr. President, as a member of the Committee on Indian Depredations of the last Congress, which was instrumental in connection with the Senator from Oregon, who has just taken his seat [Mr. MITCHELL], in conferring jurisdiction to adjudicate Indian-depredation claims upon the Court of Claims, I desire to say that I agree to the passage of the resolu-

tion. I also agree to everything which has been said by the Senator, except to the proposition that the law ought to be changed so as to send the adjudication of the Indian-depredation cases to the local courts. The Senator's proposition is that, instead of having them all adjudicated here in the Court of Claims, as was the decision of the last Congress, concurrent jurisdiction shall be given so that a large share, possibly all of the cases, may be brought in the local United States courts in Oregon, Wyoming, Kansas, and other States where Indian depredations took place.

Mr. President, this question was pretty thoroughly canvassed by the committees in the last Congress and the decision was, I thought, reached with a great deal of unanimity, to the effect that the jurisdiction to try and determine these $25,000,000 of claims should be kept here in Washington in the Court of Claims.

There was another proposition, and that was that there should be a special tribunal, a special court, created for the adjudication of these claims. That was the favorite project with the claimants and their counsel, but as an upshot of the whole discussion in the two committees and the two Houses of Congress it was at last agreed, as I thought, by a general consensus of opinion, that to relieve a pressing necessity, which was the adjudication of these cases, they should all be put into the Court of Claims. I was not prepared, therefore, to have the Senator from Oregon come here at this time and plead for an unsettling of that decision and for the opening of all of those other courts to the trial of these claims.

Mr. MITCHELL. If the Senator from New Hampshire will allow me, I will say that if he or any other Senator or a majority of the Senate can point out or suggest any way by which this great accumulation of cases in the Court of Claims can be reached in any reasonable time, then I would prefer to abide by the legislation as it stands.

Mr. CHANDLER. I agree with what the Senator has said in reference to the necessity of legislation to strengthen the Court of Claims; but I do not see why Indian depredation cases should be taken out of that court any more than why the Bowman act cases should be taken out of that court, or why the French spoliation cases should be taken out of that court. The present method has been deliberately adopted by Congress, and it is a method which I trust will be adhered to.

I had the honor of presenting to the Senate a letter from Chief Justice Richardson, in which he stated his opinion that the Court of Claims would be able to adjudicate these cases. It was but the repetition of a letter written several years before to the Senator from Oregon on my right [Mr. DOLPH], in which he stated that the Court of Claims could do this work, do it well, and do it speedily, and I believe now that the Court of Claims can, by such a bill as may be reported from the Judiciary Committee and as may pass this Congress, be put in condition to do this work and to do it within a reasonable period.

I admit that the work is heavy. The Senator from Oregon has placed before the Senate a statement of the number of claims, vast in number and vast in amount, pending before the Court of Claims. The figures are to be found also in the report of the very able Assistant Attorney-General, Mr. John B. Cotton, dated November 5, and the accompanying report of the diligent Assistant Attorney-General, Mr. L. W. Colby, of Nebraska, in special charge of Indian depredation cases. The Senator has not overstated the difficulty and the evil, and I only differ with him as to the remedy which should be applied.

I believe that the Court of Claims should be increased in the number of its judges and that there should be some statutory provision for governing the method of doing business, a method, perhaps, which shall result in the trial of questions of fact by less than the whole court, which shall limit appeals in cases of small amounts, and which shall enable the court to promptly decide all cases which are submitted to it.

I believe also, Mr. President, that larger means should be provided to the Department of Justice to enable it to defend these cases. It is no slight duty for the Attorney-General, the Assistant Attorney-General, and all their assistants to defend $23,000,000 of Indian depredation cases. It is no slight duty for them to make proper defense to the Bowman-act cases, which the Senator has stated and the Assistant Attorney-General, Mr. Cotton, says have been estimated as involving $400,000,000.

Mr. MITCHELL. I was about to say that the responsibility of the Attorney-General and his assistants is aggravated very much by having to defend some $30,000,000 spoliation claims and $400,000,000 claims under the Bowman-Tucker acts.

Mr. CHANDLER. The labor and the difficulty are very great, and the Attorney-General should be strengthened by an addition to his force and by such sums of money as will enable him to make proper defense. The Committee on the Judiciary should provide additional methods, and the Committee on Appropriations should provide additional money, and these cases should be defended as they ought to be defended, and a speedy adjudication of them should be secured.

Mr. President, I concur in everything which the Senator has said in reference to the desirability of a prompt decision of these cases. The Government of the United States is frequently swindled by the payment of unjust claims, and the Government of the United States also frequently does enormous injustice by its delay in paying just claims. "Hope deferred maketh the heart sick," and among many of the claimants in the Indian-depredation cases, and, I may say, in the class of cases known as the Bowman-act cases, are men and women and children who are going to wreck and ruin financially and mentally because they can get no decision from the Government as to the validity or invalidity of their claims.

Therefore, I believe that there should be legislation exactly in the direction of this resolution, and that we should do these claimants the justice either to say their claims are to be paid and then to pay them, or else to say that the claims are unjust and not well founded and that we will not pay them.

Mr. DOLPH. Mr. President——

Mr. HOAR. Does the Senator from Oregon wish to speak on the pending subject?

Mr. DOLPH. I do, but I will yield to the Senator from Massachusetts.

Mr. HOAR. I desire to introduce a bill for reference to the Committee on the Judiciary, which I should like to have read at length, as it relates to the very matter which the Senator desires to speak upon. The bill, without some amendment, does not entirely and in all respects meet my desire, but it is substantially according to my desire.

The VICE-PRESIDENT. The bill will be read.

The bill (S. 1615) to facilitate the disposition of causes in the Court of Claims was read the first time at length, as follows:

Be it enacted, etc., That there shall be appointed in the manner provided by law two additional judges for the Court of Claims, who shall hold office for the same term and receive the same compensation as is now provided for the judges of said court. Continuous service, past or future, for the term mentioned in section 714 of the Revised Statutes of the United States, either as a judge or chief justice, or both, of said court, shall entitle the person rendering or to render such service to the benefits of said section.

SEC. 2. Said court shall hereafter sit in two divisions of three judges each, of whom two shall be a quorum, and the concurrence of a like number shall be required for a decision in any case. Seven judges shall constitute a full bench, four of whom shall be a quorum, and the concurrence of four judges shall be required for a decision in any case. All cases shall be heard in the first instance before one of said divisions, except that the full bench may direct that a case be heard in the first instance before it. Each of said divisions shall be presided over by the chief justice, or judge senior in commission then present. The findings, decrees, and judgments of each division, or of the full bench, as the case may be, shall be deemed the findings, decrees, and judgments of the Court of Claims. Motions for new trials shall be made in the divisions, or in the full bench, as the case may be, where the cause is heard in the first instance; but a division shall certify a motion for new trial dependent upon questions of law only to be heard before the full bench; when granted by the full bench, the case shall be heard by a division or the full bench, as it shall order.

SEC. 3. Appeals from the Court of Claims to the Supreme Court of the United States shall be allowed on behalf of the United States from all judgments or decrees adverse to the United States, and on behalf of the claimant only in cases where the amount in controversy shall exceed $5,000, or when it shall be made to appear to the full bench that the decision will affect a class of cases involving in the aggregate at least $5,000; or that the question involved is of such special importance as to require the decision of the Supreme Court.

SEC. 4. All laws now in force relating to the Court of Claims, so far as consistent with this act, shall remain in force, and all laws inconsistent therewith are hereby repealed.

Mr. DOLPH. Mr. President, when I entered the Senate I found, my attention being called to the matter by some of my constituents, that Congress for more than a quarter of a century had failed to make provision for the payment of Indian depredation claims, except in an occasional case, for which provision was made by special bill, and in which the facts were exceptionally strong, notwithstanding there was upon the statute book an act, which had been in force ever since 1834, and which was a mere reënactment of previous legislation, by which claimants for compensation for Indian depredations were required or at least permitted to present their claims to the Secretary of the Interior, and under which the claims were examined and either allowed or disallowed by the Secretary and reported to Congress. I endeavored to find in the Senate or in the other House some sentiment in favor of the payment of such claims. I became satisfied that the proposition to make an appropriation to pay the claims allowed by the Secretary of the Interior met with so little favor that it would be impossible to secure legislation for that purpose. There seemed to be on the part of members of Congress some distrust as to whether the claims had been properly examined, and as to whether the reports of the Secretary of the Interior could be relied upon to such an extent that Congress would be justified in making the appropriation for their payment.

I introduced a bill somewhat similar in its provisions to the bill which was passed during the last session of Congress, referring all depredation claims or, I should say, certain depredation claims (the bill contained certain limitations as to the time when they accrued, etc.), to the Court of Claims, and on the 16th day of April, 1886, I made a very elaborate speech on the subject of

Indian depredation claims, in which I attempted to ascertain the true relations, legal and equitable, between the Indians and the General Government, and to trace the legislation which had been had concerning the subject and concerning the payment of Indian depredation claims, and also to follow the history of the Interior Department in adjudicating these claims. At the time I thought in regard to the matter of a tribunal to adjudicate these claims much the same as the Senator from New Hampshire. In order that I might not, by any proposed legislation, be instrumental in putting too great a burden of business upon the Court of Claims, I wrote to the chief justice of the court, inclosing a copy of my bill, and received a letter from him upon the subject of the ability of the court to take care of the claims, which I made part of my speech, and which I now send to the desk and ask the Secretary to read as part of my remarks.

The VICE-PRESIDENT. The letter will be read.

The Secretary read as follows:

COURT OF CLAIMS CHAMBERS,
Washington, February 23, 1886.

MY DEAR SIR: I have the honor to acknowledge the receipt of your letter of the 19th instant, with a copy of Senate bill No. 1407, "in relation to Indian depredations."

You say that you "have been informed that the impression is prevalent, to some extent, that the Court of Claims would be unable to dispose of any considerable addition to the business now before it," and you ask me to inform you whether it would be possible for the court to dispose promptly of cases which might arise under this bill should it become a law, and whether any changes in existing law would be necessary to enable the court to determine the causes which might go before it, should the bill be passed by Congress.

The impression to which you refer is an erroneous one. Although the business of the court has been largely increased of late, no difficulty has been or is likely to be found in disposing of it as fast as the parties are ready for trial.

Of course the judges are required to work somewhat harder, but of that they do not complain. They always hold themselves in readiness cheerfully and promptly to do whatever business Congress sees fit to put upon them.

When the Bowman bill which became the "act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government" (22 Stat. at Large, 485), was before a committee of Congress, the judges made reply to a similar request, as follows:

"The business of the court has frequently been increased by special matters of jurisdiction referred to it by Congress, such as the abandoned and captured property cases, under the act of March 12, 1863; cases against the District of Columbia, under the act of June 16, 1880, and numerous cases and classes of cases referred by private acts. It is found that such cases bring in new litigants and new counsel, who prepare and submit their cases while others are in preparation and do not obstruct the general business. Litigants are always promptly heard whenever their cases are ready for submission, and the court promptly decides them, and the business has never been in arrears, so that the extent of business which the court may transact can hardly be estimated."

Further experience with the business of that act before the court has confirmed the views there expressed.

I have no doubt that the court, with no additional assistance, would be able to do promptly all the business that would come to it if the present bill becomes a law.

I send herewith a copy of the History, Jurisdiction, and Practice of the Court of Claims, from which you will get a full account of the business of the court.

I am, very truly, yours, etc.,

WILLIAM A. RICHARDSON,
Chief Justice.

Hon. J. N. DOLPH, *Senator, etc.*

Mr. DOLPH. Mr. President, the presentation I made of this subject at the time seemed to me to fall upon rather inattentive ears, but I am pleased to believe that it has borne fruit, as portions of it appeared afterwards in an elaborate report made from a House committee upon the subject of Indian depredation claims, and I have reason to believe it was serviceable to the special committee appointed by the Senate to consider the subject at the last session.

Before any legislation was secured upon the subject I changed my mind about the proper place to send these claims for adjudication, and I entirely disagree with the Senator from New Hampshire in regard to it. I became convinced that suits upon such claims would be better tried, that the interests of the Government would be better protected, and that the convenience of the claimants would be promoted by permitting the suits to be brought in the district and circuit courts of the United States, and with this view I went to the chairman of the Special Senate Committee on Indian Depredation Claims and suggested to him a plan which was embodied in the bill as reported from the committee and as it passed the Senate. The provision is as follows:

That the district courts of the United States shall have concurrent jurisdiction with the Court of Claims as to all matters named in the preceding section where the amount of the claim does not exceed $2,000, and the circuit courts of the United States shall have concurrent jurisdiction in all cases where the amount of such claim exceeds $2,000 and does not exceed $10,000.

It was thought wise by the committee, no doubt, and that was my suggestion also, that the larger claims, involving more than $10,000, should be sent here for trial in the Court of Claims, where the Attorney-General and his assistants should have charge of them on the part of the United States. The bill, as reported with this provision in it, passed the Senate. The bill was a House bill. The bill reported by the committee to the Senate was adopted as an amendment to the House bill, and therefore the whole matter went into a committee of conference. The committee of conference changed the bill so as to require all suits to be brought in the Court of Claims.

If it had not been during the last stage of the session, when the probability was that if the report of the committee of conference was not accepted we should obtain no legislation upon a subject on which Congress should have acted a quarter of a century ago, I should have opposed the report of the conference committee. I believe the sentiment in favor of sending these claims to the Court of Claims was worked up by local agents, attorneys, or parties here in Washington, who desired to litigate the claims here. I believe that the district attorneys of the several districts would be better qualified, on account of their knowledge of local affairs and of witnesses, to try these cases on behalf of the United States than any assistant attorney-general would be to try all such cases here at the national capital arising in all districts from which such claims will be presented. I believe the district or circuit courts would have been better able to judge of the just weight to be given to the testimony of witnesses, and in some cases, as in Oregon, the court itself would have had such knowledge of the prices of commodities and of the Indian difficulties as would have peculiarly qualified it to try these cases, and would have prevented any imposition upon the Government by exaggerated statements as to values or otherwise.

I think, if Congress wishes now to relieve the Court of Claims, the judicious thing to do, the economical thing to do, the thing to be done in the interests of these claimants, is to give to the district and circuit courts jurisdiction of these claims at least up to the amount of $10,000—concurrent jurisdiction with the Court of Claims. If the claimant desires to come here and sue in the Court of Claims let him do so, but if he desires to institute his suit at home give him the opportunity.

Mr. ALLEN. I am very much pleased, Mr. President, that the Senator from Oregon [Mr. MITCHELL] has presented this resolution and brought to the attention of the Senate and the country the magnitude of the business that is imposed upon the Court of Claims. I am particularly pleased that information is given as to the status of the vast number of cases arising under the Indian depredation act.

As Senators will remember, that act was a compromise act. It was only secured through a great deal of concession and patience on the part of those who had it in charge at the last hours of the session. I think, with both Senators from the State of Oregon, that all Senators who come from States at all familiar with this character of claims realize the importance and the propriety of giving concurrent jurisdiction to the Federal courts in the vicinity of the depredations as well to the Court of Claims. Many of the members of the Senate and members of the committee at that time appreciated the desirability of what is asked for now. The letter read at the desk a few moments ago had a great and, I may say, a controlling influence in the action that was taken in regard to this matter.

I am free to say that from the beginning, with the knowledge I had of the deferred treatment of these claims, I felt that equity and justice to the claimants required the creation of a special tribunal which should have jurisdiction concurrently with the Federal courts to take these matters up and deal with them promptly. They had grown old, parties were dying off, evidence was being lost, so that unless something was done and done speedily, even the opportunity of adjudication would be of little value to these people. Now, the bill having been enacted into a law, on account of the lack of appropriation these claimants find themselves practically in the condition they were before the enactment of the law.

I most heartily agree with the suggestion of the Senators from Oregon that concurrent jurisdiction should be conferred upon the Federal courts. It appears to me that it is both to the interest of the public and to the interest of the claimants. It is a great distance for many of these persons in the condition they find their proofs to come across the continent, 1,500, 2,000, and 3,000 miles, to have their claims adjudicated. In many cases it will be found less expensive, more speedy, and afford a more convenient opportunity to adduce the evidence, if trial can be had in the part of the country where the depredation occurred, and when such is the situation the doors of the courts should be open.

I can not see where injustice can be done to the Government, and already, under my observation of the operation of the law, I can see where claimants would be aided consistently with the protection of the rights of the Government if allowed to go into the Federal courts in the vicinity of the places where the depredations were committed, and where the witnesses are available and the proofs in easy reach.

For want of sufficient appropriation parties are prevented from taking proof in pending suits. It is useless to cite witnesses to appear before officers to testify when no provision is made for the Government being represented, and as a result parties will be deprived of evidence they would secure were it not for this fault of the Government.

Mr. PERKINS. Mr. President, I greatly sympathize with what has been said upon this floor in favor of an early consider-

ation and adjudication of the Indian depredation claims. It is a subject that concerns many of my constituents, and is a subject in regard to which, during my Congressional experience, I have given considerable attention.

I had the honor of serving on the committee that considered this subject in the other House, and I was a member of the conference committee that finally agreed upon the bill which became a law. As the bill passed the House of Representatives, it provided for an independent tribunal to hear and adjudicate these claims. We, in the other House, thought that the better method. We thought it was better that a tribunal should be created which could give exclusive attention to these claims; that its principal court should be held here, but giving the court authority to visit the different sections of the country where the claimants lived, and where the claims could be thoroughly and carefully investigated, and with little expense to claimants.

That provision of the bill did not seem to meet the judgment or approval of this body, and, as has been suggested by the Senator from Oregon [Mr. DOLPH], the bill was amended so as to give to the Court of Claims and to the existing Federal courts jurisdiction of the subject. When that bill went into the hands of the conference committee, as thus amended, the question came up whether it was best to give to the Court of Claims and to the Federal courts in the several States and Territories concurrent jurisdiction. It was urged in opposition to that proposition that the line of policy observed, that the construction given to the statutes, that the rights given to the claimants under the law, might not harmonize, might not agree, and while in one jurisdiction one policy or line would be observed, in another jurisdiction an entirely different line might be observed.

Senators who have given attention to this subject know that the act confers upon the Court of Claims jurisdiction and the right to adjudicate as against such Indians as were in amity with the Government of the United States when the depredations were committed. Naturally, the question arises, what does that mean, "when in amity with the Government of the United States;" and no two courts, perhaps, would give to that provision of the statute the same construction.

So the conference committee, when considering this subject, concluded that it was best that some single tribunal should have jurisdiction. The other House thought that it was better that an independent and new tribunal should be created. This body differed with the other House in that particular. Then when the conference committee, as I have suggested, was considering it, it concluded that it was better that some single tribunal should have jurisdiction of the subject; and as this body had decided that it would not consent to a new and independent tribunal the conference committee agreed that it should go exclusively to the Court of Claims.

There were many reasons that entered into the action of the conference committee, and, as I believe, actuated the two Houses of Congress in finally consenting to the bill. One of these was that the United States district attorneys in the several States and Territories would not get, under the bill as it passed the other House, and as it passed the Senate, additional compensation for the necessary work that would be imposed upon them in connection with these cases. Labor would be, under the bill, imposed upon them for which no compensation was provided, and hence it was likely to be performed indifferently. Then, again, it was thought that it would cost more to the claimants to impose upon them the necessity of going to the Federal courts in their several States and Territories for the prosecution of these claims than to permit them to be prosecuted here in the Court of Claims. As is known to all, in the Court of Claims the personal attendance of witnesses is not desired or even permitted.

The depositions of the claimants and the depositions of their witnesses would be taken at their homes and without any considerable expense to them except the expense of employing their local attorneys, and getting their witnesses to the notary public before whom the depositions are taken, while to impose upon claimants the necessity to take their witnesses to the Federal courts and keep them there until their claims could be investigated and their cases decided and adjudicated would, in the judgment of the conference committee, impose an expense upon them that, in many instances at least, would be an absolute deprivation and denial of justice.

That was an important consideration which came before the committee of conference for determination. The Senator from Oregon [Mr. DOLPH] rather reflects upon that conference committee, and indicates or intimates that it, perhaps, was influenced by local considerations or arguments or suggestions that were made to it by attorneys here. I desire to say to the Senator from Oregon that I do not think one member of that conference committee was influenced by any such consideration. The duty that was imposed upon that conference committee was an important one, and the measure came to the conference committee, as the Senator suggests, in the closing days of the last session of Congress. But that conference committee realized the necessity and importance of some legislation on the subject, and it realized, as has been suggested, that many of these claimants have been knocking at the doors of justice and at the doors of Congress for more than twenty-five years for redress and for money that they ought to have received years and years ago to make them good for losses sustained and injuries suffered. Hence the conference committee was anxious that some legislation should be secured, and the best possible, and I am still disposed to believe, as I did then, that the bill as finally agreed upon by the two Houses of Congress is better than to give to the Federal courts of the several States and Territories jurisdiction of this subject. My judgment was that we had better have a new and independent tribunal, but if that could not be secured, then that the jurisdiction had better be given, as it was given, to the Court of Claims.

In connection with the subject I visited the Court of Claims and had a conversation with the chief justice, and he said to me substantially, as he said to the Senator from Oregon in the letter which has been read at the desk, that that court could do this business, that it could hear and adjudicate these claims without any considerable expense to the claimants, except the necessary expense of employing counsel, and that it could do it expeditiously and well.

I desire to say now that it is not the fault of the court that many of the claims have not been adjudicated, but it is because Congress has not given to the Department of Justice the necessary assistance that the Government may prepare itself for the trial of these cases. That is the difficulty. The Department of Justice has now before this body a recommendation asking for $17,000, and that is all, to give it additional assistance so that it may prepare itself for trial in all these cases. The estimate and recommendation of the Department is that with the appropriation of $17,000 and a little more it can get ready to consider these cases and try them expeditiously, and that that appropriation, with the appropriation that was made at the last Congress, will carry this business until the 1st of July, when the next annual appropriation will be available.

Of course, unless there is some additional provision made, the Department of Justice has not the assistance to give attention to these cases as they deserve. As has been suggested here, more than six thousand suits have already been brought in the Court of Claims. The necessity is imposed upon the Department of Justice to resist these claims, to investigate them, to hear what depositions are taken, to cross-examine witnesses and get ready for trial, and with the assistance of one Assistant Attorney-General and two clerks it is impossible for it to do so. That is what has caused the delay and not the business existing in the Court of Claims.

I have had some conversation with the Assistant Attorney-General who is in charge of this business. I know he is anxious to dispose of it rapidly and fairly to claimants and to the Government, but with the little assistance that has been given to him it has been impossible for him to get ready for trial in many of these cases. I am told that a number have been submitted on agreed statements to the court, and probably will be disposed of soon by the court.

I speak of this to show the disposition that is being made and the spirit which is manifested by the Department and by the court to dispose of this business rapidly and fairly to all concerned.

My judgment is, as I thought then, that if we can give to the Court of Claims the additional justices suggested by the bill introduced by the Senator from Massachusetts [Mr. HOAR], and then to the Department of Justice the assistants it ought to have, we can dispose of these cases with less expense and cost to the claimants, and, in the end, with more satisfaction to all, than by giving to all the Federal courts in the country concurrent jurisdiction with the Court of Claims.

My observation has been that it is very expensive for claimants to take their witnesses to the Federal courts and wait the convenience of the courts that their grievances may be investigated and disposed of. The Federal courts in my State are 350 miles from many of the residents of that State, and to impose upon them the necessity of taking their witnesses there and waiting the convenience of the courts and waiting the time when their cases can be reached and disposed of, would, as I have already observed, in very many cases work an absolute deprivation of justice.

I hope that the Senate will take no hasty action in a matter so important to thousands of litigants in the country as is this question.

Mr. DOLPH. Mr. President, I suppose that district attorneys would receive the same fees for defending cases brought under an act which referred claims for Indian depredations to the dis-

trict and circuit courts that they receive in other cases tried by them. They receive a salary and in addition they receive fees, which, of course, are not large in any one case, but having a large number of cases they get a reasonable compensation, and many of them are not allowed to retain all the fees which they earn, because the aggregate is larger than the maximum compensation which is allowed to them by law.

So much for the fees of district attorneys. Now, in regard to witnesses, the bill as it passed the Senate and the act as it now stands, with the slight amendment of the section necessary to make it conform to the amendment which was made in regard to the courts that should have jurisdiction, is as follows:

That the said courts shall make rules and regulations for taking testimony in the causes herein provided for by deposition or otherwise, and such testimony shall be taken in the county where the witness resides when the same can be conveniently done, and no person shall be excluded as a witness because he is party to or interested in said suit, and any claimant or party in interest may be examined as a witness on the part of the Government.

So it will be seen by the Senate that, so far as the objection made to conferring jurisdiction on the district and circuit courts on account of the convenience of witnesses is concerned, the act itself answers the objection when it provides that the courts may order the testimony taken by deposition and in the county where the witness resides. Further than that, under existing laws testimony can be taken by the deposition of a witness who resides 100 miles from the place of trial or out of the State.

Mr. PADDOCK. Mr. President, I have failed to hear any very good reason yet for the change of jurisdiction, for the investigation, adjudication, of these cases. However, after what has been said by the Senator from Oregon [Mr. DOLPH] and others as to the overburdened condition of the calendar of the Court of Claims I am disposed to vote for the resolution, particularly as it is one for a simple inquiry only.

Having had some responsibility as a member of the Committee on Indian Depredation Claims and of the conference committee which finally perfected the measure which was afterwards enacted into law, I desire to say that I was in accord with the view of the other House in the first instance, that an independent tribunal created specially for the purpose would be the best tribunal that could be created to have jurisdiction of this subject; but after the statement came which is in the document I hold in my hand, to which the Senator from Oregon has called attention, from the chief justice of the Court of Claims, that that court was in a situation to take up this business in addition to that they already had, and to give it speedy attention and make a rapid adjudication of these claims, I gave up the idea of an independent tribunal and joined with the friends in the Senate, who in their numbers embraced a very large proportion of the membership of the Senate, in favor of imposing this duty upon the Court of Claims.

Nothing has come to us yet from the Court of Claims nor from the Attorney-General or any other official source indicating that they may not do as the chief justice said they would be able to do, speedily adjudicated these claims when Congress shall give them the ability through proper support to carry out the investigation. I happen to know from personal knowledge, as very many of my constituents are interested in it, and it has been my duty to inquire frequently as to the progress made, that there has been no ability on the part of the Department of Justice to advance the prosecution, the examination, the investigation, and the adjudication of the claims, because they have had little or no money to meet the expense of even the preliminary work. The bill was passed very hastily. It was considered at the time, as has been before said, that it was a compromise measure. Everybody was a friend of the proposition, but it was not found advisable to do what ought to have been done at that time, to put in the bill the appropriation that was necessary in order to advance this work. So the Department has been struggling and stumbling along trying to perform the duty imposed upon it, but wholly unable, because it had not the means necessary to prosecute these investigations.

A very able and a very energetic man is the Assistant Attorney-General of the Department having charge of these cases, and I know from what he says concerning the situation in the Department in connection with this business that if Congress will be only reasonably liberal in making the appropriations to sustain the Department in its prosecution of the claims no complaint will be made in a very few months as to delays in these investigations or the denial of justice through such delays. I am sure that the Department is not trying to obstruct nor the court to postpone these adjudications. All has been done that could have been properly done under the circumstances. What we should do is to strengthen the hands both of the Department of Justice and the court, and then let well enough alone.

Mr. CHANDLER. Mr. President, I do not propose to detain the Senate longer to discuss the merits of the question which was raised by the latter portion of the remarks of the Senator from Oregon. Whenever the question comes before the Senate on the proposition to enlarge the jurisdiction of the local Federal courts by giving them power to adjudicate these cases, the subject will doubtless be fully discussed before any legislation is had. Fortunately we have with us the Senator from Kansas [Mr. PERKINS], who was on the conference committee of the other House, and who stated, with force and directness, the reasons which actuated the conference committee in reaching the conclusion that these $23,000,000 of claims should be tried before one tribunal alone, and that tribunal the Court of Claims.

I only desire to add, in reply to the remark of the Senator from Oregon, to the effect that he thinks the Court of Claims was preferred because a sentiment in favor of that tribunal had been worked up by the claim agents, that on the contrary the influence, if there was any exerted, on the part of attorneys for claimants, was wholly in the direction of a special tribunal. I do not believe a single suggestion in behalf of the Court of Claims came from any claim agent. I see now, upon the floor of the Senate but one Senator, I do not see the others, who were then upon the Senate Committee on Indian Depredation Claims, who do not reside in States where claims of this sort have arisen, but I think that all of those Senators were in favor of having the cases adjudicated in the Court of Claims; and I am entirely sure, and I beg so to assure the Senator from Oregon, that the advocates of the placing of these cases in the Court of Claims, and not in the local tribunals, were actuated solely by the conviction that the public interests would thus be best promoted. The influence, if there was any, I repeat, of the claim agents, and I may add of the claimants, was in favor of a special tribunal or a local tribunal, while the arguments which were adduced and which finally convinced the conference committee of both Houses in favor of one tribunal, and that the Court of Claims, were considerations solely concerning the public good.

Mr. MITCHELL obtained the floor.

Mr. DOLPH. Will my colleague yield to me for one moment?

Mr. MITCHELL. Certainly.

Mr. DOLPH. Mr. President, I should not prolong this discussion at all if the Senator from New Hampshire [Mr. CHANDLER] had not repeated substantially what was said by the Senator from Kansas [Mr. PERKINS]. I did not propose to make any reply to the Senator from Kansas concerning his criticism of what I said when upon the floor before, because I knew that what I said was being taken down by the reporter, and would appear as it was taken down. I did not say anything that by any fair means could be construed into a reflection upon the committee of conference, according to my recollection of what I said. Certainly it was far from my intention to make any reflection upon them.

I said substantially, according to my present recollection, that the sentiment in favor of the adjudication of these claims in the Court of Claims was due to the matter having been worked up by the agents of these claimants in this city. But in saying that it must be remembered that I had already referred to a bill introduced by me in the Forty-eighth or Forty-ninth Congress in which I had proposed to refer all these claims to that court, and that I had read here in the Senate the letter from the chief justice of the Court of Claims to the effect that the court could take jurisdiction and dispose of these claims. I did not say whether that influence had been exerted in the Forty-eighth or Forty-ninth Congress when I introduced the bill which I did, when I made the speech which I have referred to, or whether it had been later; and there was no occasion for any supposition that I had attempted to criticise the committee of conference.

I do insist that the proper place to have sent these claims was the courts of the United States. I am not in favor of special tribunals, and never have been. During the first Congress I was in the Senate I made some remarks upon the bill providing for the adjudication of private land claims, in which I advocated the proposition that matters relating to private land claims should be referred to the existing courts, to be examined and decided by the existing circuit courts of the United States in accordance with the law and the practice of those courts.

We have lately in the Senate provided for a circuit court of appeals. It was unfortunate that we did not provide for an additional circuit judge in each circuit, and make the court an independent court. When that is done and the circuit judges are relieved from *nisi prius* duty, when jurisdiction is given to the district judges to hear and determine cases now brought in both the district and circuit courts, we shall have a complete judiciary system, which will be ample to meet every requirement, only occasionally creating a new district and appointing a new district judge. In my judgment it would be wise if every question of Federal cognizance that arises should be referred to the existing courts, and that there should be no special tribunals created, except, of course, the Court of Claims and tribunals here in the District of Columbia.

Mr. President, I repeat, I insist that the economical thing for

the Government, the convenient thing for claimants, the safe thing for the United States, would have been to have referred all the Indian-depredation claims to the existing courts. If the Court of Claims, a single court, can take jurisdiction of these claims and dispose of them, how easily would the various district and circuit courts of the United States have disposed of them and how rapidly? It would have scarcely delayed the business in any one of those courts. The district attorneys would have been upon the ground; they could have looked up the testimony that was necessary for the defense of the United States against these claims; the witnesses would, many of them, have been known to the courts and to the district attorney; their credibility could have been ascertained, and the cases could have been safely and economically tried.

When the Government of the United States has a claim against an individual, it goes to the courts of the Government in the States, and sues the individual in any State where he may be found, no matter where he resides. There ought to be some reciprocity in this matter. The citizen should be allowed to bring his claim to the court of the district in which he lives, and have it adjudicated by the court, and, if it requires a jury trial, have the facts found by his peers and his neighbors.

I did not intend to say anything against either claimants or their attorneys who congregate about the national capital. Some of them are my friends. They are in the main, as I understand, very fair lawyers and reputable men. It is natural that they should insist that all the legal business of the country should be brought here to the national capital; it is a matter of convenience to them, and gives them employment; it is that out of which they live. Sir, they hang about both branches of Congress whenever it is in session; they are here to secure the passage of claims through Congress, and often by their aid—I will not say by their illegitimate work, but often by their assistance—the least meritorious claims pass both Houses of Congress and become laws and they share in the proceeds, when claims that are more meritorious fail because they are not represented in the same way.

I think we have all been rather discouraged after taking up in the Senate some meritorious claim and securing the passage of a bill, supposing that all our labor was in the interest of some one of our constituents, to find afterwards that a controversy has arisen as to whether some local claim agent here should have one-quarter or one-third or one-half of the claim.

But I did not rise to discuss this question at this time. I rose to defend myself against the imputation of having intended to cast any reflection upon the committee of conference at the last session. I think they made a mistake. I think these claims could have been safely and properly adjudicated by the local courts of the United States. That is the place where they should have gone.

Mr. MITCHELL. The resolution which I had the honor of introducing and which is the pending measure, although an important one, is rather harmless. The resolution which we have been discussing does not propose to change any law; it does not propose to increase or decrease the jurisdiction of the Court of Claims; it does not propose to transfer any jurisdiction now possessed by that court to any other court or courts; it does not propose to increase the number of Assistant Attorneys-General or of the assistant attorneys of the Department of Justice; it does not propose to make any appropriation. All it does propose is to instruct a certain committee of this body, the Committee on the Judiciary, to look into a certain subject, and to make such recommendation to the Senate as that committee may deem proper to make after they shall have considered the whole subject. That is all there is in the resolution, and therefore, unless some other member of the Senate desires to discuss it further, I should like to see a vote.

Mr. PADDOCK. It occurs to me to say to the Senator from Oregon [Mr. MITCHELL] that whatever responsibility there is for this protracted discussion is with himself, because he himself opened a general discussion upon the general merits of a proposition which is to come up hereafter, but which is not properly here now, through the introduction of his resolution of inquiry.

Mr. HALE. And at the moment when the resolution was going through.

Mr. PADDOCK. Yes, when it was practically agreed to. The entire discussion has been premature and a little extravagant, to my notion. But when the whole subject-matter, which has been so liberally discussed in all its imaginary comprehensiveness, is properly before us, I beg to say to the Senator that we can then discuss it to better purpose.

Mr. MITCHELL. I can not hear what the Senator says.

Mr. PADDOCK. It is not very important. It probably would not interest him. The Senator can read it in the RECORD to-morrow.

Mr. MITCHELL. I rather suspect the Senator is right.

The PRESIDING OFFICER (Mr. JONES of Arkansas in the chair). The Senator from Nebraska has the floor.

Mr. PADDOCK. What I rose for a moment ago was to correct the statement made by my distinguished friend from New Hampshire [Mr. CHANDLER], that all the Senators upon the Committee on Indian Depredations who were interested specially in this legislation were primarily in favor of the Court of Claims having jurisdiction of the subject. That is a mistake. They were all opposed to that amendment at the outset.

I for one, as was my distinguished friend, the Senator from Washington [Mr. ALLEN], was in favor of an independent tribunal. My distinguished friend from Oregon [Mr. DOLPH], as I remember, was in favor of imposing the duty of these investigations upon the local courts, or at least in giving them—the circuit and district courts—very large concurrent jurisdiction. I was brought to this conclusion, as others were, that the Court of Claims should be designated as the tribunal to bring these cases before by the attitude and the arguments of the influential minority in that committee, who were willing to assent to the passage of the bill, and of whom my friend from New Hampshire was one of the most conspicuous. Now, I think it better not to change the jurisdiction, at least not until the Court of Claims shall have had a fair trial.

Mr. DOLPH. The majority reported in favor of the plan of local courts, but that was changed in the committee of conference. The Senate passed the bill to send the claims to the district and circuit courts, giving them concurrent jurisdiction.

Mr. PADDOCK. The Senate conferees found themselves in the same situation in the conference committee that they were in the Senate in respect to an agreement. They had to yield, to let go some things, to get a result. While they may have undertaken, as they did, to adhere to the views of the majority as presented in the bill, yet they were unable to do it. However, I do not consider that experience at all important to the discussion at this time. Later on we may have this all before us in shape to satisfactorily discuss. All I desired to say I said at the outset in making the correction in the statement of the Senator from New Hampshire [Mr. CHANDLER].

Mr. CHANDLER. I think the Senator from Nebraska misunderstood me and has corrected a statement which I did not make. I meant to be understood as saying that the Senators from the States which did not present Indian-depredation claims were in favor of having such cases go to the Court of Claims. I think the Senator and I agree now, and the Senator has nothing to correct.

At the risk of trespassing upon the patience of the Senator from Oregon, who introduced a resolution (which would have passed without any objection if he had not proceeded to debate it), I ask to have read a letter from Chief Justice Richardson, dated February 18, 1891. He wrote to the Senator from Oregon [Mr. DOLPH] February 23, 1886, which the Senator from Oregon has this morning put into the RECORD, and I ask now to have read his letter of February 18, 1891, on which I shall say nothing.

The PRESIDING OFFICER. The letter will be read.

The Chief Clerk read as follows:

COURT OF CLAIMS, *Washington, D. C., February 18, 1891.*

DEAR SIR: Your letter of the 17th instant has been received and laid before the judges, and with their concurrence and by their direction I make this reply.

You are quite correct in saying that "however many cases may be pending in the Court of Claims, the court itself is not overburdened with cases ready for decision; that all cases submitted are decided promptly and that more work can be speedily and satisfactorily done by it if such shall be imposed by legislation."

You ask for such other facts as may be pertinent to the subject.

It is true that on the general docket there are a large number of cases, but many of them are never brought to trial, and others are quickly disposed of when put on the trial list. To illustrate: At one time at the present term the Assistant Attorney-General filed a motion to dismiss 540 cases for want of jurisdiction, no action having been taken thereon by the claimants for more than two years.

Then there are many class cases which follow the decision in one of them. In a recent instance 106 cases were disposed of upon the authority of a single decision.

Occasionally cases of unusual magnitude or importance tried in the latter part of a term are held over for more careful consideration by the judges, as is the custom of all courts. Otherwise all cases on the trial list are disposed of before the court adjourns.

A number of Indian cases have been referred by special acts of Congress and have been or will shortly be determined.

I am, very respectfully, yours, etc.,

WILLIAM A. RICHARDSON,
Chief Justice.

Hon. WILLIAM E. CHANDLER, *Senator, etc.*

The PRESIDING OFFICER. The question is on the adoption of the resolution.

Mr. WOLCOTT. I should like to have the resolution again read.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Chief Clerk read the resolution of Mr. MITCHELL.

Mr. COCKRELL. I should like to ask the Senator from Oregon, as I could not get the figures he gave during the time he was discussing this question, whether he has any information directly from the Court of Claims as to the number of cases that are ready for decision and not decided.

Mr. MITCHELL. No, sir; I have not. The figures I gave were taken mainly from the report of the Attorney-General and from the reports of the two Assistant Attorneys-General who have charge of the business of the Government in the Court of Claims. They give the number of the cases now on the several dockets, because there are several dockets, each class of cases having a separate docket. They also give the number of cases that were disposed of during the past year, and give the number of cases that come from the several different sources—seven in number—of jurisdiction. But I believe the statement is not made in any of these reports as to the number of cases ready for trial.

The discussion on the resolution has branched off almost exclusively on the Indian depredation business, while the resolution itself has no special reference to the Indian depredation business. It has reference generally to the business of the Court of Claims of all classes. There are now pending, according to the statement of the Assistant Attorneys-General, nearly twenty thousand cases on the docket of that court, and there were but 653 cases passed upon during the last year. Consequently if not a single case were added to the docket, and the court should proceed at the same pace that it has proceeded during the last year, it will take over thirty years to clear the docket.

Mr. COCKRELL. Yes, if there were not so many "ifs" in it, it might take that long; but when probably one decision will settle 2,000 cases on the docket, it is a very different matter, and that is the reason, if the Senator will permit me——

Mr. MITCHELL. I think the "supposition" of the Senator is as much open to objection as the "ifs" on my part. I can scarcely imagine how it will come about that a decision of one case can dispose virtually of two or three thousand claims.

Mr. CHANDLER. If the Senator from Missouri will allow me, I do not understand that any one of the Indian-depredation cases has been made ready for submission to the court yet.

Mr. MITCHELL. I think none except those that come under that class which come by certification from the Departments.

Mr. CHANDLER. I do not understand that any of those are ready.

Mr. PERKINS. I was advised by the Attorney-General that there were quite a number of cases in the hands of the court that had been agreed upon so far as counsel were concerned and awaiting the action of the court.

Mr. MITCHELL. I desire to say to the Senator from Missouri that the purpose of this resolution is to direct the Committee on the Judiciary to inquire into the whole subject and get all the information—find out all about it. I do not profess to have all the information that I ought to have or that the Senate ought to have before presenting a bill, but I do propose to instruct the committee to investigate the subject, to see what ought to be done; get all the facts, and then report some such measure as the committee may think a proper one, and then the Senate can discuss it and act upon it. That is my idea.

Mr. COCKRELL. It is not the number of cases pending before the court that is the important inquiry, but it is the character of those cases and how many of them belong to certain classes, a decision in one of which decides all of them. A letter has been read from the chief justice of the Court of Claims stating that the court has promptly disposed of every solitary case that was ready for disposition when it was submitted for its action, and that in a very few instances at the end of the term was any case even taken under advisement. It was only last winter that that letter was written.

Mr. CHANDLER. Last February.

Mr. COCKRELL. I suggest to the Senator from Oregon that the proper way to treat the Court of Claims and this whole subject would be a resolution directing the Court of Claims to report and let us hear from them. They are the ones who know the status of their business; they are the ones to give it; and why impose upon the Committee of the Judiciary of the Senate an investigation of this character until we have first called upon the Court of Claims for their report?

Mr. MITCHELL. I will answer the Senator.

Mr. COCKRELL. One moment. If that was done I should have no objection to it. But why do we institute an investigation by a standing committee of the Senate to inquire into the judicial branch of the Government and take it for granted that they are behind with their business, charging them with dereliction of duty, in the face of the report that they send to the Senate—why impose that without giving them a hearing?

Mr. MITCHELL. I will tell the Senator why.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Oregon?

Mr. COCKRELL. Certainly.

Mr. MITCHELL. The Department of Justice, having charge of the business of the Government in the Court of Claims, has made a statement of record in the annual report, showing the state of business in the Court of Claims. Who, I inquire of the Senator from Missouri, is better authorized, or better qualified to know, understand, and comprehend the state of the business and the condition of cases in the Court of Claims than the men representing the Department of Justice? They say, in substance, that it is absolutely necessary that something should be done to relieve the court and litigants. There is no reflection upon the court in what is being done here. Nobody has reflected upon the court in any way. In everything that has been said the court has been commended and the justices of the court have been commended for their faithful, able, and efficient services.

We all agree that the overburdened docket of the court is not the result of any dereliction of duty upon the part of the court or any of its justices; but when the head of the Department of Justice comes in here and states to the Senate and to the Congress that there are nearly 20,000 cases on the docket of the Court of Claims, and that on an average that court is not able to dispose of more than about 650 a year, and recommends that some measures be taken to increase the aids to the court, the aids to the Department of Justice, and the office of the Attorney-General——

Mr. COCKRELL. I am glad the Senator mentions that.

Mr. MITCHELL. When the head of the Department does all these things, and in view of the facts presented it seems to me some action ought to be taken. I hesitate to introduce any bill for the relief of the Court of Claims because I am not quite sure what kind of a bill ought to be introduced, and hence I have thought it best to proceed in this way.

I thought the Judiciary Committe of this body was the proper committee to investigate the matter and find out the facts, and then, if it is found necessary to do anything, of course we would expect that a report of that character would be submitted. That is what the resolution contemplates, that, if necessary, after an investigation, something should be done, then it will be for the committee to report what in their judgment ought to be done, and when that report comes in we can discuss it.

Mr. COCKRELL. I was very glad that the Senator intimated that in the report to which he referred from the Department of Justice, there was some expression in regard to the very laborious duties that the officials of that Department had to perform, and I wanted to propound to him the question as to whether that report was not made more directly for the purpose of increasing the force in the Attorney-General's Office and increasing their salaries than for anything else?

Mr. MITCHELL. No, sir; I do not think it was. I think the report was made in good faith, and we are bound to accept it in good faith. I think it was made for the purpose of getting the necessary machinery and necessary means to transact the business of the Government. Now, if the Senator from Missouri is not willing that the Department of Justice, or any other Department of this Government shall have that, then I have nothing more to say.

Mr. COCKRELL. I ask the Senator if there was not in that report a suggestion of an increase of salaries of the Assistant Attorneys-General and an increase of the number to be employed?

Mr. MITCHELL. I do not know as to the salaries. I have not examined to ascertain whether there is any recommendation in regard to salaries or not. There is a recommendation, I think, perhaps for an increase of one Assistant Attorneys-General, and perhaps an increase of some assistant attorneys, not Assistant Attorneys-General.

Mr. COCKRELL. I understand that, assistant attorneys to assist in the prosecution of these cases.

Mr. MITCHELL. To assist in the prosecution of these cases and a suggestion, which I regard in the shape of a recommendation, that a few agents be appointed for the purpose of aiding the court in preparing the cases for trial.

Mr. COCKRELL. Certainly.

Mr. MITCHELL. Just precisely what ought to be done I do not pretend to say and this resolution does not pretend to say, but it seems to me, with the facts we have before us, we ought to inquire into the subject and find out what, if anything, ought to be done, and then do it.

Mr. PADDOCK. I do not know whether any recommendation has been submitted for an increase of the salaries of the Assistant Attorneys-General having charge of this business, but I do know that there ought to be. An officer charged with the responsibility that the Assistant Attorney-General is who has charge of this most important subject, and a man as able as he is as a lawyer, and as vigorous and energetic as he is always in the performance of every duty, can not certainly perform the duties of the office

in question for $2,500 a year. It is an absurdity and an outrage that the salary for an officer having charge of so important a subject should be placed at any such limit.

Mr. COCKRELL. Mr. President ——

Mr. CHANDLER. Will the Senator from Missouri allow me?

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. COCKRELL. I yield to the Senator from New Hampshire.

Mr. CHANDLER. I think, in view of the inquiry of the Senator from Missouri, the facts ought to be stated in reference to the defense of the Indian depredation cases. These cases were sent at the close of the last session, and almost during the very final hours of the session, to the Court of Claims. It was stated that the gross amount of claims to be adjudicated would probably be about $18,000,000, I think the estimate was. It also appears that in the allowances which had been made by the Secretary of the Interior there had been a reduction of about two-thirds, so that it was deemed certain that the amount of these claims eventually to be paid would not be less than $6,000,000.

The suits which have been brought in the court already amount in nominal claims to $23,000,000. There have been already adjudicated in the Interior Department claims amounting, as allowed, to about $1,300,000. It was urged by the Senator from Nebraska [Mr. PADDOCK] and others that, instead of sending those cases to the Court of Claims, we should advocate an appropriation to pay them directly and immediately from the Treasury of the United States. Instead of doing that, however, it was insisted that those cases already adjudicated by the Secretary of the Interior to the amount of $1,300,000 should also go to the Court of Claims, but it was provided that, unless the Attorney-General decided to move to reopen the cases, the Court of Claims should render judgment for the amount allowed by the Secretary of the Interior, and it was further provided that, if those cases were contested, they should have preference upon the docket of the Court of Claims.

This puts upon the Attorney-General's Office the duty of getting ready to try $20,000,000 of claims, and also the duty of investigating administratively the $1,300,000 of claims; and while the act authorized one Assistant Attorney-General to do this, it made no appropriation even for his salary. These facts being called to the attention of the committee, of which the Senator from Missouri is a member, an appropriation was made of $15,000 for the salary of the Assistant Attorney-General, and for such other assistants as the Attorney-General might see fit to employ in order to make an investigation of these cases.

That is the exact situation, and I want the Senator from Missouri to take notice of it, that we have only put $15,000 into the hands of the Attorney-General to defend the $1,300,000 of claims already adjudicated, which he is bound to make an administrative examination of, and also for the preparation for the defense of the eighteen or twenty or twenty-three million dollars of claims. Therefore, as a member of the Committee on Indian Depredations who has had something to do with the passage of the bill, I notify the Senator and the Committee on Appropriations that it will be necessary, if these claims are to be properly defended, that there shall be given to the Department of Justice a force, with sufficient money behind it, to properly defend the Treasury of the United States. I know that the Senator from Missouri wants that defense to be made, and it occurred to me that, in view of his criticism, I ought to state to the Senate the exact condition of affairs. The situation just before the closing hours of the last Congress was called by me to the attention of the chairman of the Committee on Appropriations, who saw that an immediate appropriation was necessary, and the sum of $15,000 only was given.

Now, Mr. President, I am not prepared to speak as to the condition of the Attorney-General's Office with reference to the defense of the $400,000,000 of Bowman-act claims or the five or six or ten million dollars of French spoliation claims. I am prepared, however, to speak with reference to its condition concerning the defense of these claims which were referred to the Court of Claims by the last Congress under a bill which I supposed was in every way satisfactory, when it finally passed, to the Senator from Oregon and the Senators from the other States, but which, before one single case is adjudicated, they come here and tell us was imperfect and unjust legislation.

Mr. ALLISON. Mr. President——

The PRESIDING OFFICER. The Senator from Missouri [Mr. COCKRELL] is entitled to the floor.

Mr. COCKRELL. Does the Senator from Iowa wish to speak to this question?

Mr. ALLISON. I wish to make a few observations, but, of course, if the Senator has the floor I will not make them now.

Mr. COCKRELL. I will yield to the Senator from Iowa, but I first wish to ask the Senator from New Hampshire one question in the line of what he has stated. How many cases are included in that one and a half million dollars allowed by the Interior Department? They are one, separate, distinct class, and I ask how many separate claims are there embraced in that allowance of $1,500,000 by the Secretary of the Interior?

Mr. CHANDLER. I think four or five hundred; but the Senator will understand that it is the first step in this business that costs.

Mr. COCKRELL. I understand. I am not talking about the expense, but how many cases are there that are all in one class, and which, when investigated by the Attorney-General, if he determines not to open them, are settled by one decision of the court?

Mr. CHANDLER. I am not prepared to answer as to what questions of law and fact have to be passed upon in the first instance by the Attorney-General in the uncontested cases, and in the contested cases by the court. I am not prepared to state precisely what those cases are, but I am prepared to say that there are grave questions of law and of fact, and that it was my purpose, and certainly I believe it was the purpose of the Committee on Indian Depredations, that these cases should be thoroughly sifted in the Attorney-General's Office before judgments were allowed to go against the United States to be sent to the Committee on Appropriations to be met with money from the Treasury. There is a great deal of very important work to be done there, I assure the Senator.

Mr. COCKRELL. Everybody knows that I have been watching the Indian depredation claims ever since I have been in the Senate, and I have got every report which was ever made upon them; but I want to call the attention of the Senator from New Hampshire and the Senator from Oregon to the fact that by the very terms of that act a large number of these cases, thousands of them I might say, have been adjudicated by the Secretary of the Interior, and that Congress steadily refused to make any appropriation to pay such adjudications. That is the reason why the court had to be established. Now and then a claim would be paid by an appropriation in an Indian appropriation bill, but there was no general appropriation for their payment. That shows that here are thousands of cases, all of one class, adjudicated by the Interior Department after its investigation and now the Attorney-General is instructed to examine these cases, and unless he protests against them, they are all decided by an approval of the decision of the Secretary of the Interior. There at one lick, by one decision, are probably four or five thousand cases disposed of, involving say four or five million dollars.

I admit that it is an enormous labor imposed upon the Attorney-General. We all know that. To do that work efficiently and promptly will take a large force and will require considerable appropriations. There is no question about that. Everybody wants the Attorney-General to make a thorough investigation of every one of these claims, so as to see that no fraud is attempted or carried out in any one of them.

It is known that a great many of these claims are probably overestimated and overstated, and therefore, investigation is necessary in each one of them; but I insist that there can be no occasion for an investigation by the Judiciary Committee of the Senate until we have a report from the court. I believe that the court will be able to dispose of these cases as rapidly as the parties are willing to submit to a decision of them. Those who have been familiar with the claims business in Congress, in the Departments, and in the courts, know that there will probably be two hundred or five hundred cases all of one class, all brought in that court or brought before the different Departments, and a decision in one of the cases decides all of them.

We know further that there are hundreds of cases brought before the Court of Claims as experiments. They are filed there, and unless the plaintiffs or claimants in those cases respond reasonably with fees and expenditures, the claims are never prosecuted, and after a lapse——

Mr. MITCHELL. May I ask the Senator a question?

Mr. COCKRELL. Yes.

Mr. MITCHELL. Is it not a fact that in all these cases, not only Indian-depredation claims, but in cases that have gone to the Court of Claims under the Bowman act and the French spoliation law, there are questions of fact applicable, peculiar, and different that have to be investigated by the court? The court, I admit, may determine a question of law that will settle the law as to a great many cases; but in all these cases, as I understand, there are questions of fact which must be considered—the facts of the particular case which it is necessary to investigate and examine, and this should be done in order that the interests of the Government may be protected as well as that the interests of the claimants may be looked after.

Mr. COCKRELL. The investigations are not conducted there, as they are in the ordinary trial of cases. It is very seldom they are of that character. A great many of the cases depend alone upon the reports made from the Departments, and very little

additional evidence is taken. Under the Bowman act cases are taken to the court which formerly came under the jurisdiction of the Quartermaster-General and the Commissary-General of Subsistence under the act of July 4, 1864, of which there were 60,000 claims filed before the Quartermaster-General alone in the noninsurrectionary States, and probably fifteen or twenty thousand filed before the Commissary-General and also before the Court of Claims under the Bowman act, and quite a number of these cases—24,000 of them I believe there were in all—were at one time pending before the commissioners of claims, otherwise called the Southern Claims Commission.

Some of those cases were dismissed, some of them were simply not acted upon, but they have all been disposed of by dismissal or otherwise, and quite a number of them are taken to the Court of Claims. Sometimes one decision in one of these cases will practically decide twenty-five, fifty, or one hundred claims, and sometimes two hundred of them. Sometimes they linger there for years. At one time it was stated that several hundred claims were referred by a committee of the House of Representatives, were sent to the court, and then the parties were notified that if they would employ certain attorneys those claims would be prosecuted before the Court of Claims, where they had already been referred. According to statements I have heard made upon this floor, it was doubtful in many cases whether the claimants even knew that their claims had been referred to the Court of Claims under the Bowman act. A great many of those cases go off the docket because at the end of a certain period of time they have not been prosecuted. One order will be made dismissing all that have not been prosecuted up to that time, as stated by Judge Richardson. Any Senator who has made himself familiar with cases coming from the Court of Claims must have at some time seen a hundred cases dismissed under one order of the court for want of prosecution.

We do not know whether the court is behind or not in its business, and I say the legitimate way to proceed in this matter would be by a resolution of inquiry addressed to the Court of Claims, requesting them to furnish the information, and then, if there is any trouble about the question, the Judiciary Committee can take it and pass upon it.

Mr. President, I have no disposition to criticise the report of the Attorney-General. That was made in the interest of the business of his office. It stated the quantity of business; it stated how long it would take the office to dispose of the cases; that if the Court of Claims only decided so many a year, then it would take so many years to dispose of them; but he did not say the Court of Claims could only dispose of this number of cases.

The Court of Claims can dispose of these cases more rapidly than the Attorney-General's Office can have them prepared with the force and the appropriation which has already been made; and, unless the appropriations are increased and the number of attorneys employed in that office and the expenditure for the investigation of these cases increased by a proper appropriation, the Court of Claims will always be able to keep up with the cases as fast as they are submitted for final action.

Mr. ALLISON. I think this debate has disclosed that some additional arrangement perhaps should be made by legislation or otherwise, and now that the Senate is in full possession of the facts, I move the reference of the resolution of the Senator from Oregon to the Judiciary Committee. They can investigate the question thoroughly and see whether the inquiry should be made of the Court of Claims or of the Attorney-General.

Mr. MITCHELL. I have no objection to that course.

The PRESIDING OFFICER. In the absence of objection it will be so ordered by the Senate. The bill introduced by the Senator from Massachusetts [Mr. HOAR], which has been read once, will, without objection, be considered read the second time, and referred to the same committee.

PUBLIC BUILDING AT HOBOKEN, N. J.

Mr. McPHERSON. I should like to call up a bill on the Calendar for consideration, being Senate bill 70, Order of Business 20.

Mr. DOLPH. I suggest to the Senator that if we go to the Calendar we can dispose of all the cases not objected to in the course of an hour.

Mr. McPHERSON. Very well; I have no objection to that.

Mr. COCKRELL. That depends upon one condition. I shall be compelled to object to these cases under the rule unless the reports are here. I have been inquiring, and have been informed, that the reports have not been received from the Public Printer. The reports in some of the cases are very important, and if they have not been received I do not think it fair to consider the bills to which they relate.

The VICE-PRESIDENT. The Chair is informed that the reports are all before the Senate, with one or two exceptions.

Mr. COCKRELL. I have not been able to get them. I should like to know why the pages can not get them as quickly as the Secretary of the Senate can.

Mr. McPHERSON. Until the reports are received I hope the Senator from Oregon will not object to the consideration of the bill I wish taken up.

The VICE-PRESIDENT. The title of the bill will be stated.

The CHIEF CLERK. A bill (S. 70) to increase the limit of cost of the erection of a public building at Hoboken, N. J.

Mr. DOLPH. That is one of the public-building bills. We all have bills of that character.

Mr. McPHERSON. If the Senator will permit a single statement I think he will not object to the consideration and the passage of the bill.

The Government has a building erected one story high, upon which it is proposed to place a roof for want of sufficient appropriation to complete it. It would be discreditable, as I think, to the Government and a disgrace to the city where it is located. We have asked for a small appropriation of money in order to raise the building up to the height of the surrounding buildings. The Senate will deal with this matter as it thinks best, but whatever may be its action now, the action of to-day upon this bill will serve a wise purpose in future legislation upon this subject.

Mr. DOLPH. I do not object to the bill, but I desire to say that there are quite a number of public-building bills on the Calendar now. I think they are all of them bills that were acted on at the last session of Congress, and I shall have to object hereafter to a motion to take up one of them out of its order. We are all equally interested in such bills, and there is no reason why one should get ahead of the other on the Calendar of the Senate. I do not object to this, but I give notice that hereafter I shall ask to have bills taken up in their order.

Mr. COCKRELL. I understand the Secretary has copies of the reports; I have not been able to get them from the document room, and I protest against the Senate proceeding to the consideration of business when it is impossible for Senators to get the reports and examine them. It is not fair, or just, or right. I will call for the reading of every solitary one of the reports, and if they are not here I shall object to proceeding to the consideration of the Calendar.

Mr. JONES of Arkansas. I move that the Senate adjourn.

Mr. DOLPH. I hope the Senator will give me a chance to say one word that I have not had an opportunity to say.

Mr. JONES of Arkansas. I will withdraw the motion for that purpose. I wish to say that my purpose in making the motion was to afford Senators who desire to read the reports an opportunity to do so.

Mr. DOLPH. There are very few reports or bills on the Calendar. I think all the reports accompanying bills on the Calendar are very short and can be easily examined. If the Secretary of the Senate can obtain copies of reports certainly Senators can by sending for them.

Mr. COCKRELL. They are not in the document room and Senators can not get them.

Mr. DOLPH. I desire to enter my protest against what the Senate has been doing since we came together. We have been adjourning weekly at least on Thursday over until Monday. We have been adjourning daily almost immediately after the order of the morning business has been gone through with. We have now two or three pages upon the Calendar of bills which have been considered by the Senate heretofore and acted upon and are now ready to be considered. In very few of them are there reports. It is now proposed, at a quarter to 3 o'clock, to adjourn to-day, after nearly the entire session of to-day so far has been used in discussing a resolution simply directing a committee to make an inquiry as to whether certain legislation is needed. Yesterday we adjourned still earlier.

We are rapidly approaching the same condition that we have been in heretofore. The Calendar will keep increasing in length every day and Senators will begin to do as they are doing to-day, ask the Senate to take up bills out of their order on the Calendar so that they may be considered. Pretty soon there will be important public measures before the Senate that will require discussion and will take time, and these bills now on the Calendar will be crowded out for that purpose. When the heat of summer comes, the time when we ought to be able to get away from the national capital and get to the mountains or the seaside for a little recreation and rest, we shall be compelled to meet here at 10 or 11 o'clock in the morning and remain until 6 o'clock, and perhaps hold evening sessions, in order to transact the important business before the Senate.

I wish now to enter my protest, before the motion of adjournment is put, against an early adjournment every day, and to state my desire to see the Senate remain in session to dispose of the business which has been passed upon by committees and is before the Senate and upon the Calendar, in order that the Calendar may be kept clear.

Mr. McPHERSON. I understand the bill I called up is before the Senate and that the motion to adjourn has been withdrawn. I therefore ask for the regular order.

The VICE-PRESIDENT. The Chair understood the Senator from Arkansas [Mr. JONES] to withdraw the motion temporarily to enable the Senator from Oregon [Mr. DOLPH] to make his remarks.

Mr. JONES of Arkansas. I withdraw the motion.

The VICE-PRESIDENT. The motion to adjourn is withdrawn. The bill referred to by the Senator from New Jersey is before the Senate.

The bill (S. 70) to increase the limit of cost of the erection of a public building at Hoboken, N. J., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 5, to fill the blank before the word "thousands" by the insertion of "one hundred;" so as to make the bill read:

Be it enacted, etc., That the amount heretofore fixed as the limit of cost of site and for the erection of a public building at Hoboken, N. J., be, and the same is hereby, increased to $100,000, and that sum is hereby fixed as the limit of cost of site and for the erection of said building.

Mr. McPHERSON. I move an amendment to the committee's amendment by the addition of the words "and ten," so as to make the amount $110,000. As I am informed, all of that sum will be necessary.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. In line 5, after the words "one hundred," it is proposed to insert the words "and ten," so as to make the amount $110,000.

Mr. DOLPH. I should like to have some explanation in regard to the amendment to the amendment. After the committee has passed upon the matter and reported the bill and fixed the amount to which the appropriation should be increased, certainly the Senate ought not, simply upon the motion of a Senator interested, to increase it without hearing something from the committee or having some explanation in regard to it.

Mr. McPHERSON. I will state to the Senator from Oregon that I will make the explanation so far as I have the ability to do it.

I mentioned the matter to the committee, and in the representation that I made a few mornings ago before the committee that $100,000 would be sufficient to complete the building, I find that I was mistaken in the amount, and that about $10,000 additional will be required. I understand that I have the approval of the committee to move this amendment, so far as I have been able to see the members of the committee, and as the representation upon which the committee acted was made entirely by myself, I wish the Senate to understand exactly that if any blame attaches to anyone it is not chargeable upon the committee, but alone to myself.

Unless the appropriation is increased the Government can not do otherwise than put a roof upon a building one story high. Within a few rods of that building there are located five or six steamship lines, whose vessels land at that point. There are a great number of inspectors of customs who have no offices anywhere in the city of Hoboken. It is an internal revenue collection district, and a deputy collector is located there, who keeps his office in his own house mainly. It is also a customs collection district, and the Government needs two or three stories upon this building to accommodate the Government offices. The citizens have asked the contractor to suspend work, and have paid the contractor, I am informed, for so doing, in order that they may have an opportunity to ask the Congress of the United States to make a sufficient appropriation of money, the appropriation now being entirely inadequate, to finish it creditably.

Mr. DOLPH. What was the original appropriation?

Mr. McPHERSON. The first appropriation I think was $75,000, but it was necessary to pay something like $35,000 or $40,000 for a site. That is all I need say.

Mr. COCKRELL. I should like to ask whether there is any report from any officer of the Government that additional Government room is necessary there, whether there is anything to show on the part of the authorities and representatives of the Government that this building, as it was contemplated by the original appropriation, is not amply sufficient for the transaction of the Government business?

Is the Senate to rely upon and be governed by the wishes of the business men of the town, who want money expended in their midst and who hire a contractor to stop work under the direction of the Government, in the matter of the erection of a public building? Are we not to consult some of the officers of the Government in this matter? When these numerous bills for public buildings come up, is it to be the privilege of each Senator in whose State they happen to be to get up and move an amendment to increase the amount appropriated by the committee just as it may suit his pleasure? There are serious questions involved.

Mr. McPHERSON. I will answer the Senator from Missouri by stating that the mayor of the city of Hoboken and a large number of the citizens of that city came before the Treasury Department and pointed out the fact that the Government was there erecting a public building but one story high, surrounded on all sides by magnificent structures used for commercial purposes; that they thought it was not only a disgrace to the Government but also to their city that the Government of the United States, needing the room for other purposes, should erect such a structure in so important and growing a city, and the percentage of the increase of population during the past ten years in the city of Hoboken has been quite equal to that of the most growing city in the United States.

Mr. COCKRELL. What is the present population?

Mr. McPHERSON. The population is now nearly 50,000.

This representation was made to the Treasury Department, and they were informed that the Department could not suspend the work of the contractor; that he must proceed and put on the roof. They then agreed that they would have the work suspended by the contractor in order that they might lay their claim before the Congress of the country for relief.

In the first place, the State of New Jersey to-day, one of the thirteen original States, has less money invested upon her territory in Government buildings than has been appropriated for a single city not yet twenty years old in a Western State.

I find it is the easiest matter in the world to get an appropriation of three or four or five hundred thousand dollars to build a post-office in a remote western city, when the cost of that building exceeds the cost of all the public buildings erected by the United States upon the soil of New Jersey from the beginning of this Government down to the present hour. If this thing is to go on, if the Government of the United States may come into the State of New Jersey, in one of its most important and growing cities, and put up a building only one story high to accommodate 50,000 people who get their mail in that office, then I shall inquire most diligently with respect to every public building erected hereafter by this Government in any locality.

Mr. COCKRELL. That you ought to do any way.

Mr. McPHERSON. The Government approved the site selected and purchased it, and it took more than half of the appropriation of money it made to purchase the site, and in fact there was no other available site that could be found. The report of the committee was for $100,000. It was upon my statement, the very lowest possible sum (and I supposed I was correct in making that statement) that the building could be completed for, and the committee generously accepted my statement. I now ask to have the bill amended slightly by the addition of $10,000. If objection is made to that and it is proposed to strike it out, I will withdraw the amendment, and we shall go as far as we can with the additional appropriation, making $100,000 towards completing the building.

It is no uncommon thing in New Jersey for the people of that State, unable to obtain sufficient appropriations of money for a public building, to put their hands into their own pockets and help the Government out, and I want to assure Senators in this case it will be done.

I want to give due notice of another thing, and that is, if another public building bill is attempted to be passed in the Senate carrying such extravagant appropriations as we have been in the habit of granting it will be passed at the last hours of the session of the Senate and not before. Let it be understood hereafter that all cities of 50,000 people whose growth in ten years equals 50 per cent of increase of population shall not receive a building fund of more than $100,000.

Mr. COCKRELL. Mr. President, do I understand the Senator to say that he is going to oppose any other bill for the erection of public buildings?

Mr. McPHERSON. Not at all. I say that New Jersey is entitled to a fair division of the appropriations which are made for public buildings; but if the Government of the United States is so poverty stricken, so poor that it can not, after beginning a public building in the city of Hoboken and carrying it up one story, finish it, it is too poor to give three, four, five, or six hundred thousand dollars towards erecting public buildings elsewhere. In short, if the Government is too poor to finish a building already begun, it should not attempt new enterprises, and especially very costly ones.

Mr. COCKRELL. Why, Mr. President, that is the most ridiculous proposition that was ever made on the floor of the Senate, to come in here and claim that the State of New Jersey, because she was one of the original thirteen States, must have just as much public money expended for public buildings in her territory as is expended in any other State. There is no foundation of justice or equity or fair dealing in any such proposition as that. New Jer-

sey is entitled to be treated just as every other State in the Union is treated, and nobody upon this Senate floor will withhold from the State of New Jersey one solitary thing to which she is entitled. If you are entitled to this we want you to have it, but we want to have some reason for it.

Now, let us look at this case for just a moment. The Senator from New Jersey has been here a long time. He was here when the bill passed providing for the construction of this building. Why was not the fight then made for whatever amount was deemed necessary? He knew what kind of a public building would be constructed out of the amount appropriated. The bill went through all right; the construction of the building was commenced, and then the good people of that city perhaps very properly think that the building being erected is not magnificent enough to suit the proportions of their town and its growing importance, and that it would be shameful to have a one-story building erected there. That may be all perfectly right.

The Senator then goes before the Committee on Public Buildings and Grounds and they give him just what he asks. Since they have made their report, on the 11th instant, the day before yesterday, he comes in and asks the Senate to add $10,000 more to what the committee has recommended. Where is to be the end of this matter? I want the Senator distinctly to see the position in which he is placing the Senate in voting anything that any Senator may ask. I have no objection to this appropriation if it is necessary, but the Senate should know why we make these extensions, and know why it is that the Committee on Public Buildings and Grounds, having heard the Senator himself, having heard the parties in this matter, and having deliberately reported to us that a certain amount is necessary, should be overruled and the amount increased. I think the country is entitled to know that, and that it is no reflection on the grand old State of New Jersey or her distinguished representative to make inquiries of him and to have the facts spread upon the record, that our action may be justified before the taxpayers of this country.

Mr. McPHERSON. I am not willing that the Senator from Missouri shall place his own construction on my words and let the matter go to the Senate or to the country in the way that he has stated it. I will not repeat myself over and over again for the sake of correcting the Senator from Missouri.

I have made the statement in the first place that the appropriation of money was insufficient, and therefore we came back and asked for an additional appropriation. I have stated the simple fact that the State of New Jersey, one of the thirteen original States, had to-day less money of this Government appropriated for public buildings than had been appropriated to building a post-office in a single city in the West in a new State, when the city was less than twenty-five years old.

When we ask for a meager appropriation of money to complete a building already begun and up one story, in which the Government contractor is now required in furtherance of his contract to proceed and put on the roof, a one-story post-office which the Government is not willing to complete and build it up to make it compare with surrounding buildings, and that appropriation of money is proposed to be withheld by the Senator from Missouri, and I dare say in the immediate future we shall see his vote recorded in favor of many magnificent projects elsewhere for the beginning of public buildings from the ground up in some other State, but he thinks that the Government of the United States can not afford to contribute enough from its Treasury to complete a building already begun.

Mr. COCKRELL. The Senator is exceedingly unfortunate in saying that I have attempted to withhold that appropriation. I ask him for a decent explanation, and the Senator gets mad about it and says that I am trying to withhold his honest and just appropriation. I am perfectly astonished at him. I have not made a particle of objection, but I want to know why it is that a committee of the Senate, before which the Senator himself appeared and asked for $100,000, is to be overridden and $10,000 more added to the appropriation. I wanted a reason for it, because here are twenty, thirty, or forty bills coming right up from the Committee on Public Buildings and Grounds, and are the amounts they have recommended to be increased every time a Senator gets up on this floor and states that it is necessary? That is the question before the Senate. If the additional sum is necessary, it should be allowed, but when a Senator is asked to show why he wants to override a committee of the Senate, where an increase has already been made at his suggestion, he should be ready to state his reasons for such a course.

Mr. McPHERSON. Is that all of the Senator's objection? If I had known that was all the objection the Senator had I should have withdrawn the amendment an hour ago. I thought from the Senator's speech that he was objecting to the appropriation itself, but it seems he is objecting only because I am overriding the committee by asking for $10,000 additional. I again say if that is the only objection of the Senator from Missouri I withdraw my amendment very gladly. We can make the necessary building in the city of Hoboken. If it requires $10,000 more we can easily raise that amount of money without asking it from the Government, with the understanding, however, made known to all the world, that the Government is unable or unwilling to erect a suitable post-office building in Hoboken.

Mr. COCKRELL. I was making no objection in any shape, manner, or form, and have made none. I have simply asked an explanation. If this $10,000 is necessary it should be appropriated, but if it is not necessary it should not be appropriated merely because a Senator asks for it.

Mr. VEST. Mr. President, I interfere with very great reluctance in this interesting controversy between my colleague and the Senator from New Jersey. It is the only ripple upon the stagnant waters of parliamentary life that we have had during this session. I may realize the fate of the mediator generally—before the controversy is ended he is attacked by both parties—but I want to say in defense of the Committee on Public Buildings and Grounds, of which I am a member, and in the absence of the chairman, that this matter is not worthy of any excitement or any heated discussion at all.

As the Senator from New Jersey has stated, our committee, after referring the matter to the Superintendent of the Architect's Bureau in the Treasury Department, reported the bill introduced by the Senator from New Jersey, which appropriated $125,000 for this building. It went to the House of Representatives and was there pared down to $75,000, which was an inadequate appropriation according to the estimate of the Architect, but as a matter of course the Senators from New Jersey accepted the amendment, as they were compelled to do at that stage of the session, and the bill was passed.

At the meeting of the committee on Friday last (if I may be permitted to speak of committee proceedings) the Senator from New Jersey appeared and made the statement that he has made to-day upon this floor, that the building is in an unfortunate condition, and the plainest dictates of business management and of strict economy require an additional appropriation in order to make the building available at all for the purposes originally intended. We then reported the bill appropriating $100,000, which was all he asked.

Yesterday the Senator from New Jersey came to me, as a member of the committee, and stated that he had been mistaken as to the amount, and it required $10,000 more. I am not prepared to say that this matter of the increased appropriation was referred to the Bureau of the Architect, for the reason that it would have been discourteous, unnecessary, and improper for us to have doubted the personal statement of the Senator from New Jersey, which he has repeated here to-day. The bill which we originally passed went, as all other bills do that come to our committee, to that Bureau, and I will say to my colleague now that he is entirely right in having stated that that practice should be observed. Every bill that comes to the Committee on Public Buildings and Grounds goes to the Treasury Department for report in regard to the necessity for the building and in regard to the dimensions of the building. In this case the difficulty has arisen from the fact that $35,000 was taken out of $75,000 to pay for the ground, and that, as a matter of course, left a deficiency.

I deprecate very much the line of discussion adopted by my friend from New Jersey, who has no right to complain of the Committee on Public Buildings and Grounds or the Senate. We have given him all that he has ever asked, and we were very glad to do so. We have the greatest respect for him and the greatest desire to meet the wishes of his people when we consider that they are well founded. But it was unnecessary to draw any parallel between appropriations for the State of New Jersey and any other State. The Senator is fortunate in representing a State which is almost finished, and well finished. It has its public buildings, while the West is new, just beginning the career which I hope, as to each State, will be as illustrious and honorable in the annals of the Government as has been that of the State of New Jersey. We need public buildings because our States are beginning to grow, and to grow with such phenomenal rapidity that legislation is not able to keep up with the vast increase of population.

But the Senator must know that it is in no spirit of discrimination and with no sectional feelings that this matter should be approached. Once or twice in my career here in this body the question has been brought here, and always with bad results, in regard to the amount of appropriations for different States. For one I have always favored liberal appropriations for public buildings, and I shall always do so. I believe it is money always well expended, often extravagantly, but better expended in some shape than not at all. It is distributed among the people; it places in towns and cities of the United States before our people the insignia of our nationality and of our country's greatness. There are many appropriations that can not be defended, Mr. President, but those

for public buildings are more defensible, as a class, than any others that pass through the hands of Congress.

This appropriation is a just one. I hope that my friend will not withdraw his amendment, and I shall most cheerfully upon his statement vote for the appropriation of $110,000 in order to complete this public edifice.

The VICE-PRESIDENT. Does the Chair understand that the Senator from New Jersey withdraws his amendment to the amendment reported by the committee?

Mr. McPHERSON. The Senator from New Jersey withdraws the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHESTER B. SWEET.

The VICE-PRESIDENT. The first bill on the Calendar will be announced.

The bill (S. 636) for the relief of Chester B. Sweet, of California, was considered as in Committee of the Whole. It proposes to pay to Chester B. Sweet, of California, $108.66, being the amount of the double minimum excess erroneously paid by him to the receiver of the land office as double minimum excess on preëmption cash certificate No. 1298, Shasta, Cal., for lots 1, 2, and 3, and northeast quarter of southwest quarter of section No. 7, in township No. 40 north, range No. 7 west, Mount Diablo base and meridian, made at Shasta, Cal., March 17, 1886.

Mr. COCKRELL. Let the report of the committee, commencing "On May 21, 1885," in the letter dated January 13, 1890, from the Acting Commissioner of the General Land Office, be read.

Mr. DOLPH. Going down to the end of the report.

Mr. COCKRELL. Yes; that is all that it is necessary to read. I have not had time to read the report, but that is the only material part of it.

The Secretary read from the report submitted by Mr. DOLPH from the Committee on Public Lands, January 11, 1892, as follows:

On May 21, 1885, Chester B. Sweet filed declaratory statement No. 247 for lot 1, E. ½ of NW. ¼ and NE. ¼ of SW. ¼, sec. 7, T. 40 N., R. 7 W., alleging settlement December 25, 1859. The filing we afterwards amended to lots 1, 2, and 3, and NE. ¼ of SW. ¼, sec. 7, T. 40 N., R. 7 W., containing 158.93 acres. He made final proof and payment per cash certificate No. 1298.

The plat of the township was filed in the local land office June 27, 1881. This land is within the 20-mile limits of the grant to the Central Pacific Railroad Company, whose right attached thereto August 3, 1871. As Sweet made settlement on the land prior to the attachment of the right of the railroad company he was entitled to enter the land at the minimum price.

At or about the time the proofs of Sweet were received at the land office, there was delivered to the receiver by express from H. B. Gillis, without notice, the sum of $400. The receiver, supposing that the money was from Mr. Sweet (and his, Sweet's, land being within the granted limits of the Central Pacific grant), without due consideration, applied said $400 upon the entry at the rate of $2.50 per acre, issuing a receipt for $397.33, and sending Sweet a duplicate receipt and also $2.67, being the balance over and above $2.50 per acre for 158.93 acres.

The receiver stated that the error was not discovered until one J. F. Matthews, having furnished the additional proof required by office letter G, of August 26, 1886, and the receiver calling upon Mr. Gillis, who is also Matthews's attorney, for the money to pay for the land, was informed by Mr. Gillis that the money sent some time previous was to pay for the land of both Sweet and Matthews. The receiver then found that he had inadvertently applied all the money to the payment of Sweet's entry. So, by this misapprehension, the receiver had erroneously charged the entryman $1.25 per acre in excess of the minimum price.

As this case does not come within the provisions of the laws authorizing repayment of purchase money, I would, therefore, recommend the passage of the bill.

Senate bill No. 1439 is herewith returned.

Very respectfully,

W. M. STONE,
Acting Commissioner.

Hon. JOHN W. NOBLE,
Secretary of the Interior.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COMMITTEE SERVICE.

The VICE-PRESIDENT. The Chair announces the resignation of the Senator from Washington [Mr. SQUIRE] as chairman of the Committee on Transportation Routes to the Seaboard.

Mr. HALE. I move that the Senator from Washington [Mr. SQUIRE] be appointed chairman of the Committee on Coast Defenses, which was made vacant by the resignation of the Senator from Oregon [Mr. DOLPH].

The VICE-PRESIDENT. That motion will be considered as agreed to, if there be no objection. The Chair hears none, and it is agreed to.

Mr. HALE. I move that the Senator from New Hampshire [Mr. GALLINGER] be appointed chairman of the Committee on Transportation Routes to the Seaboard, in place of the Senator from Washington [Mr. SQUIRE], resigned.

The VICE-PRESIDENT. That motion will also be considered as agreed to, in the absence of objection. The Chair hears no objection. The next bill on the Calendar will be announced.

FORT HAYS MILITARY RESERVATION LANDS.

The bill (S. 800) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein was considered as in Committee of the Whole. It proposes to grant to the State of Kansas the right to occupy, improve, and control for the purposes of a soldier's home, to be established and maintained thereon by the State, two and one-half sections of the lands embraced within the Fort Hays military reservation, to include the buildings located thereon, and to be selected by the governor of the State of Kansas according to legal subdivisions and contiguous, on condition that the State shall, within two years, establish such home at which provision shall be made for the care and maintenance of officers, soldiers, sailors, and marines who have served in the Army, Navy, or Marine Corps of the United States, their dependent parents, widows, or orphans, and under such rules and regulations as the State may provide.

There is likewise granted to the State from this reservation, to be selected by the governor, two and one-half sections of land, to embrace the timber on the reservation, such selections to be made to correspond to the legal subdivisions and to adjoin the first-named tract. The last-named tract is granted for the purpose and upon condition that the State of Kansas shall make of the same and maintain thereon a public park, and shall fully protect from destruction and damage the timber. But the United States reserves to itself the fee and the right forever to resume possession and dispose of the lands whenever it shall appear that the State of Kansas has ceased to use the same for public purposes.

Section 2 provides that all the remainder of the reservation, after these selections have been made, shall be opened to settlement under the homestead laws only; but no entry shall embrace more than 80 acres.

Mr. COCKRELL. I should like to have the Senator from Oregon [Mr. DOLPH], who reported the bill, explain whether this reservation is one known as an abandoned military reservation. I have not the list before me.

Mr. DOLPH. Yes.

Mr. COCKRELL. It is one which has been turned over to the Interior Department?

Mr. DOLPH. It has been turned over to the Interior Department, and the only question is for Congress to dispose of it.

This bill was introduced by our late colleague from Kansas, Mr. Plumb, in the last Congress. It was thoroughly considered by the Committee on Public Lands and was reported and passed by the Senate, but it failed to pass the House of Representatives. This is an exact copy of the bill passed by the Senate. It proposes to make a donation of this reservation to the State on condition that the State shall maintain upon it a home for soldiers, sailors, and marines, and their widows and orphans, and also proposes to grant to the State two and a half sections of land which is timbered, for the purpose of maintaining a park, reserving the fee to the United States, with the right at any time to resume possession and dispose of the lands if the State of Kansas shall cease to use them for the public purposes herein indicated. The rest of the land, the Senator will see, is to be disposed of under the homestead laws only, and then only 80 acres in one claim.

Mr. COCKRELL. What is the general law now in regard to those reservations? I thought Congress had passed a general law subsequent to the one that transferred them all.

Mr. DOLPH. No, we have been in the habit of passing special acts to dispose of them.

Mr. COCKRELL. I was under the impression that there had been some general law declaring that they should be subject only to homestead entry. The first law which made the transfer of the then existing abandoned military reservation ordered the transfer of the subsequent abandoned ones and provided for a sale for cash.

Mr. MANDERSON. I will state to the Senator from Missouri that Congress did pass such a law within a very few years providing that such lands should be surveyed and sold, and that the improvements upon them, which consist of buildings used for military purposes, should also be sold under the direction of the Secretary of War.

Mr. COCKRELL. That was the law which transferred them. I reported that bill myself and I know all about it. That was the law which made a transfer of the military reservations to the Interior Department and then provided for a survey by the Interior Department, a sale of the buildings, etc. But has there not been a subsequent law?

Mr. MANDERSON. Let me add that a survey has never been made of the lands by reason of the lack of appropriations.

Mr. PADDOCK. The Senator has his impression, I think, from what has been the rule of the Committee on Public Lands, and it has been accepted by the Senate within the last four or five years, to dispose of these abandoned military reservations under the homestead principle. That has been done as a rule, I think. Quite a number of bills have been passed recognizing the principle of homestead settlement upon these reservations where there is no valuable timber.

Mr. COCKRELL. I know it has been the rule to pass such bills, but I thought there had been a general law passed providing that wherever an abandoned reservation had no valuable improvements upon it and was not close to any city, the lands should be open to entry under the homestead law.

Mr. PADDOCK. I think no law has been passed on the subject, but that has been the practice.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CRATER LAKE PARK IN OREGON.

The bill (S. 625) to grant to the State of Oregon townships 27, 28, 29, 30, and 31 south, in ranges 5 and 6 east of the Willamette meridian, in the State of Oregon, for a public park, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. MORGAN. I should like to inquire of the Senator from Oregon whether there are any settlers on this land.

Mr. DOLPH. No; there are no settlers on the land. The land is upon the crest of the Cascade Mountain. It includes what is known as Crater Lake, a great natural curiosity, a lake which occupies what was once the crater of a volcano. The park is to be quite large, but the truth is that it ought to be larger. It ought to embrace all the crest of the Cascade Mountain and the Sierra Nevadas from British Columbia to the lower part of California. It is land not valuable for agriculture. It had already been withdrawn from settlement and sale by an order of the President before we passed the act at the last Congress which authorized timber reservations. The State is required to take care of the timber and protect it from fire and depredations, and Congress reserves the right at any time to declare that the State is not performing the condition of the trust and to take the property and dispose of it.

Mr. FRYE. I should like to ask the Senator from Oregon a question.

Mr. DOLPH. Certainly; I should be glad to answer it, if I can.

Mr. FRYE. There is a provision, I noticed in the bill as it was being read, that the money received from leases, etc., might be appropriated to the repairing and building of roads leading to the park.

Mr. DOLPH. Yes, sir.

Mr. FRYE. How far might that be expended on roads in Oregon?

Mr. DOLPH. It could only be expended on roads that are necessary to cross the reservation, I suppose, or to reach it. The Senator will understand that the park itself is upon the crest of the Cascade Mountain, upon the highest portion of the range through Oregon, and it is heavily timbered.

The expense of making roads to reach it will be quite large. As I said, it is already a timber reservation; it has already been reserved from sale, and if I find that the order of the President reserving it under the recent act to repeal the timber-culture act and for other purposes will give any greater security to the timber or prevent encroachments upon it better, I shall ask that that order be made applicable to it.

The only object of this bill is, if the State of Oregon will undertake the opening of a public park and the preservation of the timber, to allow it to do so, with power on the part of Congress at any time to say that it is not complying with the conditions of the trust and to take possession of the property.

Mr. FRYE. Does the Senator understand that that limits the appropriation of money purely and simply to roads which are built for the purpose of entering the reservation or the park?

Mr. DOLPH. No, I think also roads such as the State would have to build in order to obtain access to the park, to make it valuable and accessible, would be included.

The bill was ordered to be grossed for a third reading, read the third time, and passed.

THOMAS GUINEAN.

The bill (S. 875) for the relief of Thomas Guinean was considered as in Committee of the Whole. It proposes to pay to Thomas Guinean, of Oregon, the assignee of Bradley S. Hoyt, deceased, of California, $160, paid the United States by Hoyt on account of land entry at Shasta, Cal., which entry was subsequently canceled.

Mr. COCKRELL. I should like to have some explanation of the bill.

Mr. BERRY. I will state, in answer to the question propounded by the Senator from Missouri, that this bill was reported twice before and that it was twice passed. It is for the sum of $160 that was paid into the Treasury by Guinean, as the assignee of Hoyt, in entering 640 acres of land under the desert-land act. The entry was afterwards canceled by reason of the fact that the Department found that it was not desert land within the meaning of the law.

Some question arose before the committee as to whether the original entry was fraudulent or not. I examined the case most thoroughly, and went through all the papers of the Department, and I am convinced there was no fraud about it, but that the land was entered in good faith, and at 25 cents per acre, making $160, which was paid into the Treasury. The entry was afterwards canceled, and this is simply to give back to the man his $160 that the Government received for land which the man did not get by reason of its not being desert land.

There is a general statute about paying back money where it is erroneously paid into the Treasury, but the Department hold that that statute does not cover this case. They refuse to refund the money without a special act of Congress, by reason of the fact that it was paid in, the party knowing for what he paid it; but it was simply held not to be desert land within the meaning of the law.

Mr. COCKRELL. Under the general desert-land law there is a forfeiture if there is fraud?

Mr. BERRY. If there has been fraud it would have been forfeited; but the committee carefully investigated it, and I am satisfied there was no fraud, and that the man is entitled to his money.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ABANDONED MILITARY RESERVATION LANDS IN NEBRASKA.

The bill (S. 386) to provide for the disposal of Fort Hartsuff, Fort Sheridan, and Fort McPherson military reservations, in the State of Nebraska, to actual settlers under the provisions of the homestead laws, was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to have some explanation of the proviso of the bill, which is as follows:

Provided, That any person who, prior to the passage of this act, may have become an actual resident upon any of said reservations and may have erected permanent improvements thereon, may, if living, enter one quarter section of said land, to include his residence and improvements, under the provisions of the homestead laws, notwithstanding he may have previously exhausted his rights thereunder, and notwithstanding the inhibition in section 2298 of the Revised Statutes; or, if deceased, his heirs may enter such quarter section and may perfect title thereto in like manner as if the land had been entered by the deceased settler during his lifetime.

As I understand the law which transfers these abandoned military reservations to the Secretary of the Interior, it gives no preference to anyone who might go in there and jump upon the land. Now, does not this give a priority to persons who, before these lands had been declared open to settlement, to settlers and other classes who were hanging around there, to go and jump down upon the land and make a little improvement, and now come in when they could not obtain it under the general law and get a priority of right? It looks to me as if it is worse than the "sooner" matter down in the Indian Territory.

Mr. PADDOCK. These reservations are in the far western section of our State, in what is known as the semihumid district. The truth of it is that much of the land is comparatively worthless. A few poor people who had exhausted their rights under the homestead law have gone upon those lands, maybe a dozen or twenty—perhaps more; there are very few, at all events; I do not know the exact number. If they have had the courage and enterprise to go there and try to make something out of that land, the object and purpose of the bill is simply to give them a right to take their quarter section, with their improvements, such as they may be—simply to give them priority of right as to that.

The inhibition to which the Senator calls attention is the inhibition which precludes anyone from taking more than 160 acres of land under the law.

Mr. COCKRELL. Does not the bill propose to give preference to men who go upon these military reservations in direct violation of law when they have no right to go there? They force themselves upon the land and are given a preference for wrongdoing.

Mr. PADDOCK. The settler simply has gone there as a squatter, and all people, in the earlier days, before the later legislation in reference to the settlement of the public lands, under the preemption law notably, were permitted to go anywhere and squat upon the public lands, and they became what were called squatters, with the priority of right to purchase their land afterwards.

Mr. COCKRELL. Yes; but this was not public land.

Mr. PADDOCK. All there is of it is that these poor people have gone upon one or two of these reservations and have built little houses and have improved and cultivated 160 acres of land each upon the reservation, the title of which could only be secured through the general law, as it stands now, at public sale and purchase. The homestead laws obtain all around these reservations, and settlers are upon the lands; that is, where they are at all available. This is in rather a poor section of the country, and the settlements are as yet quite thin. Certainly, since the repeal of the preëmption and timber-culture laws, it would not be a fair rule to exclude such lands as these from settlement under the homestead law. Particularly is this apparent when it is remembered that many such acts as this had been passed before the repeal of those laws.

Mr. COCKRELL. There is no question about the right of any one to go upon public land, whether surveyed or unsurveyed. There is no question but that Congress has always given such settler the priority of right. But why did not Congress give them priority of right in the Indian Territory? Because they might slip in there and jump upon the land before the hour designated in the President's proclamation. Here are military reservations. They had no right under the law to go upon these reservations or squat or settle there under any circumstances until the lands were declared in the manner provided by law open to such settlement, and now it is proposed to give them priority of right. There is the injustice of the measure.

Mr. PADDOCK. Lawfully they had no right to go, but they are there. The lands are not worth anything to speak of at all to anybody in the world except to these men. There is no contest about them between any people in the world, either on the reservations or outside of the reservations.

Mr. MANDERSON. Let me suggest to my colleague that these lands became public lands when they were abandoned as military reservations, and some are surveyed, but most of them are unsurveyed. When they were abandoned by the War Department by operation of law they went to the Secretary of the Interior as public lands.

Mr. COCKRELL. But not to be opened to settlement until they had been surveyed by the Department and ready for disposal as public lands.

Mr. MANDERSON. Of course they were not. The vast body of lands in the West, while open to settlement in this way by squatters, but not by law, were not surveyed. When these military reservations were abandoned by order of the War Department they were put under the Interior Department as public lands, just as all the broad domain of the West became public lands, not open to legal settlement until surveyed, but always open to actual settlers, who were protected in their settlement.

Mr. PADDOCK. Except as to the disposition of the same under the act of 1882, I think a disposition of them was to be made by public sale or some such competitive method of disposition, and the lands were liable to purchase.

Mr. COCKRELL. The Senator from Nebraska is mistaken when he says that the lands became open to settlement by operation of the law transferring them to the Interior Department.

Mr. MANDERSON. I did not make that statement. The Senator misunderstands me.

Mr. COCKRELL. They were public lands.

Mr. MANDERSON. I said they were public lands, and virtually open to settlement, just like any other unsurveyed public lands.

Mr. COCKRELL. Not at all. Here is the difference. They had been made military reservations. They were, therefore, not open to the settlement of anybody, and the lands which had always been public lands were always open to the settlement of anybody, surveyed or unsurveyed. There is a vast difference.

There is an important principle involved in this measure. There is a case from California that was pending before the committee some years ago in which persons claimed a priority of right in an exceedingly valuable military reservation because they had gone there and squatted upon it in defiance of military authority. Some of these reservations are very valuable; and if a man can go there in defiance of the public authority, or if some person indirectly connected with some officer of the Government is permitted to go in and squat upon these valuable lands, he may gain rights which it is not proper he should have. That is the point we want to guard.

Now, I want to ask the Senator where these military reservations are. It would be a gross outrage and fraud upon the public to allow these persons to obtain priority of right upon these reservations, which have become very valuable, and some of them very close to cities and towns. Where is Fort Hartsuff?

Mr. PADDOCK. It does not seem to me to be necessary to repeat what I have stated upon honor here, that these reservations are in the farther limits of our State, in what is known as the semihumid or arid section. The lands are as nearly valueless as any lands that can be found anywhere. The people to whom the Senator refers, who may have this priority of right, are very poor squatters, who have failed elsewhere, by loss perhaps of their claims through contest and one thing or another, and they have gone here as a last resort and made a little home of 160 acres of sandy plain.

This bill was passed at the last session of Congress, and similar bills relating to one or two other reservations were passed at sessions before, considered by the Committee on Public Lands, when my distinguished friend was a member of that committee, and reported with his assent. They were drawn on all fours with this bill. They have all been alike; there is no difference between any of them.

Mr. COCKRELL. Will the Senator explain to me where are these reservations? Are they in the extreme western part of your State?

Mr. PADDOCK. They are in the very western part of the State.

Mr. COCKRELL. All of them—Fort Sheridan?

Mr. PADDOCK. All of them; three of them.

Mr. COCKRELL. Are they near any considerable town or village or city?

Mr. PADDOCK. Not at all. There is nothing of any value there. They are remote from any town whatever. They were not permanent reservations; they were merely little tracts of land that were cut out through the necessities of the situation in the latter years of the war.

Mr. COCKRELL. Are there any valuable or permanent improvements made by the Government?

Mr. PADDOCK. Not at all; if anything, they are merely adobe buildings.

Mr. COCKRELL. That changes the situation.

Mr. MANDERSON. Mr. President, I simply wish to have the record show that my colleague in the bill reported by him is asking no favoritism for the State that we have the honor to represent. We are following in the line of precedent not only in the several special acts that have been passed as to particular reservations, but in the general law.

In such brief time as has been afforded me I have looked up several of the statutes, and I find that they all recognize the rights of these squatters, if you call them that—men who went upon the reservations while they were military reservations in many instances, but most of them after they were abandoned and before survey. I turn, for instance, to the law that provided for restoring to the public domain the military reservation known as the Fort Ripley reservation, in the State of Minnesota, and I find that in that case "the rights of all actual settlers entitled to the benefits of the preëmption or homestead laws who now occupy said lands shall date from the date of their actual settlement thereon," going back to the time when they made what was simply a squatter's entry. I find in the general law that was, I believe, reported by the Senator from Missouri the following provision:

Provided, That any settler who is in actual occupation of any portion of such reservation prior to the location of such reservation or settled thereon——

Mr. COCKRELL. Oh, yes; prior to the time it became a reservation.

Mr. MANDERSON. Exactly; but it fixes——

Mr. COCKRELL. This is done after it became a reservation, and in defiance of law.

Mr. MANDERSON. I am reading the law:

Or settled thereon prior to January 1, 1884, in good faith, for the purpose of securing a home and reëntering the same under the general laws.

That date fixes a settlement after its abandonment as a military reservation but before its restoration to the public domain by survey and by permit to enter and make homestead entry. So this measure is in line with all legislation, and especially with the general precedent as found in the general law governing abandoned reservations.

The VICE-PRESIDENT. If there be no amendment as in Committee of the Whole the bill will be reported to the Senate.

Mr. COCKRELL. I am not going to object to this bill, but I want to correct the Senator from Nebraska and say that my statement is absolutely and mathematically correct. I say that no person has ever been given priority by this Government, unless it was in very extraordinary and exceptional cases, who went and settled upon lands reserved for the use of the Government when they were not open to settlement, but in all cases the squatters, so called, upon the public domain, whether that domain was surveyed or unsurveyed, have always been given a priority. That has been the universal law and rule in this Government.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SILVER COINAGE.

Mr. STEWART. I move that the bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes, be referred to the Committee on Finance.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. FRYE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session, the doors were reopened, and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 14, 1892, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate, January 13, 1892.

CONSUL.

William O. Thomas, of Johnson City, Tenn., to be consul of the United States at Bahia.

SURGEON MARINE HOSPITAL SERVICE.

John B. Hamilton, of Illinois, to be surgeon in the Marine Hospital Service of the United States.

COLLECTOR OF CUSTOMS.

Arthur Carter, of Maryland, to be collector of customs for the district of Annapolis, in the State of Maryland.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 13, 1892.*

The House met at 12 o'clock m., and was called to order by the Speaker *pro tempore*, Mr. MCMILLIN. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SMITH of Illinois, for the remainder of this week, on account of business.

To Mr. CRAIN, for two weeks, on account of important business.

To Mr BUCHANAN of New Jersey, for one day.

Mr. CUMMINGS. I ask leave of absence for my colleague Mr. WARNER until Monday next, on account of important business.

There being no objection, leave was granted.

Mr. WIKE. I ask leave of absence for my colleague Mr. FITHIAN for ten days longer.

There being no objection, leave was granted.

BUSINESS OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE.

Mr. WISE. I offer the resolution which I send to the desk, and I ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Committee on Interstate and Foreign Commerce be authorized to sit during the sessions of the House either as a full or subcommittee, to send for persons and papers, and administer oaths in pursuing inquiries touching any matter of proposed legislation referred to it, and shall also be authorized to have printed and bound for its use any papers or documents relating to the subject referred to or being investigated by said committee during the present Congress.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this resolution?

Mr. PAYNE. I think it ought to go to a committee. I object.

The SPEAKER *pro tempore*. If the Chair is correctly informed, this is a resolution in the usual form allowing the committee leave to print papers, documents, etc.

Mr. BURROWS. It is something more than that.

The SPEAKER *pro tempore*. The resolution will be again read.

The Clerk again read the resolution.

Mr. PAYNE. I insist on the objection. I object to the present consideration of the resolution. I think it ought to go to a committee.

Mr. WISE. I will state to the gentleman from New York [Mr. PAYNE] that we are asking no other privilege than that granted to the same committee in former Congresses, and that granted to other committees in the present Congress.

Mr. PAYNE. This is a pretty broad resolution. I think it ought to be considered by a committee. Therefore I insist on my objection.

The SPEAKER *pro tempore*. The Chair thinks it is in order to introduce the resolution, but will of course entertain first the question of reference, as it is the privilege of the House to dispose of the resolution in that way if it desires. Does the gentleman from New York move to refer the resolution?

Mr. PAYNE. I do.

The SPEAKER *pro tempore*. To what committee?

Mr. PAYNE. To the Committee on Rules.

The SPEAKER *pro tempore*. The gentleman from New York moves to refer the resolution to the Committee on Rules.

The question being taken on the motion of Mr. PAYNE to refer the resolution to the Committee on Rules, it was not agreed to, there being—ayes 50, noes 122.

The SPEAKER *pro tempore*. The question is now on the adoption of the resolution.

Mr. BYNUM. Mr. Speaker, I think the House does not fully comprehend the purport of this resolution. No such authority was ever conferred upon any committee within my recollection during the time I have been a member of this House.

A MEMBER. Not on this committee, at any rate.

Mr. BYNUM. The resolution proposes to confer upon the Committee on Commerce authority to send for persons and papers and take evidence upon every bill that may be referred to it. Now, I should not object if the proposition were to give the Committee on Commerce this authority with reference to some particular subject upon which special information might be desired. But to grant to this committee full power to send for persons and papers from all over the country, and to take testimony upon every subject that may be referred to it—even upon every little bridge bill—would involve, it seems to me, a very dangerous power—one that might lead to unlimited extravagance in the expenditures of this House. I submit that this inquiry ought to be restricted to some special subject; authority ought not to be conferred in this unlimited manner.

Mr. BRECKINRIDGE of Kentucky. If the gentleman from Indiana will allow me, I would suggest that a similar resolution was adopted the other day with regard to the preparation of bills by the Committee on Appropriations.

Mr. BYNUM. That, I think, is usually done, but in regard simply to the preparation of the appropriation bills. Only that and nothing else.

Mr. BRECKINRIDGE of Kentucky. I only cite it as a precedent for this resolution so far as it goes.

Mr. BYNUM. But no resolution has ever been adopted here so broad in its provisions with reference to other committees. I would ask the gentleman from Kentucky if the resolution to which he refers authorized the Committee on Appropriations to send for persons and papers.

Mr. BRECKINRIDGE of Kentucky. The resolution authorizing the Committee on Appropriations was similar to resolutions heretofore adopted with regard to the business of that committee, but I do not know whether it was identical with the resolution now presented by the gentleman from Virginia.

Mr. BYNUM. I recollect that a resolution was passed conferring power on the Committee on Appropriations, but it related exclusively to the appropriation bills and was confined to them.

Mr. HOLMAN. And related to matters referred to that committee only.

Mr. BYNUM. So I understand.

Mr. BLOUNT. Did the resolution authorize the Committee on Appropriations to send for persons and papers?

Mr. HOLMAN. Yes, sir.

Mr. DINGLEY. But only with reference to appropriations.

Mr. BLOUNT. That seems to be an unusual power.

Mr. DOCKERY. I would ask that the resolution be again reported.

The resolution was again read.

Mr. WISE. Mr. Speaker, in order that the resolution shall conform to the wishes of the gentleman from Indiana and other gentlemen, I am perfectly willing to suggest an amendment striking out that portion of the resolution relating to authority on the part of the committee to send for persons and papers.

The SPEAKER *pro tempore*. The gentleman from Virginia accepts the suggestion of the gentleman from Indiana, and the Clerk will report the words proposed to be stricken out of the resolution.

The Clerk read as follows:

Strike out the following words: "to send for persons and papers and administer oaths in pursuing inquiries touching any matters of proposed legislation referred to it."

The amendment was adopted.

The resolution as amended was adopted.

On motion of Mr. WISE, the motion to reconsider the last vote was laid on the table.

COMMITTEE ON RIVERS AND HARBORS.

Mr. BLANCHARD. Mr. Speaker, in view of the large amount of work before the Rivers and Harbors Committee, I am directed by that committee to ask the House for its permission to sit during the sessions of the House, and I ask unanimous consent to proffer that request now.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Louisiana?

There was no objection, and it was so ordered.

RECIPROCITY TREATIES.

Mr. STONE of Kentucky. Mr. Speaker, I ask unanimous consent for the adoption of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be requested to forward to the House a tabular statement of all goods shipped to Porto Rico and the Dominican Republic since the reciprocity treaties went into effect with said countries; also, a statement showing, if any, the increase or decrease on any merchandise imported into said countries by reason of said reciprocity treaties.

There being no objection, the resolution was considered and adopted.

On motion of Mr. STONE of Kentucky, the motion to reconsider the last vote was laid on the table.

Mr. STONE of Kentucky. I wish also to ask unanimous consent for the present consideration of the resolution I send to the desk.

The Clerk read as follows:

Resolved, That the Secretary of State be requested to send to the House all communications in relation to the reciprocity treaties with Cuba, Porto Rico, the Dominican Republic, San Salvador, and the United States of Brazil, together with a copy of the respective tariffs of said countries of import and export duties; also, a copy of all concessions granted by the Dominican Republic to American citizens.

There being no objection, the resolution was considered and adopted.

On motion of Mr. STONE of Kentucky, the motion to reconsider the last vote was laid on the table.

LIGHT HOUSE, BIG OYSTER BED SHOAL, NEW JERSEY.

The SPEAKER *pro tempore*. The Chair desires to state that a bill for the establishment of a light-house and fog-signal station at or near Big Oyster Bed Shoal, New Jersey, introduced by the gentleman from New Jersey [Mr. BERGEN], was referred through the petition box by error. If there be no objection it will be referred from the desk at this time.

There being no objection, the bill (H. R. 3589) for the establishment of a light-house and fog-signal station at or near Big Oyster Bed Shoal, New Jersey, was read a first and second time, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

CHARGES AGAINST JUDGE BOARMAN.

By unanimous consent, Mr. BOATNER submitted a resolution directing the investigation of charges against Hon. Aleck Boarman, judge of the United States district court for the western district of Louisiana; which was referred to the Committee on the Judiciary.

TABULAR INDEX, CONGRESSIONAL ANNALS.

Mr. SPRINGER submitted the following resolution; which was read, and referred to the Committee on Printing;

Resolved, That there be printed for the use of the House of Representatives 2,050 copies of the table showing the contents of the several volumes comprising the annals of Congress—Congressional Debates, Congressional Globe, CONGRESSIONAL RECORD, Statutes at Large, and United States Supreme Court Reports, arranged by years and Congresses, which was compiled for the Senate Library by Alonzo W. Church, librarian of the Senate, and Henry H. Smith, late Journal Clerk of the House of Representatives; 6 copies to be delivered to each Member and Delegate and the remaining 34 copies to be deposited in the House and Hall library.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its secretaries, announced that the Senate had passed bills of the following titles; in which concurrence was requested:

A bill (S. 69) for the relief of Betts, Nichols & Co.;

A bill (S. 593) to authorize the construction of a bridge across the Red River of the North, at Drayton, N. Dak.;

A bill (S. 747) to repeal section 4145 of the Revised Statutes of the United States, and to amend sections 4146, 4320, also section 1 of the act amending section 4214 of the Revised Statutes, approved March 3, 1883, and for other purposes;

A bill (S. 902) to provide for the erection of a public building at Bradford, Pa.;

A bill (S. 1074) to establish a life-saving station on the coast of Oregon;

A bill (S. 1104) making an appropriation and providing for the construction of two United States revenue cutters for service on the Pacific coast;

A bill (S. 1122) for the relief of the heirs and legal representatives of James C. Booth, deceased, late melter and refiner of the mint of the United States at Philadelphia; and

A bill (S. 1183) to extend the privileges of transportation of dutiable merchandise without appraisement to the port of Sandusky, Ohio.

ADDITIONAL MESSENGER.

Mr. BLOUNT. I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER *pro tempore*. The resolution will be reported by the Clerk, after which the Chair will ask if there be objection to its present consideration.

The Clerk read as follows:

Whereas it has been the usual custom to allow the minority an extra messenger, and as the Republican caucus has asked that Mr. Bert W. Kennedy act as such: Therefore,

Be it resolved, that Mr. Bert W. Kennedy be authorized to act as messenger for the House of Representatives from this date; and to receive compensation therefor at the rate of $900 per annum, the same to be paid from the contingent fund of the House until otherwise provided for.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. HOLMAN. Mr. Speaker, the reading of the resolution was not distinctly heard, and I hope it will be reported again.

The resolution was again read.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. HOLMAN. Before that subject is before the House I wish to make an inquiry. I believe there is a gentleman already employed on that side of the House who occupies the same relation to the House that a gentleman did on this side during the last Congress. I refer to Mr. Chauncey.

Mr. BLOUNT. Does the gentleman desire an answer to his question?

Mr. HOLMAN. Well, there is one such messenger already.

Mr. HENDERSON of Iowa. Not a page.

Mr. BLOUNT. Does the gentleman desire an answer from me?

Mr. HOLMAN. Yes.

Mr. BLOUNT. Mr. Speaker, in response to the inquiry of the gentleman from Indiana I wish to say there were three men kept during the last Congress by the majority.

Mr. HENDERSON of Iowa. For the minority.

Mr. BLOUNT. For the minority, I should have said. One of them was Mr. Isaac Hill, at $1,500; one was Mr. Coakley, at $1,200, and the other was Mr. Betts, at $1,200. This resolution simply provides for one additional person, making two instead of three, the number allowed to the minority in the last Congress, and fixing the salary at $900 instead of $1,200. I offer this simply by way of returning that courtesy which I remember, as a member of the minority, was tendered to our side of the House during the last Congress.

Mr. HOLMAN. On that statement, Mr. Speaker, I do not object to the resolution.

Mr. OATES. Mr. Speaker, I do not object. I think the resolution is entirely proper. But I would like the gentleman from Georgia [Mr. BLOUNT] to state whether this additional employé is for both the minorities of the House. There are two. [Laughter.]

Mr. BLOUNT. I am not an expert on that question. [Laughter.]

Mr. SIMPSON. Mr. Speaker, I will object unless both the minorities are allowed the same privileges.

Several MEMBERS. That will be a matter for future consideration.

Mr. SIMPSON. Then I withdraw my objection.

The SPEAKER *pro tempore*. The objection is withdrawn. Is there further objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

Mr. BLOUNT moved to reconsider the vote by which the resolution was agreed to; and also moved to lay the motion to reconsider upon the table.

The latter motion was agreed to.

INTRODUCTION OF BILLS.

By unanimous consent, bills and joint resolutions of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred as follows:

TERM OF CIRCUIT AND DISTRICT COURT AT LITTLETON, N. H.

By Mr. DANIELL: A bill (H. R. 3590) to provide for a term of the circuit and district court at Littleton, N. H.—to the Committee on the Judiciary.

FRIDAY NIGHT SESSIONS.

By Mr. MARTIN: Resolution of Invalid Pensions Committee concerning Friday night sessions of the House of Representatives—to the Committee on Rules.

CONGRESSIONAL DIRECTORY.

Mr. OATES. I offer the following resolution, which I ask the Clerk to report, and then I shall ask unanimous consent to have it referred to the Committee on Printing.

The Clerk read as follows:

Resolved, That the Committee on Printing are hereby directed to inquire into and inform the House by what authority the compiler of the Congressional Directory embraced in the last edition thereof the appendix from pages 149 to 400, inclusive, the additional cost thereof, and whether the same should not be omitted from future editions of said Directory.

The resolution was referred to the Committee on Printing.

NORFOLK AND WESTERN RAILROAD COMPANY OF VIRGINIA.

By Mr. OUTHWAITE: A bill (H. R. 3591) to authorize the Norfolk and Western Railroad Company of Virginia to extend its line of road into and within the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

CERTAIN GOODS IN BONDED WAREHOUSES

By Mr. COOMBS: A bill (H. R. 3592) to refund the certain goods remaining in bonded warehouse October 6, 1890—to the Committee on Claims.

SEVILLE SOUTHERN RAILWAY COMPANY.

By Mr. RANDALL: A bill (H. R. 3593) to grant to the Seville Southern Railway Company a right to trestle across the shoal water between mainland on Charlotte Harbor to Pine Island, thence to La Costa Key; or from a point on Charlotte Harbor or Peace River to Gasparilla Island through the Government reservations to deep water on Charlotte Harbor, at the end of Gasparilla Island—to the Committee on Rivers and Harbors.

Mr. RANDALL. I was about to suggest that that bill be referred to the Committee on Interstate and Foreign Commerce.

The SPEAKER *pro tempore*. The Chair thinks it should properly go to the Committee on Rivers and Harbors, and it will be so referred.

STOCKBRIDGE AND MUNSEE INDIANS.

By Mr. LYNCH: A bill (H. R. 3594) for the relief of the Stockbridge and Munsee tribe of Indians in the State of Wisconsin—to the Committee on Indian Affairs.

DAM ON TOMAHAWK RIVER, WISCONSIN.

By Mr. LYNCH: A bill (H. R. 3595) authorizing the erection and maintaining of a dam on the water reserve lands, and flowing the same, on Tomahawk River, Wisconsin—to the Committee on Rivers and Harbors.

PORT OF ENTRY, ASHLAND, WIS.

By Mr. LYNCH: A bill (H. R. 3596) to create a port of entry and delivery at the city of Ashland, in the county of Ashland, in the State of Wisconsin—to the Committee on Interstate and Foreign Commerce.

INTRODUCTION OF BILLS.

Mr. BELKNAP obtained unanimous consent to introduce bills of the following titles; which were read a first and second time, ordered to be printed, and referred as follows:

LEASE OF PUBLIC PROPERTY.

A bill (H. R. 3597) authorizing the Secretary of War to lease certain public property—to the Committee on Military Affairs.

ADMINISTRATION OF JUSTICE IN THE ARMY.

A bill (H. R. 3598) to amend an act entitled "An act to promote the administration of justice in the Army," approved October 1, 1890—to the Committee on Military Affairs.

REORGANIZATION OF THE INFANTRY OF THE ARMY.

A bill (H. R. 3599) to reorganize the infantry of the Army and increase its efficiency—to the Committee on Military Affairs.

REORGANIZATION OF THE ARTILLERY OF THE ARMY.

A bill (H. R. 3600) to reorganize the artillery and to increase its efficiency—to the Committee on Military Affairs.

INCREASE THE EFFICIENCY OF THE ARMY.

A bill (H. R. 3601) to increase the efficiency of the Army—to the Committee on Military Affairs.

EXAMINATIONS OF OFFICERS OF THE ARMY.

A bill (H. R. 3602) amending the act of October 1, 1890, entitled "An act to provide for the examination of certain officers of the Army and to regulate promotions therein"—to the Committee on Military Affairs.

ATTENDANCE OF WITNESSES BEFORE COURT-MARTIALS.

A bill (H. R. 3603) amending section 1202 of Revised Statutes of the United States, providing for the attendance of witnesses before a court-martial—to the Committee on Military Affairs.

GRADE OF MEDICAL OFFICERS OF THE ARMY.

A bill (H. R. 3604) to define the grade of certain medical officers of the Army, and for other purposes—to the Committee on Military Affairs.

EXAMINATIONS OF OFFICERS OF THE ARMY, ETC.

A bill (H. R. 3605) to repeal the provision in section 1 of the act of October 1, 1890, providing for the examination of certain officers of the Army, and to regulate promotions therein, and to extend promotion lineal to first lieutenants—to the Committee on Military Affairs.

EXTENSION OF FREE-DELIVERY SERVICE.

Mr. AMERMAN obtained unanimous consent to introduce bills of the following titles; which were read a first and second time, ordered to be printed, and referred as follows:

A bill (H. R. 3606) to extend the free-delivery system of the Post-Office Department to cities, villages, and boroughs containing not less than 8,000 inhabitants from adjoining free-delivery offices—to the Committee on the Post-Office and Post-Roads.

A bill (H. R. 3607) to extend the free-delivery system of the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

POST-OFFICE CLERKS.

Mr. WILSON of Missouri (by request) obtained unanimous consent to introduce a bill (H. R. 3608) for the classification of clerks in first and second class post-offices, and for fixing the salaries of the same; which was referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REVENUE CUTTER FOR SERVICE IN THE HARBOR OF SAN FRANCISCO.

Mr. CUTTING obtained unanimous consent to introduce a bill (H. R. 3609) making an appropriation and providing for the construction of a United States revenue cutter for service in the harbor of San Francisco, State of California; which was read a first and second time, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

REFUND OF 4½ PER CENT BONDS.

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER *pro tempore*. The resolution will be read, after which the Chair will ask for objections.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to inform this House, whether at any time since the 4½ per cent bonds became due there has been sufficient funds in the Treasury to pay the same; and, if so, by what authority he has assumed to continue any of such bonds at 2 per cent interest, and why the same were not all paid at the time said bonds were due.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution? The Chair hears none. The question is on the adoption of the resolution.

The question was taken, and the resolution was adopted.

Mr. BLAND moved to reconsider the vote by which the resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

THE LATE HON. LEONIDAS C. HOUK.

Mr. TAYLOR of Tennessee. Mr. Speaker, I ask for the present consideration of the resolution, which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That Saturday, January 30, beginning at 1 o'clock p. m., be set apart for paying tribute to the memory of the Hon. Leonidas Campbell Houk, late a member of the House of Representatives from the second district of the State of Tennessee.

The resolution was adopted.

Mr. TAYLOR of Tennessee moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

COAST AND GEODETIC SURVEY AND BOARD ON GEOGRAPHIC NAMES.

Mr. RICHARDSON obtained unanimous consent to introduce the resolutions the titles of which were severally read, the resolutions ordered to be printed and referred to the Committee on Printing, as follows:

A concurrent resolution to print 5,000 extra copies of the report of the Superintendent of the United States Coast and Geodetic Survey.

A concurrent resolution to print extra copies of the report of the United States Board on Geographic Names.

PUBLIC PRINTING.

Mr. RICHARDSON. Mr. Speaker, on yesterday I had the honor to introduce a bill providing for the public printing and binding and the distribution of public documents. That bill has been printed, and I am directed by the Committee on Printing to report it favorably to the House. It is desirable that the bill

should be considered as soon as possible, and I therefore ask the adoption of the order which I send to the desk.

The order was read, as follows:

Resolved, That Saturday, January 16, 1892, immediately after the reading of the Journal, be set apart for the consideration of House bill 3513, the bill providing for the public printing, binding, and distribution of public documents; that said bill shall be considered in the House; that it shall be first read throughout and then by items, and, as each item is read, it shall be open for amendment and debate as under the five-minute rule of the House when in Committee of the Whole for the consideration of appropriation bills, except that the previous question may be ordered at any time on any item of said bill after debate, when the House shall so determine. This order shall be a continuing order after the reading of the Journal each day until said bill has been finally disposed of.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. DINGLEY. Mr. Speaker, the gentleman's resolution proposes to have this bill considered in the House as in Committee of the Whole, so that the previous question will apply to it. I desire to suggest to him whether it would not be as well to have it considered in Committee of the Whole.

Mr. RICHARDSON. There being no rules yet adopted providing for the Committee of the Whole, I suppose the same object will be attained by considering the bill in the House under the five-minute rule. Of course I shall have no disposition to apply the previous question unless it becomes absolutely necessary, and then it will be in the power of the House to refuse it if the majority should so incline. So far as I am concerned I wish to have the fullest latitude of debate upon this bill and upon each item of it.

Mr. DINGLEY. Of course, if the bill is considered in the House the previous question will be applicable to the entire bill as well as to the several sections.

Mr. RICHARDSON. I can assure the gentleman that I shall not be inclined to press the previous question unless it becomes absolutely necessary.

Mr. DINGLEY. I think it would be better to consider the bill in Committee of the Whole in the regular way. It is a very important measure.

Mr. McCREARY. Mr. Speaker, I wish to ask the gentleman from Tennessee [Mr. RICHARDSON] a question. Does his resolution refer to setting apart a day for the consideration of reports from the Committee on Printing, or for the consideration of one particular bill?

Mr. RICHARDSON. For the consideration of this one bill.

Mr. McCREARY. Then I wish the gentleman from Tennessee would state why it is necessary now to set apart a day for the consideration of the bill to which he refers.

Mr. RICHARDSON. The reason, Mr. Speaker, as I view it, is this: This is the only bill that comes before us growing directly out of any legislation of the last Congress. It is the report of the Joint Committee on Printing, which was authorized during the last session of Congress to investigate this subject. That committee have made a careful examination of the subject, and their report is now ready for consideration, and it seems to me desirable to have it considered as soon as possible.

Mr. McCREARY. If the report of the committee is ready, is there any good reason why we should not take it up and consider it to-day? I know of no special business engaging the House at this time.

Mr. RICHARDSON. In answer to the gentleman from Kentucky I simply want to say that as a matter of convenience to the committee we have asked that Saturday be set apart for the consideration of the bill. While the report is ready, it has not been printed, and I presume gentlemen will want to see the report in print.

Mr. McCREARY. I thought the report had been printed.

Mr. DINGLEY. I suggest to the gentleman from Tennessee that he modify his order so as to provide that the bill shall be taken up in the regular way.

Mr. RICHARDSON. What modification does the gentleman suggest?

Mr. DINGLEY. Simply that the resolution be made to provide that Saturday, after the reading of the Journal, be assigned for the consideration of the bill, and that the House then go into Committee of the Whole and consider it in the regular way.

Mr. OATES. Mr. Speaker, it seems to me that the gentleman from Maine falls into an error. In the absence of rules there is no "regular way." The gentleman from Tennessee [Mr. RICHARDSON] has embodied in his resolution substantially the advantages which the House would have by considering the bill in Committee of the Whole.

Mr. DINGLEY. I had supposed from the rulings of the Speaker that we were acting under general parliamentary law as modified by the practice of the House.

Mr. OATES. The only difference between the consideration of the bill in Committee of the Whole and in the House, as proposed by the gentleman from Tennessee, is that under the resolution as offered the previous question may be ordered on the different paragraphs of the bill.

Mr. DINGLEY. Precisely; that is the difference; that the previous question will be applicable under the resolution.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this resolution?

There was no objection.

The resolution was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

By unanimous consent, bills, etc., of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred as indicated below:

TRUSSES FOR DISABLED SOLDIERS.

By Mr. GANTZ: A bill (H. R. 3610) to amend the act entitled "An act to amend the act entitled 'An act to provide for furnishing trusses to disabled soldiers,' approved May 28, 1872," approved March 3, 1879—to the Committee on Invalid Pensions.

GOLD RESERVE.

By Mr. WATSON: A bill (H. R. 3611) to cover into the Treasury the $100,000,000 of gold reserve now held for redemption of United States notes—to the Committee on Banking and Currency.

PORTS OF DELIVERY IN CALIFORNIA.

By Mr. CAMINETTI: A bill (H. R. 3612) declaring the cities of Stockton, Sacramento, and Marysville, in the State of California, ports of delivery, and to provide for the appointment of surveyors of customs therefor—to the Committee on Interstate and Foreign Commerce.

ORIGINAL TELEGRAPHIC RECORDING RECEIVER.

By Mr. CUMMINGS: A bill (H. R. 3613) authorizing the purchase of the original telegraphic recording receiver—to the Committee on the Library.

INCOME TAX.

By Mr. WHEELER of Michigan: A bill (H. R. 3614) to establish an income tax—to the Committee on Ways and Means.

PUBLIC BUILDING AT LINCOLN, NEBR.

By Mr. BRYAN: A bill (H. R. 3615) for the erection of a public building at Lincoln, in the State of Nebraska—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT PLATTSMOUTH, NEBR.

By Mr. BRYAN: A bill (H. R. 3616) providing for the erection of a public building at the city of Plattsmouth, Nebr., and for other purposes—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT SOUTH OMAHA, NEBR.

By Mr. BRYAN: A bill (H. R. 3617) to provide for the purchase of a site and the erection of a public building thereon at South Omaha, in the State of Nebraska—to the Committee on Public Buildings and Grounds.

RIO GRANDE, MEXICO AND PACIFIC RAILROAD.

By Mr. FUNSTON: A bill (H. R. 3618) to authorize the Rio Grande, Mexico and Pacific Railroad Company to purchase certain land—to the Committee on Public Lands.

JUDICIAL DISTRICT IN KANSAS.

By Mr. FUNSTON: A bill (H. R. 3619) to create a third division of the district of Kansas for judicial purposes and to fix the time for holding court therein—to the Committee on the Judiciary.

ANNIVERSARY OF DISCOVERY OF AMERICA.

By Mr. HALL: A memorial of the Legislature of the State of Minnesota, for a law declaring the anniversary of the discovery of America by Christopher Columbus, to wit, October 12, a day of national thanksgiving—to the Select Committee on the Columbian Exposition.

By Mr. HALL: A bill (H. R. 3620) to declare the anniversary of the discovery of America a day of national thanksgiving—to the Select Committee on the Columbian Exposition.

CLERKS TO REPRESENTATIVES.

By Mr. MORSE: A bill (H. R. 3621) to authorize the appointment and prescribe the compensation of clerks to Representatives and to pay them out of the contingent fund—to the Committee on Accounts.

STATUE TO MAJ. GEN. PUTNAM.

By Mr. COGSWELL: A bill (H. R. 3622) for the erection of a statue or monument in the city of Washington to the memory of Maj. Gen. Israel Putnam—to the Committee on the Library.

FORT SHERIDAN RESERVATION, NEBRASKA.

By Mr. KEM: A bill (H. R. 3623) to provide for the disposal of the Fort Sheridan reservation, of Nebraska, to actual settlers, under the provisions of the homestead laws—to the Committee on Military Affairs.

HOUSE COMMITTEE CLERKS.

Mr. RUSK, from the Committee on Accounts, presented a report; which was read, as follows:

The Committee on Accounts, to whom was referred the resolution of the House (passed on the 7th instant) authorizing and directing said committee to designate the committees of the House to which the clerks provided for by the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1892, should be allowed and assigned for the present Congress, and to report by resolution to the House for its action thereon, respectfully report that they have examined into and considered said matter, and report to the House and recommend the passage of the following resolution, namely:

Resolved, That the thirty-seven clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1892, be, and they are hereby, allowed and assigned for the present Congress to the following-named committees, namely:

To the Committee on Banking and Currency, a clerk.
To the Committee on Coinage, Weights, and Measures, a clerk.
To the Committee on the Territories, a clerk.
To the Committee on Railways and Canals, a clerk.
To the Committee on Manufactures, a clerk.
To the Committee on Mines and Mining, a clerk.
To the Committee on the Pacific Railroads, a clerk.
To the Committee on Levees and Improvements of the Mississippi River, a clerk.
To the Committee on Education, a clerk.
To the Committee on Labor, a clerk.
To the Committee on the Militia, a clerk.
To the Committee on Patents, a clerk.
To the Committee on Invalid Pensions, two (assistant) clerks.
To the Committee on Pensions, a clerk.
To the Committee on Private Land Claims, a clerk.
To the Committee on the Revision of the Laws, a clerk.
To the Committee on Expenditures in the State Department, a clerk.
To the Committee on Expenditures in the Treasury Department, a clerk.
To the Committee on Expenditures in the War Department, a clerk.
To the Committee on Expenditures in the Navy Department, a clerk.
To the Committee on Expenditures in the Post-Office Department, a clerk.
To the Committee on Expenditures in the Interior Department, a clerk.
To the Committee on Expenditures in the Department of Agriculture, a clerk.
To the Committee on Expenditures in the Department of Justice, a clerk.
To the Committee on Expenditures on Public Buildings, a clerk.
To the Committee on Accounts, a clerk.
To the Committee on the Library, a clerk.
To the Committee on Printing, a clerk.
To the Committee on Enrolled Bills, a clerk.
To the Committee on Reform in the Civil Service, a clerk.
To the Committee on the Eleventh Census, a clerk.
To the Committee on Ventilation and Acoustics, a clerk.
To the Committee on Alcoholic Liquor Traffic, a clerk.
To the Committee on Immigration and Naturalization, a clerk.
To the Committee on the Columbian Exposition, a clerk.
To the Committee on the Election of President and Vice-President, a clerk.

Also resolved, That the pay of the clerks to committees of the House of Representatives which have been or may be hereafter authorized by the House who are paid during the session only shall begin from the time such clerks entered upon the discharge of their duties, which shall be ascertained and evidenced by the certificate of the chairmen of the several committees employing clerks for the session only.

HARRY WELLES RUSK.
JOHN A. QUACKENBUSH.
A. J. PEARSON.
JOHN T. CUTTING.
GEORGE W. COOPER.
C. L. MOSES.

Mr. DICKERSON. On behalf of the minority of the Committee on Accounts I beg leave to submit a report, which I ask to have read. I will state before the reading of the report that it was prepared before a change was made in the majority report to-day with regard to the Committee on Mileage.

The SPEAKER *pro tempore*. The views of the minority will be read.

The Clerk read as follows:

The Committee on Accounts, to whom was referred House resolutions authorizing and directing said committee to designate the committees to which clerks should be assigned, and to report thereon by resolution, have considered the matter at length. The members were unable to agree upon a unanimous report, and the minority beg leave to submit their views and to recommend for adoption the accompanying resolution.

We find that annual clerks with fixed salaries have been provided by law for the following committees: Ways and Means, Appropriations, Agriculture, Claims, Interstate and Foreign Commerce, District of Columbia, Elections, Foreign Affairs, Indian Affairs, Invalid Pensions, Irrigation of Arid Lands, Judiciary, Merchant Marine and Fisheries, Military Affairs, Naval Affairs, Post-Office and Post-Roads, Rivers and Harbors, War Claims, and Public Buildings and Grounds, and this committee can take no action as to any of them.

The remaining thirty-eight committees have not been provided with annual or session clerks and their right to clerks under the statute is made to depend entirely upon their necessity for clerical assistance. Therefore, in making the assignment, the only question submitted to this committee for its determination is the one of necessity.

Wherever there is a necessity for a clerk, it is the plain duty of the committee to make the assignment; and where the services of a clerk are not necessary, it is equally plain that the assignment ought not to be made.

It would be manifestly unjust to require the chairman or any member to perform mere clerical services for the committee, and thereby deprive him of the time he should devote to the investigation of measures, or to the business of his constituents; but to assign clerks where there is no necessity for it, is an unwarranted expenditure and palpable waste of the public funds. It would only serve to supply private secretaries to such members as were favored with the chairmanship of committees doing little or no business, and to discriminate against many members whose labors are most onerous and exacting.

We have attempted to make this assignment in a spirit of liberality, and have only consulted the record made by these several committees in our efforts to ascertain where clerks were needed. We have accepted their statements and reports for our guidance, and refer to them briefly for the consideration of the House, and at the same time invite attention to the costs.

Session clerks are by law paid $6 per day, or $180 per month. The two sessions of each Congress extend usually through ten months, making a total cost of each session clerk for this Congress $1,800.

From an inspection of the reports made we find that the Committee on Expenditures in the State Department and the Committee on Public Buildings have made no report to this House upon any subject within the last six years, and they have had clerks at a cost of $5,400 each, or $10,800.

The Committee on Expenditures in the Department of Agriculture has never made a report. It has had a clerk at a cost of $1,800.

The Committee on Expenditures in the War Department has only two reports in six years at a cost for clerks of $5,400.

The Committee on Expenditures in the Navy Department has only made one report in six years at an expense of $5,400

The Committee on Expenditures in the Post-Office Department has made but two reports in six years; its clerks have cost $5,400.

The Committee on Expenditures in the Department of Justice has made five reports in six years, at a cost for clerks of $5,400.

The Committee on the Militia has made six reports in six years, at a cost of $5,400 (none in the Fifty-first Congress).

The Committee on Alcoholic Liquor Traffic has made seven reports in six years, at a cost of $5,400.

The Committee on the Revision of the Laws has made seven reports in six years (only one in the Fifty-first Congress), at a cost of $5,400.

The Committee on Ventilation and Acoustics has made four reports in six years, two of them being theoretical discussions of the subject of "air ships," at a cost of $5,400.

The Committee on Mileage has some labors to perform at the beginning of the first session of congress, and for a few days has use for a clerk, but, as the labors of the committee are completed before any work is referred to the other committees, an annual clerk from any of the committees can easily render all the necessary aid. This committee is informed that the chairman of the Committee on Mileage in the Fiftieth Congress refused to accept a clerk, declaring there was no necessity for one. If he is assigned it will add to the expenses $1,800.

The Committee on Mines and Mining has such limited jurisdiction that there is at present no appearance of needing a clerk. If in the future it becomes necessary, proper clerical aid can be given.

In the Forty-ninth, Fiftieth, and Fifty-first Congresses there was expended in salaries for clerks of the foregoing committees more than $75,000, which was (measured by the record they made) an extravagant and unauthorized expenditure.

If this Congress decides to adopt the same rule set by the Fifty-first Congress and approves the assignment of clerks to these committees, it will be an unnecessary increase of the expenses of Congress at least $27,000. The minority believes there ought to be inaugurated an era of retrenchment and reform, and a rigidly economical administration of affairs, and it is proper it should initiate the movement in matters pertaining directly to the House. It is an evidence of good faith, and places the members in position to demand economy in the several Departments.

For the reasons herein stated, the minority felt constrained to disagree to the report of the committee recommending the adoption of a resolution assigning clerks to the thirty-eight committees, and to recommend as a substitute therefor the following:

Resolved, That a clerk be assigned to each of the following committees, viz:
Committee on Banking and Currency.
Committee on Coinage, Weights, and Measures.
Committee on the Territories.
Committee on Railways and Canals.
Committee on Manufactures.
Committee on the Pacific Railroads.
Committee on Levees and Improvements of the Mississippi River.
Committee on Education.
Committee on Labor.
Committee on Patents.
Committee on Pensions.
Committee on Private Land Claims.
Committee on Expenditures in the Treasury Department.
Committee on Accounts.
Committee on the Library.
Committee on Enrolled Bills.
Committee on Reform in the Civil Service.
Committee on Election of the President, Vice-President, and Representatives in Congress.
Committee on the Eleventh Census.
Committee on Immigration and Naturalization.
Committee on the Columbian Exposition.
Committee on Printing.

And that two assistant clerks be assigned to the Committee on Invalid Pensions and one assistant clerk to the Committee on Military Affairs.

W. W. DICKERSON.
JOHN J. SEERLEY.

Mr. DICKERSON. Mr. Speaker, I move that the two reports be laid over and printed. There is a general request that that course be taken.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman from Maryland [Mr. RUSK] in charge of the majority report first, and after that the gentleman from Kentucky [Mr. DICKERSON].

Mr. HOLMAN. Mr. Speaker, I hope there will be no objection on the part of the gentleman from Maryland [Mr. RUSK] to the request that the two reports be printed and lie over until to-morrow.

Mr. BLOUNT. Print it in the RECORD.

Mr. BOATNER. Before that is done I would like to offer an amendment.

Mr. SAYERS. Let the reports and the amendment be printed in the RECORD.

Mr. RUSK. Mr. Speaker, I do not wish to appear in the attitude of preventing any member of the House from getting any

information he may desire on the subject, and if the report can be printed in the RECORD so that the matter can come up to-morrow, I will offer no objection to the delay for one day.

Mr. BOATNER. Before that is done I would like to ask the gentleman from Maryland to allow me to offer an amendment to the report, which I would like to have printed also.

The SPEAKER *pro tempore*. The gentleman from Louisiana offers an amendment to the committee report, which he asks to have printed with it, and lie over.

Mr. HOLMAN. Print it in the RECORD?

Mr. BOATNER. Yes, sir.

The Clerk read as follows:

Amend by adding the following words:

"And that each Representative not chairman of a committee is hereby authorized to appoint a private secretary for the session at a salary of $75 per month, the said secretaries to be paid in same manner and out of the same fund as the clerks of the several committees."

The SPEAKER *pro tempore*. The gentleman from Louisiana [Mr. BOATNER] asks to have this amendment considered as pending.

Mr. BOATNER. Yes, sir.

Mr. HOLMAN. I desire to reserve all points of order against that amendment.

Mr. DICKERSON. I ask now that both reports, including the amendment against which the point of order is reserved, be printed in the RECORD and lie over until to-morrow.

The SPEAKER *pro tempore*. The gentleman from Kentucky asks that both reports lie over until to-morrow and be printed in the RECORD, and that this include the amendment offered by the gentleman from Louisiana [Mr. BOATNER]. Is there objection to the request?

There was no objection, and it was so ordered.

INTRODUCTION OF BILLS.

By unanimous consent bills of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred as follows:

SINKING FUND.

By Mr. LEWIS: A bill (H. R. 3624) to repeal the law creating the sinking fund—to the Committee on Ways and Means.

INTERNAL REVENUE.

By Mr. WILLCOX: A bill (H. R. 3625) to amend section 3241 of the Revised Statutes, relating to internal revenue.

Mr. WILLCOX. I wish that to go to the Committee on the Judiciary. It is an amendment of a public statute.

The SPEAKER *pro tempore*. Does it reduce taxation?

Mr. WILLCOX. Not at all.

The SPEAKER *pro tempore*. The Chair understands the gentleman to say it does not affect the revenue.

Mr. WILLCOX. Not at all.

The SPEAKER *pro tempore*. The Chair thinks, then, that it may go the Committee on the Judiciary, and that order will be made.

GAINESVILLE, M'CALLISTER AND ST. LOUIS RAILWAY COMPANY.

By Mr. BAILEY: A bill (H. R. 3626) to grant to the Gainesville, McCallister and St. Louis Railway Company a right of way through the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

GAINESVILLE, OKLAHOMA AND GULF RAILWAY COMPANY.

By Mr. BAILEY: A bill (H. R. 3627) to grant to the Gainesville, Oklahoma and Gulf Railway Company a right of way through the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

PUBLIC BUILDING, HOBOKEN, N. J.

By Mr. McDONALD: A bill (H. R. 3628) to increase the limit of cost of the erection of a public building at Hoboken, N. J.—to the Committee on Public Buildings and Grounds.

RAILWAY POSTAL CLERKS.

By Mr. HOPKINS of Illinois: A bill (H. R. 3629) to reclassify and fix the salaries of persons in the Railway Mail Service known as postal clerks—to the Committee on the Post-Office and Post-Roads.

SURVEY OF CHATTAHOOCHEE RIVER, GEORGIA.

By Mr. MOSES: A bill (H. R. 3630) to authorize the Secretary of War to cause an examination and survey to be made and the cost of improvement to be estimated of the Chattahoochee River between West Point, Ga., and Franklin, Ga.—to the Committee on Rivers and Harbors.

PUBLIC EXPENDITURES.

Mr. HOLMAN. I submit the resolution which I send to the Clerk's desk, and I ask its immediate consideration.

The Clerk read as follows:

Resolved, That, in the judgment of this House, the granting of subsidies or bounties by Congress, in money, public lands, bonds, or by indorsement, or by pledge of the public credit, to promote special private industries or enterprises of corporations, independent of the question of the constitutional power of Congress to make such grants, is unjust and impolitic, and in manifest conflict with the spirit of our republican institutions, as it directly tends to create and foster the wealth of favored classes at the expense of the whole people who bear the burdens of government, and manifestly furnishes undue facilities for the enlargement of great private estates—a policy which a government of the people can not justly or safely encourage by any form of favoritism in legislation.

Resolved, In view of the present condition of the Treasury, and because efficient and honest government can only be assured by the frugal expenditure of the public money, while unnecessary and lavish expenditure, under any and all conditions, leads inevitably to venal and corrupt methods in public affairs, no money ought to be appropriated by Congress from the public Treasury except such as is manifestly necessary to carry on the several Departments frugally, efficiently, and honestly administered.

The SPEAKER *pro tempore*. Does the gentleman seek to have this resolution referred?

Mr. HOLMAN. No; I offer it for present consideration.

The SPEAKER *pro tempore*. The gentleman from Indiana [Mr. HOLMAN] asks unanimous consent for the present consideration of the resolution which has just been reported by the Clerk. Is there objection?

Mr. CULBERSON. Let us hear that resolution read again. There was so much confusion on the floor that it was impossible to hear it.

The SPEAKER *pro tempore*. By unanimous consent the resolution will be again reported.

The resolution was again read.

The SPEAKER *pro tempore*. The gentleman from Indiana asks unanimous consent for the present consideration of the resolution.

Mr. HOLMAN. Mr. Speaker, I suppose that that might be offered without requiring unanimous consent.

The SPEAKER *pro tempore*. The Chair will state that in the introduction of bills and resolutions from time to time the Chair has tried to comply with the rule heretofore adopted providing for the jurisdiction of committees and the reference of bills.

Mr. HOLMAN. Of course a motion to consider is in order. Just such a resolution, or one substantially the same, except the first clause, was adopted in the Forty-fourth Congress before the rules were adopted.

The SPEAKER *pro tempore*. The Chair will state the rule under which references have heretofore been made was adopted by the House for a limited period, and the action that has been taken has been under that rule.

Mr. HOLMAN. In order to avoid any delay, I presume there will be no objection to the consideration of this resoultion.

The SPEAKER *pro tempore*. The Chair is unable to hear the statement of the gentleman from Indiana.

Mr. HOLMAN. I suppose a motion made to consider the resolution would be in order; and I do not suppose there is any objection.

The SPEAKER *pro tempore*. The Chair will examine and see whether the rule heretofore adopted covers the case, and, if not, the House will have latitude for its consideration. [After a pause.] The Chair was of opinion from memory that the rule heretofore adopted, as to the jurisdiction of committees and the reference of bills, covered this resolution; but, on examination, thinks that it was limited in time, and that it exhausted itself with the days for which provision was made. The Chair remembers, and the gentleman from Michigan [Mr. BURROWS] will probably remember, that the resolution was first drawn up without limit, but was limited by action subsequently taken. So that the Chair is of opinion that the House to-day has power to do what it sees fit with this resolution now, and bases this decision upon one made by his predecessor [Mr. CARLISLE] in the Forty-ninth Congress, which will be remembered by those who were in that Congress, touching the French spoliation claims, a resolution concerning them being brought in before the adoption of the rules.

Mr. HOLMAN. I have asked for the present consideration of the resolution, Mr. Speaker, and on that I demand the previous question.

Mr. HEARD. On that I ask for the yeas and nays. [After a pause.] I withdraw the demand for the yeas and nays on the motion for the previous question, but will renew it on the vote on the resolution.

Mr. BUSHNELL rose and addressed the Chair.

The SPEAKER *pro tempore*. For what purpose does the gentleman rise? Discussion on a motion for the previous question is not in order.

Mr. BUSHNELL. It seems to me that the resolution ought not to be adopted without our knowing what it is.

The SPEAKER *pro tempore*. If further discussion of the resolution be desired, that can be accomplished by voting down the demand for the previous question.

Mr. HEARD. I withdraw my demand for the yeas and nays on ordering the previous question.

Mr. DINGLEY. I would like to ask——

Mr. MEYER. Mr. Speaker, I move that the resolution of the gentleman from Indiana be referred to the Committee on Ways and Means.

The SPEAKER *pro tempore*. The House will be in order. Does the gentleman from Indiana withdraw the demand for the previous question?

Mr. HOLMAN. Oh, no.

The SPEAKER *pro tempore*. The gentleman from Louisiana moves the reference of the resolution to the Committee on Ways and Means. That will be in order.

The question was taken on the motion to refer, and a division was demanded.

The House divided; and there were—ayes 56, noes 115.

So the motion to refer was rejected.

Mr. BOATNER. I desire to offer an amendment to the resolution.

The SPEAKER *pro tempore*. It is not open for amendment pending the demand for the previous question.

Mr. BOATNER. I understood that the demand for the previous question was withdrawn.

Mr. HOLMAN. Oh, no.

Mr. HEARD. I withdrew the demand for the yeas and nays on ordering the previous question.

Mr. HOLMAN. I now rise to demand the previous question on the resolution.

Mr. HOPKINS. Mr. Speaker, I wish to have the resolution read.

Mr. BOATNER. Mr. Speaker, the resolution offered by the gentleman from Indiana does not go far enough in the declaration of Democratic principles, and I ask——

Mr. HOLMAN. If my friend will allow me, I will have to insist on the previous question.

Mr. BOATNER. I will ask the gentleman to allow my amendment to be read for information.

Mr. HOLMAN. I can not consent to that.

The SPEAKER *pro tempore*. The Chair will recognize no one until the House comes to order.

Mr. McKENNA. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The House will be in order. The Chair will recognize no gentleman until the House is in order. [After a pause.] The gentleman from California will state his parliamentary inquiry.

Mr. McKENNA. I wish to ask, Mr. Speaker, whether under the resolution introduced by the gentleman from Indiana there is a single bill that has been introduced in this House or can be introduced in this House carrying one dollar of appropriation for any purpose except the mere running of the Departments, and whether if it were passed it would not defeat the purposes of legislation.

The SPEAKER *pro tempore*. The Chair does not think that is a parliamentary inquiry.

Mr. McKENNA. Well, I will ask the gentleman from Indiana the question.

Mr. HOLMAN. It would not impose so many restrictions, and I will be glad to see it adopted.

Mr. McKENNA. What is the gentleman's answer to that question?

The SPEAKER *pro tempore*. The question is on ordering the previous question.

Mr. HOPKINS of Illinois. I ask that the resolution be reported.

The SPEAKER *pro tempore*. The resolution has already been twice reported, but if there be no objection it will be again reported.

Mr. GOODNIGHT. I object.

The SPEAKER *pro tempore*. Objection is heard.

Mr. HENDERSON of Iowa. I will ask the gentleman from Indiana whether he is not willing to have some debate upon this resolution, as we do not seem to be troubled for time.

Mr. HOLMAN. I do not know of any rule upon the subject for debate at this time. The language of this resolution is certainly very plain, and it will admit of but one interpretation.

Mr. MILLIKEN. It may be plain to the gentleman from Indiana, yet not so to other people.

The SPEAKER *pro tempore*. The question is on the demand for the previous question.

Mr. HOLMAN. I have no objection myself to debate.

Mr. FUNSTON. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. FUNSTON. I wish to inquire whether under the rules of Congress we are not entitled to have twenty minutes' debate on each side in any case where there has been no previous debate.

The SPEAKER *pro tempore*. That was under a special rule. The Chair knows of no principle upon which that can be applied in this case. The question is on the demand for the previous question.

Mr. REED. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. REED. If the House orders the previous question, then, under general parliamentary law, there will be no debate.

The SPEAKER *pro tempore*. There will be no debate.

Mr. REED. And this will not be "a deliberative body!" [Laughter.]

The question was taken on ordering the previous question, and the Speaker declared that the "noes" seemed to have it.

Mr. HOLMAN. I ask for a division.

The House divided; and there were—ayes 106, noes 54.

Mr. LODGE. I call for the yeas and nays on ordering the previous question.

The yeas and nays were ordered.

The question was taken; and there were—yeas 166, nays 81, not voting 84; as follows:

YEAS—166.

Abbott,	Cockran,	Henderson, N. C.	Pearson,
Alexander,	Compton,	Herbert,	Peel,
Amerman,	Coombs,	Holman,	Pendleton,
Arnold,	Cooper,	Hooker, Miss.	Pierce,
Babbitt,	Covert,	Houk, Ohio	Rayner,
Bailey,	Cowles,	Johnson, Ohio	Reilly,
Baker,	Cox, N. Y.	Johnstone, S. C.	Richardson,
Bankhead,	Cox, Tenn.	Kendall,	Rockwell,
Barwig,	Crawford,	Kilgore,	Sayers,
Beeman,	Crosby,	Kribbs,	Scott,
Beltzhoover,	Culberson,	Kyle,	Seerley,
Bentley,	Cummings,	Lane,	Shell,
Bland,	Daniell,	Lanham,	Shively,
Blount,	De Armond,	Lapham,	Snodgrass,
Boatner,	De Forest,	Layton,	Snow,
Bowman,	Dickerson,	Lester, Ga.	Sperry,
Breckinridge, Ark.	Dockery,	Lewis,	Springer,
Breckinridge, Ky.	Donovan,	Livingston,	Stahlnecker,
Bretz,	Dungan,	Lockwood,	Steward, Ill.
Brookshire,	Dunphy,	Long,	Stewart, Tex.
Brown,	Edmunds,	Lynch,	Stone, Ky.
Brunner,	English,	Mansur,	Stout,
Bryan,	Enloe,	Martin,	Stump,
Buchanan, Va.	Epes,	McClellan,	Tarsney,
Bullock,	Everett,	McCreary,	Terry,
Bunn,	Fellows,	McGann,	Tillman,
Bunting,	Forman,	McKinney,	Tucker,
Busey,	Forney,	McRae,	Van Horn,
Bushnell,	Fowler,	Meredith,	Washington,
Butler,	Gantz,	Miller,	Weadock,
Cable,	Geissenhainer,	Montgomery,	Wheeler, Mich.
Cadmus,	Gillespie,	Moore,	White,
Capehart,	Goodnight,	Mutchler,	Whiting,
Caruth,	Gorman,	Newberry,	Wike,
Catchings,	Grady,	Oates,	Williams, Ill.
Cate,	Greenleaf,	O'Neil, Mass.	Wilson, Mo.
Causey,	Hallowell,	O'Neill, Mo.	Wilson, W. Va.
Chipman,	Hamilton,	Page, R. I.	Winn,
Clancy,	Harries,	Parrett,	Wise,
Clarke, Ala.	Harter,	Patterson, Tenn.	Youmans.
Cobb, Ala.	Heard,	Patton,	
Cobb, Mo.	Hemphill,	Paynter,	

NAYS—81.

Atkinson,	Doan,	Lodge,	Robinson,
Bartine,	Enochs,	Loud,	Scull,
Belknap,	Flick,	Mallory,	Shonk,
Bergen,	Funston,	McKenna,	Simpson,
Bingham,	Grout,	Milliken,	Stephenson,
Boutelle,	Halvorsen,	Morse,	Stone, C. W.
Broderick,	Harmer,	O'Donnell,	Stone, W. A.
Bowers,	Haugen,	O'Neill, Pa.	Sweet,
Buchanan, N. J.	Henderson, Iowa	Otis,	Taylor, Tenn.
Burrows,	Henderson, Ill.	Owens,	Taylor, E. B.
Bynum,	Hermann,	Payne,	Taylor, J. D.
Caldwell,	Hitt,	Perkins,	Taylor, V. A.
Clark, Wyo.	Hooker, N. Y.	Pickler,	Townsend,
Clover,	Hopkins, Ill.	Post,	Turner,
Cogswell,	Houk, Tenn.	Powers,	Wadsworth,
Coolidge,	Hull,	Quackenbush,	Walker,
Curtis,	Johnson, Ind.	Raines,	Watson,
Cutting,	Jolley,	Randall,	Waugh.
Dalzell,	Kem.	Ray,	
Davis,	Ketcham,	Reed,	
Dingley,	Lind,	Rife,	

NOT VOTING—84.

Alderson,	Elliott,	Little,	Sanford,
Allen,	Ellis,	Magner,	Smith,
Andrew,	Fitch,	McAleer,	Stackhouse,
Bacon,	Fithian,	McDonald,	Stevens,
Belden,	Fyan,	McKaig,	Stewart, Pa.
Blanchard,	Geary,	McKeighan,	Stockdale,
Branch,	Griswold,	McMillin,	Storer,
Brawley,	Hall,	Meyer,	Taylor, Ill.
Brickner,	Hare,	Mills,	Tracey,
Brosius,	Hatch,	Mitchell,	Turpin,
Byrnes,	Hayes,	Moses,	Warner,
Caminetti,	Haynes,	Norton,	Warwick,
Campbell,	Hoar,	O'Ferrall,	Wever,
Castle,	Hopkins, Pa.	Outhwaite,	Wheeler, Ala.
Cheatham,	Huff,	Page, Md.	Willcox,
Chapin,	Johnson, N. Dak.	Pattison, Ohio	Williams, N. C.
Coburn,	Jones.	Price,	Williams, Mass.
Crain,	Lagan,	Reyburn,	Wilson, Ky.
Dixon,	Lawson, Va.	Robertson,	Wilson, Wash.
Dolliver,	Lawson, Ga.	Rusk,	Wolverton,
Durborow,	Lester, Va.	Russell,	Wright.

So the previous question was ordered.

The following-named members were announced as paired on all political questions until further notice:

Mr. ALLEN with Mr. KETCHAM.

Mr. COWLES with Mr. VINCENT A. TAYLOR.

Mr. ELLIS with Mr. WILSON of Kentucky.

Mr. PATTISON of Ohio with Mr. REYBURN.

Mr. WILLIAMS of North Carolina with Mr. HUFF.

Mr. ALDERSON with Mr. DOLLIVER.

Mr. FITHIAN with Mr. WRIGHT.

Mr. MILLS with Mr. TAYLOR of Illinois.

The following were announced as paired for this day:

Mr. DANIELL with Mr. WEAVER.

Mr. GORMAN with Mr. GRISWOLD.

Mr. BRANCH with Mr. JOHNSON of North Dakota.

The result of the vote was then announced as above recorded.

Mr. HOLMAN. Now, Mr. Speaker, I ask unanimous consent that reasonable debate may be had on these resolutions, say a half hour on each side.

Mr. REED. Mr. Speaker, we want two hours on this side.

Mr. HOLMAN. It seems to me that a half an hour on a side is sufficient.

Mr. REED. We want two hours. While we are debating we shall not be appropriating. [Laughter.]

Mr. HOLMAN. Well, Mr. Speaker, I hope that the amount of time to be given for debate will be determined by a vote of the House. I would be willing to consent to an hour on each side.

Mr. REED. The gentleman could have done that if he had not had the previous question ordered.

Mr. HOLMAN. Well, Mr. Speaker, I have no objection to two hours on each side.

The SPEAKER *pro tempore*. Is there objection to the request that there be debate on this proposition for two hours on each side?

There was no objection.

The SPEAKER *pro tempore*. Does the gentleman from Indiana [Mr. HOLMAN] desire that the debate shall be under the five-minute rule or under the hour rule?

Mr. HOLMAN. I suggest that the debate be under the hour rule.

Mr. SIMPSON. Mr. Speaker——

The SPEAKER *pro tempore*. For what purpose does the gentleman rise?

Mr. SIMPSON. I rise to ask whether this arrangement includes the People's party as well as the Democratic and the Republican parties. [Laughter.]

The SPEAKER *pro tempore*. The right of debate is equal on the part of all members.

Mr. SIMPSON. Very well.

Mr. BOUTELLE. Two hours to each side—that makes six hours. [Laughter.]

The SPEAKER *pro tempore*. If there is no arrangement for the control of the time, the Chair will recognize gentlemen for an hour under the general practice of the House.

Mr. MILLIKEN. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. MILLIKEN. My inquiry is whether this arrangement provides for four hours' debate, or for six hours. If there are three parties in this House, if each side is to have two hours, that will make six hours. [Laughter.]

Mr. SIMPSON. I will state, for the information of the gentleman, that there are three parties here. [Laughter.]

The SPEAKER *pro tempore*. As the Chair supposes, the "sides" contemplated by the motion of the gentleman from Indiana included those favoring the proposition and those opposing it. [Cries of "That is right."] The Chair will construe the arrangement as meaning that two hours shall be allowed to gentlemen in favor of the proposition and two hours to those opposing it.

Mr. HOLMAN. As a matter of convenience, I suggest that the gentleman from Maine [Mr. REED] control the time of those who are opposed to this proposition.

Mr. REED. If the Chair please, I suggest that the gentleman from Iowa [Mr. HENDERSON], who is a member of the Committee on Appropriations, should more properly control the time.

Mr. HOLMAN. Very well.

The SPEAKER *pro tempore*. If there be no objection, the gentleman from Iowa will be recognized to control the two hours in opposition to the resolution.

Mr. SPRINGER. Will the gentleman from Indiana [Mr. HOLMAN] control the time in favor of it? I ask unanimous consent that it may be so understood.

The SPEAKER *pro tempore*. If there be no objection to that proposition——

Mr. O'NEILL of Missouri. I object. I believe in the Speaker controlling the time in this House. I object to both propositions.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman from Indiana [Mr. HOLMAN] for one hour, and will then make such other recognition as may seem proper at the time.

Mr. HOLMAN. If any gentleman desires a portion of this hour, I would be glad to have him take it at this time. I do not wish to debate the question at any length.

Mr. BRECKINRIDGE of Kentucky. There is not very much business crowding us now. I suggest we might adjourn for to-day and take up this debate immediately after the reading of the Journal to-morrow, and spend a pleasant day in the discussion. [Laughter.]

The SPEAKER *pro tempore*. A motion to adjourn is in order.

Mr. BRECKINRIDGE of Kentucky. I have not the floor.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman from Kentucky for that purpose.

Mr. HOLMAN. I yield for the purpose of allowing the gentleman to make that motion.

Mr. BRECKINRIDGE of Kentucky. Then I move that the House adjourn.

The SPEAKER *pro tempore*. If the gentleman will withhold that motion for a moment, the Chair desires to lay before the House——

Mr. HENDERSON of Iowa. It is understood——

The SPEAKER *pro tempore*. The gentleman will be kind enough to suspend for a moment until the Chair shall have submitted to the House several communications now on the desk.

WAR CLAIMS.

There being no objection,

The SPEAKER *pro tempore* laid before the House letters from the assistant clerk of the Court of Claims, transmitting copies of the findings of that court in the cases of the following-named persons against the United States, and the same were referred to the Committee on War Claims:

William M. Murdock; James M. Provine, deceased; Michael Schwartz, deceased; Henry Badley, deceased; Wilkin Thomas; Madison Lewallen, deceased; Albert H. Sprich; Edward V. Dickens; Rebecca L. Bolling; Charlotte C. Bancroft, deceased; Hugh Carothers; Elzira Hamilton; Mary T. Leake; J. and J. Steele; George F. Hunt, deceased; Joseph T. Knight, deceased; Emily R. Martin, deceased; Jane W. Cannon, deceased.

INCOME TAX.

Mr. BANKHEAD, by unanimous consent, introduced a bill (H. R. 3631) to provide for an income tax, and for other purposes; which was read a first and second time, referred to the Committee on Way and Means, and ordered to be printed.

PLUMBING IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL, by unanimous consent, introduced a bill (H. R. 3632) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

RIGHTS OF WORKING WOMEN.

Mr. ENLOE. I send to the Clerk's desk a memorial, and ask that it be read.

The SPEAKER *pro tempore*. The Clerk will read the title of the memorial.

The Clerk read as follows:

A memorial, presented by request of Charlotte Smith, president of the Woman's National Industrial League of America, in behalf of the working women of America.

The SPEAKER *pro tempore*. The gentleman from Tennessee asks unanimous consent to have this memorial printed in the RECORD. Is there objection?

Mr. BUTLER. I object.

Several MEMBERS. What is the paper?

The SPEAKER *pro tempore*. The Clerk will again report the title, if there be no objection.

The title of the memorial was again read.

Mr. ENLOE. I ask that this memorial be read.

The SPEAKER *pro tempore*. The gentleman asks for the reading of the memorial.

Mr. BUTLER. Mr. Speaker——

The SPEAKER *pro tempore*. For what purpose does the gentleman rise?

Mr. BUTLER. I rise to ask a question which I think is proper at this point. If this memorial be read, will it then have to be spread upon the RECORD?

The SPEAKER *pro tempore*. Not necessarily.

Mr. BUTLER. I simply object to its being spread upon the RECORD.

Mr. ENLOE. I have not asked for the printing of the paper in the RECORD; I simply asked that it be read.

The SPEAKER *pro tempore*. The Chair will state that on the

introduction of bills, when there is a request for the reading and they are read, they are not generally printed as a matter of course in the RECORD, on account of that reading.

Mr. HOOKER of Mississippi. Does not a paper go into the RECORD as a matter of course, when it has been read?

The SPEAKER *pro tempore*. The Chair will state that in the introduction of bills, when their reading is called for and they are read for information, they are not usually printed in the RECORD. However, it can be done in this case if the House chooses to give its consent.

Mr. HOOKER of Mississippi. But, Mr. Speaker, if the resolutions are read at this time they will inevitably go into the RECORD.

The SPEAKER *pro tempore*. Not necessarily.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I demand the regular order. I yielded, or rather suspended, the motion to adjourn at the request of the Speaker, as the Chair will remember.

The SPEAKER *pro tempore*. That is entirely correct, and the Chair feels compelled to recognize the motion of the gentleman from Kentucky.

Mr. BRECKINRIDGE of Kentucky. I did not yield for the purpose of reopening the matter of the introduction of bills or resolutions of any kind.

The SPEAKER *pro tempore*. The gentleman from Kentucky suspended his motion at the request of the Chair to allow certain communications from the Departments to be laid before the House.

Mr. ENLOE. I ask the gentleman from Kentucky to allow this memorial to be read.

Mr. BRECKINRIDGE of Kentucky. I hope the gentleman will withdraw it now, and allow it to come up to-morrow. I dislike very much to refuse.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Kentucky.

The motion of Mr. BRECKINRIDGE of Kentucky was agreed to; and accordingly (at 2 o'clock and 18 minutes p. m.) the House adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr ANDREW: A bill (H. R. 3633) granting a pension to Annie K. Fritag, widow of Frederick D. Fritag—to the Committee on Invalid Pensions.

By Mr. BARTINE: A bill (H. R. 3634) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada—to the Committee on War Claims.

By Mr. BELKNAP: A bill (H. R. 3635) granting a pension to Mrs. Lodusky Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3636) granting a pension to Charles C. Eply—to the Committee on Invalid Pensions.

By Mr. BOATNER: A bill (H. R. 3637) for the relief of Christina A. Relf—to the Committee on Indian Affairs.

Also, a bill (H. R. 3638) for the relief of the New Orleans and Bayou Sara Mail Company—to the Committee on War Claims.

By Mr. BROOKSHIRE: A bill (H. R. 3639) increasing the pension of Nancy Ann Green, a Revolutionary pensioner—to the Committee on Pensions.

Also, a bill (H. R. 3640) granting a pension to Woodson D. Angel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3641) to increase the pension of Scott Jewell—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 3642) for the relief of Florence Ennis—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 3643) to remove the charge of desertion from Jacob Henry Clause—to the Committee on Military Affairs.

Also, a bill (H. R. 3644) to amend the military record of Rev. Henry B. Lambe—to the Committee on Military Affairs.

Also, a bill (H. R. 3645) directing the transfer of certain amounts from the naval pension fund—to the Committee on Naval Affairs.

Also, a bill (H. R. 3646) to remove the charge of desertion from John Gleason—to the Committee on Military Affairs.

Also, a bill (H. R. 3647) granting a pension to Jacob A. Remley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3648) for the allowance of certain claims for stores and supplies taken and used by the Army of the United States, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act—to the Committee on War Claims.

Also, a bill (H. R. 3649) for the relief of Nathan J. Harris—to the Committee on War Claims.

Also, a bill (H. R. 3650) to correct the military record of James B. Gallagher—to the Committee on Military Affairs.

Also, a bill (H. R. 3651) for the relief of Mrs. E. A. Edgar—to the Committee on Claims.

Also, a bill (H. R. 3652) increasing the pension of Lieut. Col. Joseph H. Thornton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3653) for the relief of the New England Distilling Company—to the Committee on Claims.

Also (by request), a bill (H. R. 3654) for the relief of certain men and officers who served on the gunboats A. O. Taylor, Conestoga, and Lexington—to the Committee on War Claims.

By Mr. COCKRAN: A bill (H. R. 3655) to reappoint Warren C. Beach a captain in the Army, and to place him on the retired list, in addition to the number now authorized—to the Committee on Military Affairs.

By Mr. CLOVER: A bill (H. R. 3656) granting a pension to James E. Ruark—to the Committee on Pensions.

By Mr. COBB of Missouri: A bill (H. R. 3657) for the relief of the owners of the steamer Clara Bell—to the Committee on War Claims.

By Mr. COGSWELL: A bill (H. R. 3658) for the relief of Benjamin S. Barnes—to the Committee on War Claims.

Also, a bill (H. R. 3659) to remove charge of desertion standing against Oliver O'Brien—to the Committee on Military Affairs.

By Mr. CURTIS: A bill (H. R. 3660) for the relief of Sigmund Bauer—to the Committee on Invalid Pensions.

By Mr. DAVIS: A bill (H. R. 3661) for the relief of W. H. Collards and others—to the Committee on Claims.

Also, a bill (H. R. 3662) for the relief of William Thompson—to the Committee on Pensions.

Also, a bill (H. R. 3663) for the relief of W. H. L. Pepperell—to the Committee on Claims.

Also, a bill (H. R. 3664) for the relief of Margarett Ann West—to the Committee on Claims.

By Mr. DIXON: A bill (H. R. 3665) granting the right of way through the Fort Missoula military reservation, in the State of Montana, to the Northern Pacific and Montana Railroad Company, as successors to the Bitter Root Valley Railroad Company, and ratifying the agreement heretofore made by the War Department in relation to such right of way—to the Committee on Military Affairs.

By Mr. DOAN: A bill (H. R. 3666) for the relief of Sylvester Haus—to the Committee on Military Affairs.

By Mr. EPES: A bill (H. R. 3667) for the relief of John W. Eppes—to the Committee on War Claims.

By Mr. FITCH: A bill (H. R. 3668) granting a pension to John M. Fuchs—to the Committee on Invalid Pensions.

By Mr. GEISSENHAINER: A bill (H. R. 3669) granting a pension to Louise V. Bomford, widow of Gen. James V. Bomford—to the Committee on Invalid Pensions.

By Mr. GROUT: A bill (H. R. 3670) increasing the pension of Lucy Morse, a Revolutionary pensioner—to the Committee on Pensions.

By Mr. HARE (by request): A bill (H. R. 3671) for the relief of Earl W. Shaffer—to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 3672) for the correction of the military record of Jacob J. Blue—to the Committee on Military Affairs.

By Mr. HOPKINS of Pennsylvania: A bill (H. R. 3673) granting a pension to William Williamson—to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 3674) increasing the pension of Sally Heath, a Revolutionary pensioner—to the Committee on Pensions.

By Mr. KILGORE: A bill (H. R. 3675) for the relief of W. T. Scott, and others—to the Committee on Claims.

Also, a bill (H. R. 3676) for the relief of R. L. Jennings, late postmaster at Marshall, Tex.—to the Committee on Claims.

By Mr. KYLE: A bill (H. R. 3677) for the relief of James Sims, of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 3678) for the relief of J. B. Fuller, of Benton County, Miss.—to the Committee on War Claims.

By Mr. LAPHAM: A bill (H. R. 3679) for the relief of the heirs of John W. Vose—to the Committee on Claims.

Also, a bill (H. R. 3680) for the relief of the heir of James S. Ham—to the Committee on Claims.

By Mr. LIVINGSTON: A bill (H. R. 3681) for the relief of William Ellis—to the Committee on War Claims.

By Mr. LOCKWOOD: A bill (H. R. 3682) to grant a pension to Elizabeth Deshler Whiting, widow of Lieut. Henry Whiting—to the Committee on Pensions.

By Mr. MCCLELLAN: A bill (H. R. 3683) granting a pension to Frederick B. Woods—to the Committee on Invalid Pensions.

By Mr. MCKINNEY (by request): A bill (H. R. 3684) for the relief of Rudolph Thompson—to the Committee on Invalid Pensions.

By Mr. MCCREARY (by request): A bill (H. R. 3685) to revive

and amend and extend the act of Congress of August 15, 1876, to encourage and promote telegraphic communication between America and Asia across the Pacific Ocean from the western shores of the United States to the Hawaiian Islands to Japan and China—to the Committee on Foreign Affairs.

By Mr. MEREDITH: A bill (H. R. 3686) for the relief of James H. Clark—to the Committee on War Claims.

Also, a bill (H. R. 3687) for the relief of Elizabeth D. Frobel and Anna S. Frobel—to the Committee on War Claims.

By Mr. MEYER: A bill (H. R. 3688) for the relief of the creditors of the bank of Louisiana, in bankruptcy—to the Committee on War Claims.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 3689) for the relief of Henry Frank—to the Committee on War Claims.

Also, a bill (H. R. 3690) for the relief of Lieut. Col. Charles G. Sawtelle, deputy quartermaster-general United States Army—to the Committee on Military Affairs.

By Mr. OTIS: A bill (H. R. 3691) for the relief of Serena M. Clay, of Toronto, Kans.—to the Committee on War Claims.

By Mr. PARRETT: A bill (H. R. 3692) for the relief of Alonzo Platt—to the Committee on Military Affairs.

Also, a bill (H. R. 3693) granting arrearage of pension to Catharine Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3694) granting a pension to Frederick Stambush—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3695) granting a pension to Henry Charles—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Tennessee: A bill (H. R. 3696) for the relief of Alice E. De Groot and Theodore R. B. De Groot, administrators of William H. De Groot, deceased—to the Committee on Claims.

By Mr. PAYNTER: A bill (H. R. 3697) to direct the Secretary of War to appoint a commission to ascertain and report the facts concerning the taking of property for the use of the Army of the United States and destroyed at Cynthiana, Ky., on June 11, 1864—to the Committee on War Claims.

By Mr. RAINES: A bill (H. R. 3698) to enable J. Van Dussen Reed, of New York, N. Y., to make application to the Commissioner of Patents for extension of letters patent for improved fire hose—to the Committee on Patents.

By Mr. ROBERTSON: A bill (H. R. 3699) to carry out the findings of the Court of Claims in the case of James M. Dowling, administrator of the estate of Mary T. Anderson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3700) for the relief of Charles Banks—to the Committee on War Claims.

Also, a bill (H. R. 3701) for the relief of Mary E. Brady—to the Committee on War Claims.

By Mr. SIMPSON: A bill (H. R. 3702) for the relief of Richard J. Rucker—to the Committee on Military Affairs.

By Mr. SMITH of Arizona: A joint resolution (H. Res. 54) for relief of Maj. Henry A. Read—to the Committee on Military Affairs.

By Mr. STONE of Kentucky: A bill (H. R. 3703) for the relief of J. C. Ray—to the Committee on War Claims.

Also, a bill (H. R. 3704) for the relief of John W. Peek—to the Committee on Invalid Pensions.

By Mr. STUMP: A bill (H. R. 3705) for the relief of Victoria V. Lutterman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3706) for the relief of Henry Bubb—to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 3707) for the relief of Mrs. Catharine R. Shelton, Bristol, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3708) for the relief of John R. Welborn—to the Committee on Military Affairs.

Also, a bill (H. R. 3709) increasing the pension of Nancy Jones, a Revolutionary pensioner, certificate numbered 2989—to the Committee on Pensions.

By Mr. TUCKER: A bill (H. R. 3710) for the relief of the heirs of Henry Erskine, deceased—to the Committee on Pensions.

By Mr. WEADOCK: A bill (H. R. 3711) granting a pension to Cornelius C. Helms—to the Committee on Invalid Pensions.

By Mr. WIKE: A bill (H. R. 3712) for the relief of John A. Barton—to the Committee on Military Affairs.

By Mr. WILLCOX: A bill (H. R. 3713) for increase of pension of Frances P. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3714) for the relief of Dwight Hall—to the Committee on Claims.

Also, a bill (H. R. 3715) for increase of pension of Evilina P. Low—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3716) for the relief of Charles T. Russell—to the Committee on Claims.

By Mr. WRIGHT: A bill (H. R. 3717) for the relief of Leman D. Forrest—to the Committee on Military Affairs.

Also, a bill (H. R. 3718) granting a pension to Charity W. Clark, mother of Edmond M. Clark, formerly of Company M, Seventeenth Pennsylvania Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3719) for the relief of Josiah Fry, formerly private in Company C, Nineteenth Regiment Massachusetts Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3720) to place Henry Zell on the retired list of the Army—to the Committee on Military Affairs.

Also, a bill (H. R. 3721) for the relief of the legal representative of Samuel Tewksbury, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3722) for the relief of William Van Name, owner of sloop Edward C. Delavan—to the Committee on War Claims.

Also, a bill (H. R. 3723) granting an increase of pension to Michael O'Brien—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3724) for the relief of Commander George M. Bache, United States Navy, retired—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk and referred as follows:

By Mr. ATKINSON: Petition of 55 citizens of Union County, Pa., praying for the free delivery of postal matter, and of 53 other citizens of the same county, for the same purpose—to the Committee on the Post-Office and Post-Roads.

By Mr. BAILEY: Petition from Samuel McConnell, asking for an increase of pension—to the Committee on Pensions.

Also, petition of Armistead P. Martin, of Collin County, Tex., for reference of his claim to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. BINGHAM: Petition of the United Typothetæ of America, protesting against the action of the Government in setting up opposition to private enterprise and invading the field of private industry as an injustice to the printers of the United States—to the Committee on Printing.

By Mr. BOUTELLE: Resolutions of the Board of Trade of Portland, Me., in favor of the transfer of the Revenue Marine to to the United States Navy—to the Committee on Naval Affairs.

Also, petition of citizens of Cranberry Isle, Me., in behalf of bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition in behalf of George W. Smith, late a private in Company A, Thirty-first Maine Volunteers—to the Committee on Invalid Pensions.

By Mr. BOWERS: Four petitions of a large number of citizens of San Diego County, Cal., for repayment to entrymen of excess of $1.25 per acre paid on public lands—to the Committee on the Public Lands.

Mr. BRETZ: Petition to accompany House bill 767, for a pension for James A. Ball—to the Committee on Invalid Pensions.

Also, petition of George H. Crane, to accompany House bill 766, for the same purpose—to the Committee on Invalid Pensions.

Also, petition of David L. Grismore, Alfordsville, Ind., for discharge from military services—to the Committee on Military Affairs.

Mr. COOPER: Petition of John Throop, for an increase of pension—to the Committee on Pensions.

By Mr. DOLLIVER: Petition of citizens of Calhoun County, Iowa, in favor of the Conger lard bill—to the Committee on Agriculture.

Also, petition of citizens of the same county, in favor of the bill defining options and futures—to the Committee on Agriculture.

Also, petition of Epworth League, of Boone, Iowa; of 115 persons members of the Young People's Society of Christian Endeavor, of the same city; of Collins Chapel, of the same place; of 103 persons of another Young People's Society of Christian Endeavor, of the same place; of 30 persons of the Baptist Young People's Society of Christian Endeavor, of the same place, for closing the World's Fair on Sunday, and to prevent the sale of liquors at said Fair—to the Select Committee on the Columbian Exposition.

By Mr. DUNPHY: Petition of Winfield F. Works, invalid certificate 289486, for increase of pension—to the Committee on Invalid Pensions.

By Mr. FITCH: Petition of Louisa A. Bursing, for a pension—to the Committee on Pensions.

By Mr. FUNSTON: Offer of Henry Spalding to lease the Census Office buildings, with plats accompanying the same—to the Committee on Appropriations.

By Mr. HOAR: Petition of J. D. Moon and 10 other citizens of Hancock County, Ohio, asking the passage of House bill of Fifty-first Congress known as the Conger lard bill—to the Committee on Agriculture.

By Mr. JOHNSON of Ohio: Petition of 100 citizens of Cleveland, Ohio, praying for the relief of the Kaweah Colony—to the Committee on the Public Lands.

By Mr. KETCHAM: Petition of Daniel W. Guernsey and 25 others of Dutchess County, N. Y., for the settlement of international disputes by arbitration—to the Committee on Foreign Affairs.

By Mr. LAGAN: Papers in the claim of Lewis Tregre, of St. John Baptist Church, Louisiana—to the Committee on War Claims.

By Mr. McCLELLAN: Petition of Marion Ake and 34 other citizens of Allen County, Ind., praying for the passage of a bill defining options and futures and imposing special taxes on dealers therein—to the Committee on Agriculture.

By Mr. McKINNEY: Petition of James D. Trundle, of Montgomery County, Md., asking that his claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of heirs of George M. Graff, late of Montgomery County, Md., for stores and supplies taken by the military forces of the United States for their use, for the same relief—to the Committee on War Claims.

By Mr. McRAE: Petition of Jesse Huston and 27 other members of the First Presbyterian Church of Little Rock, Ark.; of Emma Haynes Porter and of 20 other members of the Young People's Society of Christian Endeavor of the same church, against opening the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petitions of Charles P. McGinsey and of Eliza A. Johnson, asking for an increase of pension—to the Committee on Pensions.

By Mr. O'NEILL of Pennsylvania: Memorandum in reference to House bill for the relief of Lieut. Col. Charles G. Sawtelle, United States Army, deputy quartermaster-general—to the Committee on Military Affairs.

Also, remonstrance of members of the congregation of the Fifth United Presbyterian Church of Philadelphia against any grant or loan of money to the Columbian Exposition unless under the condition that the fair shall not be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. REED: Petition of the Portland (Me.) Board of Trade in favor of bill to tranfer the Revenue Marine to the Navy Department—to the Committee on Naval Affairs.

Also, petition of William C. Chandler accompanying claim of Jason R. Gossett—to the Committee on War Claims.

By Mr. ROBERTSON: Petition of Mary E. Brady and papers to accompany bill for her relief—to the Committee on War Claims.

By Mr. STAHLNECKER: Petition of citizens of Yorktown, N. Y., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. TERRY: Protest of the Woman's Christian Temperance Union against any sale of the arsenal grounds at Little Rock, Ark., for brewing purposes—to the Committee on the Public Lands.

By Mr. TOWNSEND: Resolutions of the second session of the Western Colorado Congress in favor of the free coinage of silver—to the Committee on Coinage, Weights, and Measures.

By Mr. WASHINGTON: Petition of Adam Coe, Davidson County, Tenn.; of the estate of Frank McGavock, deceased, late of the same county; of Francis L. Tucker, of the same county, for reference of their cases to the Court of Claims, under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. WIKE: Petition of the Eagle Tobacco Company, of Quincy, Ill., and others, praying for an amendment of the laws regulating the sale, etc., of leaf tobacco—to the Committee on Ways and Means.

Also, petition of T. B. Savidge and others, for the passage of a bill to prohibit dealing in options and futures—to the Committee on Agriculture.

Also, petition of James Sanford, L. J. Higham and 65 other citizens of Calhoun County, Ill., asking for improvement of Hamburg Bay in that county—to the Committee on Rivers and Harbors.

By Mr. WRIGHT: Memorial of the Young People's Society of Christian Endeavor, of Granville Center, Pa., and of the Young People's Society of Christian Endeavor, of South Warren, Pa., in favor of purity in art, prohibition, and Sabbath keeping at the World's Fair—to the Select Committee on the Columbian Exposition.

Also, petition of Willis Hyde, of Construction Corps, Army of the Cumberland, and papers accompanying said petition, asking for a pension—to the Committee on Invalid Pensions.

Also, petition of Catherine Peck, widow of Horace Peck, late of Construction Corps, Third Division, and papers accompanying, asking for a pension—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, *January 14, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. HOAR presented a petition of the American Paper Manufacturers' Association, praying for the passage of a bankruptcy bill; which was referred to the Committee on the Judiciary.

Mr. VEST. I present resolutions adopted at a meeting of merchants, manufacturers, and representatives of the municipal government held at the Merchants' Exchange in the city of St. Louis, Mo., November 24, 1891, favoring the enactment by Congress of a measure separate from the river and harbor bill for the improvement of the Mississippi River from the mouth of the Illinois River to the mouth of the Ohio River, and also for the building of three dredge boats by the Government to be operated between the mouth of the Illinois River and the mouth of the Ohio River, for the purpose of affording temporary relief pending the permanent improvement of the Mississippi River; and also favoring Senate bill 1199, introduced by the Senator from Louisiana [Mr. GIBSON].

These resolutions were presented yesterday by my colleague [Mr. COCKRELL]. I notice in them a resolution asking the Senators and Representatives from Missouri to introduce a measure at once for the building of three dredge boats, two to be under the control of the Mississippi River Commission, and one under the control of the resident engineer at St. Louis. I have addressed a communication to the Chief of the Engineer Bureau in regard to the probable cost of the dredge boats and the necessity for their construction, and if they are necessary at what time they can be constructed. There is also a resolution asking that the bill which has been incorporated in the resolutions should be introduced, and when that order of business is reached I shall introduce the bill. I move that the resolutions be referred to the Committee on Commerce.

The motion was agreed to.

Mr. MORRILL. I present a petition of astronomers of the country favoring a change of the management of the new Astronomical Observatory from the Navy Department to the civil administration. It is a very important paper, signed by nearly all of the most noted astronomers of the country. I move that the petition be referred to the Committee on Naval Affairs, and that it be printed as a document.

The motion was agreed to.

Mr. CAMERON presented a petition of the Temperance Association of Friends, of Philadelphia, Pa., and a petition of the Woman's Foreign Missionary Association of Friends, of Philadelphia, Pa., praying for the ratification of the so-called Brussels treaty; which were ordered to lie on the table.

He also presented a petition of members of the Presbyterian Church of Everett, Pa., praying governmental aid for the World's Columbian Fair on condition that it be closed on Sunday; which was referred to the Committe on the Quadro-Centennial (Select).

Mr. GALLINGER presented a memorial of the conference of the Methodist Episcopal Church of New Hampshire, representing 125 pastors and preachers and 14,500 members, remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WILSON presented a petition of 42 citizens of Decatur County, Iowa, and a petition of 42 citizens of Calhoun County, Iowa, praying for the passage of a bill similar to the one known in the Fifty-first Congress as the Conger lard bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Reformed Presbyterian Church of Morning Sun, Iowa, representing 127 members, praying that the grant of $5,000,000 to aid the World's Columbian Exposition be conditioned on the closing of the Exposition on Sunday, that the sale of intoxicating liquors be prohibited on the grounds, and that purity be preserved in the art department; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 31 citizens of Decatur County, Iowa, and a petition of 68 citizens of Calhoun County, Iowa, praying for the passage of a bill similar to the one known in the Fifty-first Congress as the Butterworth option bill; which were referred to the Committee on Agriculture and Forestry.

Mr. PEFFER presented a petition of citizens of Greenwood, Kans., praying for an increase of the circulating medium by purchasing silver to pay the public creditors; which was referred to the Committee on Finance.

Mr. TURPIE presented the petition of Harriet Williams, of New Berne, N. C., praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. PADDOCK presented a petition of the Wahpakoota and Medawakauton bands of the Santee Sioux Indians, praying for legislative relief as provided by the terms of the treaties of 1838 and 1853; which was referred to the Committee on Indian Affairs.

Mr. TELLER presented the memorial of Samuel F. Tappan, of Washington, D. C., remonstrating against the passage of Senate bill 456, for the relief of Theodore R. Timby; which was referred to the Committee on Naval Affairs.

Mr. HALE presented a petition of the Board of Trade of Portland, Me., praying for the passage of the bill to transfer the Revenue Marine Service to the Navy Department; which was referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2) for the relief of Ezra S. Havens;
A bill (S. 3) for the relief of Napoleon B. Giddings;
A bill (S. 4) for the relief of Alfred J. Worcester;
A bill (S. 5) for the relief of John S. Neet, jr.; and
A bill (S. 6) for the relief of Joseph W. Carmack.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 901) to provide for the purchase of a site, and the erection of a public building thereon, at Allentown, in the State of Pennsylvania, reported it without amendment, and submitted a report thereon.

Mr. HAWLEY. The bill (S. 727) for the relief of H. C. Stanton, of Roseburg, Oregon, administrator of the estate of James Sinclair, and his widow, Mary Sinclair, and for the relief of Erastus S. Joslyn, of Colorado Springs, in the State of Colorado, was introduced and referred under a misapprehension to the Committee on Military Affairs. The claim was sent at the last Congress to the Court of Claims. I therefore move that the Committee on Military Affairs be discharged from the further consideration of the bill, and that it be indefinitely postponed.

The motion was agreed to.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 1030) for the relief of F. F. White, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 408) to provide for the purchase of a site and the erection of a public building at Fernandina, in the State of Florida, reported it with an amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 1617) to carry into effect the recommendation of the board of admirals convened pursuant to the joint resolution approved February 5, 1879, in the case of Commander Henry Glass, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. CULLOM. I also introduce a bill for reference to the Committee on Interstate Commerce. I desire to state that the bill is in relation to the equipment of cars; it was forwarded to me by Mr. Rogers, chairman of the railroad commission of New York, and also a member of an organization having under discussion that special subject. I therefore introduce the bill so that it may have consideration by the committee.

The bill (S. 1618) to promote the safety of employés and travelers, by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes; was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. McMILLAN introduced a bill (S. 1619) to provide for remodeling and maintaining the public bathing beach on the Potomac River in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1620) for the relief of John H. Merrill; which was read twice by its title, and referred to the Committee on Claims.

Mr. WILSON introduced a bill (S. 1621) providing for two additional associate justices of the supreme court of the Territory of Utah, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CAMERON introduced a bill (S. 1622) for the relief of the legal representatives of Richard W. Meade, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1623) granting a pension to William Lukens; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. JONES of Arkansas (by request) introduced a bill (S. 1624) to authorize the Quanah and Oklahoma Railroad Company to construct and operate a railway through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BRICE introduced a bill (S. 1625) to provide for the erection of a public building in the city of Massillon, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1626) for the relief of William B. Burnet; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1627) providing for sundry lighthouses and other aids to navigation; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FAULKNER introduced a bill (S. 1628) granting a pension to Daniel Kendall; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PASCO introduced a bill (S. 1629) for the relief of Alison J. Tinsley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DAWES introduced a bill (S. 1630) for the relief of T. H. Church; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1631) to establish a life-saving station at Gay Head, on the coast of Massachusetts; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1632) for the establishment of a light and fog signal station near Butler Flats, New Bedford, Mass.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1633) supplementary and amendatory to an act entitled "An act to refer to the Court of Claims certain claims of the Shawnee and Delaware Indians and the freedmen of the Cherokee Nation, and for other purposes," approved October 1, 1890; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1634) to provide for a final settlement with the Naalem band of the Tillamook tribe of Indians of Oregon, in accordance with a certain agreement between the United States and the said Indians, dated the 6th day of August, 1851; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1635) to provide for a final settlement with the Tillamook tribe of Indians of Oregon, in accordance with a certain agreement between the United States and the said Indians, dated the 7th day of August, 1851; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. QUAY introduced a bill (S. 1636) for the relief of Noah Seanor; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 1637) granting a pension to Earnest C. Emerson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 1638) to remove the charge of desertion now standing against George Alcott on the rolls of the War Department; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 1639) for the relief of Sallie Hardmond; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1640) for the relief of Charles L. Scudder; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. PETTIGREW introduced a bill (S. 1641) for the relief of Thomas D. Murrin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VEST introduced a bill (S. 1642) making an appropriation to complete the improvement of the Mississippi River from the mouth of the Illinois River to the mouth of the Ohio River; which was read twice by its title, and referred to the Committee on Commerce.

COLORADO SCHOOL OF MINES.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar is in order.

The bill (S. 1374) to aid the State of Colorado to support a school of mines was announced as first in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. Is there a report with the bill?

The VICE-PRESIDENT. There is no report accompanying the bill.

Mr. COCKRELL. I should like to hear an explanation of the bill. Why is the State of Colorado to receive this gift in addition to the other gifts she has received?

Mr. TELLER rose.

Mr. PADDOCK. The bill has heretofore passed the Senate on the report of the Senator from Colorado [Mr. TELLER] from the Committee on Public Lands. He will explain it.

Mr. TELLER. When the Senate gets still enough so that anybody may be heard, I can perhaps explain the bill.

The VICE-PRESIDENT. The Senate will be in order.

Mr. TELLER. Colorado has for many years, commencing with its Territorial existence, maintained a school of mines for the education of young men in metallurgy, chemistry, and mining engineering. There have been of course other mining schools, notably the school at Columbia College, New York, where the same branches have been taught.

I have had occasion to say before, and I repeat now, that on this continent there has been no school where I think so complete a mining education has been obtainable as at the school of mines in Colorado. It is a State institution supported by a yearly tax upon the people of the State. It is practically free to all citizens of the United States, the charges being simply nominal; and I think we have had in the school of mines students from nearly every State in the Union, certainly from all the Western States. It has not had the reputation that the school at Freiburg has gained, yet I have no hesitation in saying that if I had a boy whom I desired to bring up as a mining engineer I should much prefer to send him to the mining school at Golden, in the State of Colorado, than to Freiburg. It is in the immediate vicinity of the great mines of this continent, where the students can have access in a few hours to all the intricate machinery required for the reduction of metals. It is in the neighborhood of the great smelters at Denver and only 118 miles from the great smelters at Pueblo. It is about 100 miles from the great mining district of Leadville and about 25 miles from what are known as the mining districts of Clear Creek and Gilpin Counties, two counties that have produced something over $100,000,000 of bullion, mostly gold. There mining may be seen by these students in its advanced state.

There are no people in the world who have mined with greater care and intelligence than we have in this country within the last fifteen or twenty years. There is no State in the Union where mining has been carried on with as much system and with as much intelligence as in the State of Colorado.

The school is brought in close connection with not only the mining of gold and silver but also coal, because there are coal mines immediately in the neighborhood within a mile of the school, and coal of all kinds and all descriptions.

This school has been maintained by the State, as I said, and everybody has had the advantage of it. The State of Colorado is somewhat young, and we pay for every mining claim that we take up $5 an acre, whether it is good or whether it is bad. Of course when a man gets a good mine it is merely a nominal sum, of no account, but there are hundreds of acres of land that have been taken up and the Government has been paid for as mineral land that has no real value whatever and has never returned anything to the locator.

We thought it was not unreasonable, as long as we held this school open to all the citizens of the United States, inasmuch as the Government is assisting in the agricultural education of our youth, that it should assist also in their education in the practical business of mining.

I suppose the Senator from Missouri who makes the inquiry is quite familiar with the great amount of mineral that is produced in the United States. I do not now speak particularly of the precious metals, but of iron, copper, and lead, as well as silver and gold. I presume he knows that the industry of mining has become one of the great industries of the country.

The bill provides for the payment of 25 per cent—that is an error; it should have been 50 per cent—of the mining returns from the sale of mineral lands, but not to exceed $12,000 per annum, and not that sum unless the State should annually appropriate that amount or more. I will say that the State has appropriated a very much greater amount than that every year. The State has erected very suitable buildings; it has provided machinery of all kinds, and, as I said, it is a place where any student in the United States can certainly acquire as complete a mining education as he can at any place on the face of the earth, Freiburg not excepted.

If it is now in order to move an amendment, I will move, in line 3, to strike out the word "twenty-five," before "per centum," and insert "fifty," which is the way the bill passed the Senate heretofore.

The VICE-PRESIDENT. The amendment will be stated.

Mr. TELLER. The amendment does not increase the amount, because the amount is limited to $12,000.

The CHIEF CLERK. In line 3 of section 1, strike out the word "twenty-five" and insert the word "fifty;" so as to read:

That the State of Colorado shall annually receive 50 per cent of all moneys paid to the United States for mineral lands within the State of Colorado, for the maintenance of the school of mines established at Golden, in the county of Jefferson, in said State.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. COCKRELL. Before it is voted upon, do I understand that in the measure passed at the last Congress the amount was 50 per cent?

Mr. TELLER. It was passed on the former occasion at 50 per cent. It was owing to an error in introducing the bill that it came in at 25 per cent.

Mr. COCKRELL. The Senator himself introduced the bill.

Mr. TELLER. I introduced it, and inadvertently introduced it as it was originally introduced some years ago, and not as it passed the Senate.

The amendment was agreed to.

Mr. TELLER. In line 9 of section 1, after the word "amount," I move to insert the word "annually;" so that the State shall annually appropriate as much as the Government.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In section 1, line 9, after the word "amount," insert the word "annually;" so as to make the proviso read:

Provided, That said sum so to be paid shall not exceed the sum of $12,000 per annum, nor shall it exceed the amount annually expended by the State of Colorado for said school of mines.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE IN SOUTH DAKOTA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 440) to authorize the construction of a bridge across the Missouri River, between the city of Chamberlain, in Brulé County, and Lyman County, in the State of South Dakota.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, after the words "Secretary of War," in line 14, at the end of section 1, to insert "or said bridge may be constructed as a wagon and foot bridge alone;" so as to make the section read:

That the Chamberlain Pontoon Bridge Company, a corporation duly organized and existing under the laws of the State of South Dakota, be, and is hereby, authorized to construct and maintain a bridge and approaches thereto across the Missouri River between the city of Chamberlain, in the State of South Dakota, and Lyman County, in the State of South Dakota. Said bridge shall be constructed to provide for the passage of railroad trains, wagons, and vehicles of all kinds, steam and street cars, animals, foot passengers, and for all road travel, for such reasonable rates of toll and under such reasonable rules and regulations as may be prescribed by said corporation and approved by the Secretary of War, or said bridge may be constructed as a wagon and foot bridge alone.

The amendment was agreed to.

The next amendment was, in section 3, line 2, after the word "pontoon," to strike out "drawspan;" in the same line, before the word "drawspan," to strike out "pontoon," and after the word "drawspan" to insert "giving a clear opening;" in line 6, before the word "said," to strike out "the piers of;" in the same line, after the word "bridge," to insert "other than the drawspan;" after the words "shall be," at the end of line 6, to strike out "parallel with and the bridge itself;" and in line 8, after the word "river," to insert "at high water;" so as to read:

SEC. 3. That said bridge shall be constructed as a pontoon bridge, and shall contain a drawspan giving a clear opening of not less than 300 feet in length, which drawspan shall be maintained over the main channel of the river at an accessible and navigable point, and said bridge other than the drawspan shall be at right angles to the current of the river at high water.

The amendment was agreed to.

The next amendment was, in the same section, line 15, before the word "obstruct," to insert "unreasonably;" and in line 17, before the word "obstruct," to insert "unreasonably;" so as to read:

No bridge shall be erected or maintained under the authority of this act which shall at any time unreasonably obstruct the free navigation of said river, and if any bridge erected under such authority shall, in the opinion of the Secretary of War, unreasonably obstruct such navigation, he is hereby authorized to cause the entire removal thereof or such change or alteration of said bridge to be made as will effectually obviate such obstruction, and all such alterations shall be made and all such obstructions shall be removed at the expense of the owner or owners of said bridge.

The amendment was agreed to.

The next amendment was to strike out the following proviso at the end of section 3:

Provided, That said company may construct a wagon and foot bridge, and in case of the construction of a wagon and foot bridge alone the draws shall be of the same length herein provided, and shall be of such construction as shall be approved by the Secretary of War, and shall be subject to all the provisions herein contained in respect to being promptly opened to permit the unobstructed navigation of said river and for keeping the same lighted as herein provided in case of a railroad and wagon bridge, and in such case the provisions herein in relation to the use for railroad purposes shall not apply.

The amendment was agreed to.

The next amendment was, in section 5, line 6, after the word "examination," to insert the word "and;" in the same line, after the word "approval," to strike out "and;" in line 9, before the words "the banks," to strike out "topography of" and insert "high and low water lines upon;" in line 10, after the word "river," to strike out "the shore lines at high and low water;" in line 11, after the words "currents at," to strike out "all stages and" and insert "low water and at high water, with;" in line 13, after the word "stream," to insert the word "and;" and after the word "bridges," at the end of line 13, to insert "such map to be sufficiently in detail to enable the Secretary of War to judge of the proper location of said bridge;" so as to make the section read:

SEC. 5. That any bridge authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location, giving, for the space of one-half mile above and one-half mile below the proposed location, the high and low water lines upon the banks of the river, the direction and strength of the currents at low water and at high water, with the soundings, accurately showing the bed of the stream, and the location of any other bridge or bridges, such map to be sufficiently in detail to enable the Secretary of War to judge of the proper location of said bridge, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject, and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be commenced or built, and should any change be made in the plans of said bridge during the progress of its construction such changes shall be subject to the approval of the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 6, line 4, after the words "from the," to strike out "time this act takes effect," and insert "date hereof;" and in line 6, after the word "whenever," to strike out "it may think;" so as to make the section read:

SEC. 6. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date hereof: *Provided*, That Congress reserves the right to alter, amend, or repeal this act whenever the public interests so require.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HALL OF RECORDS.

The bill (S. 430) making appropriations for the purchase of ground and the erection thereon, in the city of Washington, D. C., of a building to be used as a hall of records, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. HISCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-five minutes spent in executive session the doors were reopened.

EULOGIES ON THE LATE SENATOR PLUMB.

Mr. PEFFER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate, That on Saturday, the 20th day of February, 1892, immediately after the reading of the Journal, the Senate will proceed to pay tribute to the memory of the late Senator Preston B. Plumb.

ADJOURNMENT TO MONDAY.

On motion of Mr. SAWYER, it was

Ordered, That when the Senate adjourn to-day it be to meet on Monday next.

Mr. HAWLEY. I move that the Senate do now adjourn.

The motion was agreed to; and (at 1 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, January 18, 1892, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 14, 1892.

REGISTER OF LAND OFFICE.

John W. Watts, of La Fayette, Oregon, to be register of the land office at Lakeview, Oregon, vice Warren Truitt, resigned.

SURGEON MARINE HOSPITAL SERVICE.

Passed Assistant Surg. Henry R. Carter, of Maryland, to be surgeon in the Marine Hospital Service of the United States, to succeed Surg. W. H. Long, deceased.

ASSISTANT SURGEON MARINE HOSPITAL SERVICE.

Charles H. Gardner, of Maryland, to be assistant surgeon in the Marine Hospital Service of the United States, to succeed Passed Assistant Surg. Henry R. Carter, to be promoted.

POSTMASTERS.

James J. Chatham, to be postmaster at Nogales, in the county of Pima and Territory of Arizona, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Laura E. Bucknam, to be postmaster at Truckee, in the county of Nevada and State of California, in the place of Laura E. Edwards, who has changed her name by marriage.

Albert S. Dingley, to be postmaster at Oakdale, in the county of Stanislaus and State of California, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Robert C. Gordon, to be postmaster at New Castle, in the county of New Castle and State of Delaware, in the place of John B. Manlove, whose commission expires January 16, 1892.

Joshua G. Harris, to be postmaster at Barnesville, in the county of Pike and State of Georgia, in the place of John F. Redding, whose commission expires January 16, 1892.

Marcus F. Whitman, to be postmaster at Montpelier, in the county of Bear Lake and State of Idaho, the appointment of a postmaster for said office having, by law, become vested in the President on and after January 1, 1892.

Harrison W. Coursey, to be postmaster at Polo, in the county of Ogle and State of Illinois, in the place of Morris S. McCoy, whose commission expired January 9, 1892.

Hartwell Hendrickson, to be postmaster at Marion, in the county of Williamson and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Mary C. Piper, to be postmaster at Greenfield, in the county of Greene and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Tolian M. Sidenstricker, to be postmaster at Newman, in the county of Douglas and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

William J. Callender, to be postmaster at Woodbine, in the county of Harrison and State of Iowa, in the place of Sidney L. Winter, removed.

Edward Colbert, to be postmaster at National Military Home, in the county of Leavenworth and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Morrell M. Fuller, to be postmaster at Ellis, in the county of Ellis and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Mrs. Sarah E. Henry, to be postmaster at Lindsborg, in the county of McPherson and State of Kansas, in the place of William J. Henry, deceased.

William A. McGinety, to be postmaster at Falmouth, in the county of Pendleton and State of Kentucky, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

John Lehmann, to be postmaster at Halstead, in the county of Harvey and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Joseph Dunnell, to be postmaster at Cumberland Mills, in the county of Cumberland and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Forrest Goodwin, to be postmaster at Skowhegan, in the county of Somerset and State of Maine, in the place of William R. G. Estes, whose commission expires January 16, 1892.

Kittredge C. Gray, to be postmaster at Madison, in the county of Somerset and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Albert B. Dresser, to be postmaster at Needham, in the county of Norfolk and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Thomas H. Jackman, to be postmaster at Peabody, in the county of Essex and State of Massachusetts, in the place of Thomas H. Jackman, whose commission expires January 16, 1892.

Charles F. Wilde, to be postmaster at Wollaston, in the county of Norfolk and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1890.

Andrew W. Seed, to be postmaster at Cass City, in the county of Tuscola and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Alfonzo Shafer, to be postmaster at Reading, in the county of

Hillsdale and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

William A. Miller, to be postmaster at Staples, in the county of Todd and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

William Comegys, to be postmaster at Ash Grove, in the county of Greene and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Nathan C. Harrison, to be postmaster at Jackson, in the county of Cape Girardeau and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Lewis E. Musick, to be postmaster at Mountain Grove, in the county of Wright and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Thomas J. Pickett, jr., to be postmaster at Ashland, in the county of Saunders and State of Nebraska, in the place of Alexander Laverty, resigned.

Charles Ayres, to be postmaster at Metuchen, in the county of Middlesex and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Bishop Armstrong, to be postmaster at North Tarrytown, in the county of Westchester and State of New York, in the place of James M. Swift, whose commission expires January 19, 1892.

Harry Bradley, to be postmaster at Dobbs Ferry, in the county of Westchester and State of New York, in the place of Frank McKeon, whose commission expired December 21, 1891.

Odell H. Dean, to be postmaster at Randolph, in the county of Cattaraugus and State of New York, in the place of Daniel A. Sackrider, whose commission expired December 21, 1891.

Andrew J. Hyland, to be postmaster at Cohocton, in the county of Steuben and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Cassius A. Johnston, to be postmaster at Hoosick Falls, in the county of Rensselaer and State of New York, in the place of Joseph Haussler, whose commission expires January 19, 1892.

Albert H. Lapham, to be postmaster at East Aurora, in the county of Erie and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

James M. Requa, to be postmaster at Tarrytown, in the county of Westchester and State of New York, in the place of Nathaniel H. Odell, whose commission expired December 21, 1891, and who has also resigned.

Edward L. Bretnor, to be postmaster at Grafton, in the county of Walsh and State of North Dakota, in the place of Talleyrand F. Brown, whose commission expired December 21, 1891.

Benjamin H. Henderson, to be postmaster at Fayetteville, in the county of Cumberland and State of North Carolina, in the place of David F. Wemyss, resigned; George C. Scurlock, who was appointed October 14, 1891, but not commissioned, having declined the appointment.

Thomas M. Kirkland, to be postmaster at Chapel Hill, in the county of Orange and State of North Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Allen L. Sparger, to be postmaster at Mount Airy, in the county of Surrey and State of North Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Daniel M. Morrison, to be postmaster at Rockingham, in the county of Richmond and State of North Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Harry M. Leach, to be postmaster at Hiram, in the county of Portage and State of Ohio, in the place of Dudley H. Beaman, whose commission expired December 21, 1891.

Frank M. Ritezel, to be postmaster at Warren, in the county of Trumbull and State of Ohio, in the place of Hamer D. Hunt, whose commission expires January 16, 1892.

William B. Woolverton, to be postmaster at Norwalk, in the county of Huron and State of Ohio, in the place of David W. Vail, whose commission expired December 21, 1891.

William H. Crosley, to be postmaster at Forest Grove, in the county of Washington and State of Oregon, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

Joseph K. Moore, to be postmaster at Conshohocken, in the county of Montgomery and State of Pennsylvania, in the place of Henry O'Brien, whose commission expired December 21, 1891.

Frank J. Over, to be postmaster at Hollidaysburg, in the county of Blair and State of Pennsylvania, in place of Orlando A. Trough, whose commission expires February 9, 1892.

Allen L. Shomo, to be postmaster at Hamburg, in the county of Berks and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Eugene G. Webb, to be postmaster at Elkland, in the county of Tioga and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

William P. Hess, to be postmaster at Flandreau, in the county of Moody and State of South Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Cadwallader J. Pride, to be postmaster at Rock Hill, in the county of York and State of South Carolina, in the place of Buena Vista Wood, whose commission expires January 31, 1892.

James H. Rector, to be postmaster at Cumberland Gap, in the county of Claiborne and State of Tennessee, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Miss Belle Lippard, to be postmaster at Hubbard, in the county of Hill and State of Texas, the appointment of a postmaster for the said office, having, by law, become vested in the President on and after January 1, 1892.

John Snoddy, to be postmaster at Big Spring, in the county of Howard and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Joseph C. Taylor, to be postmaster at Albany, in the county of Shackleford and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

William W. Sprague, to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont, in the place of Nathan P. Bowman, whose commission expires January 16, 1892.

Robert A. Fulwiler, to be postmaster at Buchanan, in the county of Botetourt and State of Virginia, the appointment of a postmaster for said office having, by law, become vested in the President on and after January 1, 1892.

Thomas B. Mahone, to be postmaster at Williamsburg, in the county of James City and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

George T. McClintic, to be postmaster at Covington, in the county of Alleghany and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

William H. Mosby, to be postmaster at Bedford City, in the county of Bedford and State of Virginia, in the place of William F. Fisher, whose commission expired January 9, 1892.

George Richardson, to be postmaster at Farmville, in the county of Prince Edward and State of Virginia, in the place of Samuel B. McKinney, whose commission expired January 9, 1892.

Martin G. Sanger, to be postmaster at Basic City, in the county of Augusta and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

John T. Lobaugh, to be postmaster at Pullman, in the county of Whitman and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Charles Frantz, to be postmaster at Kenosha, in the county of Kenosha and State of Wisconsin, in the place of Daniel A. Mahoney, whose commission expired December 20, 1891.

Gustav Kustermann, to be postmaster at Green Bay, in the county of Brown and State of Wisconsin, in the place of Albert C. Robinson, whose commission expired December 20, 1891.

Albert E. Pound, to be postmaster at Chippewa Falls, in the county of Chippewa and State of Wisconsin, in the place of Levi F. Martin, whose commission expired December 20, 1891.

Charles Smith, to be postmaster at Hartford, in the county of Washington and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 14, 1892.

GOVERNOR OF OKLAHOMA.

Abraham J. Seay, of Kingfisher, Okla., to be governor of the Territory of Oklahoma.

INDIAN AGENTS.

John W. Crawford, of Salem, Oregon, to be agent for the Indians of the Umatilla Agency in Oregon.

Joseph A. Scott, of Holton, Kans., to be agent for the Indians of the Pottawatomie and Great Nemaha Agency in Kansas.

John H. Robertson, of Santa Fé, N. Mex., to be agent for the Indians of the Pueblo and Jicarilla Agency in New Mexico.

George D. Day, of Glenwood, Md., to be agent for the Indians of the Kiowa Agency in the Territory of Oklahoma.

POSTMASTERS.

Daniel Arms, to be postmaster at Granite, in the county of Deer Lodge and State of Montana.

Isaac C. Wynn, to be postmaster at Lander, in the county of Fremont and State of Wyoming.

Walter C. Shaw, to be postmaster at Harriman, in the county of Roane and State of Tennessee.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 14, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

CIVILIAN ENGINEERS.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of War, transmitting a copy of a letter from the Chief of Engineers, together with a statement, showing the names and place of residence of each civilian engineer employed from July 1, 1890, to June 30, 1891, in the work of improving the rivers and harbors, the time employed, compensation paid, and the place or the work on which employed; which was referred to the Committee on Rivers and Harbors.

KENNEBEC RIVER, MAINE.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of the examination and survey of Kennebec River, Maine, from Waterville to the steamboat wharf, Augusta; which was referred to the Committee on Rivers and Harbors.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore* also laid before the House Senate bills of the following titles; which were read twice, and referred as indicated, namely:

A bill (S. 69) for the relief of Betts, Nichols & Co.—to the Committee on Claims;

A bill (S. 593) to authorize the construction of a bridge across the Red River of the North at Drayton, N. Dak.—to the Committee on Interstate and Foreign Commerce;

A bill (S. 747) to repeal section 4145 of the Revised Statutes of the United States, and to amend sections 4146, 4320, also section 1 of the act amending section 4214 of the Revised Statutes, approved March 3, 1883, and for other purposes—to the Committee on Ways and Means;

A bill (S. 902) to provide for the erection of a public building at Bradford, Pa.—to the Committee on Public Buildings and Grounds;

A bill (S. 1074) to establish a life-saving station on the coast of Oregon—to the Committee on Interstate and Foreign Commerce;

A bill (S. 1104) making an appropriation and providing for the construction of two United States revenue cutters for service on the Pacific coast—to the Committee on Interstate and Foreign Commerce;

A bill (S. 1122) for the relief of the heirs and legal representatives of James C. Booth, deceased, late melter and refiner of the mint of the United States at Philadelphia—to the Committee on Claims; and

A bill (S. 1183) to extend the privileges of transportation of dutiable merchandise without appraisement to the port of Sandusky, Ohio—to the Committee on Ways and Means.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, leave was granted to Mr. WILSON of West Virginia to withdraw the papers in the pension claim of Thomas P. Lilley without leaving copies.

ORDER OF BUSINESS.

Mr. RUSK. Mr. Speaker, I desire to call up for consideration the report of the Committee on Accounts submitted on yesterday and printed in the RECORD of this morning, which was laid over until to-day.

Mr. ENLOE. Before that is taken up, Mr. Speaker, I would like to have the memorial read which I offered on yesterday afternoon.

The SPEAKER *pro tempore*. Does the gentleman from Maryland yield for that purpose.

Mr. RUSK. I will yield for that purpose.

The SPEAKER *pro tempore*. The gentleman from Tennessee [Mr. ENLOE] asks unanimous consent for the introduction of a memorial for reference, the title of which the Clerk will read.

The Clerk read as follows:

Memorial presented by request of Charlotte Smith, president of the Woman's National Industrial League of America, in behalf of the working women of America.

The SPEAKER *pro tempore*. This memorial will be referred to the Committee on Labor.

Mr. ENLOE. I did not ask for its reference, but for its reading at this time.

The SPEAKER *pro tempore*. Is there objection to the reading of the memorial?

Mr. BUTLER. I object.

Mr. BYNUM. But the gentleman from Tennessee [Mr. ENLOE] has a right to have it read.

The SPEAKER *pro tempore*. The business indicated by the gentleman from Maryland [Mr. RUSK] will of course take precedence. The unanimous consent asked by the Chair was only for the introduction of the memorial for reference.

Mr. ENLOE. Mr. Speaker, what I requested was that the bill be read to the House. It is not a matter which demands immediate consideration, and if there is objection to its being read I will withdraw the request for the present. At some other time when we are not busy I will take it up.

The SPEAKER *pro tempore*. The gentleman from Tennessee [Mr. ENLOE] withdraws the request.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to introduce a bill for reference.

Mr. ENLOE. To that I object, and I object to anything else being taken up except the special order.

Mr. HERBERT. What is the special order?

Mr. BYNUM. The resolution offered by the gentleman from Indiana [Mr. HOLMAN] on yesterday, as I understand it, is the special order. The previous question having been ordered, I make the point that there is no business in order except the debate that was agreed to by unanimous consent.

The SPEAKER *pro tempore*. The gentleman from Indiana has not called up the resolution.

Mr. BYNUM. It comes up of itself, without being specially called up.

The SPEAKER *pro tempore*. The Chair was informed by the gentleman from Maryland [Mr. RUSK] that the gentleman from Indiana [Mr. HOLMAN] had consented to let this report take precedence. However, if the point is made the Chair will decide it.

Mr. BYNUM. I make the point of order that the resolution of the gentleman from Indiana [Mr. HOLMAN] takes precedence.

Mr. HOLMAN. It occurs to me, Mr. Speaker, that inasmuch as the matter reported to the House by the gentleman from Maryland [Mr. RUSK] came in first, it might be as well to dispose of it. I do not suppose it will occupy much time, and yet I would be very glad to have these resolutions considered at the earliest practicable moment.

Mr. BYNUM. I insist upon my point of order that, the previous question having been ordered, nothing else is in order except the immediate consideration of the resolution, and I think we ought to carry out the order of the House.

The SPEAKER *pro tempore*. The gentleman has the right to make the point. The Chair had supposed from the statement of the gentleman from Maryland [Mr. RUSK] that the matter had been arranged so that there would be no controversy over it. The gentleman from Indiana [Mr. BYNUM] makes the point that the previous question having been ordered upon the resolution introduced by the gentleman from Indiana [Mr. HOLMAN], that takes precedence.

Mr. RUSK. I will then ask unanimous consent that the resolution which I have introduced be taken up to-morrow for consideration immediately after the reading of the Journal.

The SPEAKER *pro tempore*. The gentleman from Maryland [Mr. RUSK] asks unanimous consent that the resolution referred to be taken up to-morrow immediately after the reading of the Journal. The Chair thinks that it would come up in its order anyway, but if there be no objection that order will be made.

There was no objection.

Mr. HERBERT. Mr. Speaker, the gentleman from Indiana [Mr. BYNUM] withdraws his objection to the presentation of the matter which I wish to get before the House.

Mr. RAINES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state his parliamentary inquiry.

Mr. RAINES. I wish to ask this, in view of the fact that the second of these resolutions is a business proposition, while the first contains some stump speeches and material for several political platforms, as to whether the Chair will rule that we can have a separate vote on these two resolutions.

The SPEAKER *pro tempore*. The attention of the Chair had not been called to it before, but before the vote is taken the Chair will examine the resolution and pass upon the question when the time arrives. The Clerk will report the resolution.

Mr. HERBERT. Mr. Speaker, the gentleman from Indiana [Mr. BYNUM] consents to withdraw his point for the present.

The SPEAKER *pro tempore*. But the gentleman from Tennessee [Mr. ENLOE] objected to any other matters than the regular order.

Mr. HERBERT. I will ask the gentleman from Tennessee [Mr. ENLOE] to withdraw his objection to allow the introduction of bills for reference.

Mr. ENLOE. Yes, and I am willing to let any others in for the same purpose, and therefore I will withdraw my objection.

MERCHANT MARINE, ETC.

Mr. HERBERT, from the Committee on Naval Affairs, reported back the bill (H. R. 320) to create a home for crippled, infirm, and aged seamen of the merchant marine service; also, sundry petitions and resolutions asking for the construction of revenue cutters; also, for the building of additional light-houses and fog signals on the Great Lakes; for the increase of salary to keepers and crews of life-saving stations, and asked that that committee be discharged from their further consideration, and that said bills and petitions be referred to the Committee on Interstate and Foreign Commerce.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Alabama [Mr. HERBERT], chairman of the Committee on Naval Affairs, who reports back sundry matters with the request that his committee be discharged from further consideration, and that they be referred to the Committee on Interstate and Foreign Commerce?

There was no objection, and it was so ordered.

Mr. HERBERT, from the Committee on Naval Affairs, also requested that the petition by Mr. PICKLER relative to the re-establishment of our commerce upon the ocean be recommitted to the Committee on Ways and Means.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Alabama?

There was no objection, and it was so ordered.

INTRODUCTION OF BILLS.

By unanimous consent, bills of the following titles were introduced, read a first and second time, ordered to be printed, and referred to the committees named below:

SECTION 1218 OF THE REVISED STATUTES.

By Mr. HERBERT: A bill (H. R. 3725) to repeal section 1218 of the Revised Statutes, and for other purposes—to the Committee on Military Affairs.

BOUNTY ON SUGAR.

By Mr. SNODGRASS: A bill (H. R. 3726) to repeal so much of the tariff law of 1890 as grants a bounty on sugar—to the Committee on Ways and Means.

QUANAH AND OKLAHOMA RAILWAY COMPANY.

By Mr. LANHAM (by request): A bill (H. R. 3727) to authorize the Quanah and Oklahoma Railway Company to construct and operate a railway through the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

BEE LINE AND SUPERIOR RAILWAY COMPANY.

By Mr. BARWIG (by request): A bill (H. R. 3728) to grant to the Bee Line and Superior Railway Company the right of way across and through the Court O'Reilles Indian Reservation, located in Sawyer County, State of Wisconsin—to the Committee on Indian Affairs.

RETURN REQUESTS ON ENVELOPES.

By Mr. SCOTT: A bill (H. R. 3729) to repeal so much of section 3915 of the Revised Statues of the United States as permits the Postmaster-General to have return requests printed on envelopes—to the Committee on the Post-Office and Post-Roads.

PENSIONS TO SOLDIERS OF THE FLORIDA AND CREEK WAR.

By Mr. WINN: A bill (H. R. 3730) to pension officers and soldiers enlisted in the military service of the United States in the Florida and Creek war—to the Committee on Pensions.

Mr. WINN. Mr. Speaker, I desire to have the bill to pension officers and soldiers enlisted in the military service in the Florida and Creek war referred to the Committee on War Claims.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Georgia that that bill goes to the Committee on Pensions. Bills for granting pensions for all those who have been engaged in the United States service, except during the civil war, go to the Committee on Pensions.

PAYMENT FOR PROPERTY, ETC., LOST OR DESTROYED IN THE UNITED STATES SERVICE.

By Mr. WINN: A bill (H. R. 3731) to provide for payment for horses and other property lost in the United States service—to the Committee on War Claims.

GRANTING LIQUOR LICENSES IN THE DISTRICT OF COLUMBIA.

By Mr. RUSK: A bill (H. R. 3732) to amend an act approved February 28, 1891, entitled "An act to prohibit the granting of liquor licenses within one mile of the Soldiers' Home"—to the Committee on the District of Columbia.

LIEN UPON REAL ESTATE.

By Mr. McCLELLAN: A bill (H. R. 3733) providing the judgments rendered in United States courts shall not be a lien upon real estate in any other county than the one in which the court is situate unless a transcript of the judgment be first filed in such county—to the Committee on the Judiciary.

NONLEGAL-TENDER CONTRACT.

By Mr. MARTIN: A bill (H. R. 3734) to repeal the power of nonlegal-tender contract authorized by the silver-bullion act of July 14, 1890—to the Committee on Coinage, Weights, and Measures.

ADJUSTMENT OF NATIONAL DISPUTES.

By Mr. MARTIN: A joint resolution (H. Res. 55) looking to the adoption of means for the adjustment of international disputes without resort to war—to the Committee on Foreign Affairs.

RANK AND PAY OF SOLDIERS OF THE LATE WAR.

By Mr. PATTON: A bill (H. R. 3735) concerning rank and pay of soldiers who did duty as officers in the war of 1861—to the Committee on Military Affairs.

FORT TOTTEN MILITARY RESERVATION, NORTH DAKOTA.

By Mr. JOHNSON of North Dakota: A bill (H. R. 3736) granting to the State of North Dakota certain lands, heretofore set apart as a wood reservation for Fort Totten military reservation, for the use of the militia of North Dakota, and for other purposes—to the Committee on the Public Lands.

INCREASE OF PENSION FOR THE LOSS OF SIGHT OF BOTH EYES.

By Mr. DOLLIVER: A bill (H. R. 3737) to increase the pension of those who have lost the sight of both eyes—to the Committee on Invalid Pensions.

ROAD TO NATIONAL CEMETERY AT LITTLE ROCK, ARK.

By Mr. TERRY: A bill (H. R. 3738) to construct a road from Little Rock, Ark., to the national cemetery adjacent thereto—to the Committee on Military Affairs.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed bills of the following titles; in which concurrence was requested:

A bill (S. 875) for the relief of Thomas Guinean;

A bill (S. 800) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein;

A bill (S. 636) for the relief of Chester B. Sweet, of California;

A bill (S. 625) to grant to the State of Oregon townships 27, 28, 29, 30, and 31 south, in ranges 5 and 6 east, of the Willamette meridian, in the State of Oregon, for a public park;

A bill (S. 386) to provide for the disposal of Fort Hartsuff, Fort Sheridan, and Fort McPherson military reservations, in the State of Nebraska, to actual settlers, under the provisions of the homestead laws; and

A bill (S. 70) to increase the limit of cost of the erection of a public building at Hoboken, N. J.

PUBLIC EXPENDITURES.

The SPEAKER *pro tempore*. The Clerk will report the unfinished business.

The Clerk read as follows:

Resolved, That in the judgment of this House, the granting of subsidies or bounties by Congress, in money, public lands, bonds, or by indorsement, or by pledge of the public credit, to promote special private industries or enterprises of corporations, independent of the question of the constitutional power of Congress to make such grants, is unjust and impolitic, and in manifest conflict with the spirit of our republican institutions, as it directly tends to create and foster the wealth of favored classes at the expense of the whole people who bear the burdens of government, and manifestly furnishes undue facilities for the enlargement of great private estates—a policy which a government of the people can not justly and safely encourage by any form of favoritism in legislation.

Resolved, In view of the present condition of the Treasury, and because efficient and honest government can only be assured by the frugal expenditure of the public money, while unnecessary and lavish expenditure, under any and all conditions, leads inevitably to venal and corrupt methods in public affairs, no money ought to be appropriated by Congress from the public Treasury except such as is manifestly necessary to carry on the several Departments frugally, efficiently, and honestly administered—

The SPEAKER *pro tempore*. The Chair will state that under the arrangement made yesterday the gentleman from Iowa [Mr. HENDERSON] will control the time in opposition to this resolution. The Chair recognizes the gentleman from Indiana for an hour in support of the resolution.

[Mr. HOLMAN withholds his remarks for revision. See Appendix.]

Mr. HENDERSON of Iowa. Mr. Speaker, I yield to my friend the gentleman from Maine [Mr. DINGLEY], who wishes to offer an amendment.

Mr. DINGLEY. Mr. Speaker, there seems to be considerable misunderstanding as to the meaning of the resolution offered by the gentleman from Indiana [Mr. HOLMAN]; and in view of the explanation which he has just given, I suggest that perhaps that explanation can be put in the form of words, and that we can make the resolution so clear that we can all vote for it. I would ask the Clerk to read a proposed substitute which, if I understand the gentleman from Indiana [Mr. HOLMAN], will perhaps meet his views.

The SPEAKER *pro tempore*. It will be read in the time of the gentleman from Iowa.

Mr. HENDERSON of Iowa. The resolution may be read in my time.

The Clerk read as follows:

Resolved, As the sense of the House, that while it is the duty of Congress to limit appropriations to the requirements of an efficient, honest, economical, and statesmanlike administration of national affairs, and always with the view of promoting public and not private interests, yet the functions of the nation and the duties of Congress are not restricted to simply providing the means for carrying on the several Departments, but extend to appropriations for such other objects of national importance as, in the judgment of the people and of Congress, are directly or indirectly for the benefit of the country as a whole, and are not likely to be secured by private enterprise—among which are the establishment of colleges of agriculture and the mechanic arts, agricultural experimental stations, and the Geological Survey for the benefit of agriculture and mining and other industries, the improvement of rivers and harbors and the maintenance of lights and beacons and postal communication by land and sea for the promotion of commerce, and the maintenance of soldiers' homes and a pension system for the benefit of those who have imperiled their lives in the defense of the nation.

Mr. HOLMAN. Will not my friend add the Book of Estimates also? [Laughter on the Democratic side.]

Mr. DINGLEY. If I understand the gentleman from Indiana correctly, that substitute expressed the substance of the explanation that the gentleman has made of the meaning of his own resolution. Now, I ask unanimous consent that that substitute may be offered at the proper time and a vote be had upon it.

The SPEAKER *pro tempore*. The gentleman from Maine [Mr. DINGLEY] asks unanimous consent that the proposed substitute may be considered as pending, and that a vote may be had upon it at the proper time.

Mr. BURROWS. There ought to be no objection to that.

Mr. BUTLER. I do not know whether I want to object to it or not until I hear it read again.

The SPEAKER *pro tempore*. Unless there is objection, the resolution will be again reported.

Mr. HOLMAN. I think that the purpose of the original proposition is sufficiently clear. [Cries of "Oh!" on the Republican side.] There are some purposes named in the substitute proposed by the gentleman from Maine about which a diversity of opinion might exist, and none of them beneficial or of public interest, that are not covered by the resolution already pending.

Mr. DINGLEY. Does the gentleman object?

Mr. HOLMAN. Yes; I object.

The SPEAKER *pro tempore*. Objection is made. The gentleman from Iowa [Mr. HENDERSON] has the floor.

Mr. HENDERSON of Iowa. Mr. Speaker, the resolution which is under discussion is not in language or in spirit the same as the resolutions which the gentleman from Indiana has had read this morning. In the resolutions of the Forty-fourth and Forty-fifth Congresses the then present financial condition of the country was expressly referred to in connection with the voting of subsidies, bounties, moneys, etc. The gentleman from Indiana [Mr. HOLMAN] says that the conditions are identical now. The country and this House will readily see that the point is not well made. At that time we were under a heavy and oppressive load of debt. Under Republican management we are getting rid of the debt; and the people will pay off their mortgages before they look after the luxuries of their homes. Before that they take only the necessaries.

But in addition to that, in both of the resolutions named the words "public service" are used. In the resolution before the House it is the departmental service which is referred to, and I do not think that the gentleman will find many lawyers agreeing with him in his construction of the resolutions, that they mean identically the same.

Mr. HOLMAN. Will my friend point out the difference between the two terms?

Mr. HENDERSON of Iowa. Suppose the resolution should say "the Department of the Interior," and that all appropriations should be limited to that. Would we then have the right to make appropriations for the building of a new war vessel or even for a new public work outside of the departmental service?

Mr. HOLMAN. Certainly not.

Mr. HENDERSON of Iowa. Then it refers to Department work.

Mr. HOLMAN. Just one word. You can do anything pertaining to the Department of the Interior.

Mr. HENDERSON of Iowa. Yes, for purely departmental work; but I want to say to the gentleman from Indiana that he has plenty of time reserved to answer in his own time.

Mr. HOLMAN. That is right.

Mr. HENDERSON of Iowa. If we had a day for debate I might branch out into these subjects; but I do not intend to do so in the limited time I have; neither do I want to be drawn into a defense of subsidies. But these resolutions are not identical. The others referred to the public service; and under these resolutions as they stand not a private pension bill can be put through this House, and nothing in the nature of public works can be passed by this House if we are bound by these resolutions. That is a fair construction of them.

But what are these resolutions here for? What bounties does the gentleman refer to? I understand him this morning to mean bounties on sugar. I am not going to speak for my side of the House on that point, but I will speak for myself, and say that if all of you on that side of the House want to cancel the bounties on sugar, you may find me voting with you. What have you got these bounties here in the form of "lands" in these resolutions for? I would like to ask the gentleman from Indiana to answer in his own time. Is there any proposition to give a bounty of land for any purpose? Is such a proposition in the mind of a citizen of the Republic? Does not the gentleman know that since 1867—I think that was the year—no such proposition has been brought before the American Congress?

Mr. HOLMAN. Eighteen hundred and seventy-three.

Mr. HENDERSON of Iowa. What year was it?

Mr. HOLMAN. Eighteen hundred and seventy-three.

Mr. HENDERSON of Iowa. Well, 1873; I did not speak with accuracy, but I think it was before that.

Mr. HOLMAN. The grant to the Southern Railroad was in 1873.

Mr. HENDERSON of Iowa. Before that time President Grant had declared against it, and the Republican party has stood upon that declaration. But does not the gentleman from Indiana know that the bounty land system was inaugurated in his own party under the leadership of Stephen A. Douglas? And what does he bring in that whip and lash for here now?

No such thing is contemplated; and I do not know what his motive is for coupling such a proposition in that resolution, as it can only end in misleading the people of the United States. But this resolution is aimed at something else. It is a deadly weapon pointed at the starving millions in Russia. You can not, under that resolution, appropriate $100,000, or any less sum, to send the offerings from the generous hearts of our people to the suffering millions across the sea.

Mr. HOLMAN. We can send it by our Navy.

Mr. HENDERSON of Iowa. You can not appropriate a dollar that is needed.

Mr. HOLMAN. You do not need a dollar.

Mr. HENDERSON of Iowa. I want the gentleman to answer in his own time. He has an hour and a half, and I an hour only left on the other side of the question.

Mr. HOLMAN. The gentleman will please excuse me.

Mr. HENDERSON of Iowa. I would be glad if we had unlimited time for debate, but there are other gentlemen who want to speak.

I say now, you can not send these offerings across the sea under that resolution without an appropriation. And while on that point, I call the attention of Congress to the fact that the governor of my State (and I mention it with pride, and to his credit) by proclamation appointed one reliable man in each Congressional district to receive the voluntary offerings of the people of Iowa for our suffering fellow mortals across the ocean. The gentleman appointed for my district, a responsible Democrat, telegraphed me as follows:

D. B. HENDERSON, *Member of Congress, etc.:*

Please urge the passage of Senate resolution authorizing the chartering of a vessel to carry the Russian famine cargo.

A. SLIMMER.

On the same day, January 7, I found myself compelled to send him this answer:

A. SLIMMER, *Waverly, Iowa:*

Don't know of one Republican who does not favor the Russian resolution. Retrenchment Democratic reformers are killing it.

D. B. HENDERSON.

[Applause.]

And now comes the battery of the father of that side of the House, making another charge against these poor unfortunates over there. I shall not in connection with this resolution stop to discuss the laws or the policies of Russia. Jew and Gentile, while famine, armed with death, is sweeping sixteen provinces, come forward with ready hands and generous hearts to help their fellow mortals. The "reform" Democracy says that the Government shall not take these offerings and carry them to their destination.

But, Mr. Speaker, the burden of this resolution goes in another direction. It emphasizes the declaration of the gentleman from Missouri [Mr. DOCKERY] in a speech that appeared in the RECORD on Friday morning to the effect that this country is in a deplorable financial condition; and as the gentleman from Missouri put it, that "we are confronted with a deficit."

I desire to call attention to that branch of the proposition involved in this resolution before us. An effort is being studiously made to impress the country with the idea that the Government is in an embarrassed condition, and outside of this Chamber the ghouls and scavangers of the impending political Presidential campaign are taking up announcements made on the floor of this House, enlarging them, and retailing them among the people.

The effort made to show that there is a deficit and that the credit of the country is in peril, coming as it does from the gentleman from Missouri, a member of the Committee on Appropriations, and emphasized in this resolution by the chairman of that committee, demands attention. If true, it should be known; if false and used for campaign purposes, it should meet the severe condemnation of all honest men.

The gentleman from Missouri [Mr. DOCKERY] says:

> The statement of the Secretary of the Treasury shows the net cash balance in the Treasury January 1, 1892, to be $34,574,128.30.

The impression is sought to be conveyed all through the gentleman's speech that this is all the available money that we have in the Treasury. From that he deducts $14,108,000 of subsidiary and minor coin, thus reducing to about $20,000,000 the available cash in the Treasury of the United States.

I beg to call the attention of the gentleman and of the House to the fact that in the very statement to which he refers if he will examine it thoroughly, he will find, that in addition to the $34,000,000 in round numbers, stated by him, there is in the Treasury to the credit of the disbursing officer of the United States money to pay off the appropriations that he says are being neglected and can not be met, to the amount of $27,813,470.82. In addition to that, the same statement shows that we have in the vaults of the Treasury $100,000,000 in gold. So that at the time when the gentleman undertook to impress the country with the idea that we had but $20,000,000 available, the Secretary of the Treasury could draw his checks against $162,387,599.12.

But the gentleman sneers at the $14,000,000 of subsidiary coin and treats it as something not to be thought of in connection with the public debt. That coin is payable on all debts in sums of $5. The gentleman may feel disposed to sneer at that, but let me state a fact or two in this connection. On July 1, 1888, there was in the Treasury of that class of money $26,163,000; on the 1st of January following, January 18, 1889, there was $23,733,000; on January 1, 1890, there was $22,011,000; on January 1, 1891, there was $19,150.000; and on January 1, 1892, there was only $14,108,000. So that since July 1, 1888, there has been a reduction in that class of the assets of the Treasury of $12,055,000. That money, therefore, is an available asset in the Treasury of the United States. These figures demonstrate that fact.

The gentleman sneers also at the Secretary of the Treasury for changing the form of the debt statement, so as to make the subsidiary coin appear as a part of the assets of the Government. When the Secretary adopted, or resumed, that plan, he readopted the plan pursued by the Treasury Department until Mr. Cleveland's administration changed it.

If my friend from Missouri [Mr. DOCKERY], who seems to have such an inquiring and industrious turn of mind, had investigated more carefully, he would have discovered that under his own Democratic administration—I mean Mr. Cleveland's administration—every effort was made to make it appear that there was as little cash in the Treasury as possible, and if he will consult the pet national banks which enjoyed the deposits then distributed among them, further information may be found as to the reasons for making the public-debt statement in the form in which it was made under that Democratic administration.

But I come to another part of the gentleman's speech. He says that the receipts fell short of the expenditures of the Government for the first half of this fiscal year, up to January 1, 1892, in the sum of $273,464.57.

I send to the Clerk's desk a letter from the Acting Secretary of the Treasury, which I ask to have read.

The Clerk read as follows:

TREASURY DEPARTMENT, *January 9, 1892.*

SIR: In reply to your inquiry of yesterday, I have the honor to state that the ordinary revenues and expenditures of the Government for the six months ending December 31, 1891, were as follows:

Receipts.

From customs	$85,722,341.83
From internal revenue	77,057,281.60
From miscellaneous	11,364,265.88
Total	174,143,889.31

Expenditures.

Civil establishment	49,798,222.13
Military establishment	24,775,572.29
Naval establishment	15,056,076.34
Indian service	6,497,810.71
Pensions	61,350,919.83
Interest on the debt	9,565,379.74
Total	167,043,581.09

Respectfully, yours,

O. L. SPAULDING,
Acting Secretary.

Hon. D. B. HENDERSON,
House of Representatives.

Mr. HENDERSON of Iowa. Mr. Speaker, that letter shows an excess of $7,100,308.22 of receipts over expenditures during the first half of this fiscal year, instead of a shortage of $273,000, as stated by the gentleman from Missouri.

Mr. DOCKERY. Will the gentleman permit an interruption?

Mr. HENDERSON of Iowa. I can not yield now. The gentleman has his own time.

Mr. DOCKERY. I have the official statement here——

Mr. HENDERSON of Iowa. I have given the official statement of the Secretary.

Mr. DOCKERY. They have omitted the national-bank redemption fund from that statement.

Mr. HENDERSON of Iowa. I have given the official statement, and I want to say in passing that this surplus has been applied on the public debt of the Government and to stop interest on the public debt. But, Mr. Speaker, it would be a trifling matter if for a day, a week, a month, or even a series of months, the expenditures did exceed the receipts. Those matters fluctuate. At one time a great amount of receipts pours into the Treasury, and at another time, when the receipts are comparatively light, the heaviest payments have to be made; and that may go on for a considerable time. Nevertheless, the fact is that the statement made by the gentleman from Missouri [Mr. DOCKERY] that there was a deficit during the first six months of the current fiscal year is not correct.

Now, I pass to another branch of the gentleman's statement. He stated that the several appropriations for the current fiscal year amounted to $544,000,000 in round numbers. In order to get that amount the gentleman must have added the fifteen and odd million dollars for the direct tax, passed by a preceding Congress, because the debt statement, or rather the statement prepared by the clerks of the two appropriation committees of Congress, states the total of the appropriations at $525,000,000, instead of $544,000,000, as given by the gentleman from Missouri. The gentleman must have added the fifteen millions of direct tax, probably two millions for bounties on sugar, and probably two millions for the indefinite bounties appropriated for in the last Congress. But I want to call his attention to a fact which he ought to have known, if he did not, before making this startling announcement to the country—the fact that eleven and a half million dollars of the direct tax was paid to the States before the beginning of the current fiscal year, and of course should not be counted as a part of the liabilities for this year. Such blunders are hard to account for. I hope the gentleman will explain and correct it.

But, Mr. Speaker, why does the gentleman pursue the course that he does here? He takes the total appropriations which, by his own figures, are $544,000,000, cuts that amount in two, and then says that half of that amount should be expended in the first six months of this fiscal year; but he says that only $176,000,000 was expended, and therefore he claims that $35,232,408.75 remain unexpended for the first half of this fiscal year.

What if that were true? What does it amount to? But how does he know that it is true? The $35,000,000 is purely a forced balance on his part. He might just as well have said that one-twelfth of the total appropriations of this year, or $45,000,000, should have been expended in the month of July, or one three-hundred-and-sixty-fifth part of the appropriation, $1,491,000, on the 1st day of July. And while he was so "cute" about the matter, if he had fixed upon the hour before 9 o'clock on the 1st day of July he could have shown the whole appropriation of the current fiscal year unexpended. That matter cuts no figure in

this case at all. It will seldom be found that half of the appropriations are paid in the first half of the year for which appropriated. Orders have to be issued, contracts made, and many steps taken by the executing officers before the money can be used.

The gentleman presents, and he gives credit to the "gentlemanly clerk of the House Committee on Appropriations," an estimate that $30,000,000 remained unexpended of last year's approtions when this fiscal year began. I wonder whether my friend from Missouri took time to ask the "gentlemanly clerk of the Committee on Appropriations" what the custom or practice was, or what the conditions were in that respect in other years. I suppose he was not hunting for such information. But if he had asked the question, or if he had investigated the matter for himself, he would have learned that from twenty-five to thirty million dollars have for years remained unexpended at the end of every fiscal year.

Why, Mr. Speaker, no Executive or Administration has ever spent within the fiscal year the appropriations for that year, and no Administration could do so lawfully if it tried. Take all the appropriations for public works, what are called continuous appropriations, like those for rivers and harbors, forts and fortifications, vessels for the Navy, light-houses, and for public buildings. I have here a letter from the Supervising Architect, which I will incorporate in my remarks, showing that the expenditures for public buildings run on an average for three years and a half. The work in such cases can not be commenced until the appropriation fixing the limit is made; and sometimes from 12 to 35 per cent of the appropriation is not expended for two years. And, as this letter shows, for the first half of the fiscal year less than 1 per cent is expended.

After the title to the ground has been obtained, authority must be had by State legislation; contracts must be made, etc. Appropriations for all public works—the building of war vessels, the construction of light-houses and fortifications, all classes of continuous appropriations—must *ex necessitate* run farther into other years than that to which the appropriation originally applies. Yet the gentleman would mass these appropriations of $30,000,000 unexpended as an evidence that this Administration has not been able to pay its debts when due.

What is the object of the covering-in act, so well known to the gentlemen of the Committee on Appropriations? It is to provide as to appropriations which are not continuous—not vested, so to speak—any surplus remaining unexpended after two years, shall be covered into the Treasury. Within the last ten years $92,000,000 of appropriations which had remained unexpended for two years, and had thus come within the terms of the covering-in act, have been covered back into the Treasury.

Hence it is not wonderful; there are reasons for the fact that appropriations should remain unexpended; and why a gentleman of the intelligence of the gentleman from Missouri, with these facts lying before his face, should seek to make it appear that this Administration has been holding back money due, and not coming up to meet the demands of the country as appropriated for, is more than I can understand. I hope the gentleman will explain this matter in the time allowed to the other side of the House.

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, D. C., January 9, 1892.

SIR: In response to your oral request in regard to the proportion of expenditures made each year as related to the appropriations on account of public buildings under the control of this office, I have the honor to submit the inclosed tables.

It is but proper to state in this connection that appropriations for public buildings are what are known as permanent or continuous, and not subject to the limitation of any fiscal year. Consequently the percentage of expenditure for any year can not be absolutely determined without much time and labor. The method adopted, however, in the statements is one which closely and fairly approximates the information desired.

The statements are confined to new buildings authorized by the Fiftieth and Fifty-first Congresses, as the preparation of a statement covering transactions relating to buildings authorized prior to that period would require a longer time in preparation than is thought to be your wish.

As the question will naturally arise why so large appropriations are made when but a small percentage is expended, the answer must be that while the actual money may not be needed, no contract under the statutes can be entered into which contemplates any expenditure in excess of the amount on the books of the Treasury shown as available for a designated building.

It is estimated that the average time during which buildings are in course of construction is about three and one-half years. This, however, as can readily be understood, would be largely affected by the preponderance of large or small structures, and also by delays which frequently arise in securing the site and the necessary State legislation ceding jurisdiction over the same, which must be done before the work can be commenced on the sketch plans to be approved in accordance with law.

I trust that the information given may be what you desire, and have the honor to remain,

Respectfully yours,

W. J. EDBROOKE,
Supervising Architect.

Hon. D. B. HENDERSON,
House of Representatives.

Buildings authorized, first session Fiftieth Congress.

Statement of appropriations and expenditures on account of construction of new public buildings and extensions authorized at the first session Fiftieth Congress.

Total amount appropriated first and second sessions	$6,468,659.00
On account of these appropriations there was expended to September 30, 1889	723,685.29
Say 12 per cent of the appropriations.	
Total amount appropriations as above	6,468,659.00
Add appropriations on account of designated buildings, first session Fifty-first Congress	119 500.00
	6,588,159.00
On account of these appropriations there was expended to September 30, 1890	1,091,681.56
Say 17 per cent of the appropriations.	
Total amount appropriations as above	6,588,159.00
Add appropriations on account of designated buildings, second session Fifty-first Congress	380,000.00
Total amount appropriated at close of second session Fifty-first Congress, for new buildings authorized by the first session Fiftieth Congress	6,968,159.00
On account of these appropriations there was expended to September 30, 1891	2,309,221.56
Say 35 per cent of the appropriations made.	

Buildings authorized, second session Fiftieth Congress.

Statement of appropriations and expenditures on account of construction of new public buildings and extensions authorized at the second session Fiftieth Congress.

Total appropriations	$1,875,000.00
On account of these appropriations there was expended to September 30, 1889	378.72
Total amount appropriated as above	1,875,000.00
On account of these appropriations there was expended to September 30, 1890	498,763.88
Say 22 per cent of the appropriations made.	
Total amount appropriated as above to close of the second session Fifty-First Congress for buildings authorized by the second session Fiftieth Congress	1,875,000.00
On account of these appropriations there was expended to September 30, 1891	844,023.68
Say 45 per cent of the appropriations made.	

Buildings authorized first session Fifty-first Congress.

Statement of appropriations and expenditures on account of construction of new public buildings and extensions authorized at the first session Fifty-first Congress.

Total appropriations	$1,445,000.00
On account of these appropriations there was expended to September 30, 1890	1,997.84
Total appropriations as above	$1,445,000.00
Add appropriations on account of designated buildings, second session Fifty-first Congress	1,625,000.00
	3,070,000.00
On account of these appropriations there was expended to September 30, 1891	481,213.49
Say 16 per cent of the appropriations made.	

Buildings authorized, second session Fifty-first Congress.

Statement of appropriations and expenditures on account of construction of new public buildings and extensions authorized at the second session Fifty-first Congress.

Total appropriations	$4,170,000.00
On account of these appropriations there was expended to September 30, 1891	22,616.69
Say .54, less than 1 per cent.*	

*The reason for this small percentage is, as must readily be understood, because much time will elapse after the appropriations are made before any payment is made on account of purchase of site, and this must necessarily prevail in nearly all cases in connection with public buildings, the law requiring that the site must be paid for before actual work.

Now, the gentleman treats the $35,000,000 which he says has not been spent during the first half of the fiscal year as a load hanging over the head of the Government. He treats in this way the $30,000,000 which had not been spent at the end of the last fiscal year, but every dollar of which, so far as he knows, may have been paid out during the first six months of this year. Undoubtedly a large part of it has been paid out, and it is no longer this incubus that the gentleman would point out as hanging over this little sum of $20,000,000 which he says is in the Treasury. A large part of this sum has undoubtedly been paid during these six months; but the gentleman does not say anything about that. He takes the amount of thirty million and this forced balance of thirty-five million, a pure fiction, making $65,000,000, and treats this as a liability hanging over and waiting to swoop down upon the little twenty millions which he represents as being all that is left in the Treasury.

But he does not stop there. He speaks of the refunding of the twenty-five millions of 4½ per cent Government bonds. He says that we have been forced into this refund, that we had to shove over this liability. He says those bonds were refunded at 2 per cent, as though that were a crime. I will publish with my remarks a table showing the saving to the Government from that refunding operation. The Government did not make the bondholders come in and consent to a refund. The Government said, "You can take your cash or you can have your bonds refunded

at 2 per cent." That is not a very heavy paying rate of interest. It will tend still further, as did Mr. Windom's great financial policy in the past, to bring down the rate of interest to the poor men, the borrowers of this Republic. Besides it was demanded by the business interests of the country when failures in Europe were shaking the commercial centers of the world.

Those obligations stand there, not payable at the option of the bondholder. When the sun shall have risen and set ten thousand times ten thousand times the bondholders will not have the right to present any of those bonds for payment. The option is with the Government alone. Was it wisdom on the part of the Government to refund those bonds at 2 per cent and enable us to address ourselves to paying off the 4 and 4½ per cent bonds, as I shall presently show we did? Was that a safe financial policy? But my friend from Missouri takes the $25,000,000 of refunded bonds, adds to that $30,000,000, which has been mostly paid out, and $35,000,000 of a forced balance and a dream of his original brain, thus piling up $90,000,000, which he represents as waiting to swallow up the little "$20,000,000" left in the Treasury.

But he did not stop there. He says that the sinking fund is in default; that the $49,000,000 due annually to the sinking fund is in default. He found out a day or two after he made that speech that he was "clean off" on that particular proposition, and the other morning he tried to get in under the plea of correcting the RECORD, so as to change his speech and figures. I signified my entire willingness to have him do that if he would correct his whole speech, or if he would give an hour each to himself and myself to discuss his speech in detail.

Some friend would not allow that, although my friend from Missouri, I will give him credit, seemed willing to go into it. But he found, when he made that false statement to the country, that this Administration was in default to the sinking fund in the sum of $49,000,000. And yet the report of the Secretary of the Treasury showed him that on the 1st of November, I think it was, $20,000,000 of it had been in fact paid off. Since then, if the gentleman will inquire, he will find that up to the 5th of January $23,000,000 had been paid, and the Secretary shows in his report that all but a little over $10,000,000 of it has been provided for.

Mr. DOCKERY. Will the gentleman yield to me for an interruption just there in regard to that payment?

Mr. HENDERSON of Iowa. I can not be interrupted now. After I get through I will answer the gentleman any question he wants to ask. You know I have not the time, and I will answer any question in your time when you reply.

But, Mr. Speaker, that is not all. We have paid off, as I shall presently show, by this Administration, that is leading the country into eternal smash and universal bankruptcy, according to the gentleman, with all of our other embarrasments, over $259,000,000 of the interest-bearing debt of the United States. [Applause on the Republican side.] Not a bondholder wanted his money, but this Administration made them walk up to the cashier's office and take their money, and without counting the refunding of $25,000,000 at 2 per cent, this Administration has saved the people of this country $55,000,000 by that operation alone. This statement from the Treasury Department will explain in detail:

TREASURY DEPARTMENT, *January 11, 1892.*

To Hon. D. B. HENDERSON:

The saving of interest effected by the redemption of $259,093,650 of the debt since March 1, 1889, is $55,352,493.51, exclusive of the 2 per cent per annum saved on $25,364,500 four-and-a-halfs refunded. I send you statement by messenger.

O. L. SPAULDING,
Acting Secretary.

JANUARY 11, 1892.

Changes in the interest-bearing debt of the United States since March 1, 1889, and the saving of interest thereon.

	Four per cent.	Four and one-half per cent.	Total.
Principal	$121,615,950.00	$137,477,700.00	$259,093,650.00
Cost	152,958,818.83	143,358,112.37	296,316,931.20
Cost at maturity	206,555,288.50	145,114,136.21	351,669,424.71
Saving	53,596,469.67	1,756,023.84	55,352,493.51

In addition to the above purchases and redemption the amount of $25,364,500 of 4½ per cent bonds was continued at 2 per cent.

Reduction of annual interest charge.

On 4 percents on account of purchases	$4,864,638.00
On 4½ percents on account of purchases and redemptions	6,186,496.50
On 4½ percents on account of continuance at 2 per cent	634,112.50
Total interest saved by refunding	11,685,247.00

Now, sir, following out this line of thought a little further, the demands of the sinking fund are annually about forty-eight or forty-nine millions of dollars. We will say $50,000,000 so as to fix it easily in the mind and be safe. On the 4th day of next March this "careless Administration" will have been in power and control of the Government for three years. That would require it to pay, under the law, one hundred and fifty millions of the public debt. But what has it done? It has paid off two hundred and fifty-nine millions of the public debt. So that instead of the sinking fund being in default under this Administration, it is well up in the neighborhood of $109,000,000 ahead of its liabilities on that account. Has that the ring of a "deficit?"

And yet, with these facts staring the gentleman from Missouri in the face like fixed bayonets, he stands up in his place on this floor and hurls to the country a statement that the sinking fund is in default. But he did not stop even there. He takes his $30,000,000, to which I have referred, and the $35,000,000 of forced balance, his $25,000,000 of refunded bonds at 2 per cent, and the $49,000,000 of the sinking fund "in default," and rears a pyramid of $140,000,000 of impending and pressing liabilities of this Government, hunting for satisfaction out of a little poor paltry pool of $20,000,000. He has been compelled to seek an opportunity to correct his $49,000,000 mistake as to the sinking fund, and his $35,000,000 is equally shadowy and unworthy of consideration. The $30,000,000 of unpaid obligations has been largely paid off and the rest not due, and is nothing for criticism, it being in the usual course of the Government, while the $25,000,000 can never be demanded, so that the $140,000,000 of deficiencies is hanging in midair and his $20,000,000 rises to the dignity of a solid $162,387,599.12, waiting for the Democratic party to trot out something else to pay it out for.

Ah, but another crime has been added by this Administration to the catalogue. He says that this Administration has ravaged—no, wrested—the same thing—[laughter] from the holders of national-bank notes $54,207,955.75 and covered it into the Treasury we are so hard pushed. When was that done? Under the act of July 14, 1890, known as the silver act. Was there a man in any of the one, two, three, or four political parties—does that take you in, Brother SIMPSON—who objected to that? The $54,000,000 had accumulated as a fund to pay off the bills of the retired national banks when presented. It had been piling up for years in the Treasury, and contracting the currency among the people.

Everybody, as I remember, thought it was statesmanship to set that $54,000,000 at work among the people, and I do not remember of any criticism. There may have been from some quarters, for you can always find a little criticism on everything, no matter how good. But my recollection is that we all agreed on both sides, and acquiesced in the wisdom of taking that $54,000,000 and putting it afloat. But the gentleman says we have "wrested" it from the note-holders. Has he ever heard of any holder of a note who presented it and did not get his money for it? It was a liability against this Government before the act of July 14, 1890. It is a liability against the Government since. There is nobody that differs as to the liability. The only difference is that before that act it was idle, and since that act it has been working for the people of the United States. Come on, my Democratic brother from Missouri, with more assaults showing like this the wisdom of this Administration and the billion-dollar Congress that you so sneeringly refer to.

I presume you were one of those who assailed us for having "$400,000,000 in the Treasury that ought to be among the people." It is there now, excepting a wholesome balance to meet current expenses, and you are whining just as much. What will satisfy you? Here is his summing up of the situation:

The condition of the Treasury, Mr. Speaker, may be briefly summarized in the statement that the available surplus is now but $20,465,142.95.

I have shown from the Treasury statement for the first of this month available funds in the Treasury amounting to $162,387,599.12.

He says further:

Current expenditures surpass current revenues.

I have had read the letter of the Acting Secretary of the Treasury showing that for the six months discussed the excess of receipts over expenditures was $7,100,000.

He says further:

Appropriations aggregating $65,488,156 are unpaid.

A forced balance, false and misleading, as I have explained in detail.

He further says:

The Administration has been constrained to ask an extension upon $25,364,500 of the bonded indebtedness.

Indicating that we could not pay off the $25,000,000 of bonds. Since President Harrison took the helm of state he has paid off of the interest-bearing debt $259,079,250. That is not all. On June 30, 1891, we had a surplus of the receipts over the expenditures of that year of $37,239,762.57. We took that surplus and with other funds in the Treasury paid off at the end of the last fiscal year $134,947,635.48. Does that look like an embarrassed Administration?

That is not all. After doing that, on July 1, 1891, we had a

cash balance in the Treasury available to the Secretary's check, of $153,893,808.83. Honestly, Brother DOCKERY, does not the situation look better than you said?

But he says that we have been cut short of revenues because of "restrictive tariff duties." I do not know what will satisfy these gentlemen. I will incorporate in my remarks a statement from the Secretary of the Treasury showing the total receipts for the fifteen months ending with the commencement of this month, as compared with the fifteen months preceding, showing the operations of the so-called McKinley bill and prior thereto; a total falling off since the McKinley bill went into effect of $58,000,000, just about enough to equal the free sugar that we laid on the tables of the people of this country. [Applause on the Republican side.] Damn us for that if you will. We will take our chances before the people on that issue.

TREASURY DEPARTMENT, *January 9, 1892.*

SIR: In reply to your communication of this date I have the honor to inform you that the receipts from customs for the first six months of the years 1890, 1891, and 1892 were as follows:

First six months fiscal year—	
1892	$85,722,341.83
1891	124,240,195.51
1890	109,629,333.03

I have also to inform you that the receipts from customs from October 1, 1889, to December 31, 1890, and from October 1, 1890, to December 31, 1891, were as follows:

October 1, 1889, to December 31, 1890	$295,634,083.04
October 1, 1890, to December 31, 1891	237,270,639.97

Respectfully yours,

O. L. SPAULDING,
Acting Secretary.

Hon. D. B. HENDERSON,
House of Representatives.

TREASURY DEPARTMENT, *January 11, 1892.*

HON. D. B. HENDERSON:

It may be proper to state in connection with the statement furnished you on Saturday, of the receipts from customs for first fifteen months under the McKinley bill, that while the new tariff went into effect in October, 1890, goods were permitted to be withdrawn from warehouse until February 1 following at the old rates of duty, and that sugar came in free only on and after April 1.

O. L. SPAULDING,
Acting Secretary.

Mr. Speaker, the gentleman from Missouri [Mr. DOCKERY] speaks at considerable length about the billion-dollar Congress, and it is not original with the gentleman from Missouri. I will say it to his credit. We have heard of it before.

Mr. SIMPSON. You will hear of it again.

Mr. HENDERSON of Iowa. Yes; the liars are not all dead. We never have had a billion-dollar Congress in this country. Many of the stump speakers in the Democratic party who have howled about the billion-dollar Congress thought that we were appropriating a billion dollars every year. And many of them never read a single appropriation bill that passed through any Congress.

Mr. BOUTELLE. Many of them could not read. [Laughter on the Republican side.]

Mr. HEMPHILL. That hope is what you relied on, I suppose. [Laughter on the Democratic side.]

Mr. HENDERSON of Iowa. Now, Mr. Speaker, I want to call the attention of this body to a few facts on that head.

The total regular annual and permanent appropriations for the Forty-ninth Congress were $746,342,495.51; for the Fiftieth Congress, $817,963,859.80; increase of the Fiftieth over the Forty-ninth Congress, $71,621,364.29. But the Fiftieth Congress appropriated for pensions, more than the Forty-ninth, the sum of $9,789,700; so that in the Fiftieth Congress there was a net increase over the Forty-ninth, for the ordinary appropriations of the Government, of $61,831,664.29. That shows that in two Democratic Congresses you have the proof that this is a growing Republic, and one which is growing fast. And the question is not how much was appropriated, but was it wisely appropriated, and did we have the money?

Now let us look at the Fifty-first Congress as compared with the Fiftieth. The total regular annual and permanent appropriations of the Fifty-first Congress were $988,417,183.34. Increase in appropriations for pensions by the Fifty-first Congress over the Fiftieth, $113,312,351.69. Deducting the pensions as in comparison with the Forty-ninth and Fiftieth, and the net increase for ordinary expenses of the Fifty-first Congress over the Fiftieth was $57,140,971.85 as against an increase in the Fiftieth Congress over the Forty-ninth of $61,831,664.29. This table will give it in detail.

Total regular annual and permanent appropriations Forty-ninth Congress	$746,342,495.51	
Total regular annual and permanent appropriations Fiftieth Congress	817,963,859.80	
Increase Fiftieth over Forty-ninth Congress		71,621,364.29
Increase in appropriations for pensions by Fiftieth over Forty-ninth Congress		9,789,700.00
Net increase for ordinary expenses		61,831,664.29

Total regular annual and permanent appropriations Fifty-first Congress	988,417,183.34	
Increase Fifty-first over Fiftieth Congress		170,453,323.54
Increase in appropriations for pensions by Fifty-first over Fiftieth Congress		113,312,351.69
Net increase for ordinary expenses		57,140,971.85

Now, Mr. Speaker, all of this cry about the "billion-dollar Congress" simply means this, that we gave that $113,000,000, by legislation, appropriation, and payment, to the soldiers of the Republic, their widows, children, and dependent parents. Some of our opponents are courageous enough to admit it, but some will fight it under cover. I was reading in a paper published in Kentucky, the other day, the correspondence from a gentleman of this city to his paper, the Courier-Journal. He came out like a man in the open field and charged it upon the pension appropriations. That is the kind of a fellow that I like. I like your Stonewall Jacksons, but not your bushwhackers, gentlemen. And we have in all parties and in all countries the brave Jacksons and the cowardly bushwhackers and assassins.

If we are to be arraigned for the pensions appropriations, making what is termed the billion-dollar Congress, come out like men and say it, and we will know where we stand and what we are fighting. But even there I should remark in passing that in the Fifty-first Congress we found awaiting us a deficiency on pensions of $25,000,000 that should have been appropriated for by the last preceding Congress that we had to meet, and it is added to the burden charged against the so-called billion-dollar Congress. It should be charged, however, to the Fiftieth and credited to the Fifty-first. We had the Eleventh Census on our hands. The operation of the law brought to us at that time the necessity to appropriate money for artificial limbs to crippled soldiers.

We gave an increase, and had to, as an honest Congress, to meet the requirements of the new pension legislation, by increasing the force of the Pension Office. We found contracts for building war vessels made by the previous Congresses and Administrations, calling for over $7,000,000 increase. We appropriated it, and thus met the obligations lying at our doors. Former Congresses provided sites for fortifications and we finished. Sacred treaties made with Indian tribes brought additional burdens to us, but we met them, and the opening homesteads of our people commend our action. We met a popular and patriotic demand among the people and provided for the great World's Fair. There was a high duty before the Fifty-first Congress and it met it manfully and economically.

We met with courage and wisdom the necessary demands of the Republic. Yes, Mr. Speaker, and we stand to-day, during the time arraigned by the gentleman from Missouri, and in the face of the present moment, having paid every obligation. No dollar has been demanded and refused under any appropriation of the last Congress, or any preceding one, and there is money in the Treasury and in the coming revenues to meet every dollar. I challenge any human being living to show that this Administration has ordered any disbursing officer or any financial agent of the Government, or anyone who controls the financies, to withhold payments under any contract or appropriation of the Government. We have met every dollar; we have kept faith with the defenders of the Government; we have kept faith with the Government creditors; we increased the currency in "the billion-dollar Congress," and there is no aristocracy or democracy in that currency. It is all good, and stands on an equality before every man who receives it.

In compliance with public demands and Republican pledges, we revised the tariff and reduced the income of the Government; but, Mr. Speaker, in doing it we increased the price of the product of the farmer, made it certain that the laborer would get just and true compensation, and made it utterly impossible for starvation to enter the Republic and dwell under the folds of the American flag.

We have done all this with courage and modesty; but we have found at every step, true to its past record but false to its country, the Democratic party fighting us at every step, and all this we have done in the face of falsehoods unequaled in the history of the country.

I now yield to the gentleman from Maine [Mr. DINGLEY] unless the gentleman from Indiana [Mr. HOLMAN], will now take the floor. How much time have I remaining, Mr. Speaker?

The SPEAKER *pro tempore* (Mr. COVERT in the chair). The gentleman from Iowa has three minutes of his hour.

Mr. HENDERSON of Iowa. Then we have an hour and three minutes remaining.

The SPEAKER *pro tempore*. To whom does the gentleman yield?

Mr. HENDERSON of Iowa. I understood the gentleman from Indiana would now take the floor, and yield it for the next hour. I reserve, of course, the balance of my time.

The SPEAKER *pro tempore*. The gentleman from Indiana has thirty minutes remaining.

Mr. HOLMAN. I hope the gentleman from Missouri will be recognized in his own time.

The SPEAKER *pro tempore*. The gentleman from Indiana has thirty minutes remaining.

Mr. HOLMAN. I do not desire to use it at this time.

Mr. DOCKERY. Mr. Speaker, I desire to be recognized in my own time, for the remainder of the hour and a half.

The SPEAKER *pro tempore*. The gentleman from Missouri will be recognized.

Mr. DOCKERY. Mr. Speaker, whilst I have prepared no "set speech" for this occasion, I shall briefly review some of the statements which have just been made by the distinguished gentleman from Iowa [Mr. HENDERSON] in respect to the condition of the public Treasury on the first day of the present year. The amount of the appropriations of the last Congress, accurately and justly characterized as "the billion-dollar Congress," is without parallel or precedent in the history of the country. The attention of the people has been so frequently called to this stupendous aggregate that the whole country familiarly recognizes the Fifty-first Congress as the "billion-dollar Congress." I sincerely hope, sir, that no such stigma will attach to this Congress, which is just now entering upon the threshold of its labors. At the same time, Mr. Speaker, if I had not made a careful examination of our fiscal affairs, I should, perhaps, feel constrained, in view of what has just fallen from the lips of the gentleman from Iowa [Mr. HENDERSON], to apologize to the Republican party for the recent exhibit I presented of the Treasury situation.

But, sir, no speech, however able or plausible, can coerce the total liabilities imposed by that Congress, including, as they do, the direct tax bill, estimates for back pay and bounty, and permanent appropriations, as now estimated by the Treasury Department below the aggregate of $1,011,016,280.34, as against $817,963,859.80 for the preceding Congress, which was Democratic in the House only, the increase being $193,052,420.54.

WHERE THE MONEY WENT.

Now, Mr. Speaker, the record shows, and I challenge denial of its accuracy, that after deducting from the appropriations of the Fifty-first Congress, the requirements of the sinking fund, as now estimated, the interest on the public debt, and the liabilities on account of pensions, which may be properly regarded as an extraordinary charge, thus giving the Republican party credit for these three items of expenditure, there still remains, on the same basis of comparison, an increase of $103,312,129.75 by the billion-dollar Congress over the preceding Congress for all the other expenses of the Government.

And yet, sir, the gentleman from Iowa offers as the only explanation of the tremendous aggregate of appropriations of the last Congress, the increase of one hundred and thirteen millions on account of pension expenditures. The pension expenditures of the Fiftieth Congress were $175,017,400, whilst those of the Fifty-first Congress amounted to $288,329,751.69, or an increase of $113,312,351.69. The explanation of the gentleman from Iowa is incorrect. I have stated, and now reiterate the statement, that upon the same comparative basis, after deducting the sinking fund, the interest on the public debt, and the appropriations for pensions, the increase on account of the remaining expenditures of the Government involves the appalling aggregate of $103,312,129.75!

In this connection, Mr. Speaker, I desire to consider briefly another phase of the pension situation. Under laws enacted prior to the last Congress pension expenditures were steadily increasing. For example, the excess of such expenditures for the fiscal year 1889 over those of 1888 was $7,336,270.34; of 1890 over 1889, $19,312,075.96; whilst, notwithstanding the enactment of the Morrill disability bill, approved June 27, 1890, and at that time estimated to involve an additional annual expenditure with a range from thirty to fifty millions of dollars, the Treasury statement shows that the pension expenditures for the fiscal year 1891 were but $124,415,951.40, being only $17,479,096.33 more than the year prior to the enactment of the Morrill law.

The situation derives further illustration and emphasis from the report of the Secretary of the Treasury for the fiscal year 1891, wherein he estimates that the entire pension expenditure during the current year will be but $125,000,000 or $10,214,785 less than the appropriation, such expenditure being substantially the same as that made during the last fiscal year. Not only is this true, Mr. Speaker, but investigation further discloses that, although the appropriations for the present year are $7,421,725.66 in excess of those of last year, the expenditures for the first half of the current fiscal year are $7,660,742.94 less than for the corresponding period of last year. In other words, it would seem that the enactment of the Morrill disability bill had not benefited the soldiers to the extent it was represented to them it would at the time of its passage, or else the disproportionate increase of expenditure may result from inactivity or partiality in the adjudication of pension claims. The latter dilemma may possibly find its solution in the condition of the public Treasury.

Upon this point I can not, however, speak definitely; still, if it be true that pension claims are fairly and properly adjudicated, it becomes obvious that there was a misunderstanding somewhere as to the effect of the Morrill bill upon pension expenditures. In this connection I deem it proper to invite the attention of the House to the fact that Congress was swift to respond to the demand of the Commissioner of Pensions for adequate clerical aid to enforce the provisions of the Morrill disability bill. The force in the Pension Office was increased 455, and in the Record and Pension Division of the War Department 168, making a total addition to the salaried list of 623 employés, at an annual cost of $666,620; but, Mr. Speaker, notwithstanding this reinforcement of the clerical strength of the Pension Office, at an annual outlay of more than a half million of dollars, this Administration estimates that the expenditures of the present year will not surpass those of the last fiscal year, whilst, at the same time, more than $10,000,000 of current appropriations will remain unexpended. [Applause.]

This situation, Mr. Speaker, of increased appropriations and diminished expenditures, with new pension legislation involving additional liabilities upon the Treasury, and yet but little additional expenditure, is unlike anything hitherto known in the fiscal history of our country. And now, Mr. Speaker, having made this analysis of the appropriations of the last Congress, it becomes unnecessary to say that the attempt by the gentleman from Iowa to explain their enormous aggregate as the result of increased pension appropriations is utterly futile and wholly fails. The $103,000,000 of increase, exclusive of pensions, sinking fund, and interest on the public debt have gone in the direct-tax bill, in increased salaries, in new offices, in subsidy bills, in bounty bills, in the French spoliation claims, and into other channels, where I fear too often private interests have been subserved under the pretense of promoting the general welfare.

THEN AND NOW.

Mr. Speaker, I desire now briefly to refer to the condition of the Treasury on July 1, 1890, when the appropriations of the billion-dollar Congress began to dissipate the Treasury surplus. At that time the surplus in the Treasury on the present basis of estimating such surplus (except as to the $100,000,000 gold reserve), and including the national bank redemption fund covered into the Treasury shortly thereafter, amounted to $144,201,079.95. The "net cash balance" on the first of the present month was but $34,574,128.30, thus showing a net cash loss of $109,626,951.65.

The gentleman from Iowa had much to say of the employment of revenues in the purchase of Government bonds, and of the consequent reduction of the surplus thereby. Allowing the Republican party full credit for the $64,745,604.51 of surplus revenues used in the purchase of Government bonds, it is still apparent that $44,881,347.14 of the surplus vanished during the period stated, as a result of the lavish appropriations of the billion-dollar Congress.

Now a word, Mr. Speaker, in passing, with reference to the present surplus. Something was said by the gentleman from Iowa in respect to the money deposited in national banks under the last Administration; and if I understood him aright he stated that the purpose of the Cleveland Administration was to deposit the public money in national banks so as to show as small a surplus as practicable. I may be permitted to say in response that no such charge has been made or can be successfully maintained against this Administration, inasmuch as it has been constrained to gather into the general Treasury all its "chips and whetstones" together with trust and reserve funds, so that the surplus might appear as large as possible.

Mr. Speaker, the gentleman from Iowa, in estimating the surplus in the Treasury against which the Secretary could draw his check for current expenditures, includes the $100,000,000 of gold reserve, which has heretofore been held as a trust fund for the redemption of greenbacks. The position of the gentleman in this respect is in entire accord with the views of the present Secretary of the Treasury, as appears from an interview with that official published in the Evening Star of this city on the 29th of April last. Its accuracy has to my knowledge never been challenged, although it has been made the subject of comment by the press of the country. I will now send it to the Clerk's desk and ask to have it read.

The Clerk read as follows:

A Star reporter had a talk to-day with Secretary Foster relating to the statement made by Director of the Mint Leech concerning the state of the finances of the Government.

In this statement, it will be remembered, Mr. Leech held that the Government had a surplus, or available cash balance, of some $250,000,000, and to make this amount he counted in the so-called gold reserve of $100,000,000 and about $34,000,000 of silver, which was purchased by the issuance of legal-tender coin certificates.

In speaking of this the Secretary said in substance:

"I saw Mr. Leech's first statement and said he might give it out. I did not see the second before it was printed."

"Do you agree with him?"

"I guess he is about right in the main. I think it is a matter that may well be discussed. I should have stated it a little differently if I had been writing it myself. I should have said that some of the $250,000,000 of available cash might be regarded as trust funds—might be, I say. It would be correct to say that about seventy millions is unquestionably available cash—that is, about twenty-eight millions in the banks, twenty-one millions of subsidiary coin four millions in trade-dollar bullion, twelve millions of current cash, and five millions in silver against which no certificates have been issued.

THE GOLD RESERVE.

"As to the $100,000,000 of gold reserve, it is held against the $350,000,000 greenbacks to make the credit of the Government impregnable, for no one would be able to get together enough greenbacks to take all the gold out of the Treasury, and therefore they do not take any. But these notes outstanding are legal tender and the Government can and would use this gold reserve if it needed to in a pinch. It should, therefore, appear in the debt statement as available cash."

Mr. Speaker, from this interview it appears that the Secretary holds to the view that "these notes outstanding are legal tender, and the Government can and would use this gold reserve if it needed to in a pinch. It should, therefore, appear in the debt statement as available cash." I do not care to enter upon a discussion of the right of the Secretary to use this fund in a "pinch" further than to say that it is manifest that if it can be lawfully used in a "pinch" it can be used in the absence of a "pinch;" and as it is probable that a "pinch" will in the near future confront the Treasury, it is obvious that as a logical sequence it will be used to meet current expenditures.

Mr. FORNEY. In the exhibit which you submitted of the cash in the Treasury on the 1st of July, 1890, and on the 1st of the present month, did you include the one hundred millions of gold reserve?

Mr. DOCKERY. I have not included the gold reserve for the reason that whatever may be the correct interpretation as to the right to employ it for current expenditures, it has been hitherto held in the public mind as a trust fund for the redemption of outstanding greenbacks. I may say to my friend, however, that it is now carried by the Secretary in the cash balance of the Treasury, and will be used in the event of a "pinch" to prevent an actual Treasury deficiency. In this connection I would add that the gentleman from Iowa quoted me as saying that "we are confronted with a deficit." The statement is not quite accurate, as my remark was that "an actual Treasury deficiency is apparently imminent and inevitable."

But, Mr. Speaker, this expression of apprehension upon my part was based upon a fiscal exhibit which entirely precluded the use of the one hundred millions of gold reserve. It is of course possible for this Republican Administration to postpone indefinitely the appearance of a Treasury deficiency by the use of trust and reserve funds; by securing an extension upon matured obligations, and by defaulting in the requirements of the sinking fund. Indeed, a Treasury deficiency would now be an accomplished fact, Mr. Speaker, but for the employment of the gold reserve as a part of the available cash balance; the covering of the fifty-four millions belonging to the holders of national-bank notes into the general Treasury and the extension of twenty-five millions of the bonded debt which matured in September last.

OUTSTANLING LIABILITIES.

I desire, sir, to submit just here a tabular statement showing the outstanding liabilities of the Treasury on account of the items stated on the first day of the present year. This exhibit of the floating indebtedness includes the 4½ per cent bonds refunded by the Treasury:

Estimated outstanding floating indebtedness January 1, 1892.

Unexpended appropriations, fiscal year 1891 (as estimated by the clerk of the House Appropriations Committee)	$30,256,177.80
Unexpended appropriations first half 1892	37,311,620.39
Total unexpended appropriations	67,567,798.19
Four and one-half per cent bonds refunded	25,364,500.00
Matured debt on which interest has ceased	4,633,340.26
National-bank redemption fund	32,679,299.25
Total outstanding floating indebtedness	130,244,937.70

Mr. Speaker, the amount of unexpended appropriations estimated for the first half of the present fiscal year is a little in excess of the estimate recently submitted, for the reason that I find that the Treasury officials have revised their estimates, and that instead of submitting $122,486,808 as the amount of permanent appropriations for the current year, as they did one year ago, they now estimate that this expenditure will be $127,567,905. I therefore include in the total permanent appropriations for the fiscal year the additional amount of $5,081,097 carried in the supplemental estimate of the Treasury Department. It will be observed that this exhibit is entirely exclusive of the operations of the sinking fund. It is, however, apparent that the Secretary will fail to meet the requirements of that fund to the extent of $10,747,362, as will appear from the reading of that part of his report for 1891, pages 8 and 10, referring to the sinking fund.

The Secretary in his report gives a statement of the probable condition of the Treasury at the close of business on the 30th of June next, which discloses his purpose to provide for only $38,165,663 of this fund. I am not quite sure that I understood the gentleman from Iowa [Mr. HENDERSON], but if I did, he stated that the remainder of the sinking fund would not be provided for. I do not see the gentleman from Iowa in his seat, but the gentleman from Maine [Mr. DINGLEY] can doubtless speak with authority and give us the exact intention of the Secretary in respect to this question, as I desire to use the information in another connection.

Mr. HENDERSON of Iowa. I will answer the gentleman. Twenty-three million dollars was paid up to January 1, 1892, and all but $10,000,000 is now provided for.

Mr. DOCKERY. Very well; but, speaking for the Secretary of the Treasury, do you say that he will provide for the $10,000,000?

Mr. HENDERSON of Iowa. I assume to speak for nobody, except as to what has been done. I do say, however, that the Secretary can do it if he wants to.

Mr. DOCKERY. Certainly; but I desire to know his purpose, since it becomes material in connection with another calculation.

Mr. HENDERSON of Iowa. I simply give you the statement of the Secretary as to what he had paid and provided for.

Mr. DOCKERY. I have the statement here. Of course the Secretary of the Treasury is not prohibited from providing the additional $10,747,362, but a fair construction of the statements which appear on pages 8 and 10 of his report makes it obvious that he does not intend to provide for the additional $10,747,362 required by the sinking fund for this fiscal year. This seems to be the only reasonable interpretation to be put upon his language.

Mr. HENDERSON of Iowa. No; he has provided for all but $10,000,000; and $23,000,000 has been paid to January 1.

Mr. SAYERS. Do I understand the gentleman from Iowa [Mr. HENDERSON] to say that the Secretary of the Treasury has already provided for all of the sinking fund except $10,747,362?

Mr. HENDERSON of Iowa. I do.

Mr. SAYERS. Now let us see whether that is so or not. If the gentleman from Missouri will allow me I will read the exact language of the Secretary of the Treasury.

Mr. DOCKERY. I have the accurate figures here; but I am quite willing that the gentleman from Texas shall state the language of the Secretary.

Mr. SAYERS. The Secretary of the Treasury, on page 10 of his last report, says:

> The requirements of the sinking fund for the current fiscal year are estimated at $48,913,025. The applications to the fund to November 1, 1891, consisted of bonds, interest notes, and fractional currency amounting to $20,911,163.

Now, I desire to call the attention of the House to this further language of the Secretary:

> The additional application of similar items of indebtedness during the remainder of the year, and of national-bank notes redeemed under the provisions of the act of July 14, 1890, in excess of deposits received during the year for the redemption of such notes—

Now, mark what amount of these notes is to come into the Treasury—

> estimated at $4,254,500 and $13,000,000 respectively, will bring the total amount to be applied to the fund to within $10,747,362 of the estimated requirement.

In other words, up to November 1, 1891, he had received for the sinking fund of bonds, interest notes, and fractional currency only $20,911,163, leaving over $27,000,000 to be provided for.

Mr. DOCKERY. I am obliged to the gentleman from Texas, as I understand from that language taken in connection with the items which appear on page 8, that the Secretary does not propose to make an entire default in the sinking fund during this fiscal year. In other words, he proposes to provide for about three-fourths of the liability and default as to the balance.

THE VANISHING SURPLUS.

Now, Mr. Speaker, I desire to advert briefly to certain facts which, in my judgment, warrant me in reiterating the statement of last week, that the Treasury surplus is in a vanishing condition, and that the officials of the Treasury have been constrained to become earnest advocates of the Democratic doctrine of retrenchment and reform, whilst at the same time they have taxed their ingenuity to prevent an actual Treasury deficiency. The first evidence of a Treasury depletion is the fact that expenditures have exceeded revenues for the first half of the present fiscal year in the sum of $273,464.57. This is the first time, as I now recall, that expenditures have exceeded revenues since the period immediately succeeding the civil war.

The gentleman from Iowa, in the statement just made to the House, insists that I am in error upon this point, and offers in support of his position a letter from the Acting Secretary of the Treas-

ury of the 9th instant, giving a statement of the "ordinary" revenues and expenditures of the Government for the period in question, from which it appears, as I now remember, that the "ordinary" receipts of the Government were about one hundred and seventy-four millions and its "ordinary" expenditures only one hundred and sixty-seven millions, or an excess of receipts over expenditures of about seven millions. The gentleman from Iowa declined to be interrupted when this letter of the Acting Secretary was being read, but I then challenged his attention to the fact that it entirely omitted the receipts and expenditures on account of national-bank notes. Upon what ground the Acting Secretary fails to include this item as an "ordinary" expenditure I am unable to say, unless it be that the whole proceeding of wresting the national-bank redemption fund from its position as a trust fund, and covering it into the general Treasury, was a proceeding most extraordinary.

Section 6 of the act approved July 14, 1890, providing that this national-bank redemption fund shall be covered into the general Treasury, declares:

That upon the passage of this act the balances standing with the Treasurer of the United States to the respective credits of national banks for deposits made to redeem the circulating notes of such banks and all deposits thereafter received for like purpose shall be covered into the Treasury as a miscellaneous receipt, and the Treasurer of the United States shall redeem from the general cash in the Treasury the circulating notes of said banks which may come into his possession subject to redemption.

The terms of this section are so plain as to put beyond controversy the methods of procedure. The law declares that the deposits "shall be covered into the Treasury as a miscellaneous receipt," and further commands that thereafter "the Treasurer of the United States shall redeem from the general cash in the Treasury" these notes. It therefore follows, Mr. Speaker, that the letter of the Acting Secretary of the Treasury, whilst it may be held to be technically accurate as to the amount stated, yet, as a matter of fact, it fails to reveal the whole truth. It does not give a complete statement of the receipts and expenditures of the Government for the period in question. I assert this to be true, and offer in support of this position the following exhibit, which I received from the Treasury Department. It speaks for itself, and I quote it as I received it, although it includes some matters foreign to this discussion. It is as follows:

[Office of the Secretary of the Treasury, Division of Warrants, Estimates, and Appropriations. Form 109.]

Comparative statement of the receipts and expenditures of the United States.

Source.	1891		1890.	
	December.	Since July 1.	December.	Since July 1.
RECEIPTS.				
Customs	$13,836,555.64	$85,722,341.83	$16,004,533.09	$124,240,195.51
Internal revenue	12,427,046.73	77,057,281.60	12,944,173.21	75,022,785.20
National-bank deposit fund	286,470.00	1,601,398.60	263,875.00	7,590,335.00
Miscellaneous	1,382,913.36	11,364,265.88	2,057,458.57	11,793,117.31
Total	27,932,985.73	175,745,287.31	31,370,039.87	218,646,433.02
EXPENDITURES.				
Ordinary: Civil and miscellaneous	8,342,679.75	49,840,452.59	8,362,245.00	51,955,699.64
Ordinary: War	5,102,456.59	24,776,705.36	3,669,026.16	23,491,488.31
Ordinary: Navy	2,427,108.94	15,056,945.57	2,163,809.76	12,216,437.56
Ordinary: Indians	1,086,004.54	6,497,975.46	723,860.55	3,637,185.21
Pensions	13,140,769.05	61,341,227.16	2,653,515.94	69,001,970.10
National-bank fund, redemption account	1,397,162.00	8,940,491.00	1,935,467.00	10,475,280.00
Interest	325,708.80	9,564,954.74	470,621.74	29,834,538.66
Premium			1,910,003.85	10,361,639.24
Total	31,821,889.67	176,018,751.88	21,888,550.00	210,974,238.72

TREASURY DEPARTMENT, WARRANT DIVISION,
January 2, 1892.

An examination of the second column of this exhibit, Mr. Speaker, verifies the absolute accuracy of the statement I made upon a former occasion, when I declared that the expenditures of the Government for the first half of the present fiscal year were $273,464.57 in excess of its revenues.

It will be further observed that, according to this table (Form 109) the "ordinary" expenditures are designated to be those for the civil, military, and naval establishments, miscellaneous, and Indian service. In the letter of the Acting Secretary of the Treasury, however, he adds to this classification the interest on the public debt and pensions, whilst excluding, as I have heretofore stated, the expenditures on account of the redemption of national-bank notes. If Form 109 has been changed by the Acting Secretary, it might be well for him to explain when and for what reason pensions and interest came to be classed as "ordinary," and the national-bank notes excluded from this designation.

But, Mr. Speaker, further comment is unnecessary, inasmuch as the exclusion of this item would seem to make a surplus of receipts for the half year rather than a deficiency.

A second fact which I offer in support of my position is found in the legislation of the last Republican Congress covering into the general Treasury $54,207,95.75 belonging to the holders of national-bank notes. This was a trust fund deposited in the Treasury for the redemption of national-bank notes, but in anticipation of the condition which now confronts us, of augmenting expenditures and dwindling revenues, the Republican party covered it into the general Treasury.

A third fact, conclusive in itself, was the effort of the Secretary of Treasury to refund the entire bonded indebtedness which matured on the 1st of September last. The Secretary was not entirely successful in his efforts, being reluctantly compelled to redeem about $20,000,000 of the maturing debt; $25,364,500, was however, refunded pursuant to an agreement with the holders of that indebtedness.

A fourth significant fact is the appearance of the one hundred millions of gold reserve as a part of the available cash in the Treasury, associated with the assertion of the Secretary that he would use it if the Treasury found itself in a "pinch." This is the fourth arch constituting a part of the bridge in our fiscal affairs, by which the Republican party hopes to span the ever-widening chasm between receipts and expenditures.

THE BONDED DEBT.

Now, Mr. Speaker, at this point I desire to call attention to the statement of the gentleman from Iowa, that this Administration has saved fifty-five millions annually in interest on the bonded debt. He states the entire bond purchases under this Administration to be $259,093,650. This, of course, includes the bonds purchased for the sinking fund, but it is impossible that any such annual saving in interest could have been made. The gentleman should rather have said that the Treasury officials estimated that the saving of interest before the maturity of the purchased bonds would amount to $55,000,000.

Moreover, Mr. Speaker, this so-called estimated saving (?) is the necessary result of that system of tariff taxation which compelled many of the people to borrow money at 10 per cent in order to pay taxes exacted from them by the Republican party, not for the purpose of meeting the just demands of an economic fiscal administration, but rather to buy Government bonds at from 8 to 29 per cent premium, a large part of the bonds not being due until 1907.

At this point, Mr. Speaker, I will incorporate in my remarks tabular statements showing the amount of bonds purchased, including those purchased for the sinking fund, together with their cost, during the periods covered by the Administrations of Mr. Cleveland and Mr. Harrison, respectively.

CLEVELAND'S ADMINISTRATION.

Reduction of the interest-bearing debt of the United States during the period from March 1, 1885, to March 1, 1889, and premiums paid.

	Three per cent bonds.	Four per cent bonds.	Four and one-half per cent bonds.	Total.
Principal	$194,190,500.00	$56,726,550.00	$87,157,800.00	$338,074,850.00
Cost (amount paid)	194,190,500.00	72,654,890.28	94,419,251.77	361,264,642.05
Premiums paid				23,189,792.05

HARRISON'S ADMINISTRATION.

Reduction of the interest-bearing debt of the United States since March, 1, 1889, and premiums paid.

	Four per cent.	Four and one-half per cent.	Total.
Principal	$121,615,950.00	$137,477,700.00	$259,093,650.00
Cost	152,958,818.83	143,358,112.37	296,316,931.20
Premiums paid			37,223,281.20

The above table, Mr. Speaker, includes, as I have stated, the requirements of the sinking fund, but eliminating the amount of this obligation, the books of the Treasury disclose that since March 1, 1885, $349,313,274.26 of the surplus revenues have been used in the purchase of Government bonds, $35,134,724.26 having been paid as premiums. Of this amount, $175,883,207.90 was expended under the Administration of Mr. Cleveland, and $173,430,266.36, under that of Mr. Harrison. In other words, to state the situation tersely, the Republican system of high tariff has exacted from the people three hundred and fifty millions of unnecessary taxes, which the Treasury officials have been compelled to employ in the purchase of bonds, many of which will not mature for two decades.

Mr. HENDERSON of Iowa. Did the gentleman say that I stated the saving at $55,000,000 annually?

Mr. DOCKERY. That was the gentleman's statement.

Mr. HENDERSON of Iowa. Then I made a mistake.

Mr. DOCKERY. I am quite willing that the gentleman shall correct his error.

Mr. HENDERSON of Iowa. What I meant was that there had been a total saving of $55,000,000 in the three years of Republican administration, from the time when President Harrison took the helm.

Mr. DOCKERY. Now, Mr. Speaker——

Mr. HOOKER of Mississippi. Before the gentleman from Missouri resumes, will he allow me to put one question?

Mr. DOCKERY. Certainly.

Mr. HOOKER of Mississippi. It is simply this: If we had, according to the statement of the gentleman from Iowa, sufficient funds in the Treasury to meet all the demands on the Government, why did the Secretary of the Treasury apply to the holders of our bonds to extend them at the rate of 2 per cent per annum? Why was that done if there was money in the Treasury sufficient for the payment of those bonds? [Applause on the Democratic side.]

Mr. DOCKERY. I am obliged to the gentleman from Mississippi, but was just coming to that point, and will permit the Secretary of the Treasury to answer for himself. Here is what the Secretary says in the interview published in the Star, to which I have heretofore referred:

Now as to the redemption of the 4½ per cent bonds. I am thinking of trying to substitute 2 percents for them, as Mr. Windom proposed. If it can be done there will be two advantages in it over the redemption. To be able to float 2 per cent bonds will demonstrate the extraordinary soundness of the Government credit, and the money that would be required to redeem the four-and-a-halfs may be used for the purchase of fours at a saving of 2 per cent of the interest that would be paid on them up to the time of maturity.

Now, sir, will the gentleman from Iowa, or the Secretary of the Treasury tell the country how many of the fours have been purchased pursuant to that expedient?

Another reason assigned by the Secretary is to be found on page 11 of his report, in which he says:

Nearly twenty-six and one-half millions of the registered bonds were deposited with the Treasurer of the United States as security for circulation and public moneys, and many of the banks to which they belonged would be obliged to replace them with other bonds at great expense or go into liquidation whenever it should be necessary that the 4½ per cents be surrendered. It was apparent, therefore, that an unqualified call for the redemption of the loan, fixing its maturity in September, would project a disturbing element into the finances of the country at a time when its resources are usually severely taxed by the movement of agricultural products.

In other words, Mr. Speaker, he had three objects in view in refunding the bonds, and I resent the intimation of the gentleman from Mississippi that the Treasury balance was not ample. [Laughter.]

Mr. HOOKER of Mississippi. You do? [Laughter.]

Mr. DOCKERY. Certainly I do. [Laughter.] He had the money there. The Secretary did not fail to pay the twenty-five millions because of lack of money in the Treasury, but because he thought it necessary to demonstrate the "extraordinary soundness of the Government credit" in being able to float 2 per cent bonds. [Applause on the Democratic side.] Another reason why he preferred to extend the bonds was not because he did not have money, but because he desired to extend that debt at 2 per cent and then employ the surplus in the Treasury to buy 4 per cent bonds. Unfortunately, however, for that theory no 4 per cent bonds have been purchased. But, Mr. Speaker, the last, and probably the controlling reason for this extraordinary action of the Secretary, aside from the condition of the Treasury itself, is stated on page 11 of this report, that it would accommodate the national banks and prevent the expense on their part of exchanging their 4½ bonds for fours.

Mr. HOOKER of Mississippi. For the purpose, no doubt, of allowing the national banks to lend money to the people at 10 per cent per annum. [Laughter.]

Mr. DOCKERY. Certainly, and by the same Administration whose most distinguished official in 1888 denounced the Administration of Mr. Cleveland because Secretary Fairchild deposited public money in national banks, and declared that the policy of Mr. Harrison would be the withdrawal of the money from the "pet national banks," as he characterized them. But, sir, what are the facts of history? Nearly three years have passed of the present Administration, and of the $48,818,991.63 deposited in the national banks, when the present Executive was inaugurated, $15,437,669.91 are still deposited with these banks. I criticised Mr. Fairchild's policy then in respect to this deposit, as I do now the policy of the present Secretary of the Treasury.

THE HOLMAN RESOLUTIONS.

Now, Mr. Speaker, I desire to call attention for a few moments to the resolutions now under consideration. Apprehension has been expressed in some quarters that if the resolutions offered by the honorable gentleman from Indiana should prevail, certain public interests would be imperiled. The eminent gentleman from Maine [Mr. DINGLEY], in the resolution which he offered as a substitute for the Holman resolutions, insists that the improvement of rivers and harbors will be jeopardized under the operation of the proposed resolutions. I am quite surprised at the suggestion, coming, as it does, from a distinguished exponent of the Administration.

If the gentleman has carefully examined the estimates now pending before the Committee on Appropriations, of which he is a member, he will ascertain that this Administration has not submitted an estimate for a single dollar of expenditure on account of rivers and harbors for the ensuing fiscal year, although the Engineer Department recommends $58,064,950 for this service; and yet the gentleman from Maine, by his substitute, professes great devotion to that particular interest. The appropriations for rivers and harbors by the "billion dollar Congress" were $25,136,295, but Secretary Foster in the Book of Estimates expressly excepts estimates for rivers and harbors, and says:

NOTE.—The following statement is not furnished as a part of the "annual estimates for the public service" required by the act of March 3, 1875 (18 Stat., p. 370), to be furnished by the Secretary of War to the Secretary of the Treasury, but is inserted as a convenient and customary summary of items taken from the annual report of the Chief of Engineers for the fiscal year 1891, showing under the provisions of the act of Congress approved March 2, 1867 (14 Stat., p. 421), "the amount that can be profitably expended in the next fiscal year" on each of the works mentioned.

Mr. Speaker, when my attention was first called to the absence of an estimate for rivers and harbors I was somewhat astonished, but upon an examination of the estimated receipts and expenditures for the ensuing year my amazement ceased. The estimates for the fiscal year 1893 call for $489,000,000 of appropriations.

Mr. HOLMAN. Without the river and harbor bill.

Mr. DOCKERY. Without the river and harbor bill, as suggested by my friend from Indiana—$489,000,000 of appropriations, and only $455,000,000 of revenue. In other words, excluding the river and harbor bill, which usually carries $22,000,000 to $24,000,000, the estimates submitted for the administration of the public service during the next year involves a deficit, on the basis of appropriations and revenues, of $34,595,743.17.

That is the reason why the river and harbor estimate was eliminated from the estimates submitted to Congress at the beginning of this session—$35,000,000 of deficiency, according to Secretary Foster's figures for the next fiscal year, exclusive of rivers and harbors, deficiencies, and miscellaneous items of appropriation.

Mr. DINGLEY. My friend from Missouri certainly does not wish to misrepresent the Secretary of the Treasury. He will find a statement of his estimate on page 9 of his report. The estimated revenue is $455,000,000, and in round numbers the estimate of appropriations is $441,000,000.

Mr. DOCKERY. Four hundred and eighty-nine million nine hundred and thirty-two thousand and ninety-three dollars and sixty-one cents is the estimate of appropriations.

Mr. DINGLEY. I ask my friend to look at page 9 of the Secretary's report.

Mr. DOCKERY. The gentleman is in error. The estimate is $489,000,000, as you will find on a further examination.

Mr. DINGLEY. If the gentleman will look at page 9 of the official report of the Secretary he will see it plainly stated.

Mr. DOCKERY. I have here the official table prepared by the clerks of the House and Senate Committees on Appropriations.

Mr. DINGLEY. Will not my friend from Missouri read from the Secretary's report?

Mr. DOCKERY. I am quoting from the official table of the clerks of the Appropriations Committees.

If upon examination I ascertain the statement to be incorrect I will correct it with pleasure.

Mr. DINGLEY. I ask the gentleman to read from page 9 of the Secretary's report.

Mr. DOCKERY. I understand the statement to which the gentleman refers, but the estimates I present are taken from the official table prepared by the clerk of the Senate Committee on Appropriations and the clerk of the House Committee on Appropriations. It is a—

Table comparing, by bills, estimates of regular annual appropriations for the fiscal year 1892 with those for 1893, and also comparing the appropriations made by the general appropriation acts for 1892 (exclusive of deficiency and miscellaneous appropriations) with the estimates for 1893, and showing the aggregate of estimated regular annual and permanent appropriations and amount of estimated revenues for 1893.

Mr. DINGLEY. Why does not the gentleman read from the report of the Secretary, when he has made the statement that he is giving the Secretary's figures?

Mr. DOCKERY. If the gentleman from Maine will be patient——

Mr. DINGLEY. But the gentleman has stated that the Secretary of the Treasury so stated.

Mr. DOCKERY. If the gentleman from Maine heard my statement, twice repeated, he understands that I am quoting from the

official table prepared by the clerks of the Senate and House Committees on Appropriations, both of whom unite in the statement of this official table that the appropriations will aggregate $489,000,000 and the revenues $455,000,000.

Mr. DINGLEY. But if the gentleman will pardon me, because he does not want to misrepresent——

The SPEAKER *pro tempore*. Does the gentleman yield?

Mr. DOCKERY. I do not yield.

Mr. DINGLEY. I am simply calling the attention of the gentleman from Missouri to a plain statement of figures in the Secretary's report.

Mr. DOCKERY. I have repeatedly stated to the gentleman from Maine that if after examination of the matter I find I am in error I will make the correction before I take my seat.

Mr. Speaker, I now desire to call attention to another matter. But before proceeding I desire now, with all due respect to the gentleman from Maine [Mr. DINGLEY], to correct the error (?) into which I have unwittingly fallen. Upon examination I find that in observing the plain mandates of the law the clerk of the Senate Committee on Appropriations and the clerk of the House Committee on Appropriations estimated for the next fiscal year the amount required by the act establishing the sinking fund. It appears, however, from the annual report of the Secretary of the Treasury that he proposes to ignore and disregard the requirements of the sinking-fund act for the next fiscal year. [Applause on the Democratic side.]

This is the explanation of the discrepancy between the estimates of the gentleman charged by law with the duty of preparing the table of appropriations as shown by the Book of Estimates and the report of the Secretary of the Treasury, in which it appears that he proposes to suspend the operations of the sinking fund. That is the proposition, and I trust that it is a sufficient and satisfactory answer to the gentleman from Maine. [Applause on the Democratic side.]

Now, Mr. Speaker, I feel that I am abundantly vindicated from the assault upon my position made by the gentleman from Iowa, and will therefore trespass but a few moments more upon the attention of the House. The situation, so far as the sinking fund is involved, may be concisely stated: There has been no actual default as yet in providing for that fund during the fiscal year which ends on the 1st of July next, but it is manifest, as heretofore explained, that the Secretary of the Treasury does not intend to provide $10,747,362 of its estimated requirements.

Gentlemen of the minority have criticised me for what they were pleased to term an unwarranted assault upon the public credit. Investigation shows, nevertheless, that the Secretary makes no provision in his estimates for nearly one-fourth of the sinking fund for the present year, while for the next fiscal year the entire sinking fund is to be in default.

CONCLUSION.

Mr. Speaker, in conclusion permit me to say that I have not in any wise overdrawn the unfortunate Treasury situation. I have adverted to it with no feeling of pride, although the Republican party is responsible for its condition, because I do not exult in an exhibit which shows increasing expenditures and decreasing revenues. I have, however, felt constrained to present the exact situation of the Treasury, so that in entering upon the threshold of the business of this Congress Democratic members might understand the absolute necessity for economy in all departments of the Government.

The resolutions offered by the gentleman from Indiana [Mr. HOLMAN] ought to prevail, sir, not only upon the question of subsidies and of bounties, but as well to the requirement of limitation of public expenditures for the next fiscal year to the actual needs of the public service.

During the long period of Democratic ascendency in national affairs the Democratic party has been as a rule economical in the disbursement of public money. During the period of its supremacy, prior to the war, its attitude in respect to revenues and expenditures was such that the present Secretary of State in his "Twenty Years of Congress" pays a high tribute to the leaders of that party when he declares that "during the long period of their domination they guarded the Treasury against every form of corruption and every attempt at extravagance."

That, sir, is the encomium of the great leader of the Republican party upon the fiscal management of the Democratic party before the war. Let us with equal fidelity guard the Treasury against every attempt at extravagance. If we fail in this, Mr. Speaker, expenditures will mount up to such a stupendous aggregate that it will be impossible, even by employing the $100,000,000 of gold reserve, to prevent in the near future an actual Treasury deficiency. [Applause on the Democratic side.]

The SPEAKER *pro tempore*. The gentleman has occupied fifty minutes.

Mr. DOCKERY. I reserve the balance of my time.

Mr. HENDERSON of Iowa. Mr. Speaker, I yield now to the gentleman from Maine [Mr. DINGLEY] so much of our hour and three minutes as he may desire.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. DOCKERY] requests unanimous consent to extend his remarks in the RECORD.

Mr. HENDERSON of Iowa. I beg to make the same request for all.

Mr. DOCKERY. I hope there will be no objection to that.

The SPEAKER *pro tempore*. The gentleman from Missouri requests that all gentlemen, desiring to do so, may print remarks on this subject in the RECORD.

Mr. BURROWS. All those who have addressed the House, not to everyone. The Chair is not stating accurately the request of the gentleman.

The SPEAKER *pro tempore*. The Chair understood that was the request of the gentleman from Missouri, that he desired it would be extended to everyone.

Mr. BURROWS. Oh, no; only gentlemen who are heard in the House.

Mr. OWENS. Then I object, Mr. Speaker.

The SPEAKER *pro tempore*. Is there objection to the request that those gentlemen who have addressed the House on this subject may be allowed to extend their remarks in the RECORD?

Mr. OWENS. I object.

Mr. DINGLEY. Mr. Speaker, I think there is no difference of opinion in the House, certainly none on this side of the House, on the general principle that all appropriations should be for public and not for private objects. The difference of opinion there arises not on the principle, but as to the application of it. The gentleman from Indiana, for example [Mr. HOLMAN], has voted, I think, against every river and harbor bill, because he believes that appropriations for rivers and harbors are for private rather than public benefit. Now, while agreeing on the principle that all appropriations should be for public objects and for the benefit of the whole people, there is an honest difference of opinion in the application of that principle.

The gentleman from Indiana seeks by his resolution, so far as a resolution can do it, to bind the judgment of the members of this House on the question to his own ideas as to what is a public and what is a private object. The substitute which I have offered endeavors to put the principle so clearly that the gentleman from Indiana can not claim, after his resolution is passed, that the House is precluded from passing bills which he may think are not for public advantage, but which to the majority of the House seem to be so.

It is important, therefore, that there should be a distinct statement of what the House means when it pledges itself to make no appropriations for private purposes. Therefore, in the substitute that I have offered, following the line of the suggestion of the gentleman from Indiana that all appropriations should be for public purposes, I have defined distinctly certain lines of appropriation, which, while the gentleman from Indiana may regard them as for private purposes, this House and the Houses which have preceded it for half a century, may regard and have regarded as for public advantage. The gentleman from Indiana might hold, for instance, that appropriations for the maintenance of colleges of agriculture and the mechanic arts were for private purposes——

Mr. HOLMAN. I think that is a public purpose.

Mr. DINGLEY. The gentleman admits that that is a public purpose, but my supposition illustrates the principle.

Therefore, if a declaration is to be made purely for buncombe—for I take it that that states the fact—in order that it may be sounded from one end of this country to the other for some partisan purpose, I submit that the declaration should be so clearly made that he who runs may read, so that after having adopted such a resolution, gentlemen can not proceed to vote for river and harbor appropriations and for bills for private purposes manifestly contradictory to the principle which he has aided in enunciating, and treat the whole resolution as a mere joke. If there is to be a declaration, let it be one so clearly defined that there may be no misunderstanding.

As a matter of fact, what practical object is to be accomplished by the resolution? There is no legislation before this House, or coming before this House, so far as I know, that proposes to give bounties for any purpose. The only bounty that is now authorized by law, or that has been since, under the administration of Thomas Jefferson, a bounty was given to the sea fisheries, is that given for the production of sugar. Is it the intention of the gentleman from Indiana to declare by this resolution that the bounty for the production of sugar shall be repealed? If so, why not introduce a resolution emphatically and distinctly stating that object, or, better still, a bill for that purpose, instead of a resolution like this, under which the gentleman's practical understanding of the matter may be presented one way one day and another way another day?

But I suppose, notwithstanding the fact that the bounty on sugar is the only one to which the declaration of the gentleman's resolution can apply, that it is doubtful whether the Ways and Means Committee of this House, composed of a majority of the political friends of the gentleman from Indiana, will report a bill abolishing that bounty. I say it is doubtful whether the only thing to which his resolution would apply will even be attempted to be brought under its operation by the gentlemen upon the other side who vote for this resolution. At any rate, I shall await with some interest the report of a bill from the committee to repeal the bounty on the only article in this country upon which a bounty is paid, and will observe with interest the vote upon it on that side of the House, but I predict that the question will not even be raised, much less a bill passed repealing that bounty.

If it is proposed, as I have already said, to make a distinct declaration of principles, let it be clear and distinct; let it be a declaration that we are all opposed to appropriations simply for private purposes—because every gentleman upon this floor is opposed to such appropriations. Let it also assert that this is not to be construed to mean that we are not in favor of appropriations, which in the judgment of this House and of the people are directly or indirectly for the benefit of the whole people. I believe that appropriations for rivers and harbors are directly or indirectly for the benefit of the whole people. I believe that agricultural colleges are directly or indirectly for the benefit of the whole people. I believe that even private pension acts are directly or indirectly for the benefit of the whole people.

Now, Mr. Speaker, I desire to devote some attention to the charges which have been made upon this floor with reference to the condition of the finances of this country. It seems to me, sir, that when we approach this subject we should endeavor to get down to the facts. There ought not to be any attempt to make political capital out of business propositions which relate to the interests of the whole people. If this country is in the financial condition which the gentleman from Missouri [Mr. DOCKERY] asserted here the other day, then the business interests of this country may well take alarm. But, Mr. Speaker, there is no gentleman thoroughly acquainted with the facts who does not understand that the statements which the gentleman from Missouri made here, with the inferences which those who are not acquainted with the use of technical expressions have drawn and will draw, will give the impression to the country that we are already in a state of bankruptcy.

Let me read, in view of what the gentleman said on Wednesday, the statement which the gentleman from Missouri made a few days ago:

> In other words, of the appropriations made by the billion-dollar Congress for the last fiscal year and the first six months of the present year, there remains $65,488,166.56 unpaid.

The gentleman is particular even to the cents. This was on the 1st day of January, 1892, when, as the gentleman claimed, there was a Treasury surplus of only $20,000,000 to pay this amount. He continued:

> If to this unpaid mortgage upon the resources of the Government is added the $25,000 000 of 4½ per cent bonds refunded and the forty-nine odd millions demanded by the sinking fund, it becomes apparent——

Mark the words—

> it becomes apparent that the matured national indebtedness [on the 1st day of January, 1892] aggregates $140,077,015.25.

The gentleman is very accurate as to the cents. Now, a few days after the gentleman made this remarkable statement in the House, and after it had been sent out to the country, he came in with a modification of his statement. He wished to make a correction of $49,000,000! A small matter, perhaps, for a gentleman who was making such charges, I admit. But think of a gentleman supposed to have official knowledge sending out to the country a statement of the matured indebtedness of this Government on the 1st day of January, and that statement requiring a reduction of $49,000,000 within three days!

But more than that, Mr. Speaker. The gentleman asserted that the $25,000,000 of refunded 4½ per cent bonds were matured indebtedness on the 1st day of January, 1892. Matured indebtedness! A bond bearing interest at the rate of 2 per cent, payable when? At the pleasure of the Government—next year, ten years hence, only when the Government desires to pay it. Such a bond is counted by the gentleman from Missouri as a "matured indebtedness." What does the gentleman mean by "matured?" What is to be said of such a statement as that sent broadcast through the country, that $25,000,000 of bonds, payable only at the pleasure of the Government, had matured on the 1st day of January, and were standing as an overdue liability.

Mr. DOCKERY. This administration defaulted on their payment.

Mr. DINGLEY. Ah; but the gentleman well understands that he was speaking of the 1st day of January; and he knew when he made the statement that at that time those $25,000,000 of bonds were not matured and were not an overdue liability.

Mr. DOCKERY. Those obligations were past due; this administration could not pay them because it had not the money.

Mr. DINGLEY. The gentleman's statement referred to the situation on the 1st day of January.

Mr. DOCKERY. The Administration had not the money to pay those obligations, and of course had to extend them.

Mr. DINGLEY. The Administration purchased and paid off the interest-bearing debt to the extent of $125,000,000 between July 1, 1890, and October 1, 1891.

The gentleman, proceeding, asserts that $30,000,000 of overdue and unpaid appropriations of the last fiscal year have come over to be paid in this fiscal year. Now, I venture to say that the gentleman has not any such official knowledge. All that is known respecting the matter is that there was a certain amount—a mere rough computation—say $30,000,000, the amount usually coming over from one year to another, which had not been expended at the end of the fiscal year 1891.

That is the situation at the end of every fiscal year. In continuous appropriations for public works there is always a certain amount which can not be expended within the fiscal year. For example, $100,000 was appropriated at the recent session of Congress for a public building, and included in the appropriations for the present fiscal year. Now, gentlemen, know that in this fiscal year nothing can be done except to secure a lot and pay for it, so that instead of the whole $100,000 being expended in the year, it is probable that not over $15,000 will be expended, $85,000 going over to next year. But is the balance entirely expended the next year? Never. It always takes two or three years to expend such an appropriation. Fifteen thousand dollars of the $100,000 may be expended this year; next year $25,000 more may perhaps be expended, and year after $25,000 more; and so on from year to year. That is the case with all continuous appropriations.

Yet the gentleman seeks to have the country understand that because $30,000,000 of appropriations for the last fiscal year had not been expended on the 30th day of June last, therefore this amount must all be expended during the present fiscal year.

I had a little curiosity to ascertain what proportion of the continuous appropriation coming over from one fiscal year to another is usually expended in the next fiscal year. The gentleman says that $30,000,000 of appropriations has come over from the last fiscal year. Now, I find that during the first six months of this fiscal year only $9,000,000 of the appropriations for the last fiscal year had been expended; yet every dollar was expended which could be efficiently and economically. On that basis there would be an expenditure in the whole fiscal year of only $18,000,000 instead of $30,000,000.

Now, how did the gentleman from Missouri figure out that $35,000,000 of the appropriations for the present fiscal year in excess of the revenue became a matured indebtedness on the 1st of January?

The gentleman from Missouri states that "the aggregate liabilities upon the national income for the present fiscal year are $544,531,672.55."

He reaches this figure by combining the regular annual appropriations of the last Congress, $359,560,586.49; the miscellaneous appropriations, $4,271,531.10; and the estimates of permanent annual appropriations, $122,486,808, all aggregating $486,318,925.99, and then adding to this sum $38,699,746.96 which were appropriated for and expended in the fiscal year ending June 30, 1891, and also $19,000,000 more which he thinks will be required this year. I must confess my surprise that the gentleman from Missouri should include as a part of this year's appropriations and expenditures the deficiency appropriation for the last fiscal year, and expended and included in last year's financial exhibit. Obviously these thirty-eight and a half millions have no place in any estimates for this year.

The appropriations for the present fiscal year are four hundred and eighty-six and a quarter millions, not five hundred and twenty-five millions, as the gentleman from Missouri assumes. Assuming that nearly nineteen millions, as the gentleman affirms, should be added to these figures for expenditures not estimated and deficiencies, etc., and deducting from the estimates of permanent appropriations, the sinking fund, and the post-office expenditures (seventy-one millions) paid from postal revenues (as the gentleman admits should be done), both amounting to one hundred and twenty and a quarter millions, then the whole amount to be accounted for in the present fiscal year is three hundred and eighty-five and a quarter millions, instead of four hundred and twenty-two millions, as claimed by the gentleman from Missouri. This, however, includes expenditures of about thirteen and a quarter millions on account of bank redemption fund, which are not,

in any proper sense, the ordinary expenses of government. Deduct this amount and there remains three hundred and seventy-two millions.

The assumption of the gentleman is that all the appropriations made for the present fiscal year must be expended during the year, notwithstanding he informs us that thirty millions of appropriations for the last fiscal year, which he proposes to add to the appropriations for the present year, were not expended.

Did it not occur to the gentleman that the same reasons which prevented the expenditure of thirty millions of last year's continuous appropriations would also make it impracticable to spend at least as large an amount of the continuing appropriations for this year? Did it not occur to the gentleman that continuous appropriations for public buildings, fortifications, docks, and other public works can not in the nature of the case be expended to any considerable extent in the first fiscal year after they are made, but must be carried over from year to year until they are completed?

Now, as a matter of fact, the appropriations for continuous public works were larger than usual, and consequently the amount of unexpended appropriations for continuing public works for the present fiscal year that can not be expended this year must inevitably be at least four millions more than the previous fiscal year, and make the amount of the appropriations for this year to be carried over to succeeding fiscal years at least four millions more than the thirty millions carried over from the last fiscal year, or thirty-four millions.

Bearing in mind, therefore, that eighteen millions of the unexpended continuous appropriations of last year will probably be expended this year, and that probably thirty-four millions of the continued appropriations for the present year must go over to future fiscal years, let us take up again the three hundred and seventy-two million appropriations made and possibly to be made, which, we have seen, appear charged to the present fiscal year.

In the first place, it will be observed that the appropriations for pensions are one hundred and thirty-five millions, but the expenditures for pensions for the first half of the present fiscal year were only a little over sixty-one and one-fourth millions, and the Commissioner of Pensions informs us that the expenditures for the whole fiscal year will not exceed one hundred and twenty-five millions. Inasmuch as at the end of the year this ten millions balance will be covered into the Treasury, this amount should be deducted from three hundred and seventy-two millions, leaving three hundred and sixty-two millions as the appropriations for this year.

But the Register's report shows that on the average at least five millions of the aggregate of the regular appropriations for each year are unexpended at the end of each fiscal year and are ultimately covered into the Treasury, as regular annual appropriations can be used only for payment of expenditures incurred in the fiscal year for which they are made. Then there are three millions appropriated with reference to the Choctaw lands, which can not be used this year for the reasons stated in the President's message. Deducting these eight millions, and also deducting thirty-four millions of continued appropriations, which there is good reason to believe can not be used this year, and there remains three hundred and twenty millions appropriated for the present fiscal year which it is probable will be expended.

If there be added to this eighteen millions of the unexpended balance of last year that will probably be expended this year, we have three hundred and thirty-eight millions as the probable expenditure for the current fiscal year, instead of four hundred and twenty-two millions, as the gentleman from Missouri claims; and thirty-four millions of continuous appropriations to go over to the next and succeeding fiscal years, just as about thirty millions have come over to this year from last year.

The Secretary of the Treasury says, in his annual report, that for the present fiscal year the revenues are estimated to be $362,000,000, outside of the $71,000,000 of the postal receipts which go directly to the maintaining of the Post-Office Department, and that the estimated expenditures, excluding the postal receipts expended, will be $338,000,000; almost exactly the figures as ascertained after two months' additional expenditures have been incurred. This results, not in a deficiency of $100,000,000, or thereabouts, as intimated by the gentleman from Missouri [Mr. DOCKERY], at the end of this fiscal year, but a surplus for the year of $24,000,000.

There will come out of this surplus whatever payments may be made on account of the bank redemption fund in excess of the amount deposited. While these are not current expenditures, yet as the Government has used $54,000,000 of the bank redemption fund, as authorized by the act of 1890, and paid off the debt to that extent, whatever bank notes of banks in liquidation or reducing circulation may come into the Treasury, must be redeemed from the current revenue, and it is estimated that there will be $13,500,000 required outside of receipts from deposits. So that at the end of this fiscal year not only will every expenditure that properly belongs to this year that can be wisely expended be paid from the revenue for the current year, but the $13,500,000 called for by the bank redemption fund, which fund has been used in redeeming the public debt, will also be paid, and there will still remain a surplus in the Treasury.

Now, Mr. Speaker, I have gone over these figures somewhat in detail because it seems to me that on a point of this importance, one that relates to a practical business matter, there ought to be no attempt to make party capital when that capital is to be made at the expense of the reputation of the Government; there ought not to be unfounded charges and statements made which go to the country and give the impression that this great Government is on the eve of bankruptcy. It is true, Mr. Speaker, that in October, 1890, a tariff bill was passed which largely reduced the revenue. That bill was passed in response to demands from one end of the country to the other that the revenue should be reduced to the actual wants of the Treasury, and that a surplus should not be piled up which could only be used in purchasing unmatured debt at a large premium.

Why, Mr. Speaker, in the Forty-eighth and Forty-ninth and Fiftieth Congresses nearly every gentleman who rose upon the other side of the House pointed his speech with the demand that the revenue should be reduced to the wants of the Government, and that a surplus should not be accumulated.

When the Republicans came into power in this House, in the Fifty-first Congress, they heeded the demands which the gentlemen upon the other side had not been able to respond to. They reduced the revenue, first, by the abolition of the duty on sugar, an article of food that enters into every family in the land, and which is consumed by the poor man nearly to the same extent that it is in the families of the rich. They abolished the duty because of the fact that nearly the whole consumption of sugar in this country must be obtained from abroad, and therefore that the duty must be added to the cost and be a tax upon the people. We reduced the revenue by that one act $60,000,000 per annum.

Now, Mr. Speaker, one would suppose that when gentlemen on the other side for four years had been demanding a reduction of the revenue they would have been exceedingly gratified at such an accomplishment. But no; when they had obtained what they professed to wish they were as much dissatisfied with that as when there was thrust upon them what they did not want. In view of this large reduction of revenue, the expenditures were expected to come very nearly to the revenue; and that is just what the gentlemen on the other side profess to desire.

In spite of the declarations that the Treasury would be bankrupt, a declaration that started in the last hours of the last Congress and has followed us all through the year, and notwithstanding this large reduction of the revenues, the official statement of the Secretary of the Treasury and the figures so far as they can be verified show that with this large reduction we still have ample revenue to pay all the legitimate demands upon the Treasury.

The surplus at the end of the year will be small; it ought to be small. The revenues ought to be substantially what are required for an economical administration of the Government, and they have been reduced to this extent. Now, I trust that gentlemen of this House, for I take it there is no difference of opinion upon that point, will be prepared in their appropriations to make them wisely economical and not niggardly parsimonious, which always results in loss, for in a wise appropriation of money the benefits that result are always such as justify the appropriation. In view of the fact that the revenue has been reduced wisely to this extent, and that our expenditures must and ought to be brought within this expected revenue, I am sure it will rejoice the great body of the citizens in this country, without distinction of party, to know that all the predictions that have been made of a bankrupt Treasury, predictions commenced months ago, predictions continued up to this hour, have all proved to be false and will continue to prove false.

The gentleman from Missouri [Mr. DOCKERY] says that the Secretary of the Treasury does not propose to set aside the amount that may be required for the sinking fund for the next fiscal year. I do not know whether he does or not, and I do not care. The sinking fund is simply an expedient of bookkeeping. It means nothing. At the time the sinking fund act was passed it strengthened the public credit. But now the Government needs no such expedient of bookkeeping. Its credit is better than that of any other nation. A payment on the sinking fund is simply a payment on the reduction of the public debt.

That is all it is; nothing more and nothing less. And by common consent we have reduced our revenue so as to not have a surplus which we can not get into circulation except by purchasing our bonds at a premium. And if we do not propose to go

into the market and buy our bonds at a premium of course we shall not have to place that amount in the sinking fund. The requirements of the sinking-fund act have already been met in advance, so that it will not be necessary to purchase bonds to apply to it for several years.

The gentleman intimated that the fifty-four millions of the bank-redemption fund, which was covered into the Treasury by the act of 1890, had been used to pay current expenses. But the fact is that every dollar of this fund and every dollar of the surplus in the Treasury, outside of the thirty-four millions now in hand, has been used in reducing the public debt.

There are other points which have been suggested in the debate to which I should be pleased to refer, but there are other gentlemen who desire to speak upon the pending resolution, and I must defer further reference to the work of the last Congress to another time.

The SPEAKER *pro tempore*. The gentleman from Iowa has eighteen minutes remaining.

Mr. DINGLEY. I return that to the gentleman from Iowa.

Mr. HENDERSON of Iowa. Mr. Speaker, I think it is twenty-three minutes, if the Speaker will again examine. [Cries of "Vote!"]

The SPEAKER *pro tempore*. The clerk who is keeping the time states to the Chair that the gentleman has eighteen minutes remaining.

Mr. HENDERSON of Iowa. I will ask the gentleman from Indiana if he wants to consume any more of his time.

Mr. HOLMAN. The gentleman from Texas will occupy ten minutes of the time which has been given him by the gentleman from Missouri.

Mr. HENDERSON of Iowa. Then the gentleman wants us to use the remainder of our time. I will say to the gentleman from Indiana that we might as well alternate a little.

Mr. HOLMAN. Mr. Speaker, I yield fifteen minutes to the gentleman from Georgia [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, if there ever was a time in the history of this country when the United States Congress should call a halt in the expenditure, extravagantly and unnecessarily, of the people's money, that time is now. From one end of this land to the other, and from one side to the other, there is a class of people in this country that are more depressed, more in debt than ever before since the history of the country began. I received a letter this morning from a State senator of my State, and in closing that letter he makes this remark:

> If you could come to Georgia now you would find the most important officer within the limits of our State to be the militia district constable, who is selling out at public outcry on every court day, from the earliest hour to the latest hour that the law permits, property that the farmers last spring paid from $150 to $175 for. They are now realizing only $20 to $40, and that is applied on their debts.

Mr. Speaker, there is a cause for this, and I want to appeal to our friends on the Republican side of the House, as well as to those on this side, and tell them that it is due to themselves and to their constituents that they should understand the cause and give the relief.

The gentleman from Iowa [Mr. HENDERSON] remarked a little while ago that this resolution introduced by the gentleman from Indiana [Mr. HOLMAN] was nothing more nor less than a platform. I suppose he meant a Democratic platform. Well, if it is that, and if it is all wrong, as you think, what business have you got with it? [Laughter.] Why not let it go out to the world wrong? If it is wrong it will only help the Republicans in 1892. But the very fight made by the gentleman against these resolutions contradicts the position which he takes on this floor. If these resolutions are adopted they will help on one side and hurt on the other.

Now, Mr. Speaker, I want to compare two periods in the history of this country, both when we were upon a peace footing. I want to take the period of 1860, when I understand the Republican party had possession of the House, and the period of 1891, when I know they had. In 1860 the expenditures of the Government were $63,130,598. With a population of 31,443,321, that was a tax of $2.08 per capita. At that time 21 pounds of cotton would have paid my part of the national tax. At that time one bushel and a half of Kansas wheat would have paid a farmer's part of the national tax also.

In 1891 the national expenditures were $365,773,905. There was $100,000,000 of money paid on the public debt, and in that $365,000,000 there was included $10,401,220 paid as premiums upon the national debt. In other words, we paid $10,441,220 for the privilege of getting in our bonds before maturity. That left us a tax of $6 per capita, and in that $6 is not included one great item of expense to the producer and the consumer—the millions of money paid by them to the protected "home industries," from which the Government does not receive a single dollar. [Applause on the Democratic side.]

If you could add that it would greatly increase the amount. The best estimate of that amount that I have seen comes from the gentleman from Illinois [Mr. SPRINGER], the chairman of the Committee on Ways and Means, and my recollection is that that estimate made it about $2.75 per capita. Add that to the $6 and you have $8.75 per capita paid by the producers of this country in 1891, as against $2.08 in 1860. It will now take 100 pounds of Georgia cotton to pay my part of the per capita tax. In 1860, 21 pounds of cotton paid this tax. In 1860 we had the virgin soil in Georgia, the Carolinas, Tennessee, Kentucky, and Alabama, and did not use fertilizers. Now there must be added to the cost of producing the cotton the cost of commercial fertilizers and during the interval we have had no new invention made of implements to help either to cultivate or to gather the crop, so that cotton costs now more per pound than it cost in 1860, and yet our national tax is four times as great per capita as it was at that time. In 1860, I repeat, one bushel and a half of Kansas wheat met the per capita tax. Now it takes eight bushels and a half.

Now, Mr. Speaker, I submit this proposition: How can the producers of this country live under such a system of taxation? How? Let me foot up. The State and county tax is estimated at $4 per capita. Add to that the municipal taxation, which I understand to be over $3 per capita, and you have over $7. Add that to the $8, and you have got a tax of about $15 per capita for every man, woman, and child in this country, being equal to, if not in excess of, the circulating medium of the country. What is it per family? Let us go back to the per capita tax of $6, made necessary by the expenditures of the recent billion-dollar Congress—and I want to say to the gentlemen on the Republican side who denied the proposition, that the amount comes as near being a billion as anything you ever saw that didn't figure out quite a billion.

What is it per family? Take a family of five persons. The national taxation amounts to about $40, the value of one whole bale of cotton. The State, county and municipal taxation is equivalent to two more bales of cotton; that is three bales of cotton in all. The families producing cotton in Georgia do not make on the average over six bales of cotton during the year; and you have three bales gone for national, State, county, and municipal taxation.

Mr. Speaker, I assert in my place without the fear of successful contradiction, that taxation in its last analysis means nothing but the sweat of the face.

Now the price of cotton has gone down from 10 cents in 1860 to 6¼ cents, the price in Augusta, Ga., to-day. Wheat has gone down in the same proportion. On the other hand the legislation of Congress, as I propose to show when a proper opportunity presents itself, is decreasing the price of farm products and increasing taxation. Thus taxation is increased while our means of paying taxes is reduced.

Is it not time, Mr. Speaker, that the farmers and other laborers of this country should be heard upon this floor—not from a partisan standpoint—I appeal to the good sense and honesty of our Republican friends—is it not time to grant relief?

Why, Mr. Speaker, the resolutions introduced by the gentleman from Indiana embody not only sound Democratic policy and principle, but they embody in their essence simple honesty and statesmanship; and I do not see how any gentleman on this floor, whether he belongs to the Democratic party or to the Republican party or to a "third party," can make up his mind to do anything else than support these resolutions.

The gentleman from Maine has said that we have no legislation introduced here which calls for these resolutions. I admit that fact; but, sir, we want to forestall any such legislation as we had in the last Congress: that is the purpose. I presume, sir, that if a resolution of this kind had been presented at the beginning of the last Congress it would have been adopted. And now, at the beginning of this Fifty-second Congress, let us plant ourselves upon the principles of retrenchment and reform. For whose sake? For mine? For yours? For the sake of the Democratic party or the Republican party? No. I appeal to you to do this for the sake of the people—for my constituency and yours—for the interest of the working people, north and south, east and west.

The gentleman says these resolutions are nothing but "buncombe;" that they present nothing practical. Mr. Speaker, if the seats on this floor could be vacated to-day and we could call in here agriculturists from Maine or Georgia, laborers from Texas or Carolina—if they could take these seats and discuss this resolution, I will guarantee that not two out of a thousand would ever think of opposing such a proposition. [Applause on the Democratic side.] No, Mr. Speaker; there are men in this country who would not consider these resolutions "buncombe;" they are looking to-day with their eyes and listening with their ears for

some sign of relief to be afforded by the legislation of this Democratic House. Shall they have it? Or will you send them back such word as we have received for the last twenty-five years from Washington City: "Work on, and we will take care of the Government?"

Now, Mr. Speaker, I say, in all kindness and sincerity, that the people who are behind us at our homes are in a desperate condition. Would not the passage of such a resolution as this encourage them? Suppose that it does not put a single dollar into any man's pocket; would not the poor farmer, who has seen his last mule or his last cow sold under the hammer of the constable, start out with brighter hope, with more encouragement to work during this year 1892 if he had before him this resolution, adopted by this House of Representatives, guaranteeing to him that he should not be overtaxed while we hold the reins of Government? I will stand by the essence of this resolution. Sink or swim, I am in favor of it.

Now, let our motto be in this session of Congress: Legislation for the people—such legislation as will meet the wants of all the people, from every section of this country, and thus restore the confidence of the people in the Government. [Applause on the Democratic side.]

Mr. HENDERSON of Iowa. Mr. Speaker, how much time does the gentleman from Indiana [Mr. HOLMAN] now control?

The SPEAKER *pro tempore*. Fifteen minutes.

Mr. DOCKERY. I yield the remainder of my time to the gentleman from Texas [Mr. SAYERS].

Mr. SAYERS. Mr. Speaker, as I have only ten minutes within which to address the House, I shall confine my remarks to but a single proposition, which is that unless the expenses of the Government be greatly curtailed, there must necessarily be a refunding of the bonded debt.

In his report to the present Congress, the Secretary of the Treasury estimates that the revenues of the Government for the fiscal year 1893 will be:

From customs	$195,000,000.00
From internal revenue	158,000,000.00
From miscellaneous sources	22,000,000.00
From postal service	80,336,350.44
Total estimated revenues	455,336,350.44

His estimates of appropriations required for the same period are as follows:

Legislative establishment		$3,492,089.95
Executive establishment—		
Executive proper	$143,850.00	
State Department	166,510.00	
Treasury Department	9,108,386.10	
War Department	2,247,178.00	
Navy Department	416,920.00	
Interior Department	5,202,924.00	
Post-Office Department	923,360.00	
Department of Agriculture	3,300,995.50	
Department of Justice	184,750.00	
Department of Labor	175,470.00	
		21,930,343.60
Judicial establishment		692,600.00
Foreign intercourse		2,138,466.14
Military establishment		26,299,170.77
Naval establishment		26,365,654.75
Indian affairs		8,603,907.76
Pensions		147,064,550.00
Public Works—		
Legislative	$1,041,885.00	
Treasury Department	3,125,479.95	
War Department	13,208,393.00	
Navy Department	828,985.05	
Interior Department	290,665.00	
Department of Justice	5,800.00	
		18,501,208.00
Miscellaneous—		
Legislative	3,076,141.86	
State Department	3,000.00	
Treasury Department	9,779,084.90	
War Department	5,501,861.60	
Interior Department	3,928,821.00	
Department of Justice	4,765,787.60	
District of Columbia	5,602,125.17	
		32,656,822.13
Postal service		80,323,400.51
Permanent annual appropriations—		
Interest on the public debt	$26,000,000.00	
Refunding—customs, internal revenue, etc	17,431,200.00	
Collecting revenue from customs	5,500,000.00	
Miscellaneous	24,300,680.00	
		73,231,880.00
Total estimated appropriations, exclusive of sinking fund		441,300,093.61
Or an estimated surplus of		14,036,256.83

It will be observed, Mr. Speaker, that in this estimate he fails to include the sinking fund for 1893—an appropriation or expenditure which is made necessary by law.

According to the Secretary's statement there may be expected a surplus of revenue over expenditures during the year 1893 of $14,036,256.83. But, as I have already said, the item for the sinking fund is excluded.

The total interest-bearing debt of the United States on January 1, 1892, is as appears in the following statement:

Total interest-bearing debt of the United States on January 1, 1892.

Loan.	Amount of principal.	Date of maturity.	Rate of interest.
Bonds issued in aid of Pacific railroads, maturing—			
1895	$2,362,000	January 16, 1895	6 per cent.
1895	640,000	November 1, 1895	6 per cent.
1896	3,680,000	January 1, 1896	6 per cent.
1896	4,320,000	February 1, 1896	6 per cent.
1897	9,712,000	January 1, 1897	6 per cent.
1898	29,304,952	January 1, 1898	6 per cent.
1899	14,004,560	January 1, 1899	6 per cent.
	64,623,512		
Funded loan of 1891 continued at 2 per cent.	25,364,500	Option of the Government.	2 per cent.
Funded loan of 1907	559,574,000	Redeemable after July 1, 1907.	4 per cent.
Refunding certificates	88,470	Convertible into 4 per cent bonds.	4 per cent.
Total	649,650,482		

From this it will be seen, Mr. Speaker, that the principal of the interest-bearing debt of the Federal Government amounts to $649,650,482. It is all redeemable at different dates on or before July 2, 1907. Beginning with the fiscal year 1893 and ending with the fiscal year 1907 there are fifteen fiscal years. If this indebtedness were separated into fifteen equal installments for payment there would be $43,310,032 principal to be retired each year in addition to the payment of the interest. The expenditure, Mr. Speaker, necessary to retire this amount annually can not be stated with certainty, as a large proportion of the indebtedness would have to be purchased before maturity at such prices as the holders of the bonds would be willing to accept.

It is impossible, therefore, to estimate what would be required to purchase annually bonds whose principal would aggregate $43,310,032, though it would be entirely safe to say that they could not be bought until maturity at their par value.

Now, the Secretary having omitted the sinking fund in his estimates for 1893, it is but right that his estimated expenditures should be increased by $43,310,032, which would have the effect to change his estimated surplus of $14,036,256.83 into a deficit of $29,273,775.17 against the Government of revenue as compared with expenditures during the fiscal year 1893.

It is my understanding, Mr. Speaker, that the law which requires the annual setting apart of the sinking fund is mandatory, and that it is made the duty of the Treasury Department to do so not only for the protection of the bondholders, but also that provision might be made for the retirement of the entire bonded indebtedness by the time it falls due. Should this law be disregarded, what will be the result? If the interest only be paid, as seems to be contemplated by the Secretary of the Treasury, then unless the expenditures be decreased and the revenues increased the bonded debt must inevitably be refunded when the principal matures.

For the first time since 1865 we find the current expenditures outrunning the current receipts.

Mr. Speaker, when the present tariff law was under discussion in this House during the first session of the last Congress, in a speech which I had the honor to then make, I predicted that during the year 1893 the annual revenues would not be sufficient to meet the annual expenditures.

I see my friend from Iowa [referring to Mr. HENDERSON] smiling. He has sufficient time left him in this discussion to answer this question, and I put it to him for a reply, if according to the estimate of the Secretary of Treasury, with the addition of a sinking fund, there will not be, for 1893, a deficiency of revenue as compared with expenditure.

Mr. HENDERSON of Iowa. He estimates a liberal surplus in that year alone. I was only laughing at the Democratic prophets generally.

Mr. SAYERS. Ah, the gentleman from Iowa may laugh now, but the time will come when he will be disposed to weep over the extravagance of the Republican party.

Mr. DOCKERY. They did in Iowa last fall. [Laughter.]

Mr. SAYERS. Mr. Speaker, it is evident, beyond all question, that if we are to pay off our bonded indebtedness as it matures one of two things must be done, the revenue must be increased or the expenditure must be diminished. I prefer the latter method. It will be more in keeping with the wishes and the interests of the people, especially of the laboring and agricultural classes. They do not desire to have a bonded indebtedness, with all of its burdens and with its exemption from taxation, to rest upon them and their posterity forever. The evils which they have already suffered under it have been scarcely bearable. Sir,

from the very foundation of the Government up to our civil war, whenever a bonded indebtedness existed, no Congress ever met or sat without a message from the President deprecating the existence of such an indebtedness and urging provision for its speedy payment.

It was a good policy then—it is a better policy now.

In view of the condition of the agricultural classes as portrayed by the gentleman from Georgia [Mr. LIVINGSTON], and of the Treasury, as announced by the gentleman from Missouri [Mr. DOCKERY], there is and there can be but one solution to this embarrassing question—lighten taxation, reduce expenditures, and discharge the public indebtedness as it falls due.

This was good Democratic doctrine in the better and purer days of the Republic, and it will be well for the country if we should adopt it as our faith and observe it in our practice during the present Congress.

Believing, Mr. Speaker, that the principles and policy enunciated in the resolutions under consideration, if observed in our legislation, will lead to a better and more economical administration and to the certain extinguishment of our national indebtedness when it matures, I shall vote for them. [Applause.]

[Here the hammer fell.]

Mr. HENDERSON of Iowa. Will the gentleman from Indiana finish his time now? He has five minutes remaining and we have eighteen.

Mr. HOLMAN. I think we have fifteen minutes remaining.

Mr. HENDERSON of Iowa. No, you had fifteen minutes before the gentleman from Texas [Mr. SAYERS] was recognized.

The SPEAKER *pro tempore*. The gentleman from Texas [Mr. SAYERS] was speaking in the unexpired portion of the hour occupied by the gentleman from Missouri [Mr. DOCKERY].

Mr. HENDERSON of Iowa. I asked the Chair how much time was remaining to the other side.

The SPEAKER *pro tempore*. The Chair misunderstood the gentleman.

Mr. HENDERSON of Iowa. Then, how much have gentlemen upon the other side now remaining?

The SPEAKER *pro tempore*. Fifteen minutes remain to the gentleman from Indiana [Mr. HOLMAN] and eighteen to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON of Iowa. Does the gentleman from Indiana wish to consume the remainder of his time now?

Mr. HOLMAN. Not now.

Mr. HENDERSON of Iowa. I yield five minutes to the gentleman from Illinois [Mr. HOPKINS].

Mr. HOPKINS of Illinois. Mr. Speaker, I am opposed to these resolutions, and I desire during the brief time that has been allotted to me to give to the members of the House some of the reasons for my opposition to them.

The first resolution asserts a principle which is all right in itself, standing separate and alone, but a principle which there is no more necessity for this House to adopt in the formal manner that is proposed by the gentleman from Indiana [Mr. HOLMAN] than there is for a man of probity and intregity to carry a placard upon his back reading "I am an honest man."

The man who goes about the country parading his honesty and integrity is a man who ought to be watched; and the Congress that starts out before it is fairly organized with the adoption of a resolution declaring that it is going to be an honest Congress and an economical Congress, is one that it will be well for the people of this country to watch. If the gentleman who presented these resolutions meant nothing but a declaration of principle in the first resolution, all well and good; but if by that he meant to cast any reflections upon the late Republican Congress, then I hurl back his insinuation with scorn and contempt.

No argument that has been indulged in by the gentleman on that side against the so-called billion-dollar Congress has pointed out a single appropriation that was either unjust in itself or extravagant from an economical standpoint; and I defy any gentleman upon that side to specify any appropriations that were made by the Fifty-first Congress that fair dealing and honest statesmanship will not indorse. I oppose these resolutions in the form presented by the gentleman from Indiana [Mr. HOLMAN], because there is no more relation or logical connection between the first resolution and the second than there is between the second resolution and the Lord's Prayer or the Ten Commandments. The first resolution recites that no bounties or money or subsidies should be granted for private purposes.

Why, Mr. Speaker, in all the history of this country the learned author of this resolution can not point to a Congress that has ever taken money from the public Treasury and appropriated it for private and special purposes. In the argument which he made to the members of this House during the early stages of this day's session he said something about public lands; but, Mr. Speaker, as was stated by the gentleman from Iowa [Mr. HENDERSON], the first great leader in appropriations of this kind was the idol of the Democracy and is the idol of the Democracy to-day, the late Stephen A. Douglas, of Illinois. And one of the most eloquent advocates of appropriations of that kind was the late Vice-President Hendricks, of Indiana. I remember, Mr. Speaker, in the Forty-ninth Congress hearing a Representative from Illinois, Col. Morrison, one of the ablest and most honest Democratic Representatives that ever held a seat upon this floor, defend these appropriations upon the ground that the exigencies of the country at that time demanded that such appropriations should be made.

[Here the hammer fell.]

Mr. HOPKINS of Illinois. I ask the gentleman from Iowa [Mr. HENDERSON] to yield a minute more.

Mr. HENDERSON of Iowa. I will yield one minute more.

Mr. HOPKINS of Illinois. I oppose the second resolution because it is misleading to the members of this House. During the last Congress, with a unanimity that I have scarcely ever seen in any legislation during my experience in Congress, provision was made for a great World's Columbian Exposition at the city of Chicago in 1893. Under that the President of the United States has been authorized to and has extended an invitation to all of the great powers of the world to participate in that marvelous enterprise.

If these resolutions are passed, no man who votes for them can vote for any appropriations to carry on that exhibit, or even to keep up the incidental expenses that the Government has already assumed. And I wish to warn the members from the State of Illinois and the great Northwest, and all over the country, who take a national pride in this the greatest enterprise of the present age, that they can not afford to vote for these resolutions if they expect to give Government aid to this Exposition. [Applause on the Republican side.]

Mr. HENDERSON of Iowa. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. MCKENNA].

Mr. MCKENNA. Mr. Speaker, the explanation given by the gentleman from Indiana [Mr. HOLMAN] to-day destroys somewhat my interest in these resolutions. If they are not intended as a declaration of policy, anticipating and precluding every form of legislation which carries a dollar of appropriation for any purpose except the mere routine conduct of the Departments, they are scarcely worth much attention even as buncombe. But, Mr. Speaker, I wish to direct the candid scrutiny of the House to them. They either mean nothing or they preclude consideration of the matters mentioned in them. Let me read the first few lines:

> That, in the judgment of this House, the granting of subsidies or bounties by Congress, in money, public lands, bonds, or by indorsement, or by pledge of the public credit, to promote special private industries or enterprises of corporations, independent of the question of the constitutional power of Congress to make such grants, is unjust and impolitic, and in manifest conflict with the spirit of our republican institutions.

Mr. Speaker, why not only the matters enumerated in this resolution, but all matters granting anything, with the understanding that the constitutional power of Congress is against the spirit of our republican institutions? And, sir, with the solemn gravity of declaring that whatever is unconstitutional is against our institutions, yet the gentleman from Indiana says we are all schoolmasters.

But, sir, passing the confusion of thought and language that is in this resolution, what does it mean? Is it, as has been said, an attack upon the sugar bounties?

Why, Mr. Speaker, that is removed from controversy in this House, or from peril now in this body. That is triumphant. If you wish to bring it into controversy it must be before a different assize than this House of Representatives. As has been said, there is no effort, or will be no effort, to grant any public lands to any corporation for private, or may be for any purpose. I submit that that is a mere echo of a long time dead thing. Let it rest. Is there, then, anything in the resolution? It may be, as has been said, antagonizing in anticipation any subsidy or grant of aid to the Nicaragua Canal. If so, I do not think that you could unite even Democrats on that line; you should not unite anybody. Do you want to preclude its very consideration? Mr. Speaker, the section of country I represent has a very strong sentiment in favor of that question. The Chamber of Commerce of the city of San Francisco, composed of both Republicans and Democrats, has memorialized Congress to grant aid to that canal. Now, without saying it is a proper policy, or a bad policy, I do say they are entitled to consideration.

Now, Mr. Speaker, I tried to elicit yesterday by an inquiry of the gentleman from Indiana what these resolutions mean, but was cut off by parliamentary law. To-day he makes an explanation at which everybody must wonder. Is it possible, gentlemen, that it is indispensable to make the Democratic policies obscure? One of your great leaders has warned you against finessing, pointing that when you go to the voter he looks for sincere and honest dealing, and looks for plain and true dealing. Why do your lead-

ers not quit finessing and tell us distinctly and clearly what their policy is?

[Here the hammer fell.]

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. MCKENNA. I had not got through. [Laughter and applause on the Republican side.]

Mr. HENDERSON of Iowa. I now yield to my colleague [Mr. DOLLIVER].

Mr. DOLLIVER. Mr. Speaker, I will not undertake to add a word to the defense of the last Congress, and to the statement of the condition of the Treasury, which have been so fully set forth by my colleague [Mr. HENDERSON], and by the gentleman from Maine [Mr. DINGLEY]. Since I have been here I have never seen the knife of legitimate criticism so thoroughly applied to the windbag of cheap declamation on the fiscal affairs of the Government. The exposure made to-day of the concerted attack upon the "billion-dollar Congress," incited by the Democratic press, has been so complete that, for the future the phrase will hardly be accepted as an epithet, much less as an argument, among thinking people.

The party that expects to convince the American people by writing "billion-dollar Congress" on the fences and housetops, after the manner of patent-medicine advertisements, occupies an intellectual level obviously below the average intelligence of the public. Everybody knows the important appropriation bills in the last Congress were unanimously reported from careful committees, in which the party in power had only a bare majority. Nor in any debate on these measures did any Democratic member point out any specific act of waste or improvidence. No Democratic newspaper, since the adjournment of that Congress, has been candid enough to name the item in these appropriation bills that is objectionable on the score of extravagance. The two hours consumed to-day by zealous Democratic eloquence, enlisted in the cause of retrenchment, has not brought to the surface a single section in these bills open to partisan attack on the ground of prodigal expenditure. Nobody denies that the allowance for public expenses made by the last Congress was largely in excess of the allowance of the Fiftieth Congress. But, leaving out the pension appropriations, the excess of the Fifty-first Congress over the Fiftieth is not so great as the excess of the Fiftieth over the Forty-ninth.

Total regular annual and permanent appropriations Forty-ninth Congress	$746,342,495.51
Total regular annual and permanent appropriations Fiftieth Congress	817,963,859.80
Increase Fiftieth over Forty-ninth Congress	71,621,364.29
Increase in appropriations for pensions by Fiftieth over Forty-ninth Congress	9,789,700.00
Net increase for ordinary expenses	61,831,664.29
Total regular annual and permanent appropriations Fifty-first Congress	988,417,189.34
Increase Fifty-first over Fiftieth Congress	170,453,323.54
Increase in appropriations for pensions by Fifty-first over Fiftieth Congress	113,312,351.69
Net increase for ordinary expenses	57,140,971.85

This is a country that expands in all the directions of growth. It is not surprising that the cost of the Government should increase from Congress to Congress. It would be unaccountable if did not. The people of the United States care more for the way this Congress spends money than for the amount it spends. There are economies that do not save, and no wise and useful expenditure is a waste.

As might be expected, the only point in the appropriations of the last Congress that has been dignified by the Democratic press with the statement of a specific and tangible complaint is the provision for the payment of pensions. Congress had scarcely enacted the law of June 27, 1890, before the whole pack of prejudice and malice was in full cry against the pension system. The total increase in all departments by the Fifty-first Congress over the Fiftieth was $170,453,323.54, and of that sum $113,000,000 was the increased provision for the comfort of the surviving veterans of the Union Army.

I have studied with some attention the origin and significance of this outcry against the Fifty-first Congress. It comes from the great centers of wealth and business where avarice and greed are teaching men to despise the claims of those who in their age and infirmity need the help of the nation which their service preserved. If you will take up the New York Herald, a leading organ of Democratic opinion, you will find that it keeps standing upon its editorial page a daily advertisement of the Democratic displeasure over the appropriation of enough money to keep the wolf from the door of the men and the women who were faithful in the years of the national disaster. Though the paragraph usually appears just beneath the time-worn exhortation "never print a paid advertisement as news," one who has read it daily for nearly two years is almost tempted to consider it as an advertisement masquerading as news under pay from the treasury of partisan hatred. The item is as follows:

The expenditures for pensions for the fiscal year ending June 30, 1891, as now officially stated, amounted to $124,415,951.40. In the fiscal year ending June 30, 1890, we paid $109,357,534, while in the year before that we paid $87,644,779.11. In the last ten years our pension payments have amounted to $776,282,100.07. The cost of the German army, it may be interesting to note, is for this year estimated at $80,979,733. Besides our pensions our Army costs over $30,000,000.

Without stopping to examine these figures, I will give this Democratic newspaper credit for a candor and fairness not visible in the statement of the Democratic grievance here to-day, a candor that openly avows the only authentic ground of Democratic complaint against the appropriation bills of the last Congress. And without stopping to argue the pension question, I will only say that we make no apology either here or elsewhere for that splendid act of gratitude which, at least in some meager sense, has placed the national abundance between the remnant of the Union army and the approaching burdens of age and poverty.

If this is not the true ground of the Democratic complaint, what is it? It is not directed against the Post-Office Department. The entire business community recognizes the growing needs of that Department, now nearly self-supporting, and no expenditure of money which improves the postal facilities and brings the conveniences of a rapid and reliable mail service to the people of the United States is open to fair objection. At the present moment popular opinion is demanding a cheaper postage, an extension of free delivery, and a variety of reforms wholly inconsistent with a policy of niggardly appropriations.

I am in favor of every reasonable economy, but not of a paltry scheme of parsimony to the detriment of the public service. The complaint is not directed against the increase of the naval appropriations of the last Congress. It is true that the maturing obligations of the Navy Department, left over from the acts of preceding Congresses, and the construction of suitable vessels for coast defense, expanded the appropriations for the naval establishment in the last Congress; but I venture to say that few men with a true appreciation of the national situation and a ready sense of the national dignity, regret the increase of that expenditure or desire to abate the policy which seeks to provide for our coasts an adequate defense, and for our citizens and interests abroad an adequate protection.

While we ought not to seek the doubtful glories of war with the weak and troubled republics of the South, yet we must not abandon the measures which aim to equip our Navy with the improved implements of modern warfare. The traditions of the United States coming down from the past and the interests of the country looking far into the future equally require us to maintain at least the naval strength that will exempt our seamen in foreign ports from brutal assault and the flag of our legations in foreign capitals from insult.

The Democratic party is not complaining about our extravagance in the improvement of rivers and harbors. The most of that appropriation went to the great rivers of the South, and millions at one stroke to an artificial harbor in Texas. I am not prepared to say that any portion of it was a waste of public money. I only know that those of us in the last House who thought so could not find enough sympathizers in that body to get a division on the question of passing the bill.

Nor are they complaining on account of the provision of public buildings in the prosperous cities of the country for the convenience of the courts and the transaction of the business of the United States Government. The chosen apostles of economy on both sides of this Chamber were personally concerned in that alleged raid on the Treasury. I agree perfectly with that portion of the resolutions which declares against subsidies to "special private enterprises." Nobody has ever proposed to aid by cash or credit any enterprise not evidently of a public character and of evident national importance. Even the bounty given by the last Congress to the producers of sugar was given on the ground that the creation of that great agricultural industry is of vast and unquestionable public benefit, and especially to the West. If that bounty is objectionable, let the Democratic majority of this House move for its repeal, and, as has been said in this debate, they may find Republican coöperation enough to remove the law from the statute book.

I am disposed to question the wisdom of the second resolution, because I believe it will tend to cripple the freedom of this House in dealing with great enterprises not strictly within the scope of the various fixed departments of the public service, that are entitled to the generous consideration of the people and of this House. I am glad that my friend from Illinois [Mr. HOPKINS] has referred to the Columbian Exposition, an enterprise that would at least be prejudiced by the passage of this resolution.

Mr. Randall, in the debate in the Forty-fourth Congress, to which the gentleman from Indiana [Mr. HOLMAN] has called our attention, made an express exception in favor of the Centennial Exhibition at Philadelphia. The terms of the resolutions then pending enabled him to do that.

We ought not to bind ourselves in any way that will embarrass us in dealing with the new and urgent demands of the public service, or with the great public interests with which the American people are concerned. The explanations that have been drawn from the distinguished chairman of the Appropriations Committee go far to remove these objections. But we are dealing with his resolutions and not with his speeches. So that, while I indorse the first resolution, and am in favor of every reasonable economy in the management of the public funds, I am opposed to this cunning method of advertising the faded virtues of the Democratic party, and am constrained to vote against the resolutions. [Applause on the Republican side.]

Mr. HENDERSON of Iowa. I yield three minutes to the gentleman from Maine [Mr. MILLIKEN].

Mr. MILLIKEN said: Mr. Speaker, I shall not attempt to discuss this resolution in the short time allotted to me. I rise simply to express my admiration for the sublime faith and the magnificent magnitude of the bump of hope of m friend from Georgia [Mr. LIVINGSTON], who, after stating the deplorable condition of his constituency, said he should come to the Democratic party for relief. [Laughter on the Republican side.]

Why, my friend, do you not know that the Democratic party never yet relieved anybody? Are you not aware that only the other day, when we proposed that $100,000 should be appropriated to procure ships to carry the provisions already contributed by our generous people to the suffering poor of Russia, the Democratic party could not be depended upon for even that amount of relief to their poor starving fellow-men across the sea?

Why, if it could even relieve itself of its record of iniquities made within the last thirty years, it would accomplish a task greater than that of Samson when he pulled down the pillars of the temple, or Hercules when he cleared out the filth of the Augean stables.

I say again, whom has the Democratic party relieved? To the rescue of what class of our countrymen has it come? What American industry has it favored? When have the workingmen of the country found it a friend? Point me to the statute which it has enacted in the interest of the farmer, the mechanic, or the merchant; refer me to the measure which it has formulated and advocated for the benefit of the American people. You can not designate one.

From the inception of the rebellion in 1861 to this hour the Democratic party has not framed a bill, it has not moved a measure, it has not championed a principle of great national scope that is to-day a law of this country.

On the contrary, almost if not quite all the laws which have been enacted during this generation, which the people have found to be wise and beneficent, have been passed in spite of the determined and stubborn opposition of the Democratic party.

I invite my friend from Georgia [Mr. LIVINGSTON] in his own time, to show me one patriotic measure now a law of the land of which the Democratic party can claim paternity.

Why, sir, the Democratic party for twenty-five years has stood in the objective case both in Congress and the country, finding fault with everything, misrepresenting everything which a great, wise, patriotic party has done, and finally catching up with the train, after lagging in the rear for a few years, and driven by events to reluctantly get on and ride with us in the cars that they had vainly endeavored to throw off the track. But it is a hard party to please. How long is it since you were arraigning us gentlemen for holding a large surplus in the Treasury, which you declared should be sent out to circulate among the people? Did you not arraign us for having a plethoric Treasury?

Did not your orators in 1884 reproach the Republican party for having, as they falsely declared, $400,000,000 of the people's money in the Treasury, and does not the gentleman from Indiana [Mr. HOLMAN] and other gentlemen, who were in the Forty-ninth Congress, remember the humiliating silence of gentlemen on the other side of the House when the falsity of this charge was shown?

And now you are grieved that the Treasury is not plethoric, and by garbled quotations from reports and misrepresentation of facts and figures, seek to impress upon the country that we are on the verge of bankruptcy.

Will the time ever come when the Democratic party will not see its best hope of success in the people's misfortunes and the country's distress; when it will not predict calamity with an emphasis which shows how much it is like the old grave digger, who hoped for the cholera to come and give him business.

I am thankful that I belong to a party which can see its own success in the country's prosperity, and never expects to climb to power up the ladder of the people's misfortunes.

But the gentleman from Indiana [Mr. HOLMAN], referring to our tariff legislation, I presume, says that England and Germany have fattened upon our system of subsidies. Did the gentleman never think how England and Germany and other foreign countries would fatten at our expense should his policy of revenue tariff, that is, free trade in common parlance, be adopted by our Government?

He would hoist the gates and let the products of the pauper labor of the Old World flow freely in upon us, compete with the products of our own working men, our farmers and mechanics, reduce their income to a mere pittance, or drive them into idleness and poverty. It is in order that England and Germany and other countries shall not fatten at our expense that we have provided a way to so raise our revenues as to protect the labor and industries of our own people.

But one word more as to the bankruptcy of the Treasury. We received the Government from the Democratic party in 1861 with its Treasury depleted and its credit so poor that it borrowed money with difficulty at 12 per cent interest. We turned it over to the Democracy in 1885, after we had administered it for twenty-four years, with a full Treasury, and notwithstanding we had taken it through a great civil war, having a credit not surpassed by that of any nation on the globe.

Its debt, $2,756,000,000 in 1865, has been reduced to eight hundred millions, and the $125,000,000 which we are paying as pensions is offset by an equal amount which we have saved in annual interest upon the public debt.

There is no page in the record of the Republican party which we fear to read to ourselves or to others, and there is none in the country's history brighter than that which relates its transactions and honors its name.

Mr. HOLMAN. I yield three minutes to the gentleman from Alabama [Mr. WHEELER].

Mr. WHEELER of Alabama. Mr. Speaker, I fully concur in so much of the remarks of the gentleman from Iowa [Mr. DOLLIVER] as expressed an approval of wise and judicious expenditures of the people's money, and I can assure him we are joined by this entire side of the House. But the general tenor of the gentleman's remarks indicates that he could not have read the resolution which is under consideration.

The resolution simply opposes—

The granting of subsidies or bounties by Congress in money or public lands, etc., to promote special private industries or enterprises of corporations, etc.

I shall vote for the resolution. The gentleman and his party friends will oppose it, because the granting of such subsidies and bounties has been the general occupation of the Republican party. [Laughter on the Democratic side]. The gentleman who has just taken his seat [Mr. MILLIKEN] said that the Democratic party had never relieved anybody. Sir, the Democratic party has never robbed anybody, and the Republican party in its entire career has enacted legislation which has robbed the poor people of our land. [Laughter and cheers on the Democratic side.] The gentleman from Illinois [Mr. HOPKINS] said he hurled back our charges regarding his billion-dollar Congress with scorn and contempt; the people, "six million of them" hurled back your action in that Congress with scorn and contempt last November. [Laughter and applause on the Democratic side.] The people then expressed an opinion similar to that which is embodied in these resolutions. We denounce that action of yours in the last Congress, and we on this side of the House pledge ourselves to all the people that such criminal waste of their money shall never be repeated.

The gentleman from Iowa [Mr. DOLLIVER] asked what measures of the Fifty-first Republican Congress had been criticised by the country. I can not go over all the profligate expenditures of that remarkable body, but I will take time to mention two stupendous frauds which have been very generally criticised. One was the subsidy gift by the Republican party of about $15,000,000 a year to the steamship companies to increase the fortunes of some of the millionaires of our country, many of whom have become millionaires by means of the corrupt legislation of the Republican party.

Mr. MILLIKEN. Will the gentleman yield for a question?

Mr. WHEELER of Alabama. Yes, sir; for one question.

Mr. MILLIKEN. I desire to ask the gentleman whether in his early days, when we liked him better than we do now, he was not in favor of that legislation, and whether he did not afterwards change front?

Mr. WHEELER of Alabama. I never was in favor of any bill which sought to draw money by taxation from the people of our land and donate it to rich corporations, and that has been the practical working of the bill, which is one of the measures sought to be denounced by the resolution under consideration.

I have never advocated subsidies under any form. I have always opposed them in my speeches and votes on this floor.

The contemplation of our decayed, dying, and almost dead merchant marine has given me sorrow and pain, and I have and I always will advocate the enactment of laws which will restore our proud and honored flag to the ocean; but I contend that this can best be done by the repeal of the laws passed by Republicans, which destroyed our shipping, and not by the method espoused by them of taking the people's money to endow and enrich the Pacific Mail and other great steamship companies.

During the closing hours of the last Congress this law was enacted and this enormous donation of the people's hard-earned money to enrich favorites of the Republican party was made without one word of debate.

I read from page 3504, RECORD of the Fifty-first Congress, second session:

Mr. CANNON. Mr. Speaker, I now move to recommit the bill to the Committee on Merchant Marine and Fisheries, with instructions to report forthwith the following which I send to the Clerk's desk.

Mr. Cannon then said, page 3505:

I am compelled upon that motion to move the previous question.

The bill was not recommitted to the committee, but was instanter illegally reported back to the House by the chairman.

The Speaker [Mr. REED] ruled that this was all right, although four years previously (July 10, 1886) he made a strong argument directly opposing this position.

The Speaker [Mr. REED] also ruled that the point of order would not lie against that part of the resolution which fixed a time for the report to be made, although he ruled exactly the contrary when Mr. BLAND offered a resolution directing that the pawnbroker silver bill be recommitted and that the Committee on Coinage be instructed to report back a free-coinage bill, at the same time fixing the next Tuesday as the time for the report to be made.

Again the Speaker ruled that the subsidy bill was privileged, which was entirely without authority. All these extraordinary rulings were necessary to enact this law, which it is the duty of the Democratic party to, if possible, repeal. Another law which we denounce is the so-called land-forfeiture bill, the real purpose of which appeared to be, so far as lay in their power, to give and confirm a grant of over 40,000,000 acres of land to the Northern Pacific Railroad. This the Speaker accomplished by refusing to recognize questions of privilege and actually directing the bringing up of the bill while a member was on the floor demanding to be heard upon a question of privilege; the Speaker turns away and says:

The Chair desires to recognize the gentleman from Illinois.

[Here the hammer fell.]

Mr. HOLMAN. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. HOOKER]. [Applause.]

Mr. HOOKER of Mississippi. Mr. Speaker, in the few moments allowed me I do not propose to discuss the financial condition of the country, nor am I disposed to debate any other proposition than simply the propriety or impropriety of adopting these resolutions. That they contain a declaration of principle which commands the respect of both sides of this House is, I think, evidenced by the fact that the distinguished gentleman from Maine [Mr. DINGLEY] has introduced a substitute embracing almost the very same declaration contained in the resolutions of my eminent friend from Indiana. These resolutions embody a declaration in behalf of the people which it has been customary to make in former times—one which commends itself by the simplicity of its language.

To the first resolution I suppose not a single member of this House can object. It declares in substance that the expenditures of this Government should be made in accordance with the great principle laid down by the founder of the Democratic party, Thomas Jefferson—"equal and exact justice to all, special favors to none." [Applause.] This first resolution can certainly excite no opposition in the breast of any Democrat on this floor.

As to the second resolution, so far as it declares that no appropriation should be made except in a frugal and economical spirit, I give it my hearty subscription. But, sir, with entire respect for the gentleman from Indiana, whose service in this Hall I have witnessed for so many long years and whose faithful adherence to the public interests has distinguished him in every Congress of which he has been a member, I may be permitted to say that the concluding clause of the second resolution proposing to restrict appropriations to such as may be needed for economical expenditures in each department of the Government is rather too narrow in its phraseology, and should be amended so as to embrace every good public purpose that looks to the advancement of the interests of the country. [Applause.]

I believe it is the desire of my honorable friend, the author of these resolutions, to broaden the scope of the second resolution, so that it may not be subject to criticism—unjust criticism, as it will probably prove to be when the gentleman shall have made further explanations—as to what is meant by the term "department." So far as the resolution implies that our appropriations should be limited to what is absolutely necessary for the annual expenses of each department of the Government, I am satisfied that my friend from Indiana, in order to meet the views of his friends on this side of the House, should broaden the language of the resolution so that it may not hamper any future action which it may be desired to take in such direction as I have indicated. I believe that my friend from Indiana, if the House will allow a reconsideration of the matter, will be willing to amend the proposition so as to meet the views of every member on this side of the Chamber and, I think, every liberal man on the other side.

Mr. HOLMAN. I now yield two minutes to the gentleman from Ohio [Mr. OWENS].

Mr. OWENS. Mr. Speaker, in the few minutes allowed me I desire simply to say to the Democratic side of this House that I can not vote for this resolution as it stands. I think that if such a proposition as this were submitted in a court of justice any lawyer would be disposed to file a motion to make it more definite and certain. I see nothing in the resolution except a disposition to require of the members of this House collateral security that they will do what they ought naturally to do without any such resolution. I have not been in the habit of signing pledges for the accommodation of anybody. I represent a constituency that expects me to vote independently and right on every bill; and why I should "resolute" now what I will or will not do in the future, seems to me as useless folly. For that reason I object to the resolution.

As to the theatrical part of this proceeding, which has occupied the principal part of this afternoon in the making of stump speeches upon the two sides of the House, I have no interest. But I do seriously object to this resolution as it now stands, and I shall vote against it, as I think every other independent man should do, unless it shall be properly amended before coming to a final vote.

[Here the hammer fell.]

Mr. HOLMAN. Mr. Speaker, I will occupy only a moment of the time which is left, in entering a motion to reconsider the vote by which the previous question was ordered. That motion, if made at all, should, I presume, be made to-day. I enter the motion out of abundant caution. I hope the House will now adjourn, as it is quite late; and if it is found desirable to make the language of the second resolution any more specific than it now is, action for that purpose can come up for consideration to-morrow.

Several MEMBERS. We can not hear.

The SPEAKER *pro tempore*. The gentleman from Indiana will suspend until the House comes to order.

Mr. HENDERSON of Iowa. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. HENDERSON of Iowa. I could not hear the statement of the gentleman from Indiana correctly, and I think other members are in the same condition. Do I understand that the gentleman from Indiana entered a motion to reconsider?

Mr. HOLMAN. My statement was that out of abundant caution I would enter a motion to reconsider the vote ordering the main question, and will determine by to-morrow morning, if the House should now adjourn, whether I will withdraw or press that motion.

Mr. REED. The gentleman withdraws for repairs? [Laughter and applause.]

Mr. HOLMAN. Yes, sir.

The SPEAKER *pro tempore*. The gentleman from Indiana enters a motion to reconsider the vote by which the previous question was ordered.

Mr. DOCKERY. I desire to ask unanimous consent before the House adjourns that gentlemen who have made remarks on this pending question may be permitted to extend them in the RECORD.

There was no objection, and it was so ordered.

Mr. SPRINGER. I desire to move that the House do now adjourn, but will ask permission first to introduce a bill for reference. [Laughter.]

The SPEAKER *pro tempore*. The Chair will state that the motion to adjourn would cut off the opportunity the gentleman seeks.

Mr. SPRINGER. Then I will not make the motion to adjourn, but ask unanimous consent to introduce a bill for reference.

The SPEAKER *pro tempore*. The title will be read.

The Clerk read as follows:

A bill to admit all wool free of duty, and to repeal the duty per pound and per square yard on woolen goods.

The SPEAKER *pro tempore*. Is there objection to the introduction of the bill for reference?

Mr. OWENS. I object, unless the motion to adjourn is not pressed, so that we may dispose of this other matter.

Mr. SPRINGER. Then I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 37 minutes p. m.) the House adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. ATKINSON: A bill (H. R. 3739) to remove the charge of desertion from the military record of Robert McCormick—to the Committee on Military Affairs.

By Mr. BELDEN: A bill (H. R. 3740) granting a pension to Almira Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3741) granting a pension to C. A. J. Castallo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3742) granting a pension to Thomas Curry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3743) granting a pension to William H. Britton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3744) granting a pension to Charles H. Perry and Philander Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3745) increasing the pension of Anna G. Valk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3746) granting a pension to Henry W. Hewett, late private Company K, Eighty-fifth Regiment New York Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3747) granting a pension to Mrs. Amanda M. Cardner, of Liverpool, N. Y., widow of Edson D. Cardner, late lieutenant Third New York Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3748) granting a pension to Catherine O'Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3749) granting a pension to Mary E. Hewitt—to the Committee on Pensions.

Also, a bill (H. R. 3750) granting a pension to Mrs. Ann Colegrove—to the Committee on Pensions.

Also, a bill (H. R. 3751) for the relief of Capt. Henry S. Pratt—to the Committee on Military Affairs.

Also, a bill (H. R. 3752) for removal of charge of desertion from record of N. A. Bates—to the Committee on Military Affairs.

Also, a bill (H. R. 3753) for the removal of charge of desertion from Frank A. R. Gray—to the Committee on Military Affairs.

Also, a bill (H. R. 3754) for the relief of J. J. Lints—to the Committee on Claims.

Also, a bill (H. R. 3755) for the relief of Theodore H. Weed, late second lieutenant Company A, Tenth New York Cavalry, acting quartermaster and acting commissary of subsistence—to the Committee on War Claims.

Also, a bill (H. R. 3756) to incorporate the Metropolitan Gaslight and Fuel Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. BELKNAP: A bill (H. R. 3757) for the removal of the charge of desertion of James L. Thomas—to the Committee on Military Affairs.

Also, a bill (H. R. 3758) granting a pension to Mrs. Jane McNeil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3759) granting a pension to Electa Ann Stewart—to the Committee on Invalid Pensions.

By Mr. BELTZHOOVER (by request): A bill (H. R. 3760) granting a pension to Harrison Wagner—to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 3761) for the relief of John J. Hughes—to the Committee on War Claims.

Also, a bill (H. R. 3762) for the relief of George Barron—to the Committee on War Claims.

By Mr. BOUTELLE: A bill (H. R. 3763) granting an honorable discharge to Malcom Johnson—to the Committee on Military Affairs.

By Mr. BRETZ: A bill (H. R. 3764) for the relief of Mary G. Giles—to the Committee on Invalid Pensions.

By Mr. BRODERICK: A bill (H. R. 3765) for the relief of Charles Rayfield—to the Committee on Military Affairs.

Also, a bill (H. R. 3766) for the relief of Anna Seiler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3767) granting an increase of pension to George W. White—to the Committee on Invalid Pensions.

By Mr. BROOKSHIRE: A bill (H. R. 3768) for the relief of Mary A. Bridwell—to the Committee on Military Affairs.

Also, a bill (H. R. 3769) for the relief of Mrs. Phœbe Prince—to the Committee on Military Affairs.

By Mr. BROWN: A bill (H. R. 3770) for the relief of the legal representatives of Jacob Schiffer and Samuel Schiffer, deceased, forming the late firm of J. Schiffer & Co.—to the Committee on War Claims.

By Mr. CHEATHAM: A bill (H. R. 3771) for the relief of Mrs. A. S. Rawls, of Green County, N. C.—to the Committee on War Claims.

By Mr. CLOVER: A bill (H. R. 3772) for the relief of Stacy Matlack, of Arkansas City, Kans.—to the Committee on Claims.

Also, a bill (H. R. 3773) to reimburse John Morgan, jr., for loss sustained by robbery of post-office at Weir City, Kans., January 30, 1890—to the Committee on Claims.

Also, a bill (H. R. 3774) granting a pension to John Benn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3775) granting an increase of pension to James Morgan—to the Committee on Invalid Pensions.

By Mr. COBB of Alabama: A bill (H. R. 3776) for the relief of A. W. Davis, of Autauga County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 3777) for the relief of the Bolivar Lodge of Free and Accepted Masons—to the Committee on War Claims.

By Mr. COBB of Missouri: A bill (H. R. 3778) for the relief of Michael Connell, St. Louis, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 3779) for the relief of John Dieter—to the Committee on Claims.

By Mr. COOPER: A bill (H. R. 3780) for the relief of Martin D. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3781) for the relief of Mary A. Tobias—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3782) for the relief of John W. Thomas—to the Committee on Pensions.

By Mr. CUMMINGS: A bill (H. R. 3783) authorizing the President of the United States to appoint Louis N. Stodder, late acting volunteer lieutenant, United States Navy, a lieutenant-commander on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. DICKERSON (by request): A bill (H. R. 3784) granting a pension to Margaret I. Allsworth—to the Committee on Invalid Pensions.

By Mr. DOLLIVER: A bill (H. R. 3785) for the relief of the widow and children of Dr. Lemuel H. Draper—to the Committee on Claims.

Also, a bill (H. R. 3786) for the relief of Nimrod D. Kenecaster—to the Committee on War Claims.

By Mr. DUNPHY: A bill (H. R. 3787) for the relief of Cornelius W. Campbell, of the city of New York—to the Committee on Claims.

By Mr. ENGLISH: A bill (H. R. 3788) for the relief of Bvt. Col. Thomas P. O'Reilly—to the Committee on Military Affairs.

By Mr. ENLOE: A bill (H. R. 3789) for the relief of John Dillahunty—to the Committee on War Claims.

Also, a bill (H. R. 3790) for the relief of the estate of John Richards, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3791) for the relief of W. C. Dillahunty—to the Committee on War Claims.

By Mr. FORMAN: A bill (H. R. 3792) granting a pension to Henry Gording—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3793) for the relief of Philip H. Carr, late captain Company A, One hundred and fortieth Illinois Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3794) for the relief of John H. McElhanon, dependent father of William J. McElhanon, late a private in Company B, Forty-fifth Illinois Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3795) increasing the pension of Mrs. Polly B. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3796) granting a pension to William McAllister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3797) granting a pension to Elizabeth A. McFarland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3798) granting a pension to Lydia Chapman, dependent mother of Samuel J. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3799) for the relief of Martha E. Flesschert—to the Committee on War Claims.

Also, a bill (H. R. 3800) for the relief of John L. Seargeant—to the Committee on War Claims.

Also, a bill (H. R. 3801) granting an honorable discharge to Charles Held, late captain of Company G, Sixteenth Regiment Illinois Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 3802) amending the military record of Sebastian Beckert—to the Committee on Military Affairs.

Also, a bill (H. R. 3803) to give Charles W. Thomas two James's rifled cannon—to the Committee on Military Affairs.

Also, a bill (H. R. 3804) to confer jurisdiction upon the Court of Claims to hear and determine the claim of David Ryan against the United States—to the Committee on Claims.

Also, a bill (H. R. 3805) for the relief of Isaac N. Enloe—to the Committee on Claims.

Also, a bill (H. R. 3806) to authorize the Commissioner of the General Land Office to issue certificate of relocation of 640 acres of land by the legal representatives of Jacob Meyers—to the Committee on Private Land Claims.

By Mr. HOPKINS of Pennsylvania: A bill (H. R. 3807) to remove the charge of desertion from the military record of John Odell—to the Committee on Military Affairs.

By Mr. JOHNSON of Indiana: A bill (H. R. 3808) for the relief of Wear Crawford—to the Committee on Military Affairs.

By Mr. LAGAN: A bill (H. R. 3809) for the relief of Mrs. Eliza E. Hebert—to the Committee on War Claims.

Also, a bill (H. R. 3810) for the relief of W. W. Handlin—to the Committee on Pensions.

Also, a bill (H. R. 3811) for the relief of heirs of Maurice Grivot—to the Committee on War Claims.

By Mr. McALEER: A bill (H. R. 3812) for the relief of the heirs of Gen. Count Casimer Pulaski—to the Committee on Claims.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 3813) for the relief of Hon. H. Cleader—to the Committee on Military Affairs.

By Mr. RAY: A bill (H. R. 3814) for the relief of Eliza Mastin—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 3815) for the relief of William B. Stokes, M. M. Brien, sr., Thomas Waters, and William T. Haskins—to the Committee on Claims.

By Mr. RUSK: A bill (H. R. 3816) granting a pension to Mrs. N. H. Lambdin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3817) for the relief of Emily J. Fardy—to the Committee on Claims.

By Mr. SANFORD: A bill (H. R. 3818) to increase the pension of Capt. Soloman P. Smith—to the Committee on Invalid Pensions.

By Mr. SCULL: A bill (H. R. 3819) for the relief of Henry Shoenfelt—to the Committee on War Claims.

Also, a bill (H. R. 3820) for the relief of John W. Gummo—to the Committee on War Claims.

By Mr. SEERLEY: A bill (H. R. 3821) granting a pension to Cecilia White—to the Committee on Invalid Pensions.

By Mr. SIMPSON: A bill (H. R. 3822) granting an increase of pension to Louis C. Shilling—to the Committee on Invalid Pensions.

By Mr. WILLIAM A. STONE: A bill (H. R. 3823) for the relief of Thomas Bevington and Delilah Bevington—to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 3824) granting a pension to Susan Fields, widow of Jason Fields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3825) granting a pension to Calvin R. Jones, of Washington County, Tenn.—to the Committee on Invalid Pensions.

By Mr. TERRY: A bill (H. R. 3826) for the relief of Elizabeth M. Harlow—to the Committee on War Claims.

Also, a bill (H. R. 3827) for the relief of Charles P. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 3828) for the relief of James M. Oliver—to the Committee on War Claims.

Also, a bill (H. R. 3829) for the relief of Henry W. Long—to the Committee on War Claims.

Also, a bill (H. R. 3830) for the relief of Rachel Martin, administratrix of Thomas L. Martin, of Montgomery County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 3831) for the relief of the estate of Joseph Dodson—to the Committee on War Claims.

Also, a bill (H. R. 3832) for the relief of Augusta W. Lange—to the Committee on War Claims.

Also, a bill (H. R. 3833) for the allowance of the claim of John W. Hopkins for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, a bill (H. R. 3834) for the relief of the estate of Elias Rector, deceased—to the Committee on Claims.

Also, a bill (H. R. 3835) for the relief of the estate of Joseph Fenno, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3836) for the relief of the estate of F. B. Culver, deceased—to the Committee on Indian Affairs.

Also, a bill (H. R. 3837) for the relief of Martha J. Morrison—to the Committee on Pensions.

Also, a bill (H. R. 3838) to pension Elizabeth R. Crawford, widow of C. A. Crawford, soldier in Creek war of 1836—to the Committee on Pensions.

By Mr. TUCKER: A bill (H. R. 3839) for the relief of Henry Sniteman—to the Committee on War Claims.

Also, a bill (H. R. 3840) to reimburse the trustees of the Presbyterian Church at McDowell, State of Virginia—to the Committtee on War Claims.

Also, a bill (H. R. 3841) for the relief of John D. Youell—to the Committee on War Claims.

By Mr. WALKER: A bill (H. R. 3842) to amend an act of Congress approved March 3, 1869, entitled "An act for the relief and pay of Ella E. Gibson, late chaplain First Wisconsin Heavy Artillery"—to the Committee on Military Affairs.

By Mr. WASHINGTON: A bill (H. R. 3843) for the relief of Albert G. Brown, of Humphreys County, Tenn.—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 3844) for the relief of Curtis P. Wise—to the Committee on Military Affairs.

Also, a bill (H. R. 3845) to increase the pension of Edward R. Chapman—to the Committee on Pensions.

Also, a bill (H. R. 3846) to increase the pension of William R. Burton—to the Committee on Pensions.

By Mr. WILSON of West Virginia: A bill (H. R. 3847) for the relief of Mrs. Ann E. Heiskell—to the Committee on War Claims.

By Mr. WINN: A bill (H. R. 3848) for the relief of the First Georgia State Troops—to the Committee on War Claims.

By Mr. WISE (by request): A bill (H. R. 3849) for the relief of John Tyler—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Claim of John Melackey, of Washington, N. C.—to the Committee on War Claims.

By Mr. BELTZHOOVER: Petition of Harrison Wagner, asking for a pension—to the Committee on Invalid Pensions.

By Mr. BRAWLEY: Claim of George W. Wilson, of Orangeburg, S. C.—to the Committee on War Claims.

By Mr. BROOKSHIRE: Report containing certain evidence in the case of Henry Ayres—to the Committee on Claims.

By Mr. BROSIUS: Papers to accompany House bill 708, for the relief of Benjamin F. Bruner—to the Committee on Invalid Pensions.

By Mr. BYNUM: Papers in the case of the George McDougal—to the Committee on Claims.

By Mr. CLOVER: Petition of E. R. Franks and 130 others, for the relief of John Morgan, jr.—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Spring River Quarterly Meeting of Friends, in favor of national arbitration—to the Committee on Foreign Affairs.

Also, petition of Alfaretta Mitchell and 51 others, of Cherokee County, Kans., urging the closing of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of the people of Cowley County, Kans., for the opening of the Cherokee Outlet to settlement without the payment of $1.25 per acre—to the Committee on the Public Lands.

By Mr. COX of Tennessee: Petition of W. R. Moore, administrator of estate of Boon Wilson, late of Giles County, Tenn., for reference of claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. DOLLIVER: Petition of 100 persons of the First Church, J. C. Crawford, pastor, Boone, Iowa, for closing the Word's Fair on the Lord's Day; of Young People's Society of Christian Endeavor, of the same place, Theodore Duckworth, president, for the same purpose—to the Select Committee on the Columbian Exposition.

Also, petition of H. A. Arnold and other citizens of Calhoun County, Iowa, for the passage of the Butterworth bill—to the Committee on Agriculture.

By Mr. ENLOE: Petition of Mrs. E. F. Edwards, of Hardin County, Tenn.; of P. H. McBride, of the same county; of Thomas Ingraham, of Madison County, Tenn., and of D. J. Franklin, of McNairy County, Tenn., for reference of claims to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. HAMILTON: Petition of citizens of Benton County, Iowa, asking legislation against trusts and combines, and of certain other citizens of the same county, for passage of the Conger lard bill—to the Committee on Agriculture.

By Mr. HARTER: Petition of William P. Converse, of Augustus M. Sattig, and of John Irwin, of Perryville, Ohio, for a pension—to the Committee on Invalid Pensions.

By Mr. HOUK of Tennessee: Petition of Jason R. Garrett and of William C. Chandler, for the same purpose—to the Committee on War Claims.

By Mr. JOHNSON of Indiana: Petition of sundry postmasters of the fourth class, of Henry County, Ind., for increase of salary—to the Committee on the Post-Office and Post-Roads.

By Mr. McCLELLAN: Petition of Finley Greider and 31 other citizens of Allen County, Ind., earnestly urging the necessity of the passage of a bill imposing a revenue tax upon compound lard

as the same was passed by the House of Representatives of the Fifty-first Congress, known as the Conger lard bill—to the Committee on Agriculture.

By Mr. McRAE: Claim of Benjamin C. Tyler, of Hot Springs County, Ark.—to the Committee on War Claims.

By Mr. O'DONNELL: Resolutions of the Columbia Farmers' Club, Brooklyn, Mich., protesting against an appropriation for the World's Fair unless the exhibition be closed on the Christian Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. O'NEILL of Pennsylvania: Communication of the Gas Appliance Exchange of Philadelphia, complaining that no space has been allotted for the gas industry at the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. RUSK: Petition of Merchants and Manufacturers' Association, proposing to transfer the jurisdiction of the Revenue Marine Service from the Treasury to the Navy Department—to the Committee on Naval Affairs.

By Mr. SEERLEY: Petition of the Reformed Presbyterian Church (127 members), Morning Sun, Iowa, that grant of $5,000,000 aid to Columbian Exposition be conditioned on the closing of the same on the Lord's Day, prohibiting the sale of intoxicating liquors, and preserving purity in the art department—to the Select Committee on the Columbian Exposition.

Also, petition of Reformed Presbyterian Church of Wyman, Iowa, in reference to Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, petition of the Presbyterian Church of Morning Sun, Iowa, in reference to World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. JOSEPH D. TAYLOR: Resolutions of the Ohio Sabbath Association, held at Zanesville, Ohio, relative to the World's Fair—to the Select Committee on the Columbian Exposition.

Also, of Yellow Creek, Grant's Hill, and Bergholtz Congregations, of Jefferson County, Ohio, representing 475 persons, praying that the World's Fair be closed on the Sabbath; that no intoxicating liquors be sold within the National Exhibition, and that the art department be managed according to the American standard of purity in art—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the United Presbyterian Congregation of Wellsville, Columbiana County, Ohio, representing 400 persons, praying that such action be taken by Congress as will insure the closing of all parts of the World's Fair of 1892-'93 on the Lord's Day, in accordance with the law of God, the rights of man, and all precedents of American history—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the Christian Church of Brilliant, Ohio, representing 100 persons, praying that the House of Representatives do its part to close the World's Fair on the Sabbath, to prevent the nation from becoming a rumseller to the world by the sale of liquors within that Exposition, and that the art department be managed according to the American standard of purity in art—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the United Presbyterian Congregation of Knoxville, Jefferson County, Ohio, representing 91 persons, praying that such action be taken by Congress as will insure the closing of all parts of the World's Fair in 1892-'93 on the Lord's Day, in accordance with the law of God, the rights of man, and the precedents of American history—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the United Presbyterian Church of Londonderry, Ohio, representing 200 persons, praying that Congress take action that will insure the closing of the World's Fair of 1892-'93 on the Lord's Day, in accordance with the law of God, the rights of man, and the precedents of American history—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the United Presbyterian Congregation of Tippecanoe, Harrison County, Ohio, representing 47 persons, praying that such action be taken by the House of Representatives as will insure the closing of all parts of the World's Fair on the Lord's Day, in accordance with the law of God, the rights of man, and all precedents of American history—to the Select Committee on the Columbian Exposition.

Also, petition to the Senate and House of Representatives, officially signed by the Reformed Presbyterian Church of Londonderry, Ohio, representing 60 persons, praying that Congress act favorably upon a bill granting a loan of $5,000,000 to the World's Fair of 1892-'93, only on the guaranty that the Exposition be closed to visitors on the Lord's Day—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the United Presbyterian Congregation of Mount Perry, Ohio, representing 160 persons, praying that the House of Representatives take such action as will insure the closing of the World's Fair of 1892-'93 on the Lord's Day, in accordance with the law of God, the rights of man, and the precedents of American history—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the United Presbyterian Congregation of Antrim, Guernsey County, Ohio, representing 200 persons, praying for such action as will insure the closing of all parts of the World's Fair of 1892-'93 on the Lord's Day, in accordance with the law of God, the rights of man, and the precedents of American history—to the Select Committee on the Columbian Exposition.

Also, a petition to the Senate and House of Representatives, signed by Alma R. McGlenn, corresponding secretary of the Young People's Society of Christian Endeavor, of Mount Pleasant, Ohio, for and in behalf of that body, praying that the bill prohibiting the opening of any exhibition or exposition on the Sabbath where appropriations of the United States are expended be passed—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the United Presbyterian Congregation of Cadiz, Ohio, representing 150 persons, praying that action be taken by the House of Representatives that will insure the closing of all parts of the World's Fair of 1892-'93 on the Lord's Day, in accordance with the law of God, the rights of man, and all precedents of American history—to the Select Committee on the Columbian Exposition.

Also, petition of the United Presbyterian Congregation of Steubenville, Ohio, representing 230 persons, praying that the House of Representatives take such action as will insure all parts of the World's Fair of 1892-'93 being closed on the Lord's Day, in accordance with the law of God, the rights of man, and all precedents of American history—to the Select Committee on the Columbian Exposition.

By Mr. TAYLOR of Tennessee: Petition of Greenberry Mitchell, of Grainger County, Tenn., for reference of claim to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. TERRY: Claim of A. M. Woodruff, of Pulaski County, Ark.—to the Committee on War Claims.

By Mr. TRACEY: Petition of the practical astronomers of the United States, praying that the Naval Observatory be transferred to civilian control—to the Committee on Naval Affairs.

Also, petition of Prof. Lewis Boss, of Albany, N. Y., praying for the adoption of the metric system in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. WASHINGTON: Petition of Joseph Rymorkiwig, of Davidson County, Tenn., for rereference of claim to the Court of Claims for rehearing under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition and proof in claim of Albert G. Brown—to the Committee on Claims.

By Mr. WIKE: Petition of D. P. Harris and other citizens of Quincy, Ill., to amend the tobacco revenue act—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 15, 1892.*

The House met at 12 o'clock noon, and was called to order by the Speaker *pro tempore*, Hon. BENTON MCMILLIN. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

EXECUTIVE AND OTHER COMMUNICATIONS.

The SPEAKER *pro tempore* laid before the House executive and other communications of the following titles; which were severally read, ordered to be printed, and referred to the committees named below:

CONTRACTS OF THE WAR DEPARTMENT.

Letter from the Secretary of War, transmitting statements of contracts entered into by the various bureaus of the War Department for the year ending June 30, 1891—to the Committee on Expenditures in the War Department.

The SPEAKER *pro tempore*. The documents accompanying this communication are very voluminous, and the Chair has taken the liberty, with the consent of the House, of directing that the documents be not printed unless hereafter ordered. That will be a matter for consideration by the Committee on Expenditures in the War Department, to which the letter, with accompanying documents, is referred.

UPPER COLUMBIA AND SNAKE RIVERS.

Also, a letter from the Secretary of War, transmitting a copy of a letter from the Chief of Engineers, suggesting that the limits of the appropriation for the improvement of Upper Columbia and Snake Rivers be extended to include the Snake River, to Asotin—to the Committee on Rivers and Harbors.

FINDINGS OF THE COURT OF CLAIMS.

Also, a letter from the Assistant Clerk of the Court of Claims, transmitting a copy of the findings of the court in the following causes, namely: Thaddeus Collard, Simeon Gilbreath, Furneyfold Mercer, Joseph L. Walls, H. M. Withers, deceased, H. T. Woody, G. W. Yuckley—to the Committee on War Claims.

WASHINGTON AND ARLINGTON RAILWAY COMPANY.

Also, a letter from the president of the Washington and Arlington Railway Company, transmitting a statement of its receipts and disbursements from February 28 to December 31, 1891—to the Committee on the District of Columbia.

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

Also, a letter from the president of the Eckington and Soldiers' Home Railway Company, transmitting a report of the names of all the stockholders and the amount of stock held by each, together with a statement of the receipts and expenditures for the year ending December 31, 1891—to the Committee on the District of Columbia.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore* also laid before the House Senate bills of the following titles; which were severally read a first and second time, ordered to be printed, and referred to the committees named below:

A bill (S. 636) for the relief of Chester B. Sweet, of California—to the Committee on Claims.

A bill (S. 800) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein—to the Committee on the Public Lands.

A bill (S. 625) to grant to the State of Oregon townships 27, 28, 29, 30, and 31 south, in ranges 5 and 6 east, of the Willamette meridian, in the State of Oregon, for a public park—to the Committee on the Public Lands.

A bill (S. 875) for the relief of Thomas Guineau—to the Committee on Claims.

A bill (S. 386) to provide for the disposal of Fort Hartsuff, Fort Sheridan, and Fort McPherson military reservations, in the State of Nebraska, to actual settlers, under the provisions of the homestead laws—to the Committee on Military Affairs.

INTRODUCTION OF BILLS.

By unanimous consent, bills of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred to the committees named below:

HEIRS AND REPRESENTATIVES OF CERTAIN SOLDIERS.

By Mr. NEWBERRY: A bill (H. R. 3850) for the relief of the heirs and legal representatives of certain soldiers—to the Committee on Military Affairs.

SPELLING SCHOOL, WORLD'S COLUMBIAN EXPOSITION, ETC.

By Mr. NEWBERRY: A bill (H. R. 3851) to test and try the science of spelling and to provide for the establishing one hundred schools for that purpose and to establish a spelling school in the World's Columbian Exposition to be held in Chicago in 1893.

The SPEAKER *pro tempore*. The Chair thinks that this bill embraces matters which might give jurisdiction either to the Committee on the World's Columbian Exposition or to the Committee on Education. The gentleman who introduced the bill has indicated his desire to have it go to the Committee on Education.

Mr. REILLY. Would it not more properly go to the Committee on the World's Columbian Exposition, under the special order of the House?

The SPEAKER *pro tempore*. The Chair stated that it might go to either of the committees. It is for the purpose of correcting the method of spelling; and not only that, but it embraces also a proposition for a $30,000 appropriation for an experimental school in the World's Columbian Exposition.

Mr. REILLY. I move that the bill be referred to the Committee on the World's Columbian Exposition.

The motion was agreed to.

SECTIONS 2774 AND 2807, REVISED STATUTES.

By Mr. COOMBS: A bill (H. R. 3852) to amend sections 2774 and 2807 of the Revised Statutes—to the Committee on Interstate and Foreign Commerce.

CERTAIN ARTICLES ON THE FREE LIST.

By Mr. LANE: A bill (H. R. 3853) to place salt, lumber, nails, cotton ties, bagging for cotton, binding twine, carpenter's and blacksmith's tools, and all agricultural implements, tin, and barbed wire on the free list, and for other purposes—to the Committee on Ways and Means.

SECTION 322, TARIFF ACT OF 1890.

By Mr. SNODGRASS: A bill (H. R. 3854) to repeal section 322 of the tariff act of 1890 and to put salt on the free list—to the Committee on Ways and Means.

ADMISSION OF ARIZONA.

By Mr. SMITH of Arizona: A bill (H. R. 3855) to provide for the admission of the State of Arizona into the Union, and for other purposes—to the Committee on the Territories.

PUBLIC BUILDING, RENO, NEV.

By Mr. BARTINE: A bill (H. R. 3856) for the erection of a public building at Reno, State of Nevada—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, VIRGINIA CITY, NEV.

By Mr. BARTINE: A bill (H. R. 3857) for the erection of a public building at Virginia City, State of Nevada—to the Committee on Public Buildings and Grounds.

FREE LUMBER.

By Mr. BRYAN: A bill (H. R. 3858) to place lumber on the free list—to the Committee on Ways and Means.

FREE SALT.

By Mr. BRYAN: A bill (H. R. 3859) to place salt on the free list—to the Committee on Ways and Means.

BARBED WIRE AND IRON RODS.

By Mr. BRYAN: A bill (H. R. 3860) to place barbed wire and iron rods for fencing on the free list—to the Committee on Ways and Means.

INSURANCE BUREAU, DISTRICT OF COLUMBIA.

By Mr. HEMPHILL (by request): A bill (H. R. 3861) for the establishment of an insurance bureau for the protection of public interests in the District of Columbia—to the Committee on the District of Columbia.

ASSISTANT CLERK, COMMITTEE ON MILITARY AFFAIRS.

By Mr. OUTHWAITE, from the Committee on Military Affairs: A resolution providing for an assistant clerk for the Committee on Military Affairs for this session—to the Committee on Accounts.

LIGHT-HOUSES, ETC.

By Mr. VINCENT A. TAYLOR: A bill (H. R. 3862) providing for sundry light-houses and other aids to navigation—to the Committee on Interstate and Foreign Commerce.

PENSIONS.

By Mr. BRETZ: A bill (H. R. 3863) to grant pensions in certain cases—to the Committee on Invalid Pensions.

POST-OFFICE BUILDING, BRISTOL, TENN.

By Mr. TAYLOR of Tennessee: A bill (H. R. 3864) to erect a post-office building in the city of Bristol, State of Tennessee—to the Committee on Public Buildings and Grounds.

POST-OFFICE BUILDING, MORRISTOWN, TENN.

By Mr. TAYLOR of Tennessee: A bill (H. R. 3865) to erect a post-office building in the city of Morristown, Tenn.—to the Committee on Public Buildings and Grounds.

BOAT RAILWAY AT THE DALLES.

By Mr. HERMANN: A bill (H. R. 3866) making an appropriation for the construction of a boat railway at The Dalles and Celilo Falls and Ten Mile Rapids of the Columbia River and for the improvement of Three Mile Rapids—to the Committee on Rivers and Harbors.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

By Mr. MARTIN: A bill (H. R. 3867) to amend the act concerning officers of the National Home for Disabled Volunteer Soldiers, and for other purposes—to the Committee on Military Affairs.

INVESTIGATION OF THE CENSUS OFFICE.

By Mr. ALDERSON: A resolution providing for an investigation of the Census Office, its practices, methods, and the correctness of the data furnished by it—to the Committee on Rules.

PAYMENT OF INTEREST ON PUBLIC DEBT.

By Mr. LEWIS: A bill (H. R. 3868) to repeal the joint resolution authorizing the Secretary of the Treasury to anticipate the payment of interest on the public debt—to the Committee on Ways and Means.

VIRGINIA, MISSOURI AND WESTERN RAILROAD COMPANY.

By Mr. STONE of Kentucky: A bill (H. R. 3869) granting the right to build its bridges to the Virginia, Missouri and Western Railroad Company—to the Committee on Interstate and Foreign Commerce.

GAMBLING IN AGRICULTURAL PRODUCTS.

By Mr. ALEXANDER: A bill (H. R. 3870) relating to gambling in agricultural products—to the Committee on Agriculture.

TESTIMONY OF WITNESSES IN FEDERAL COURTS.

By Mr. ELLIS: A bill (H. R. 3871) to amend section 878, chapter 17, Revised Statutes—to the Committee on the Judiciary.

FREE SPOOL-THREAD OF COTTON.

By Mr. ELLIS: A bill (H. R. 3872) placing spool-thread of cotton on the free list—to the Committee on Ways and Means.

IMPROVEMENT OF HARBOR AT OCONTO, WIS.

By Mr. LYNCH: A bill (H. R. 3873) to appropriate money for the improvement of the harbor at Oconto, Wis.—to the Committee on Rivers and Harbors.

SECTION 3480 OF THE REVISED STATUTES.

By Mr. McRAE: A bill (H. R. 3874) to repeal section 3480 of the Revised Statutes—to the Committee on the Judiciary.

GRADES OF OFFICERS OF THE MARINE CORPS.

By Mr. RUSK: A bill (H. R. 3875) to equalize the grades of officers of the Marine Corps—to the Committee on Naval Affairs.

THE LATE HON. W. H. F. LEE.

Mr. MEREDITH. Mr. Speaker, I ask for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That Saturday, February 6, beginning at 1 o'clock afternoon, be set apart for paying tribute to the memory of Hon. William Henry Fitzhugh Lee, late a member of the House of Representatives from the Eighth district of the State of Virginia.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution? [After a pause]. The Chair hears none. The question is on the adoption of the resolution.

The motion was put, and the resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, Mr. WARWICK obtained leave of absence for two weeks.

WITHDRAWAL OF PAPERS.

Mr. OUTHWAITE, by unanimous consent, obtained leave to withdraw from the files of the House the papers and court-martial record in the case of Bvt. Col. T. P. O'Reilly.

DISEASED VINES.

Mr. CAMINETTI, by unanimous consent, introduced a bill (H. R. 3876) to prohibit the interstate transportation of trees, plants, vines, or other nursery stock infested with scale insects, or codling moths, or other pests, or with their eggs or larvæ, or infected with any disease injurious to trees, plants, and vines, and the importation into the United States from any foreign country of any thereof so affected; to provide for penalties for violations thereof, and defining the duties of certain departments of the United States with relation thereto; which was read the first and second time, referred to the Committee on Agriculture, and ordered to be printed.

BUREAU OF CORRESPONDENCE.

Mr. CAMINETTI also, by unanimous consent, introduced a bill (H. R. 3877) to create and provide for a bureau of correspondence for the House of Representatives—to the Committee on Accounts.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had passed bills of the following titles, in which concurrence was requested:

A bill (S. 430) making appropriations for the purchase of ground, and the erection thereon, in the city of Washington, D. C., of a building to be used as a hall of records;

A bill (S. 440) to authorize the construction of a bridge across the Missouri River, between the city of Chamberlain, in Brulé County, and Lyman County, in the State of South Dakota; and

A bill (S. 1374) to aid the State of Colorado to support a school of mines.

PUBLIC EXPENDITURES.

The SPEAKER *pro tempore*. The Clerk will report the unfinished business.

The Clerk read as follows:

Resolved, That, in the judgment of this House, the granting of subsidies or bounties by Congress, in money, public lands, bonds, or by indorsement, or by pledge of the public credit, to promote special private industries or enterprises of corporations, independent of the question of the constitutional power of Congress to make such grants, is unjust and impolitic, and in manifest conflict with the spirit of our republican institutions, as it directly tends to create and foster the wealth of favored classes at the expense of the whole people who bear the burdens of government, and manifestly furnishes undue facilities for the enlargement of great private estates—a policy which a government of the people can not justly or safely encourage by any form of favoritism in legislation.

Resolved, In view of the present condition of the Treasury, and because efficient and honest government can only be assured by the frugal expenditure of the public money, while unnecessary and lavish expenditure, under any and all conditions, leads inevitably to venal and corrupt methods in public affairs, no money ought to be appropriated by Congress from the public Treasury except such as is manifestly necessary to carry on the several Departments frugally, efficiently, and honestly administered.

Mr. HOLMAN. Mr. Speaker, last evening I entered a motion to reconsider the vote by which the previous question had been ordered. On reflection, if I am authorized to do so under the rules, I desire to withdraw that motion.

The SPEAKER *pro tempore*. The Chair will state that that can be done by unanimous consent.

Mr. HOLMAN. Then I ask for that.

The SPEAKER *pro tempore*. The Chair gives as a reason for that opinion, that, as yesterday was the last day on which the motion to reconsider could be entered, there might be a question as to whether it should be entered after withdrawn by other members. If the mover of the resolution were permitted yesterday to enter the motion and to withdraw it without unanimous consent to-day, other members might be deprived of the opportunity to move to reconsider. So that the Chair is inclined to the opinion that it should be done by unanimous consent.

Mr. HOLMAN. I ask unanimous consent.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Indiana?

Mr. DINGLEY. What is the request?

The SPEAKER *pro tempore*. The request of the gentleman from Indiana is to withdraw the motion to reconsider the vote by which the previous question was ordered on the resolution.

There was no objection, and the motion was withdrawn.

The SPEAKER *pro tempore*. The question is on the adoption of the resolutions. The gentleman from Indiana has one minute remaining.

Mr. HOLMAN. I do not wish to occupy that time.

The SPEAKER *pro tempore*. Then the question is on the adoption of the resolutions.

Mr. BOWERS. Will the gentleman from Indiana [Mr. HOLMAN] permit me to ask him a question?

Mr. HOLMAN. I have only minute, Mr. Speaker, and I wish to occupy half of that in saying that after careful reëxamination of this second resolution, and after consulting with gentlemen whose judgments are entitled to very great respect, I have reached the conclusion, for myself at least, that the resolution is broad enough to permit any and all proper and legitimate legislation for carrying on the Government.

Mr. REED. Like the Chicago Fair appropriation?

Mr. HOLMAN (continuing). Including all such legislation as private pension bills and the like. Those matters all come from or are adjusted through the Departments. The great Departments of the Government embrace the whole field of governmental legislation for the administration of public affairs, and for this reason I have asked to withdraw the motion to reconsider.

Mr. BOWERS. Will the gentleman specify any matter or thing that these resolutions of his cut off—anything for which appropriations were made by the last Congress, and which can not be appropriated for under these resolutions?

Mr. HENDERSON of Iowa. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. HENDERSON of Iowa. I would like to vote for the first resolution, but not for the second; and my inquiry is, can these resolutions be divided?

The SPEAKER *pro tempore*. The Chair thinks the proposition is divisible. The gentleman from Iowa [Mr. HENDERSON] demands a division, and the question is on the first resolution.

Mr. DINGLEY. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DINGLEY. I desire to ask whether, under the ruling of the Chair that the House is now acting under common parliamentary law, a motion to commit with instructions to report the substitute which I endeavored to have considered yesterday would be in order?

The SPEAKER *pro tempore*. The Chair thinks it would be in order but for the fact that one motion to commit was entertained after the demand for the previous question. The practice of the House has been to allow a motion to recommit either before or after the previous question is ordered. In this case, even after the previous question was demanded, the Chair entertained a motion of the gentleman from Louisiana for that purpose; hence the Chair thinks that motion can not now be duplicated.

Mr. DINGLEY. Would not a motion to commit with instructions be in order?

The SPEAKER *pro tempore*. The adding of instructions would not add to the right, in the opinion of the Chair. The question is on the adoption of the first resolution.

Mr. HENDERSON of Iowa. Mr. Speaker, on the suggestion of my friend, the gentleman from Maine [Mr. DINGLEY], I withdraw my demand for a division of the resolutions.

Mr. TRACEY. I renew the demand.

Mr. LYNCH. I demand a separate vote on the resolutions.

The SPEAKER *pro tempore*. The gentleman from Wisconsin [Mr. LYNCH] demands a division of the proposition, and the question is on the first resolution.

Mr. BOUTELLE. I think, Mr. Speaker, we had better have this part of the performance read again for the information of the House.

The SPEAKER *pro tempore*. It has just been read, but if there be no objection it will be again reported by the Clerk in order that the House may know exactly the proposition on which the vote is to be first taken.

There was no objection, and the Clerk again read the first resolution.

The SPEAKER *pro tempore*. The question is on the adoption of the resolution.

Mr. HEARD. Upon that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 228, nays 40, not voting 63; as follows:

YEAS—228.

Abbott,	Cummings,	Johnstone, S. C.	Pearson,
Alderson,	Curtis,	Jolley,	Peel,
Alexander,	Cutting,	Jones,	Pendleton,
Amerman,	Davis,	Kem,	Perkins,
Arnold,	De Armond,	Kendall,	Pickler,
Babbitt,	De Forest,	Ketcham,	Pierce,
Bacon,	Dickerson,	Kilgore,	Post,
Bailey,	Dixon,	Kribbs,	Powers,
Bankhead,	Doan,	Kyle,	Raines,
Barwig,	Dockery,	Lane,	Ray,
Beeman,	Dolliver,	Lanham,	Rayner,
Beltzhoover,	Dunphy,	Lapham,	Reilly,
Bentley,	Durborow,	Layton,	Richardson,
Bergen,	Edmunds,	Lester, Ga.	Robertson,
Blanchard,	Ellis,	Lewis,	Rockwell,
Bland,	English,	Lind,	Rusk,
Boatner,	Enloe,	Little,	Sayers,
Bowman,	Epes,	Livingston,	Scott,
Breckinridge, Ark.	Everett,	Lockwood,	Seerley,
Breckinridge, Ky.	Fellows,	Long,	Shell,
Bretz,	Flick,	Loud,	Shonk,
Broderick,	Forman,	Lynch,	Simpson,
Brookshire,	Forney,	Magner,	Snodgrass,
Brown,	Fowler,	Mallory,	Snow,
Brunner,	Funston,	Mansur,	Sperry,
Bryan,	Gantz,	Martin,	Springer,
Buchanan, Va.	Geary,	McAleer,	Stevens,
Bullock,	Geissenhainer,	McClellan,	Stewart, Pa.
Bunn,	Gillespie,	McCreary,	Stewart, Tex.
Bunting,	Goodnight,	McDonald,	Stone, Ky.
Bushnell,	Grady,	McGann,	Stout,
Butler,	Greenleaf,	McKaig,	Tarsney,
Bynum,	Hall,	McKeighan,	Taylor, V. A.
Caminetti,	Hallowell,	McKinney,	Terry,
Capehart,	Halvorsen	McMillen,	Tillman,
Caruth,	Hamilton,	McRae,	Tracey,
Catchings,	Hare,	Meredith,	Tucker,
Cate,	Harries,	Miller,	Turner,
Causey,	Harter,	Mitchell,	Van Horn,
Chipman,	Hatch,	Montgomery,	Washington,
Clancy,	Haynes,	Moore,	Watson,
Clark, Wyo.	Heard,	Moses,	Waugh,
Clarke, Ala.	Hemphill,	Mutchler,	Weadock,
Cobb, Ala.	Henderson, Iowa	Newberry,	Wheeler, Mich.
Cobb, Mo.	Henderson, Ill.	Norton,	Wheeler, Ala.
Compton,	Henderson, N. C.	Oates,	White,
Coolidge,	Herbert,	O'Ferrall,	Whiting,
Coombs,	Herman,	O'Neil, Mass.	Wike,
Cooper,	Hitt,	Otis,	Willcox,
Covert,	Hoar,	Outhwaite,	Williams, N. C.
Cowles,	Holman,	Owens,	Williams, Mass.
Cox, N. Y.	Hooker, Miss.	Page, R. I.	Williams, Ill.
Cox, Tenn.	Houk, Ohio	Page, Md.	Wilson, Wash.
Crain,	Hull,	Parrett,	Wilson, Mo.
Crawford,	Johnson, Ind.	Patterson, Tenn.	Wilson, W. Va.
Crosby,	Johnson, N. Dak.	Patton,	Wise,
Culbertson,	Johnson, Ohio	Paynter,	Youmans.

NAYS—40.

Atkinson,	Cogswell,	Lodge,	Scull,
Bartine,	Dalzell,	McKenna,	Stephenson,
Belknap,	Dingley,	Milliken,	Stone, C. W.
Bingham,	Enochs,	Morse,	Stone, W. A.
Boutelle,	Grout,	O'Donnell,	Storer,
Bowers,	Harmer,	O'Neill, Pa.	Taylor, E. B.
Brosius,	Haugen,	Payne,	Taylor, J. D.
Burrows,	Hopkins, Pa.	Randall,	Townsend,
Cheatham,	Hopkins, Ill.	Reed,	Wadsworth,
Clover,	Houk, Tenn.	Robinson,	Walker,

NOT VOTING—63.

Allen,	Cable,	Elliott,	Lawson, Ga.
Andrew,	Cadmus,	Fitch,	Lester, Va.
Baker,	Caldwell,	Fithian,	Meyer,
Belden,	Campbell,	Fyan,	Mills,
Blount,	Castle,	Gorman,	O'Neill, Mo.
Branch,	Chapin,	Griswold,	Pattison, Ohio
Brawley,	Coburn,	Hayes,	Price,
Brickner,	Cockran,	Hooker, N. Y.	Quackenbush,
Buchanan, N. J.	Daniell,	Huff,	Reyburn,
Busey,	Donovan,	Lagan,	Rife,
Byrnes.	Dungan,	Lawson, Va.	Russell,
Sanford,	Steward, Ill.	Taylor, Tenn.	Wilson, Ky.
Shively,	Stockdale,	Turpin,	Winn,
Smith,	Stump,	Warner.	Wolverton,
Stackhouse,	Sweet,	Warwick,	Wright.
Stahlnecker,	Taylor, Ill.	Wever,	

The following-named members were announced as paired until further notice:

Mr. MILLS with Mr. TAYLOR of Illinois.

Mr. DANIELL with Mr. GRISWOLD.

Mr. BRANCH with Mr. WEVER.

Mr. ANDREW with Mr. WILSON of Kentucky.

Mr. FITHIAN with Mr. WRIGHT.

Mr. PATTISON of Ohio with Mr. REYBURN.

Mr. ALLEN with Mr. RUSSELL.

Mr. CAMPBELL with Mr. HUFF.

The following were announced as paired, for this day:

Mr. STOCKDALE with Mr. RIFE.

Mr. WARWICK with Mr. TAYLOR of Tennessee.

Mr. BARWIG. Mr. Speaker, my colleague [Mr. BRICKNER] is absent on account of illness, and I ask indefinite leave of absence for him.

There was no objection.

The result of the vote was then announced, as above recorded.

So the resolution was adopted.

The SPEAKER *pro tempore* (Mr. BYNUM). The question is on the second resolution.

Mr. LYNCH. I ask unanimous consent to offer a substitute for the second resolution at this time.

Mr. LODGE. I object.

The SPEAKER *pro tempore*. Objection is made. The question is on the second resolution.

Mr. HEARD. Upon that I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 164, nays 95, not voting 72; as follows:

YEAS—164.

Abbott,	Cummings,	Kyle,	Pierce,
Alderson,	De Armond,	Lagan,	Rayner,
Alexander,	De Forest,	Lane,	Richardson,
Arnold,	Dickerson,	Lanham,	Rockwell,
Babbitt,	Dockery,	Lawson, Ga.	Rusk,
Bailey,	Dungan,	Layton,	Sayers,
Bankhead,	Dunphy,	Lester, Ga.	Scott,
Barwig,	Durborow,	Lewis,	Seerley,
Beeman,	Edmunds,	Little,	Shell,
Bentley,	Ellis,	Livingston,	Shively,
Blanchard,	Enloe,	Lockwood,	Simpson,
Bland,	Epes,	Long,	Snodgrass,
Bowman,	Everett,	Mallory,	Snow,
Brawley,	Fellows,	Mansur,	Sperry,
Breckinridge, Ky.	Forman,	Martin,	Springer,
Bretz,	Forney,	McAleer,	Stevens,
Brookshire,	Fowler,	McCreary,	Steward, Ill.
Brown,	Gantz,	McDonald,	Stewart, Texas.
Brunner,	Geissenhainer,	McGann,	Stone, Ky.
Bryan,	Goodnight,	McKaig,	Stump,
Buchanan, Va.	Grady,	McKeighan,	Tarsney.
Bullock,	Greenleaf,	McKinney,	Terry,
Bunn,	Hall,	McMillin,	Tillman,
Butler,	Hallowell,	McRea,	Tucker,
Bynum,	Hamilton,	Miller,	Turner,
Caminetti,	Harries,	Montgomery,	Van Horn,
Capehart,	Hatch,	Moore,	Warwick,
Caruth,	Heard,	Moses,	Washington,
Cate,	Hemphill,	Mutchler,	Watson,
Clancy,	Henderson, N. C.	Norton,	Wheeler, Mich.
Clarke, Ala.	Herbert,	Oates,	Wheeler, Ala.
Clover,	Holman,	O'Ferrall,	White,
Cobb, Ala.	Hooker, Miss.	O'Neil, Mass.	Wike,
Cobb, Mo.	Johnson, Ohio.	O'Neill, Mo.	Willcox,
Cockran,	Johnstone, S. C.	Page, R. I.	Williams, N. C.
Compton,	Jolley,	Parrett,	Williams, Ill.
Coombs,	Jones,	Patterson, Tenn.	Wilson, Mo.
Cowles,	Kem,	Paynter,	Wilson, W. Va.
Cox, Tenn.	Kendall.	Pearson.	Winn,
Crawford,	Kilgore.	Peel,	Wise,
Culberson.	Kribbs.	Pendleton.	Youmans.

NAYS—95.

Amerman.	Doan,	Lapham.	Reilly,
Atkinson,	Dolliver,	Lind,	Robinson,
Bartine,	English.	Lodge,	Scull,
Belknap,	Enochs,	Loud,	Shonk,
Beltzhoover.	Flick,	Lynch,	Stephenson,
Bergen,	Funston.	McKenna.	Stewart, Pa.
Bingham.	Geary,	Milliken.	Stockdale.
Boutelle,	Gillespie,	Mitchell.	Stone, C. W.
Bowers,	Grout,	Morse,	Stone, W. A.
Broderick.	Halvorsen.	Newberry.	Storer,
Brosius,	Harmer,	O'Neill, Pa.	Stout,
Burrows,	Harter,	Otis,	Sweet,
Bushnell,	Haynes,	Owens.	Taylor, E. B.
Caldwell,	Henderson, Iowa	Patton.	Taylor, J. D.
Chipman.	Henderson, Ill.	Payne,	Taylor, V. A.
Clark, Wyo.	Hermann,	Perkins,	Townsend,
Coolidge,	Hoar,	Pickler,	Tracey,
Crosby,	Hooker, N. Y.	Post.	Wadsworth.
Curtis,	Hopkins, Ill.	Powers,	Walker,
Cutting,	Houk, Ohio	Quackenbush.	Waugh.
Dalzell,	Huff,	Raines,	Weadock,
Davis,	Hull,	Randall,	Williams, Mass.
Dingley,	Johnson, Ind.	Ray,	Wilson, Wash.
Dixon,	Ketcham,	Reed,	

NOT VOTING—72.

Allen,	Catchings,	Hare,	Price,
Andrew,	Causey,	Haugen,	Reyburn,
Bacon,	Cheatham,	Hayes,	Rife,
Baker,	Chapin,	Hitt,	Robertson,
Belden,	Coburn,	Hopkins, Pa.	Russell,
Blount,	Cogswell,	Houk, Tenn.	Sanford,
Boatner,	Cooper,	Johnson, N. Dak.	Smith,
Branch,	Covert,	Lawson, Va.	Stackhouse,
Breckinridge, Ark.	Cox, N. Y.	Lester, Va.	Stahlnecker,
Brickner,	Crain,	Magner,	Taylor, Ill.
Buchanan, N. J.	Daniell,	McClellan,	Taylor, Tenn.
Bunting,	Donovan,	Meredith,	Turpin,
Busey,	Elliott,	Meyer,	Warner,
Byrnes,	Fitch,	Mills,	Wever,
Cable,	Fithian,	O'Donnell,	Whiting,
Cadmus,	Fyan,	Outhwaite,	Wilson, Ky.
Campbell,	Gorman,	Page, Md.	Wolverton,
Castle,	Griswold,	Pattison, Ohio.	Wright.

So the second resolution was adopted.

Mr. BABBITT. I desire to announce that my colleague, Mr. COBURN, is absent on account of sickness.

Mr. O'FERRALL. I wish to state that my colleagues from Virginia, Mr. LAWSON and Mr. LESTER, are absent from the House by reason of serious sickness.

The following additional pair was announced:

Mr. STAHLNECKER with Mr. CAUSEY, on this question.

Mr. BROWN. Mr. Speaker, inasmuch as there has been great confusion in the House during the roll-call I ask that the vote be recapitulated.

The roll-call having been recapitulated, the result of the vote was announced as above stated.

Mr. HOLMAN moved to reconsider the votes by which the two resolutions were adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. WINN. Mr. Speaker, when the vote was taken on the first of the resolutions which have just been adopted I was necessarily absent, visiting the Departments in the interests of my constituents. I desire to have my vote recorded.

The SPEAKER *pro tempore*. The Chair will say to the gentleman that it is too late.

Mr. WINN. Then I will say, Mr. Speaker, that if I had been present I should have voted "ay."

SWEARING IN A MEMBER.

Mr. BLAND. Mr. Speaker, I desire to state that Judge Fyan, a member elect from the State of Missouri, is now present in his seat and ready to be sworn in. As he is unable on account of lameness to come down the aisle for that purpose, I ask that the oath be administered to him in his seat.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. BLAND] asks unanimous consent that his colleague, Judge Fyan, who is crippled and unable to come down in front of the Clerk's desk, may be sworn in at his seat. If there be no objection that will be done.

There was no objection; and the oath of office was accordingly administered to Mr. R. W. Fyan, the member elect from the State of Missouri.

IMPROVEMENT OF THE OHIO RIVER.

Mr. PARRETT, by unanimous consent, introduced a bill (H. R. 3878) for the improvement of the Ohio River between the mouth of the Green River, in the State of Kentucky, and the city of Evansville, in the State of Indiana, and to appropriate $100,000 therefor; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

CLERKS TO HOUSE COMMITTEES.

Mr. RUSK. I call up the special order, being the report of the Committee on Accounts.

The SPEAKER *pro tempore*. The Clerk will read the report of the majority of the Committee on Accounts.

The Clerk proceeded to read the following report:

The Committee on Accounts, to whom was referred the resolution of the House (passed on the 7th instant) authorizing and directing said committee to designate the committees of the House to which the clerks provided for by the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1892, should be allowed and assigned for the present Congress, and to report by resolution to the House for its action thereon, respectfully report that they have examined into and considered said matter, and report to the House and recommend the passage of the following resolution, namely:

Resolved, That the thirty-seven clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1892, be, and they are hereby, allowed and assigned for the present Congress to the following-named committees, namely:

To the Committee on Banking and Currency, a clerk.
To the Committee on Coinage, Weights, and Measures, a clerk.
To the Committee on the Territories, a clerk.
To the Committee on Railways and Canals, a clerk.
To the Committee on Manufactures, a clerk.
To the Committee on Mines and Mining, a clerk.
To the Committee on the Pacific Railroads, a clerk.
To the Committee on Levees and Improvements of the Mississippi River, a clerk.
To the Committee on Education, a clerk.
To the Committee on Labor, a clerk.
To the Committee on the Militia, a clerk.
To the Committee on Patents, a clerk.
To the Committee on Invalid Pensions, two (assistant) clerks.
To the Committee on Pensions, a clerk.
To the Committee on Private Land Claims, a clerk.
To the Committee on the Revision of the Laws, a clerk.
To the Committee on Expenditures in the State Department, a clerk.
To the Committee on Expenditures in the Treasury Department, a clerk.
To the Committee on Expenditures in the War Department, a clerk.
To the Committee on Expenditures in the Navy Department, a clerk.
To the Committee on Expenditures in the Post-Office Department, a clerk.
To the Committee on Expenditures in the Interior Department, a clerk.
To the Committee on Expenditures in the Department of Agriculture, a clerk.
To the Committee on Expenditures in the Department of Justice, a clerk.
To the Committee on Expenditures on Public Buildings and Grounds, a clerk.
To the Committee on Accounts, a clerk.
To the Committee on the Library, a clerk.
To the Committee on Printing, a clerk.
To the Committee on Enrolled Bills, a clerk.
To the Committee on Reform in the Civil Service, a clerk.
To the Committee on the Eleventh Census, a clerk.
To the Committee on Ventilation and Acoustics, a clerk.
To the Committee on Alcoholic Liquor Traffic, a clerk.
To the Committee or Immigration and Naturalization, a clerk.
To the Committee on the Columbian Exposition, a clerk.
To the Committee on the Election of President, Vice-President, and Representatives in Congress, a clerk.

Also resolved, That the pay of the clerks to committees of the House of Representatives which have been or may be hereafter authorized by the House who are paid during the session only shall begin from the time such clerks entered upon the discharge of their duties, which shall be ascertained and evidenced by the certificate of the chairmen of the several committees employing clerks for the session only.

HARRY WELLES RUSK.
JOHN A. QUACKENBUSH.
A. J. PEARSON.
JOHN T. CUTTING.
GEORGE W. COOPER.
C. L. MOSES.

Mr. RUSK (interrupting the reading). Mr. Speaker, as this report, together with that of the minority, has already been printed in the RECORD, I ask unanimous consent to dispense with the further reading.

There being no objection, the further reading was dispensed with.

Mr. RUSK. Mr. Speaker, in explanation of the views of the majority of the committee as embodied in this report, I will state that we found upon an examination of the appropriation laws that twenty committees of this House are provided with annual clerks, leaving some thirty-eight to be provided with session clerks. Of these thirty-eight committees, one, the Committee on Rules, does not request a clerk. In regard to the Committee on Mileage, we found that the duties of that committee have already been performed, and there is no other business likely to be referred to it. At some subsequent date a resolution will be reported to provide payment for the clerical services rendered up to this time in connection with the work of that committee. For each of the remaining committees, we have provided a clerk, making some thirty-five committees thus provided. We found that, according to precedent, and by reason of the necessities of the case, the Committee on Invalid Pensions requires the assistance of two additional session clerks, the committee already having one annual clerk provided by law. Our report, therefore, assigns the thirty-seven session clerks, and keeps within the clause of the appropriation bill, which provides for thirty-seven session clerks to committees, the law reading "for clerks to committees" to be paid so much per diem "during the session."

The minority of the committee, in submitting their views, while allowing clerks to a number of these committees, omit some, and especially those committees known as the "expenditures committees." I will state here that the majority of the committee, looking to the report of the Committee on Rules, which report was adopted unanimously by the House, took it to be an expression of the sense of this body that these committees were necessary to the transaction of the public business; and knowing from experience that committees are not likely to organize unless they are properly equipped with clerks, we have, in accordance with what we believe to be the sense of the House in that regard, provided these committees with clerks.

Referring to the minority report, especially that portion of it relating to the various committees on expenditures, it will be seen that attention is called to the few reports submitted by these several committees to the House in past years. I would respectfully submit that the importance of a committee is not to be estimated or measured by the number of reports submitted by the committee, but by the scope of its jurisdiction and the importance of the subjects referred to it. We all know that there are committees of this House who have submitted hundreds of reports, which furnish evidence of the industrious character of the members of the committee in consideration of the various claims submitted against the Government; but at the same time there are other committees in this House which make but com-

paratively a few reports during the session, and yet each one of the reports is the result of months of patient investigation and hard work by the members of the committee. Hence we claim that it is not the number of reports by which the work of the committee or the importance of the committee can be judged, but by the scope of the work committed to it.

But without going further into these matters, Mr. Speaker, at this time, the Committee on Accounts believes itself to be justified in submitting this report in view of the action of the House on the resolution submitted by the Committee on Rules recently, and we respectfully submit, that being the case, we have done right and only right in furnishing the committees authorized by the Committee on Rules each with a clerk, so that they may be organized and prepared to do the work of the session committed to them.

I may have something further to say, and will reserve whatever time I am entitled to.

Mr. WILLIAMS of Illinois. Will the gentleman allow me to ask him a question?

Mr. RUSK. Certainly.

Mr. WILLIAMS of Illinois. Does the gentleman from Maryland not know that a number of these committees to which clerks have been assigned do not have more than one meeting during a session, and that meeting merely for the purpose of effecting an organization and appointing a clerk?

Mr. RUSK. Mr. Speaker, never having been a member of any such committee, I can not answer the gentleman. As a matter of fact I know that these committees on expenditures have at each session of Congress a report from the various Departments submitted to them, and they certainly have plenty of material on which to work and frame reports if they choose to do so. I can not answer the gentleman's question from personal information, nor do I know from the past what will be done by the committees of this Congress.

Mr. WILLIAMS of Illinois. I can only say that I was a member of a committee in the last Congress which had but two meetings. The first was to permit the chairman to appoint a clerk, and that chairman having died and a new man appointed, we had a second meeting to permit the new man to appoint a clerk, and not a quorum was present at either meeting. I think many other of the committees are in the same condition. It simply amounts to the assignment of a clerk for the individual convenience of the chairman of the committee. If that is to be done all the other members are equally entitled to clerks.

Mr. HEARD. Mr. Speaker, I ask the attention of the chairman of the Committee on Accounts to what I think is obviously an omission, unintentional, of course, on the part of the Committee on Accounts in its report. I understood the gentleman from Maryland to say that it was the purpose of the committee to recommend clerks for those committees only that are mentioned by the Committee on Rules.

Mr. RUSK. With the exceptions of the Committees on Rules and Mileage.

Mr. HEARD. Very good; that is as I understood it. Now, I call the attention of the gentleman to the fact that the Committee on the District of Columbia, so far as this report shows, is not provided with a clerk; and with the exception of three other committees of this House I do not believe there is another committee which has more work for a clerk to do.

Mr. RUSK. I will state to the gentleman from Missouri that the Committee on the District of Columbia has an annual clerk provided for by law.

Mr. HEARD. So I understood; and I will say to the House now, in explanation of the inquiry I have just made, that I asked the chairman of the Committee on Accounts if this report specified all the clerks to be provided for during this session, and I understood him to state that it did, except those who were paid for out of the contingent fund and for certain additional clerks to some of the committees. Hence I made the inquiry.

Mr. RUSK. I must have misunderstood the question. I evidently misunderstood it, because there are some twenty clerks who are provided for by the annual appropriation bills, one of them being the clerk to the Committee on the District of Columbia.

Mr. HEARD. That is the reason I asked the gentleman from Maryland the question now, he having evidently misunderstood the question I asked him before this resolution was called up this morning.

Mr. HOLMAN. Mr. Speaker, there being some confusion, I did not hear the statement of the gentleman from Maryland distinctly, but, as I understand it, you provide for thirty-seven clerks.

Mr. RUSK. Yes, sir.

Mr. HOLMAN. Two of them to go as extra clerks to the Committee on Invalid Pensions.

Mr. RUSK. That is correct.

Mr. HOLMAN. And thirty-five to the other committees.

Mr. RUSK. Yes, sir.

Mr. HOLMAN. That assignment takes up the entire amount appropriated for this purpose, and no more?

Mr. RUSK. That is correct. The clause of the appropriation bill provides for thirty-seven clerks to committees, at $6 per day during the session. We provide for thirty-seven clerks, two being assigned to the Committee on Invalid Pensions.

Mr. DICKERSON. Mr. Speaker, on behalf of the gentlemen who represent the minority, I ask the attention of the House for a few moments. The minority of that committee believed that the only justification for public expenditure was a public necessity. They believed that when this matter was referred to that committee, it was referred for the purpose of having the committee pass judgment solely upon the necessity for clerks for these various committees. There could have been no other object or purpose involved in the reference. The salaries of these clerks were already provided for by law. The number of committees was provided by the rules. The authority to appoint the committees was vested entirely in the several chairmen of these committees. Therefore it would have been idle to have referred this question to the committee, except for the purpose of taking these thirty-seven clerks and placing them where there was some necessity for them.

Now, we find that the Committee on Invalid Pensions needs, in addition to the annual clerk, at least two assistant clerks. And if this committee does not assign these two assistant clerks out of the fund provided in this general appropriation, we will have afterward by special resolution to appoint them and to pay them out of an additional appropriation. So it is the case with all those committees in which there is necessity for greater service than can be rendered by one clerk.

I find that the Committee on Military Affairs, if its work is as great as in the last session, will have about 2,000 bills referred to it. Under the law that committee has but one clerk, and the minority has seen cause to take clerks from some of these other committees that have nothing to do and to assign another to the Committee on Military Affairs. If we had been left to our preference we would gladly have assigned the clerks, in a spirit of courtesy, to the several gentlemen who are chairmen of these committees, but as we were called upon to pass upon the question of necessity we could not afford to do it.

I have been looking into the records made by several of these committees and reported to the document room, and the only evidence of the work that has been done is the record made and filed by the gentlemen who have been at work. I find that in six long years (and I did not go any further back into the record than that; it may have been twelve or more) that the two Committees on Expenditures in the State Department and Expenditures on Public Buildings, have never yet reported to this House upon any subject whatever. And yet they have taken $10,800 of the public money for clerks, in my judgment, purely for what are called by the older members here ornamental committees.

Mr. HENDERSON of Iowa. I had the honor of serving on the Committee on Expenditures in the State Department in the Forty-eighth Congress, and I remember that we spent several weeks investigating matters in the State Department, although we did not find it necessary to make a report, but we did a vast amount of work. I mention that as showing that the number of reports filed by a committee is not always a true index of the amount of work performed by that committee.

Mr. DICKERSON. The gentleman has very skillfully placed his time a little beyond the date of the examination I made.

Mr. BRECKINRIDGE of Kentucky. Will the gentleman from Iowa [Mr. HENDERSON] complete his statement by telling us whether the testimony taken by the committee was taken down by the clerk, or by one of the regular stenographers to committees?

Mr. HENDERSON of Iowa. There was no stenographer employed, but the clerk did all the labor.

Mr. DICKERSON. I will give both these gentlemen a part of my time directly. I do not want to talk very long. I find that the Committee on Expenditures in the Agricultural Department has never made a report. I find that the list of committees that the minority refuse clerks to, which list is too long to repeat, have made but four or five reports, any of them. In my judgment the record will show that in many instances subjects were assigned to these committees for the solitary purpose of allowing them to make reports, and to put themselves on record as showing some appearance of necessity for a clerk. I find that the Committee on Acoustics and Ventilation have made four reports to this House in six years, and two of them have been a discussion of air ships. [Laughter.]

Mr. HEARD. What subjects could be more appropriate.

Mr. DICKERSON. I do not know but that was appropriate in former Congresses, but I am opposed to it just now. Now, these several committees on expenditures, under the jurisdiction given

to them, have only power to investigate the expenditures in these several Departments. There are very few if any bills referred to them. So if they wish to make an investigation, if they desire to ascertain whether the funds set apart to the various Departments have been economically and properly expended, this House has the power to give to those gentlemen ample facilities for making such investigation. We will give them stenographers, and we will give them clerks whenever the necessity for it arises; but to stand here in the face of the record of the past six years, showing that they have done nothing, in the hope that in the future, some time, they may do something, to carry on this long list of clerks at the enormous expense that is shown by this committee is, in my judgment, a simple waste of funds and an utter disregard of the proper rules of economy and honesty in the administration of public affairs.

I know it is a trifling sum, when compared to the vast amounts appropriated by this Congress annullay; but the expenditure of a small sum involves the same moral principles and affords the same opportunity for the application of correct economic rules that the expenditure of a larger sum does; and it is not the amount, but the purposes for which we expend money, that justly arouses the suspicions of the people and excuses the severe criticisms that we see in the daily press. There is no reasons for clerks to these committees until they demonstrate that they desire to make an investigation; and then I for one am willing to give them all the necessary clerical aid, and the assistance of stenographers, that their investigations may require. I reserve the remainder of my time.

Mr. COOPER. Mr. Speaker, I united with the majority in support of the report which has been submitted, and I desire to give the reasons for the course I have taken. I wish to speak more particularly of the committees on expenditures in the several Departments and on public buildings. There are nine of these committees, as follows: On the Department of State, the Treasury Department, the War Department, the Navy Department, the Post-Office Department, the Interior Department, the Department of Justice, the Department of Agriculture, and on Public Buildings.

Section 35 of Rule XI of the rules of the House for the Fiftieth Congress, under which we are now operating, prescribes the powers and duties of these committees. It is as follows:

> The examination of the accounts and expenditures of the several Departments of the Government and the manner of keeping the same; the economy, justness, and correctness of such expenditures, their conformity with appropriation laws; the proper application of public moneys; the security of the Government against unjust and extravagant demands; retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices; the reduction or increase of the pay of officers, shall all be subjects within the jurisdiction of the eight standing committees on the public expenditures in the several Departments, as follows.

Then follows the list of those committees. It is proposed now to deprive these committees on expenditures in the several Departments of clerks.

Mr. Speaker, these committees have been constituted. In my judgment they ought to be fully equipped with all necessary help, and then some work ought to be expected of them. It is not an answer to the proposition to assign clerks to these committees to say that in the past they have not performed their duties.

Mr. Speaker, in my humble judgment the fact that duties have not been performed, that extravagance has not been rebuked, that corruption has not been exposed, that Congress has not been more vigilant and active, may in part explain why it is that expenditures have increased so steadily. We are the antithesis of the "billion-dollar Congress," and it will be expected of us that we inquire into these expenditures; and if we are to inquire into them we should not begin by abolishing the committees constituted for that purpose, or by doing that which is equivalent, refuse to provide them with clerks. Gentlemen upon the other side of the Chamber, in the discussion of the resolution proposing to pledge the House to economy, and which we have just had under consideration, have demanded that we should specify wherein expenditures have been extravagantly made. They have insisted that we are unable and can not point to a single expenditure that was not honestly made and that can not be defended. They have hurled back our charges of extravagance "with scorn and contempt."

I know of no case, Mr. Speaker, where a more lofty indignation has been manifested or a more earnest protest of virtue has been made save one. It is certainly in the same vein and sounds like the language of Donna Julia:

> "Yes, search and search," she cried,
> "Insult on insult heap, and wrong on wrong!"

[Laughter.]

I hold in my hand the report of the Secretary of the Treasury made this year. In it he calls attention to the expenditures of the several Departments, and I wish to read the figures given by him. It can not be said that the increase as shown is the result of pension legislation or the payment of honest debts, because these figures relate only to the expenditures of the several Departments.

On page 7 of this report I find this language:

> There was an increase of $57,637,198.14 of the ordinary expenditures, as follows.

This increase, Mr. Speaker, was for the year 1891 over the year 1890, an increase of $57,636,198 in the ordinary expenditures of the several Departments for one year. If gentlemen desire specifications of extravagant appropriations let them refer to the report of the Secretary of the Treasury and he gives the items. I will not follow down the list showing the increase in the several items, but will give the total.

Mr. DICKERSON. Will the gentleman allow me a question?

Mr. COOPER. Yes, sir.

Mr. DICKERSON. I will ask the gentleman if the investigations of the expenditures of the Departments have been made except by the assistance of a stenographer, and whether there is any special use for a clerk in this connection?

Mr. COOPER. My answer to that would be, that if these investigations should be made, as I insist here that they shall be made, then I am ready to vote for a stenographer. Mr. Speaker, it was my fortune or misfortune to hold a kind of collateral relation during the last Congress to the investigation of one branch of this service.

Mr. OATES. If the gentleman from Indiana will allow me a moment, I will suggest that there are stenographers to the committees, appointed for the purpose of being assigned to just such investigations.

Mr. COOPER. There are stenographers, who will be at the command of the chairmen of these committees if occasion for it shall arise.

I was about to say, Mr. Speaker, that I held a kind of collateral relation to a committee during the last Congress, whose duty it was to investigate one of the Bureaus of this Government. That committee never finished its work; but we went far enough into it to show that the Commissioner of Pensions appointed his own son to an office which he created for that purpose, and the public knows now that that son during his tenure of office employed his time in selling public places in that department, and that for this offense he has been removed by the Secretary of the Interior.

Mr. DICKERSON. I will ask the gentleman from Indiana whether that investigation was not made by a special committee, and whether the Committee on Expenditures of the Interior Department did not utterly neglect to do any work of that kind?

Mr. COOPER. I am not now discussing how this investigation was made.

Mr. DICKERSON. I understand that.

Mr. COOPER. Nor am I saying that these investigations should not be made by special committees. I am urging upon the House my view as to the necessity for the making of these investigations. I have been asked by the gentleman from Kentucky [Mr. DICKERSON] whether any investigations have ever been made by these several committees. A proposition similar to the one now made by the gentleman was made in the Forty-ninth Congress. I wish to read from the debate had at that time.

On the proposition to strike out the provision for the clerks of these committees, and in the discussion upon that subject Mr. Morrison, of Illinois, then a member of this House, said:

> I was about to say, Mr. Speaker, that these committees constitute the eyes and the hands of the House. In fact, I believe it is claimed in some cases that while they were making these investigations they also constituted the nose or noses of the House, for they were called smelling committees. Be that as it may, a great deal of good has resulted from the work done by them, and I am sure they should not be and will not be abolished.

If the gentleman will refresh his recollection, he will remember that it was these same standing committees on expenditures that so thoroughly overhauled these Departments some years ago and brought to light such and so much malfeasance and corruption as to startle and shock the moral sense of the nation.

Now, whether these committees have at all times performed their duties ably and faithfully I am not here to say, for I do not know; but I do know that there is an ample field for their operations, and that they should perform the duties assigned to them, and if they do perform those duties, certainly they should be properly equipped for the purpose. If we are going to reform the different branches of the administration of this Government in pursuance of the pledges which we made to the people, certainly we can not do it by depriving ourselves of the necessary help, any more than a carpenter can do his work without his tools.

I was about to read a few items showing the increase in the expenditures of the several Departments of the Government for the year 1891 over 1890. In the legislative department, the Department of State, the Treasury Department, the Navy Depart-

ment, the Interior Department, the Post-Office Department, the Department of Agriculture, the Department of Labor, the Department of Justice, the Executive proper, the District of Columbia, and the War Department, there was a net increase of $28,644,911. In the military establishment there was a net increase of $4,137,226.93. In the naval establishment there was a net increase of $4,107,690.22. In the Indian service there was a net increase of $1,819,422.34. In pensions there was a net increase of $17,479,096.33. In the interest on the public debt there was an increase of $1,447,851.32; making a total net increase in one year of $57,636,198.14.

Now, Mr. Speaker, anyone who will run up the column of the years and note how steadily the expenditures in the several Departments have grown, until now we seem to have reached the necessity of appropriating in a single term of Congress in the neighborhood of a billion of dollars, will agree that it is necessary that we shall endeavor by some means to ascertain whether these enormous expenditures are really demanded by the wants of the Government.

If we refuse these clerks upon the ground that nothing has been done in the past, it will be equivalent to a declaration that we expect nothing to be done in the future; and so, in the very beginning of the work which we are sent here to do, we lay down our arms and in the name of economy strike a truce with extravagance, and close our eyes against the regular and systematic depredations upon the public Treasury.

No, Mr. Speaker, let us equip these committees with all the necessary agencies to render them efficient, and then let it be understood that we expect from them such action as will enable us to know whether these vast sums are needed and how they are expended.

Mr. DICKERSON. I yield ten minutes to the gentleman from Texas [Mr. MOORE].

Mr. MOORE. Mr. Speaker, I have but a few words to say about these propositions. I know of no rule to govern the action of this House except the rule of experience. Those things which may happen in the future are matters which do not so much concern us as the things that have happened. Now, it is a little remarkable that gentlemen who represent the majority report give us not a fact, not a principle, in justification of their action, but only say that they felt authorized and deemed it to be their duty to make assignments of clerks to these committees because, and only because, the rules heretofore adopted by this House established and recognized such committees. The minority, on the other hand, seem to have entered into some investigation. Not being on the committee, and hearing no denial of the fact stated by the minority, I assume those facts to be stated correctly.

Now, if it is true in the history of the past six years, or, as the minority suggest, perhaps a longer period, that a number of these committees have done very little work, that one of them at least has made no report, that in the same period others have made one report each, that others have made three reports and others but four reports in six years, I do not see what justification there is for the recommendations of the majority. The reply to this, and the only reply made, is: "You do not look at the result of the work to determine its importance." They say that committees may have neglected their duties, that Congress has been derelict, that we have stood here shamelessly through different administrations and different Congresses and permitted the committees appointed by this House either to have nothing to do, or having much to do, to do nothing, and now we are called upon to perpetuate that state of facts. I say, Mr. Speaker, that the result reached by these committees, the bills they have reported, furnish this House the only safe criterion by which to judge of the importance of the work and of the committees.

Again, Mr. Speaker, however important a committee may be, it does not follow that its work involves clerical aid. The question is not whether a committee is important as a committee, but whether its importance relates in any way to clerical work. What fact have you got, what presumption exists, that because a committee in the future may become important, therefore it is equally important that that committee shall have a clerk? Members of Congress who are appointed upon committees, whether special committees or standing committees in this House, are expected to do something themselves to make investigation, and to do much work in which they do not need and can not use clerical service except perhaps of a special character.

The minority of the committee, as I understand, stated that in the fullness of time if it should be discovered that there is work to be done requiring the services of these clerks, they stand here ready to vote to authorize them; but until that time comes, until there is a reasonable expression on the part of the committee that we need these clerks for immediate, efficient, active service, my judgment is that it is the bounden duty of this Democratic Congress to show, not by mere resolutions, in which I have but little confidence, but by stern individual action, their purpose to do right—not to-morrow, not at some future day, but now. That "now" is pressing us. At the opening of this Congress it behooves us as Democrats not to indulge merely in the adoption of resolutions, but to inaugurate an actual retrenchment of public expenditures.

It is no argument to say that these are small things. We shall be better able to take care of large things in our expenditures and shall be more likely to do so if we begin by meeting properly questions in regard to these small expenditures.

The minority of the committee say—it is not denied and I assume it is true—that under the report of the majority of the committee $27,000 will be expended this session upon committees that have so little to do as not to justify this expense. Should we not assume this statement of the minority of the committee to be true in the absence of any denial? The minority of the committee seem to have gone into this matter in good faith. They have laid before us facts to which we can not well shut our eyes. My judgment is that the minority report ought to be sustained. When the hour comes that the honest chairman of an honest committee reports to this House that he knows such facts to exist as demand the service of a clerk for his committee, I shall be among the very first to vote a clerk for such committee. But until that hour comes it is plain to me that my duty is to vote in favor of withholding this expenditure. I trust that the minority resolution will be adopted by the House.

Mr. MOSES. Mr. Speaker, I do not wish to occupy unnecessarily the time of the House; but if the report of the minority of the committee were correct, if the views of the minority were in the interest of retrenchment and reform, I, as a representative of that class of people who are known not only as Democrats, but as Alliance men, would have appended my name to the minority report, not the report of the majority. It is because I desire to show this House that the majority report is in the interest of true retrenchment and reform that I venture to call attention to the two reports.

Mr. Speaker, there is a necessity for these committees on expenditures in the Departments; otherwise the House has stultified itself by their creation. If, then, there is a necessity for the formation of the committees, why not equip them, as has been done heretofore, to do the work which the House expects of them? The cause of true retrenchment demands that these committees on the expenditures in the several Departments should each have a clerk, and that those committees should be required to make reports to this House. I respectfully submit that the fact that they did not report in the last Congress is no reason why they should not report in the future. I will read from the report of the minority. They say:

> We should set the example of cutting off expenses in our own department here, and then we shall be in a position to demand economy in the several Departments.

That is what we want. We demand economy in the several Departments, and that is the reason we want these committees on departmental expenditures fully equipped. Your grand juries in your several counties sometimes do not find anything wrong to report, still they make their reports. If these committees on departmental expenditures have not made reports heretofore the presumption is it is because they have found things all right in the way of expenditures; and if so, it is an honor to the administration of the Departments and their respective heads. The people are going to pass upon our expenditures, and they demand of us, as their immediate representatives, to see to it that the expenditures of the different Departments of the Government are not extravagant and are in strict accordance with law.

The proposition to cut off these committees reminds me of the story of the wolves that asked the shepherd to throw the dogs to them. Suppose a request should come from these Departments that we call off these committees on departmental expenditures, would you grant such a request? Why, sir, the only way we can secure retrenchment and reform, the only way we can keep expenditures within what is absolutely necessary, is to let these Departments know that we are prepared to look and will look into every expenditure that may be made.

Mr. Speaker, the small sum spent in equipping these committees for active duty will be well expended. Not only ought we to give them these clerks, but if they do not report we should by resolution of the House call upon them for full report, so that we may know from examination of the facts that the departmental expenditures have been lawful and economical.

Why, sir, we have a United States Navy which is sustained by tremendous appropriations on the part of the Government; but according to the argument of the speech last made there is no necessity for that Navy. The existence of such a navy obviates the necessity which might arise for naval warfare if such a navy did not exist. And we say that the very existence of these committees—the fact that they are ready to do their duty—will

have a tendency to check extravagance of expenditure in the Departments, and hence will promote the interests of retrenchment and reform.

Some of us were in favor of cutting off three or four of these other minor committees; but we were not in favor of taking from the Democratic party the ax with which the people expect this Congress to lop off all unnecessary expenditures not only here but in all the Departments of the Government. I am in favor of the report of the majority.

Mr. SNODGRASS. Will you allow me a question?

Mr. MOSES. Yes, sir.

Mr. SNODGRASS. I want to know whether the fact that you belong to the Alliance furnishes any guaranty that you will be more likely than any straight Democrat to report in favor of retrenchment and reform.

Mr. MOSES. I do not think it does—if you mean true Democrat.

Mr. BOATNER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER *pro tempore* (Mr. DOCKERY). The gentleman will state it.

Mr. BOATNER. Will the Chair state what is the question pending now before the House?

The SPEAKER *pro tempore*. The Chair is advised that the parliamentary status is this: The report of the majority of the Committee on Accounts is proposed to be amended by a substitute offered by the minority. That substitute, the Chair is advised, is pending, and the gentleman from Louisiana has offered an amendment to it. The gentleman from Indiana [Mr. HOLMAN] has reserved a point of order on the amendment.

Mr. BOATNER. What point of order has been reserved against the amendment?

The SPEAKER *pro tempore*. The Chair does not know.

Mr. BOATNER. I should be glad to be informed.

The SPEAKER *pro tempore*. The Chair does not see the gentleman from Indiana in his seat, but is advised that the point of order is to the effect that the amendment is not germane to the substitute.

Mr. BOATNER. Mr. Speaker, I rose principally for the purpose of withdrawing the amendment because of the parliamentary difficulties of the situation, and not because I am not perfectly satisfied that the members of this House are as much entitled to clerical assistance in their individual capacity as they are in their aggregate capacity as members of the several committees. I therefore withdraw the amendment.

But, Mr. Speaker, while on my feet I avail myself of the opportunity to remind the House that we are dealing with a momentous question. [Laughter.] We are dealing with a question which has been made momentous by the resolution of the gentleman from Indiana which has just been adopted this morning.

The question arises now for our consideration whether the expenditure we are about to authorize is one which comes under the jurisdiction of the Departments of the Government in any form or shape, and if it does not, whether we are justified in making the expenditure in the face of the declaration adopted this morning that we would make no appropriations except such as are absolutely necessary to carry on the Departments of the Government. [Laughter.] It may be, of course, justified under the plea that Congress is one of the departments of the Government, and I believe the gentleman from Indiana himself on yesterday threw out the comforting assurance to his friends that the words of the resolution did not mean exactly what they said, but embraced the whole system of Government in all of its various branches [laughter] and departments, and that under a liberal construction of the resolution all appropriations for the public service are covered by the words of the resolution.

But, Mr. Speaker, coming back to the question properly before the House at this time, the situation, as I understand it, is just this: The House, in recognition of the fact that certain members of the House are entitled to clerical assistance, restricts the appointment of clerks to members of the House who happen to be chairmen of committees. In other words, the assignment to one of these committees as chairman carries with it a clerkship, and the continuance of this system is opposed. I have observed some very remarkable changes of opinion on this particular question in the minds of members of the House, according to the change of the situation. [Laughter.]

In the last session of Congress I introduced, or rather supported as strongly as I could, a motion made here to extend this kind of clerical assistance to the members of that body, the last House of Representatives. I found a very large number of gentlemen, members at that time, who agreed enthusiastically with the proposition when it was in the Committee of the Whole House for consideration; and there was every reason to suppose that it would find an overwhelming support in the House. But when the distinguished gentleman from Indiana [Mr. HOLMAN], and I believe one or two other distinguished gentlemen who desired to make a record, gave notice that they would call for a vote by yeas and nays in the House, why, sir, it was most astounding what a remarkable change of sentiment occurred between the hours of 2 o'clock and about half past 4 in the afternoon. [Laughter.]

I do not think that there was more than thirty or forty who, when the House resumed its sitting and was considering the report of the Committee of the Whole, had not undergone a remarkable change of sentiment, and even concluded it would be a piece of criminal extravagance which the country could not tolerate and would not justify. [Laughter.] I at that time, Mr. Speaker, was animated by a righteous indignation against these economic gentlemen who had been reëlected and expected to be chairmen of the committees of the next Congress, and who, having supported the question before the Committee of the Whole, changed their sentiments and voted "no" on call of the roll in the House, and I determined when this House met, was organized, and the proposition was made to assign clerks to the various committees, that I would introduce and support a proposition that unless all members are entitled to clerical assistance none of them should have it, and that if I can not have the assistance of a clerk in the conduct of the business which devolves upon me, the chairman of my committee ought not to have one to write his letters, conduct his correspondence, distribute his garden seeds, make his inquiries at the Departments; in other words, to be a man of all work, paid by the Government at $6 a day, while the next man upon the committee has to do that work himself or pay for it out of his private individual pocket. And there is no use in discussing the fact that a very considerable number of the clerks of committees of this House perform those duties for the chairmen of the committees, and absolutely no other duties at all.

But, Mr. Speaker, when the Speakership contest came up here a short time ago, at one time I could see a chairmanship away in the dim distance. It was a long way off and did not materialize. [Laughter.] But, however, I found my mind unconsciously taking a kind of reactionary movement upon the clerkship question [laughter], and I came to the conclusion that it was not such a bad thing after all to allow the chairmen to have clerks; and considering the change of public sentiment upon this question, I hope this House will realize before long that the country is not paying any attention to such trifles as this, and will do justice to itself, will do just as the Senate has done for a long time, assign to its members the necessary clerical assistants to perform necessary duties; that men will realize that the nation is not employing Congressmen at a salary of $5,000 a year to do the work which can be performed by clerks at a salary of $75 or $100 a month. I say, in the hope that this House will do itself justice and will provide itself with the necessary clerical assistants, I shall vote in behalf of the majority report, although I do it with the full knowledge that the assignment of these clerks, in most instances and except to the great committees, is for the individual convenience of the chairmen of the committees. [Applause.]

Mr. SNOW. Mr. Speaker, I hope that this body will not forget that it is a representative body. A large number of the members of this House are sitting here to-day as a protest upon the part of the people against wild and reckless extravagance. I am no sentimentalist. I believe in being liberal, with my own money; but I am opposed to liberality with other people's money. The people of this country have established an agency in this country with headquarters at Washington; we are the direct representatives of the people, and it is the people who are making the demand. If, as the gentleman from Louisiana [Mr. BOATNER] has said—and I agree with a part of his remarks—the Representatives here on the floor of this House need, as I believe they do, personal clerks, I have the manhood sufficient to stand up here and vote and go on record in favor of it.

The people do not want us to do work which could more properly be done by clerks, but they wish us to devote ourselves to wider and greater subjects. I know many of the members are overworked. But in favoring retrenchment, in refusing to allow to these committees the clerks cut off by the minority report, we are not destroying the means of usefulness of these committees. I stand ready, and I believe the majority upon the floor of this House stand ready, to give any committee one clerk, two clerks, or a dozen clerks whenever the necessity for their employment is demonstrated. But until the time comes when that necessity is demonstrated, it is our duty, coming fresh from the hands of the people, who have pronounced in favor of economy, to economize, to be careful and watchful that the taxes wrung from the people by high tariffs upon everything that they eat, that they wear, and that they sleep upon shall be economically expended, and not expended in useless and unnecessary ways.

The facts that have been shown here in the minority report are not confuted, at least are not successfully confuted. Until they are it is more than a question of economy; it is a question of com-

mon honesty and principle which is involved, in saying whether or not you will put your hands in the pockets of the people and give to these committees ornamental clerks to do the work, not of the committees, but of the chairmen of these committees. I am opposed to allowing them the clerks.

Mr. RUSK. I yield to the gentleman from Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, I have no personal interest in the assignment of clerks to these various committees, but I want to say that I am heartily in favor of the report of the majority of the Committee on Accounts. We have occasionally, in this Hall, had manifestations of the economical mania which are ludicrous, and the proposition here, in my opinion, is one of them. Instead of having too many clerks, I believe it to be the fact that we have not a sufficient number. Toward the close of every session of Congress the representatives of the people upon this floor are called upon to vote appropriations of public money to pay for private secretaries to the grave and reverend seniors at the other end of the Capitol, and after a feeble resistance we yield. And now the proposition is made that we shall deny to standing committees of this House the right to have the assistance of clerks. If these committees are useless, why have they not been abolished? That is the remedy. Do you keep them here only as places to which members may be assigned?

I agree with the statement of the gentleman from Maryland [Mr. RUSK], that if these committees perform the duties required of them by the rules of the House, there are no more important committees in this House. All of them were created, except two, as far back as 1816. Not only am I in favor of giving to every committee of this House the right to have the services of a clerk, but I want here to make the declaration also that I am in favor of giving to every member of this House the same privilege. [Applause.]

I have received within the last few days a notification from the Hon. Jere Rusk, of the Agricultural Department, that there are about nine mail bags full of seeds for my distribution. How are they to be sent to the people? Why have you appropriated money for their distribution when you refuse to make an appropriation for clerks for this purpose? You have expended millions of dollars in printing public documents for the information of the people, and yet refuse to make proper provision for their distribution by members of this House.

How are they to be distributed unless this Congress shall give to each member the right to have some clerical assistance for the performance of this work? I am not insisting that members should have clerks to attend to their private business and concerns, but I do maintain that clerical assistance is necessary to enable them to respond to the wishes of their constituents.

Mr. DICKERSON. How will clerks of committees aid in that?

Mr. WISE. I say I am in favor of clerks for every member.

Mr. DICKERSON. That is all right.

Mr. WISE. Mr. Speaker, I am sorry that the gentleman from Indiana [Mr. HOLMAN] thought it necessary to make a point of order against the amendment offered by the gentleman from Louisiana, the object of which was to allow to every member of this House the assistance of a clerk for the distribution of seeds and public documents to his constituents. I repeat what I have already said, that if the committees on expenditures in the various Departments give attention to the subjects of which they have jurisdiction, there are no more important committees in this House. It is no argument to say that because these committees in the past have not performed their duties that those which have been appointed by the present Speaker will not perform theirs.

Mr. Speaker, I shall give my hearty support to this resolution of the majority of the Committee on Accounts.

Mr. MANSUR. Mr. Speaker, I feel myself compelled to differ from the gentleman who has just preceded me, and shall give a few of the reasons that lead me to this difference. The House has organized itself into committees. For what purpose? To expedite business. The committees are given clerks for what purpose? No man can tell us of a public reason that can be other than that the clerk is also given to expedite business. This is a Republic, supposedly founded upon equal rights, and that American who does not love fair play and even-handed justice is unworthy of the name. If, then, we find in the course of practical experience that committees are organized to whom no business ever goes, and by whom no business is ever done, then these committees are not entitled to a clerk; and if their chairman gets one, it is a species of favoritism that, in a certain sense, reflects upon every other member of this House who permits favoritism and will not stand up for equal justice for himself and for his own district.

It is no argument, to my mind, to say that because these are standing committees, and created for the purpose of carrying on the work of the House, that therefore we must also give to these "ornamental committees," as they are called, clerks, for there is a fundamental difference in the case of appointments and the action of the people of the country. That difference is this: That the committee we create simply exists through the will of the House, but the appointment of the Speaker gives the people nothing. We get no additional privileges of any kind, nor any perquisites, not even one more 2-cent postage stamp by it. The moment we establish a clerk on these committees, instead of doing what is public with it, as we all know, we put the appointment into the hands of the chairman, whose appointment is always ratified under the courtesy which exists in committee, and which, under the rule adopted the other day, has been put into the shape of a part of the standing rules; that is to say, that the chairman shall nominate the clerk, and that the committee shall ratify the nomination, which is the usual courtesy in committee.

Now, Mr. Speaker, I have voted here to-day against granting any subsidies. This House, by a majority of 164 to some 90, said they were opposed to subsidies. I am opposed to giving $2,186 to the chairman of a committee who does not need it. I am for equal and even-handed justice. My duties here compel me to work at least twelve hours a day. Many and many a time I have worked until 1, 2, and 3 o'clock in the morning in this Capitol without leaving it, and I have never had a clerk or an opportunity of obtaining one.

Mr. CUMMINGS. Will the gentleman allow me to ask him what the limit was? [Laughter.]

Mr. MANSUR. Mr. Speaker, I have never had a clerk at the public expense; but whenever I wanted a stenographer or typewriter, I have employed one and paid for it out of my own pocket. And I believe that what I have suggested should be the rule of the House in every instance where there are no substantial duties to perform by the committee.

Now, sir, this does not contravene the general proposition you can very well see. These standing committees are created because the House is thus organized, and the duties are apportioned to all. If any investigations are to be made the committee is at hand to make that investigation, and if there are other duties for that committee to perform the committee is at hand to help to perform their duties; and there is not a man in this House who would not give to that committee a clerk or a stenographer, or both, if such were needed. The House would instantly vote for it. But to establish deliberately here, after the vote we have given to-day, a proposition that says because the House has created these standing committees, and after the attention of the House is called to the fact that the members of these committees perform no duties whatever, we shall give them each a clerk and maintain them at an expense of twenty-one hundred and odd dollars each, is giving a kind of subsidy.

I believe that the gentlemen who represent the minority report here state that $27,000 would be expended in this way, and we had just as well save that $27,000, and a great deal better, than to permit it to be squandered now in the way proposed. I voted with the distinguished gentleman from Indiana [Mr. HOLMAN] on the proposition against subsidies to-day, and I think this, sir, that we have here a small subsidy provided for; and for these reasons, and many others that I might suggest, I shall vote for the minority report.

Mr. CUMMINGS. Mr. Speaker, it was with great pleasure that I heard last fall that the Democratic candidate for governor in Massachusetts had been reëlected, that he had been reëlected on a reform of the tariff issue, and reëlected because the laborers and organized trades unions of that State recognized his ability and his devotion to the interests of the people.

One of the results of his reëlection is an investigation in Massachusetts of what is known as the "sweating system." Possibly there are gentlemen upon the floor of this House who do not understand the "sweating system;" but there is no tailor, no toiler, man or woman, employed in the clothing business, who does not understand it. It is the giving out of the making of cloaks, dresses, and all kinds of wearing apparel to a middleman, who distributes the work among the working men and women and compels them to furnish their own thread and buttons.

Now, Mr. Speaker, I protest against this House of Representatives acting as a middleman and upholding the sweating system here. [Cries of "Good!" "Good!" and applause.] You were sent here by the people to do their work. If you farm it out to your committees, for Heaven's sake don't ask those committees to find their own thread and buttons. [Laughter and applause.]

Mr. Speaker, I have learned from my experience in this House that at the beginning of each term of Congress there are certain men styled economists—whether real economists or not I can not say—who deliberately begin work by proposing that the members of the House tie their own hands and their own feet and then try to do business. [Laughter and applause.] But I notice that when it comes to voting appropriations for the legislators at the other end of the Capitol these gentlemen do not even wait to be told what is required. They put into the ap-

propriation bills of this House, without waiting for a request from the Senate, appropriations for 142 clerks for 88 Senators. Yet these same gentlemen talk now about reducing the paltry number of 57 clerks allotted to the 334 members of this House! Is this economy, or is it hypocrisy? [Applause and laughter.]

Other Houses of Congress in years gone by have carried out this economical principle by repealing the franking privilege. What is the result? There is not a man in this House who does not pay out of his own pocket from 50 cents to $1.50 daily for postage. [Cries of "That's so!"] For whom? For his own business? No; but for the business of his constituents. [Cries of "That's so!" "That's right!" and applause.] And now, in addition to this, it is proposed to require your chairmen of committees to do all their own clerical work, to get their pens and their paper, and walk into the stationery room and have their mucilage bottles filled [laughter], to wait upon themselves, to frank their own documents, to pack their seeds, to write their letters and reports, to direct their own envelopes and pay their own postage, and, of course, to pay for their own shaving, which is not the rule at the other end of the Capitol. [Laughter.]

Now, sir, if there is a committee of this House that ought to have a clerk, provided the committee does its duty, it is the very one to which the gentleman from Kentucky referred, the Committee on Ventilation and Acoustics. [Laughter.] I tell the new members of the House that the longer they are here, the more speeches they hear and make in this Hall, the more thoroughly they will be convinced that if one clerk or two clerks or three clerks will serve to stir up the Committee on Ventilation and Acoustics to do its duty, the more they will be convinced that the appropriation is an extremely good investment. [Laughter.] Their bodily and mental health will be conserved.

But, Mr. Speaker, the House itself holds the key to this situation. It creates these committees. If you have no work for them, abolish them; but as long as you do have the least work for them and as long as they do exist, do not compel them, in their Congressional sewing, to furnish their own thread and buttons. [Laughter and applause.]

Mr. BROWN. Mr. Speaker, I have always had a very high admiration for a gentleman who talks fairly on all occasions. If I understood the remarks of the gentleman from New York [Mr. CUMMINGS] correctly, he is in favor of letting all these committees have clerks. He has given the country that much information; but the country ought also to be informed that the gentleman from New York himself is the chairman of the Committee on the Library, which has but three members. [Laughter.]

Mr. CUMMINGS. Will the gentleman permit an interruption?

Mr. BROWN. Certainly.

Mr. CUMMINGS. And that committee has twenty-three monument bills already in its hands. [Laughter.]

Mr. BROWN. I trust that it will not be long until it has twenty-four. [Laughter.] But, Mr. Speaker, in all seriousness, I think that the minority report should be adopted. It has become a general expression, not only upon this floor but throughout the country, that there are quite a number of committees of this House that absolutely do nothing at all. Some of those committees have clerks, and in my judgment the committees themselves should be abolished as well as the clerks. If any one of the great Departments of this Government conducts its business in such a loose or incompetent way as that an investigation becomes necessary, I think the House ought to provide a committee to conduct that investigation, ought to give that committee such instructions and such aid and assistance as it can properly require to do its work; but if the House, by a system of rules or otherwise, creates a number of committees and puts them in the category of "investigating committees," simply for the purpose of giving to each a sinecure in the form of a clerk, that seems to me trifling with the advice which my friend from Indiana, Judge HOLMAN, has given us on so many occasions; and I will now conclude my remarks by submitting a point of order, namely, that this report proposing to give clerks to these committees is not within the language of his resolutions adopted this morning, nor within his very liberal construction of them.

Mr. HENDERSON of Iowa. Mr. Speaker, I do not wish to join in the discussion of policies involved in this proposition, but I deem it my duty to say a few words in correction of what is evidently a mistake on the part of the minority of this committee. They say that the Committee on the Militia made no report in the last Congress. Now, I had the honor of being chairman of that committee in the last Congress, and I hold in my hand a report of 26 pages which I made, under the direction of the committee, and submitted it to the House. I understand that that committee is one of those that are to be deprived of clerks.

Mr. DICKERSON. If the gentleman will permit me, our report does not say that committee made no report, it says that it made six.

Mr. HENDERSON of Iowa. The report says:

> The Committee on the Militia has made six reports in six years, at a cost of $5,400."

Then it says in parenthesis, "None in the Fifty-first Congress."

Mr. DICKERSON. That is the fact, as the record discloses.

Mr. HENDERSON of Iowa. The RECORD shows that that is the statement.

Mr. DICKERSON. The statement is that there was no report in that Congress, but that there have been in six years six reports.

Mr. HENDERSON of Iowa. But it states that there was no report in the Fifty-first Congress.

Mr. DICKERSON. That is right. In the Fifty-first Congress there was no report made, but in six years there were six reports from that committee.

Mr. HENDERSON of Iowa. I hold in my hand one report made by that committee in the last Congress.

Mr. DICKERSON. Our statement is made on information furnished by the record-keeper of this House.

Mr. HENDERSON of Iowa. Well, there is some mistake about it, for I made this report from that committee in the last Congress; and I want to say further that it involved a great deal of labor; it involved repeated meetings of the committee. Allow me to add that if there is any one question which is now interesting the country it is that of the reorganization of the militia of the United States. Such a reorganization is demanded. There were many meetings of the committee in the last Congress; there were numerous interviews; the committee heard delegations from the different States. In my judgment it would be a great mistake to strip that committee of any of its equipments for doing thorough work. Nothing has been done with the militia laws of the country since the First Congress. There is needed thorough work on that subject. Having made this correction, I have nothing further to say.

Mr. BOUTELLE. Mr. Speaker, what a comical old humbug the Democratic party is. [Laughter.] Well, it is laughable. Year after year, Congress after Congress, the same old song, the same old tune, on one string. [Laughter.] I stood here yesterday and looked at that remarkable spectacle presented on the other side of this Hall when the gentleman from Indiana [Mr. HOLMAN], the distinguished chairman of the Committee on Appropriations, stood up, and while the brethren gathered around him administered to them in allopathic doses the medicine of "retrenchment and reform." There was something so familiar about the grouping that I tried to recall where it was that I had seen or heard or read of something of that kind before.

Finally it all came back to me; it was only history repeating itself; and this remarkable episode and spectacle was simply a reproduction of the prophesy of Dickens, and the picture of Cruikshank, when they depicted, the one in description, the other with his pencil, that famous scene where Mrs. Squeers gathered the boys around her at Dotheboys Hall and administered to them with a long spoon their doses of brimstone and treacle (retrenchment and reform) for the purpose of breaking down their appetites and saving provisions. [Great laughter.] I knew you would recognize the picture; and the only feeling of melancholy I have in connection with it is that Dickens died before seeing the realization of his dream.

Oh, yes; it was all according to programme, all familiar, even when our friend Mr. Pecksniff arose and, with taffy in one hand and amendment in the other, undertook to forward the great on-moving car of retrenchment and reform. And then our other old friend, the Rev. Mr. Chadband, of Kentucky, came in with "Bless you, my children," and pronounced the benediction. [Laughter.]

Why, Mr. Speaker, there was more of history and fun condensed in yesterday afternoon's proceedings than I have ever witnessed before in a week.

There was our volatile friend from Alabama, Gen. WHEELER, a gentleman who always leaps upon the back of the great questions of debate, to "ride the whirlwind and direct the storm," with an impetuosity which reminds one of the manner in which a representative of the Darwinian theory would ride upon the trick elephant in a circus. [Laughter.]

He started out, Mr. Speaker—I am always interested in what he says, and more interested in the way he says it—he started out yesterday morning to "hurl" something or other back "with scorn" [laughter]; but he omitted to sufficiently lubricate his "hurler," and in some way or other got into difficulty before he was through. [Laughter.] He opened out like a calliope on a Mississippi River steamboat, and he wound up like a sandpeep in the last stages of asthma. [Laughter.] He reminded me—for these events were full of suggestiveness to a quiet onlooker—he reminded me of one of those modern patent dolls of Edison's, with a phonograph inside. Those of you who have ever practiced with that instrument may remember that sometimes an im-

perfect cylinder is shoved into the machine, so that from the full diapason of a brass band you run down to a feeble squeak when the diaphragm needle gets out of the groove. [Laughter.]

From the way the gentleman started and the way he ended I was afraid something had broken inside of him. [Loud laughter.] The loftiness of his aerial flight and the suddenness of his descent reminded me of the excuse the Irishman made for being bow-legged, when he said he went up in a balloon once and walked back. [Laughter.]

Then there was our distinguished friend from Missouri [Mr. DOCKERY], a gentleman who is haunted all the time by the nightmare of apprehension that he is too good looking to be taken for a Democrat [laughter], and who therefore feels obliged to enter a protest on all possible occasions to keep up the assurance of his party orthodoxy. Why, he does look like a first-class, clean-cut, well-conditioned Republican citizen, proud of his country, its glorious achievements and possibilities; yet when he rises to speak in this House he undergoes a transformation beyond my power of description.

From the expression of countenance that he adopts on such occasions, and that pained tone, that exceedingly distressing sound that he attaches to his oratorical efforts, I can not help thinking that making a Democratic speech actually goes against his system. [Laughter.]

And behind all this, the stage manager, the gentleman from Indiana, undertaking to start the reform exhibition by protestations to the people in advance; trying the old game of throwing out a cloud of proclamations without regard to performances to follow them; proposing to deal with this great nation and its illimitable responsibilities and destinies as though it were a nickel-in-the-slot machine, and even then trying to beat the machine by dropping a bogus nickel in the slot. [Great laughter and applause on the Republican side.]

Now, Mr. Speaker, I am somewhat tired, after all my amusement, with this sort of performance presented in the House in the name of legislation. I have been watching with a great deal of care and curiosity, I have read with more attentiveness and regularity than is good for my mental health or my moral condition the record of the pretensions and the expressions of the leaders of the Democratic party extant to-day, and in the last six months I have found only one expression from a Democratic source that rises to the level of American patriotism, and that came from the lips of a woman, the estimable lady who is now presiding over the executive mansion in the State of New York.

Some of you may have read the account published in a leading Democratic journal of the experiences of the wife of one of our former associates here on her arrival at the executive mansion in Albany, an executive mansion provided by a "profligate legislature" to enable the governor of that State to live in what some of our friends who have spoken here to-day would designate as "ostentatious affluence." [Laughter.] I say that some of you may have read, as I did, in the columns of the New York World, an account of that lady's experience in undertaking to bring order out of the chaos that had resulted in that establishment after two successive periods of Democratic "retrenchment and reform." I will not detain the House by trying to recall the details of how that lady's tasteful sensibilities were shocked by finding a profusion of lemon-squeezers and a deficit of napkins, by finding cigar stumps in the sugar bowl and poker-chips in the State prayer book. [Laughter and applause.]

I say I will not detain the House by going into these particulars, but ask you to imagine the work of pulling down the lithographs of opera bouffe actresses and burlesque opera dancers, in order to redisclose the historic features of DeWitt Clinton, Samuel J. Tilden, and the other sages and statesmen of the Empire State. [Laughter.] But I want to read you from that Democratic authority the one patriotic sentence, the one creditable expression that I have heard from any Democratic quarter for six months past, and, as I say, that fell from the lips of a woman.

Before repeating it, Mr. Speaker, I may say that, as "out of the mouths of babes and sucklings" we may find wisdom, this good lady was under no bonds to anybody to speak anything but the truth or utter anything but common sense, and standing as she did in this arena where two Democratic bachelor governors had been illustrating all the peculiar virtues of Democracy [laughter] for an extended period of years, looking over the devastation that had been wrought with an eye to repairing the damages and restoring the executive mansion to a respectable basis of habitation for the public service, in reply to a question as to whether retrenchment and reform had left this splendid establishment in such shape that the new governor could give a dinner to his friends, she answered in the negative by saying:

Oh, no; I have not begun to think about a state dinner. With the present condition of things I should not be able to serve a breakfast of sixteen covers properly.

[Laughter.]

How that must delight my distinguished and honorable friend from Indiana. [Laughter.] If she had only said they did not have enough coal left for the kitchen range to warm over a cold mess of potatoes I think my friend from Indiana would want to move to New York without delay. [Laughter.]

Then, too, the butler's pantry is in such bad shape that it will have to be completly overhauled. Why, a New York butler would feel insulted if asked to use it, even temporarily.

I presume that Governor Cleveland and Governor Hill had been employing a butler from Indiana. [Laughter on the Republican side.] But what I want to call the attention of the House to is contained in the following paragraph. Governor Flower and his wife evidently do not think it is necessary even for a Democratic governor of the State of New York to go about with his elbows out of his coat for the purpose of flaunting the flag of truce toward the Democratic House now in session. [Renewed laughter on the Republican side.] They propose to live in a respectable, decorous, civilized, refined, and proper manner. And, Democrat as he is, I hope to pay my respects to Governor Flower in that same executive mansion after they have had it repaired and renovated.

But in making the necessary purchases for placing that edifice in a condition befitting the official residence of the chief magistrate of the grandest of the American States it ought to please every American citizen, as it pleases me, that the wife of the governor of New York is willing to say, and does say without hesitation, that in order to put that establishment in the highest state of efficiency she is not obliged to go beyond the confines of the American Republic to find every article that may be needed. [Applause on the Republican side.]

Mr. ENLOE. Mr. Speaker, I would like to ask the gentleman a question.

The SPEAKER *pro tempore*. Does the gentleman from Maine yield?

Mr. BOUTELLE. Not at this time. The article from which I quote says:

Mrs. Flower said she would have to buy in New York further supplies absolutely essential before any entertaining can be done by the family.

I will premise what follows simply by saying that those supplies embrace every article within household use, including the much-debated schedule of the productions of tinware.

Mr. ENLOE. Mr. Speaker, will the gentleman from Maine allow me——

The SPEAKER *pro tempore*. Does the gentleman from Maine yield?

Mr. BOUTELLE. I do not.

Mr. ENLOE. Then I make the point of order——

Mr. BOUTELLE. I decline to be interrupted.

Mr. ENLOE. I make a point of order—— [Cries of "Oh, no; let him go on!"]

Mr. BOUTELLE. Mr. Speaker, the discourtesy is to the lady and not to myself. [Laughter.]

Mr. ENLOE. I know it is. It is a discourtesy to her to read that matter here.

Mr. BOUTELLE. Mrs. Flower further said:

I do not belong to the society of shoppers who think that the foreign trademark is the only stamp of excellence an article can possess. I am an American through and through.

[Applause.]

Mr. HEMPHILL. All good Democrats are.

Mr. BOUTELLE (continuing to read):

I have been in a number of trade marts in Europe and Southern Asia, and I have yet to find a better, cheaper place to shop than a first-class American store. There is nothing I want that I can't buy in Broadway. Last year we prepared our daughter's trousseau, gave her just what she wanted, and bought everything in Watertown. If the firm did not have the particular article called for they wired the manufacturer or importer for samples.

[Laughter on the Democratic side.]

And through that courtesy we not only save time, but money as well. No. *American goods are good enough for one American family.* The mansion needs replenishing. It is an American institution, and for the coming three years it will be run on the American plan.

[Applause on the Republican side.]

Mr. CARUTH. That is, on Democratic principles.

Mr. BOUTELLE. Now, Mr. Speaker, in conclusion I wish merely to cite one more Democratic authority, and that is in answer to these wailings of agony in regard to our impoverished and impecunious condition as a country, all of course brought about by the "billion-dollar Congress" and the "McKinley bill."

Mr. BRYAN. That is true.

Mr. BOUTELLE. The New York Times ought to be accepted as tolerable Democratic authority. [Laughter.] It has gone deeper and stayed out of sight longer in Democratic mud than any other newspaper in this country, and you gentlemen ought not to go back on it; but it had a lucid interval the other day, on the 7th day of January, 1892, when it said in a leading editorial:

The returns from the Bureau of Statistics of exports of merchandise continue to be of a character simply extraordinary. In the month of November,

1891, these exceed $110,000,000, yielding a net balance as against exports in favor of this country for that month alone of over $45,000,000 and bringing a net balance for three months previous to December 1 to nearly $103,000,000. It is impossible that such sound facts as these shall not tell with great effect upon the general prosperity of the country. They involve directly a degree of profit to the agricultural class that has not been known in recent years, and indirectly to the transportation and manufacturing interests. Meanwhile money continues entirely easy and obtainable by all who have a legitimate use for it, and so far as money-making goes there is no visible reason why the United States should not have a "Happy New Year."

And, Mr. Speaker, the only people in the United States to-day who fail to unite in that aspiration are those who claim to be the leaders of the Democratic party; and I will say to them in closing that the people of this great country are going to have a happy and a prosperous new year in spite of the Democratic party, the gentleman from Indiana [Mr. HOLMAN] and his nickel-slot machine. [Applause on the Republican side.]

Mr. STOUT. Mr. Speaker, I hope my friend from Maine will be allowed unanimous consent to withdraw from his speech so much as concerns what Mrs. Flower said in regard to imported samples. [Laughter and applause on the Democratic side.]

Mr. COMPTON. Mr. Speaker, I hope the gentleman from Maine will mark in the RECORD to-morrow that part of his speech with reference to Mrs. Flower and send it to his friends, Mr. and Mrs. Harrison, so that they can see how a good Democrat did when they proposed to make another purchase of china. [Laughter and applause on the Democratic side.]

Mr. CUMMINGS. Mr. Speaker, I simply want to add, as a moral to the speech of the gentleman from Maine, that under the two Democratic administrations of the State of New York to which he referred the State debt was reduced $7,000,000. [Loud applause on the Democratic side.] Three millions of dollars were left in the treasury when Governor Hill retired from office [renewed applause on the Democratic side], that treasury being empty when Grover Cleveland entered upon office. [Renewed applause on the Democratic side.]

Mr. ENLOE. Mr. Speaker, I did not expect to take any part in this discussion, and I refrained from taking any part in the debate on the resolution yesterday, but the remarks of the gentleman from Maine were of such a character that I feel inclined to add an observation or two in regard to the impression which was made upon my mind by the debate on the harmless resolutions of the gentleman from Indiana [Mr. HOLMAN] yesterday in comparison with the scenes which we witnessed here two years ago. I have no doubt but that the martial spirit of the gentleman from Maine chafes exceedingly under a tame performance like this, and that he would infinitely prefer to be booted and spurred, riding over a helpless minority and turning them out of their seats under general parliamentary law. [Applause on the Democratic side.]

That was the performance of two years ago, but a change has come over the spirit of our dreams since that time; and I may say that the scenes of yesterday and this harmless debate to-day were much healthier for the country than the spectacle of a gentleman from Maine driving the Representatives of the people from this Hall under general parliamentary law. Another thing, Mr. Speaker. I think those resolutions of the gentleman from Indiana might be fitly characterized as an outburst of the public conscience. [Laughter.] They did not signify a great deal that is practical, and the explanation which he offered this morning shows that they are broad enough and comprehensive enough to allow appropriations that come under the heads legislative, executive, judicial, or other legitimate appropriations; and after all the debate we have had we have reached the conclusion that this House will still be the judge of its own appropriations. [Applause.]

The gentleman from Maine [Mr. BOUTELLE] used an illustration which struck me with some force at the time. He quoted from Charles Dickens, and spoke of the character of Mrs. Squeers, and of the fact that she administered brimstone and treacle to the students with a spoon; but do you not know that if he had read the story a little further he would have learned that after awhile the students of that school overturned the administration and turned around and took the spoon and compelled her to take brimstone and treacle [great laughter]; and that is exactly what the American people have done to the gentlemen who occupy the quarter section on my right.

We came here two years ago, and our Republican friends compelled the Democratic party to take brimstone and treacle; but now the people have turned upon you, and we on this side of this side aisle are now administering it to you out of the same spoon. [Laughter.]

Mr. BOUTELLE endeavored to interrupt Mr. ENLOE.

Mr. ENLOE. I want to say, Mr. Speaker, that I appreciate the courtesy of the gentleman who would not allow me to interrupt him, and I do not want him to interject any views he may have into my remarks.

I probably ought to do as he should have done, say something about this resolution, but the debate has taken a wide range, and general parliamentary law has not got a hatchet in its hand like it had last Congress, to chop gentlemen off, for I remember that I used to have my wings clipped when I wanted to take a little flight away from the question under consideration. I believe I will trust the present administrator of general parliamentary law and proceed a little further on the line of the gentleman's argument.

I will say, however, before doing so, that so far as these committees are concerned, the purpose of the minority report being to deprive them of clerks, that if there ever was a time when these committees were needed, now is the time. That they are needed, not for the purpose of preventing raids upon the Treasury, but to put the House on the track of those gentlemen who did raid it in the "billion-dollar Congress" and show where the Treasury surplus has gone. It is charged that in some of the Departments of the Government——

Mr. FUNSTON. Why do not you take up the case of the Sergeant-at-Arms of the Fiftieth Congress, and find him.

Mr. ENLOE. Oh, the gentleman does not represent the farmers, and he can sit still. [Laughter.]

Now, Mr. Speaker, I will call the gentleman's attention to what I consider execrable taste in his allusions to the gentleman from Alabama [Gen. WHEELER], whose physical infirmities interfered with his speech here yesterday. It is only a matter of taste to indulge in personal ridicule, and is hardly up to the dignity to which the gentleman aspires.

This debate illustrates another point, and that is the difference in presiding officers. While in the last Congress we were frequently denied the privilege of discussing matters foreign to the subject under debate, the gentleman's speech has taken the widest range without touching the question before the House. That is an example of the freedom of debate. I will also say to the gentleman that I think he was guilty of great discourtesy to the wife of the governor of New York, whose friendship he claims, to read before this House in a political debate, and for a political purpose, some expression of hers that was perhaps spoken, if spoken at all, as we often speak here, in the presence of some reporter, who was not known to be a reporter, who went off and reported it and put it in the newspapers. [Laughter.] It is the way we frequently get into print. [Laughter.]

I do not think it was courteous to her to read that matter here, but if the gentleman proposes to make an argument upon it, I am for the "American" idea, and I wish he had gone a little further and told this House where the last set of china ordered for the White House came from, and whether it was not bought in a foreign market. [Laughter and applause on the Democratic side.] I would like to ask him also, if he is on sufficiently intimate terms with the President of the United States to put his feet under the mahogany in the White House, to describe for us the "monogram" or "crest" of the Harrisons that is burnt into the bottom of that set of china which was imported from a foreign country. [Laughter.]

Mr. SIMPSON. How about the Scotch whisky?

Mr. ENLOE. Somebody wants to know, "What about the Scotch whisky?" I think it is one of the gentlemen from Maine. Why, sir, a man from the State of Maine would not know Scotch whisky if he met it on the road, but I have no doubt he is perfectly familiar with "wild-cat." [Laughter.] Now, Mr. Speaker, I will give you my opinion of this ludicrous performance which has excited the gentleman's [Mr. BOUTELLE'S] risibilities to such a degree and produced this remarkable outburst of humor, sarcasm, and drivel. I wish to say to him that the resolutions of the gentleman from Indiana [Mr. HOLMAN] are explicit enough for one thing. I do not believe that under them we are going to follow in this House the leadership of that distinguished farmer from Kansas [Mr. FUNSTON], who headed the Committee on Agriculture in the last Congress, and appropriate any more money to take away from Divine Providence the privilege of distributing the rain over this country. [Laughter.]

I think there can be no doubt that the resolutions of the gentleman from Indiana will cover a case of that kind. On the other hand, we are not going to cut off anybody's private pension bills by citing those resolutions against them. We are not going, either, to cut off the World's Columbian Exposition, unless we do it by a vote, because if we had been going to do that there would not have been harmony in the camp to-day. [Laughter.] So, Mr. Speaker, I believe it is not only harmless but a good thing to have freedom of debate. Why, when I got away from the Fifty-first Congress and got out in the country where I could say what I pleased I felt like a free American citizen. [Laughter.]

A MEMBER. You no doubt felt better?

Mr. ENLOE. There is no doubt, sir, that I shall get along better, and that every free American citizen will get along better when he can express his honest opinion anywhere and not have it chopped off by the dull hatchet of a dull czar. [Laughter.] Now,

Mr. Speaker, I believe I am in favor of the resolution of the gentleman from Indiana as adopted this morning with the modifications which he made in explaining it. I believe I am in favor, also, of allowing these committees to have their clerks, in order that they may go on with the very important investigations which ought to be made by this House. I will say, furthermore, by way of illustrating human nature, that if I had been on the successful side in the fight for the Speakership and had been fortunate enough to have been made chairman of even the least of these committees I would have been found here voting to keep my clerk, and I do not believe there is a member here who would not take the same attitude under the same circumstances. [Laughter.]

Mr. RUSK. Mr. Speaker, believing that the House is ready to vote upon this question, I now demand the previous question.

Mr. REED. Is this debate going to be "chopped off" in this way? [Laughter.]

Mr. RUSK. Mr. Speaker, I understand that the amendment of the gentleman from Indiana was withdrawn.

The SPEAKER *pro tempore*. The amendment was withdrawn.

Mr. REED. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. REED. Will not ordering the previous question have the effect to "chop off" debate? [Laughter.]

The SPEAKER *pro tempore*. The Chair will state, in response to the parliamentary inquiry of the gentleman from Maine, that it will have that effect.

Mr. REED. So that we shall have to go to our own States in order to enjoy that freedom of expression which belongs to "every free American citizen!" [Great laughter.]

The SPEAKER *pro tempore*. The question is on the demand for the previous question.

The previous question was ordered.

The SPEAKER *pro tempore*. The question now is on the substitute reported by the gentleman from Kentucky [Mr. DICKERSON].

Mr. DICKERSON. Mr. Speaker, upon that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 85, nays 164, not voting 82; as follows:

YEAS—85.

Arnold,	Causey,	Holman,	Powers,
Babbitt,	Chapin,	Hooker, N. Y.	Raines,
Bailey,	Clark, Wyo.	Johnson, Ohio	Ray,
Baker,	Clover,	Jolley,	Sayers,
Beeman,	Cobb, Mo.	Kilgore,	Scott,
Belknap,	Coolidge,	Kyle,	Seerley,
Bland,	Cox, Tenn.	Lapham,	Simpson,
Bowman,	Crawford,	Little,	Snodgrass,
Breckinridge, Ark.	Crosby,	Long,	Snow,
Breckinridge, Ky.	Davis,	Lynch,	Stout,
Bretz,	De Armond,	Mallory,	Tillman,
Broderick,	Dickerson,	Mansur,	Watson,
Brookshire,	Dockery,	McKinney,	Wheeler, Mich.
Brosius,	Everett,	Miller,	White,
Brown,	Flick,	Moore,	Wike,
Brunner,	Forman,	Mutchler,	Williams, Mass.
Bryan,	Gillespie,	Norton,	Williams, Ill.
Bushnell,	Hall,	O'Donnell,	Wilson, W. Va.
Butler,	Halvorsen,	Otis,	Winn.
Bynum,	Hamilton,	Patterson, Tenn.	
Caminetti,	Harries,	Perkins,	
Capehart,	Hayes,	Pickler,	

NAYS—164.

Abbott,	Curtis,	Hooker, Miss.	Morse,
Alderson,	Cutting,	Hopkins, Ill	Moses,
Alexander,	Dalzell,	Houk, Ohio	Newberry,
Amerman,	De Forest,	Houk, Tenn.	Oates,
Bacon,	Dolliver,	Huff,	O'Ferrall,
Bankhead,	Donovan,	Johnson, Ind.	O'Neill, Mo.
Barwig,	Dungan,	Johnson, N. Dak.	Outhwaite,
Bentley,	Durborow,	Johnstone, S. C.	Owens,
Blanchard,	Edmunds,	Jones,	Page, R. I.
Blount,	Ellis,	Kendall,	Page, Md.
Boatner,	English,	Kribbs,	Parrett,
Boutelle,	Enloe,	Lagan,	Patton,
Bowers,	Epes,	Lane,	Payne,
Brawley,	Fellows,	Lanham,	Paynter,
Buchanan, Va.	Forney,	Lawson, Ga.	Pearson,
Bullock,	Fowler,	Layton,	Peel,
Bunn,	Funston,	Lester, Ga.	Pendleton,
Bunting,	Fyan,	Lewis,	Pierce,
Burrows,	Gantz,	Livingston,	Post,
Caldwell,	Geissenhainer,	Lockwood,	Quackenbush,
Caruth,	Goodnight,	Lodge,	Randall,
Catchings,	Grady,	Loud,	Rayner,
Cate,	Greenleaf,	Martin,	Reed,
Chipman,	Hallowell,	McAleer,	Reilly,
Clancy,	Hare,	McClellan,	Robertson,
Clarke, Ala.	Hatch,	McCreary,	Rockwell,
Cobb, Ala.	Haugen,	McGann,	Rusk,
Cockran,	Haynes,	McKelghan,	Shell,
Compton,	Heard,	McKenna,	Shively,
Coombs,	Hemphill,	McRae,	Shonk,
Cooper,	Henderson, Iowa	Meredith,	Sperry,
Cowles,	Henderson, Ill.	Meyer,	Springer,
Cox, N. Y.	Henderson, N. C.	Milliken,	Stahlnecker,
Culberson,	Herbert,	Mitchell,	Stephenson,
Cummings,	Hoar,	Montgomery,	Stevens,
Steward, Ill.	Taylor, J. D.	Turner,	Willcox,
Stewart, Tex.	Taylor, V. A.	Van Horn,	Williams, N. C.
Stone, C. W.	Terry,	Wadsworth,	Wilson, Wash.
Stone, W. A.	Townsend,	Walker,	Wilson, Mo.
Stump,	Tracey,	Washington,	Wise,
Tarsney,	Tucker,	Weadock,	Youmans.

NOT VOTING—82.

Allen,	Crain,	Ketcham,	Stackhouse,
Andrew,	Daniell,	Lawson, Va.	Stewart, Pa.
Atkinson,	Dingley,	Lester, Va.	Stockdale,
Bartine,	Dixon,	Lind,	Stone, Ky.
Belden,	Doan,	Magner,	Storer,
Beltzhoover,	Dunphy,	McDonald,	Sweet,
Bergen,	Elliott,	McKaig,	Taylor, Ill.
Bingham,	Enochs,	McMillin,	Taylor, Tenn.
Branch,	Fitch,	Mills,	Taylor, E. B.
Brickner,	Fithian,	O'Neil, Mass.	Turpin,
Buchanan, N. J.	Geary,	O'Neill, Pa.	Warner,
Busey,	Gorman,	Pattison, Ohio	Warwick,
Byrnes,	Griswold,	Price,	Waugh,
Cable,	Grout,	Reyburn,	Wever,
Cadmus,	Harmer,	Richardson,	Wheeler, Ala.
Campbell,	Harter,	Rife,	Whiting,
Castle,	Hermann,	Robinson,	Wilson, Ky.
Cheatham,	Hitt,	Russell,	Wolverton,
Coburn,	Hopkins, Pa.	Sanford,	Wright.
Cogswell	Hull,	Scull,	
Covert,	Kem,	Smith,	

The following additional pairs for this day were announced:

Mr. CRAIN with Mr. O'NEILL of Pennsylvania.

Mr. ELLIOTT with Mr. BINGHAM.

The following for the rest of this day:

Mr. O'NEIL of Massachusetts with Mr. COGSWELL.

The following on this question:

Mr. RICHARDSON with Mr. STONE of Kentucky.

So the resolution reported by the minority of the committee was not adopted.

Mr. RICHARDSON. Mr. Speaker, I have refrained from voting because I am paired with the gentleman from Kentucky [Mr. STONE]. If he were present he would vote "ay" and I should vote "no."

The result of the vote was announced as above stated.

The SPEAKER *pro tempore*. The question is now on agreeing to the resolutions reported by the Committee on Accounts.

The resolutions were adopted.

Mr. RUSK moved to reconsider the vote by which the resolutions were adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REGENTS OF SMITHSONIAN INSTITUTION.

The SPEAKER *pro tempore*. The Chair desires to announce at this time the appointment of several Regents of the Smithsonian Institution, and in this connection will state that vacancies in these positions have existed for some time, and this action is taken in accordance with the desire of the Speaker. The Clerk will read the names of the appointees.

The Clerk read as follows:

JOSEPH WHEELER, of Alabama.
W. C. P. BRECKENRIDGE, of Kentucky.
HENRY CABOT LODGE, of Massachusetts.

BILLS INTRODUCED.

By unanimous consent, the following bills were introduced, read a first and second time, and respectively referred as stated:

PRESIDENTIAL VACANCIES.

By Mr. HATCH: A bill (H. R. 3927) to amend "An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice-President," approved January 19, 1886—to the Committee on the Judiciary.

LIGHT-HOUSE, ST. ANDREWS BAY, FLORIDA.

By Mr. MALLORY: A bill (H. R. 3928) to establish a light-house and a range light at the entrance to St. Andrews Bay, in the county of Washington, in the State of Florida—to the Committee on Interstate and Foreign Commerce.

NAVAL PURCHASE.

By Mr. O'FERRALL (for Mr. LAWSON): A bill (H. R. 3929) authorizing and directing the Secretary of the Navy to contract for the purchase of a lot of land opposite to the Gosport navy-yard—to the Committee on Naval Affairs.

FREE COTTON-BAGGING.

By Mr. KYLE: A bill (H. R. 3930) to place bagging for covering cotton upon the free list—to the Committee on Ways and Means.

LEAVE OF ABSENCE.

Mr. WILLCOX. I desire to ask leave of absence for my colleague, Mr. RUSSELL, who is detained at home by reason of a death in his family.

There being no objection, leave was granted.

ADJOURNMENT UNTIL MONDAY.

Mr. CATCHINGS. I move that when the House adjourns to-day it be to meet on Monday next.

The motion was agreed to.

Mr. RICHARDSON. Mr. Speaker, the bill (H. R. 3513) providing for public printing and binding and the distribution of documents has been fixed as a special order for to-morrow immediately after the reading of the Journal, and has been made a continuing order from day to day until disposed of. Inasmuch as the motion just adopted will prevent a meeting of the House to-morrow, I give notice that on Monday, immediately after the reading of the Journal, I shall ask the House, in accordance with its previous order, to take up that bill.

Mr. CATCHINGS. If there be no further business before the House, I move that we adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 23 minutes p. m.) the House adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. BARTINE (by request): A bill (H. R. 3879) for the relief of Algernon S. Dorsey—to the Committee on Claims.

By Mr. BRAWLEY: A bill (H. R. 3880) to provide for the payment of French spoliation claims—to the Committee on Claims.

Also, a bill (H. R. 3881) to empower Robert Adger and others to bring suit in the Court of Claims for rent alleged to be due them—to the Committee on Claims.

By Mr. BURROWS: A bill (H. R. 3882) for the relief of Sarah A. Hall—to the Committee on Invalid Pensions.

By Mr. COCKRAN: A bill (H. R. 3883) for the relief of the Rev. William J. Larkin—to the Committee on Military Affairs.

By Mr. CUMMINGS: A bill (H. R. 3884) for the relief of Charles G. Lundborg—to the Committee on Claims.

By Mr. CURTIS: A bill (H. R. 3885) to increase the pension of George R. Allen—to the Committee on Pensions.

By Mr. DOAN: A bill (H. R. 3886) granting a pension to James D. Thurston—to the Committee on Invalid Pensions.

By Mr. ENGLISH: A bill (H. R. 3887) granting a pension to Eleanor Everett, now Conover—to the Committee on Invalid Pensions.

By Mr. ENLOE: A bill (H. R. 3888) for the relief of Samuel Howard—to the Committee on War Claims.

Also, a bill (H. R. 3889) for the relief of the trustees of the Presbyterian Church of Bethel Springs, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3890) to increase the pension of Willis R. Bonner—to the Committee on Invalid Pensions.

By Mr. GROUT: A bill (H. R. 3891) to pension Anna Lavine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3892) to pension James Carlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3893) to pension Sophronia Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3894) increasing the pension of Patty Richardson, a Revolutionary pensioner—to the Committee on Pensions.

By Mr. HARMER: A bill (H. R. 3895) to remove the charge of desertion against William Martin, late landsman in the United States Navy—to the Committee on Naval Affairs.

By Mr. HEMPHILL: A bill (H. R. 3896) to pension Anthony M. Kennedy—to the Committee on Pensions.

Also (by request), a bill (H. R. 3897) for the relief of Esther A. Keyser—to the Committee on the District of Columbia.

By Mr. HITT: A bill (H. R. 3898) to remove the charge of desertion from the military record of John Freeseman—to the Committee on Military Affairs.

By Mr. HOAR (by request): A bill (H. R. 3899) for the relief of T. H. Church—to the Committee on War Claims.

By Mr. KETCHAM (by request): A joint resolution (H. Res. 56) authorizing and requiring the Secretary of War to contract for the completion of the Harlem River Canal, and for the building of the Harlem Kills Canal, New York, relating to quick transit for the World's Fair in 1893—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3900) granting a pension to Rachel Shattuck—to the Committee on Invalid Pensions.

By Mr. KRIBBS: A bill (H. R. 3901) granting a pension to Eliza Smith—to the Committee on Invalid Pensions.

By Mr. LAGAN: A bill (H. R. 3902) for the relief of the legal representatives of B. M. Horrell, deceased—to the Committee on War Claims.

By Mr. LYNCH: A bill (H. R. 3903) for the relief of William Doyle and the legal representatives of Hudson Cooper—to the Committee on War Claims.

By Mr. McALEER: A bill (H. R. 3904) for the relief of John Heazlitt—to the Committee on Invalid Pensions.

By Mr. McCLELLAN: A bill (H. R. 3905) granting a pension to Julia Bodley—to the Committee on Invalid Pensions.

By Mr. OATES: A bill (H. R. 3906) granting a pension to A. H. Cole, a soldier in the Indian war of 1836—to the Committee on Pensions.

By Mr. OTIS: A bill (H. R. 3907) granting an honorable discharge to Henry C. Smith, late private in Company C, First Regiment Maryland Volunteers—to the Committee on Military Affairs.

By Mr. PICKLER: A bill (H. R. 3908) for the relief of William H. Crook—to the Committee on Claims.

Also, a bill (H. R. 3909) restoring pension to Orin M. Franklin—to the Committee on Invalid Pensions.

By Mr. PIERCE: A bill (H. R. 3910) for the relief of Robert A. McMurray—to the Committee on War Claims.

By Mr. RANDALL: A bill (H. R. 3911) for the relief of the sufferers by the wreck of the United States revenue steamer Albert Gallatin, January 6, 1892—to the Committee on Claims.

By Mr. RUSK: A bill (H. R. 3912) to place on the retired list as ensign John Curlett—to the Committee on Naval Affairs.

By Mr. SNODGRASS (by request): A bill (H. R. 3913) for the relief of Daniel Kaylor, Hamilton County, Tenn.—to the Committee on War Claims.

By Mr. VINCENT A. TAYLOR: A bill (H. R. 3914) granting a pension to Frank Rabiska—to the Committee on Pensions.

Also, a bill (H. R. 3915) granting a pension to Mrs. J. F. Clark—to the Committee on Pensions.

Also, a bill (H. R. 3916) granting an increase of pension to Perry O. H. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3917) granting a pension to Mary P. Pitezel and Caroline E. Pitezel—to the Committee on Invalid Pensions.

By Mr. VAN HORN: A bill (H. R. 3918) granting a pension to Levi Paris—to the Committee on Invalid Pensions.

By Mr. WASHINGTON: A bill (H. R. 3919) for the relief of the legal representatives of the late Robert McClay—to the Committee on War Claims.

By Mr. WHITE: A bill (H. R. 3920) to increase the pension of Dr. Bennett Shaug—to the Committee on Pensions.

Also, a bill (H. R. 3921) to remove the charge of desertion against Gardner Dodge—to the Committee on Military Affairs.

Also, a bill (H. R. 3922) to increase the pension of Sanford Kirkpatrick—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 3923) granting a pension to Sarah A. Nelson—to the Committee on Pensions.

Also, a bill (H. R. 3924) to increase the pension of Elias S. Dennis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3925) to increase the pension of Thomas Summers—to the Committee on Invalid Pensions.

By Mr. WILSON of West Virginia: A bill (H. R. 3926) for the relief of Mary E. Buckey, of Randolph County, W. Va.—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following resolutions and petitions were laid on the Clerk's desk, and referred as follows:

By Mr. BACON: Petition of James Crilley and others, and of Charles Coleman and others, in favor of appropriation for the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, petition of Thomas D. Caelins, for pension—to the Committee on Invalid Pensions.

Also, petition of E. D. Howland and others, and of George H. Cox, favoring appropriations for the Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, petition of J. Sesile and others, in favor of appropriation of $5,000,000 for the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. BELDEN: Petition of James M. Van Epps and 23 other citizens of Euclid, N. Y., asking that legislation favorable to the free-delivery system and collection of mail matter in country districts, and for other purposes—to the Committee on the Post-Office and Post-Roads.

Also, petition of Philip Pelton and 23 other citizens of Van Buren, N. Y., asking an increase of said Pelton's pension—to the Committee on Invalid Pensions.

By Mr. BUCHANAN of Virginia: Petition of the Norfolk Business Men's Association, asking for the transfer of the Revenue Marine Service to the Navy Department—to the Committee on Naval Affairs.

By Mr. BOATNER: Claim of Leo Whaley (colored), of Madison Parish, La., and of Mary C. Stephens, of Carroll Parish, in the same State—to the Committee on War Claims.

By Mr. BUTLER: Petitions of citizens of Allamakee County, Iowa, praying the passage of the so-called Conger lard bill—to the Committee on Agriculture.

Also, of citizens of the same county, praying the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

By Mr. CARUTH: Papers relating to the contesting election claim of Samuel McKee—to the Committee on Claims.

By Mr. COX of Tennessee: Petition of George A. Swift, of Giles County, Tenn., and of estate of Boon Wilson, of the same county, for reference of claims to Court of Claims under provisions of the Bowman act—to the Committee on War Claims.

By Mr. DICKERSON: Petition to accompany House bill 3784, granting a pension to Margaret Allsworth—to the Committee on Invalid Pensions.

By Mr. ENLOE: Papers in the case of C. M. Kennedy—to the Committee on Claims.

Also, petition of James S. Aden and others, of Paris, Tenn., concerning the sale of leaf tobacco without license or tax—to the Committee on Ways and Means.

By Mr. EVERETT: Claim of Mrs. Ann M. Sheehan, of Walker County, Ga.—to the Committee on War Claims.

By Mr. FORNEY: Claim of Belson W. Owens, of Cherokee County, Ga.—to the Committee on War Claims.

By Mr. GROUT: Petition of Adeline Alexander and others, for passage of a bill (H. R. 1276) to give her a pension—to the Committee on Invalid Pensions.

Also, petition of Paul Lacoss, for pension by special act—to the Committee on Invalid Pensions.

Also, petition of Frank A. Snell, for a pension—to the Committee on Invalid Pensions.

Also, petition of Harriet Woodbury, for a pension—to the Committee on Invalid Pensions.

Also, petition of Byron Stickney, for passage of House bill No. 1279—to the Committee on War Claims.

By Mr. HARMER: Petition of the Ministerial Union of Philadelphia, Pa., in favor of so restricting the proposed five-million loan by Congress to the Columbian Exposition that in no case can the loan be used to destroy the American Sabbath—to the Select Committee on the Columbian Exposition.

Also, petition to accompany a bill to remove the charge of desertion against William Martin, late landsman in the United States Navy—to the Committee on Military Affairs.

By Mr. HEMPHILL: Memorial of the Associated Reformed Synod of the South, praying Congress to use all powers to prevent violations of the Sabbath day by railroads, corporations, companies, and individuals in running trains, carrying mails, in conveying persons, and in transporting merchandise from one place to another—to the Committee on the Judiciary.

By Mr. HENDERSON of Iowa: Petition of 76 citizens of Bremer County, Iowa, urging the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of 69 citizens of the same county, urging the passage of the Butterworth option bill—to the Committee on Agriculture.

Also, petition from the Medical Society, Independence, Iowa, favoring a secretary of public health—to the Committee on the Judiciary.

Also, resolutions of the Council Bluffs (Iowa) Board of Trade, favoring the establishment of a United States mint in that city—to the Committee on Public Buildings and Grounds.

By Mr. HOAR: Petition of certain inhabitants of Southboro, Mass., for free delivery of mails in rural districts—to the Committee on the Post-Office and Post-Roads.

By Mr. HULL: Petition of Martin R. Malone and 18 other citizens of Warren County, Iowa, in favor of the Conger lard bill—to the Committee on Agriculture.

Also, petition of Martin R. Malone and 18 other citizens of Warren County, Iowa, in favor of the Butterworth option bill—to the Committee on Agriculture.

By Mr. KETCHAM: Petition of Rachel Shattuck for a pension by special act—to the Committee on Invalid Pensions.

Also, petition relating to the Harlem River Canal and the Harlem Kills improvement—to the Committee on Rivers and Harbors.

By Mr. LAYTON: Petition of Northwood (Ohio) Farmers' Association, No. 41, for the closing of the World's Fair on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, petition of the United Presbyterian Church Congregation, of the same place, for the same purpose—to the Select Committee on the Columbian Exposition.

Also, petition for an International Peace Congress by Hon. Charles M. Wanzer, "Uncle Fuller," and other citizens of Zanesfield, Ohio—to the Select Committee on the Columbian Exposition.

Also, petition for an International Peace Congress by Miami Quarterly Meeting of Friends, No. 1272, held at Waynesville, Ohio; also by citizens of New Burlington, Ohio; also by 225 members of the Woman's Christian Temperance Union, of Clinton County, Ohio—to the Select Committee on the Columbian Exposition.

Also, petition for an International Peace Congress by the Goshen Quarterly Meeting of Friends, also by the Westland Meeting of Friends—to the Select Committee on the Columbian Exposition.

Also, a petition for an International Peace Congress by Central Ohio College, of East Liberty, Ohio—to the Select Committee on the Columbian Exposition.

By Mr. LONG: Petition of Alliance No. 1403, Cherokee County, Tex., praying for the consideration of and granting the "Ocala demands"—to the Committee on Agriculture.

By Mr. McALEER: Petition to accompany bill for the relief of Mrs. Ann McKeever, widow of John McKeever—to the Committee on Invalid Pensions.

Also, petition and proof in support of a bill for the relief of John Heazlitt—to the Committee on Invalid Pensions.

Also, petition to establish a department of public health and the appointment of a secretary of public health—to the Committee on the Judiciary.

By Mr. McCLELLAN: Petition of W. A. Fairfield and 27 others, taxpayers of Wayne Township, Allen County, Ind., praying for the enactment of such legislation as will result in free delivery of all mail matter and free collection of letters in country districts, and for a reduction of postage—to the Committee on the Post-Office and Post-Roads.

By Mr. O'NEILL of Missouri: Petition with proof accompanying bill of William Werden for property destroyed during the war of 1861-'65—to the Committee on War Claims.

By Mr. O'NEILL of Pennsylvania: Petition of Michael McGarry for revival of charge of desertion—to the Committee on Military Affairs.

By Mr. PATTERSON of Tennessee: Petition of ——— Ramsey, administrator of Ann E. Fitzhugh, deceased, late of Hardeman County, Tenn., for reference of claim to Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of Henrietta Y. Turner, of Fayette County, Tenn., for reference of claims to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of Moscow Lodge, No. 198, Free and Accepted Masons, asking reference of claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. PERKINS: Petition of W. H. Merry and 23 other citizens of Iowa, in support of the Butterworth bill defining options and futures—to the Committee on Agriculture.

By Mr. PIERCE: Petition of C. Eison, administrator of the estate of John H. Eison, deceased, late of Lauderdale County, Tenn., for reference of claim to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of W. L. Shipp, of Haywood County, Tenn., for reference of claim to Court of Claims—to the Committee on War Claims.

Also, petition of J. R. Green, of Dyer County, Tenn., for the same purpose—to the Committee on War Claims.

By Mr. RANDALL: Petition for the relief of Mrs. Ellen Wright—to the Committee on Invalid Pensions.

Also, petition of citizens of Vineyard Haven, Mass., asking an appropriation for improvement in Vineyard Haven Harbor, Massachusetts—to the Committee on Appropriations.

By Mr. RAYNER (by request): Petition of William K. Tubman, with accompanying papers, praying an amendment to the patent laws—to the Committee on Patents.

Also, petition of William K. Tubman, with record accompanying said petition—to the Committee on Patents.

By Mr. RICHARDSON: Petition of John Webb, of Cannon County, Tenn., for reference of claim to Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of Woodson Walker, of Marshall County, Tenn., for the same purpose—to the Committee on War Claims.

Also, petition of A. N. Fisher, administrator of the estate of Isaac N. Fuller, deceased, late of Cannon County, Tenn., for the same purpose—to the Committee on War Claims.

By Mr. ROCKWELL: Papers in support of the bill to restore Chaplain C. M. Blake, United States Army, to rank and pay—to the Committee on Military Affairs.

By Mr. SHIVELY: Petition of Jacob Currey for an honorable discharge—to the Committee on Military Affairs.

By Mr. WILLIAM A. STONE: Petition of Reformed Presbyterian Congregation of Tarentum, Pa., to close the World's Fair on Sundays; to prevent the sale of liquors in the exposition grounds, and to have art department managed according to American standard of purity in art—to the Select Committee on the Columbian Exposition.

Also, petition of Tarentum Presbyterian Church to close the World's Fair on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. SNODGRASS: Petition of Daniel Kaylor, of Hamilton County, Tenn., for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. TOWNSEND: Papers, plats, photographs, and miscellaneous documents relative to the contemplated public building at Leadville, Colo.—to the Committee on Public Buildings and Grounds.

By Mr. WADSWORTH: Petition against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WHITE: Petition of citizens of Monroe County, Iowa, praying the passage of what is commonly known as the Butterworth antioption bill; of citizens of Keokuk County, of said State, for the same purpose—to the Committee on Agriculture.

By Mr. WRIGHT: Memorial of the Young People's Society of Christian Endeavor of the Presbyterian Church of Canton, Bradford County, Pa., regarding American purity of art, prohibiting sale of intoxicating liquors, and observance of Sabbath in the World's Fair—to the Select Committee on the Columbian Exposition.

Also, memorial of Young People's Society of Christian Endeavor of East Smithfield, favoring Sunday observance, prohibition, and purity of art at World's Fair—to the Select Committee on the Columbian Exposition.

Also (by request), memorial of Young People's Society of Christian Endeavor, East Canton, Pa., in favor of closing World's Fair on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, memorial of Young People's Society of Christian Endeavor of Wyalusing, Pa., praying for purity of art, absence of liquors, and observance of Sabbath at the World's Fair—to the Select Committee on the Columbian Exposition.

Also, memorial of Young People's Society of Christian Endeavor of East Smithfield, Pa., Congregational Church, asking for closing on Sundays, prohibition of liquor-selling, and purity of art at World's Fair Exhibition—to the Select Committee on the Columbian Exhibition.

CHANGE OF REFERENCE.

The Committee on Naval Affairs is discharged from the further consideration of the following petition, and the same is by the said committee referred to the Committee on Ways and Means:

By Mr. PICKLER: Petition for the reëstablishment of commerce on the ocean.

The Committee on Naval Affairs is discharged from the further consideration of the following petitions, and the same are by said committee referred to the Committee on Interstate and Foreign Commerce:

By Mr. BRICKNER: Petition of the Chamber of Commerce of Milwaukee, Wis., praying for the building of a revenue cutter to take the place of the Andrew Johnson.

Petition of James Bell and 75 others of the city of Sheboygan, Wis., to allow keepers of life-saving stations a salary of $1,000 per year, and the crews $75 per month.

Also, resolutions of the Chamber of Commerce of the city of Milwaukee, Wis., asking that a steel propeller be built for service on the lakes, vice the present revenue-cutter Andrew Johnson.

Also, petition of the same body, praying for the building of additional light-houses and fog-signals, etc., on the Great Lakes.

By Mr. BURROWS: Petition of 17 citizens of Benton Harbor, praying an increase of salary to the keepers and crews of life-saving stations.

By Mr. TAYLOR of Illinois: Resolutions of the Chicago Board of Trade, urging favorable action upon the bill to construct new revenue cutter for the lakes and Pacific coast.

By Mr. O'NEILL of Pennsylvania: Resolutions of the Vessel Owners' and Captains' Association, of Philadelphia, recommending the passage of the Chandler bill for transferring the Revenue Marine Service to the Navy Department.

By Mr. LODGE: Petition of committee of the annual convention of the railroad commissioners of the United States for the protection of trainmen.

SENATE.

MONDAY, *January 18, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting, in response to the resolution of the 12th instant, a copy of the proceedings of the extra session of the Board of Supervisors and Inspectors of Steam Vessels held in Washington, September 28 to October 8, inclusive, 1891, containing certain information relative to the use of projectiles and other life-saving appliances before that Board; which, on motion of Mr. HOAR, was, with the accompanying papers, ordered to lie on the table, and be printed.

He also laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a letter from the Commissioner of Customs relative to the salary of the surveyor of customs at Sioux City, Iowa; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs, recommending that the agreements with the upper and middle bands of Spokane Indians and certain other bands of Indians be ratified; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

COURT OF CLAIMS REPORT.

The VICE-PRESIDENT laid before the Senate a communication from the Court of Claims, transmitting findings filed by that court in the case of the New York Indians *vs.* The United States; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

GEORGETOWN AND TENNALLYTOWN RAILROAD.

The VICE-PRESIDENT laid before the Senate a statement of the receipts and expenditures of the Georgetown and Tennallytown Railway Company for the year ending December 31, 1891; which was referred to the Committee on the District of Columbia, and ordered to be printed.

ECKINGTON AND SOLDIERS' HOME RAILWAY.

The VICE-PRESIDENT laid before the Senate the annual report of the president of the Eckington and Soldiers' Home Railway Company; which was referred to the Committee on the District of Columbia, and ordered to be printed.

SANITARY CONDITION OF CAPITOL BUILDING.

The VICE-PRESIDENT laid before the Senate the following communication; which was read, referred to the Committee on Rules, and ordered to be printed:

ARCHITECT'S OFFICE, UNITED STATES CAPITOL,
Washington, D. C., January 16, 1892.

SIR: In obedience to the resolution passed the Senate on the 12th instant, relating to the ventilating and plumbing of the Senate wing of the Capitol, I have the honor to report as follows:

I consider the Senate Chamber and corridors well ventilated; also, all of the committee rooms originally constructed for that purpose. There are some apartments, formerly used as storerooms, that are now used for business purposes. These are ventilated only by the air being forced in by the fan, to find its way out by means of the openings into the corridors through doors, which are always open when the rooms are occupied.

The plumbing, in my judgment, is in good condition, except in the case of that to one washstand, which is now being put in order. It is true that much of the plumbing fixtures are not of the latest patterns. These might with advantage be changed for those of the most recent and approved styles.

I am not aware of any defect in the plumbing or sewerage existing within the Capitol which can unfavorably affect the sanitary condition of the building. A sanitary engineer of high reputation and experience has been called to make a careful examination of the plumbing and sewerage and report upon the same.

I have the honor to be, your obedient servant,

EDWARD CLARK,
Architect United States Capitol.

To the VICE-PRESIDENT.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of residents of Medina, N. Y., praying for the ratification of the Brussels treaty for the suppression of the African slave trade, etc.; which was ordered to lie on the table.

He also presented the petition of the Chamber of Commerce of the State of New York, praying Congress to assist in representing the general interests of the country by extending such financial aid as may insure to the World's Fair at Chicago a success that will be creditable to the nation; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of citizens of Hamilton and Boone Counties, Iowa, praying for the passage of the antioption

bill introduced by Mr. Butterworth in the last Congress; which was referred to the Committee on Agriculture and Forestry.

Mr. MANDERSON. I present a petition of many citizens of Boyd County, Nebr., praying for the passage of the bill defining options and futures and imposing special taxes on dealers therein, known in the last Congress as the Butterworth option bill. I move that the petition be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. MANDERSON presented a petition of citizens of Boyd County, Nebr., praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition in the form of a series of resolutions passed by the Association of Congregational Churches of Nebraska, praying for the passage of a bill to increase the number of chaplains in the Army; which was referred to the Committee on Military Affairs.

Mr. SHERMAN. I present a petition signed by a number of governors of States, by ex-President Hayes, and by many other distinguished citizens, praying for the early passage of the bill placing Bvt. Lieut. Col. J. Madison Cutts on the retired list of the Army with the rank of captain. I move that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. SHERMAN presented a memorial of the Champaign County Farmers' Institute Association, of Ohio, remonstrating against appropriations for national irrigation reservoirs; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition numerously signed by vessel owners and persons interested in shipping on the Great Lakes, praying for the transfer of the Revenue Marine Service to the naval establishment; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Elm Tree Farmers' Alliance, of Beuna Vista, Ohio, praying for the extension of the free delivery and collection of mail matter to every post-office in the thickly settled portions of the country; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the United Presbyterian Congregation of Knoxville, Ohio, praying for action by Congress looking to the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition numerously signed by the tobacco manufacturers of Cincinnati, Ohio, praying for the enactment of an amendment to the tariff law in regard to the internal-revenue tax on tobacco; which was referred to the Committee on Finance.

Mr. CAMERON presented a memorial of the First United Presbyterian Church of Philadelphia, Pa., remonstrating against the World's Columbian Fair being open on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Ministerial Union of Philadelphia, Pa., praying for Government aid for the Columbian Exposition on condition that the Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of certain letter-carriers of Pittsburg, Pa., praying for the passage of legislation providing an increase of salary for letter-carriers in the fourth year of their service; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. DAVIS presented a petition of sundry citizens of Minnesota, praying for the forfeiture to the United States of certain lands included within the grant made to the Hastings and Dakota Railroad Company; which was referred to the Committee on Public Lands.

Mr. ALLEN. I present a memorial of the Port Townsend (Wash.) Chamber of Commerce on the subject of coast defenses. The memorial sets forth the vital necessity of protection to life and property on Puget Sound in the event of foreign war. It clearly sets forth the unprotected condition of Puget Sound both from a military and naval standpoint. It also calls attention to the recommendation of military and naval authorities upon the subject. It draws the attention of the Senate to the great amount of property and the important commercial interests that are placed at absolute hazard in the event of war. It calls attention to the growth of commerce on the Sound, and to the very significant fact that Puget Sound is the great coal depot, the supply place of the Pacific Slope, and other matters of a nature so important that I ask that the memorial be printed as a document. It closes with the following request:

In view of the facts set forth herein, your memorialists, on behalf of the Chamber of Commerce of Port Townsend and on behalf of the people and interests of the Pacific coast, do earnestly and most respectfully urge upon Congress the existing necessities of the situation, and petition that an appropriation sufficient to allow the construction of fortifications on at least one of the sites named herein and favored by the War Department, be made at the present session.

I move that the memorial be referred to the Committee on Coast Defenses, and that it be printed as a document.

The motion was agreed to.

Mr. WILSON presented the petition of Henry O'Connor, of Iowa, praying for the passage of a bill granting him a pension of $25 a month; which was referred to the Committee on Pensions.

He also presented a petition of 43 citizens of Jefferson County, Iowa, praying for the passage of a bill granting an increase of pension to John Kinney; which was referred to the Committee on Pensions.

He also presented a petition of the Presbyterian Church of Morning Sun, Iowa, praying that the World's Columbian Fair be closed on Sunday, and that the sale of intoxicating liquors be prohibited on the grounds; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 17 citizens of Sac County, Iowa, and a petition of 19 citizens of Warren County, Iowa, praying for the passage of a bill similar to the one known in the Fifty-first Congress as the Butterworth option bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of 17 citizens of Sac County, Iowa, praying for the passage of a bill similar to the one known in the Fifty-first Congress as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. STOCKBRIDGE presented a petition signed by the governor of Michigan, the mayor of Detroit, and other prominent citizens of the State, praying that increased compensation be paid to keepers of life-saving stations; which was referred to the Committee on Commerce.

Mr. CHANDLER presented the petition of Enterprise Grange, No. 85, Patrons of Husbandry, of Columbus, Wash., signed by M. L. McCann, president; L. J. Coffield, secretary, and 18 other members of the grange, praying for the passage of legislation for the relief of settlers on the claimed limits of the Northern Pacific Railroad grant between Wallula and Portland, Oregon; which was referred to the Committee on Public Lands.

Mr. PADDOCK presented a petition of the General Association of Congregational Churches in Nebraska, praying for the passage of the bill entitled "An act to increase the number of chaplains in the Army of the United States, to define their duties, and increase their efficiency;" also praying for a moral condition governing promotions in the Army and Navy, to the end that no man of immoral character, of any rank, shall be promoted over one of pure morals; which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of the State of New York, praying Congress to assist the World's Fair by extending such financial aid as may insure to it a success that will be creditable to the nation; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the members of the Franklin County (Nebr.) Farmers' Alliance, praying for the passage of an anti option bill, and also for the passage of a pure-lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Henry O'Connor, of Sioux City, Iowa, praying for the passage of a special act for his relief; which was referred to the Committee on Pensions.

Mr. PLATT. I present the petition of John Jay, president, and W. Strong, vice-president, and other officers of the National League for the Protection of American Institutions, praying for the passage of a constitutional amendment to effectually prevent any union of church and state in this country.

The form of the proposed amendment is incorporated in the petition, and as it is usual to introduce joint resolutions proposing amendments to the Constitution, which are printed, I move that the petition which contains the form of the proposed amendment be printed as a document, and referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. HOAR presented a petition of the Boston (Mass.) Associated Board of Trade, praying for the transfer of the Revenue Marine to the Naval Service; which was referred to the Committee on Naval Affairs.

He also presented a petition of District Assembly, No. 77, Knights of Labor, of Massachusetts, and a petition of District Assembly, No. 216, Knights of Labor, of Massachusetts, praying for the passage of a bill for the collection of statistics relative to the slums of cities; which were referred to the Committee on Education and Labor.

Mr. SAWYER presented a petition of the Board of Trade of Arcadia, Wis., praying that letter postage be reduced to 1 cent

per ounce; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of citizens of Buffalo County, Wis., praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of St. Croix County, Wis., praying for the passage of a law to restore the free bimetallic coinage of silver and gold coins the same as was the law from 1792 to 1873; which was referred to the Committee on Finance.

Mr. WASHBURN presented the petition of E. J. Lien and 65 other citizens of Faribault County, Minn., praying for the passage of what is known as the option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Grand Rapids and Itasca County Improvement Union of Grand Rapids, Minn., praying for the passage of an act to authorize the construction of a dam on the Mississippi River for the improvement of the Grand Rapids water power; which was referred to the Committee on Commerce.

Mr. MORGAN presented the petition of James W. Shearer, of Birmingham, Ala., praying for an extension of his patent for a system of phonetic and diacritical notations; which was referred to the Committee on Education and Labor.

Mr. KYLE presented a petition of citizens of Yankton, S. Dak., praying for the passage of what is known as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. BERRY presented a petition of the Young People's Society of Christian Endeavor of Winfield Memorial Church, Little Rock, Ark., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. FAULKNER. I present the petition of Clarence L. Smith and 326 other citizens of Fairmont, W. Va., praying for the ratification by the United States Government of the general act signed at Brussels, July 2, 1890, for the supression of the African slave trade and rum traffic. As that convention has been ratified by the Senate, I move that the petition lie on the table.

The motion was agreed to.

Mr. McMILLAN presented the petition of Daniel Scotten & Co., of Detroit, Mich., praying for an amendment to section 26 of the tariff law relative to retail dealers in tobacco; which was referred to the Committee on Finance.

He also presented a petition of 21 citizens of the District of Columbia, praying that an appropriation be made for regulating, grading, and laying sidewalks on Howard avenue, in Washington, D. C.; which was referred to the Committee on the District of Columbia.

Mr. TELLER. I present the petition of a large number of citizens of Colorado, who sign themselves the Western Colorado Congress, praying for the free coinage of silver. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. CULLOM presented a petition of the Snareville Young People's Society of Christian Endeavor, Castleton, Ill., praying for the closing of the World's Columbian Fair on Sunday, for the prohibition of the sale of liquors therein, and for the management of the art department thereof according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented the petition of W. A. Hampton and other citizens of Livingston County, Mo., praying for the passage of a bill imposing a revenue tax upon compound lard, similar to the one known as the Conger lard bill in the Fifty-first Congress; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of A. H. Collins and other citizens of Livingston County, Mo., praying for the passage of what is known as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. COCKRELL presented the affidavit of ex-Senator S. B. Conover, to accompany the bill (S. 619) for the relief of George P. Ihrie; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. COLQUITT, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 68) for the relief of the New York, Lake Erie and Western Railroad Company, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861," reported it with amendments. and submitted a report thereon.

He also, from the Committee on the District of Columbia, to whom was referred the bill (S. 1060) to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1057) to punish the unlawful appropriation of the use of the property of another in the District of Columbia, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1058) to prevent fraudulent transactions on the part of commission merchants and other consignees of goods and other property in the District of Columbia, reported it with amendments.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 267) for the preservation of the public peace and the protection of property within the District of Columbia, reported it with amendments.

Mr. HANSBROUGH. I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 831) to prevent book-making and pool-selling in the District of Columbia, to report it adversely, as the provisions of the bill have been already embodied in the Statutes. I move that the bill be indefinitely postponed.

The motion was agreed to.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 429) to authorize the construction of bridges across the Missouri River between its mouth and the mouth of the Dakota or James River, and across the Mississippi River between the port of St. Paul, in the State of Minnesota, and the port of Natchez, in the State of Mississippi, and across the Illinois River between its mouth and La Salle, in the State of Illinois, and to prescribe the character, location, and dimensions of the same, reported it with amendments, and submitted a report thereon.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 199) providing for the construction of a military storehouse and offices for army purposes at the Omaha military depot, Nebraska, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. WHITE, from the Committee on Public Lands, to whom was referred the bill (S. 1342) for the relief of John R. Blankenship, reported it without amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally with amendments:

A bill (S. 388) to provide for the construction of a public building at Salt Lake City, Utah; and

A bill (S. 393) to provide for the purchase of a site and the erection of a public building thereon, at Boisé City, in the State of Idaho.

Mr. CAREY, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment:

A bill (S. 345) to increase the appropriation for the erection of a public building at St. Paul, Minn.;

A bill (S. 1209) to provide for the purchase of a site and the erection of a public building thereon, at Ogden, in the Territory of Utah, accompanied by a report;

A bill (S. 196) to increase the appropriation for the purchase of site and the erection of a public building at Omaha, Nebr.; and

A bill (S. 786) to provide for the erection of a public building in the city of Helena, Mont.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 1216) for the relief of William R. Wheaton and Charles H. Chamberlain, of California, reported it without amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Public Lands, to whom was referred the bill (S. 216) granting to the State of Washington certain lands therein situated for the purpose of a fish hatchery, reported it without amendment, and submitted a report thereon.

COURTS IN IOWA.

Mr. WILSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 123) fixing the times for holding the district and circuit courts of the United States in the northern district of Iowa, to report it without amendment. In view of the fact that it is necessary for the convenience of the business of the court, and as it will not consume any considerable time, I ask unanimous consent that the bill may be acted upon now.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. COKE introduced a bill (S. 1643) authorizing the Velasco Terminal Railway Company to construct a bridge across the Brazos River, in the State of Texas; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1644) authorizing the Continental Bridge Company to construct a bridge across the Rio Grande River at or near Brownsville, Tex.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1645) making Velasco a subport of entry; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1646) making Laredo, Tex., a subport of entry; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORGAN introduced a bill (S. 1647) to authorize the Alabama Grand Trunk Railroad Company to bridge across the Tallapoosa and Coosa Rivers; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GIBSON of Maryland introduced a bill (S. 1648) to promote Commodore Louis C. Sartori, now on the retired list of the Navy, to be rear-admiral on said list, in accordance with his original position on the Navy Register; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1649) to provide for paying certain advances made to the United States by the States of Maryland and Virginia for public buildings; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1650) to remove the charge of desertion against William A. Cowen; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1651) to amend an act approved February 28, 1891, entitled "An act to prohibit the granting of liquor licenses within one mile of the Soldiers' Home;" which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FAULKNER introduced a bill (S. 1652) for the relief of the heirs of Milly Yaga, deceased, of Muskogee, Ind. T.; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 1653) enabling the people of Utah to form a constitution and State government, and for the admission of said State into the Union on an equal footing with the original States; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 1654) for the relief of David M. Watson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1655) granting a pension to John Coburn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1656) granting a pension to Frank A. O'Mara; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1657) granting a pension to George W. Blake; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1658) granting a pension to T. R. Le Tellier; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 1659) in relation to the western judicial district of Wisconsin; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1660) granting an increase of pension to Fordyce R. Melvin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1661) granting an increase of pension to John Hallam; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1662) for the correction of the military record of Francis A. E. Briot; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 1663) for the relief of the sufferers by the wreck of the United States revenue-cutter Gallatin off the coast of Massachusetts; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1664) for the relief of Lester Noble; which was read twice by its title, and referred to the Committee on Claims.

Mr. WASHBURN introduced a bill (S. 1665) to authorize the Grand Rapids Water and Electric Power Company of Grand Rapids, Minn., to construct a dam across the Mississippi River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PETTIGREW introduced a bill (S. 1666) to amend an act entitled "An act to incorporate the Washington and Arlington Railway Company of the District of Columbia," approved February 28, 1891, chapter 382, volume 26, of the United States Statutes at Large, Fifty-first Congress, second session; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SHOUP introduced a bill (S. 1667) to improve the navigation of the Kootenai River, in the State of Idaho; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1668) to authorize and regulate the construction of a bridge across the Kootenai River, at the town of Fry, county of Kootenai, State of Idaho; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1669) to provide the times and places for holding terms of the United States courts in the State of Idaho; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PEFFER (by request) introduced a bill (S. 1670) to regulate the compensation of postmasters of the fourth class; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1671) granting an increase of pension to Everard Bierer; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1672) to regulate the practice of medicine in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CAMERON introduced a bill (S. 1673) to increase the pension of Mrs. Ellen Key Messersmith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 1674) incorporating the Society of American Florists; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. WILSON introduced a bill (S. 1675) granting an increase of pension to John Kinney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1676) granting a pension of $25 a month to Henry O'Connor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1677) for the classification of clerks and other employés in first and second class post-offices and for fixing the salaries of the same; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. ALLEN (for Mr. DAVIS) introduced a bill (S. 1678) for the relief of William Smith and others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. ALLEN introduced a (bill S. 1679) to ratify and confirm an agreement with the Indians residing on the Colville Reservation, in the State of Washington, with certain modifications, and to make appropriation for the carrying into effect of the same; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1680) granting to the State of Washington 5 per centum of the net proceeds of the sales of public lands in that State; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McMILLAN introduced a bill (S. 1681) making an appropriation for the construction of two United States revenue cutters for service on the Great Lakes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PROCTOR (by request) introduced a bill (S. 1682) to amend the statutes regulating the affairs of the Soldiers' Home in the District of Columbia; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 1683) for the relief of Mrs. Fannie N. Belger; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1684) granting a pension to Flora H. Cookson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1685) for the erection of a public building at the city of Elgin, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1686) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1687) to remove the charge of de-

sertion from the military record of Joseph Craig; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1688) to so amend sections 4693 and 4695 of the Revised Statutes of the United Stated as to extend the right of pensions to steamboat men and others acting under orders from United States officers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1689) to remove the charge of desertion from the record of Wesley Hollis, of Company E, Sixty-sixth Regiment Illinois Volunteers, and grant him honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1690) to establish a national military park at the battle field of Lexington, Mo.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAREY introduced a bill (S. 1691) granting a pension to Josephine Q. Offley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 1692) for the relief of Dwight Hall; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1693) to prohibit the manufacture and sale of spirituous and intoxicating liquors in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 1694) to establish a uniform system of bankruptcy throughout the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PADDOCK introduced a bill (S. 1695) to amend section 12 of an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. MORGAN introduced a bill (S. 1696) to further provide for the disposal of certain public lands in the State of Alabama; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1697) for the relief of Claude H. Mastin, surviving partner of the firm of Le Vert & Mastin, of Mobile, Ala.; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 1698) for the relief of Thomas F. Rowland; which was read twice by its title, and referred to the Committee on Claims.

Mr. GEORGE introduced a bill (S. 1699) to subject to State taxation national-bank notes and United States Treasury notes; which was read twice by its title, and referred to the Committee on Finance.

Mr. COLQUITT introduced a bill (S. 1700) for the relief of Mildred P. Poullain, widow of Dr. Thomas N. Poullain, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PEFFER introduced a joint resolution (S. R. 32) to amend the Constitution so as to elect the President and Vice-President by a direct vote of the people; which was read twice by its title, and referred to the Committee on Privileges and Elections.

AMENDMENT TO BILL.

Mr. PADDOCK. I beg leave to present an amendment in the nature of a substitute for the bill (S. 427) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for three years preceding have exceeded $3,000 annually. I ask that the amendment may be printed and lie on the table. The bill to which it relates is on the Calendar.

The VICE-PRESIDENT. It will be so ordered.

ESTATE OF OLYMPUS YOUNG.

Mr. GIBSON of Maryland submitted the following resolution; which, with the accompanying papers, was referred to the Committee on Claims:

Resolved, That the claim of Abraham E. Eves, executor of the estate of Olympus Young, deceased, now of the county of Somerset, State of Maryland, and late of the State of Louisiana, for quartermaster and commissary stores and supplies and other property alleged to have been taken and used by the United States Army during the late war from the plantation of the said Olympus Young, deceased, near Brashear City, now Morgan City, in the parish of St. Marys, State of Louisiana, be referred to the Secretary of War, who shall investigate the justice and equity of said claim and the loyalty of the said deceased, and report the amount and value of said property taken and used by the said Army, and also what amount, if any, has been paid on the same; and that he report all the facts and evidence in the case for the further consideration of the Senate.

RECIPROCAL TRADE AGREEMENTS.

Mr. HALE submitted the following resolution; which was read:

Resolved, That the Secretary of State be, and is hereby, directed to send to the Senate, as early as is practicable, copies of all agreements made with other countries relating to an interchange of trade and commerce under the provisions of section 3 of an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890; and also to furnish the Senate with all information received as to the practical effect of such agreements.

Mr. HALE. I ask that the resolution lie upon the table. I shall call it up shortly.

The VICE-PRESIDENT. The resolution will lie upon the table and be printed.

BRIGHTWOOD RAILWAY COMPANY.

Mr. MCMILLAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Commissioners of the District of Columbia be, and they are hereby, instructed to report to the Senate of the United States, first, whether the Brightwood Railway Company of the District of Columbia completed its railway from Boundary street to the boundary line of the District of Columbia within the time specified in section 8 of its charter for the completion of the same; secondly, whether "cars of the best construction" are now used on said road, and are run "as often as the public convenience may require, in accordance with a table or schedule fixed by the company, a copy of which shall be filed with the Commissioners of the District of Columbia and approved by them," as provided in section 10 of the act of incorporation.

MEXICAN COMMISSION AWARDS.

Mr. DOLPH. If the morning business is concluded, I call for the regular order.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Chair lays before the Senate the regular order, which is Senate bill 539.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868."

Mr. DOLPH. Mr. President, I do not see the junior Senator from Indiana [Mr. TURPIE] present. I have been appealed to by him to permit this bill to go over until his colleague [Mr. VOORHEES] can reach Washington. I understand that the senior Senator from Indiana will be here to-morrow, and I have been informed by the junior Senator that he would have no objection to my presenting the bill to the Senate to-day, giving his colleague an opportunity to speak upon it to-morrow. I understand, also, that the Senator from Missouri [Mr. VEST] desires to speak upon the bill and is ready to do so. I do not suppose that the senior Senator from Indiana would particularly desire to be present at its consideration to-day.

But I am more embarrassed in regard to this measure by a communication which I received from the senior Senator from New York [Mr. HISCOCK] late this morning, leaving me no time to communicate with him, in which he says:

> The La Abra bill is on the Calendar, and possibly you have given notice to call it up on Monday or some day this week. I am one of the subcommittee of the Committee on Finance to investigate the operations of the tariff laws, prices, etc., and it has been arranged that we meet in New York to-morrow—

This letter was dated on the 17th of January—

> for a final meeting there, and it seems to be necessary that I should attend. We will doubtless remain there the most of the week. I ascertained that New York people mainly are interested in the bill. Some of them I know, and they are very decent folks, and it would be necessary for me to carefully study the merits of the measure," etc.

Then he appeals to me to permit the measure to go over until he returns. He also says:

> I understand there are two measures; I am not sure that both have been reported. I should like this courtesy in respect to both.

That is, the Weil claim and the La Abra claim. I regret exceedingly that this appeal has been made to me. I do not like to appear to be lacking in senatorial courtesy, but my friend from New York certainly did not understand the position in which this measure stands at the present time. He supposes that simply a notice had been given to call it up to-day, but on the contrary the bill was called up and read at length, and the report of the committee printed in connection with it, on the 7th day of January, and an order was made that after the conclusion of the morning business to-day the bill should take precedence of any other special order or unfinished business. The postponement was made to accommodate the senior Senator from Indiana [Mr. VOORHEES]. The people of New York are not the only people who are interested in the bill. There have been various assignments and divisions of the award made until there are people in several States of the Union interested, and there are several Senators who desire to be present when the bill is considered.

The danger that I should incur if I were to grant the request of the Senator from New York and submit to another postponement of the bill for a week would be that, at the end of the week, the senior Senator from Indiana might be absent and could not conveniently be present to present his views upon the measure,

or the Senator from Missouri would not be accommodated by the change, and in the end the postponement of the bill from day to day would result, at the present session, precisely as it resulted in the last session of Congress—the bill would be postponed until there were so many measures upon the Calendar of public interest and private interest that it would be impossible to get it up for consideration.

This measure has been before Congress, in some shape, since 1877, when the Secretary of State appealed to Congress to pass some law providing for the distribution of the awards, or of the payments upon the awards as they were made annually by the Mexican Government. There have been various propositions before Congress for the action of Congress and of the Government in regard to this award. This bill was reported favorably in the Forty-ninth Congress by the senior Senator from Alabama [Mr. MORGAN]. This matter was examined by the Committee on Foreign Relations, or a subcommittee of the Committee on Foreign Relations in the Fiftieth Congress, and a large amount of testimony taken and an exhaustive report submitted in favor of the passage of the bill; but it was so late in the session that it was impossible to procure consideration for it at that time. At the last Congress we encountered the same difficulty in pressing and endeavoring to get the bill up for consideration before the Senate that we encounter now. There were so many people interested in it, so many Senators desired to have it postponed from time to time, that it was postponed until so late a day in the session that it was impossible to get it up for consideration in the Senate.

Mr. President, what is the condition of the matter now? It was the fourth bill on the Calendar reported to the Senate. It was ordered reported at the first meeting of the Committee on Foreign Relations. It is the second bill now on the Calendar. As I said, it was called up on the 7th of January and was made the special order for to-day, to take precedence of all other business. Apparently, now, the friends of the measure have an opportunity to secure its consideration and action upon it by the Senate in order that it may be sent to the other House and may be in a situation to receive early consideration there. It has been once postponed for the accommodation of an absent Senator. Another request is now made. I have no means of information as to whether at the expiration of another week, the time fixed, would be any more satisfactory to Senators and accommodate a larger number of Senators than the time which has already been fixed by the Senate for the consideration of the bill.

I also learned this morning that the junior Senator from New York [Mr. HILL] had received a communication from parties in New York in regard to this bill, and will, undoubtedly, give it attention and be prepared to represent their interests to the Senate. Under the circumstances—and I take this public method of stating the facts in regard to the case in order that the senior Senator from New York [Mr. HISCOCK] will not feel aggrieved by my action—I regret that I do not feel at liberty to consent to the postponement of the measure.

Mr. VEST. Mr. President, so far as I am personally concerned I am as ready to say what I desire to say on this subject now as at any other time. I have no request to prefer in regard to it.

The senior Senator from Indiana [Mr. VOORHEES] telegraphed this morning from Altoona that he is on his way and will be here this afternoon, but at so late an hour in the afternoon that it will not be possible for him to attend the session of the Senate to-day. He is anxious to be here when the cases are taken up. I say "the cases," because the same legal question arises in one case as in the other, although the facts of the two cases are different. That is all I desire to say in regard to it. I am perfectly willing to take the bill up now or take it up to-morrow morning.

I rose principally to move that the minority report in the La Abra case, which was submitted at a previous Congress by the then Senator from Georgia, Mr. Brown, not now a member of this body, be printed in the RECORD, as was the majority report.

The VICE-PRESIDENT. That will be done in the absence of objection.

Mr. SHERMAN. What is that?

Mr. VEST. I ask that the minority report be printed in the RECORD.

The VICE-PRESIDENT. It will be so ordered in the absence of objection.

Mr. MORGAN. I think that minority report has been heretofore printed in the RECORD. At all events, I know it was printed as a document at the last session of Congress.

Mr. DOLPH. In the Fiftieth Congress. We did not reprint the report in the last Congress.

Mr. MORGAN. There is no minority report at this session of Congress at all. No one has made a minority report. The committee is differently constituted from what it was then. Mr. Brown is not a member of the Senate, and to bring his report forward and print it in the RECORD is merely to put in an argument which has been made heretofore and which already is in the possession of the Senate as a document. It is a very extensive argument prepared by counsel. I hardly think that the RECORD ought to be encumbered with it. Senators can have access to it. There are plenty of copies of it here. The country feels no interest in it except upon the question of law.

The VICE-PRESIDENT. The Chair will submit the question to the Senate for its decision.

Mr. MORGAN. That minority report is very extensive, and it would take up a whole RECORD.

Mr. SHERMAN. I trust the Senate will not set an example of this kind, because it will encumber the RECORD unnecessarily. The report is much more convenient in the form of a pamphlet, as it is now upon our tables, than it would be if put in the RECORD. In the RECORD it would be in inferior type; it would not be readily accessible, nor could it be used on the floor of the Senate. The cost of printing a document of that kind in the RECORD, where it has to be repeated ever so many thousand times, would amount to a large sum.

The VICE-PRESIDENT. There are 75 pages in the report.

Mr. SHERMAN. Seventy-five pages. I hope the Senate will consider the question of sufficient importance to take a vote upon it. I desire to vote in the negative upon any proposition to print reports of committees of an unusual size in the RECORD. They are all put in volumes so that they can be accessible in the future, and are more convenient in that form than they are in the RECORD. The reports of committees of both Houses of Congress are printed in books, which are furnished to us in sufficient numbers for all practical purposes, and the idea of duplicating a publication of that kind in the RECORD is not only an unnecessary cost, but it is altogether useless and a waste of the public money, in my judgment. I shall therefore vote "no" on the proposition.

Mr. VEST. The objections made by the Senator from Ohio ought to have been made when the majority report was ordered to be printed in the RECORD.

Mr. SHERMAN. If I had been here I certainly should have objected. When was that printed?

Mr. VEST. It was printed at this session, some three or four days ago perhaps.

Mr. DOLPH. It was printed on the 7th of January.

Mr. VEST. It was printed on the 7th day of January. I do not suppose that is of the essence of the matter at all. It was done at this session.

Mr. SHERMAN. I was not here at the time.

Mr. VEST. As to the minority report being printed, as suggested by the Senator from Alabama [Mr. MORGAN], in a separate document, a miscellaneous document, the same holds true in regard to the majority report. There it is as a miscellaneous document of the Senate, printed and reprinted.

I did not see the other day any necessity for printing the majority report of the committee in the RECORD, but it was done, and as a matter of fairness the two sides of the question ought to be presented. It is very true that the report of the then Senator from Georgia was not made at this session and that he has ceased to be a member of the Senate; but the issues are identical. He was a member of the subcommittee of which the Senator from Alabama was chairman, from a majority of which, composed of the Senator from Alabama and the Senator from Oregon, came this report, based on the report made by them to the full Committee on Foreign Relations. This minority report comes from the third member of that subcommittee. In justice to him, after putting the majority report in the RECORD, the minority report ought also to be put there.

I will say in addition that whatever the action of the Senate may be it will not keep this report out of the RECORD if I or any other member choose that it shall go in, because I can make it a part of my argument, or any other Senator can do the same, and it will be reported in his speech, and would be simply a question of the physical endurance of the Senator.

The VICE-PRESIDENT. The Chair will put the question on the motion of the Senator from Missouri [Mr. VEST]. The question is on the motion of the Senator from Missouri that the minority report, to which he has referred, be printed in the RECORD.

The question being put; a division was called for, and the ayes were 5 and the noes 11.

Mr. SHERMAN. It is manifest that there is no quorum, and I think, therefore, the motion should be withdrawn.

Mr. VEST. No quorum has voted.

The VICE-PRESIDENT. No quorum voting, the roll will be called.

Mr. HALE. Perhaps the Senator from Missouri will withdraw his motion.

Mr. VEST. I do not intend to be captious about this matter. As my colleagues here know, I generally defer to the will of the majority; but this report will go into the RECORD if I have to

stand here and read it in my speech, and I think I shall hardly be denied the privilege of the floor.

The VICE-PRESIDENT. Does the Senator withdraw his motion?

Mr. VEST. I did not call for the yeas and nays.

The VICE-PRESIDENT. No; but does the Senator withdraw his motion? If not, the roll will be called.

Mr. VEST. I do not care about it, Mr. President, and I will withdraw the motion.

The VICE-PRESIDENT. The motion to print is withdrawn.

AMENDMENT TO A BILL.

Mr. GEORGE. I ask leave to have the amendment which I hold in my hand, being an amendment offered to the bankruptcy bill by me several years ago, reprinted, as it is out of print.

The VICE-PRESIDENT. The proposed amendment will be printed, subject to the rule.

Mr. VEST. What is that, Mr. President? If it is anything about reprinting, after what has just occurred, I wish to know it.

Mr. GEORGE. It is an amendment which I offered to the bankruptcy bill two or three years ago.

Mr. MANDERSON. It is impossible for us to hear what is said.

The VICE-PRESIDENT. The Senate will be in order.

Mr. GEORGE. What disposition was made of my request?

The VICE-PRESIDENT. The order to print has been made, subject to the rules.

Mr. SHERMAN. We could not hear the request made by the Senator nor the reply of the Chair. I should like to know what the pending matter is.

The VICE-PRESIDENT. An amendment to be proposed to the bankruptcy bill, which the Senator from Mississippi desires to have reprinted.

Mr. SHERMAN. In bill form?

The VICE-PRESIDENT. The order will be made, in the absence of objection. The Chair hears none.

MEXICAN COMMISSION AWARDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868.

Mr. DOLPH. Mr. President, referring again to the request of the Senator from New York [Mr. HISCOCK], if there were any way of ascertaining that the time fixed when the Senator could return and be present in the Senate would be satisfactory to the senior Senator from Indiana [Mr. VOORHEES] and to the other Senators who desire to be present when this bill is considered, I should feel inclined to favorably consider the proposition; but it will be seen at once that I am in the awkward predicament of taking the chances of postponing the consideration of this bill from a time fixed by the unanimous consent of the Senate to accommodate an absent member of the Senate, with no certainty that I do not discommode more than one Senator by fixing a time in the future. As I have said I have been greatly embarrassed by it, and I do not see how I can take a different course in justice to the public interest than I propose to take in the matter.

When I called up this bill on the 7th of January and had the report of the committee printed, I asked to have it read to the Senate, because the report which was prepared by me fully covers every question I think that can properly arise in the consideration of this bill.

I did not intend to occupy the time of the Senate, nor do I now, with any extended remarks in presenting this measure in the first instance. It is a measure which should pass the Senate, without a dissenting vote, upon its own merits. I propose at this time to make a brief statement in regard to the facts and the law of the case, and if the report of the committee or the statement which I now make shall be assailed by any opponent of the bill, I shall take great pleasure, as I have the notes already prepared for that purpose, in citing the documents and the oral testimony to show that the report is correct in every particular. But I will not take up the time of the Senate in submitting the bill in the first instance, by referring to the documents, by reading from them, or by quoting from the testimony.

The object of this bill is, in brief, to direct a suit or suits to be brought by the Attorney-General of the United States in the name of the United States in the Court of Claims, jurisdiction being conferred by the provisions of the bill upon that court, against the La Abra Mining Silver Company and its assigns of any portion of the award made by the United States and the Mexican Mixed Commission, under the convention between the United States and the Republic of Mexico, concluded on the 4th day of July, 1868, in respect of the claim of the said La Abra Company to determine whether the award was obtained by fraud or false swearing or other false or fraudulent practices on the part of the La Abra Company, its agents, attorneys, or assigns, with the right of either party to appeal from the judgment of the Court of Claims to the Supreme Court of the United States, and providing that even the false and fraudulent testimony which was taken before the Mixed Commission shall be received by the court and considered for what it may be worth.

The bill provides that if the Court of Claims shall find and adjudge that the award in favor of the La Abra Company was obtained by fraud and by false swearing, and was an imposition upon the Government of the United States, the United States shall release the Government of Mexico from the payment of any further installment upon the award.

I will say, in passing, that since the report was made—the bill was first presented in the Forty-ninth Congress—the Mexican Government has paid into the Treasury of the United States the entire award.

The bill provides for the return to the Government of Mexico of all that portion of the La Abra award which has not been distributed to the company and to its assigns, if it is found that the award was procured by fraud, but if the court shall find that this award was not secured by fraud and imposition and false swearing, the bill provides that the award shall be distributed among the parties entitled to it.

The questions now for consideration by the Senate are stated in the report as briefly, I think, as they can be well made, and I will read them.

First. Whether the evidence presented by the Mexican Government to show that the award made by said Mixed Commission in respect of the claim of La Abra Company was procured by fraud, and the testimony taken by the committee, under the authority of resolutions of the Senate herein referred to, is of such a character as to require investigation by a competent tribunal to determine whether the United States in presenting the claim of La Abra Company to the Mixed Commission was not made the victim of fraudulent imposition.

That is a question of fact:

Second. Whether Congress has the constitutional power to open the award and direct a suit to be brought to judicially determine, according to the principles of equity, whether the award, in whole or in part, was procured by fraud, in order that what the honor of the United States requires should be done in the premises may be done.

First, the question as to whether this award was procured by false and fraudulent testimony and the United States was imposed upon; and, second, as to the power and right of the Government of the United States to make this inquiry and determine for itself, Mexico not being a party to the suit, whether this award was procured by imposition, and to do what the honor of the United States requires should be done in the matter.

The La Abra Company was incorporated and organized under the laws of the State of New York in 1865, with its principal office in the city of New York, for the purpose of purchasing and working silver mines in Mexico. The parties who organized the company, according to the testimony, were evidently greatly imposed upon by persons who had silver mines in Mexico for sale.

Certain members interested in the company were sent out to examine the mines and with authority to make a purchase. They found a large display of silver already reduced, and were furnished with some rich specimens of ore, which assayed a very large amount of silver to the ton. They came back, organized a company, and sent their agents down into the Mexican country to take possession of the mines and to put up improved American machinery to work them. While they were putting up their mills and getting their machinery in order they caused, at a large expense, a considerable amount of ore to be got out and brought to the mill ready to be worked. When the mill was up and they began to reduce the ore, they found it was very low-grade ore and would not pay for the working.

In the mean time the company had been assessed for the full amount of its stock to meet the requirements of the agents of the company in Mexico. Members of the company had loaned large sums to the company, but at last their money was gone, their credit was gone, and the demands kept coming for money from their agents in Mexico. The agents were told that they must depend upon the proceeds of the mine to carry on the work, but as the ores would not pay for reduction, with their machinery, they found it necessary to discharge their workmen and to close down the mills after being repeatedly told by the president and officers of the company in New York that no further funds could be furnished. They abandoned the mine and left it in charge of a single agent appointed by the last superintendent of the company.

After this Mixed Commission was provided for certain parties connected with this company conceived the idea of making a large claim against the Mexican Government, claiming that they had been dispossessed of their mine, that their property had been destroyed, that they had been so treated in Mexico by the Mexican Government that they had lost their mine, their ore had been stolen, their mules had been stolen, and their operatives

killed. The whole thing was manufactured from beginning to end. A claim was presented to the Mixed Commission, and on false testimony, on manufactured testimony, as it appears, because there is a statement from a witness who appeared before the Committee on Foreign Relations, whose testimony was taken ostensibly before an American consul, that when they came to read it over it was found that it had not been taken as given by him, and he finally left his signature to a blank sheet of paper with the understanding that after the testimony had been corrected the consul should have it sent off as it had been corrected, and the witness afterwards comes upon the stand and says he never gave such testimony as appears in the depositions read before the Commission; and the other testimony in the case is false and fraudulent from beginning to end.

This company appeared, as I say, before the Mixed Commission and an award in favor of the La Abra silver mining claim was made for $683,041.30, or, in American gold, in which coinage the payments were made, $672,070.99. The amount heretofore paid, that is to the date of the report, by Mexico on account of the La Abra award, is $631,553.22.

Out of the first five installments paid by Mexico there was distributed to the claimants of La Abra award the sum of $240,683.06. The Secretary of State then, under an Executive order, suspended further payments, and there are now retained by the State Department, on account of said award, eight installments, amounting to $390,870.16. The award was rendered by the umpire December 27, 1875, and a motion on behalf of the Mexican Government for a rehearing was overruled by him October 20, 1876.

By the provisions of said convention the payment of the total sum of the awards due from Mexico was to be made in annual installments, and, following the usual precedents in such cases, Mr. Fish, then Secretary of State, in 1877 asked Congress for the necessary legislation to enable him to adjust the awards with Mexico, and to make distribution to the respective claimants. The convention provided no method of distributing these awards, and it was necessary that Congress should provide by law for their payment into the hands of the persons entitled thereto. While a bill for this purpose was pending, the Mexican Government notified the Secretary of State that evidence, not within its knowledge or control before the awards were rendered, had been discovered, which, it was claimed, would establish the fact that the awards in the cases of La Abra Company and Benjamin Weil were procured by fraudulent impositions upon the Commission and upon the Government of the United States, on the part of the claimants.

And the bill was not passed at that session on account of this showing.

At the next session Mr. Davis of Illinois introduced a bill in the Senate which, with amendments, passed both Houses, and was approved June 18, 1878. This act authorized the Secretary of State to make distribution to the claimants of the money received from Mexico on all the awards except those of La Abra Company and Weil. The fifth section of the act was as follows:

"SEC. 5. And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing; Therefore, *Be it enacted*, That the President of the United States be, and he is hereby, requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law or considerations of justice and equity, require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, or either of them, until such case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree, or until Congress shall otherwise direct.

"And in case of such retrial and decision, any moneys paid or to be paid by the Republic of Mexico in respect of said awards respectively shall be held to abide the event, and shall be disposed of accordingly; and the said present awards shall be set aside, modified, or affirmed, as may be determined on such retrial: *Provided*, That nothing herein shall be construed as an expression of any opinion of Congress in respect to the character of said claims, or either of them."

In accordance with the provisions of this section, the President [Mr. Hayes] caused an investigation to be made of the charges of fraud preferred by the Mexican Government, and Mr. Evarts, then Secretary of State, made a careful examination of the newly discovered evidence presented by Mexico, and submitted his conclusions thereon to the President August 12, 1879, to the effect:

"That the honor of the United States does require that these two cases should be further investigated by the United States to ascertain whether this Government has been made the means of enforcing against a friendly power claims of her citizens based upon or exaggerated by fraud."

Without following the history of this claim in the State Department, it is sufficient to say that every President and every Secretary of State since that time has been of the same opinion that President Hayes and Mr. Secretary Evarts were in 1878.

In the Fiftieth Congress the Committee on Foreign Relations were directed to examine this claim and to take testimony. They took a large amount of testimony, which they presented to the Senate to accompany the report from which I have been reading, in which they included all the documentary evidence, including the papers which were before the Mixed Commission. In the testimony which was before the committee were the original press copy letter books of the La Abra Company, containing press copies of the letters written by the agents of the company in Mexico to the officers in New York.

There were a considerable number of original letters also furnished and identified from the officers of the company in New York to the agents of the company in Mexico at the mines. These letters give a full history of the company's transactions in Mexico, and, leaving out of question the testimony of every witness who gave oral testimony before the Mixed Commission or before the Senate Committee on Foreign Relations, these press copies of letters written by the agents of the company in Mexico and original letters of officers written in New York, show conclusively the falsity of this claim. The committee, after considering all this testimony, made the report from which I again read:

In the opinion of the committee the correspondence between the company's superintendents and agents at the mines in Mexico and the managing agent of the company in New York, accompanying this report, is sufficient, considered alone, to show the whole claim of the company to be fraudulent, and the claimant's testimony before the Mixed Commission, so far as it tended to fix the responsibility for the company's loss upon the Mexican Government, to have been rank perjury to show that the company had abandoned its mines because they did not pay for working; that the officers and agents of the company in New York had refused to furnish any more money to the superintendents at the mines, and that the company was bankrupt.

The idea of making a claim against the Mexican Government by the company, judging from this correspondence, appears to have been conceived long after the abandonment of the mines by the company, to have been a gross fraud in its inception, to have been based upon fraudulent allegations supported by false swearing and manufactured testimony; and it is impossible, in the face of the correspondence covering the period when the company was making preparations to work its mines in Mexico and while they were being worked, to conceive that the officers and agents of the company in New York were not active participants in the fraud.

That is the report of the committee upon this testimony, which, as I say, included press copies of all the letters of the agents at the mines in Mexico to the agents and officers of the company in New York, and several original letters from the officers of the company in New York to their agents at the mines. The conclusion of the committee was that this claim was a gross fraud in its inception, that it was supported by false and fraudulent and manufactured testimony, and that it is impossible that the agents and officers of the company in New York should not have known its fraudulent character. I shall leave this case upon that statement of the committee upon this branch of it as to the facts, but if that statement of the committee is assailed by any Senator, I am prepared, by reference to copies of letters and original letters and other testimony, to show that every word of it is correct.

I now turn attention for a moment to the other question, as to whether, it being ascertained that this claim was founded in fraud, that this award was obtained by false testimony, that the United States was imposed upon in this matter, this Government has the power to return the money already paid by Mexico, and not distributed to these claimants, to the Government of Mexico, because I think no Senator will assert on this floor that, if this award was obtained by fraud, as is stated by the committee, and it shall be so ascertained by one of our own courts having jurisdiction to try the matter, and it is within the power of this Government to return that money, the honor of the Government does not require that it shall be returned.

The matter of this award has been several times in court, once recently, and I am not informed what the result has been if the case has been tried.

In the case of La Abra Company *vs.* Frelinghuysen (110 U. S.) the Supreme Court discusses the question of the finality of the award and the power of the Government (so long as the money is within its control) to inquire into the integrity of the claim, as between itself and the claimants, its own citizens. Chief-Justice Waite, in delivering the opinion of the court, held:

"There is no doubt that the provisions of the convention (of 1868) as to the conclusiveness of the awards are as strong as language can make them. * * * But this is to be construed as language used in a compact of two nations 'for the adjustment of the claims of the citizens of either * * * against the other,' entered into 'to increase the friendly feeling between' republics, and 'so to strengthen the system and principles of republican government on the American continent.' No nation treats with a citizen of another nation except through his government. The treaty, when made, represents a compact between the governments, and each government holds the other responsible for everything done by their respective citizens under it. The citizens of the United States having claims against Mexico were not parties to this convention. * * * The presentation by a citizen of a fraudulent claim or false testimony for reference to the Commission was an imposition on his own Government, and if that Government afterwards discovered that it had in this way been made an instrument of wrong towards a friendly power it would be not only its right, but its duty, to repudiate the act and make reparation as far as possible for the consequences of its neglect, if any there had been.

"International arbitration must always proceed on the principles of national honor and integrity. Claims presented and evidence submitted to such a tribunal must necessarily bear the impress of the entire good faith of the Government from which they come, and it is not to be presumed that any Government will for a moment allow itself knowingly to be made the instrument of wrong in any such proceeding. No technical rules of pleading, as applied in municipal courts, ought ever to be allowed to stand in the way of the national power to do what is right under all circumstances. * * * The United States, when they assumed the responsibility of presenting the claims of their citizens to Mexico for payment, entered into no contract obligations with the claimants to assume their frauds and to collect on their account all that, by their imposition of false testimony, might be given in the awards of the Commission. As between the United States and the claimants, the honesty of the claims is always open to inquiry for the purpose of fair dealing with the Government against which, through the United States, a claim has been made."

The report proceeds:

An examination of the action of Congress respecting claims adjudicated by virtue of international conventions will show that Congress has not regarded awards rendered on such claims as final and beyond its control. Within the last thirty years our Government has repeatedly reopened awards of this character, which have been rendered in accordance with the provisions of conventions containing stipulations making them final and conclusive between the parties to the convention.

The following is quoted from the brief of counsel in this case

before the State Department, but was adopted by me for convenience:

To accomplish the annulment or revision of the awards almost every method of procedure known to modern jurisprudence or diplomatic practice has been resorted to by our Government to protect the honor of the nation or do justice to claimants. These procedures may be classified as follows:

First. By a resubmission of the cases on which awards had been rendered to a new international commission, as under the convention with Colombia and Venezuela.

Second. By an independent resort, through bills in equity, to the established domestic tribunals of the country, as in the Gardiner case under the treaty with Mexico of 1848, or in the Lazare case under the agreement with Haiti of 1884.

Third. By resubmission, through an act of Congress, to a special tribunal, as the Court of Claims, in the Atocha case under the Mexican treaty of 1848, or the "Caldera" case under the Chinese convention of 1858.

Fourth. By reference, through an act of Congress, to the Executive, clothing the Attorney-General with quasi-judicial functions, as in the case of Nott & Co. under the Chinese treaty of 1858.

Fifth. By a direct return of the money to the foreign government by the independent action of the Secretary of State and by act of Congress, without any judicial reëxamination or any hearing afforded the claimant, as in the "Caroline" case.

There are some members of the Committee on Foreign Relations who thought that that ought to be the action here; that we ought simply to return this money to the Government of Mexico without referring the case to the Court of Claims at all.

Now, this committee, in its report made at the first session of the Forty-ninth Congress upon the bill (S. 2207) relating to the Benjamin Weil claim, discussing the power of Congress to reopen the award in that case, said:

The Committee on Foreign Relations are satisfied that there is no impediment of law or policy in the way of Congress to prevent the full examination of this award to Benjamin Weil in our own courts, and that the evidence presented to Congress to impeach the claim, both as to fraud and perjury, is of so convincing a nature as to make it our duty to our own country to require that this should be done.

This same claim was before the House Committee on Foreign Affairs, and in a report made by Representative, now Senator, DANIEL, at the first session of the Forty-ninth Congress, upon the bill (H. R. 8122) concerning the La Abra claim, and similar in its provisions to the bill under consideration, although reporting against the bill, the committee maintained the power of Congress to reopen the award, as follows:

We have no doubt that Congress may waive the benefits of the treaty with Mexico and reopen the case decided in favor of La Abra Company. Sir Edward Thornton took such power for granted as an attribute of our national sovereignty. The existence of such power is sustained by a number of precedents, and to a certain extent it has already been exercised by Congress in the act of 1878 suspending payment of the sums awarded and of which the present bill is amendatory. The President assumes and the Secretary of State asserts it, and in Key *vs.* Frelinghuysen, the Supreme Court affirmed it.

That is still another case, in which the Supreme Court affirmed the doctrine.

The minority of the committee, who reported in favor of the passage of the bill, upon this question said:

We hold that an examination of the legislative and diplomatic history of this country will show that the United States, both in its dealings with other governments and its own citizens, has never regarded the awards of commissions or final adjudications of claims as irrevocable where the honor of the nation was involved, and in many cases they have been set aside on behalf of claimants.

Mr. CHILTON. If the Senator from Oregon will allow me, I am not as familiar with this matter as other Senators who have been here longer, but I understand the bill only proposes to deal with the unexpended part of the award.

Mr. DOLPH. That is all.

Mr. CHILTON. There is nothing in the bill which could be construed as an engagement or acknowledgement on the part of our Government to reimburse Mexico for that part which has already been distributed?

Mr. DOLPH. No; it is conceded by both Governments, by the Mexican Government and by our own, that that award is conclusive and final, unless the United States chooses to take some action concerning it. Acting upon that theory, notwithstanding our Government ceased to distribute the annual payments upon this award to the La Abra Company and its assigns, the Mexican Government has paid the full amount of the award.

Mr. CHILTON. I understand that part of it.

Mr. DOLPH. And the money is now in the State Department awaiting the action of Congress. There is legislation that is construed by the Department to prevent its payment to the La Abra Company or its assigns, and it remains there awaiting legislation.

The only thing that is proposed in this bill is to send these parties to the Court of Claims, allowing the claimants to use all the testimony that was used before the Mixed Commission, and having the question there adjudicated as to whether this claim was or was not procured by false swearing and by fraudulent practices, and whether the Government of the United States was imposed upon, so as to determine what the honor of the United States requires to be done in the premises, it being provided in the bill that if it shall be adjudged by the court of appeals that the award was procured by false swearing and fraudulent imposition upon the Government of the United States, then the Government of the United States shall return to Mexico the unexpended amount of the award, which is now awaiting the action of Congress in the State Department. But the bill has nothing whatever to do with the amount which has been distributed to the claimants.

Mr. CHILTON. That was the point I wanted information upon.

Mr. DOLPH. No proposition is made to attempt to recover it from them, or to obtain judgment against them, or to return it to the Mexican Government.

I think, from these citations which I have read, and I do not propose to take up the time of the Senate, the power of the Government of the United States to return the undistributed award, that portion of the award in this case which is in the State Department and has not been distributed, to the Mexican Government is undoubted. And I do not propose to discuss either branch of the question longer.

Mr. McPHERSON. May I ask the Senator what is the amount of the award still held in our hands?

Mr. DOLPH. I stated a moment ago that the original amount of the award in American gold was $672,070.99. The amount which has been distributed to the claimants is $240,683.06, leaving something over half of it that is still undistributed.

Mr. VEST addressed the Senate. Having spoken for some time——

Mr. HAWLEY. The Senator from Missouri has something further to say, and I understand he is entirely willing to yield to a motion to adjourn. As there are not Senators enough here to hold an executive session, I move that the Senate do now adjourn.

Mr. VEST. Mr. President, the bill pending before the Senate gives a new trial to Mexico as to all the issues involved in the original award. It is true that Mexico is not made a party to the record. The suit, according to the provisions of the bill, is to be instituted by the United States against the La Abra Company. But the bill also provides that all the evidence taken before the Mixed Commission shall be placed before the Court of Claims. It further provides that process shall issue from the Court of Claims in order to enforce its finding; and it provides that if the court shall be of opinion that the award before the Mixed Commission in favor of the La Abra Company was obtained by fraud or false swearing, then the President of the United States shall pay back to Mexico the amount in the State Department at the time of this decision by the Court of Claims; and that an appeal may be taken from the decision of the Court of Claims to the Supreme Court.

The difficulty presented to my mind in regaid to these provisions of the bill is, first, how is the Court of Claims or the Supreme Court of the United States to determine that this award was obtained from the umpire, Sir Edward Thornton, by fraud and false swearing? The bill provides that if the court shall find that any portion of the award was so obtained, although a part of it may appear to have been just and fairly recoverable, the President of the United States shall pay the amount so obtained and remaining in the office of the Secretary of State over to Mexico.

I call the attention of Senators, and especially those of us who are lawyers, to the language of the bill. It does not provide that if there shall be fraud and perjury, but if there shall be fraud and false swearing, which is a very different thing. There may be false swearing without any criminal motive on the part of the witness. The testimony may be entirely honest and fair and proper, but a mistake. But if there be perjury it is with criminal intent and it is willful falsehood. This bill does not mention perjury.

Mr. GEORGE. Will the Senator allow me to ask a question?

Mr. VEST. Certainly.

Mr. GEORGE. What difference does it make to the unfortunate creditor whose rights have been destroyed by the mistake, whether it was willful or accidental?

Mr. VEST. It makes this difference, that if those statements were matters of opinion, for instance, as to the amount of damages, and they were honestly given, then neither litigant has a right to complain, if the umpire should have assumed, or should in the exercise of his judgment have given the weight of the evidence against the party that now complains of the award. If, on the other hand, there was perjury, willful and deliberate false swearing, it was an outrage, as a matter of course, upon the parties involved in the suit who were honestly inclined, and an outrage upon the Government of the United States, which had agreed to this arbitration, and it was an outrage upon Mexico.

Mr. GEORGE. Will the Senator allow me to say that I think the question of perjury is not material in the investigation of the rights of litigants? It would be material when a criminal pros-

ecution was entered against the witness, but in no other proceeding whatever.

Mr. VEST. Mr. President, I differ with the Senator from Mississippi in this: If he were a judge upon the bench in this case and a motion was entered for a new trial, and the evidence showed that witnesses had given their opinions fairly and honestly, but were mistaken in regard to it, that opportunity was given to both parties to bring in the opinion, say of experts or others, and the umpire has given its judgment as to the weight of that evidence and there has been no willful false swearing in the case, it would make a very different case as to the decision of the question in the one aspect or the other.

Mr. GEORGE. With the Senator's permission I will state that the gist of a proceeding for a new trial is that wrong has been done to one of the parties, and it makes no difference as to the right of the wronged party to redress that the wrong has been perpetrated or has been based upon a simple mistake. It is error, and whether it be a willful error or not, the wrong is the same, and the man is injured; the man has lost his property; the man has been deprived of his rights; and whether upon a falacy or a falsehood, whether it be willful or otherwise, can make no difference to him or in matter of justice and right.

Mr. CHILTON. As a matter of information, I should like to know how long it was after this award was made before the attempt to correct it was inaugurated on the part of the United States Government?

Mr. VEST. On the part of the United States Government there was no attempt to correct it for some two or three years, I think, after the rendering of the award by the umpire. The first attention that was called to it, I believe, was under the Administration of Mr. Hayes. I believe a letter appears from Gen. Grant in this mass of testimony, amounting to two or three thousand pages, but that it was an official letter I am not prepared to say. My impression is that it was not, but that Mr. Hayes first called attention to the duty of the United States to Mexico, and there is a communication here from Mr. Evarts in regard to this matter, giving his opinion about it, in which he says that the question is as to the damages. He does not believe that the honor of the United States or that equity demands that the award should be reopened as to all the issues, but he said that it was a question simply of exaggerated damages, and that opinion was afterwards repeated by Secretary Bayard under the Administration of Mr. Cleveland.

Mr. CHILTON. How long was it before the first installment would be payable?

Mr. VEST. The record here shows the exact dates, but I think it was paid in 1877.

Mr. FRYE. Will the Senator from Missouri allow me?

Mr. VEST. Certainly.

Mr. FRYE. It was some considerable length of time before Mexico discovered the evidence to show that fraud existed and that perjury had been used in the case. Therefore it was some considerable length of time before the United States had notice that there was any such thing as fraud in the matter.

Mr. GEORGE. And allow me to add that in cases of concealed fraud no limitation runs except from the time of the discovery of the fraud.

Mr. VEST. Yes, Mr. President, but that is in regard to extrinsic fraud, and not as to fraud which was in issue at the trial.

When called off by these interruptions I was about to answer the Senator from Mississippi in regard to the new-trial question which he submitted to me. The Supreme Court of the United States, in its decision in the case of Frelinghuysen *vs.* Key, put the right of the United States to examine into this question upon these grounds and these grounds alone. I quote from the decision of the court:

> The United States, when they assumed the responsibility of presenting the claims of their citizens to Mexico for payment, entered into no contract obligations with the claimants to assume their frauds and to collect on their account all that, by their imposition of false testimony, might be given in the awards of the Commission. As between the United States and the claimants, the honesty of the claims is always open to inquiry for the purposes of fair dealing with the Government against which, through the United States, a claim has been made.

As between its citizens and the Government of the United States it always has the right to examine into the good faith of the claim as presented by its own citizens. I do not contravene that proposition, but I submit that, after the very question of fraud in the transaction itself has been presented, argued, and determined by the court, then it is no ground for reopening the whole award and giving a new trial upon all the issues to say that there is other evidence to show fraud which the party has afterwards discovered—not proof of extrinsic fraud, but simply proof as to the identical issue which was put before that court and which was under litigation for five long years.

Mr. GEORGE. Will the Senator allow me to ask him a question?

Mr. VEST. Certainly.

Mr. GEORGE. Was not the language which he read used by the court with reference to this very case?

Mr. VEST. Certainly it was; there is no doubt about it.

Mr. GEORGE. Then, with reference to the facts of this very case, the Supreme Court has decided that there is no limitation upon the right of the Government of the United States to investigate this matter?

Mr. VEST. As a matter of course, and I am not arguing that proposition. The only issue I make in regard to that is whether the proper manner has been adopted by Congress as to examining into this question, and it raises the very serious question whether we are not now invading the domain of the political or executive department by determining this question or attempting to determine it, as is proposed to be done by this bill.

If the Senator had permitted me I had intended to read from this opinion further, to show that the Supreme Court never, for one instant, contemplated that this matter should be reopened and retried in a domestic or municipal court of the United States. The court says:

> The fifth section—

Referring to the bill of 1878—

> The fifth section, as we construe it, is nothing more than an expression by Congress in a formal way of its desire that the President will, before he makes any payment on the Weil or La Abra claims, investigate the charges of fraud presented by Mexico, "and if he shall be of the opinion that the honor of the United States, the principles of public law, or considerations of justice and equity require that the awards, * * * or either of them, should be opened and the cases retried," that he will "withhold payment * * * until the case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree"—

Until it shall be retried in such manner as the United States and Mexico may agree—

> or until Congress shall otherwise direct.

Now, it is assumed here by Mexico that the words "or until Congress shall otherwise direct" give plenary power in Congress to send this case to the municipal courts of the United States. Any lawyer who will examine this language will see that the phrase "until Congress shall otherwise direct" simply applies to the question whether the Secretary of State shall pay over this money or not, and it does not refer to the mode in which the issue shall be determined.

I submit, in all fairness, that the Supreme Court has never decided that the Court of Claims or any other municipal tribunal in this country had jurisdiction of this matter.

How did this question come to Congress? It came at the instance of the President through the State Department, in the language of a communication quoted here, in which the President, through the Secretary of State, Mr. Evarts, said to Congress that he had grave doubts in regard to the damages in the La Abra case and as to the whole cause of action in the Weil case; but that the executive department of the Government could not examine into these questions so as to satisfy itself, as it did not have the power to coerce the attendance of witnesses. It was a suggestion that Congress should provide the means of doing, what? Not of retrying the whole case, but of satisfying the political department of the Government that this fraud had been perpetrated. There is not one thing in the decision of the Supreme Court, there is not one single idea in the communications from the State Department at any time which goes to the effect that Congress was to invade the domain of the political management of our affairs with foreign nations and retry the case before a municipal tribunal. The Supreme Court goes on further to say:

> This is far from making the President for the time being a quasi judicial tribunal to hear Mexico and the implicated claimants and determine once for all as between them, whether the charges which Mexico makes have been judicially established. In our opinion it would have been just as competent for President Hayes to have instituted the same inquiry without this request as with it, and his action with the statute in force is no more binding on his successor than it would have been without. But his action, as reported by him to Congress, is not at all inconsistent with what has since been done by President Arthur. He was of opinion that the disputed "cases should be further investigated by the United States to ascertain whether this Government has been made the means of enforcing against a friendly power claims of our citizens based upon or exaggerated by fraud," and, by implication at least, he asked Congress to provide him the means of "instituting and furnishing methods of investigation which can coerce the production of evidence or compel the examination of parties or witnesses." He did report officially that he had "grave doubt as to the substantial integrity of the Weil claim," and the "sincerity of the evidence as to the measure of damages insisted upon and accorded in the case of the La Abra * * * company."
>
> The report of Mr. Evarts can not be read without leaving the conviction that if the means had been afforded the inquiries which Congress asked for would have been further prosecuted. The concluding paragraph of the report is nothing more than a notification by the President that unless the means are provided he will consider that the wishes of Congress have been met, and that he will act on such evidence as he has been able to obtain without the help he wants.

In accordance with the views I have read here of the two administrations, first of Hayes, and next that of Cleveland, both going upon the assumption that the damages had been exaggerated, but that the other issues in the case had been fairly decided in favor of the La Abra Company, what was done? With these facts before us we voted twice in the Senate upon treaties in ac-

cordance with the decision of the Supreme Court reopening the question between this Government and Mexico——

Mr. MORGAN. Not upon two treaties?

Mr. VEST. I mean to say that we voted twice upon it, after long and anxious debate and deliberation, the Senate as a part of the political power of the Government—the President and the Senate acting upon treaties—refused to reopen this question, and that should have been a finality.

Mr. GEORGE. Did not the treaty fail for the want of the necessary two-thirds vote, a large majority voting for it?

Mr. VEST. What is the difference in regard to the constitutional provision and the legal effect? If a treaty fails by one vote of having the necessary two-thirds to ratify it, it is dead.

Mr. GEORGE. Of course it is dead.

Mr. VEST. Then why does the Senator ask me that question?

Mr. GEORGE. I ask the question for the reason that the case was not *res adjudicata* by the Senate, as showing that the Senate had deliberately decided that there was no remedy needed in this case, when a large majority of the Senate decided that there was a remedy needed, and we ought to grant it.

Mr. VEST. I speak about the action of the Senate under the Constitution and according to law. It is not a mass meeting, but under the Constitution it requires two-thirds to affirm a treaty, and I cite it to show that an appeal was made to the Senate or to the treaty-making power of the Government, where it ought to have been made, and where I contend here to-day alone rests the power to reopen and retry this case, and the Senate of the United States, by a Constitutional majority, decided not to take up the case and not to retry it.

Yet, notwithstanding the provision in the convention that submitted these awards to a commissioner from each Government and then to an umpire, Sir Edward Thornton, that the judgment should be binding without objection—without delay—after this appeal was made to the Senate and solemnly determined; and with this new evidence before it, this letter-book that is now brought in here and paraded as conclusive of this case—notwithstanding that Mexico, still not satisfied, employs an agent and counsel and detectives to follow this case into another channel, and seeks to make the United States Government prosecute her claim in a municipal court here, and after, as I shall show, all the witnesses upon our side of any consequence are dead.

The Senator from Maine [Mr. FRYE] interjected the remark that false swearing had been discovered after the award. Permit me now to read from the decision of the umpire in regard to that matter. I call the attention of the Senate to the fact that this case was under consideration for five years. The whole power of the Mexican Government with all its instrumentalities was brought to bear in order to bring evidence before the umpire. They were notified in regard to this testimony. Thirty of their own citizens were sworn in this case, and on the motion for a rehearing which was filed by Mr. Zamacona, or by Mr. Avila, Zamacona being one of the commissioners, perjury was charged upon every man who had sworn for the La Abra Company.

Thirty of these witnesses were Mexican citizens, and if my strength permitted me I would read the motion for a rehearing in which every one of them is taken up, man by man, and charged with deliberate perjury; and yet not a single one of these witnesses has ever been prosecuted for perjury in the Mexican courts. No attempt has ever been made to punish them. They have been permited to go unwhipped of justice, if these allegations be true.

The Senator from Maine says that fraud and false swearing came to light afterwards. Now, let us see if it did. Sir Edward Thornton, the umpire, in deciding the motion for a new trial, said:

> The motions to rehear which accompany the above-mentioned cases are not merely a request to reconsider them, but are a critical review, particularly on the part of the agent of Mexico, of the grounds upon which the umpire has founded his decision. It is argued that they are all ill founded and erroneous. This may be the case. The umpire does not pretend to be infallible, but he has decided to the best of his ability and conscience upon the papers which have been submitted to him. It is clear that whichever way his decision may have turned the claimant or defendant could always have found arguments to dispute its correctness and justice. Indeed, an impartial umpire is generally subjected to such criticisms.
>
> In his motions to rehear, the agent of Mexico has stated many facts which may be capable of proof, but which have not been proved by the papers submitted to the umpire. He has also shown immense ability in disputing the observations made by the umpire in support of his decisions, and in examining and discussing the merits of the claims with the greatest minuteness and detail; and the umpire is painfully impressed with the feeling that he might with fairness have been allowed the advantage of the searching examination of the agent of Mexico when these claims were first submitted to him, rather than after he had decided upon them. There was at that time better cause for doing so than there is now, for one of the two commissioners had already decided in favor of these claims before they came to the umpire. The latter is but one of three judges, and he would have been glad to have been favored and assisted by the minute criticism which the Mexican agent has now bestowed upon some of these claims.

The umpire further goes on to say:

> The decisions of the umpire, without his wishes being consulted, have generally been made public both here and in Mexico. It is known that by the convention they are final and without appeal. It is not impossible, and indeed it is very probable, that some of the claimants in whose favor awards have been made may have been able to obtain, on the credit of these final decisions, advances of money, or other values, or may have sold and entirely assigned away, to other persons not previously interested in the claims, the whole amount of the awards. The umpire is aware that by the law of the United States (Revised Statutes, section 3477) transfers and assignments of claims against the United States are null and void unless made after the issuing of a warrant for the payment thereof. But he does not believe that this law comprises claims against Mexico, although they may finally be paid through the Treasury of the United States; and there is no doubt that what is supposed, on the faith of the convention, to be a final decision of a claim, would give the claimant a credit of which he would be able and likely to avail himself. It is, therefore, highly probable that the alteration or reversal of a decision might seriously prejudice the interest of other parties besides the claimant, parties who were in no way concerned in the origin of the claim.

Now, Mr. President, in this connection permit me to say that all the personal interest, if it may be so termed, that I have in this case grows out of the fact that in the State of Missouri are a number of orphans and widows whose entire estate of every description is in what they believe justly to be due them from this award. They have been guilty of no subornation of perjury. They certainly are innocent parties. They had nothing to do with the outrages which the Mexican Government charge, and which Senators charge were perpetrated in this case. Their fathers and ancestors are dead and unable to explain the charge of perjury that is now made against them. Sixteen years have elapsed since this trial. Five years were given to Mexico to bring in all its evidence.

Is it fair, just, and right, when we invoke national honor in this case, that we should overlook the rights of our own citizens? When we invoke what is called in this bill law and equity, when we grant a new trial, as the Senator from Mississippi says, for he assumes this to be a proceeding of that sort, is it right that we should overlook this long lapse of time and the failure on the part of Mexico to produce testimony when she could have done so, and when these men were living and could have confronted the charges brought against them? The evidence of the Weil case——

Mr. GEORGE. Will the Senator allow me?

Mr. VEST. Certainly.

Mr. GEORGE. If the Senator has investigated that case very fully, I should like to ask him if he has any doubt of the fraudulent character of the claim.

Mr. VEST. Is that the Senator's question?

Mr. GEORGE. Yes, sir.

Mr. VEST. Yes, sir; most unquestionably, or I would not be here upon this floor arguing as I am.

Mr. GEORGE. I am speaking of the claim, now, of Weil.

Mr. VEST. I am not speaking about the Weil case. I am confining myself to the La Abra case. I have never investigated the Weil case.

Mr. GEORGE. You do not say anything about that?

Mr. VEST. No, except I will say this, and I give the Senator the benefit of it: Whether the Weil case be grounded in fraud or not, whether its pages be black and damnable with perjury or not, whether all that has been said about it accumulated ten thousand times over be true or not, I say that Mexico has no place in court, even with all that admitted, after deliberately suppressing testimony, after deliberately admitting that they held tesimony that they did not propose to put in that case because it might be rebutted by living witnesses.

Zamacona, one of the commissioners representing Mexico, when called upon by the umpire to put in the testimony in that case, said "No." He was a true Mexican. He belonged to the Latin races. I know them. "No," he said, "I do not propose to put it in, because they would disprove it if I did." That was his statement, shown in this testimony. He held it back, and now, sixteen years afterward, when death has seized the men who are charged here with perjury, and whose descendants are to be deprived of their last dollar, we are told that equity and national honor and international comity demand that all this should be overlooked.

Mr. GEORGE. As I understand——

Mr. FRYE. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER (Mr. FAULKNER in the chair). To which Senator does the Senator from Missouri yield?

Mr. VEST. I yield to anybody.

Mr. GEORGE. As I understand the Senator, if he will not admit the injustice he will not affirm the justice of the Weil case.

Mr. VEST. I say this, that I have never examined the Weil case with any sort of minuteness, because I have given my attention to the La Abra case, in which my constituents were immediately interested, and because it was physically impossible for me to do so. The testimony in this case comprises over 2,000 pages, to say nothing of executive documents containing arguments, motions for a rehearing, and briefs of all sorts. I am not so fond of labor as to take up both cases if I can help it.

Mr. FRYE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Maine for a question?

Mr. VEST. What is the Senator's question?

Mr. FRYE. But the Senator having taken up to a certain extent only the Weil case and made a statement of opinion as to what ought to be done, I desire to ask him if the claim was founded on the seizure of three hundred mules and wagons and four hundred bales of cotton, and it turned out, conclusively proven, that there was not a mule, nor a wagon, nor a bale of cotton, would the Senator insist that the United States was not bound to restore that money to Mexico?

Mr. VEST. I have not said that, Mr. President.

Mr. FRYE. That is what I understood the Senator to say, because the Mexican——

Mr. VEST. I said this: That no matter what fraud might be proven, the fact still remains that Mexico had deliberately violated the rules of law and equity and of fair trial by withholding until all the witnesses were dead testimony that they had in their possession.

Mr. FRYE. And, therefore, the United States would be justified in keeping a million dollars which Mexico had paid, entirely, without any——

Mr. VEST. I confine myself to my statement, and I do not propose to be drawn away from it. I allude to what Mexico did. As to the conclusion that Senators may draw in regard to what ought to be done in the Weil case I have said nothing. I assert again that Mr. Zamacona declined to put in this testimony, and I have before me here the argument of the counsel for Mexico defending it. More than that, I assert that in this decision of the umpire, upon a motion for a rehearing in the La Abra case, he stated that the counsel for Mexico had declined to put in testimony from Philadelphia, although it was mentioned afterwards in the motion for a rehearing, and Sir Edward Thornton says to the counsel for Mexico, "it would have been better to have put that evidence in when the case was being tried than to bring it forward now for the first time in the motion for a rehearing."

Now, Mr. President, with a brief résumé of the facts, I will take up the proposition which I propose to discuss. In 1865 the La Abra Company, composed of a number of gentlemen from Missouri and New York, organized what might be called a syndicate to purchase certain mines in the San Dimas district in the State of Durango, in Old Mexico. These mines were located about 160 miles from Mazatlan on the coast. For 30 miles out of Mazatlan the country is as level as this floor. Then what is called the mountain region begins. Transportation during the rainy season, for about five or six months in the year, is absolutely impossible; the creeks become torrents and are impassable to man or beast. No wagon can go through those mountains, and all transportation after you reach them, even in the dry season, must be upon mules.

Two of these gentlemen, Mr. David J. Garth and Gen. Thomas J. Bartholow, citizens of Missouri (one of them still living, residing near the city of New York, formerly a banker in New York; Gen. Bartholow, is now dead, who was as well known as any man in the State of Missouri), went to Mexico on the part of their copromoters in order to investigate these mines. They purchased the La Abra mine, which was an old Spanish mine, worked by the Spaniards prior to 1820, when the Spanish domination prevailed in Mexico. They purchased the La Abra mine, which gave the name to this company, for $22,000, and that purchase money was paid in stock of the company. No money passed in consideration. After arriving there and investigating the other mines, the La Luz, the Rosario, the El Cristo, and one or two others, all in the same mountain, they concluded to purchase the whole group, and they then paid to a Mexican who owned those mines $50,000 in gold, so that the purchase money for all the mines together amounted to $72,000—$22,000 in stock and $50,000 in money.

Mr. Garth went back to the city of New York and left Gen. Bartholow to act as superintendent of the mines. The testimony here shows that difficulties commenced with the Mexican authorities immediately after Garth left there and under Bartholow's administration. Gen. Bartholow states in his testimony that an entire mule train loaded with machinery and supplies was seized by Mexican troops, for the war was then raging between the imperialists and the liberals, the adherents of Maximilian and those of Juarez in Mexico. The train was seized, and he never received one dollar either for the mules, or for the property with which they were loaded.

The point is made in the case that Gen. Bartholow stated that the mules belonged to the company. The evidence does not support that assertion. A portion of the mules did belong to the company. He states in his evidence that he had one hundred and seventy mules in one train that were bringing a ten-stamp mill, the portions of it, together withprovisions and supplies to Tayoltita, which was a little village of three or four houses in the immediate vicinity of this group of mines. The whole one hundred and seventy mules did not belong to the La Abra Company. Some of them belonged to the company and some of them were hired from Mexicans. First he paid $8 a carga, as it is called in Mexico. A carga is 1,500 pounds, 500 pounds less than a ton. First he paid $8 a carga for transporting the supplies from Mazatlan to Tayoltita, where the mines were located. Afterwards, on account of the disturbed condition of the country, the price went up from $8 to $16 a carga, and this enormous transportation was paid for eighteen months. The amount paid gradually increased as the country became more and more disturbed.

Gen. Bartholow states (and I believe him against, I was going to say, any number of Mexicans) that one of his men named Grove, from Saline County, Mo., whose family I know very well, in charge of one of these trains of mules, or about to take charge, was deliberately murdered, it being believed by the Mexican who killed him that he had $4,000 in gold with which to pay for some mules to bring supplies over the mountains. The fact was Gen. Bartholow explained that in order to secure anything like protection for his property he was forced to put it in the hands of Americans; that is to say, if the mules that were transporting the supplies at so much a carga to the mines were known to be the property of Mexicans, they would be seized by one party or the other; but they still had a wholesome dread of the United States, and if an American were supposed to own them then there was a reasonable degree of safety in using the mules for transportation purposes. Bartholow says that the title of these mules was put in the name of Grove, and Grove stated to a Mexican at whose house he stayed all night that he had bought the train of mules himself for $4,000, and they believed that he had the money, and his body was found upon the roadside the next day.

Mr. MORGAN. That man was killed by an employé of the company.

Mr. VEST. He was killed, as the evidence shows, through a conspiracy. The man might have been in the employ of the company, but he was a Mexican. Grove was no Mexican. I know Grove's family, in Saline County. I know there is not a drop of Mexican or Spanish blood in any of them. Grove went to Mexico at the close of the war, having served in Parson's brigade in the Confederate army. He was a Missourian, born in Saline County. He was killed by a Mexican, and whether the Mexican was or had been in the employ of the company does not matter. Another train of mules was seized, and the man in charge of them was never heard of afterwards.

Mr. DOLPH. If it will not interrupt the Senator——

Mr. VEST. Oh, certainly not.

Mr. DOLPH. I will state that the whole story of the mules owned by the company, in connection with the robbery and murder of Grove, was fabricated. The committee say in regard to Grove:

A minute account of the robbery of Scott and the murder of Grove is contained in a letter found in the letter book, from Superintendent Bartholow to the treasurer of the company in New York, from which it appears that they were both traveling alone, and neither had charge of or was in company with mule trains, and nowhere in the whole correspondence is any reference made to the loss of any mule train owned by the company.

The murder of Grove is thus described in the claimant's memorial:

That is a memorial filed before the Mexican Mixed Commission.

"Things finally got to such a pass that one of the personnel of the company, in charge of one of its trains, was openly killed by the Liberal forces, and the train seized, and that was made boast of by Mexican officials, etc."

This murder was reported by the superintendent to the New York office, with all the detailed circumstances attending it, in two letters, dated March 7 and April 10, 1866, copies of which are found in the letter book.

Press copies which were identified by the agent of the company, who was in charge there for over a year.

In these letters it is stated that Grove was traveling alone; that he lost his life by his own imprudence in revealing the fact that he had in his possession a large sum of money; that he was killed by one of the company's own employés, and that the authorities arrested, tried, and executed the murderer with commendable promptness.

In regard to the mule train the evidence is just as conclusive that the company never owned a mule train, and hired all their freighting. The only mules owned by the company were a few which were used about the mine, and which were in the inventories turned over.

Mr. VEST. I said, Mr. President, and if I am compelled to do it, I will read the whole evidence here in regard to it——

Mr. DOLPH. You will have to do so if you insist on one of those statements being true.

Mr. VEST. Grove—that is the point I was making—had the title to a train of mules put in his name because he was an American, in order to prevent their being seized by the Mexican Government. He stopped at the house of this Mexican, whether an employé of the company or not. First and last, all the Mexicans of that vicinity were in the employ of that company. He stopped at this house and told this man, in order to carry out the scheme, whatever it was, between him and Bartholow, to protect

the property, that the mules belonged to him; that he had purchased them for $4,000.

I did not say he was in charge of them. He was then going to take possession of them and expected to do it the next day, and his imprudence that is spoken of in that report is the fact that he told this Mexican that he had the $4,000 to pay for these mules. The point I make is that, in order to protect the property, such was the condition of the country, it was necessary to make the impression that it belonged to an American citizen to keep the Mexicans from one side or the other from taking it. Another train of mules and the man in charge of it, according to this evidence, disappeared and were never heard of afterwards.

The letter that Gen. Bartholow wrote to Mr. Garth, found in the letter-press book, does not contradict the statement that some of the mules belonged to that company. Whether Bartholow or the company had paid for them does not appear in the evidence, but Bartholow speaks of them as my mules, the company's mules, and it is fair to presume he was carrying out the same purpose which obtained in the Grove case, taking title in the company as an American company, or in himself as an American citizen, in order to protect them from seizure.

Mr. President, it is a matter of history, and it ought to be known to every Senator without evidence, that there was existing in Mexico at that time hostility and prejudice against the people of the United States and a disposition to ignore any rights upon their part.

Mr. DOLPH. I do not wish to interrupt the Senator, if it is an interruption, but on the question of the Grove matter I wish to say that I do not know how to make the truth appear better than from the statements of Mr. Bartholow's own letters to Mr. Garth, the treasurer of the company. If the Senator will permit me to read it, in a letter written March 7, 1866, to David G. Garth, esq., dated at La Abra Silver Mining Company, Tayoltita, he says:

In my last letter I informed you that one of my employés, William Grove, esq., formerly of Saline County, Mo., was missing, and I feared had been waylaid and murdered; since then my worst fears have been realized, for after a search of two weeks his body was found buried in the sand on the bank of the Piastla River, some 10 miles above the mouth of Candalaro Creek, near where he had been murdered. At the time of the discovery of the body it was in such an advanced state of decomposition that it was impossible to ascertain the manner in which he had been killed. His mule, pistol, and clothing have not yet been found; the mule is, however, likely to turn up, as it had our hacienda brand, "U. S.," on the left shoulder. These facts were promptly laid before the commander of the Liberal troops at San Ignacio, Señor D. Jesus Vega, who took great interest in the matter and promised to use all the means in his power to discover the murderers and bring them to justice, and he has had arrested and placed in confinement two men charged with the crime, and his soldiers are in pursuit of the third. These we are assured will be tried by court-martial, and if found guilty will be summarily executed. Mr. Grove, I think, lost his life by imprudence in talking; he had resided in Mexico for six or seven years, spoke the language quite fluently, and ought to have undertstood the character of the people.

I had nominally purchased a train of pack mules in Mr. Grove's name, and sent him to San Ignacio to obtain a permit for them to pack for me, and a guaranty that they would not be taken by the army; he succeeded in getting these documents and was on his way home to take possession of the mules and start them to packing; he passed the night previous to his death at the house of one Meliton, at Techamate, the place where you will recollect we stopped for dinner on our first trip up, where we had quite a quantity of watermelons. This man Meliton had a bad reputation, was some years ago convicted of murder and robbery and sentenced to be executed, but got clear by bribery. Grove told this man of his purchase of the pack train, and that he was to pay $4,000 for it, and was on his way to take possession of it and start it to work, thus leaving the impression that he had this sum of money with him. Now, whilst I do not think that Meliton committed the murder, I have no doubt of his having planned it and arranged for it to be done, and the imprudence of Mr. G. in telling this man the circumstances above mentioned, in my opinion, was the cause which led to his murder, which was effected between Techamate and Tenchuguilita, about midway between the two places.

Then, in a subsequent letter found on page 256 of this book, Mr. Bartholow in a letter to Mr. Garth again refers to this matter. He says:

I wrote you fully in my last letter detailing the circumstances of the murder of William Grove and the finding of his body. Since then the Liberal authorities have taken the matter in hand and arrested one of the murderers at this place. The villain was actually in our employ—

He was one of the men employed at the mines—

doubtless for the purpose of ascertaining when an opportunity should offer to waylay and murder another of our men if the prospect for plunder was sufficient to warrant the risk. When the officers arrested I had him conveyed to the blacksmith shop and securely ironed. The next day he was conveyed to San Ignacio and thence to Cosala, where he was tried. We failed to convict him for the murder of Grove, but was convicted for the murder of a woman who he killed previously, and sentenced to be shot, and before the execution of the sentence he confessed the murder of Grove, and revealed the names of his two confederates; these two would have been arrested before this but for the expulsion of the Liberals from the country. Now we will have to wait for the Imperialists to put their officers in power before we can act any further in the matter.

Showing that this man Grove was murdered by an employé of the company, and that the murderer was promptly arrested, tried, and shot.

Mr. TELLER. Who owned the mules mentioned there?

Mr. DOLPH. Mr. Bartholow says he had arranged for a nominal purchase of these mules in Mr. Grove's name, and to have them transferred, but they never were transferred; they were never paid for; the purchase was never consummated; the company never owned a train of pack mules. So much for that one statement. These extracts are from the letters of Mr. Bartholow found in the press letter book of the company; they appear, and the handwriting was identified by the agent of the company who was in charge of the mines for over a year, and there can be no dispute about the facts stated in them. That disposes of one of these great outrages committed by Mexicans, and I undertake to say that every one of them contained in that memorial will be disposed of in the same way if the Senator disputes the correctness of the report.

Mr. VEST. Mr. President, I hope the Senator from Oregon will permit each of us for himself to decide whether that disposes of the question. My statement was this, and there is no material discrepancy between his statement of the facts and mine. I was trying to find here in this labyrinth of printed testimony the statement of Gen. Bartholow, made during his lifetime and when he was subject to cross-examination, in regard to this transaction. I repeat, the facts were simply these: This man Grove was engaged in freighting with mules for the La Abra Company. At the close of the war he had left Parsons's brigade, when it was disbanded, and gone to Mexico and secured employment with the company.

The condition of the country was such, and property was so insecure that Gen. Bartholow said he determined to put the title to this train of mules in Grove because he was an American citizen. He does not say that he paid the money, but Grove told this Mexican, who, they say, was in the employ of the company—and that does not affect the case at all—that he had bought the mules for $4,000 and was on his way to take possession. The Mexican, with the instinct of his race, jumped to the conclusion that he had the money, and the next day Grove was butchered and his body was found on the road. The point I make is, there is nothing to show who owned the mules, except the statement of Bartholow, both in the letter and in the examination, when he was living, and that was that he found it necessary to put the title, as he expressed it, in Grove.

Mr. TELLER. The title of the mules belonging to the company?

Mr. VEST. Yes; Bartholow was superintendent of the company. Grove was in the employ of the company for freighting purposes. I mention that fact in order to show that the company, which it is said was amply protected by the Mexican Government and that it had no right to complain of its usage by the Mexican officials, was forced to resort to all sorts of subterfuges, to all sorts of expedients, to use a more proper term, in order to protect its trains bringing supplies over to Tayoltita from being seized by one party or the other.

Mr. DOLPH. Does not the fact that he proposed to put the title of the train in an American show that the American had peculiar privileges and protection in Mexico.

Mr. VEST. It shows that if the mules were lost there would be a claim, as Bartholow himself expressed it, against the Mexican Government. It was the only shadow he had of any redress at all. They were seizing property there and forcing contributions. Bartholow says that he appealed to Corona, the general in command, for protection to his property. He did not receive it. He wrote him a communication. No protection was given to him, and, as I shall show before I conclude, every official of the Mexican Government was in a conspiracy to drive this company out of the territory of Mexico, and they succeeded at last in doing it, and one of them then took possession of the hacienda de La Abra and, at last accounts, was living in it with his family. The hostility of the Mexican population to the American, and especially among the lower orders, is so well known that there is no evidence necessary in order to prove it.

The records of the Mixed Commission show that Gen. Parsons, in whose brigade Grove had served, together with his adjutant, Standish, Col. Conrow, and a man named Dutch Bill, the servant of Standish, were all murdered about this time. They were hung, and the bodies riddled with bullets, and they were found there in a nude condition. The Mixed Commission awarded $75,000 to the family of Bartholow, $50,000 to that of Conrow, and $50,000 to that of Standish, and I believe $15,000 to that of the servant, Dutch Bill, who were murdered without any reason except that they were American citizens.

There is a witness who appears in this case about whose testimony there is no sort of controversy as to its integrity and good faith, and that is Col. De Lagnel. He was the second superintendent of the company.

Mr. DOLPH. The Senator can not find anything in his testimony to support one of those propositions.

Mr. VEST. Very good; we shall see whether I can or not.

Mr. DOLPH. I admit that his testimony is worthy of credence.

Mr. VEST. Very good; now we will see what he says. The Senator from Oregon is very profuse and broad in his assertions.

I intend to read now from Report No. 2705, by Mr. DOLPH, Fiftieth Congress, second session, and I shall read the testimony of De Lagnel.

Mr. DOLPH. From what page does the Senator read?

Mr. VEST. If I can find it I will give the page. I will turn in a few moments to the testimony of De Lagnel, which I wanted to read from his own lips. It was to this effect, that he found great prejudice and hostility existing among the Mexican population against the Americans generally, and that the impression had gone out among them that the Americans intended to seize the State of Durango. He said that this prejudice extended so far that when he conversed with a young man he had in his employ, a mere boy, in regard to his feeling towards the Americans, he stated that he hated the whole race, and that he had been taught to hate them by his father. There is no question in regard to the testimony of De Lagnel, and he testifies most emphatically to the extent of this feeling. Does the Senator from Oregon dispute that proposition?

Mr. DOLPH. What is the question of the Senator?

Mr. VEST. I say that De Lagnel testified, if I could turn to his testimony here, that the hostility among the Mexicans was general towards the Americans; that he had in his employ a lad who told him that he hated the whole race of Americans; that he had been taught to hate them by his father.

Mr. DOLPH. I think there is something of that kind in the testimony, but that is entirely foreign to this case.

Mr. VEST. Not at all.

Mr. DOLPH. All testimony shows in this case that not only the company and its employés were protected by the Mexican Government, but that they got unusual favors in regard to working their mines and furnishing their transportation and other things during the time the company was in possession of the mines.

Mr. VEST. Now, I deny that proposition, and I say the evidence shows, taking alone the testimony of witnesses on the part of the Mexican Government itself, that this hostility existed among all the people of Mexico, including the officials. It shows that the jefe politico, who was the highest officer in the district, and the prefect, and the justice of the peace all conspired and swore afterwards that they intended to run this company out of the country.

There are two propositions in this case upon which it depends. The first is as to the value of the mines, and that was the point which was raised by Mr. Evarts. He said that issue alone was open, and it was afterwards repeated by Mr. Bayard, Secretary of State under Mr. Cleveland.

Now, what is the testimony in regard to the value of the mines? I will say, in the first place, before coming to that point, that there is no dispute about one proposition, and that is that this was a bona fide company which expended $303,000, according to the testimony of the witnesses from Mexico itself, in carrying out a ten-stamp mill, and in putting it up, in furnishing supplies, and in expenses incident to the mining business. The evidence shows that they expended from first to last over $450,000. Mr. Garth himself advanced $50,000 at one time. The whole of the stock was paid up in full. No bonds were floated upon the community. No stock was put up at a fictitious valuation. The money paid by these gentleman was lost in Mexico.

There is no parallel between this and the Gardiner case, where it turned out there was no mine at all, and the whole thing existed simply in imagination.

Now, as to the products of the mines anterior to their purchase by the company, I read from the majority report:

> At the mines the representatives of the syndicate were shown very rich specimens of ores, assaying as high as $1,300 per ton, and as a result of their investigation they made a purchase on the spot of La Abra mine, paying for the same $22,000 in stock of the company. They also bought of a Spaniard and a Mexican a number of other mines at the same place, and paid for them $50,000 in gold. These mines were represented to be at that time producing very rich ores, and the syndicate were shown by the owners "stacks of silver, * * * some tons of pure silver," the supposed recent products of these latter mines.

This is from the report of the Senator from Oregon.

> Without meaning to say—

Says Senator Brown in his minority report—

> that the products of these mines were in no wise exaggerated by their Mexican vendors, the undersigned submits that the following statements, put in evidence by the Mexican Government, show that the property purchased by the company was of substantial value for the purposes of mining. Patricio Camacho testified (Appendix, p. 413):
>
> "That he has been acquainted with the mining district of Tayoltita since his infancy; that before the mines which have been named over to him became the property of the Americans, they were owned by D. Juan Castillo de Valle and D. Ygnacio Manjarrez, to whom they were productive of some profits, but to what amount he does not know. * * * That the American company directed their attention to the Rosario mine on account of what it yielded to its former owners, Castillo and Manjarrez."
>
> Bartolo Rodriguez, who had been in the employ of the company, testified (*ibid.*, p. 414):
>
> "That he has known the mineral of Tayoltita for fifteen years; that the owners were D. Juan Castillo and D. Ygnacio Manjarrez, who worked the mines that have been mentioned to him with profit, and that these afterwards sold them to the American company. * * * That it is true that the American company gave their attention to the Rosario mine on account of knowing the yield of silver that D. Juan Castillo was obtaining therefrom."
>
> Ramon Aguirre testified (*ibid.*, p. 415):
>
> "That it is more than fifteen years since he became acquainted with the mineral district of Tayoltita; and that he knows the owners of the mines that have been named over to him to have been Juan Castillo de Valle and D. Ygnacio Manjarrez, who afterward, with the hacienda and everything connected therewith, sold the same to the Americans; that said mines were productive of profit to said Castillo and Manjarrez, but to what extent he can not say, as he is not informed. * * * That the American company gave the most of their attention to the working of the Rosario mine because they were aware of the amount of silver extracted therefrom by Messrs. Juan Castillo and D. Ygnacio Manjarrez."
>
> Aquilino Calderon, who also had been in the employ of the company, testified (p. 416):
>
> "That he has been acquainted with the mineral districts of Tayoltita for several years; that D. Juan Castillo and Ygnacio Manjarrez were the owners of the mines which have been named over to him, who sold the mines and haciendas to the Americans in the year 1865; that when Messrs. Castillo and Manjarrez were working the mines he was aware that they produced good profits."
>
> Refugio Fonseca testified also to "good profits" (*ibid.*, p. 416), and one of the former owners, Ygnacio Manjarrez, deposed as follows (*ibid.*, p. 417):
>
> "That he has been acquainted with the mineral district of Tayoltita for fifteen years; that in the year 1854 he and his partner, D. Juan Castillo de Valle, became the owners of the first mentioned of the mines that have been named over to him, and that during all the time that said mines were worked by them they produced good profits up to the year 1865; that they sold the mines and haciendas to an American company called the 'Abra.'"
>
> Francisco Torres, one of three witnesses brought up from Mexico by the Mexican Government, testified before the subcommittee on January 24, 1889, that he worked as a refiner for Castillo del Valle about a year before the sale of his mines to the company. On his direct examination Torres testified that the Rosario mine was full of water while he was working for del Valle—more than a year before the sale—and that all the others were in a bad condition, except La Luz, which was in operation (*ibid.*, p. 505); also that the result of his "beneficiating" was "very good," but that he could not tell what was the quantity of ore out of which this result was obtained (*ibid.*, p. 506). On his cross-examination he testified that when he was working for del Valle "he saw ore proceeding from different mines to be beneficiated in some other part of the hacienda" (*ibid.*, p. 521), and that "he thought that most of the material on which he worked came from Rosario" (*ibid.*, p. 524).
>
> He also testified that the bricks of silver refined by him weighed from 6 to 10 pounds each; that sometimes a brick was the result of one day's work and sometimes two days' work, but that he did not refine every day, and that sometimes there were intervals of three or four weeks; he came and went between his home and del Valle's hacienda, but was more in the hacienda than at home (*ibid.*, p. 522-524). This same witness testified that La Abra mine had been "worked for the last four or five years by Don Ignacio Manjarrez, who had put in $50,000 or $60,000, and lost all without taking out any metal at all." But it appeared subsequently that the question of profit or loss was still open—that Manjarrez was tunneling La Abra mine upon an extensive plan and was not extracting ore (*ibid.*, p. 514).

This man Manjarrez, as proven by the testimony, was an experienced miner, a man seventy years old, who had lived all his life in that part of Mexico. This witness was asked "when he was last in La Abra mine." He said:

> Last month; the time he left there.
>
> Q. Ask him to describe the tunnel that he has testified was in progress of construction in that mine.—A. They are making a tunnel in the direction from west to east, following the vein. There are already made about 200 meters. He explains that the tunnel runs about 200 meters in that direction, and there are branches to the left and to the right of about the same length.

This happened after the mine was abandoned by the Americans. This man Manjarrez had gone there, and so fully was he satisfied that there was wealth in those mines that he commenced running a tunnel and had expended upon it from fifty to sixty thousand dollars.

Mr. DOLPH. The mines have been several times denounced by other parties and after trial abandoned because they would not pay for working.

Mr. VEST. Well, Mr. President, if the Senator wants to be a witness in the case I will cross-examine him. I am reading the testimony of witnesses produced by the Mexican Government. The La Abra Company did not bring them there, but they were brought there by the Mexican Government itself.

Another witness produced by the Mexican Government and examined at the same time, Ramon Hermosillo, testified that he knew Manjarrez and thought him a man of great experience.

Now, as to the condition of that mine under De Lagnel, Bartholow was the first superintendent. He stayed there about a year, and resigned on account of ill health. De Lagnel was the next superintendent. He stayed there about a year, and quit on account of bad health and went back to New York. This was his statement made to the directors in New York in regard to the condition of those mines at that time.

It is said here in the majority report, and will be repeated, of course, in the debate, that the mines were abandoned because the ores were worthless, not because the company was driven out of Mexico by the officials and by the people, but because the mines themselves were absolutely worthless, and, therefore, the company was unwilling to put up any more money to run them. Senator DOLPH, who examined this witness, asked:

> Q. What did you tell him you thought about it; did you give him your individual opinion?

This is a question to De Lagnel in regard to what happened in New York when he returned.

> A. No, sir; I didn't, except that he knew exactly the disadvantages I labored under. I told him then that the need was for persons who were thoroughly

equipped and scientifically able to manage the business of the mines and scientifically familiar with the ores as they left the mines, to understand their position; that wealth might be in the mines, I believed. I did not attempt to touch that Lu Luz ore, but it was the Cristo ore that I was speaking of, which yielded more readily, and I thought there was more gold and silver in it; the yield, according to the assayer's estimate and the result in bulk, being so inconsiderable, much less than I had hoped, because in that large pile of ore that was thrown out as second grade, the pile that remained after the cleaning being of little value, there were ores that may have contained silver, and I didn't know but they did; I did not trust reports of the last—they were combinations with other ores that required roasting, which required furnace treatment in order to release them. I knew that much, and therefore I knew that when they melted with those ores and run them through the mill, they would meet with waste probably from quicksilver as well, and that the result would be disastrous to the company. Therefore I told him that he should be on the ground as soon as possible and have a competent man to deal with these things; that the mere running of the mill could be done by any workman who understood the machinery, the belts and pulleys, and the relation of one to the other; but it required altogether a different knowledge to deal with ores in extracting silver. Moreover, I recollect telling Mr. Collins—

He was the president of the company—

that in the La Abra mine, which had not been worked at all, you may say—

By the CHAIRMAN:

Q. You mean by this company?
A. By this company.
Mr. FOSTER. He is speaking of the whole.
Mr. SHELLABARGER. Yes.
The WITNESS. I am speaking of the La Abra mine as a unit. I am not talking about the other mines now. I am speaking of the old Spanish mine as contradistinguished from the newer mines. I had been constantly spoken to about and knew of the difficulties in the old mine which had been rated so rich, the great depth to which it had been worked, and the difficulty of bringing out ore several hundred feet on the backs of young boys or men.

Mr. De Lagnel testified that he was not a miner. He stated that he was not a chemist, and said that after he was employed as superintendent by the company in New York, he spent six weeks in trying to learn something about the extraction of ores, but his knowledge was exceedingly limited and imperfect. He states here and so wrote—and the letter press-book shows it—to Mr. Garth not to become discouraged in regard to the mine; that there was rich ore there, that the company could still make money, but that they must hold on and send more money and make more developments in order to secure anything on the investment. This was after De Lagnel had been at the mines for one year. Here is his testimony in another place:

By Mr. DOLPH:

Q. Were you working together when the assay was made?—A. Yes, sir.

That was the assay of some mineral that was taken down to San Dimas, or to another little Mexican town there, the name of which I have forgotten—

right at the scales and the furnace together. I may have weighed and he may have weighed, and I would go to the furnace and he would go to the furnace.

By Mr. WILSON:

Q. Did you do it according to the process you learned in New York?
A. Exactly.
Q. You say the results were satisfactory?

That was the quartz which existed in large quantities in the *patio* or square between the mill and the hacienda.

A. I can not even recollect now the men that examined it; but I recollect the result was satisfactory. I do not mean to say it gave $1,300, or anything like that, but it was satisfactory in a general sense. I was not led myself to regard it as unsatisfactory, as showing danger ahead. I do not mean to say I ever saw any $1,300 ore, because that would arrest attention. Whatever the facts were, Mr. Garth had them.
Q. The results were encouraging?
A. Perfectly satisfactory.
Q. Now, you went down there for the purpose of making that test by an assay, and you had had Mr. Hardy to take out ore that would show fair results. Is that what you asked for?
A. I asked him to have some of that ore bruised for me.

And yet we are told here in the report of the committee that this ore was entirely worthless and that the company abandoned these mines because there could be no results at all obtained from the investment that they had made. There is other testimony of De Lagnel to the same effect. Here is an extract from his letter, written just before he left the mines, to Mr. Garth, the treasurer of the company. He says:

"The only obstacle to our being actively engaged with the mill lies in the unfinished condition of the ditch."
Now I want to ask, is that right? Is that all that lacked of going right to work?
The WITNESS. What is the date?
Q. November 17, 1866.
A. If I said that then I believe it so, and stand by it now. I can tell you nothing more than that."

Now said Mr. Wilson:

Now I go on:
"I have, therefore, asked for it from the only source to which I can look for assistance."

That is, for money.

"Do not let the delay and cost already experienced cause you or others to lose heart."
Now, was that exhortation not to lose heart sincere?
A. Yes, sir.

He then goes on to testify that he never pretended to say to these gentlemen that these ores were worthless, that there was nothing to be obtained from these mines, but, on the contrary, he stated to them in his letters, and he stated in his testimony before the subcommittee, that he believed there would have been found great wealth in the mines if they could have been properly worked and if the parties owning them had not been molested.

Now, Mr. President, in regard to the other branch of this case, which involves the treatment of this company by the authorities of Mexico, it is impossible to read all the testimony, but I will commence my statement in regard to it by saying that De Lagnel himself, the witness who is accepted as entirely credible by both parties in this discussion, gives an account of a serious difficulty between him and the Mexicans working at that mine, which was instigated by the judge of the district, one Guadalupe Soto. De Lagnel testifies that Soto was a dangerous man, that he would meet him in the most affable and courteous manner, and then would incite the workmen to either stop work or make unreasonable demands of the superintendent.

De Lagnel testifies that this man Soto owned a wine shop at which the miners would drink and gamble, and in order to increase their wages and to increase the number of employés at the mines, which, of course, would increase his profits in his wine house, he incited them to demand more money and a less proportion of goods in payment of their weekly wages. More than that, he demanded officially of the superintendent of the mines that he should employ all the people who were unemployed in that district. Soto knew that the more miners employed there the larger would be his profits, and in the true Mexican fashion he used his office for the purpose of putting money into his own pocket, and he achieved two objects by it. He made money for himself and at the same time satisfied his prejudice against these "Gringoes," as the Mexicans call all Americans.

The testimony of Mora, who was a magistrate there, was that Perez, another magistrate, and Olivera, who succeeded Mora, had all agreed that this company should be run out of the country. They were opposed to the proclamation of the Mexican Government under Juarez inviting foreigners to come there and invest capital. These very Mexican officials themselves testified that they were opposed to Americans coming there, and they called them "locos," the Mexican word for fools. They said, "We intend that these locos who have brought their money here shall not take any of it away."

Mr. President, it is a most significant fact that this very man Soto, who himself denounced this property after it was abandoned by the Americans, went into possession of it with his family, and was living at the hacienda at the last accounts we had of it. Jesus Chavarria, a lawyer of Durango—and there are certificates of the highest officials that he is a man of high character and stands at the head of his profession—swears that this man Mora proposed to him that they should drive off the company, denounce the mines, and that Chavarria should have an interest in them; and Mexican lawyers, at the trial of this case before the commission, denounced Chavarria as an apostate, a renegade, and a traitor to his country, and said he was the feed counsel of the La Abra Company; that he had been employed by Exall, the last superintendent, for what purpose? As Chavarria swears and as Exall swears, it was to obtain protection for the property of the La Abra Company against illegal assessments and seizure.

Is that false? If it is false, why does not the Mexican Government bring the officials to whom Chavarria applied for redress and disprove the statement? All through this whole case the question arises why does not Mexico bring the men who are named here as having been connected with certain transactions to disprove these statements? Gen. Bartholow swore that he applied for protection to Gen. Corona and to another Mexican general, gave his name, and said he knew them both. They were both living and are living to-day for all I know. Why were they not brought and these statements of Bartholow disproved—a dead man who can not answer for himself?

Mr. President, I know that these details of an old and almost antediluvian claim are not interesting to Senators who have not examined it; but let me make one statement. I referred to Bartholow's death. Now, look at the condition of this matter to-day. Here is this great Government of Mexico, which comes here, asks that this whole matter shall be retried, and the bill so provides. What condition does it find these claimants in? Here is the death roll in this case. I will read it:

Among those of the utmost importance to the company who have died are George C. Bissel, a superintendent of mines adjoining La Abra mines; John P. Cryder, a lawyer and miner residing in Mexico; Francis F. Dana, for twenty years a resident of Mexico, and a lieutenant-colonel in the Mexican army in the war of the French invasion; A. W. Adams, the agent of the company in the taking of the testimony of its witnesses; George C. Collins, the president of the company during the period when the claim arose; Thomas J. Bartholow, the first, and Charles H. Exall, the last, superintendent of the company, and the alleged author of the alleged letters constituting the alleged newly-discovered evidence of Mexico. Much, and the most important part, of the evidence of these witnesses can not now be supplied, and especially that of the said superintendents. Their testimony as to the newly-

discovered evidence, to wit, the letters alleged to be theirs, would be indispensable. Those witnesses just enumerated, who are dead, are the only witnesses who could possibly know anything about the truth or falsity of the newly-discovered evidence upon which, mainly, Mexico has based her demand for a new trial

Gen. Bartholow, who is branded here as having committed perjury, stated in his testimony emphatically that he applied for protection again and again to certain Mexican generals and gave their names. They were not unknown men. They had served in the armies of the republic upon the Liberal side. They were the chosen chieftains under Juarez when he fought the French. They occupied a high position in Mexico and were living at the time. Every facility was in the hands of Mexico to have produced them. They could have been brought here and Bartholow could have been branded as a perjured scoundrel before the world and shoved into a dishonored grave.

When I came to the Senate, thirteen years ago, Bartholow was here in the city ready to meet any man. He was a man of character, of integrity, and of courage. He was a brigadier-general in the Federal Army, and with all the excited feeling and all the irritation that came out of that unfortunate strife I undertake to say here now, and my colleague will corroborate it, of all the men engaged in warfare in the State of Missouri, Gen. Thomas J. Bartholow almost alone came out with the respect of both parties. If there ever was one stigma upon his character I never heard of it, and I will undertake to say nobody else ever did until he was branded as a perjurer in this case. And yet there was the opportunity to have shown when he was living that he swore to a lie, for he named the men to whom he had gone; he named the place; he named the date.

The Mexican Government satisfies itself with charges of wholesale perjury, against thirty Mexican witnesses who testified before that commission, all of whom were perjurers, according to the statement of Mexican lawyers, and no attempt was ever made to prosecute one of them.

But I come now to the question of the treatment of Exall on the part of the Mexican officials. It was stated by this man Exall, who was the last superintendent of the mine, had been arrested and imprisoned by one of these Mexican judges. Now I proceed to read from the testimony of the witnesses produced by Mexico itself, and I will not read from any on the other side:

Refugio Fonseca, examined on behalf of the Mexican Government by Judge Quiroz, at San Dimas, July 22, 1872 (*ibid.*, p. 434), testified that Exall, superintendent of the company's mines, was arrested and imprisoned for three days by Judge Nicanor Perez, and that he did not know whether the said Exall had made any application to the authorities of the State.

N. A. Sloan, whose deposition was taken before Judge Quiroz at San Dimas, in behalf of the Mexican Government, on the 9th of October, 1871, testified (*ibid.*, p. 426):

"That the superintendent had been imprisoned without knowing for what; he said that he knew he had been a prisoner in the jail, and that he understood that his imprisonment was because, or, rather, according to what he saw of the affair, it was because the judge went into the hacienda to speak to one of the peons who was at work there, and the superintendent thereupon put him out, from which it resulted that the said judge immediately went to his house and ordered the superintendent to be called before him, when he sent him to prison."

The aforesaid James Granger—

Who afterwards married a daughter of this man Soto, and who seems to have been a clerk for Exall, the last superintendent, an Englishman.

The aforesaid James Granger, in the third of his depositions for the Mexican Government, testified to the arrest and imprisonment of the superintendent as follows (*ibid.*, pp. 434, 435):

"Being asked what he knew about the imprisonment of the superintendent of the mining establishment of Tayoltita, what was his name, how long he was imprisoned, by what judge, and what was the result of the application which the latter made to the authorities of the State, he replied that he was a witness to the arrest, and that his name was Charles H. Exall; that he was imprisoned for two or three days because he reproved Judge Nicanor Perez for having removed from one room to another in the establishment of the company, and he knew that the superintendent had complained to the governor of Durango, but that he does not know with what result."

I will ask the Secretary to read further from this document.

The Secretary read as follows:

It will be interesting and suggestive to compare the accounts of Exall's arrest and imprisonment given by Granger in his depositions on behalf of the Mexican Government with his account of the same occurrence in his earlier depositions on behalf of the company; but before quoting from these, it may be proper to quote what is said on this subject in the majority report of the committee (p. 12):

"One of the specific acts alleged to establish the charge of hostility on the part of the Mexican authorities is the imprisonment of the superintendent, Exall. In his deposition before the commission Exall states that he was arrested by the local judge; that without any form of trial or knowledge of his offense he was sentenced to two months' imprisonment, fined $50, and thrust into prison.

"In a letter which Exall wrote to the prefect at San Dimas, the official superior of the local judge, a copy of which is found in the letter-book, all the details as to the causes of the arrest are set forth. His own account as there given contradicts his deposition, and shows that his detention must have been of a trivial character. The evidence does not show that he was actually imprisoned. It was an arrest under which he was detained for an hour or so, and was not of sufficient consequence to be mentioned in his correspondence with the New York office, and does not appear to have interfered with his duties as superintendent."

An examination of Exall's letter to the prefect at San Dimas, written from Tayoltita, January 7, 1868 (about two months before the abandonment of the mines), shows that Exall was still under arrest when he made this appeal for protection. The letter was written on the same day that the arrest was made. In this letter, after detailing the circumstances minutely, Exall says:

"I asked if he intended putting me in jail please to do so, as I had a headache and wished to lie down. He then gave me permission to go to the hacienda, but to consider myself still his prisoner, and (to be) at his house whenever ordered. * * * But for being a prisoner I would come and see you in reference to the matter, but unfortunately necessity compels me to write." (Appendix, pp. 316, 317.)

It is evident that this letter was not intended to describe, and could not possibly have described, the duration of the imprisonment. The letter was an appeal for release from illegal detention then existing, and which had already lasted more than "an hour or so." Exall was evidently anxious, and with good reason, to find out how much longer he was likely to be kept in duress. When the isolation of that mining district is considered, and the inflammable character of the population, the circumstances attending the superintendent's arrest are worthy of the careful attention of Senators who may have to act in this case. The deed was evidently done to humiliate the superintendent publicly and to magnify the local magistrate's power. This appears from the following passage of Exall's letter, referring to the judge who had made the arrest:

"He had collected around his house a number of men, and in the house preparations had been made as if resistance was expected and force might be required. * * * I asked him if he had gotten through with me, as I desired to return to the hacienda. He replied, yes, he had finished. Mr. Sloane and I then left and bid him good-bye. As we reached the corridor he said he never wanted to see me in his house except on official business. To this I replied, 'Very well, sir,' and turned to leave. He called me back, saying not to go; if I did he would send a force after me, and they would shoot, and insisted on my returning to the house. I did so, without any remark. He then said I was his prisoner. I then requested to know what was to be done. He said he would put me in jail until he could receive instructions from San Dimas. I remained passive, and he then gave full license to his tongue, abusing me in the most violent language." (Appendix, p. 316.)

The effect of such an exhibition of arbitary power as this among such a population can readily be imagined. What happened afterwards appears from the testimony, and the first thing to be noted is that the prefect did not interfere on Exall's behalf. Just how long he was imprisoned seems to be a matter of some doubt. The Mexican commissioner, Zamacona, in his opinion upon La Abra claim, says that "it is proved by the statements of four unimpeachable witnesses" that Superintendent Exall's imprisonment "only lasted four days." (Ex. Doc. No. 103, H. R., Forty-eighth Congress, first session, p. 40.)

What happened after his fruitless appeal to the prefect is thus related by James Granger in his deposition for the company, made at Mazatlan before the United States commercial agent May 14, 1870 (Appendix, p. 354):

"In the month of December, 1867, or January, 1868, the superintendent, Charles H. Exall, was arrested and imprisoned by the 'juez conciliador' of Tayoltita, Nicanor Perez, on a mere pretext, without any reasonable cause whatever. The particulars are as follows: Mr. Exall was occupied in a private room, and in private conversation, and while so engaged, said juez, or judge, Perez entered the store at the hacienda, and without speaking or asking permission, he passed into a private storeroom adjoining, and Mr. Exall observing this, stepped to the door of said storeroom, and in a polite manner addressed said Perez, saying that no one was allowed to enter said storerooms without license, and if he had any business to please communicate the same to him. Said Perez came out of said storeroom in a great rage, and asked Mr. Exall if he thought he, Perez, was a thief, or wanted to steal anything. Mr. Exall denied any such idea, and stated that, in requesting him to leave the private storeroom he was merely carrying out the general rules of the company.

"Said Perez would listen to no explanations, and when he went out remarked that he, Exall, should hear from him. About half an hour after an order came to the hacienda for Mr. Exall to attend forthwith before the said juez or judge, Perez, which order Mr. Exall obeyed, and upon entering said court room said Judge Perez commenced a tirade of the most infamous personal abuse of said Exall, without allowing explanation or justification, sentenced said Exall to pay a fine of, I think, about $50, and imprisonment for two months.

"Exall was confined in the hacienda until the next morning, when he was sent for by said "juez," who did lock up said Exall in an old empty house, with the declared intention of sending him to San Dimas to complete his sentence. Said judge remarked at the same time that he could not permit Exall to ride even his own mule to San Dimas; that he should treat him the same as he would treat any common prisoner.

"When I went to visit said Exall in his prison the next morning I found him busily engaged in killing fleas that were troubling him. It was a filthy place. By personal influences I brought to bear and by securing the payment of the fine imposed upon him I managed to get Mr. Exall released. All of the above I witnessed myself.

"A few weeks after this occurrence, on a Saturday, the superintendent, Exall, received from said Judge Perez an order directing him to attend at his 'juez-gado' (court room), and the same evening, at seven (7) o'clock, Mr. Exall, in obedience to said order, went to the court room, where he found assembled a large number of the employés of La Abra Company's mines and others, and in their presence the said judge proceeded to lecture said Exall upon the manner in which the business of said company should be carried on, and he threatened that if the superintendent or company did not work in the mode and manner to please the authorities they should be deprived of their property and forced to flee the country; all of which was said in my hearing, and although I have only stated a few circumstances that came under my direct observation, showing the animus of the authorities and people of this district, these are not by any means to be taken as all that took place, nor even as the most vexatious. It was the daily and almost hourly annoyances and interruptions. Every pretext that could by any means be made the basis of a suit or exaction was availed of."

Exall's own account of his arrest and imprisonment, as given in his deposition on behalf of the company, before Mr. Justice Barnard of the supreme court of New York, December 2, 1869, is as follows (*ibid.*, p. 337):

"The civil officers of the legitimate Government of Mexico under President Juarez also harassed and annoyed us, and interfered with the continuing of the mining operations of said company. I was arrested by the order of the local magistrate or judge of Tayoltita, whose official title, as I understood, was "juez," and thrust into prison and sentenced by him to a fine of $50, and imprisonment for two months. I had no trial, nor even an examination, except by him personally, and do not know for what I was arrested or imprisoned; but I here state positively that I had not committed any act, crime, or offense against the laws or people of Mexico, or any citizen or soldier of the same, nor against any of the authorities, local or national.

"I was released through the personal influence of a Mr. Granger, who had to promise payment of the said fine; no good reason ever having been given me for my arrest or release. I had frequently applied to the proper military and civil authorities of Mexico, both in Sinaloa and Durango, for redress and protection against the violence stated, but was rudely denied by both in every case, and could get neither; and these threatened acts, and the acts of violence, were encouraged and connived at by said authorities, if not actually instigated by them, which last I believe to be the fact also. By reason of

these facts it was very difficult to keep men there at work, and the prosecution of the work was greatly hindered and delayed, and it finally became utterly impossible to continue the mining operations of the company; and I was compelled, with my men, to give up the same entirely, and to abandon the mines and all the mining implements and property of the company, to save our lives."

It does not appear to the undersigned that there is any conflict whatever, as suggested in the majority report, between the letter which Exall wrote on the day he was arrested, to the prefect at San Dimas, and the foregoing account, extracted from his deposition. Nor will it be now contended by members of the committee, in view of the statement of the Mexican commissioner, Zamacona, and the testimony of Mexican witnesses, that "the evidence does not show that he (Exall) was actually imprisoned," or that the detention was "of a trivial character"—only "an hour or so"—and "not of sufficient consequence to be mentioned in his correspondence with the New York office."

If the letterpress copy book contains all his correspondence with the New York office, Exall only wrote one letter, as superintendent, after his release from confinement at Tayoltita, and that was written to Mr. Garth on the 24th of January, 1868, at Mazatlan. There may have been a reason why Exall did not allude to his imprisonment in that letter, but the reason was not the one suggested in the majority report of the committee, if an affidavit which Exall made shortly before his death (Appendix, pp. 943-945), and to which the majority report makes no allusion whatever, is to be credited. That affidavit undertakes to explain certain discrepancies between some of his later letters as superintendent and the depositions which he subsequently made in support of the company's claim before the Joint Commission. This *ante mortem* affidavit of his will be further considered hereafter in connection with his letters as they appear in the company's letterpress copy book.

Before leaving the subject of his arrest and imprisonment, it may be well to add an account of the affair given by another eyewitness—John P. Cryder—in a deposition on behalf of the company (*ibid.*, pp. 374, 375):

"I was, myself, a witness to an outrage upon the superintendent of that company, Mr. Charles H. Exall, who was, to my own knowledge, improperly and unlawfully arrested and imprisoned by the local judge, or "juez," at Tayoltita. I was present when said arrest was made, and I was also present at the hacienda of said La Abra Company when the cause or excuse was given, which appeared to me like a miserable pretext for said arrest. It was this: Said Superintendent Exall was sitting in his private room at the hacienda, in consultation with some man on private business, when the said "juez" walked into an adjoining private storeroom, without knocking or being invited in, and Mr. Exall remarked to said "juez" that it was his private storeroom, and if he, the "juez," wished to see him on business, he, Exall, would go out and see him, or words to this effect.

"These remarks were made in a pleasant and gentlemanly manner, which should have given no offense to any reasonable man, but said "juez" remarked that his dignity was insulted, or something to that effect, and that he would have satisfaction, or that he, Exall, would hear from him; and about half an hour after the occurrence named I saw an armed guard come with the orders of said judge, or "juez," and arrested Superintendent Exall, and took him before the judge.

"I followed him, and I heard the said local judge, Nicanor Perez, order said Superintendent Exall to be imprisoned in the hacienda that night, with a guard over him; and said judge sent for said Exall the next morning to appear before him, which he did, in charge of a guard, and the moment he entered the court room I heard the said judge call him, Exall, very bad names, and he poured out upon him the most vile epithets in the Spanish language, abusing him in the most shameful manner; all of which Mr. Exall seemed to bear without losing his temper; and said judge, after he had exhausted the vocabulary of abusive epithets, as I thought, then turned to said Exall and announced his determination to carry out the sentence of imprisonment for two months in the common jail at San Dimas, and $50 fine, but at the same time ordered the guard to compel said Exall to go all the way to San Dimas on foot, and not to allow him even to ride his own mule, saying the judge would learn the Gringoes (as Americans are called) to treat him with deference and respect.

"He then ordered said Exall to be locked up that night in Tayoltita in an old uninhabited house that was said to have been occupied by diseased persons. It did seem to me that nothing was too bad for said judge to say and do against said Exall. The next morning I visited said Exall, in company with an Englishman, whose name was James Granger. This Mr. Granger not being an American, but an Englishman, had some influence with Judge Perez, although he was in the employ of the company, and he was permitted to call on the prisoner. He invited me to go with him, and I did so; we found Mr. Exall, a gentleman of refinement, busily engaged in the work of defending himself from the attacks of millions of fleas. The house where he was confined had a most disgusting smell, and was filthy beyond description.

"It was said by the people there that this old house had been but recently occupied by persons of loathsome diseases, and that the judge knew this fact when he sent Mr. Exall there.

"This seemed to create so much sympathy and feeling at Tayoltita in favor of Mr. Exall, even with those natives and unemployed workmen who were in favor of driving said company away from the country, that Mr. Granger managed, with some influences unknown to me, and by securing the payment of the fine, to get Mr. Exall released from this vile prison house; and I do not know what became of the case after that."

Taking all the testimony on this subject together—what was offered on behalf of the Mexican Government and what was offered by the company in the depositions from which the foregoing extracts have been made—it appears beyond question that the local judge publicly and unlawfully invaded the personal liberty of the company's superintendent and insulted and humbled him—made a spectacle of him—in the presence of the people who worked in the mines, as well as those who were dissatisfied because he did not employ them, and afterwards imprisoned him for several days in a filthy hut. He did not owe his release from this pest house to the interference of the local judge's superior, to whom he had appealed in writing, but to the efforts of one of his own subordinates, a British subject, whose relations to the "juez conciliador" of Tayoltita, Gaudalupe Soto, appear in the testimony.

It will also have been noticed that the same magistrate, Perez, as stated in the foregoing extract from Granger's deposition, made another exhibition of his hostility "a few weeks afterwards" (which would be in February, 1868), and threatened "in presence of a large number of the employés of La Abra Company's mines," that the company "should be deprived of their property and forced to flee the country, if the superintendent or company did not work in the mode and manner to please the authorities."

Mr. VEST. The Secretary may suspend there. I have had that testimony read because it shows, if it shows nothing else, that this Mexican officer acted beyond any sort of legitimate authority which was vested in him, and whether that imprisonment lasted for five months or for five days, it shows the animus on the part of the authorities towards Americans and towards this company.

I understand that this proceeding is instituted in order to vindicate the honor of the American Government, to use the language of the Supreme Court, that this Government's name shall not be the cover for gross fraud on the part of any of its citizens towards a friendly power. I will go as far as any Senator here to vindicate the honor of this Government if it has been violated or sacrificed in any way.

But there is another side to this question, and that is that Mexico ought to have made her citizens treat the citizens of the United States as their own people were treated, and, if possible, that they should have been treated with more fairness even, and given more protection. That this man was imprisoned is beyond any sort of doubt, and he was imprisoned for nothing. If the meanest and most petty official in this country had done such a thing to a Mexican citizen he would have been punished for it by our authorities to the full extent of the law.

I asserted here—and the Senator from Oregon says he is willing to accept the issue at once—that De Lagnel said that there was a general feeling of hostility toward Americans on the part of Mexicans, not confined to the lower orders but also shared by officials, and every man who has been in Mexico knows that to be the truth. Ever since the Mexican war, as we term it, the Mexican people—the lower classes among them—have had the deepest-seated hostility to the "Gringos," as they are called, the American locos or fools, in the Mexican and Spanish *patois*. It exists there to-day and will always exist. I made the assertion in regard to De Lagnel upon the issue which the Senator from Oregon so promptly accepted, and I will turn to his testimony now, and I want Senators to hear it. De Lagnel is admitted here to be a perfectly disinterested and honest witness, brought here by the Mexican Government, and taken before the subcommittee of the Committee on Foreign Relations. Here is his statement. He says:

By Mr. WILSON:

Q. Well, there was hostility to Americans there?

A. That existed at that time, and I just mentioned just what I know. My own clerk, a young man who was employed in the store, a Mexican born, and raised in San Ignacio, 70 miles from the mines—he had been educated in California, and spoke English as well as I could, in talking with him one evening, discussing this very thing—

That is, the question of hostility—

he just scouted the idea of the withdrawal of the French being due to the United States Government, and I tried to show him that without the United States Mexico would never have got rid of the French; but he scouted it, and speaking of what the Mexicans were capable of, and so went on to speak as if they were able to take care of themselves——

Mr. MORGAN. What is the Senator reading from?

Mr. VEST. I am reading from De Lagnel's testimony.

Mr. MORGAN. Before the subcommittee?

Mr. VEST. Yes—

they were able to take care of themselves with any people or peoples. I said, speaking to him: "You ought not give heed to these reports"—something of the sort—"because the Americans are friendly to you."

That was the report that Gen. Butler was going there with an army to seize the State of Durango.

"They—

The Americans—

"certainly have shown it in this late action of the Government in assisting in ridding you of this foreign control, and you ought to feel kindly towards them." He said: "We hate them." I said—he was only a boy—"How can you?" I said: "I was here in 1847, in the City of Mexico, and you were born about the close of the war. You are a boy now; how can you have that feeling?" "I have no feeling one way or another towards you except—because," he said, "it was taught us by our fathers. They have told us all, and they keep at it."

Q. Well, there was hostility and prejudice in their minds against the Americans?

A. I judge from these conversations that that settlement was hostile, but restrained from self-interest, and as long as capital was being placed there and workmen paid it would be well. These men, under an honest employer, who exacted nothing unfair and treated them kindly, would have gone on in their work without interruption, but at the same time this state of feeling existed in the country, and it required very little effort on the part of an evil-disposed person to inflame their tempers and minds and make them hostile, and when they became so they would resort to desperate measures.

Mr. MORGAN. What does the Senator read from?

Mr. VEST. I read from De Lagnel's testimony, on page 95.

Mr. MORGAN. That is not the record.

Mr. VEST. I read from the minority report.

Mr. MORGAN. That minority report does not state the testimony correctly, as I will show when I get the floor.

Mr. VEST. I will take the original testimony, then.

Mr. MORGAN. The Senator had better do that.

Mr. VEST. Does the Senator deny that this is De Lagnel's testimony?

Mr. MORGAN. I do.

Mr. VEST. I will show it.

[At this point the honorable Senator yielded the floor that the Senate might proceed to the consideration of executive business.]

Mr. DOLPH. I hope we may have an executive session. I think Senators are in the committee rooms and in the cloakrooms in sufficient numbers to make a quorum.

Mr. HAWLEY. I will yield to that, and move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 4 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 19, 1892, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 18, 1892.

COLLECTOR OF INTERNAL REVENUE.

A. A. Bowman, of Tennessee, to be collector of internal revenue for the second district of Tennessee, in place of W. A. Allen, deceased.

PROMOTIONS IN THE REVENUE SERVICE.

Third Lieut. Staley M. Landrey, of Indiana, to be a second lieutenant in the Revenue Service of the United States, to succeed Lieut. John Wyckoff, deceased.

Third Lieut. Andrew J. Henderson, of the District of Columbia, to be a second lieutenant in the Revenue Service of the United States, to succeed Lieut. Frank G. F. Wadsworth, promoted.

PROMOTIONS IN THE ARMY.

Cavalry arm.

Second Lieut. Lewis M. Koehler, Sixth Cavalry, to be first lieutenant, January 1, 1892, vice Ayres, Tenth Cavalry, promoted.

Second Lieut. Willard A. Holbrook, First Cavalry, to be first lieutenant, December 17, 1891, vice Robinson, Seventh Cavalry, who resigns his line commission from the date of the confirmation by the Senate of his appointment as assistant quartermaster.

Infantry arm.

First Lieut. John Murphy, regimental quartermaster, Fourteenth Infantry, to be captain, January 9, 1892, vice Tobey, Fourteenth Infantry, retired from active service.

Second Lieut. André W. Brewster, Tenth Infantry, to be first lieutenant, December 17, 1891, vice Martin, Twenty-second Infantry, who resigns his line commission from the date of the confirmation by the Senate of his appointment as assistant quartermaster.

Second Lieut. Michael J. O'Brien, Thirteenth Infantry, to be first lieutenant, January 2, 1892, vice Kinzie, Second Infantry, promoted.

Second Lieut. Charles H. Muir, Seventeenth Infantry, to be first lieutenant, January 9, 1892, vice Johnson, Fourteenth Infantry, retired from active service.

Second Lieut. William M. Wright, Second Infantry, to be first lieutenant, December 17, 1891, vice Thompson, Fifth Infantry, who resigns his line commission from the date of the confirmation by the Senate of his appointment as assistant quartermaster.

APPOINTMENT IN THE ARMY.

Powell Clayton, jr., of Arkansas, to be second lieutenant of cavalry, January 13, 1892, vice Sayre, Eighth Cavalry, promoted.

TRANSFER IN THE ARMY.

Second Lieut. John Howard, Nineteenth Infantry, to be second lieutenant of cavalry, January 13, 1892, with rank from October 8, 1891, vice Brown, Fourth Cavalry, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 18, 1892.

REGISTER OF LAND OFFICE.

John W. Watts, of La Fayette, Oregon, to be register of the land office at Lakeview, Oregon.

POSTMASTER.

Robert C. Gordon, to be postmaster at New Castle, in the county of New Castle and State of Delaware.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 18, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Friday last was read and approved.

INTRODUCTION OF BILLS, ETC.

Mr. SPRINGER. I ask unanimous consent that the States and the Territories be called for the introduction and reference of bills and joint resolutions under the rule heretofore adopted during this session.

There was no objection, and it was so ordered.

CLAIMS ALLOWED.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of the Treasury, transmitting a list of claims allowed by the accounting officers of the Treasury during the fiscal year ending June 30, 1891, and paid from the indefinite appropriations provided by the act of August 30, 1890; which was referred to the Committee on Expenditures in the Treasury Department.

SOLDIERS' HOMES.

The SPEAKER *pro tempore* also laid before the House a letter from the president of the Board of Managers, transmitting the report of the Managers of the National Homes for Disabled Volunteer Soldiers for the year ending June 30, 1891; which was referred to the Committee on Military Affairs.

The SPEAKER *pro tempore*. The documents accompanying this report, being very voluminous, will not be ordered to be printed; but if their printing should be desired by the committee or ordered by the House it can be done hereafter.

GEORGETOWN AND TENNALLYTOWN RAILWAY.

The SPEAKER *pro tempore* also laid before the House a statement of the Georgetown and Tennallytown Railway, showing the receipts and disbursements for the year ending December 31, 1891; which was referred to the Committee on the District of Columbia.

EXPENDITURES FROM CONTINGENT APPROPRIATION FOR NAVY.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Navy, transmitting a detailed statement of the expenditures from the contingent appropriation for the Navy Department, made in the legislative, executive, and judicial appropriation bill of June 11, 1890, for the year ending June 30, 1891; which was referred to the Committee on Expenditures in the Navy Department.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore* also laid before the House the following Senate bills; which were read twice, and referred as follows:

A bill (S. 440) to authorize the construction of a bridge across the Missouri River between the city of Chamberlain, in Brulé County and Lyman County, in the State of South Dakota—to the Committee on Interstate and Foreign Commerce;

A bill (S. 430) making appropriation for the purchase of ground and the erection thereon in the city of Washington, D. C., of a building to be used as a hall of records—to the Committee on the District of Columbia; and

A bill (S. 1374) to aid the State of Colorado to support a school of mines—to the Committee on the Public Lands.

CHANGE OF REFERENCE.

Mr. HOAR. Mr. Speaker, a few days ago I submitted a resolution asking the Committee on Manufactures to make certain investigations, which resolution was referred by the Speaker to to the Committee on Rules. A bill has been introduced into the Senate which covers practically the same ground, and which will be referred in that body to the committee which corresponds to the House Committee on Manufactures. I would therefore ask unanimous consent that the resolution be taken from the Committee on Rules and referred to the Committee on Manufactures.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Massachusetts?

Mr. DINGLEY. Before consent is given, Mr. Speaker, I should be glad if the gentleman would repeat his statement.

Mr. HOAR. The resolution which I introduced was to direct the Committee on Manufactures to investigate what is called the "sweating system" of tenement labor and to report, if possible, some legislative plan to mitigate the evil.

Mr. DINGLEY. I have no objection.

There being no objection, the Committee on Rules was discharged from its consideration, and the resolution was referred to the Committee on Manufactures.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Platt, one of its secretaries, informed the House that the Senate had passed, without amendment, the bill (H. R. 123) fixing the times for holding the district and circuit courts of the United States in the northern district of Iowa.

EXPENDITURES WORLD'S COLUMBIAN EXPOSITION.

Mr. REILLY, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to inform the House of Representatives what amount of money has been appropriated and is available under the act of April 25, 1890, relating to the World's Columbian Exposition at Chicago; and also what amount of the money so appropriated has been expended, with an itemized statement showing to whom paid, for what purpose, and upon what account.

On motion of Mr. REILLY, the motion to reconsider the last vote was laid upon the table.

CHANGE OF REFERENCE.

Mr. HAYES. Mr. Speaker, upon the 11th instant my colleague [Mr. BOWMAN] introduced some bills for me. Among them are two bills for clerks for members. One of those bills provided for the payment of the clerks out of the contingent fund and was properly referred to the Committee on Accounts. The other of the bills has no relation to the contingent fund, but that was also referred to the Committee on Accounts. It should, I think, have been referred to the Committee on Revision of the Laws, and I ask that it may be so referred. It is the bill (H. R. 2668) to authorize the appointment and prescribe the compensation of clerks to Representatives and Delegates.

The SPEAKER *pro tempore*. The gentleman from Iowa [Mr. HAYES] asks unanimous consent that the bill indicated by him (H. R. 2668), providing for clerks for members, be referred to the Committee on the Revision of the Laws instead of to the Committee on Accounts. Is there objection to the request?

There was no ojection, and it was so ordered.

Mr. OUTHWAITE. Mr. Speaker, I rise for the correction of a reference. Two bills which I introduced should have been referred to the Committee on Invalid Pensions instead of to the Committee on Military Affairs.

The SPEAKER *pro tempore*. The Clerk will report the titles of the two bills.

The Clerk read as follows:

A bill (H. R. 1826) granting an increase of pension to Andrew H. Byers.
A bill (H. R. 1827) granting an increase of pension to John S. Walker.

The SPEAKER *pro tempore*. These two bills will be referred to the Committee on Invalid Pensions.

PRINTING OF DOCUMENTS, WORLD'S COLUMBIAN EXPOSITION.

Mr. DURBOROW. Mr. Speaker, I wish to present a resolution for present consideration, which I ask the Clerk to read.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. DURBOROW] asks for the present consideration of a resolution the title of which the Clerk will report, after which the Chair will ask if there be objection.

The Clerk read as follows:

Resolved, That the Select Committee on Columbian Exposition be, and is hereby, authorized to have printed and bound such documents and papers for the use of said committee as it may deem necessary, in connection with subjects considered or to be considered by the Select Committee on the Columbian Exposition during the term of the Fifty-second Congress.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. OATES. That resolution is broad enough, so that they could print a wagon-load of books. I object to its present consideration.

The SPEAKER *pro tempore*. The gentleman from Alabama [Mr. OATES] objects to the present consideration of the resolution. Does the gentleman from Illinois desire to have the resolution referred?

Mr. DURBOROW. Yes, sir.

The SPEAKER *pro tempore*. It will be referred to the Committee on the World's Columbian Exposition.

CLERK'S DOCUMENT ROOM.

Mr. BANKHEAD. Mr. Speaker, I desire to offer a resolution for which I ask present consideration.

The SPEAKER *pro tempore*. The gentleman from Alabama asks unanimous consent for the present consideration of the resolution, which the Clerk will report, after which the Chair will ask if there be objection to its consideration.

The Clerk read as follows:

Resolved, That the Clerk of the House be directed to vacate the room now occupied as the Clerk's document room at the south side of the central passage of the basement story of the House wing of the Capitol, opposite the large restaurant room, and to move the books, shelves, and furniture therefrom into room No. 17 of the terrace, House side, and to fit up this room for the purpose of the Clerk's document room; and that the Architect of the Capitol be directed to fit up the room thus vacated, and to construct a lift in it communicating with the cellar story for the use of the restaurant; and that all necessary expense incurred in making these changes and removals be paid out of the contingent fund of the House, under the direction of the Committee on Accounts.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. HOLMAN. Mr. Speaker, I think that resolution should go to the Committee on Accounts, and I object to its present consideration.

The SPEAKER *pro tempore*. Objection is made, and the resolution will be referred to the Committee on Accounts.

USE OF PUBLIC MONEY FOR RELIGIOUS PURPOSES.

Mr. SPRINGER. I desire to present a memorial which, under the rule, would go into the petition box. I ask unanimous consent that it be printed in the RECORD. It only covers one page of writing.

The SPEAKER *pro tempore*. The Clerk will report the title of the memorial, after which the Chair will ask if there be objection.

The Clerk read as follows:

Petition of the National League for the Protection of American Institutions, praying for the passage of a constitutional amendment forbidding the use of public money or credit for the purpose of founding, maintaining, or aiding any church, religious denomination, or religious society, or any institution, society, or undertaking which is wholly or in part under sectarian or ecclesiastical control.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Illinois [Mr. SPRINGER] that the memorial be printed in the RECORD?

Mr. REED. Mr. Speaker, I have not been able to find out what it is about.

Mr. SPRINGER. This is a memorial of the National Association upon this subject.

Mr. REED. Upon what subject?

Mr. SPRINGER. The Clerk will read the title again.

The Clerk again reported the title of the memorial.

The SPEAKER *pro tempore*. Does the gentleman from Maine object?

Mr. REED. Not in the least. I had not any idea what it was about, and simply wanted to know.

Mr. BUTLER. Mr. Speaker, I have before objected to the printing of long memorials and I shall continue to object to their being spread upon the RECORD. I object to this.

Mr. SPRINGER. Can I ask to have the memorial referred to the Committee on the Judiciary?

The SPEAKER *pro tempore*. In the absence of objection the resolution and memorial will be referred to the Committee on the Judiciary.

INTRODUCTION OF BILLS.

The roll of the States was then called, when bills of the following titles were introduced, read a first and second time, ordered to be printed and referred to the several committees named below.

MONTGOMERY COUNTY, ARK.

By Mr. TERRY: A bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas—to the Committee on the Judiciary.

ALVISO RIVER, CAL.

By Mr. LOUD: A bill (H. R. 3932) making an appropriation for the improvement of Alviso River or Slough, in the State of California—to the Committee on Rivers and Harbors.

LICK OBSERVATORY.

By Mr. LOUD: A bill (H. R. 3933) to set apart a tract of land in the State of California for the use of the Lick Observatory, of the astronomical department of the University of California—to the Committee on the Public Lands.

EXCLUSION OF THE CHINESE.

By Mr. LOUD: A bill (H. R. 3934) to absolutely prohibit the coming of Chinese persons into the United States, whether subjects of the Chinese Empire or otherwise—to the Committee on Foreign Affairs.

PENSIONS.

By Mr. NEWBERRY: A bill (H. R. 3935) relating to pension—to the Committee on Invalid Pensions.

PUBLIC BUILDING AT CHICAGO, ILL.

By Mr. NEWBERRY: A bill (H. R. 3936) to provide a site for a public building in the city of Chicago—to the Committee on Public Buildings and Grounds.

PAY OF SOLDIERS OF THE LATE WAR.

By Mr. PATTON: A bill (H. R. 3937) concerning pay of soldiers who were mustered as officers after March 3, 1865—to the Committee on Military Affairs.

LIVERY-STABLE KEEPERS.

By Mr. HAYES (by request): A bill (H. R. 3938) for the protection of livery-stable keepers and other persons keeping horses at livery within the District of Columbia—to the Committee on the District of Columbia.

ASSOCIATE JUSTICES OF THE SUPREME COURT OF UTAH.

By Mr. HAYES (by request): A bill (H. R. 3939) providing for two additional associate justices of the supreme court of the Territory of Utah, and for other purposes—to the Committee on the Judiciary.

PENSIONS TO INMATES OF THE GOVERNMENT HOSPITAL FOR THE INSANE.

By Mr. HENDERSON of Iowa: A bill (H. R. 3940) regulating pensions to pensioners who are inmates of the Government hospital or hospitals for the insane in the District of Columbia—to the Committee on Invalid Pensions.

GUANO ISLANDS.

By Mr. RAYNER: A bill (H. R. 3941) to further suspend the operation of section 5574 of the Revised Statutes of the United

States, Title LXXII, in relation to Guano Islands—to the Committee on Foreign Affairs.

BALTIMORE AND OHIO RAILROAD.

By Mr. McKAIG: A bill (H. R. 3942) to define the route of the Baltimore and Ohio Railroad in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

MANUFACTURE AND SALE OF INTOXICATING LIQUORS IN THE DISTRICT OF COLUMBIA.

By Mr. MORSE: A bill (H. R. 3943) to prohibit the manufacture and sale of spirituous and intoxicating liquors in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

DISTINCTION BADGE.

By Mr. ANDREW: A joint resolution (H. Res. 57) authorizing the wearing of the distinctive badge adopted by the Regular Army and Navy Union upon all occasions of ceremony—to the Committee on Military Affairs.

SEWING THREADS AND YARNS.

By Mr. STOUT: A bill (H. R. 3944) to reduce the duty levied upon sewing thread and yarns—to the Committee on Ways and Means.

DUTIES ON IRON AND STEEL.

By Mr. STOUT: A bill (H. R. 3945) to reduce the duties on certain manufactures of iron and steel, and for other purposes—to the Committee on Ways and Means.

HOMESTEADS ON FORFEITED LANDS AND RESERVATIONS.

By Mr. STOUT: A bill (H. R. 3946) to secure equal rights to homesteads upon forfeited lands and reservations, and for other purposes—to the Committee on the Public Lands.

MIDDLE AND THUNDER BAY ISLANDS, LAKE HURON.

By Mr. WEADOCK: A bill (H. R. 3947) to establish signal-display stations on Middle and Thunder Bay Islands, in Lake Huron—to the Committee on Interstate and Foreign Commerce.

TO ENLARGE THE FREE LIST.

By Mr. WEADOCK: A bill (H. R. 3948) to reduce certain duties on imports and to enlarge the free list—to the Committee on Ways and Means.

BUTTERWORTH OPTION BILL.

By Mr. HALL: A memorial from the Legislature of the State of Minnesota, for the passage of the Butterworth bill relative to the sale of options on agricultural products—to the Committee on Agriculture.

DEPOSITORIES OF UNITED STATES FUNDS.

By Mr. LEWIS: A bill (H. R. 3949) prohibiting the Secretary of the Treasury from making deposits of United States funds with any national, State, or private banks, trust companies, or any other associations, excepting regular authorized subtreasuries of the United States—to the Committee on Banking and Currency.

SHIP CANAL FROM DELAWARE RIVER TO ATLANTIC COAST.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 3950) authorizing the survey for a ship canal from the Delaware River to the Atlantic coast or Raritan Bay—to the Committee on Rivers and Harbors.

MONUMENT AT STONY POINT, N. Y.

By Mr. BACON: A joint resolution (H. Res. 58) authorizing the Secretary of War to erect at Stony Point, N. Y., a monument—to the Committee on the Library.

FREE CELLULOID.

By Mr. LOCKWOOD: A bill (H. R. 3951) to admit celluloid free of duty into the United States—to the Committee on Ways and Means.

DUTY ON PEARL AND SHELL BUTTONS.

By Mr. BUNTING: A bill (H. R. 3952) to reduce the tariff duty on pearl and shell buttons—to the Committee on Ways and Means.

APPORTIONMENT OF CIVIL-SERVICE EMPLOYÉS.

By Mr. HENDERSON of North Carolina: A bill (H. R. 3953) to provide for the apportionment of appointments to the public service among the several Congressional districts upon the basis of population—to the Select Committee on Reform in the Civil Service.

REFUND OF TAXES ON TOBACCO, ETC.

By Mr. HENDERSON of North Carolina: A bill (H. R. 3954) for the relief of certain persons who paid additional taxes assessed against them under the act of March 3, 1875—to the Committee on Claims.

REPEAL OF TAXES ON TOBACCO.

By Mr. HENDERSON of North Carolina: A bill (H. R. 3955) to provide for the total repeal of the internal-revenue taxes upon tobacco—to the Committee on Ways and Means.

REPEAL OF INTERNAL-REVENUE TAXES ON SPIRITS DISTILLED FROM FRUITS.

By Mr. HENDERSON of North Carolina: A bill (H. R. 3956) for the repeal of the internal-revenue taxes on spirits distilled from apples, peaches, and other fruits—to the Committee on Ways and Means.

MODIFICATION OF INTERNAL-REVENUE SYSTEM.

By Mr. HENDERSON of North Carolina: A bill (H. R. 3957) to modify the internal-revenue system, and for other purposes—to the Committee on Ways and Means.

MONUMENT TO GEN. NATHANIEL GREENE.

By Mr. WILLIAMS of North Carolina: A bill (H. R. 3958) to provide for the erection of a monument to Maj. Gen. Nathaniel Greene on the battle field of the battle of Guilford Court-House, North Carolina, fought March 15, 1781—to the Committee on the Library.

FREE COINAGE OF SILVER.

By Mr. WILLIAMS of North Carolina: A bill (H. R. 3959) to provide for the free and unlimited coinage of silver—to the Committee on Coinage, Weights, and Measures.

ELECTION OF PRESIDENT AND VICE-PRESIDENT BY DIRECT VOTE.

By Mr. WILLIAMS of North Carolina: A joint resolution (H. Res. 59) providing for election of President and Vice-President by a direct vote of the people—to the Select Committee on the Election of President, Vice-President, and Representatives in Congress.

THE TARIFF.

By Mr. ALEXANDER: A bill (H. R. 3960) to amend the laws of the United States in regard to duties on imports—to the Committee on Ways and Means.

TO REPEAL SECTION 3700, REVISED STATUTES.

By Mr. ALEXANDER: A bill (H. R. 3961) to repeal section 3700 of the Revised Statutes, empowering the Secretary of the Treasury to sell bonds or notes for the purchase of coin—to the Committee on Ways and Means.

DESIGNATION OF BANKS TO ACT AS UNITED STATES DEPOSITORIES.

By Mr. VINCENT A. TAYLOR: A bill (H. R. 3962) providing for the designation of banks to act as depositories of money of the United States—to the Committee on Banking and Currency.

PUBLIC BUILDING, IRONTON, OHIO.

By Mr. ENOCHS: A bill (H. R. 3963) to provide for the construction of a public building at Ironton, Ohio—to the Committee on Public Buildings and Grounds.

INCREASE OF REVENUES AND CIRCULATING MEDIUM.

By Mr. HARTER: A bill (H. R. 3964) to increase the revenues and to supply additional circulating mediums.

Mr. HARTER. Mr. Speaker, I ask unanimous consent to have that bill read.

Mr. WALKER of Massachusetts. I object.

The SPEAKER *pro tempore*. The Chair thinks the gentleman from Ohio is entitled to have the bill read. There is no rule which prohibits it.

The bill was read as follows:

SECTION 1. That all laws providing for the taxation of the circulating notes of State banks duly authorized by State authority to issue and circulate the same be, and hereby are, repealed.

SEC. 2. That on and after the passage of this bill all circulating notes authorized and issued by any bank under the authority of any State shall pay the same rate of annual tax as is paid upon the circulating notes of national banks, said tax to be collected semiannually by the internal-revenue collectors of the United States from the banks issuing the same.

The SPEAKER *pro tempore*. The Chair thinks that inasmuch as this bill pertains to the circulation and also to the repeal of taxes, it might properly go either to the Committee on Banking and Currency or the Committee on Ways and Means. To which committee does the gentleman desire to have it referred?

Mr. HARTER. To the Committee on Ways and Means.

Mr. WALKER of Massachusetts. Mr. Speaker, I ask whether under the rule that bill ought not to go to the Committee on Banking and Currency?

The SPEAKER *pro tempore*. The Chair thinks, as he has already stated, that it might properly be referred to either the Committee on Banking and Currency or the Committee on Ways and Means; but inasmuch as the bill proposes to repeal a tax now in force upon banks other than national banks the Chair is inclined to the opinion that it should go to the Committee on Ways and Means.

Mr. OATES. I understand that the bill proposes to repeal a tax upon State bank notes and circulation.

The SPEAKER *pro tempore*. It does.

Mr. OATES. Then I think it should go to the Committee on Banking and Currency.

The SPEAKER *pro tempore*. The Chair thinks it might properly go to either committee.

Mr. OATES. It does not propose to repeal the tax now imposed upon national-bank circulation?

The SPEAKER *pro tempore*. It does not. It proposes to repeal the 10 per cent tax.

Mr. OATES. Then I think it ought to go to Banking and Currency.

Mr. REED. Clearly not, under all former rulings.

The SPEAKER *pro tempore*. The question of reference is, of course, for the House to determine.

Mr. OATES. If the bill is in line with other bills on the same subject which have been referred to the Committee on Banking and Currency, I think the same committee ought to take charge of it, so as to avoid confusion.

The SPEAKER *pro tempore*. Does the gentleman make that motion?

Mr. OATES. I move that the bill be referred to the Committee on Banking and Currency.

Mr. BACON. Mr. Speaker, if it is in order, I desire to say a word.

The SPEAKER *pro tempore*. Debate is not in order. The question is on the motion of the gentleman from Alabama [Mr. OATES].

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to say to the gentleman from Alabama [Mr. OATES] that similar bills to this have been introduced during this session and referred to the Committee on Ways and Means, and in former Congresses also like bills were referred to that committee. This bill provides for taxes and nothing else, and it seems to me that the Committee on Ways and Means is the proper committee to which to refer it.

Mr. BACON. Mr. Speaker, I ask unanimous consent to correct the gentleman from Tennessee. Such bills have been referred to the Committee on Banking and Currency heretofore, and similar bills introduced at this session have been referred to that committee. The tax, while nominally a tax for revenue, is really a tax for the prohibition of the State banks. No revenue has ever been received from it, and it has always been treated as a part of the national-bank system.

The question being taken on the motion of Mr. OATES to refer the bill to the Committee on Banking and Currency, it was agreed to.

PRESIDENTIAL AND CONGRESSIONAL TERMS.

By Mr. JOSEPH D. TAYLOR: A joint resolution (H. Res. 60) proposing an amendment to the Constitution, substituting the 30th day of April for the 4th day of March as the commencement and termination of the official terms of members of the House of Representatives and United States Senators, and substituting the 30th of April for the 4th of March as the date for the commencement and limitation of the term of the President and Vice-President.

Mr. JOSEPH D. TAYLOR. I ask that this joint resolution be read.

The joint resolution was read at length, and referred to the Select Committee on the Election of President, Vice-President, and Representatives in Congress.

CLAIMS FOR ARMY AND NAVY SERVICE.

By Mr. HERMANN: A bill (H. R. 3965) to extend the time for adjudicating certain claims arising from Army or Navy service—to the Committee on War Claims.

PUBLIC PARK IN OREGON.

By Mr. HERMANN: A bill (H. R. 3966) reserving from the public lands in the State of Oregon as a public park, for the benefit of the people of the United States, townships 27, 28, 29, 30, and 31 south, ranges 5 and 6 east, of the Willamette meridian, and for the protection and preservation of the game, fish, timber, natural wonders, and curiosities therein, and the said reserve to be known as the Crater Lake National Park—to the Committee on the Public Lands.

COURT OF CLAIMS.

By Mr. HERMANN: A bill (H. R. 3967) for the relief of the Court of Claims and for the increase of clerical force—to the Committee on Appropriations.

DEPARTMENT OF JUSTICE.

By Mr. HERMANN: A bill (H. R. 3968) authorizing additional clerical aid in the Department of Justice—to the Committee on Appropriations.

Mr. HERMANN. I should like to have this bill read; it is only a few lines.

The bill was read at length, and referred to the Committee on Appropriations.

LIFE-SAVING SERVICE.

By Mr. PAGE of Rhode Island: A bill (H. R. 3969) to amend and reënact section 5 of an act entitled "An act to promote the efficiency of the Life-Saving Service, and to encourage the saving of life from shipwreck," approved May 4, 1882—to the Committee on Interstate and Foreign Commerce.

PUBLIC BUILDING AT PROVIDENCE, R. I.

By Mr. PAGE of Rhode Island: A bill (H. R. 3970) to provide for the purchase of a site, and the erection of a public building thereon, at Providence, in the State of Rhode Island—to the Committee on Public Buildings and Grounds.

ALLEYS IN THE DISTRICT OF COLUMBIA.

By Mr. HEMPHILL: A bill (H. R. 3971) to provide for the opening of alleys in the District of Columbia—to the Committee on the District of Columbia.

POLICE REGULATIONS IN THE DISTRICT OF COLUMBIA.

By Mr. HEMPHILL: A bill (H. R. 3972) to amend "An act to authorize Commissioners to make police regulations for the District of Columbia"—to the Committee on the District of Columbia.

WASHINGTON AND WESTERN MARYLAND RAILROAD COMPANY.

By Mr. WASHINGTON: A bill (H. R. 3973) to amend an act entitled "An act to incorporate the Washington and Western Maryland Railroad Company"—to the Committee on the District of Columbia.

PORT OF ENTRY, ETC., KNOXVILLE, TENN.

By Mr. HOUK of Tennessee: A bill (H. R. 3974) to establish a port of entry and delivery at the city of Knoxville, Tenn.—to the Committee on Interstate and Foreign Commerce.

SOLDIERS' HOME, KNOXVILLE, TENN.

By Mr. HOUK of Tennessee: A bill (H. R. 3975) to establish a soldiers' home at or near the city of Knoxville, Tenn.—to the Committee on Military Affairs.

MILITARY POST, DEL RIO, TEX.

By Mr. LANHAM: A bill (H. R. 3976) to provide for the establishment of a military post at Del Rio, Tex.—to the Committee on Military Affairs.

POSTAL AFFAIRS.

By Mr. POWERS: A bill (H. R. 3977) to amend section 3 of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1892," approved March 3, 1891—to the Committee on the Post-Office and Post-Roads.

REDUCTION OF LETTER POSTAGE.

By Mr. MILLER: A bill (H. R. 3978) to reduce the rate of postage to one cent on letters—to the Committee on the Post-Office and Post-Roads.

ASSAY OFFICE, TUCSON, ARIZ.

By Mr. SMITH of Arizona: A bill (H. R. 3979) to establish an assay office at Tucson, Ariz.—to the Committee on Coinage, Weights, and Measures.

ARIZONA'S EXHIBIT AT COLUMBIAN EXPOSITION.

By Mr. SMITH of Arizona: A bill (H. R. 3980) ratifying the act of the sixteenth Territorial Legislative Assembly of Arizona, approved March 19, 1891, making appropriation in aid of Arizona's exhibit at the World's Columbian Exposition—to the Committee on Territories.

ASSAY OFFICE, SOCORRO, N. MEX.

By Mr. JOSEPH: A bill (H. R. 3981) to establish an assay office at Socorro, in the Territory of New Mexico—to the Committee on Coinage, Weights, and Measures.

MILITARY POST, SANTA FÉ, N. MEX.

By Mr. JOSEPH: A joint resolution (H. Res. 61) authorizing and directing the Secretary of War to enlarge the military post at Santa Fé, N. Mex., and appropriating $250,000 for that purpose—to the Committee on Military Affairs.

COURT OF PRIVATE LAND CLAIMS.

By Mr. JOSEPH: A bill (H. R. 3982) to amend an act establishing a court of private land claims in certain States and Territories, approved March 3, 1891—to the Committee on the Judiciary.

SUPREME COURT, TERRITORY OF OKLAHOMA.

By Mr. HARVEY: A bill (H. R. 3983) to provide for three associate justices of the supreme court of the Territory of Oklahoma, and for other purposes—to the Committee on the Judiciary.

KOOTENAI RIVER, IDAHO.

By Mr. SWEET: A bill (H. R. 3984) to improve the navigation

of the Kootenai River, in the State of Idaho—to the Committee on Rivers and Harbors.

BRIDGE ACROSS KOOTENAI RIVER, IDAHO.

By Mr. SWEET: A bill (H. R. 3985) to authorize and regulate the construction of a bridge across the Kootenai River at Fry, in the State of Idaho—to the Committee on Interstate and Foreign Commerce.

HARBOR OF SAVANNAH, GA.

By Mr. LESTER of Georgia: A bill (H. R. 3986) to provide for the improvement of the harbor at Savannah, in the State of Georgia—to the Committee on Rivers and Harbors.

ESTABLISHMENT OF INDIAN COURTS.

By Mr. BLANCHARD: A bill (H. R. 3987) to establish courts for the Indians on the various reservations, and to extend the protection of the laws of the States and Territories over all Indians, and for other purposes—to the Committee on the Judiciary.

LAND GRANTS TO DISCHARGED UNION SOLDIERS.

By Mr. SNOW: A bill (H. R. 3988) granting lands to the honorably discharged soldiers of the Union Army in the war of the rebellion—to the Committee on the Public Lands.

REPEAL OF CERTAIN DUTIES.

By Mr. BANKHEAD: A bill (H. R. 3989) to admit free of duty goods, wares, and merchandise purchased in foreign countries with the farm products of this country—to the Committee on Ways and Means.

PREVENTION OF CONTRACTION IN THE CURRENCY.

By Mr. BANKHEAD: A bill (H. R. 3990) to prevent contraction, reduce taxation, and increase the volume of circulation—to the Committee on Ways and Means.

AMENDMENT OF REVISED STATUTES, SECTION 4488.

By Mr. LOCKWOOD: A bill (H. R. 3991) to amend section 4488, Title LII, of the Revised Statutes, as amended by chapter 418 of the acts passed at the second session of the Fiftieth Congress—to the Committee on Commerce.

CLASSIFICATION OF POST-OFFICE CLERKS.

By Mr. WHEELER of Michigan (by request): A bill (H. R. 3992) for the classification of clerks in first and second class postoffices and for fixing the salaries of the same—to the Committee on the Post-Office and Post-Roads.

FIELD ARTILLERY, UNITED STATES ARMY.

By Mr. HOUK of Ohio (by request): A bill (H. R. 3993) to organize the field artillery of the United States Army—to the Committee on Military Affairs.

APPOINTMENT OF CIRCUIT AND DISTRICT COURTS CLERK.

By Mr. McRAE: A bill (H. R. 3994) to authorize the appointment of a clerk for the circuit and district courts in the Texarkana division of the eastern district of Arkansas—to the Committee on the Judiciary.

IMPROVEMENT OF THE MISSISSIPPI.

By Mr. BOATNER: A bill (H. R. 3995) to prevent destructive floods on the Mississippi River by building and repairing and extending the levees and dikes, with an appropriation therefor—to the Committee on the Levees and Improvements of the Mississippi River.

UNITED STATES NAVAL OBSERVATORY.

By Mr. TRACEY: A bill (H. R. 3996) to provide a more perfect organization for the United States Naval Observatory, and for other purposes—to the Committee on Naval Affairs.

GOLD DOLLAR THE UNIT OF VALUE.

By Mr. SIMPSON: A bill (H. R. 3997) to repeal the portions of section 14 of an act approved February 12, 1873, which made the gold dollar the unit of value—to the Committee on Coinage, Weights, and Measures.

SALARY CHIEF CLERK, SUPERVISING ARCHITECT.

By Mr. RANDALL: A bill (H. R. 3998) to increase the salary of the assistant and chief clerk of the Supervising Architect of the Treasury Department—to the Committee on Expenditures in the Treasury Department.

DEPOSITS OF BONDS BY CITIES.

By Mr. CLOVER: A bill (H. R. 3999) to enable cities to deposit bonds in the United States Treasury and have issued to them legal-tender notes to be expended for public improvements, said bonds to be basis for such issue of currency—to the Committee on Banking and Currency.

PORT OF ENTRY, ST. LOUIS, MO.

By Mr. O'NEILL of Missouri: A bill (H. R. 4000) to amend Title XXXIV, chapter 1, making the State of Missouri a collection district and the city of St. Louis a port of entry—to the Committee on Interstate and Foreign Commerce.

UNITED STATES MARINE HOSPITAL, CHICAGO.

By Mr. NEWBERRY: A bill (H. R. 4001) for the improvement of the United States Marine Hospital at Chicago—to the Committee on Public Buildings and Grounds.

Mr. NEWBERRY. Mr. Speaker, I request that that bill be referred to the Committee on Naval Affairs.

The SPEAKER *pro tempore*. The Chair will state to the gentleman that it is his recollection that a similar bill was reported back from the Committee on Naval Affairs with the request that it be referred to the Committee on Public Buildings and Grounds and the statement that it properly belonged with that committee. That, however, is only a matter of recollection, and if the Chair is in error about it the reference may be changed hereafter.

PUBLIC BUILDING, BRIDGETON, N. J.

By Mr. BERGEN: A bill (H. R. 4002) to provide for the construction of a public building in Bridgeton, N. J.—to the Committee on Public Buildings and Grounds.

INSPECTORS OF HULLS AND BOILERS.

By Mr. WILSON of Washington: A bill (H. R. 4003) to amend section 4414 of the Revised Statutes, relating to inspectors of hulls and boilers—to the Committee on Interstate and Foreign Commerce.

THE PUBLIC PRINTING.

Mr. RICHARDSON. Mr. Speaker, I call up the special order for to-day.

The SPEAKER *pro tempore*. The gentleman from Tennessee [Mr. RICHARDSON] calls up the special order for to-day. The Clerk will report the special order.

The Clerk read as follows:

A bill (H. R. 3513) providing for the public printing and binding and the distribution of public documents.

The Clerk then began the reading of the bill, pending which

Mr. RICHARDSON said: Mr. Speaker, the special order under which this bill is to be considered provides that it shall be read by sections, and as each section is read it will be open for amendment and debate. I imagine, therefore, it will not be necessary to consume the time of the House in a general reading of the entire bill. I ask unanimous consent that the bill be now taken up by sections, and that the further reading of it as a whole be dispensed with.

Mr. HEARD. I do not want to appear captious, but I hope the gentleman will permit it to be read continuously and as a whole.

Mr. DINGLEY. It is to be read for consideration by sections afterward.

Mr. HEARD. I understand that it will be read by sections.

The SPEAKER *pro tempore* (Mr. OATES in the chair). The gentleman from Tennessee [Mr. RICHARDSON] asks unanimous consent to dispense with the first formal reading of the bill. Is there objection?

Mr. HEARD. Let me understand the gentleman from Tennessee. As I understand, this is the last opportunity we will have for hearing it read connectedly. It will hereafter be read by sections only.

Mr. RICHARDSON. That is true.

Mr. HEARD. I insist upon its being read as a whole.

Mr. RICHARDSON. I hope the gentleman will keep the members here to hear the reading of it.

Mr. HEARD. I should be very glad to. I will keep one member here.

The Clerk continued the reading of the bill, pending which,

Mr. RICHARDSON said: I ask the indulgence of the House to make one other statement at this point. The joint committee submitting this bill have accompanied it with a report, which has been adopted by the committee of the House also as the report of that committee. It is Senate Report No. 18. I mention this in order that members who feel an interest in the subject may send to the document room and procure copies of the report. I will call attention to the fact that the bill is printed in this report, and that each section of the bill is annotated; that there is a note at the bottom which explains the particular change made in each section thereof. The bill, with the annotated sections, begins on page 428 of the report.

The clerk continued the reading of the bill. He having read as follows:

SEC. 22. Whenever any machinery or material in the Government Printing Office shall have been regularly condemned as unserviceable, the Public Printer may sell the same, after public advertisement, to the highest bidder, for cash, and turn the proceeds into the Treasury of the United States: *Provided*, That in case the sum or sums offered for such advertised property should be deemed by him too low, he may exchange said old machinery or material for new, paying the difference in money, and render appropriate vouchers for such expenditure.

Mr. O'NEILL of Missouri said: Mr. Speaker, I ask the chairman of the committee to explain the meaning of that proviso. Why not let that section be considered to end at line 5?

Mr. RICHARDSON. I will state to the gentleman from Mis-

souri that the bill is now being read formally the first time, and that there will be opportunity for debating each section hereafter.

The Clerk proceeded with the reading of the bill. When section 34 was read,

Mr. HEARD said: Mr. Speaker, in view of the extreme length of this bill, and the fact that the Clerk has already read more than thirty sections of it, and as we are told by the chairman in charge of the bill that there will be ample opportunity for full discussion, I rise to withdraw my objection to the suspension of the first formal reading of the bill.

Mr. RICHARDSON. Then I renew my request to dispense with the further formal reading of the bill.

The SPEAKER *pro tempore*. The gentleman from Tennessee asks unanimous consent to dispense with the further formal reading of the bill. Is there objection?

Mr. O'NEILL of Missouri. It is a very important bill and I object.

The Clerk resumed the reading of the bill.

When section 40 had been read

Mr. POWERS said: Mr. Speaker, with a view of postponing the further reading of this bill, I desire to ask the gentleman from Tennessee [Mr. RICHARDSON] whether there are sufficient copies of this report so that each member may have one before him?

Mr. RICHARDSON. Yes, sir.

Mr. POWERS. It is very evident, Mr. Speaker, that this is an important bill, and a proper understanding of it can not be had by this very hurried reading of it in the presence of the House. I would move, therefore——

Mr. RICHARDSON. Mr. Speaker, I have already stated that there are sufficient copies in the hands of the superintendent of the document room to supply each member, and all that a member will have to do will be to send there and get one for himself.

Mr. BUCHANAN of New Jersey. And then read 470 pages in half an hour. That is all we will have.

Mr. POWERS. Mr. Speaker, for the purpose of enabling members to thoroughly understand the bill by procuring copies of the report, I move that further consideration of this subject be postponed until to-morrow.

Mr. RICHARDSON. Mr. Speaker, I hope that motion will not prevail, because, I will state to the gentleman, after the bill is read as a whole I propose to discuss it generally; and after it has been further discussed generally by any other gentlemen on the floor who so desire, each item of the bill will be read separately, and as it is so read it will be open for further discussion and for any amendment that any gentleman proposes to make. I do not, therefore, see why we should delay the consideration of the bill.

The SPEAKER *pro tempore*. The regular order will be that general debate (which the Chair has no power to limit, but which is with the House) shall proceed after the reading of the bill has been completed or dispensed with. The bill will then be read by sections for amendment and debate under the five-minute rule.

Mr. RICHARDSON. I make the point of order, Mr. Speaker, that debate is not in order, and that nothing can be done but to proceed with the reading of the bill.

The SPEAKER *pro tempore*. Debate is not in order.

Mr. POWERS. Mr. Speaker, I do not propose to debate the bill; I did not rise for that purpose, but arose for the purpose of obtaining light, and to suggest that by having this report laid upon our desks we should have the bill before us in such a way that we could understand and act upon it. I trust the gentleman from Tennessee will see the propriety of adopting my suggestion in order that the House may get light on the subject.

Mr. McCREARY. Mr. Speaker, I do not rise to debate the motion made by the gentleman on my right, but simply to state that I think we should go on with the reading of this bill, which is a very important bill, then hear the statement of the gentleman from Tennessee, who has the bill in charge, and then agree upon such a length of time as may be proper for general debate. There should not be any action upon this bill to-day. It is too important a bill to rush through this House; but I am in favor of going on with the business here, and after the chairman of the committee has stated its object, and when other gentlemen have spoken on this bill, then take it up and consider it section by section to-morrow.

Mr. RICHARDSON. Mr. Speaker, I object to any discussion now, and insist on the completion of the reading of the bill.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Pennsylvania that a motion or request to dispense with the reading of the bill requires unanimous consent, and that a motion to indefinitely postpone, or postpone to a subsequent date, is not in order at this time, nor until the completion of the reading of the bill.

The reading of the bill was then resumed and concluded.

The SPEAKER *pro tempore*. The reading of the bill has now been completed, and general debate is in order. The Chair will recognize the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I congratulate the House and the country that the consideration of the measure now pending does not in any degree involve partisan politics. We can therefore approach its consideration without that bias and prejudice which are naturally engendered by the discussion of political measures on this floor. This matter involves only questions of business. I shall in the brief period in which I shall occupy the floor at this time discuss the general scope of the bill. This bill is the result of much labor, investigation, and thought on the part of the committee presenting it. The committee was raised by concurrent resolution of the two Houses of Congress, dated February 9, 1891, and which passed on the last day of the Fifty-first Congress. The joint committee thus created was composed of the Senate Committee on Printing, Senators MANDERSON, HAWLEY, and GORMAN; with two members of the House of Representatives of the Fifty-first Congress, who were elected to the Fifty-second Congress, the gentleman from Connecticut, Mr. RUSSELL, and myself.

The concurrent resolution creating the committee directed them to examine into the numbers printed of the various documents, reports, bills, and other papers published by order of Congress or of either House thereof, and of the CONGRESSIONAL RECORD, and to report a bill to the present Congress making such reductions in the numbers and cost of printing, and such changes and reduction in the distribution of said publications as they may deem expedient. The committee was also instructed to investigate the printing and binding for the Executive Departments executed at the Government Printing Office and at the branch printing offices and binderies in the various Departments, making such reductions in expenses and imposing such checks as they may deem expedient, and, further, to make any other investigations calculated in their opinion to reduce the cost of the public printing.

Mr. OWENS. I would like to ask a question of the gentleman from Tennessee.

The SPEAKER *pro tempore*. Does the gentleman from Tennessee yield to the gentleman from Ohio?

Mr. RICHARDSON. Yes, sir.

Mr. OWENS. I would like to ask how members are to ascertain by this bill what changes have been made? There is nothing to indicate the changes made from the old law, and we do not know what we are acting on.

Mr. RICHARDSON. Mr. Speaker, I will endeavor to refer to these changes as I progress in my argument; and further, I desire to call the attention of the gentleman to a statement which I have already made, and that is, that there is an annotated copy of this bill which gentlemen can procure in the shape of the bill I have here, and he will find at the bottom of each section in that annotated copy a reference to it, and a reference to any change in that item in the existing law.

The committee were instructed to submit a report showing the result of their labors and investigations, as I have stated, to the present Congress. This committee assembled in the city of Washington on the 13th day of April last, and proceeded to make the investigations ordered by the concurrent resolution. It will be seen from an analysis of the instructions of the committee given in the resolution that it was intended by Congress that the investigation made should be far-reaching and should cover the entire field of public printing for the Government.

This, of course, means all the printing done at the Government Printing Office for the two Houses of Congress, and all the Executive Departments and bureaus of the Government. The testimony of nearly forty witnesses was taken by the committee, most of whom are connected officially with the public printing and binding, and distribution of public documents, and who were well qualified to give evidence upon the points involved in the investigation.

The testimony of these witnesses will be found in the appendix to the report of the committee. The report submitted by the committee is full on all the questions involved. In addition to the testimony of the witnesses who were called before the committee, there is much evidence also submitted with the report, brought out in response to letters addressed to the various heads of the Departments, and questions propounded to them. The committee has given most careful attention to the testimony of all these witnesses and all the evidence which was elicited. All the sections of the Revised Statutes and of the supplements thereto, and they are very numerous, which in any manner provide for and regulate public printing have been carefully gone over by the committee and a revision made thereof. The committee entered upon its labors with one chief object, which was the reduction of the quantity of printing and the cutting down of the cost thereof to the Government. They were in full accord

with the sentiments so often expressed by members of Congress and other intelligent persons that there was too much printing being done.

Their efforts and energies were all turned in the direction of economy in this branch of the public service. While they realized that there was just complaint at the large quantity of printing done, they further realized another complaint equally as serious and well founded, and that relates to the distribution of public documents and printing. When it is remembered that documents printed for the Government are distributed from many different sources, it will readily occur to anyone that the distribution could justly be complained of. For instance, documents are distributed by Senators, by Representatives, by the Executive Departments for which they are printed, and by the superintendent of documents in the Interior Department, thus making four distinct sources from which the same document might be and often is sent to the same person. Under the present system of distribution it is not possible to prevent frequent duplication of documents; it is true that the same document may be lawfully sent from each of these four sources to the same person.

It was made to appear to the committee that in one instance the same document, a most valuable one, too, was sent by forty different persons to the one man. This was a gross abuse, and calls loudly for some provision to prevent its repetition. The committee, of course, do not claim for this measure that it is perfect. The difficulties which presented themselves and the obstacles they were called upon to surmount were too great to be overcome by one measure. They hope, however, that there will be found in the bill under consideration such reforms and the institution of such methods as will eventually bring about remedies for all the evils complained of.

The committee found the laws which govern the public printing and binding and the distribution of documents in a condition which can almost with propriety be called chaotic. They have endeavored to arrange all the laws on the subject in a methodical and orderly way.

Mr. OWENS. By permission, I would like to ask the gentleman a question, as I am only asking this so as to understand the bill. Will the gentleman yield to me for a question?

Mr. RICHARDSON. Yes, sir.

Mr. OWENS. Now, if I understand the proposition in this bill, it is to take away from members of Congress the right to distribute these documents, and to put it in the hands of an Executive Department of the Government. I see no other object to be accomplished by it, and I would like to know if by section 95 it is not intended that we shall not distribute any documents as members of Congress, but turn that duty over to a Department selected by the Government.

Mr. RICHARDSON. Mr. Speaker, I will make a brief answer to the gentleman now, and as I progress in what I have to say I will cover the subject more fully, and will endeavor to make still further answer as we proceed to the consideration of that item. I will say to him now that he is wholly misinformed, if he has any such idea as that to which he has just given expression. Now, I wish the gentleman would wait until I get to that section of the bill, when I will be glad to join in its discussion. But it is out of order now to enter upon a discussion of that feature in this bill. I hope the gentleman will wait until we reach the item, and then I will make a full statement on that subject.

I will now address myself somewhat in detail to the provisions of the bill. The first seventeen sections thereof relate to the Joint Committee on Printing of the two Houses, their powers and duties. These seventeen sections embody substantially the provisions of the present law, as found in the Revised Statutes of the United States and the supplements thereto.

Mr. SAYERS. Will the gentleman permit a question on that point?

Mr. RICHARDSON. Certainly.

Mr. SAYERS. Section 2 of the bill provides that "the Joint Committee on Printing shall have power to adopt such measures as may be deemed necessary to remedy any neglect or delay in the execution of the public printing." Now, my recollection is that the present law requires that before the joint committee can make any change in the printing the sanction of Congress must first be obtained. Is that so, or not?

Mr. RICHARDSON. I hope the gentleman will not insist upon my discussing the details of this bill at this time. When we come to consider it item by item I shall be glad to answer all questions as well as I can.

Mr. SAYERS. Very well, I will withdraw the question for the present, but I shall expect the gentleman to explain to the House why this bill proposes to give such extensive powers to the joint committee.

Mr. HEARD. It only gives them power "to remedy any neglect or delay in the execution of the public printing," evidently referring to printing previously ordered.

Mr. SAYERS. I think the bill goes much further than the present law.

Mr. RICHARDSON. There is some increase in the powers proposed to be given to the joint committee, because the committee thought it was wise to give them this additional power in order to prevent delay, as the gentleman will see if he will examine the note upon this point in the report.

Mr. SAYERS. I have read it.

Mr. RICHARDSON. Well, Mr. Speaker, if I undertake to discuss the bill in detail in this way I shall not have time to submit what I had intended to say upon the measure generally. When we come to consider it by sections I shall be pleased to answer questions and explain details.

Now, Mr. Speaker, as I was saying when the gentleman from Texas [Mr. SAYERS] asked his question, these seventeen sections embody substantially the existing law on this subject. As the bill is to be read by sections, I will not undertake to refer to the slight changes and alterations made in these sections, but will do so if necessary when they are considered separately. From section 18 to 44, inclusive, will be found the duties of the Public Printer.

These sections also are nearly all taken substantially from existing laws. Where alterations are made therein they appear in the report of the joint committee with the reasons therefor. I call attention to one of the changes, however, made by section 32 of the bill. This section covers the branch printing offices and other printing establishments in the several Departments where printing has been done. There are now four branch offices, properly speaking: one each in the State, Treasury, Navy, and Interior Departments. They are all under the control of the Public Printer. In addition to these we found printing establishments in the Post-Office, War, and Agricultural Departments; one in the Weather Bureau, and one in the Surgeon-General's Office. These are not branch offices, but have been in operation for several years, and as the committee believe in violation of law, which provides—

> That all printing and binding and blank books for the Senate and House of Representatives and Executive and Judicial Departments shall be done by the Government Printing Office, except in cases otherwise provided by law.

It was thought best by the committee, after a full investigation into the matter and after visiting all of the Departments and places where printing was done, that it would be in the interest of the public service and in the line of economy to place all of these offices under the Public Printer, and to provide, further, that all offices hereafter established by law shall be placed under his direction and be under his control. It is but proper for me to say that the heads of the various Departments all state in writing that these printing offices are necessary to prompt and efficient work in their offices. The next ten sections of the bill, up to and including section 54, relate to the employés of the office, and these sections are substantially the law at present. With section 55 the bill begins to treat with the question of printing for Congress.

The committee felt in dealing with this matter that if economy was to be practiced, it would not be proper to attempt to enforce that economy in the various Executive Departments of the Government alone, but that it should also be applied in our own cases—that is, in printing for the two Houses of Congress. It will be found, therefore, by an examination, that very large reductions have been made in Congressional printing. I will endeavor to call attention to reductions in detail as we progress with consideration of the bill by items. While the committee endeavored to reduce the quantity of printing for Congress they also sought for means for better distribution of documents; to this end it will be seen that there is provision for an officer to be called superintendent of documents to be appointed by the President.

There is already provision in the law for such an officer; he is called the superintendent of documents in the Interior Department, and he has a clerical force employed under him. The object of this change is to enlarge the powers somewhat of this officer and to widen or to increase his duties. He is to be given the general supervision of the distribution of all public documents, and it is proposed to commit to his custody all documents subject to distribution, excepting those printed for the use of the two Houses of Congress, which are to be distributed on the order of Members and Delegates, or such as are for the especial official use of the Executive Departments.

It will be seen that it is not intended to take away from members of Congress the right to distribute in their own way their quotas of documents. It is provided that all documents—and I ask the attention of the House again to this point——

Mr. BUCHANAN of New Jersey. Right on this point may I ask the gentleman a question?

Mr. RICHARDSON. I wish the gentleman would wait a mo-

ment till he ascertains whether I have answered him before I leave this branch of the subject.

Mr. BUCHANAN of New Jersey. I thought you had finished the subject about which I wish to inquire.

Mr. RICHARDSON. It is provided that all documents at present remaining in charge or possession of the several Executive Departments, bureaus, and offices of the Government, not required for official use, shall be delivered to the superintendent of documents, and that hereafter all public documents accumulating in said Departments, bureaus, and offices, not needed for official use, shall be annually turned over to him. It is further provided that the officers of the Senate and of the House shall cause invoices to be made of all books and documents in and about the Capitol, other than those belonging to the quotas of members, and they shall be turned over to him; and further, that wherever in the division among Senators, Representatives, and Delegates of extra copies of documents, printed for the use of Congress, there shall be a remainder beyond the number of 25 to each House, such surplus above 25 shall be turned over by the superintendent of the folding rooms to him.

Mr. BUCHANAN of New Jersey. Does the gentleman mean to be understood as saying that the quota of Agricultural Reports, for instance, belonging to each member is not to be distributed by this distributer of documents upon franks furnished to him by members for that purpose?

Mr. RICHARDSON. I say, Mr. Speaker, that any member may do that if he prefers to do so; but the document room is maintained and the folding room is maintained, and each member's quota, if he so desires, will be sent from these rooms upon franks furnished to our own subordinate officers here.

A MEMBER. That is all right.

Mr. RICHARDSON. And that is the law now.

Mr. BUCHANAN of New Jersey. Allow me another question. I do not understand that under the provisions of this bill our quota of any document comes to us in fact, but I do understand from the reading of the bill, and it seems to be plain, that we are to furnish franks to this public officer, who is to attach them to the documents and send them out.

Mr. RICHARDSON. The gentleman does not get the exact idea of the bill.

Mr. BUCHANAN of New Jersey. But I get the language of the bill.

Mr. RICHARDSON. We send lists to him in order that a duplication may be prevented. But let us discuss that when we get to it.

Mr. BUCHANAN of New Jersey. I thought you had reached that point now, and that is the reason I asked the question.

Mr. McCREARY. Allow me one question. Does this bill take away from a member of the House of Representatives the right to have his books sent to his room or to any other point where he may desire to have them sent, so that he can distribute them himself?

Mr. RICHARDSON. It does not.

Mr. BUCHANAN of New Jersey. That is the point I wanted to have made clear. Does this bill turn the documents over to the member himself? Can he get them?

Mr. RICHARDSON. It does not turn them over to the superintendent of documents; it expressly says they shall not be turned over to him.

Mr. McCREARY. Are we to understand that under this bill there is to be the same freedom with regard to sending off our books that there has been heretofore? We are not compelled to send our lists to any office, are we? Can we not order our books to be sent to our rooms?

Mr. RICHARDSON. We are required to furnish this officer a list in order that he may prevent duplication in the sending of documents.

Mr. McCREARY. Why should he have our lists?

Mr. RICHARDSON. We will discuss that question hereafter.

Mr. McCREARY. Why should we not have the right to distribute these documents ourselves?

Mr. RICHARDSON. The object to be attained is to prevent a duplication in the distribution, and in order that he may distribute the large number of books which we propose to turn over to him under this bill, as I will show in a moment.

Mr. McCREARY. I fail to see any good reason why I should not send to my constituent a certain book, even if a Senator from our State had already sent him a copy of the same book.

Mr. RICHARDSON. There is none in the world. This bill provides that the member may send all the books himself if he wishes to do so; but it provides further, that if one of the Senators from the gentleman's State has furnished to a particular man a a book that the gentleman from Kentucky [Mr. McCREARY] proposes to send the same book to, this officer shall notify the gentleman that that particular person has already been furnished with a copy of the book by the Senator. If you wish to send that constituent another copy, it goes to him, but that copy is sent with a knowledge on your part that he has already been supplied.

Mr. McCREARY. That is the provision in this bill that I object to.

Mr. RICHARDSON. Well, we will discuss that question hereafter.

Mr. McCREARY. I think I ought to have the right to have books sent to my room and ought to be allowed to distribute them as I choose.

Mr. RICHARDSON. You will have that right under this bill; we do not interfere with that.

Mr. BUTLER. Will the gentleman from Tennessee allow me a question?

Mr. RICHARDSON. Certainly, if it is in the line of this discussion.

Mr. BUTLER. It is. Would not the effect of thus furnishing these lists to the document room be simply a notification to the Administration that such and such men are our friends?

A MEMBER. Certainly it would.

Mr. BUTLER. And would it not allow the Administration to take any advantage of that information that it might choose to take?

Mr. RICHARDSON. Well, we shall have the Administration the next time; and our Administration will have notice then when that is done, but I hardly think any injury can be done in that way. Now, Mr. Speaker——

Mr. CHIPMAN. Allow me to ask the gentleman from Tennessee this question. Suppose a member under this bill orders his documents to be sent to him in bulk; will they be sent?

Mr. RICHARDSON. They will.

Mr. CHIPMAN. Sent to him personally?

Mr. RICHARDSON. They will be sent to him here or anywhere that he wants them sent.

It is provided that all of these documents so received by this superintendent shall be distributed by him as deemed best for the public good, preference being given to libraries and to the completion of broken sets, and to lists furnished him by Senators, Representatives, and Delegates; and he is required to deliver to members of Congress printed lists of all public documents in his possession for distribution.

This officer, Mr. Speaker, is also charged with the sale of documents that are turned over to him and all documents hereafter published for sale by the other officers of the Government, and to cover the money received therefrom into the Treasury of the United States. Other duties are imposed upon him, which will appear when the bill is considered by items.

The superintendent of documents when appointed takes the place of that officer now in the Interior Department. We have, as I have already stated, a superintendent of documents who is appointed by the Secretary of the Interior. This bill simply enlarges his duties and makes him an appointee of the President. The necessity for the appointment of this officer will appear when it is made known that in the basement and the subterranean passages of this Capitol building there are now stored an immense number of books and documents not belonging to the quotas of members of Congress.

How many volumes there are so deposited no man knows. The lowest estimate placed thereon by intelligent persons who have made an examination of the subject is that there are 250,000 volumes so stored, while by some the number is estimated as being very considerably larger. In the basement of the Interior Department it is estimated that there are over 200,000 copies stored, and a member of this House who has examined them places the number at a much larger figure. In nearly all the Executive Departments very large accumulations of surplus documents exist. Recently in a house-cleaning at the White House over 5,000 books were sent to the superintendent in the Interior Department. These books have accumulated from time to time in the various committee rooms of the Capitol, and have been deposited in the vaults here for storage and safe-keeping. They do not belong to any of us. They are not borne on the quotas of members, but, as I have said, have been transported to the basement of the building from the various committee rooms and from the library and document rooms of the House and Senate. They have been there, many of them, for years, rotting and molding. They need to be distributed to the people of the country.

This bill provides that they shall be turned over to this superintendent of documents, and that he shall distribute them to the libraries throughout the country; and if gentlemen will read the bill they will see that they are to be distributed by him, preference being given to lists furnished to him by members of Congress, he being first required to hand each member printed lists of the various books and documents so subject to distribution.

Mr. HEARD. Let me suggest, if the gentleman from Tennessee pleases, that as they now stand we can not get them for distribution at all, nor can we do anything with them. That is to say, they are outside of our quotas.

Mr. RICHARDSON. That is correct. As they stand now they are entirely outside of our quotas, and we have no right or authority to send them out to our constituents.

Mr. JOHNSTONE of South Carolina. Since the gentleman from Tennessee has referred to the question I asked him some time ago, I will ask him now to be kind enough to point out to the House what possible benefit there can accrue to the public from having an official to be informed as to the number of men with whom, as the servants of the people, we are in communication?

Mr. RICHARDSON. I have cited the main object in providing for this arrangement. I do not know that we can prevent duplication unless somebody knows to whom we are sending books. But if that particular feature of the bill is objected to it is open to amendment, and can be modified or entirely stricken out if the House so determines.

Mr. HEARD. The object is, as the gentleman from Tennessee has stated, to prevent duplication.

Mr. RICHARDSON. Yes, sir.

Mr. HEARD. Now, if it is a question with us whether it is of sufficient utility that we shall prevent this duplication by sending these lists there, that portion of the bill can be stricken out without interfering with the general scope of the measure.

Mr. RICHARDSON. Undoubtedly. But it seemed to me that where one man could send to members of Congress and procure 40 copies of one book as valuable as the Special Report on the Diseases of the Horse, which our people are clamoring for, we as a committee ought to suggest some remedy for the evil. I do not believe that a man who wants 40 or 50 or 100 copies of a book, possibly for sale or speculation, ought to be allowed to send to the different members, each one of whom may send him a copy without being aware of the fact that he has been already supplied by his associates on this floor.

Mr. OWENS. Suppose I think that some gentleman in my district knows more about horses and horse-raising and those engaged in the care of horses than any one else, and I send him 40 copies of that book for distribution, do you think that Mr. Harrison can pick out a better man to send books to in my district? [Laughter.]

Mr. McCREARY. I understand the gentleman from Tennessee to say that it would be improper for members of Congress to send 40 books on Diseases of the Horse to one constituent.

Mr. RICHARDSON. No; I did not say that. I did not say it or anything like it.

Mr. McCREARY. Then may I ask what the gentleman did say?

Mr. RICHARDSON. I said I did not think that one man ought to be permitted to write to forty members of Congress, and obtain that many copies of a book as valuable as the Special Report on the Diseases of the Horse without the forty members having knowledge that he was procuring so many copies.

Mr. McCREARY. May I ask the gentleman from Tennessee if he personally or his committee has any information as to the suggestion he makes that men have written to forty members of Congress and gotten copies of these various books?

Mr. RICHARDSON. I intended to state, if I did not state it, that it appears from the testimony taken before the committee that one man actually applied to forty members and procured 40 copies of one book.

Mr. JOHNSTONE of South Carolina. Did he not distribute them among the people?

Mr. RICHARDSON. I do not know. I suppose that he sold them at a dollar apiece and put the money in his own pocket. It costs the Government about $1 each to publish these books, and it was making money for him to procure them in that way.

Now, this bill will not prevent that from being done if members with full knowledge desire that it shall be done. If a member wishes to send an additional book to a man who chooses to apply to him for it, there is nothing to prevent him from sending it. But it will enable the superintendent of documents to have information as to such cases where there is a manifest effort to procure the books in that manner, and members of Congress will have an opportunity of knowing whether they are distributing them in the manner best calculated to promote the public interest.

Mr. McCREARY. Mr. Speaker, the objection that I have to this particular part of the bill referred to by the gentleman from Tennessee is to that which says that the general superintendent shall have supervision of the distribution of all public documents.

Mr. RICHARDSON. Mr. Speaker, I beg the gentleman to wait until we get to that item.

Mr. McCREARY. It further says that our lists shall be sent to that man and that he shall send out the books. I object to that part of the bill.

Mr. RICHARDSON. I decline to yield to the gentleman for a speech on that item of the bill until we reach it, and then I hope the gentleman will give us the benefit of his wisdom on that section; but for the present it is not open to amendment, and his objection can not be made material just now.

Now, Mr. Speaker, in addition to the 250,000 volumes of books at present in the basement and subterranean passages of the Capitol, which do not belong to members of Congress and can not be distributed by them, there are in the Interior Department over 200,000 copies of volumes of books which ought to be distributed to the people. In nearly all of the Executive Departments of this Government very large accumulations of surplus documents exist. These books and documents thus stored away represent, as I have stated, the accumulations of years. Many of them are valuable, while others are comparatively worthless. But one thing is certain. These depositories should be cleared out of all such publications and the country should have the benefit of them. This bill provides for their intelligent distribution by this officer, the superintendent of documents, who will make the distribution mainly under the direction of members of Congress, and it will prevent such an accumulation in the future.

Mr. BOATNER. Will the gentleman yield for a question?

Mr. RICHARDSON. I will if it relates to this branch of the subject.

Mr. BOATNER. It has been stated here in this discussion that under the provisions of this bill if a member should desire to send any number of copies of any document or documents to any one person in his district for distribution it could not be done; in other words, that he could make the distribution only on lists which should furnish but one document to each person. Is there any such provision in the bill?

Mr. RICHARDSON. There is no such provision in the bill, and nobody who understood the provisions of the bill has made such a statement.

Mr. BOATNER. It has been stated by some gentleman in the discussion.

Mr. RICHARDSON. I can not be responsible for the statements of other gentlemen.

Mr. BOATNER. I was asking simply for information.

Mr. RICHARDSON. I am very glad to give the information. There is no such section and no such provision as that in the bill.

Mr. PICKLER. Will the gentleman allow me a question?

Mr. RICHARDSON. Yes, sir.

Mr. PICKLER. Why not allow these extra documents that are stored away to be distributed or apportioned to the members of Congress, and give them six months or a year to distribute them.

Mr. RICHARDSON. I will answer that by saying that no gentleman on the floor knows what books there are.

Mr. PICKLER. We would know when they were apportioned.

Mr. RICHARDSON. But they can not be apportioned unless we know what books there are, or until a catalogue is made.

Mr. PICKLER. But if we pass a law to that effect, it can be done.

Mr. RICHARDSON. We are trying to pass a law which I think is better than that, and it provides that these facts shall be elicited, that there shall be a catalogue of them, and that catalogue shall be placed in your hands and mine; and then we will make out lists of those books that we want to go to our constituents, and have them sent in that way, provided they can be obtained by that officer.

Mr. PICKLER. I would like to ask the gentleman another question. Will the superintendent be under any obligation to send the books that are mentioned on the lists sent him, and, if so, how many?

Mr. HEARD. This bill says "preference shall be given," and so forth.

Mr. PICKLER. Preference given to how many, and for what time? Will the rule be "first come, first served?"

Mr. RICHARDSON. I can not answer that, Mr. Speaker. I imagine no gentleman would undertake to have sent to his constituents all of any one publication, but that every gentleman would select such as his constituents would need, and that a general endeavor would be made to have them sent out fairly.

Mr. PICKLER. Certainly if my constituents were asking for a particular book, I would take all of the copies of that book that I could get.

Mr. RICHARDSON. That would be right and proper, and I suppose the gentleman would send his list to the superintendent, and if it could be filled it would be filled. Now, Mr. Speaker, the point is that these books can not be distributed now in their present condition.

Mr. BANKHEAD. Will the gentleman allow me to ask him a question?

Mr. RICHARDSON. Certainly, if it relates to this subject.

Mr. BANKHEAD. Section 75, as I understand it, authorizes the superintendent of documents to dispense with the House folding room whenever, in his judgment, he thinks it is necessary. Does it not authorize him absolutely to abolish it?

Mr. RICHARDSON. I do not want to enter upon the discussion of section 75 until we reach it. I hope the gentleman will not insist now. I will be glad to give any information I can after we take up the bill by sections; but if we do that now, I will never be able to complete any orderly discussion of the bill as a whole.

Mr. BANKHEAD. I will ask the gentleman further about that at a future time.

Mr. RICHARDSON. The superintendent of documents is to be further charged with the sale of documents. Heretofore he has been making sales thereof, and last year he turned into the Treasury about $3,500 from this source. As all of the Departments are to turn over to him all of their extra or surplus documents, and his supply is to be so largely increased from the other sources mentioned by me, thus affording him much more facilities for answering the demands made upon him for books and documents, it is thought by him that under the operation of this bill in a short time his sales would amount to $10,000 a year, which would go very largely toward paying all expenses of his office and the wages of his employés.

By reference to the bill it will also appear that through him will be made an exchange of books and documents by members of Congress and librarians. If a gentleman who lives in the city of New York does not want the agricultural reports and prefers the report on commerce, or navigation, or shipbuilding, or something of that kind, he can very easily find Representatives from rural districts who will make an interchange with him and get his agricultural reports and supply the people in the agricultural districts.

Mr. DICKERSON. I want to ask my friend if he does not think the committee could relieve them of this surplus number of books without resorting to this method of distributing them?

Mr. RICHARDSON. I will be glad to have the coöperation of the gentleman in devising a better plan than we propose.

Mr. BABBITT. Will the gentleman yield to me for a question?

Mr. RICHARDSON. Yes, sir.

Mr. BABBITT. I want to know whether or not the documents included in these items which are sold are distributed among the people, or whether the books sold go into pulp or something of that kind. Are these public documents furnished to the people when sold?

Mr. RICHARDSON. The sale of documents to which I refer means this, Mr. Speaker: It means that if any citizen in this country wants to purchase a publication he goes to the superintendent and pays him the price thereof. The books are delivered to him for his own use, and the money goes into the Treasury of the United States.

Thus, Mr. Speaker, while it is shown that it is a matter of economy to make this change in the duties of this officer, and to enlarge his powers and duties, the benefits to accrue to the Government and members of Congress and to the public in the way of convenience and in the method of distribution and sale of all public documents can not be well estimated or described.

Section 61 of the bill provides that there shall be one document room in the Senate and one in the House of Representatives. There are now two document rooms in the House. The committee could see no good reason why two document rooms should be maintained in the House, and the bill abolishes one of them. The superintendent of the House document room will be appointed by the Doorkeeper. The document room in the House which has heretofore been under the control of the Clerk has been charged with the duty of distributing what is known as the "reserve" of public documents. This "reserve" has a technical meaning, as members know, and is made up of various publications, which the Clerk is required to send to members of Congress.

Under the law at present one bound copy of each publication made during a Congressional term is required to be sent to each member. These are sent whether he desires them or not, without regard to their use or value. They reach him, commencing from early after the close of a Congress, on and on for possibly a year or longer after adjournment. As they are bound one copy is sent to each member. The change proposed by this bill in this case is to allow each member to have one copy of every publication bound for his own use where he desires to do so, but it does not require him to receive them all. This change, it is thought, will save the Government a very large sum of money and at the same time give each member every publication he desires. The volumes of this "reserve" for members are now handled by the document room under the control of the Clerk of the House. It is proposed in the bill, as I have stated, to allow the members the option of having these volumes bound or not, as they choose. Intelligent witnesses who testified before the committee are of the opinion that not more than one-third of such publications will be bound for members if this option is given.

If this be true, two-thirds of the expense incurred in supplying members will be saved. For illustration, there were 206 volumes published by the Fifty-first Congress. One copy of each of these publications must be sent to the 430 members thereof, including the number sent to members of the House and one or two officers of these bodies. Thus there have been and will be sent to members of that Congress 88,580 of these volumes. They will cost for printing and binding in the style in which they are sent to members from $1 to $1.50 per volume, or in the aggregate, say, $125,000. If only one-third will be called for under the provisions of this bill there will be a saving of about $80,000 in this instance, and yet each member will receive all that he desires.

As this very large reduction will be made, the necessity for the Clerk's document room in the House, which handles this reserve, is removed or greatly lessened. These volumes for the Fifty-first Congress have not yet all been handled or sent out from the Clerk's document room, but they will be in time.

The provisions of the bill which are to control the printing and binding for the various Executive Departments and bureaus of the Government begin with section 77. If gentlemen will note the report and the copy of the bill they will find a clerical or typographical error at that point. The heading there is misleading, inasmuch as it says "Congressional printing." It should be "departmental printing."

The entire question of departmental printing, which is a vast one and very intricate in its details, has been carefully gone over by the committee. While Congress for itself might enforce the most rigid economy and care in the public printing, yet if the Departments were allowed to print without any limitations or restrictions, it is plain that existing evils would be only partially cured. It is sought, therefore, to largely reduce the printing to be executed for the Departments. The most effective way of imposing a check on them, it was thought, was to provide by a permanent law for all of the annual publications of the Departments where it could be done. If these changes are made the appropriation therefor will be permanent and regular, and need not be included in the sums annually set forth in the appropriation bills to be used in the discretion of heads of Departments.

Then in addition to this, to make more effective the check, it is proposed to take away from these executive officers the discretion and right to have printing and binding done in the Government Printing Office without any limit or restriction, except that they keep themselves within the limit of the appropriation for printing made for the Department. In providing for the publication for these annual reports and documents the committee have, in nearly every case, made considerable reduction in the quantity or numbers to be printed. By section 92 of the bill it is expressly provided that no report, publication, or document emanating from the Executive Departments or bureaus of the Government shall be printed in excess of the number of 1,000 each in any one fiscal year without express authorization therefor by Congress, with an exception which is not hurtful.

I am not here to charge that any executive officer has heretofore abused the discretion given him under the law to print and bind publications for his Department. It is the custom for Congress in making appropriations in annual bills to allot or set apart to each Department a sum for printing and binding. This is meant to cover the current necessary printing in the Department. This sum is expended upon orders by heads of the Departments, and the objects and the purposes of the expenditures are largely in the discretion of said officers, and not infrequently it appears that this power or discretion is exercised upon the recommendation of a subordinate. This of necessity must be true.

These executive officers may expend the allowance to their Departments in printing and binding books, which, though they may be valuable in themselves, should not be printed and bound except by order of Congress expressly made. For illustration, one Secretary during the last year had printed and bound at the Government Printing Office 40,000 copies of one book, a special report, without any express authority from Congress.

Mr. DINGLEY. Is that the Report on the Diseases of the Horse to which the gentleman refers?

Mr. RICHARDSON. Mr. Speaker, if he could print and bind 40,000 copies upon his own requisition, he could print and bind a million copies, provided his allowance in the appropriation bill was not exhausted. He could use all the appropriation made for current printing in his Department for one book and then call on Congress for a deficiency. For one, I do not believe this is right. The bill takes away this power from the departmental officers.

Mr. BLAND. Is the gentleman from Tennessee willing to give the name of the document he mentioned, of which 40,000 copies were printed?

Mr. RICHARDSON. Yes, sir.

Mr. BLAND. And under what circumstances?

Mr. RICHARDSON. It was the Special Report on the Diseases of the Horse.

Mr. PICKLER. That is a good expenditure.

Mr. RICHARDSON. But it is not a question as to whether it is a good publication or not, or a good expenditure, for if he can make a good expenditure he can also make a bad one.

Mr. BRETZ. I will ask the gentleman if it is not a fact that a great many of these public documents sent out in this way are sent "with the compliments of the Department?"

Mr. RICHARDSON. I think that is quite often the case.

Mr. BRETZ. Instead of giving us the credit of sending them out with our "compliments," they are sent out with the "compliments of the Department."

Mr. RICHARDSON. I will say to the gentleman, that when they are sent out that way he will find that the "compliments of the Department" are not put on those copies which are sent out by members, but on the special edition printed on the requisition of those officers. But, Mr. Speaker——

Mr. BRETZ. Is not that true of the Argricultural Reports of 1890?

Mr. RICHARDSON. That may be true of them; I do not know. If the gentleman will pardon me, I will state that it may be true with regards to reports sent out from that office printed upon the order of the Secretary, but I do not think that it is true as to the reports sent out by members of Congress.

Mr. BRETZ. I think if you will examine you will find that it is that way.

Mr. RICHARDSON. Now, Mr. Speaker——

Mr. BLAND. If the gentleman will pardon me further, I would like to ask another question.

Mr. RICHARDSON. Certainly.

Mr. BLAND. The question that I propounded a moment ago was intended to reach a state of affairs that I understood existed during the last autumnal election. The Secretary of the Treasury undertook to furnish the country with a statement of the amount of money in the country, and by a circular containing statistics made up a campaign document. I do not know how many of these were sent out or whether the Secretary of the Treasury had authority for their distribution. I got one of them myself. I do not know where it was sent or whether the distribution was general, but I know that it was printed and distributed when that was a question in the campaign.

Now, what I want is for the gentleman to inform us whether the head of any one of these Departments is authorized by law to print a campaign document and circulate it in that way. I do not know whether he has such power or not, and if he has it ought to be stopped.

Mr. RICHARDSON. Of course I can not speak as to all the publications sent out by all of these Departments. I know nothing about the publication to which the gentleman refers; but this bill provides that no report shall be printed by the Government Printing Office by order of the head of a Department in excess of 1,000, except when authorization therefor is given by Congress. It takes away his discretion to use the money that is set apart by Congress in the annual appropriation bills for departmental printing—what I understand to be the current printing of those Departments, and the using of it for printing and binding large editions.

To recur to the matter of distribution. The distribution of the matter printed is of vital importance, for without a proper distribution, without the means of getting into the hands of the people governmental publications, the expenditure of such large sums of money for such purposes is almost criminal, and is certainly altogether inexcusable. The methods of distribution provided for by the bill I have briefly adverted to when speaking of the superintendent of documents and his duties. This matter, however, is largely one of detail and is governed by the law in each case where the publication is ordered of the particular document. I will, therefore, if necessary to do so, make further reference to this matter when discussing the several items of the bill.

Some gentlemen have asked me to state what the total saving will be to the Government by reason of the provisions of this bill and the changes it makes in the existing statutes if it becomes a law. I can not undertake to make any definite promise or specify any sum in the aggregate that will be saved. But this I can safely say: The reductions will be large, very large in the way of money, bnt above this mere question of money the greatest benefits resulting from the bill will be those which come by reason of the reforms in the methods of printing documents and their distribution, and the arranging in an orderly manner all the printing laws of the Government, so that they can be easily consulted and understood, and so that from time to time other and further modifications thereof can be intelligently made.

[Here the hammer fell.]

Mr. McCREARY. Mr. Speaker, I move that the time of the gentleman be extended until he has completed his remarks.

There was no objection, and it was so ordered.

Mr. RICHARDSON (resuming). Now, Mr. Speaker, I will state some of the reductions made by the committee, just to give the House an idea of what we have endeavored to do in the way of retrenchment.

The table below indicates the number of volumes heretofore printed of the reports and documents mentioned, and the number to be printed under this bill:

Reports and documents.	Heretofore printed.	Printed under this bill.
Agricultural Report	400,000	300,000
Animal Industry Report	50,000	40,000
Coast and Geodetic Survey Report	5,000	2,800
Commercial Relations	5,000	3,000
Foreign Relations	6,000	3,000
Ethnology Report	15,500	8,000
Fish and Fisheries	11,000	8,000
Bulletins of Fish Commission	5,000	4,000
Health Officer of District of Columbia	2,500	1,500
Civil Service Commission	31,000	23,000
Commissioner of Education	44,000	35,000
Geological Survey	18,500	12,000
Commissioner of Labor	35,000	30,000
Interstate Commerce Commission	21,000	5,000
Session Laws	13,000	7,000
Message of President and Documents	25,000	15,000
Academy of Sciences	2,000	1,500
Memoirs of Academy	4,500	2,500
Smithsonian Institution	19,000	10,000
Statistical Abstract	16,000	12,000
Commerce and Navigation	8,000	3,000
Precious Metals	6,000	3,000
Mineral Resources	6,000	3,000
Union Pacific Railway	3,000	1,500
Eulogies	12,500	5,000

These reductions are very large, to which may be added that which it is estimated will be saved to the Government under this bill by the change made in the "reserve" or private sets which are furnished to members of Congress; the reduction during the session of Congress being $80,000, the annual reduction will be one-half thereof, or $40,000.

Mr. OATES. Will the gentleman state what will be the difference between the cost of printing the number of copies of the report on ethnology now printed and the cost of the number recommended by the committee?

Mr. RICHARDSON. The practice heretofore has been to print 15,500 copies; we propose to reduce the number to 8,000, a reduction of 7,500 copies. The cost per volume is, I think, in the neighborhood of $2.

Mr. PICKLER. Is not the cost chiefly in the plates?

Mr. RICHARDSON. Chiefly.

Mr. DINGLEY. Therefore the extra copies would not cost anything like so much per volume.

Mr. RICHARDSON. Certainly not so much as the first copies.

Mr. HEARD. Mr. Speaker, as I understand, this bill provides that after the printing of the number of copies of any document ordered by Congress, if extra copies are desired by any gentleman they can be obtained at cost from the Government Printing Office, if application is made within a reasonable time.

Mr. RICHARDSON. The law governing the sale of documents is not changed. If a man wants extra copies of a document he must give his order before it goes to press, unless he wishes to buy the documents afterwards from the superintendent of documents, or, in some cases, from the Public Printer.

Mr. HEARD. I understand that it is provided in the bill that extra copies might be obtained at cost, while the old law provided, I believe, that they might be obtained at cost with 10 per cent added.

Mr. RICHARDSON. The bill does not change the law in that respect.

In reference to the proposed reduction in the number of eulogies to be printed, I want to say that while the reduction may seem very large, provision is made for what we think a much better distribution of them than has prevailed heretofore. Instead of apportioning the whole number printed among all the members of the House, the bill provides that they shall be mainly distributed in the State from which the dead member came. Details will appear by reference to that part of the bill.

I now submit a statement of the appropriations for printing and binding, 1881 to 1891:

1881.		
Regular appropriation	$1,606,500.00	
Deficiency	410,500.00	
		$2,017,000.00
1882.		
Regular appropriation	1,710,000.00	
Deficiency	888,579.70	
		2,598,579.70
1883.		
Regular appropriation	2,377,650.00	
August 8, 1882, Agricultural Reports 1881–'82	219,161.54	
March 3, 1883, Agricultural Report 1883	220,000.00	
Deficiency	20,000.00	
		2,836,811.54

1884.		
Regular appropriation		$2,500,000.00
1885.		
Regular appropriation	$2,250,000.00	
July 1, 1884, Agricultural Report 1884	200,000.00	
March 3, 1885, Animal Industry Report 1885	25,827.00	
March 3, 1885, Agricultural Report 1885	200,000.00	
Deficiency	59,000.00	
		2,734,827.00
1886.		
Regular appropriation	2,250,000.00	
Deficiency	231,500.00	
		2,481,500.00
1887.		
Regular appropriation	2,095,000.00	
July 3, 1886, Labor Report	18,808.00	
August 4, 1886, Agricultural Report 1886	200,000.00	
March 3, 1887, Agricultural Report 1887	85,000.00	
		2,598,808.00
1888.		
Regular appropriation	2,122,000.00	
Deficiency	108,000.00	
		2,230,000.00
1889.		
Regular appropriation	2,272,000.00	
October 20, 1888, Agricultural Report 1888	200,000.00	
October 12, 1888, Labor Report	25,000.00	
October 18, 1888, Public Land and Pension Decisions	11,000.00	
Deficiency	193,530.00	
		2,701,530.00
1890.		
Regular appropriation	2,218,000.00	
December 19, 1889, Agricultural Report 1889	200,000.00	
March 1, 1889, Labor Report	19,202.00	
March 1, 1889, Animal Industry Reports 1887 and 1888	37,930.00	
Deficiency	493,000.00	
		2,968,132.00
1891.		
Regular appropriation	2,298,000.00	
September 25, 1890, Agricultural Report 1890	200,000.00	
September 25, 1890, Animal Industry Reports 1889 and 1890	50,000.00	
December 5, 1890, Bureau of Statistics Report	8,284.00	
December 18, 1890, Public Lands and Pension Decisions	10,000.00	
March 2, 1891, Industrial Art	23,500.00	
March 3, 1891, Agricultural Report 1891	200,000.00	
March 3, 1891, Diseases of Horse	75,000.00	
March 2, 1891, Labor Report	21,000.00	
Deficiency	753,500.00	
		3,639,284.00

It thus appears that in ten years the cost of public printing has almost doubled, and hence it seems necessary that some check or restriction should be adopted to prevent its further increase.

Mr. Speaker, I now ask that the bill be taken up and read by paragraphs for consideration and amendment.

Mr. MILLER. Mr. Speaker, this is an important bill which deserves a good deal of examination. I think its further consideration may very properly be suspended until to-morrow, and I therefore move that the House now adjourn.

Mr. CULBERSON. I suggest to the gentleman from Tennessee [Mr. RICHARDSON] that the House adjourn.

The SPEAKER *pro tempore* (Mr. GOODNIGHT). The gentleman from Wisconsin [Mr. MILLER] has made that motion.

Mr. RICHARDSON. I hope that the gentleman will withdraw that motion in order to allow me to make a request which seems to be in accord with the wishes of a number of members.

The SPEAKER *pro tempore*. Does the gentleman from Wisconsin withdraw his motion?

Mr. MILLER. I do.

Mr. RICHARDSON. I ask unanimous consent that the further consideration of this bill be postponed until the day after to-morrow immediately after the reading of the Journal, so that members may have the opportunity, if they so desire, to examine carefully the bill and report.

Several MEMBERS. That is right.

The SPEAKER *pro tempore*. The gentleman from Tennessee asks unanimous consent that the further consideration of this bill be postponed until the day after to-morrow, immediately after the reading of the Journal. Is there objection?

Mr. BUCHANAN of New Jersey. I object unless I can have just three minutes now to refer to one provision of this bill.

The SPEAKER *pro tempore*. In the absence of objection, the gentleman from New Jersey will proceed.

Mr. BUCHANAN of New Jersey. Mr. Speaker, in the midst of the speech of the gentleman from Tennessee [Mr. RICHARDSON] I asked him a question as to the effect which this bill would have upon the distribution by us of our quotas of these books. The gentleman answered me according to his understanding of the bill. But in section 62 I find this authority given to the superintendent of documents:

> He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution, excepting those printed for the use of the two Houses of Congress, which are to be distributed on the order of Members and Delegates, etc.

In section 63 it is provided that these orders—

> Shall be sent to the superintendent of documents on franked or other labels, or in lists, which shall be kept confidential, etc.

In the same section, on page 25 of the bill, it is provided that—

> As soon as practicable after receiving and recording orders for the distribution of documents the superintendent of documents shall transmit said orders to the superintendents of the folding rooms of Congress as the orders may be given by members of the two Houses, respectively, by which officers the documents shall be folded and mailed.

Those are the words of the bill, and in no other way is there any provision made for the distribution of any book by a member.

Mr. MORSE. That is so; there is no escape from that.

The SPEAKER *pro tempore* (Mr. MCMILLIN in the chair). Is there objection to the request of the gentleman from Tennessee [Mr. RICHARDSON]?

Mr. MCCREARY. Will the Chair state the request?

The SPEAKER *pro tempore*. The present occupant of the chair was not in at the time the request was made, but is informed it was to this effect: That the further consideration of this bill be postponed until the day after to-morrow, and that then it be taken up immediately after the reading of the Journal under the rule already adopted.

Mr. MCCREARY. Unless there be some objection I make this suggestion: The gentleman from Tennessee, the chairman of the committee [Mr. RICHARDSON], has elaborately explained the provisions of the bill, and it seems to me we are now prepared to take up the measure under the five-minute rule and amend it section by section. I therefore suggest to the gentleman that he modify his request so as to provide that when the bill shall be taken up on the day after to-morrow it be proceeded with under the five-minute rule.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Kentucky [Mr. MCCREARY] that that agreement concerning the method of consideration is included as a part of the order already adopted by the House; and the only effect of making it operate now would be to cut off debate except under the five-minute rule.

Mr. MCCREARY. That is exactly what I desire to accomplish. Personally I do not see any necessity for further general debate on the bill. I believe it very important, however, to take up the bill section by section and discuss it.

The SPEAKER *pro tempore*. The Chair will state to the gentleman that according to the order under which the House is proceeding, when it is the will of the House to close general debate the course suggested by the gentleman from Kentucky will be the method of consideration.

Mr. RICHARDSON. In reply to the remarks of the gentleman from New Jersey [Mr. BUCHANAN], I will only say that if there is in the sections to which he has referred any such difficulty as he suggests, it will be agreeable to me, when we reach those sections, to have the difficulty remedied by such amendments as a majority of the House may desire.

Mr. BUCHANAN of New Jersey. I am glad to hear the gentleman say so.

Mr. RICHARDSON. If the proposed amendments are in harmony with the bill, and are not too radical, I am sure there will be no objection to them.

Mr. BUCHANAN of New Jersey. The bill contains a good many features which I approve.

The SPEAKER *pro tempore*. Does the gentleman from Kentucky [Mr. MCCREARY] submit a request that general debate be now considered as closed?

Mr. MCCREARY. I do.

The SPEAKER *pro tempore*. Is there objection to closing general debate now?

Mr. DINGLEY. There may be some desire to have general debate for a while longer.

Mr. MCCREARY. If any gentleman desires general debate of course I will not insist upon closing it; but it seems to me the proper way to discuss this bill is to read it section by section, and discuss each one in detail.

Mr. MORSE. That is right.

Mr. MCCREARY. I therefore suggest that the general debate be closed now, and that when the bill be next taken up it be by sections under the five-minute rule.

Mr. RICHARDSON. I want to say to the gentleman from Kentucky that which perhaps he does not know, that the House has already provided by special rule that this bill shall be considered item by item in the manner he suggests. After the bill has been read and discussed in the general debate it will be open for amendment and discussion as in Committee of the Whole under the five-minute rule, with the understanding, however, that the right to move the previous question, if any member chooses to do so, shall be given, for the purpose of shutting off debate at any time. Of course that will follow if a majority of the House second the demand for the previous question. But so far as I am individually concerned, I repeat what I said before, that I do not desire to cut off the fullest debate on any item of the bill.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Kentucky that general debate be now closed?

Mr. DINGLEY. I object to that part of the request, Mr. Speaker.

Mr. McCREARY. Then I move that general debate be limited to, say, one hour. Would that be satisfactory?

Mr. DINGLEY. One hour would be satisfactory to me.

Mr. McCREARY. Then one hour if gentlemen desire to be heard. I do not want to cut off anybody.

Mr. JOHNSTONE of South Carolina. Mr. Speaker, as I understand the scope of this bill, its purpose is to bring about a consolidation of existing laws on the subject of public printing, and in addition to that to reduce the entire matter of public printing to system. If we are not to have an imperfect bill, if we are to have a measure that will be complete when it is enacted into law, the best plan of procuring it is to have adequate debate upon it, and for that reason I am in opposition to the motion of the gentleman from Kentucky.

Mr. McCREARY. I agree with my friend from South Carolina very fully. There are many things in the bill to which I object, and there are some things of which I approve. But general debate is not apt to point out the objectionable features of the bill. I am in favor of having one hour's general debate, as suggested by the gentleman from Maine, but after that I am in favor of closing the general debate and having the fullest and freest discussion under the five-minute rule on each section of the bill, wherein we can show the objections, if any, existing to each particular provision of any particular section, and wherein you may offer as many amendments as you desire or see the necessity for. But I can not see any benefit to be derived from two, three, or four hours of general discussion. Let us give to each section of the bill full consideration, beginning at the beginning, and wherever a section is objectionable let its objectionable features be pointed out and the necessary changes be made by amendment. That is the way, in my judgment, that we should proceed with the public business.

Mr. JOHNSTONE of South Carolina. Mr. Speaker, I can conceive of no possible force that is keeping the gentleman from Kentucky from the discussion of the bill except his own volition. If he chooses to discuss a particular portion of the bill let him do so. But let those of us who wish to see the scheme perfected have a larger opportunity for debate than the gentleman seems disposed to accord to us.

Mr. McCREARY. How much general debate would the gentleman suggest? How much does he want?

Mr. JOHNSTONE of South Carolina. What else are we doing? We had just as well discuss the bill. I object to any limitation upon the debate.

The gentleman from Kentucky will reflect, Mr. Speaker, that this joint committee which framed the bill has had five, six, or seven months to consider its work; and certainly that which they considered five or six months not too long a time to devote to can not properly be comprehended by us in so short a space of time as the one hour suggested by the gentleman from Kentucky.

Mr. McKAIG. Mr. Speaker, I think it would be well to recall to the House the additional fact that besides the five or six months that the special joint committee have devoted to the elucidation of the subject of printing for this Government they have also made an examination of witnesses, perhaps the best informed that could be brought before that committee, upon the subjects committed to them. This report is the outcome of the investigation of the committee, based upon the experimental knowledge of the men employed in the different departments of the Government who are qualified to give information upon the subjects. And to properly understand every section of the bill it would be well for each member of the House to take and examine not only the bill itself but the accompanying report, which has been introduced into the Senate of the United States as well as the House, which gives you not only the sections of the bill in detail but gives you the annotations which will enable every member to see and understand the exact changes which have been made in the existing laws.

The SPEAKER *pro tempore*. The Chair will state that debate is not in order, but of course desires to listen to the gentleman from Maryland. The Chair will hear the gentleman if he wishes to be heard further upon the subject.

Mr. McCREARY. Mr. Speaker——

The SPEAKER *pro tempore*. The Chair will hear the gentleman from Maryland [Mr. McKAIG], with the consent of the House.

Mr. KcKAIG. No, I do not wish to debate the bill, if debate is not in order. There seemed to be a general discussion going on.

Mr. McCREARY. Mr. Speaker, I desire to get to the discussion of the bill section by section as soon as possible; but as I observe that some of our friends wish to continue the general debate and to speak on the entire bill, I have no intention to cut off debate. I think we ought to have full debate, and therefore I withdraw the motion to limit debate.

The SPEAKER *pro tempore*. The question then is on the request of the gentleman from Tennessee [Mr. RICHARDSON] that the further consideration of this bill be postponed until Wednesday, immediately after the reading of the Journal, when it is to be proceeded with under the order heretofore adopted. Is there objection.

Mr. REED. I object.

The SPEAKER *pro tempore*. The gentleman from Maine objects.

Mr. McCREARY. I move that the House do now adjourn.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Kentucky that the House do now adjourn.

Mr. WHEELER of Alabama. Mr. Speaker——

The SPEAKER *pro tempore*. Does the gentleman from Kentucky withdraw his motion?

Mr. McCREARY. I yield to the gentleman from Alabama temporarily.

REGENTS OF THE SMITHSONIAN INSTITUTION.

Mr. WHEELER of Alabama. I ask unanimous consent to take up a Senate resolution (S. R. 18) and pass it. It is for the purpose of appointing regents to the Smithsonian Institution. Unless it is done to-day it will be impossible to get them here in time to have a quorum at the annual meeting on the 25th.

The SPEAKER *pro tempore*. The gentleman from Alabama [Mr. WHEELER] asks unanimous consent for the present consideration of the resolution which the Clerk will report, after which the Chair will ask if there be objection. The Chair will inquire if this is the form in which the resolution passed the Senate?

Mr. WHEELER of Alabama. It passed the Senate in the form in which it is printed.

The SPEAKER *pro tempore*. Does the gentleman introduce it as an original resolution?

Mr. WHEELER of Alabama. No, I introduce it as a Senate resolution with an amendment.

The SPEAKER *pro tempore*. Then the House will have to act upon the engrossed bill.

Mr. WHEELER of Alabama. There is no engrossed bill here. The Senate passed it in manuscript, because it was important to get it through, and the Senator who had charge of it has asked me to have it passed through the House. It is merely a formal matter.

The SPEAKER *pro tempore*. But as it is a joint resolution, if the House is to take action upon the matter acted upon by the Senate the official copy of the resolution from the Senate will have to be before the House.

Mr. WHEELER of Alabama. Then I ask to have it passed as an original House resolution, and then it can be sent back to the Senate for immediate action there.

The SPEAKER *pro tempore*. The Clerk will report the resolution, after which the Chair will ask if there be objection to the present consideration.

The Clerk read as follows:

Joint resolution (S. R. 12) to fill vacancies in the Board of Regents of the Smithsonian Institution.

Resolved, etc., That the vacancies in the Board of Regents of the Smithsonian Institution, of the class other than members of Congress, shall be filled by the appointment of William Preston Johnston, of Louisiana, in place of Noah Porter, of Connecticut, resigned, and the appointment of John B. Henderson, of Missouri, in place of Montgomery C. Meigs, deceased, and by the reappointment of Henry Coppée, of Pennsylvania, whose term of office expired on December 26, 1891.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Alabama that as the Senate resolution is not before the House he can accomplish his object by asking the consideration of this as a House resolution.

Mr. WHEELER of Alabama. That is what I do now.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Alabama?

Mr. CUMMINGS. Mr. Speaker, I object. My objection is on the ground that the original resolution from the Senate has been referred to the Committee on the Library; and if the gentleman will allow me time I will report it to the House to-morrow with an amendment.

Mr. WHEELER of Alabama. I would like to say to the House——

The SPEAKER *pro tempore*. The gentleman from New York objects.

INTRODUCTION OF BILLS.

By unanimous consent, bills of the following titles were introduced, read a first and second time, ordered to be printed, and referred to the several committees named below:

SUBPORT OF ENTRY, WEST POINT, VA.

By Mr. WISE: A bill (H. R. 4004) to establish West Point, Va., a subport of entry and delivery in the collection district of Richmond, Va.—to the Committee on Interstate and Foreign Commerce.

LOANS ON REAL ESTATE BY NATIONAL BANKS.

By Mr. TURPIN: A bill (H. R. 4005) to amend the seventh subdivision of section 5136 and the second subdivision of section 5137 of the Revised Statutes of the United States.

The SPEAKER *pro tempore*. The title of the bill does not give any indication of the committee to which this bill should be referred.

Mr. TURPIN. I should like to have it referred to the Committee on Coinage, Weights, and Measures. It relates to allowing national banks the privilege of loaning money on real estate as collateral security.

The SPEAKER *pro tempore*. The Chair thinks under the rule it should be referred to the Committee on Banking and Currency.

Mr. TURPIN. That was the first bill I introduced in this Congress, and it was referred to that committee last year, and I never heard from it any more, although I tried very hard to hear from it.

The SPEAKER *pro tempore*. The Chair thinks that under the rule it should go to the Committee on Banking and Currency, unless a motion is made to the contrary.

Mr. TURPIN. Then I move that it be referred to the Committee on Coinage, Weights, and Measures.

Mr. DINGLEY. What is the bill? The title gives no information at all as to the subject of it.

Mr. TURPIN. I will tell the gentleman what the bill is. It is simply to allow national banks the privilege of loaning money on real estate security.

Mr. DINGLEY. Obviously it does not belong to the Committee on Coinage, Weights, and Measures.

Mr. TURPIN. I would like to have it go to that committee, because I never could get the other committee to notice it.

The SPEAKER *pro tempore*. The gentleman from Alabama [Mr. TURPIN] moves the reference of the bill to the Committee on Coinage, Weights, and Measures.

Mr. DINGLEY. I will move to amend that by referring it to the Committee on Banking and Currency.

The question being taken on the amendment offered by Mr. DINGLEY, it was agreed to.

The SPEAKER *pro tempore*. The bill will be referred to the Committee on Banking and Currency, in the absence of objection.

QUINCY PONTOON BRIDGE COMPANY.

By Mr. WIKE: A bill (H. R. 4006) authorizing the Quincy Pontoon Bridge Company to construct and maintain a pontoon bridge across the Mississippi River, at the city of Quincy, in the State of Illinois—to the Committee on Interstate and Foreign Commerce.

CONGRESSIONAL CORRESPONDENCE.

By Mr. HAYES (by request): A bill (H. R. 4007) to establish an office of Congressional correspondence and Department business—to the Committee on the Revision of the Laws.

ADMISSION OF THE TERRITORY OF UTAH.

By Mr. CLARK of Wyoming (by request): A bill (H. R. 4008) enabling the people of Utah to form a constitution and State government, and for the admission of said State into the Union on an equal footing with the original States—to the Committee on the Territories.

ADDITIONAL ASSISTANCE TO HOUSE LOCKSMITH.

By Mr. PAGE of Rhode Island: A resolution to furnish additional assistance to the locksmith of the House—to the Committee on Accounts.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Kentucky that the House do now adjourn.

The motion was agreed to.

The SPEAKER *pro tempore*. Before announcing the result, the Chair desires to lay before the House the following requests of members:

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. O'FERRALL for five days, on account of absence from the city.

To Mr. CUTTING, for one week.

WITHDRAWAL OF PAPERS.

Mr. TAYLOR of Illinois obtained unanimous consent to withdraw from the files of the House, without leaving copies, memorials, petitions, and indorsements and reports from the Chamber of Commerce of Chicago and other leading Western and Southern cities for the establishment of a first-class steamship mail service from Tampa, Fla., to Aspinwall, Central America.

Then (at 4 o'clock and 20 minutes p. m.) the House adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. ALDERSON: A bill (H. R. 4009) to carry out the findings of the Court of Claims in the case of Henry T. Woody—to the Committee on War Claims.

By Mr. ANDREW: A bill (H. R. 4010) for the relief of G. M. Finotti—to the Committee on War Claims.

Also, a bill (H. R. 4011) granting a pension to Philip T. Greely—to the Committee on Invalid Pensions.

By Mr. BACON: A bill (H. R. 4012) to relieve George W. Powers of the charge of dishonorable conduct—to the Committee on Military Affairs.

Also, a bill (H. R. 4013) for the relief of James E. Kelsey and others—to the Committee on Claims.

By Mr. BANKHEAD: A bill (H. R. 4014) for the relief of Samuel C. Dunn, James H. Walton, John Swindle, Thomas Clements, and William Dunn—to the Committee on the Judiciary.

Also, a bill (H. R. 4015) for the relief of Alfred B. Chum, of Jefferson County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4016) for the relief of Dr. John B. Read—to the Committee on War Claims.

By Mr. BARTINE: A bill (H. R. 4017) for the relief of P. H. Doyle, assignee of William M. Shimmins and George H. McPherson—to the Committee on Claims.

By Mr. BELKNAP: A bill (H. R. 4018) granting a pension to Mary A. H. Hartz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4019) granting a pension to Mary Chamberlin—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 4020) to ascertain and pay for loss of property sustained by Lieut. J. C. Colwell—to the Committee on Claims.

By Mr. BOWMAN: A bill (H. R. 4021) granting an increase of pension to Ransom L. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4022) granting an increase of pension to John C. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4023) granting a pension to Philip G. Dunn—to the Committee on Invalid Pensions.

By Mr. BRODERICK: A bill (H. R. 4024) for the relief of Charles P. Chouteau, survivor of Chouteau, Harrison & Valle—to the Committee on War Claims.

Also, a bill (H. R. 4025) for the relief of O. H. Perry, administrator of the estate of George W. Perry, late of Craven County, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 4026) for the relief of Florence A. Brown, administratrix of the estate of John A. Brown—to the Committee on War Claims.

By Mr. BROOKSHIRE: A bill (H. R. 4027) granting a pension to Albert G. Collier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4028) granting an increase of pension to Clifford W. Ross—to the Committee on Invalid Pensions.

By Mr. BUCHANAN of Virginia: A bill (H. R. 4029) granting a pension to Charles A. Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4030) for the relief of A. F. and N. C. St. John—to the Committee on War Claims.

By Mr. BUTLER: A bill (H. R. 4031) increasing the pension of Henry O'Conner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4032) increasing the pension of Thomas Wells—to the Committee on Invalid Pensions.

By Mr. BUNN: A bill (H. R. 4033) for the relief of James Bigler—to the Committee on War Claims.

By Mr. McRAE: A bill (H. R. 4034) to increase the pension of John D. Prator—to the Committee on Pensions.

Also, a bill (H. R. 4035) increasing the pension of Terrence Murphy—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 4036) for the relief of William H. Hugo—to the Committee on Military Affairs.

By Mr. CAINE: A bill (H. R. 4037) for the relief of Nathan Tanner—to the Committee on War Claims.

By Mr. CAPEHART: A bill (H. R. 4038) granting relief to William C. McCroskey, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 4039) granting relief to John Huber—to the Committee on Military Affairs.

Also, a bill (H. R. 4040) for the relief of Hatcher and Hiram Short—to the Committee on War Claims.

Also, a bill (H. R. 4041) for the relief of Nimrod McKee—to the Committee on Claims.

By Mr. CARUTH: A bill (H. R. 4042) granting a pension to Milton C. Tully—to the Committee on Pensions.

Also, a bill (H. R. 4043) granting an increase of pension to William A. Birch—to the Committee on Pensions.

Also, a bill (H. R. 4044) for the relief of Elizabeth A. Forman—to the Committee on War Claims.

By Mr. COBB of Missouri: A bill (H. R. 4045) for the benefit of sundry persons residing in the vicinity of Jefferson Barracks—to the Committee on Military Affairs.

Also, a bill (H. R. 4046) for the relief of J. E. Gillingwaters—to the Committee on Military Affairs.

Also, a bill (H. R. 4047) granting a pension to Ellen Hewitt—to the Committee on Invalid Pensions.

By Mr. COCKRAN: A bill (H. R. 4048) to reappoint Warren C. Beach as a captain in the Army and to place him on the retired list in addition to the number now authorized—to the Committee on Military Affairs.

By Mr. COOPER: A bill (H. R. 4049) for the relief of Pleasant R. Israel—to the Committee on Pensions.

Also, a bill (H. R. 4050) for relief of A. J. Abbot—to the Committee on Military Affairs.

Also, a bill (H. R. 4051) for the relief of Harrison Stanley—to the Committee on Pensions.

By Mr. COVERT: A bill (H. R. 4052) for the relief of Mary A. Fitzsimmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4053) for the relief of Alexander Stoddart, of New York—to the Committee on War Claims.

Also, a bill (H. R. 4054) for the relief of the New York, Lake Erie and Western Railroad Company—to the Committee on Claims.

Also, a bill (H. R. 4055) in relation to refunding certain sums to port wardens—to the Committee on Claims:

By Mr. CUMMINGS: A bill (H. R. 4056) granting an increase of pension to Franz Neihaus—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 4057) to provide for the adjustment of certain accounts of Edwin A. Merritt—to the Committee on Claims.

By Mr. DE ARMOND (by request): A bill (H. R. 4058) for the relief of Robert Moore—to the Committee on War Claims.

Also (by request), a bill (H. R. 4059) for the relief of Francis M. Lawrence—to the Committee on War Claims.

Also (by request), a bill (H. R. 4060) for the relief of Tillard Ragan—to the Committee on War Claims.

Also (by request), a bill (H. R. 4061) for the relief of August Schumann—to the Committee on War Claims.

Also, a bill (H. R. 4062) for the relief of Samuel W. Dicus—to the Committee on War Claims.

Also (by request), a bill (H. R. 4063) for the relief of Jesse C. Newell—to the Committee on War Claims.

By Mr. DOAN: A bill (H. R. 4064) for the relief of Bruno Nohl—to the Committee on Invalid Pensions.

By Mr. ENGLISH: A bill (H. R. 4065) granting an honorable discharge to Louis Van Linden—to the Committee on Military Affairs.

Also, a bill (H. R. 4066) granting an honorable discharge to Charles H. Collver—to the Committee on Military Affairs.

By Mr. ENLOE: A bill (H. R. 4067) for the relief of W. H. Kerley, administrator of Jesse E. Kerley, deceased—to the Committee on War Claims.

By Mr. ENOCHS: A bill (H. R. 4068) granting a pension to Elizabeth Wilkison—to the Committee on War Claims.

Also, a bill (H. R. 4069) granting a pension to Madison Wall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4070) granting a pension to David McQuaid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4071) for the relief of George W. Schachleiter—to the Committee on Military Affairs.

Also, a bill (H. R. 4072) to reimburse James B. Bazzell for money expended by him while recruiting volunteers for the late war—to the Committee on War Claims.

Also, a bill (H. R. 4073) for the relief of John McNaughton—to the Committee on Pensions.

By Mr. EVERETT: A bill (H. R. 4074) for the relief of Pleasant Grove Church, Catoosa County, Ga.—to the Committee on War Claims.

By Mr. FELLOWS: A bill (H. R. 4075) granting an honorable discharge to Edward O'Rouke—to the Committee on Military Affairs.

Also, a bill (H. R. 4076) for the relief of the Old Dominion Steamship Company—to the Committee on Claims.

By Mr. FUNSTON: A bill (H. R. 4077) for the relief of Nicholas Dakin for services rendered the Government—to the Committee on War Claims.

Also, a bill (H. R. 4078) for the relief of Joshua M. Bailey—to the Committee on War Claims.

By Mr. GRADY (by request): A bill (H. R. 4079) for the relief of the estate of John C. McNeill, Cumberland County, N. C.—to the Committee on War Claims.

By Mr. GROUT: A bill (H. R. 4080) to correct the military record of Henry L. Franklin—to the Committee on Military Affairs.

By Mr. HALL: A bill (H. R. 4081) for the relief of the estate of Ramsey Crooks—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 4082) for the relief of Julius Austrian—to the Committee on Indian Affairs.

Also, a bill (H. R. 4083) for the relief of the estate of Ramsey Crooks—to the Committee on Indian Affairs.

By Mr. HARMER: A bill (H. R. 4084) to appoint Lewis R. Hamersly upon the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. HARRIES: A bill (H. R. 4085) for the relief of James Healy—to the Committee on Claims.

By Mr. HARTER: A bill (H. R. 4086) granting an honorable discharge to Solomon Boston—to the Committee on Military Affairs.

Also, a bill (H. R. 4087) granting an honorable discharge to Frank Colgan—to the Committee on Military Affairs.

By Mr. HATCH: A bill (H. R. 4088) for the relief of Charles A. Coulson, private of Company H, Twenty-first Missouri Infantry Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4089) for the relief of James W. Ralls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4090) granting a pension to Litha J. Shalley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4091) granting a pension to Frances D. Best—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4092) granting a pension to Samuel Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4093) granting a pension to John Brewster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4094) for the relief of the Methodist Episcopal Church of Macon City—to the Committee on War Claims.

Also, a bill (H. R. 4095) for the relief of James Price—to the Committee on War Claims.

Also, a bill (H. R. 4096) for the relief of Henry J. Hewitt—to the Committee on War Claims.

Also, a bill (H. R. 4097) for the relief of the Catholic Church at Macon City, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 4098) for the relief of William Wolfe—to the Committee on War Claims.

Also, a bill (H. R. 4099) for the relief of Orcinus C. Snyder—to the Committee on Military Affairs.

Also, a bill (H. R. 4100) for the relief of Samuel Pugh—to the Committee on Claims.

Also, a bill (H. R. 4101) for the relief of Joseph T. Scott—to the Committee on Naval Affairs.

Also, a bill (H. R. 4102) granting certain franking privileges to the agricultural experiment station located at or near Geneva, N. Y.—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYNES: A bill (H. R. 4103) for the relief of the Gendron Iron Wheel Company, of Toledo, Ohio—to the Committee on Claims.

Also, a bill (H. R. 4104) granting an honorable discharge to James V. Mayby—to the Committee on Military Affairs.

Also, a bill (H. R. 4105) for the relief of William Chesnutwood—to the Committee on Military Affairs.

By Mr. HEARD: A bill (H. R. 4106) granting a pension to Sarah C. Rutledge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4107) to change the corporate name of the National Safe Deposit Company of Washington—to the Committee on the District of Columbia.

Also, a bill (H. R. 4108) for the relief of legal representatives or heirs of the estate of Edward Morgan, deceased—to the Committee on War Claims.

By Mr. HERMANN: A bill (H. R. 4109) to pension Elijah T. Estes for services in the Black Hawk war—to the Committee on Pensions.

Also, a bill (H. R. 4110) for the relief of William A. Starkweather, of Oregon—to the Committee on Claims.

By Mr. HOAR: A bill (H. R. 4111) to correct the record of E. E. Rankin, and for other purposes—to the Committee on Military Affairs.

By Mr. HOOKER of Mississippi: A bill (H. R. 4112) for the relief of the Roman Catholic Church of St. Peter's, at Jackson, Miss.—to the Committee on War Claims.

By Mr. HOOKER of New York: A bill (H. R. 4113) to grant an honorable discharge to George W. Barr from the Army—to the Committee on Military Affairs.

By Mr. HOUK of Ohio: A bill (H. R. 4114) to place the name

of Capt. William Fletcher on the retired list of United States Army with rank and pay of major—to the Committee on Military Affairs.

By Mr. HOUK of Tennessee: A bill (H. R. 4115) granting a pension to Henry Ballinger—to the Committee on Pensions.

Also, a bill (H. R. 4116) granting a pension to Nancy M. Smith—to the Committee on Pensions.

Also, a bill (H. R. 4117) granting a pension to Mary L. Wells—to the Committee on Pensions.

Also, a bill (H. R. 4118) granting a pension to Bridget McMahon, widow of George W. McMahon—to the Committee on Pensions.

Also, a bill (H. R. 4119) granting a pension to Champion Duncan, of Huntsville, Tenn.—to the Committee on Pensions.

Also, a bill (H. R. 4120) granting a pension to Mandy and W. H. Carter, of Ripley, Miss.—to the Committee on Pensions.

Also, a bill (H. R. 4121) to authorize and direct the Secretary of War to investigate the claim made for fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as Cameron Hill, and to provide for the payment thereof—to the Committee on War Claims.

Also, a bill (H. R. 4122) for the relief of Horace L. Bradley, of Knoxville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4123) for the relief of the legal representatives of John H. Jones and Thomas D. Harris—to the Committee on War Claims.

Also, a bill (H. R. 4124) for the relief of the representatives of W. G. Brownlow, Brownlow & Hawes, and Brownlow, Hawes & Co.—to the Committee on Claims.

Also, a bill (H. R. 4125) for the relief of A. P. H. Stewart for rebate of internal-revenue tax wrongfully collected—to the Committee on Claims.

Also, a bill (H. R. 4126) for the relief of Capt. William S. Reynolds's scouts—to the Committee on Invalid Pensions.

By Mr. HEMPHILL: A bill (H. R. 4127) for the relief of the estate of William B. Todd, deceased—to the Committee on the District of Columbia.

By Mr. JOHNSON of Indiana: A bill (H. R. 4128) for the relief of the children of Peter H. Cookus, deceased—to the Committee on Claims.

By Mr. KENDALL: A bill (H. R. 4129) removing the charge of desertion from the record of John T. Faulkner—to the Committee on Military Affairs.

Also, a bill (H. R. 4130) for the relief of Meredith Risner—to the Committee on Military Affairs.

Also, a bill (H. R. 4131) for relief of W. C. Scholl, of Stanton, Powell County, Ky.—to the Committee on Military Affairs.

Also, a bill (H. R. 4132) placing the name of Reuben Patrick on the roll as a soldier—to the Committee on Military Affairs.

By Mr. KYLE: A bill (H. R. 4133) for the relief of Richard W. Winbarn, of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4134) for the relief of Mrs. Nancy C. Smith, of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4135) for the relief of the heirs of the estate of William M. Kimmons, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4136) for the relief of T. C. Dockery, administrator of William Sloan, deceased, late of De Soto County, Miss., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 4137) for relief C. S. Farrar, administrator of Dr. Gray W. Smith, of Marshall County, Miss., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill H. R. 4138) for the relief of Mrs. Eunice Hurdle, of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4139) for the relief of Dr. John H. Jones, of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4140) for the relief of Martha A. Allen, administratrix of Wyatt M. Allen, deceased, late of De Soto County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4141) for the relief of Philip Raiford, administrator of Margaret B. Raiford, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4142) for the relief of Elizabeth and B. L. Crum, of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4143) for the relief of the estate E. S. Matlock, deceased, of Benton County, Miss.—to the Committee on War Claims.

By Mr. LANHAM: A bill (H. R. 4144) for the relief of Ann Barnes—to the Committee on War Claims.

By Mr. LAWSON of Georgia: A bill (H. R. 4145) for the relief of Mildred P. Poullain, widow of Dr. Thomas N. Poullain, deceased—to the Committee on War Claims.

By Mr. LAYTON: A bill (H. R. 4146) granting a pension to Elizabeth Miller—to the Committee on Pensions.

Also, a bill (H. R. 4147) granting a pension to Annette Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4148) granting relief to George Dickas—to the Committee on Military Affairs.

Also, a bill (H. R. 4149) for the relief of John Howell—to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 4150) granting an additional pension to Hugh Donnelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4151) for the relief of Henry Moore—to the Committee on Military Affairs.

By Mr. LOCKWOOD: A bill (H. R. 4152) granting a pension to William Coddington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4153) granting a pension to Jennie Butler—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 4154) for the relief of Philip Loney—to the Committee on Claims.

By Mr. McCREARY: A bill (H. R. 4155) for the relief of J. A. Clark, executor of James Clark, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4156) for the relief of James C. Matherly, assignee of John C. Pierce—to the Committee on War Claims.

Also, a bill (H. R. 4157) for the relief of Matt Wakefield, administrator of M. A. Wakefield, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4158) for the relief of Sandford D. Van Pitt—to the Committee on War Claims.

Also, a bill (H. R. 4159) for the relief of Katharine Harrison—to the Committee on War Claims.

Also, a bill (H. R. 4160) for the relief of James M. Bullock—to the Committee on War Claims.

Also, a bill (H. R. 4161) for the relief of Mrs. Eugenia Dunlap Potts—to the Committee on War Claims.

Also, a bill (H. R. 4162) for the relief of B. F. Chatham—to the Committee on War Claims.

Also, a bill (H. R. 4163) for the relief of Finley P. Parker—to the Committee on War Claims.

Also, a bill (H. R. 4164) for the relief of George Denny, sr.—to the Committee on War Claims.

Also, a bill (H. R. 4165) for relief of Mrs. Christiania M. Scrugham—to the Committee on War Claims.

Also, a bill (H. R. 4166) for the relief of the administrator of H. L. Carpenter—to the Committee on War Claims.

Also, a bill (H. R. 4167) for the relief of Larkin H. Penny—to the Committee on War Claims.

Also, a bill (H. R. 4168) for the relief of A. J. and B. F. Haydon—to the Committee on War Claims.

Also, a bill (H. R. 4169) for the relief of S. W. Carrier—to the Committee on War Claims.

Also, a bill (H. R. 4170) for the relief of Lucy A. Steinberger—to the Committee on War Claims.

Also, a bill (H. R. 4171) for the relief of Abijah B. Gilbert—to the Committee on War Claims.

Also, a bill (H. R. 4172) for the relief of David L. Stephenson—to the Committee on War Claims.

Also, a bill (H. R. 4173) for the relief of the heirs of J. D. McKenzie—to the Committee on War Claims.

Also, a bill (H. R. 4174) for relief of the Madison Female Institute, located at Richmond, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 4175) for the relief of William R. Ballard—to the Committee on War Claims.

Also, a bill (H. R. 4176) for the relief of H. Scott—to the Committee on War Claims.

Also, a bill (H. R. 4177) for the relief of S. P. Martin—to the Committee on War Claims.

Also, a bill (H. R. 4178) for the relief of H. Manwarring—to the Committee on War Claims.

Also, a bill (H. R. 4179) for the relief of the heirs of James D. McKendzie—to the Committee on War Claims.

Also, a bill (H. R. 4180) for the relief of Amanda Goggin's heirs—to the Committee on War Claims.

Also, a bill (H. R. 4181) for the relief of William T. Saunders, administrator of Susan Saunders—to the Committee on War Claims.

Also, a bill (H. R. 4182) for the relief of J. H. Gabbard—to the Committee on War Claims.

Also, a bill (H. R. 4183) for the relief of the administrator of H. L. Carpenter—to the Committee on War Claims.

Also, a bill (H. R. 4184) for the relief of Charles M. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 4185) for the relief of E. I. Baker—to the Committee on War Claims.

Also, a bill (H. R. 4186) for the relief of Simeon H. King's executrix—to the Committee on War Claims.

Also, a bill (H. R. 4187) for the relief of A. C. Robinson, executor of Jacob Robinson—to the Committee on War Claims.

Also, a bill (H. R. 4188) granting a pension to Richard W. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4189) granting a pension to S. F. Storrs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4190) granting a pension to Nancy J. Oaks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4191) granting a pension to Eugene Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4192) granting a pension to Carter Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4193) granting a pension to Thomas J. Chestnutt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4194) granting a pension to D. C. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4195) for the relief of S. S. Deering, dependent father of George Deering, late adjutant Seventeenth Kentucky Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4196) granting a pension to Charles T. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4197) granting a pension to Martha A. Bibb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4198) for the relief of the soldiers of the Three Forks Battalion of Kentucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4199) granting a pension to Georgia Ann Coyle, widow of Charles C. Coyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4200) to place the name of George Lackey on the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4201) granting a pension to Adam Petry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4202) to increase the pension of Dynes C. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4203) granting a pension to Lewis E. Lloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4204) to remove the charge of desertion from the military record of Thomas R. Hawkins—to the Committee on Military Affairs.

Also, a bill (H. R. 4205) to remove the charge of desertion from the military record of James Naylor—to the Committee on Military Affairs.

Also, a bill (H. R. 4206) to remove the charge of desertion from the military record of William J. Owens—to the Committee on Military Affairs.

Also, a bill (H. R. 4207) for the relief of Wright Arnold—to the Committee on Military Affairs.

Also, a bill (H. R. 4208) for the relief of Maj. William M. Maynadier, late paymaster in the United States Army—to the Committee on Claims.

Also, a bill (H. R. 4209) for the relief of Estes & Warren—to the Committee on Claims.

Also, a bill (H. R. 4210) for the relief of Maria E. Warfield—to the Committee on Claims.

Also, a bill (H. R. 4211) for the relief of H. S. Powell—to the Committee on Claims.

Also, a bill (H. R. 4212) granting a pension to Mary Jane Owsley—to the Committee on Pensions.

By Mr. MCKAIG: A bill (H. R. 4213) for the relief of Edwin B. Hay—to the Committee on Claims.

Also, a bill (H. R. 4214) to refund to property-holders on Pennsylvania avenue between First and Fifteenth streets west two-thirds of the assessment levied and paid under the act of Congress of July 8, 1870—to the Committee on the District of Columbia.

By Mr. MCKINNEY: A bill (H. R. 4215) to correct the military record of Capt. William C. Knowlton—to the Committee on Military Affairs.

Also, a bill (H. R. 4216) to increase the pension of Sarah Pennock—to the Committee on Pensions.

Also, a bill (H. R. 4217) to pension John E. Little—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4218) to correct the military record of Daniel Stran—to the Committee on Military Affairs.

Also, a bill (H. R. 4219) to increase the pension of Albert G. Fifield—to the Committee on Invalid Pensions.

By Mr. MCCLELLAN: A bill (H. R. 4220) to increase the pension of George W. North, Company K, Eighty-eighth Regiment Indiana Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4221) for the relief of Lewis Deems—to the Committee on Claims.

By Mr. MANSUR: A bill (H. R. 4222) for the relief of James C. Wallace, administrator of Thomas Owens, deceased—to the Committee on War Claims.

By Mr. MARTIN: A bill (H. R. 4223) to restore the name of Cynthia E. Brinneman to the pension roll—to the Committee on Invalid Pensions.

By Mr. MITCHELL: A bill (H. R. 4224) for the relief of Francisco Romair, an Indian scout, now blind—to the Committee on Invalid Pensions.

By Mr. PAGE of Rhode Island: A bill (H. R. 4225) granting a pension to Mary R. Dean, widow of Amos G. Thomas, late captain in the Eleventh Regiment of Rhode Island Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4226) increasing the pension of James L. Chipman, late assistant surgeon of the Thirty-ninth Regiment of Massachusetts Infantry Volunteers—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Tennessee: A bill (H. R. 4227) for the relief of J. J. Bailey, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4228) for the relief of T. J. Waller, of Fayette County, Tenn.—to the Committee on War Claims.

By Mr. PATTON: A bill (H. R. 4229) for the relief of Joseph Flickenstein—to the Committee on Pensions.

By Mr. PEEL: A bill (H. R. 4230) for the relief of Andrew Wilks—to the Committee on Military Affairs.

By Mr. RUSK: A bill (H. R. 4231) for the relief of Gustav Hubert Schmidt—to the Committee on Military Affairs.

Also, a bill (H. R. 4232) for the relief of William A. Cowen—to the Committee on Military Affairs.

Also, a bill (H. R. 4233) for the relief of James H. Morrison—to the Committee on Naval Affairs.

By Mr. SPRINGER: A bill (H. R. 4234) granting a pension to Elizabeth Hineline, dependent mother of James Hineline, Company B, Seventh Battalion District of Columbia Volunteers—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 4235) for the relief of the city of Cairo, in the State of Illinois—to the Committee on Claims.

By Mr. SAYERS: A bill (H. R. 4236) for the relief of Thornton A. Washington—to the Committee on Private Land Claims.

By Mr. STONE of Kentucky (by request): A bill (H. R. 4237) for the relief of Lewis D. Allen—to the Committee on War Claims.

Also, a bill (H. R. 4238) to carry into effect the recommendation of the board of admirals convened pursuant to the joint resolution approved February 5, 1879, in the case of Commander Henry Glass, United States Navy—to the Committee on Naval Affairs.

By Mr. STAHLNECKER: A bill (H. R. 4239) granting a pension to Sarah Willetts, mother of Charles Child, late captain Company G, Ninth Regiment New York Volunteers—to the Committee on Invalid Pensions.

By Mr. SHIVELY: A bill (H. R. 4240) granting an increase of pension to Mrs. Alberta J. McCory—to the Committee on Invalid Pensions.

By Mr. TARSNEY: A bill (H. R. 4241) for the relief of R. H. Hoffman—to the Committee on War Claims.

Also, a bill (H. R. 4242) for the relief of Samuel T. Hoover—to the Committee on War Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 4243) for the relief of L. H. Goodwin and R. E. Goodwin—to the Committee on War Claims.

Also, a bill (H. R. 4244) for the relief of W. R. Price—to the Committee on War Claims.

Also, a bill (H. R. 4245) for the relief of Caty Jones, administratrix of the estate of William Irvin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4246) for the relief of the estate of William D. O'Brien—to the Committee on War Claims.

Also, a bill (H. R. 4247) for the relief of the legal representatives of Joseph Henderson—to the Committee on War Claims.

Also, a bill (H. R. 4248) granting a pension to John B. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4249) granting a pension to Thomas Pemberton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4250) granting a pension to Mary A. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4251) for the relief of Elisha P. Coffee—to the Committee on Military Affairs.

Also, a bill (H. R. 4252) to authorize the Secretary of War to place on the rolls of Company B, Eighth Tennessee Cavalry, the name of John M. Collier—to the Committee on Military Affairs.

Also, a bill (H. R. 4253) for the relief of Lewis F. Self—to the Committee on the Post-Office and Post-Roads.

By Mr. TURPIN: A bill (H. R. 4254) to pension J. J. Moore, of Dallas County, Ala.—to the Committee on Pensions.

Also, a bill (H. R. 4255) to pension Samuel G. Briggs, of Hale County, Ala.—to the Committee on Pensions.

By Mr. WAUGH: A bill (H. R. 4256) to reimburse Isaac D. Armstrong for stolen bonds—to the Committee on Claims.

By Mr. WEADOCK: A bill (H. R. 4257) to correct and amend the military record of Charles E. Thompson—to the Committee on Military Affairs.

Also, a bill (H. R. 4258) to correct and amend the military record of John Packard—to the Committee on Military Affairs.

Also, a bill (H. R. 4259) to correct the military record of Thomas La Fave—to the Committee on Military Affairs.

Also, a bill (H. R. 4260) to correct the military record of George Paquette—to the Committee on Military Affairs.

Also, a bill (H. R. 4261) granting a pension to Francis C. Baker—to the Committee on Invalid Pensions.

By Mr. WHEELER of Michigan: A bill (H. R. 4262) granting arrears of pension to James H. Lobdell, late first lieutenant Company H, Sixth Michigan Cavalry—to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 4263) granting a pension to Squire F. Brown, late of Company G, Seventeenth Ohio Volunteers—to the Committee on Invalid Pensions.

By Mr. WHITING: A bill (H. R. 4264) for the relief of Samuel G. Hunter—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 4265) granting a pension to Sarah A. Nelson—to the Committee on Pensions.

By Mr. WILSON of Missouri: A bill (H. R. 4266) for the relief of C. G. Jesse—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4267) for the relief of John S. Logan, assignee—to the Committee on Claims.

Also, a bill (H. R. 4268) granting a pension to John N. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4269) for the relief of Jacob Mettier—to the Committee on War Claims.

Also, a bill (H. R. 4270) for the relief of D. P. Abbott, A. S. Keeves, and T. E. Smith—to the Committee on Claims.

By Mr. WILSON of West Virginia: A bill (H. R. 4271) for the relief of Isaac W. Busey—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk and referred as follows:

By Mr. ABBOTT: Papers to accompany House bill 3522, for the relief of Mrs. L. E. Hudson—to the Committee on Claims.

By Mr. ANDREW: Papers to accompany House bill 3633, for the relief of Annie K. Freitay—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Philip J. Gurly—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of G. M. Finotti—to the Committee on War Claims.

By Mr. BRETZ: Petition for pension legislation to accompany House bill 3863—to the Committee on Invalid Pensions.

By Mr. BULLOCK: Petition of citizens of Tangerine, Fla.; of citizens of Eustis, Fla., and of citizens of Mount Dera, Fla., asking Congress to take action looking to the establishment of the principle of arbitration to settle international questions, and suggesting a conference of governments to be held at the World's Fair at Chicago—to the Committee on Foreign Relations.

By Mr. BYNUM: Petition of Mrs. Bertha Test, for increase of pension; of John W. Kise, late a private Company I, Seventh Indiana Regiment, for increase of pension to $30 per month—to the Committee on Invalid Pensions.

Also, petition of B. F. Fesler and 5 other citizens of Madison County, Ind., for the enactment of a law to prevent gambling in grain—to the Committee on Agriculture.

Also, petition of William O. Eagle, with affidavits, for correction of record—to the Committee on Military Affairs.

Also, petition of Capt. John M. Brown, in support of his claim—to the Committee on War Claims.

By Mr. CARUTH: Papers to accompany House bill 1092, granting an increase of pension to Orlenia J. Clark—to the Committee on Pensions.

Also, papers to accompany House bill 1093, granting an increase of pension to Samuel J. Boling—to the Committee on Pensions.

Also, papers to accompany House bill 1131, for the relief of J. R. Mount, of Oldham County, Ky.—to the Committee on War Claims.

Also, petition of Emile M. Ferriere, accompanying House bill 1118, that her claim for property taken during the war be referred to the Court of Claims—to the Committee on War Claims.

Also, papers to accompany House bill 1104, granting an increase of pension to Caroline Tranernicht—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 1100, granting a pension to Mary Catherine Reardon, an army nurse—to the Committee on Invalid Pensions.

Also, papers accompanying House bill 1099, granting a pension to Mike McCarty, the blind son of Dennis McCarty, late lieutenant of Company H, Fourth Kentucky Cavalry—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 1096, granting a pension to Julia Hood, an army nurse—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 1116, for the relief of George Louis Cousins—to the Committee on War Claims.

Also, papers to accompany House bill 1142, for the relief of Capt. I. B. Webster, of Louisville, Ky.—to the Committee on War Claims.

By Mr. CASTLE: Memorial and resolution of the Chamber of Commerce, St. Paul, Minn., protesting against any act withdrawing certain lands in Northern Minnesota for the establishment of a public park—to the Committee on the Public Lands.

By Mr. COBB of Missouri: Papers to accompany House bill 3530, for the relief of James C. Clarkson—to the Committee on Claims.

Also, papers for the relief of Alfred J. Worcester, late of the Fourteenth Illinois Volunteers—to the Committee on Claims.

Also, papers to accompany House bill 1002, for the relief of Louis Heninger—to the Committee on War Claims.

By Mr. COGSWELL: Papers to accompany House bill 3559, for the relief of Oliver O'Brien—to the Committee on Military Affairs.

Also, papers to accompany House bill 1167, for the relief of Hannah M. Dow—to the Committee on Military Affairs.

By Mr. COOPER: Resolutions of the Democratic convention of the Fifth Indiana Congressional district, in favor of tariff reform and demanding that this issue be given prior and paramount consideration until taxes are reduced to the wants of the Government economically administered—to the Committee on Ways and Means.

By Mr. COVERT: Petition of Nathaniel Downing, jr., and others, and of William D. Parsons and others, for increasing the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of Rev. C. F. Hull and others, in favor of a loan to the directors of the Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. DE ARMOND: Petition of Elizabeth A. Pryor, praying that her claim for property taken by the Army during the war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. DICKERSON: Papers to accompany House bill 3535, for the relief of L. T. Dix—to the Committee on Invalid Pensions.

By Mr. DUNGAN: Petition of citizens of Jackson, Ohio, praying for the rights of independent voters and for an amendment to the Constitution of the United States in the choosing of Representatives in Congress—to the Committee on the Judiciary.

By Mr. ENLOE: Papers to accompany House bill 3889, for the relief of Bethel Presbyterian Church—to the Committee on War Claims.

Also, petition of Mathew Neville, of Shelby County, Tenn.; of Benjamin R. Ellis, of Shelby County, Tenn.; of William H. Ferrell, of Hardeman County, Tenn.; of Obediah Fletcher, of Fayette County, Tenn.; papers to accompany claim of Eugene J. Holehan, of Shelby County, Tenn.; papers accompanying claim of Mrs. J. D. Scott, Grand Junction, Hardeman County, Tenn.; of T. C. Burnham, of Hardin County, Tenn., for reference to the Court of Claims—to the Committee on ———.

By Mr. FELLOWS: Petition for the relief of George C. Jenks—to the Committee on ———.

By Mr. FITCH: Petition and papers to accompany House bill 3668, for the relief of John M. Fuchs—to the Committee on Invalid Pensions.

By Mr. GEISSENHAINER: Papers to accompany bill for the erection of a public building at Elizabeth, N. J.—to the Committee on Public Buildings and Grounds.

By Mr. GROUT: Memorial of S. W. Owen, of East Hardwick, Vt., in behalf of those who paid commutation money during the war—to the Committee on Military Affairs.

By Mr. HAUGEN: Resolution adopted by the Board of Trade of Arcadia, Wis., in favor of a postal rate of 1 cent per ounce on first-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Petition of citizens of Iowa County, Iowa, for the lard bill—to the Committee on Agriculture.

Also, a petition of citizens of the same county, for the option bill—to the Committee on Agriculture.

By Mr. HEARD: Petition of citizens of Dallas County, Mo.,

in favor of granting a pension to Mrs. Sarah C. Rutledge—to the Committee on Invalid Pensions.

By Mr. HENDERSON of Illinois: Petition of Isaac D. Page, late of Company K, Fifty-seventh Regiment of Illinois Volunteer Infantry, for an increase of pension; and of J. E. Lewis and 70 other citizens of Amboy, Lee County, Ill., and of said county, with proof, praying for a special act granting an increase of pension to Myron T. Spencer, late of Company A, Fifth Regiment Michigan Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. HENDERSON of Iowa: Petition of 22 citizens of Black Hawk County, Iowa, urging the passage of the Butterworth option bill—to the Committee on Agriculture.

Also, petition of 23 citizens of Black Hawk County, Iowa, urging the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of District Assembly No. 66, Knights of Labor, Washington, D. C., asking for an appropriation of $85,000 for the completing of the free text-book system in the public schools of the District of Columbia—to the Committee on Appropriations.

Also, petition of Maj. Henry O'Connor, for increase of pension from $12 to $25—to the Committee on Invalid Pensions.

Also, resolutions of the Chamber of Commerce of the State of New York, asking Congress to extend financial aid to the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. HENDERSON of North Carolina: Papers in support of claim of Mathias Miller, of Davie County, N. C.; of John A. Armstrong, of Yadkin County, N. C.—to the Committee on War Claims.

By Mr. HOAR: Petition of George H. Brown and others in regard to salaries at life-saving stations—to the Committee on Interstate and Foreign Commerce.

By Mr. HOOKER of New York: Petition in support of House bill 1429, for the relief of Fayette Adams—to the Committee on Military Affairs.

Also, petition, numerously signed by citizens of New York, for withholding appropriation for the Columbian Exposition unless the same be closed on the Lord's Day—to the Select Committee on the Columbian Exposition.

By Mr. HOUK of Tennessee: Paper accompanying House bill 3030, for the relief of B. R. Hackney—to the Committee on War Claims.

Also, petition of citizens of Knoxville, Tenn., favoring national aid to Columbian Exposition provided the Sabbath day is observed by the same—to the Select Committee on the Columbian Exposition.

Also, petition of trustees of Holsten College, for compensation for rent and for fuel and supplies furnished the Federal Army—to the Committee on War Claims.

Also, petition of John W. Hunt, of Jefferson County, W. Va., for reference of claims to Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. JOHNSON of Indiana: Petition of fourth-class postmasters, for increase of pay, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. JONES: Petition of O. M. Jones and others, asking for favorable consideration of bill to promote efficiency of Life-Saving Service; of Emory Moffitt and others, for the same purpose—to the Committee on Interstate and Foreign Commerce.

By Mr. LESTER of Georgia: Petition and papers concerning claim of Henry S. Brown, of Emanuel County, Ga.—to the Committee on War Claims.

By Mr. LODGE: Petition of District Assembly, No. 77, Knights of Labor, for the collection of statistics relative to the slums of large cities—to the Select Committee on the Eleventh Census.

Also, petition of District Assembly, No. 216, Knights of Labor, for the collection of statistics relative to the slums of large cities—to the Select Committee on the Eleventh Census.

Also, resolutions of the Boston Associated Board of Trade, approving of the transfer of the Revenue Marine to the Naval Service—to the Committee on Interstate and Foreign Commerce.

By Mr. McALEER: Statement to accompany House bill 1547 for the relief of William Emsley—to the Committee on Invalid Pensions.

By Mr. McCREARY: Papers to accompany House bill 1563 for the relief of H. B. Matteosian—to the Committee on Foreign Affairs.

Also, petition and papers to accompany claim of James Croutcher, with the prayer of many citizens of Rockcastle County, Ky., that a special act be passed granting him a pension—to the Committee on Invalid Pensions.

Also, petition of Martha A. Fullerton, widow of W. H. Fullerton, Company I, Nineteenth Kentucky Volunteers, for restoration of pension—to the Committee on Invalid Pensions.

Also, petition of Martha A. Fullerton for restoration of pension—to the Committee on Invalid Pensions.

By Mr. MANSUR: Papers to accompany House bill 1679 for John Street—to the Committee on Claims.

Also, papers to accompany House bill 1681 for the relief of R. M. Ragsdale—to the Committee on Invalid Pensions.

By Mr. MITCHELL: Resolutions of Arcadia (Wis.) Board of Trade, favoring reduction of letter postage to 1 cent—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the Wisconsin Indian Association, protesting against the proposed removal of the Ute Indians from Colorado—to the Committee on Indian Affairs.

By Mr. PATTERSON of Tennessee: Petition of the heirs of Washington Ivie, deceased, late of Fayette County, Tenn.; of John R. Reaves, administrator of estate of Edmond Reaves, deceased, late of Hardeman County, Tenn.; and of James Y. Reed, of Hardeman County, Tenn., for reference of their claims to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of Ferdinand U. Tuck, of Weakley County, Tenn., for horse lost in the United States service during the late war—to the Committee on War Claims.

By Mr. PEEL: Petition to accompany claim of George Morrow, Washington County, Ark.—to the Committee on War Claims.

Also, petition in support of House bill 1931, for the relief of George W. Boling—to the Committee on Military Affairs.

Also, resolutions in regard to opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PERKINS: Petition of citizens of Sac County, Iowa, in behalf of the Butterworth bill defining options and futures—to the Committee on Agriculture.

By Mr. PIERCE: Petition of John Threlkeld, of Obion County, Tenn.; and of Hugh Taylor, of Obion County, Tenn.; of John Micham, of William Wallace, of same county, for reference of claim to the Court of Claims under provisions of the Bowman act—to the Committee on War Claims.

By Mr. RANDALL: Resolutions of Fall River Board of Trade regarding immigration—to the Select Committee on Immigration and Naturalization.

By Mr. RUSK: Petition for the relief of Gustav Hubert Schmidt—to the Committee on Military Affairs.

Also, petition of James H. Morrison, for relief—to the Committee on Naval Affairs.

By Mr. SCULL: Petition of members of the Presbyterian Church, Pennsylvania, in favor of closing the Columbian Exposition to visitors on the Lord's day—to the Select Committee on the Columbian Exposition.

By Mr. SEERLEY: Petition of Henry O'Connor, asking increase of pension—to the Committee on Invalid Pensions.

Mr. SHIVELY: Resolutions of the New York Chamber of Commerce relative to the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. SNODGRASS: Petition on claim of C. E. Walker, of Monroe County, Tenn.—to the Committee on War Claims.

By Mr. SPERRY: Memorial of William K. Mayo, to accompany House bill 3575—to the Committee on Military Affairs.

By Mr. WALKER: Petition to accompany House bill 3588, for the relief of W. H. Cummings—to the Committee on Invalid Pensions.

By Mr. WAUGH: Petition of citizens of Tipton County, Ind., for an increase of pay to fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Howard County, Ind., for the passage of a bill imposing a revenue tax upon compound lard—to the Committee on Agriculture.

By Mr. WEADOCK: Petition for passage of bill increasing pay of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of H. A. Goodale and others, for the relief of Francis C. Baker—to the Committee on Invalid Pensions.

By Mr. WHEELER of Alabama: Petition of estate of Aben Parsons, late of Lauderdale County, Ala., for reference of claim to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of Julius B. Litten, of the same county, for beef and cotton for United States troops during the war—to the Committee on War Claims.

Also, petition of Mrs. Jane W. Lock, of Limestone County, Ala., for bacon, corn meal, flour, potatoes, beef, and salt furnished United States troops during the late war—to the Committee on War Claims.

Also, petition of Matthew N. Grimmett, of Madison County, Ala., for property taken by United States troops during the war from 1861 to 1865—to the Committee on War Claims.

Also, petition of Montgomery P. Asher, of Alabama; of Phineas Thomas, of Lauderdale County, Ala.; of Tabitha Stevens, of Jackson County, Ala.; and of James W. Woodroof, of Limestone County, Ala., for reference of their claims to the Court of Claims

under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. WHEELER of Michigan: Petition of J. S. Gregg and others, of Manistee County, Mich., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. Butler and others, for the improvement of Frankfort harbor—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS of Illinois: Petition in support of House bill 3923, for the relief of Sarah A. Nelson, of Lebanon, Mo.—to the Committee on Pensions.

Also, papers to accompany House bill 3884, for the relief of Curtis P. Wise—to the Committee on Military Affairs.

By Mr. WILLIAMS of North Carolina: Petition of citizens of Rockingham County, N. C., in regard to special tax on tobacco dealers—to the Committee on Ways and Means.

By Mr. WILSON, of Washington: Papers to accompany House bill 3492, for the relief of Robert Williams—to the Committee on Military Affairs.

By Mr. WISE: Petition of W. H. Wesson, to accompany House bill 3501—to the Committee on War Claims.

SENATE.

TUESDAY, *January 19, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

MEXICAN COMMISSION AWARDS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read:

To the Senate of the United States:

I transmit herewith to the Senate a report of the Secretary of State in answer to the resolution of the Senate of the 12th instant, making inquiries regarding payments of the awards of the Claims Commission under the convention of July 4, 1868, between the United States and Mexico.

BENJ. HARRISON.

EXECUTIVE MANSION, *Washington, January 18, 1892.*

The VICE-PRESIDENT. The message, in the absence of the Senator from Alabama [Mr. MORGAN], will lie on the table temporarily, and be printed.

Mr. VEST. I should like to have the accompanying communication from the Secretary of State read.

The VICE-PRESIDENT. The paper will be read.

The Chief Clerk read as follows:

DEPARTMENT OF STATE, *Washington, January 14, 1892.*

The Secretary of State has the honor to submit herewith a report in answer to the resolution of the Senate of the United States of the 12th instant, respecting the awards of the Mixed Claims Commission which sat at Washington under the convention of July 4, 1868, between the United States and Mexico.

The awards of the Commission were rendered in Mexican gold, American gold, and American currency. By the terms of the protocol between the Secretary of State and the Mexican minister under date of January 31, 1878, the various currencies were reduced to the basis of American gold. Upon this basis the net indebtedness of Mexico to the United States, by reason of the awards, was ascertained to be $3,865,498.42.

This amount was paid in full to the United States by Mexico in fourteen annual installments in perfect accordance with the terms of the convention, the final payment having been made January 21, 1890.

The ascertainment of the proportionate share of each of the awards, numbering in all 187, in the total sum of the indemnity, is set forth in detail in the annexed table, marked "A."

Nearly all of these awards have been paid in full to the awardees or their assigns, the principal exceptions being the awards in favor of Benjamin Weil and La Abra Mining Company.

There is at present on deposit to the credit of the Secretary of State, with the assistant treasurer of the United States at New York, on account of all awards of the Commission, the sum of $700,968.57.

Of this amount the sums of $287,833.77 and $403,030.08 are withheld, respectively, on account of the awards rendered in favor of Benjamin Weil and the La Abra Silver Mining Company. These sums aggregate $690,863.85, thus leaving of the sum above stated as being in the hands of the Secretary of State, only $10,104.72 yet to be distributed on account of outstanding interests among the other 185 awards. Deaths of the principals and failure of their administrators or executors to present their claims for the balances due them are the only causes why this sum of $10,104.72 remains undistributed. It is reasonable, however, to expect that the persons entitled to this remainder will present themselves in the near future.

In specific answer to that portion of the resolution which inquires "the amount of any award made under said convention that has been refused payment by the State Department, and what person or persons are now the claimants of interest in said awards, the payment of which has been refused," I have the honor to state that payments have been refused only in the two cases above referred to, namely those of "Benjamin Weil" and the "La Abra Mining Company," and that the annexed transcripts, marked "B" and "C," from the Department's docket, show in detail the dates and amounts of payments made on these awards, respectively, and the persons to whom paid, as well as briefs of the instruments on file in the Department showing what persons are the claimants of interests in these awards.

In answer to the concluding inquiry of the resolution, I have the honor to state that at no time has any part of the moneys received from Mexico been invested.

Respectfully submitted.

JAMES G. BLAINE.

To the PRESIDENT.

(With inclosures.)

The VICE-PRESIDENT. The message, with the accompanying papers, will lie on the table, and be printed.

SUPPLY OF CIRCULATION.

Mr. STANFORD. I desire to give notice that on Thursday morning next I shall ask the Senate to take up the bill (S. 1204) to provide the Government with means sufficient to supply the national want of a sound circulating medium, and that I shall then ask the privilege of submitting a few remarks upon the measure.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of citizens of Stillwater, Minn., praying for the grant of a loan to the World's Columbian Fair, on condition that the exposition be not open on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WILSON presented a petition of 34 citizens of Carnarvon, Iowa, praying for the passage of a bill similar to what is commonly known as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. McMILLAN presented a petition of the Military Order of the Loyal Legion of the United States, of Detroit, Mich., praying that an appropriation be made for a military chapel at Arlington; which was referred to the Committee on Military Affairs.

He also presented a petition of the Military Order of the Loyal Legion of the United States, of Detroit, Mich., praying for the passage of legislation prohibiting the improper use of the flag of the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of the United Presbyterian Church of Bruce, Mich., praying that the World's Columbian Fair be closed on Sunday, in accordance with the law of God, the rights of man, and American precedents; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAWES presented the petition of the Board of Commissioners of Foreign Missions, signed by Rev. Richard S. Storrs, its president, and other officers of that organization, praying for the ratification of the Brussels treaty; which was ordered to lie on the table.

Mr. COKE presented a petition of the city council of Laredo, Tex., praying for the establishment of a military post at that place for the protection of the frontier; which was referred to the Committee on Military Affairs.

Mr. HANSBROUGH presented a petition of citizens of Medford, N. Dak., praying for the passage of legislation similar to what is commonly known as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. HOAR presented a petition of District Assembly No. 210, Knights of Labor, of Boston, Mass., praying for the passage of a bill to authorize the collection of statistics relative to the slums of cities; which was referred to the Committee on Education and Labor.

Mr. PERKINS. I present resolutions in the nature of petitions from the Transmississippi Commercial Congress, the Western States Commercial Congress, and other bodies, praying for the passage of what is known and recognized as the Torrey bankruptcy bill. I move that the petitions be referred to the Committee on the Judiciary, to be considered in connection with the bill.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. MANDERSON, from the Committee on Indian Affairs, to whom was referred the bill (S. 781) for the relief of John Little and Hobart Williams, of Omaha, Nebr., reported it without amendment, and submitted a report thereon.

He also, from the Committee on Military Affairs, to whom was referred the bill (S. 860) for the relief of Wells C. McCool, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 776) for the relief of the heirs of Charles B. Smith, deceased, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 859) for the relief of First Lieut. James Regan, United States Army, reported it without amendment, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 209) to place Henry Zell on the retired list of the Army, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 78) making an appropriation for the improvement of the road to the national cemetery near Pensacola, Fla., reported it without amendment, and submitted a report thereon.

Mr. DAWES, from the Committee on Indian Affairs, to whom

was referred the bill (S. 12) to authorize the Secretary of the Interior to settle the claims of the legal representatives of S. W. Marston, late United States Indian agent at Union Agency, Indian Territory, for services and expenses, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 478) for the relief of Mrs. S. B. Duvall, widow of the late Rev. W. P. Duvall, deceased, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 734) for the relief of John McBean, of Umatilla County, Oregon, reported it without amendment.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the bill (S. 698) to authorize the Secretary of the Interior to carry out in part the provisions of "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure the relinquishment of the Indian title to the remainder, and for other purposes," approved March 2, 1889, and making appropriations for the same, and for other purposes, reported it with an amendment.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the joint resolution (S. R. 3) proposing an amendment to the Constitution of the United States in regard to the election of President, to ask that the committee be discharged from the further consideration of the joint resolution, and that it be referred to the Committee on Privileges and Elections.

The report was agreed to.

Mr. HOAR. I am also directed by the Committee on the Judiciary, to whom was referred the joint resolution (S. R. 4) proposing an amendment to the Constitution of the United States which shall extend the term of the office of the President to the 30th of April, to ask to be discharged from its further consideration, and that it be referred to the Committee on Privileges and Elections.

The report was agreed to.

Mr. SQUIRE, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 617) providing for the erection of a public building at the city of Spokane Falls, in the State of Washington, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1136) providing for the erection of a public building at the city of Tacoma, in the State of Washington, reported it without amendment, and submitted a report thereon.

COURTS IN MISSOURI.

Mr. VEST. I am instructed by the Committee on the Judiciary to report favorably, with an amendment, the bill (S. 418) to change the times for holding the circuit and district courts of the United States for the western district of Missouri. It is a matter of very great importance to litigants, to the attorneys, and the judge of that district that the bill should be disposed of as soon as possible. It makes changes simply in the terms of the courts and it is of great importance that the public should know soon, if the bill is to become a law, what the changes are, and I ask for its immediate consideration.

The VICE-PRESIDENT. The bill will be read at length for information.

The Chief Clerk read the bill, and the Senate, by unanimous consent, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on the Judiciary was, after line 14, to insert a new section, as follows:

SEC. 2. That no action, suit, proceeding, information, indictment, recognizance, bail bond, or other process, in either of said courts, shall abate or be rendered invalid by reason of the change in time in holding the terms of said courts, but the same shall be deemed to be returnable to, pendable, and triable at the terms herein provided for.

The amendment was agreed to.

The bill was reported to the Senate as amended, and amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 1701) for the benefit of Mrs. Mary T. Duncan, of Kentucky; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 1702) to amend an act entitled "An act to incorporate the Washington and Western Maryland Railroad Company;" which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MORRILL introduced a bill (S. 1703) to provide a more perfect organization for the United States Naval Observatory, and for other purposes; which was read twice by its title.

Mr. MORRILL. I desire to state that we have a structure for this purpose which is superior, perhaps, to any in the world. It is well understood that we are going to need all the naval officers for the ships that we have built and are building, and therefore it becomes indispensable, almost, that we should seek for the head of this national observatory a man who will be willing to spend his life in the service, and one, perhaps, the best qualified in the United States. I move that the bill be referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. SHERMAN introduced a bill (S. 1704) for the relief of William Welsh; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 1705) to prevent the manufacture of clothing in unhealthy places and the sale of clothing so manufactured; which was read twice by its title.

Mr. HOAR. This is a bill to suppress what is known as the sweating system. I move that it be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. SHERMAN introduced a bill (S. 1706) to provide for the erection of an extension to the custom-house, court-house, etc., building at Toledo, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BATE introduced a bill (S. 1707) for the relief of Capt. W. M. Wallace; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1708) for the relief of Mrs. Sarah J. Waggoner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 1709) to grant to the Champlain and St. Lawrence Railroad Company a right of way across the Fort Montgomery military reservation; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 1710) to authorize the Rio Grande, Mexico and Pacific Railroad Company to purchase certain land; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1711) providing for the payment of awards made to Creek Indians who enlisted in the Federal Army, loyal refugees, and freedmen; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CHANDLER introduced a bill (S. 1712) to enable the Attorney-General to provide for the proper defense of cases brought in the Court of Claims for damages arising from Indian depredations; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. CAMERON introduced a bill (S. 1713) for the relief of George C. Foulk; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. MCMILLAN introduced a bill (S. 1714) to prevent cruelty to children in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1715) to amend "An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District," approved January 26, 1887; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1716) to confer upon the Commissioners of the District of Columbia the power and authority heretofore existing in the mayor of the city of Washington in the matter of opening, altering, and changing alleys; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1717) for the relief of Samuel G. Hunter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. GRAY introduced a bill (S. 1718) to pay the State of Delaware for advance of money in the war of 1812, reported to be due by the Secretary of the Treasury; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1719) to authorize the Secretary of the Treasury at his discretion to obtain the plans for the public buildings erected by direction of Congress under the Treasury Department; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1720) for the relief of Henry Frank; which was read twice by its title, and referred to the Committee on Claims.

Mr. HAWLEY introduced a bill (S. 1721) to increase the pay of certain noncommissioned officers of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1722) to provide for the examina-

tion and promotion of enlisted men of the Army to the grade of second lieutenant; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1723) to authorize the Secretary of War to appoint a board of review in certain cases; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GEORGE introduced a bill (S. 1724) for the relief of Louisa Q. Lovell and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1725) to protect employés and servants engaged in foreign and interstate commerce; which was read twice by its title.

Mr. GEORGE. I move that the bill be referred to the Committee on Education and Labor, to which a similar measure has been referred heretofore.

The motion was agreed to.

Mr. GEORGE introduced a bill (S. 1726) to protect innocent purchasers of patented articles, and for other purposes; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 1727) to further regulate commerce ammong the States; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 1728) to prevent trusts, monopolies, and combinations in trade; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PADDOCK introduced a bill (S. 1729) to amend section 2237 of the Revised Statutes in relation to the salaries of registers and receivers of United States land offices; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MITCHELL introduced a bill (S. 1730) for the relief of A. P. H. Stewart and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. WOLCOTT introduced a bill (S. 1731) to create a division in the judicial district of Colorado; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. COLQUITT introduced a bill (S. 1732) for the erection of a custom-house and post-office building at Brunswick, Ga.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1733) to remove the political disabilities of John R. F. Tatnall; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. GEORGE introduced a joint resolution (S. R. 33) proposing an amendment to the Constitution of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

POST-OFFICE BUILDINGS.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Calendar is in order. The first bill on the Calendar will be announced.

The bill (S. 427) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for three years preceding have exceeded $3,000 annually was announced as first in order upon the Calendar.

Mr. SHERMAN. That is a bill of great importance, and I take it, the Senator who reported the bill being absent, it is not proper to take it up now. I hope it will be passed over without prejudice.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

PUBLIC BUILDING AT MAMMOTH HOT SPRINGS.

The bill (S. 426) to provide for the erection of a public building for the use and accommodation of the post-office at Mammoth Hot Springs, in the Yellowstone National Park, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS CHAMBERS.

The bill (S. 1095) for the relief of Thomas Chambers was considered as in Committee of the Whole. It proposes to pay to Thomas Chambers, of Mackinac, Mich., $3,654.56, in full compensation for the additional expenses incurred by him in carrying the Canada mails, as contractor on route numbered 24413, from Sault St. Marie, Mich., to Mackinac, Mich,, from July 1, 1875, to June 30, 1879, inclusive, he having contracted to carry United States mails only.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. I should like to have some explanation of the bill. I do not see the Senator present who made the report in this case. Let the report be read.

The VICE-PRESIDENT. The report will be read.

The Chief Clerk read the report submitted by Mr. MCMILLAN, from the Committee on Post-Offices and Post-Roads, January 11, 1892, as follows:

A bill similar to this under consideration was introduced at the first session of the Fifty-first Congress and received a unanimously favorable report from this committee. That report is now adopted by your committee, and is as follows:

"This is a bill to reimburse Thomas Chambers, of Mackinac Island, Mich., for losses sustained by him as contractor on mail route No. 24413, from Mackinac to Sault St. Marie, Mich., for the four years ending June 30, 1879.

"In response to the invitation of the Post-Office Department, made in October, 1874, for bids for carrying the mail on this route, the claimant filed his proposal in conformity with the departmental instructions, and his bid of $1,675 was accepted. The contract was completed, and at the designated time he entered upon the service. In the course of events the weight of his mail matter was largely increased by foreign mail put up at Windsor, Canada, in through pouches, to be delivered on the border at Sault Ste. Marie, and it was incumbent upon the United States to transport this mail in pursuance of a postal arrangement concluded subsequent to the execution of the contract between this claimant and the Department. There was nothing in the invitation to bid nor in the contract itself contemplating this extra service.

"The Department avers that the claimant 'made oath that in bidding for the work he did so with full knowledge of the distance of the route, weight of mail to be carried, and all the particulars in reference to the route and and service.' He was obliged to do this under the form prescribed, nevertheless he did it with the full knowledge of the facts, knowledge derived from experience in carrying the mail over this same route as subcontractor or employé when there was but one pouch to carry, when its weight was light, and it could be transported with the use of dogs or one saddle horse.

"Again, the Department refers to certain stipulations contained in the contract as to 'celerity, certainty, and security, using therefor such means as may be necessary to transport the whole of said mail whatever may be its size, weight, or increase during the term of the contract.' These again are the usual and formal stipulations, but in enumerating them the Department concedes that the contract contained no clause relative to carrying foreign mail; that it was not until 1883 that such clauses were inserted in contracts. Plainly no such extra service was contemplated by either party to this contract, and especially by the party of the second part.

"This man made his bid in good faith. His practical experience convinced him that he could fulfill his obligation without loss to himself or injury to his bondsmen. His estimate was based upon the cost of employing one man and one horse to carry one pouch. He knew that there could be local increase. It came, but not by reason of any circumstance that he could have foreseen. It came in the form of foreign mail, not contemplated by the terms of the contract, as the Post-Office Department admits, and it tripled his service, his expenses, his responsibility.

"In the opinion of the committee this case does not involve a mere question of technicality. It is one of equity and justice. Even by the terms of the contract the Department did not hold an advantage whereby it could demand this extra service for which there was no adequate compensation.

"If the Department, as it is assumed, has not the power to reimburse this man it is the imperative duty of Congress to do it.

"The bill is reported favorably, with a recommendation that it do pass."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SOUTH DAKOTA SCHOOL OF MINES.

The bill (S. 435) to aid the State of South Dakota to support a school of mines, was considered as in Committee of the Whole.

It provides the State of South Dakota shall annually receive 50 per cent of all moneys paid to the United States for mineral lands within that State, for the maintenance of the school of mines established at Rapid City, in the county of Pennington, but the sum so to be paid shall not exceed $12,000 per annum, nor shall it exceed the amount annually expended by the State of South Dakota for this school of mines out of its treasury.

Before any money shall be paid to the State the Secretary of the Interior shall certify to the Secretary of the Treasury that the State of South Dakota is maintaining a school of mines at the place named in which students in attendance are given instruction in chemistry, metallurgy, mineralogy, geology, mining, mining engineering, mathematics, mechanics, and drawing, and that the students in attendance from other States are received into the school on the same terms and conditions that the students from the State of South Dakota are received.

The bill was reported from the Committee on Public Lands with an amendment, in line 3, section 1, after the word "receive," to strike out "fifty" and insert "twenty-five;" so as to read:

That the State of South Dakota shall annually receive 25 per cent of all moneys paid to the United States for mineral lands within the State of South Dakota, for the maintenance of the school of mines established at Rapid City, in the county of Pennington, in said State, etc.

Mr. PETTIGREW. I ask that the amendment offered by the committee be not agreed to. The bill, if the amendment is not agreed to, will be exactly in words and form the same as the bill which we passed a day or two ago for the school of mines in Colorado. The Colorado bill, as reported by the committee, provided that the State should receive 25 per cent of the proceeds of the sale of public lands, and the committee therefore amended the bill for South Dakota to correspond with that. The Senate afterwards changed the Colorado bill by amending it in the Senate so as to give to the State of Colorado 50 per cent of the gross proceeds. I therefore move that the amendment be not agreed to, so that the bill will put the South Dakota school of mines on the same footing as that of Colorado.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SOUTH DAKOTA INSANE ASYLUM.

The bill (S. 444) granting to the State of South Dakota section No. 36, in township No. 94 north, of range No. 56 west, in the county of Yankton, in said State, for the purpose of an asylum for the insane, to correct an act approved June 16, 1880, attempting to make such grant to the Territory of Dakota, and for other purposes, was considered as in Committee of the Whole.

Mr. COCKRELL. I should like an explanation of what kind of a mistake it is which is proposed to be corrected. I should like to have some explanation of the bill. I see that the Senator from South Dakota [Mr. PETTIGREW] reported it.

Mr. PETTIGREW. In 1880 Congress passed an act granting to the Territory of Dakota section 36 in township 94, and the Territory of Dakota built an insane assylum upon this ground. It was afterwards discovered, although we had spent about $300,000 on the property, that the act had an error in the description, that the number of the range was given as the number of the township, and the town number was given as the range number. This bill is simply to correct that error.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOUISIANA STATE UNIVERSITY.

The bill (S. 143) to increase the endowment of the Louisiana State University and Agricultural College, and for the Southern University of Louisiana, was announced as next in order on the Calendar.

Mr. WHITE. I ask that that bill be passed over without losing its rights upon the Calendar.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

ESCAMBIA MASONIC LODGE, PENSACOLA.

The bill (S. 81) to relinquish the interest of the United States in a certain parcel of land in the city of Pensacola, Fla., to Escambia Lodge, No. 15, Free and Accepted Masons, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRINTING AND DISTRIBUTION OF PUBLIC DOCUMENTS.

The bill (S. 1549) providing for the public printing and binding and the distribution of public documents was announced as next in order.

Mr. COCKRELL. What bill is that?

Mr. MANDERSON. This is the general printing bill.

Mr. COCKRELL. We can not consider that bill in the morning hour. It will be simply a waste of time to attempt to do so, and I have no doubt there are a number of Senators who wish to examine it.

Mr. MANDERSON. I should like to understand whether objection is made to the consideration of the bill.

Mr. COCKRELL. I am not making objection to its consideration, except that I am simply stating that the bill will necessarily lead to some discussion, and it is a very important measure—rather a long bill—accompanied with a very elaborate and full report made by the Senator from Nebraska. I have no doubt it will be the best thing for the passage of the bill to call the attention of Senators to it, and in a short explanation, which the Senator can make, to call attention to the report, and to what is set forth in the report, so that Senators may take it up and read it. They can not do that while the bill is being read; and then let the bill go over. It can not be considered now.

Mr. MANDERSON. I shall be very glad to avail myself of the suggestion made by the Senator from Missouri, for I think with him that the bill ought not to be considered during the morning hour because of its importance and the necessity for debate. It is of great length, and is a complete codification of the printing laws, making some very radical changes in methods and particularly in the modes of distribution, and before closing I will ask the Senate to set some time when the bill may become the special order of the Senate.

In order that the bill may be properly understood, I call attention to the fact that the report which was laid upon the desks of Senators yesterday contains very fully the action taken by the Committee on Printing under the order of the Senate. In that report will be found some two or three hundred pages of testimony embodied in full in it because of great value, having reference to the economical printing of the public documents of the country.

There will also be found in the report answers from all the heads of the Executive Departments to the circular prepared with care and addressed by the committee, which answers give in great detail the character and extent of the departmental printing, and attached to the report will be found a copy of this bill with each section annotated so as to show exactly the present law and any change proposed in the existing law, and presenting any new legislation and the reason for such legislation. I shall be glad to allow some little time to enable Senators to look over this report, particularly the annotated bill, believing that by that method very much time can be saved in its consideration.

Having thus called attention to these facts I ask the unanimous consent of the Senate that the bill may be made the special order for consideration at 2 o'clock on Thursday next.

Mr. WHITE. I ask the Senator to fix a day a little further off. The report of the committee is a very voluminous one. I began to examine it last night, and I do not think anybody can examine it fully in the brief time named.

Mr. MANDERSON. I think if the Senator from Louisiana will look into that part of the report which contains the bill with the annotated sections, he will find that it will not take him a very great length of time to master the situation. I am very anxious to have the bill passed, because it is in the direction of proper economy in the public printing, and I have no question but that by the methods proposed in the bill we shall save an expenditure of from two hundred and fifty to three hundred thousand dollars annually. Not only that, but we shall inaugurate a system under which valuable documents will not only be printed but be thoroughly and evenly distributed throughout the country.

I should dislike to postpone the bill longer than Thursday, because I realize the fact that usually the Senate, in order that its committees may transact business during the interim, adjourns from Thursday or Friday over until the next Monday. I realize that if I was to place it later in the week than Thursday it would mean that it would have to go into next week and then conflict with many other matters upon the Calendar which are perhaps of equal importance with this bill.

Mr. WHITE. This bill has many sections in it and I do not suppose the Senator expects to pass the bill on Thursday.

Mr. MANDERSON. I am in hopes that we may be able to pass it on Thursday by taking it up at 2 o'clock and working vigorously on it. Still I should like to accommodate myself to the Senator from Louisiana if he particularly desires some other time, but I now ask the unanimous consent of the Senate that the bill be made the special order for Thursday next, at 2 o'clock.

Mr. FRYE. Would it not suit the Senator to name Monday instead? There are two very important bills under consideration now as unfinished business.

Mr. PLATT. This relates to a special order.

Mr. FRYE. The special order would displace them.

Mr. MANDERSON. No; the unfinished business goes on under the rule. The special order will be taken up at 2 o'clock on Thursday only in the event that the unfinished business is disposed of.

Mr. FRYE. One of the bills was made the unfinished business, and the other was not before the Senate; but yet, as it practically involves the same question that is before the Senate, it ought to follow immediately the consideration of this bill. I am not, however, going to object.

Mr. MANDERSON. At the suggestion of the Senator from Maine [Mr. FRYE] and after consultation with my colleague on the committee [Mr. HAWLEY], I will substitute Monday of next week, at 2 o'clock, and I ask that the bill may be made the special order for that time.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Nebraska? The Chair hears none.

Mr. MANDERSON. Of course the bill will retain its position on the Calendar.

The VICE-PRESIDENT. The bill will retain its place on the Calendar.

SITES FOR FORTIFICATIONS.

The bill (S. 1247) making an appropriation for the purchase of sites for fortifications was announced as next in order on the Calendar.

Mr. BERRY. Let that bill and the next one following it on the Calendar go over for to-day.

The VICE-PRESIDENT. The bill the title of which has just been stated and the bill (S. 871) to provide for fortifications and other seacoast defenses will be passed over, retaining their places on the Calendar, if there be no objection.

Mr. FRYE. What was that—a general objection which sends the bills to the other rule, or do they remain where they stand now?

Mr. BERRY. I objected to the bills. I have no objection to their retaining their places on the Calendar.

Mr. FRYE. Then let them go over without prejudice.

Mr. BERRY. These are two bills in regard to fortifications, and they are bills which I do not think can be disposed of in the

morning hour. It is immaterial to me to which Calendar they may go; but I object to their coming up in the morning hour when there is not proper time for their consideration.

Mr. FRYE. As the Senator in charge of the bills is not present at the moment, let them go over without prejudice.

Mr. BERRY. Very well; let them retain their places on the Calendar, the Senator from Oregon [Mr. DOLPH] not being present.

The VICE-PRESIDENT. That order will be made in the absence of objection.

BILLS PASSED OVER.

Mr. DOLPH. Mr. President, I was unavoidably absent from the Senate Chamber for a moment, and I should like to inquire what disposition was made of Order of Business 25, being the bill (S. 143) to increase the endowment of the Louisiana State University and Agricultural College, and for the Southern University of Louisiana.

The VICE-PRESIDENT. The bill went over without prejudice.

Mr. DOLPH. A new bill has been introduced and is under consideration by the Committee on Public Lands, and I think this bill may be re-referred to the Committee on Public Lands or be indefinitely postponed. It is, I think, a matter of indifference which course is pursued.

Mr. SHERMAN. The Senator from Louisiana [Mr. WHITE] was here at the time the bill was called up.

Mr. DOLPH. The Senator from Louisiana has introduced an amended bill to take the place of the one on the Calendar, and he probably did not understand that this bill would remain upon the Calendar. Simply to get rid of it, I will ask that it be recommitted to the Committee on Public Lands.

The VICE-PRESIDENT. The Senator from Louisiana [Mr. WHITE] asked that the bill might go over without prejudice.

Mr. DOLPH. What was done with Order of Business 28, being Senate bill 1247?

The VICE-PRESIDENT. What shall be done with Order of Business 25, to which the Senator has referred? The Senator from Louisiana asked that the bill might go over without prejudice, and he is not in his seat at this moment.

Mr. DOLPH. I presume there can be no objection to the bill for the purchase of sites for fortifications. If sent to the other House, the House can take its choice of passing an independent measure or providing an appropriation on the fortifications appropriation bill; or, if not, I am authorized when that bill comes into the Senate to report an amendment to it.

Mr. COCKRELL. I do not understand what is now pending.

The VICE-PRESIDENT. The Senator from Oregon is asking information as to what the action of the Senate was on Order of Business 25. The title of the bill will be reported.

The CHIEF CLERK. A bill (S. 143) to increase the endowment of the Louisiana State University and Agricultural College, and for the Southern University of Louisiana.

Mr. COCKRELL. I understood that was passed over without objection, at the instance of the junior Senator from Louisiana [Mr. WHITE], who reported it.

Mr. DOLPH. I stated that the Senator from Louisiana had introduced an amended bill, which is now before the Committee on Public Lands, and it will be acted upon soon. That committee does not desire this bill acted upon, and, in order that it might be got off the Calendar, I have asked that it be referred back to the Committee on Public Lands, and then, when the other bill is reported, this bill will probably be reported adversely and indefinitely postponed. This is to clear it from the Calendar.

The VICE-PRESIDENT. Is there objection to the suggestion of the Senator from Oregon? The Chair hears none and the bill will be recommitted to the Committee on Public Lands.

Mr. DOLPH. Order of Business 29, being the bill (S. 871) to provide for fortifications and other seacoast defenses, may go over under Rule IX as it can not be considered under Rule VIII, and I will give notice that as to Order of Business 28, being the bill (S. 1247) making an appropriation for the purchase of sites for fortifications, when the Calendar is again called during the morning hour I shall ask that that be disposed of.

The VICE-PRESIDENT. The title of Order of Business 29 on the Calendar will be stated.

The CHIEF CLERK. A bill (S. 871) to provide for fortifications and other seacoast defenses.

Mr. DOLPH. That will go over under Rule IX.

The VICE-PRESIDENT. The bill will go over under Rule IX if there be no objection.

Mr. DOLPH subsequently said: I came in after the bill in relation to granting some public lands to the State of Louisiana had been passed over. Knowing that another bill had been introduced and referred to the committee, I thought it would relieve the record to have it re-referred, and I asked that that be done. I find that the Senator from Louisiana supposes that it is an advantage to him to have the bill already reported retain its place on the Calendar, so I will ask to have the order that was made at my request reconsidered and the bill retained on the Calendar instead of being recommitted to the Committee on Public Lands.

Mr. COCKRELL. It will be restored to the place it occupied?

Mr. DOLPH. Let it be restored to the place it held on the Calendar.

The PRESIDING OFFICER (Mr. FRYE in the chair). Without objection the vote recommitting the bill will be regarded as reconsidered, and the bill restored to its place on the Calendar.

PUBLIC BUILDING AT TAMPA, FLA.

The bill (S. 79) for the erection of a public building at Tampa, Fla., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment in section 2, line 11, after the words "sum of," to strike out "two hundred" and insert "one hundred and forty;" so as to read:

That no plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of $140,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT WATERBURY, CONN.

The bill (S. 237) for the erection of a public building at Waterbury, Conn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT HASTINGS, NEBR.

The bill (S. 1054) to provide for the construction of a public building at Hastings, Nebr., was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to have some explanation of that bill. I discover that a number of these bills are reported from the Committee on Public Buildings and Grounds without any printed report and we have no means of gaining any information in regard to them. I should like to know something about the size of this city, whether there is any United States court held there, and what kind of governmental business necessitates the erection of a public building there?

Mr. PADDOCK. This is a reintroduction of a bill which passed at the last Congress, and which had before passed in the two preceding Congresses. Hastings is in the third class of the towns in our State. Indeed, there is only one other besides Hastings in this class in respect of population, business importance, railroads, manufactures, public institutions, and enterprise. It is a court town. Two terms of the United States court are held there regularly in each year, and no suitable place has been or can be provided without the construction of this building for the holding of the same. The Supervising Architect of the Treasury has reported that this amount is within the required limit; that not less than this amount should be appropriated; that no building such as seems to be demanded can be erected for less than the amount named.

Mr. PLATT. What is the amount?

Mr. PADDOCK. It is $250,000. Hastings is a court town, where the business of a very large section of our State, the western part of the State, will have to be done.

Mr. SHERMAN. Is a United States court held there?

Mr. PADDOCK. Yes; the United States court is regularly held there. An act providing for terms of court there was passed by Congress two or three years since. Hastings has a population of 15,000. It is the metropolis of the western half of our State south of the Platte River. No more meritorious public building bill has been or will be passed by this Congress.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARINE HOSPITAL AT DETROIT, MICH.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.

Mr. COCKRELL. I see that there is already a marine hospital building there, and as the Senator who introduced and reported the bill is present, I should like to hear some explanation for the necessity of this additional expenditure there.

Mr. McMILLAN. The building already there was erected some twenty-five years ago, and, as everybody knows, the tonnage on the lakes has increased very much, and the number of men employed on the lakes is four or five times as great as it was at the time the hospital was built. In the four years from 1886 to 1890 the tonnage of the Great Lakes increased from 634,652 to

826,360; and the estimated value of the vessels from $30,597,450 to $58,128,500, nearly doubling in that time. The hospital accommodations are now very inadequate. The erection of this building is recommended by the Surgeon-General and by the medical officers in charge there. It is very much needed, and I hope the bill will not be objected to.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT MANSFIELD, OHIO.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 303) to provide for the erection of a public building in the city of Mansfield, Ohio.

The bill was reported to the Senate without amendment and ordered to be engrossed for a third reading.

Mr. COCKRELL. I should like to know something about the population of the city of Mansfield, whether there are any courts held there, the amount of business that is done, and some reason why the Government should go to the expense of erecting a public building there. I think this is a matter of justice. There are hundreds of towns and cities in the United States that are clamoring for the erection of public buildings, and when no explanation is given, they do not know why they are not just as much entitled to them as the places named in these bills. It is not the inhabitants of every town and city in the United States who have a familiar knowledge of the statistics, population, etc, of every other town and they think that it is a discrimination in favor of certain places. I should like to know why it is that a public building is needed at this place.

Mr. SHERMAN. Mr. President, this same bill was passed at the last session of the Senate after a very full statement had been made in the nature of a report of all the facts and circumstances for which the Senator now calls. I am sorry that I have not the statement here before me, but I will assure the Senator that Mansfield is one of the leading manufacturing towns of the State, and I can say that from my own personal knowledge, because I live there.

Mr. COCKRELL. About what is the population?

Mr. SHERMAN. About 16,000. It is a city with a very large number of leading manufacturing establishments; for instance, Mr. HARTER, a member of the House, is a very extensive manufacturer of thrashing machines, and there are a great many other establishments involving a large amount of capital, going into the millions. The postal receipts are abnormally large in that town for the reason that it has a manufacturing population. Such receipts amount to something over $30,000 a year. The precise figures I can not now give. Mansfield is surrounded by a rich, productive country and is the junction of several important railroads. There is a United States revenue officer there, and it is one of those places where Congress, by general law, should provide for the construction of a public building.

I am not in favor of extravagance in these buildings. I think a building of the character provided by this bill, costing not to exceed, including the value of the land, about $100,000, is sufficient for the purpose. I think it would be good economy for the Government of the United States to build such buildings. The rent and other expenses paid for a building there suitable for the postal service would be fully equal to the interest on $100,000, according to the rate of interest the Government would have to pay for money.

I think it is economy in the long run for the Government gradually, not too rapidly, but from time to time, to provide buildings in cities like Mansfield and Zanesville. There are but two towns, I will say, provided for by bills on the Calendar in the State of Ohio, and the aggregate amount of appropriation is $200,000 in this bill and one other bill that has been reported. I think a discrimination is made against the State of Ohio in favor of the Western and Southern towns. Many towns with less than half the population of Mansfield have now Government buildings in the Southern and Western States. It is assumed that those cities will grow more rapidly than cities in Ohio, although that does not follow.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. TOWLES, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 9) to define and punish blackmailing;

A bill (H. R. 435) to provide an additional mode of taking depositions of witnesses in causes pending in the courts of the United States; and

A bill (H. R. 504) in relation to the western judicial district of Wisconsin.

ENROLLED BILL SIGNED.

The message also announced that the Speaker *pro tempore* of the House had signed the enrolled bill (H. R. 123) fixing the times for holding the district and circuit courts of the United States in the northern district of Iowa; and it was thereupon signed by the Vice-President.

PUBLIC BUILDING AT NORFOLK, NEBR.

The bill (S. 197) providing for the erection of a public building in the city of Norfolk, Nebr., was considered as in Committee of the Whole.

Mr. MANDERSON. Before the bill is read, I wish to suggest that Norfolk is the largest town outside of the city of Omaha in all that part of the State of Nebraska which is north of the Platte River, a section of country, in round numbers, about 150 miles in width by 500 miles in length. Recognizing the great importance to parties litigant that a United States court should be established in this vast territory, Congress several years ago made Norfolk one of the court towns of Nebraska. The courts have been held there since the passage of that bill with very great convenience and saving an unnecessary amount of expense to the Government.

This town is a very thriving one. Its population now, I think, is about 15,000, but it is growing with that rapidity which characterizes towns in that section of the West. There is located there one of the two large sugar-beet factories that this year turned out an enormous product of beet sugar, and under the legislation of Congress there are the proper officers of the revenue established there. This town is of the same character in the northern part of Nebraska that the town of Hastings, referred to by my colleague, is in the southwestern part of that State, and the two buildings should be of the same character.

I have here a bill that has met the approval of the committee, which is in the exact terms of the Hastings bill, that I offer as a substitute for the bill under consideration, making the legislation conform to that for the town of Hastings.

I may say further, with reference to these two buildings, which are to contain not only post-office facilities, but also the court room, with its necessary adjuncts, with jury rooms, etc., that the amount mentioned in each case, $250,000, is declared to be needed by the Supervising Architect of the Treasury. I think experience has shown that no building containing these needed offices for the post-office and for the maintenance of the courts can be built with credit to the Government and with proper economy for less money.

Mr. COCKRELL. How much is appropriated by the substitute?

Mr. MANDERSON. The same amount as was appropriated by the Hastings bill, $250,000.

Mr. COCKRELL. Is that amount recommended by the Supervising Architect?

Mr. MANDERSON. The Supervising Architect says that is the amount which he thinks will be needed for this purpose in each of these towns.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States courts, post-office, and other Government offices, in the city of Norfolk and State of Nebraska, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $250,000, which said sum of $250,000 is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed

from the Treasury Department shall be paid only his actual traveling expenses.

So much of the appropriation herein made as may be necessary to defray the expenses of advertising for proposals, actual traveling expenses of said agent, and the compensation and actual traveling expenses of said commissioner, and other expenses incident to the selection of the site, and for necessary survey thereof, shall be immediately available.

So much of said appropriation as may be necessary for the preparation of sketch plans, drawings, specifications, and detailed estimates for the building by the Supervising Architect of the Treasury Department shall be available immediately upon the approval by the Secretary of the Treasury of such site.

No money appropriated by this act shall be available, except as hereinbefore provided, until a valid title to the site for said building shall be vested in the United States, nor until the State of Nebraska shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

After the said site shall have been paid for and the sketch plans and detailed estimates for the building shall have been prepared by the Supervising Architect and approved by the Secretary of the Treasury, the Secretary of the Interior, and the Postmaster-General, the balance of said appropriation shall be available for the erection and completion of the building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT JACKSONVILLE, ILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 94) to provide for the purchase of a site, and the erection of a public building thereon, at Jacksonville, in the State of Illinois.

Mr. COCKRELL. I see there is no report with the bill, and I should like to know some reason why a public building should be erected there. I should also like to be informed as to the population of the place, whether any courts are held there, what United States officers are there, etc.

Mr. CULLOM. Mr. President, I suppose the reason why there is no report accompanying the bill is the same that was assigned by the Senator from Ohio [Mr. SHERMAN] in the Mansfield case. This bill or a similar one to it was passed through the Senate by the last Congress. At the time of the passage of the bill there was a pretty full report, setting forth the facts in relation to the situation of the town.

The fact is that there is no Government building there, no court, but the city of Jacksonville is one of the old towns of our State.

Mr. COCKRELL. What is the population?

Mr. CULLOM. The population surrounding it is more dense than that which surrounds any other town in the State. The population of the city itself, my recollection is, according to the census of 1890, was something between fourteen and fifteen thousand inhabitants. I do not remember exactly the census report on that subject, but I am satisfied it is between those two figures.

The city contains within it several colleges, the Illinois College, for instance, one of the oldest educational institutions of the State, several other seminaries and institutions of learning, and, in addition to that, three State institutions, such as an insane asylum, a blind asylum, a deaf and dumb asylum, etc. The city of Jacksonville is one of the noted cities of the State, and probably has a greater reputation as an educational city than any other city in the State.

A year ago, when the bill was passed by the Senate, I had all the facts in relation to the receipts and other information in regard to the post-office itself. I have not them with me now, because I supposed, in view of the fact that the bill had passed before, that there would be no objection when it came up during the present session. I hope the bill will be allowed to pass.

Mr. COCKRELL. I do not know that it is an absolutely conclusive reason that the Senate should pass a bill now simply because it was passed at the last Congress, and I do not know whether the fact that it passed the Senate in the last Congress will be alone sufficient to carry it through some other legislative body that may be in existence some time or other. I have no doubt that the report is just as the Senator says. It would not have been a very difficult or laborious work for a reference to have been made in a very brief report to the former report, so that we could all have obtained the report and looked at it for ourselves. There are some twelve, fifteen or twenty bills that I reported at the last session, some of them very voluminous reports, and I simply make a reference to the facts and the record in the case to be found in a certain report that was made in the last Congress, and any Senator can get it and see it. But these bills came to us without any facts accompanying them, or any indication of a place where we can get the information.

Mr. CULLOM. I think the Senate is familiar with the fact that the Senator from Missouri is more particular in making his reports on bills than most other Senators. I have no doubt that what the Senator says is true, that in his reports he makes reference to former reports. I was not myself upon the Committee on Public Buildings and Grounds, and hence not knowing what came with the bill, supposing that as it had passed before there would be no objection to it, I did not arm myself with the facts. Otherwise I should have presented them. I hope there will be no objection to the passage of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT FERGUS FALLS, MINN.

The bill (S. 339) for the erection of a public building at Fergus Falls, Minn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT NASHUA, N. H.

The bill (S. 367) to provide for the purchase of a site, and the erection of a public building thereon, at Nashua, in the State of New Hampshire, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. I should like to hear some explanation of the necessity for this public building. I do not see that the bill says anything about United States courts there. I should like to know something about the number of inhabitants in the city of Nashua and the necessity for this public building.

Mr. GALLINGER. This bill I think has passed the Senate twice before. An elaborate report was made in the Forty-ninth and Fiftieth Congresses. I have in my hand a report made upon the bill by the committee of the other House in the last Congress, from which I will quote some data.

This report represents that Nashua is the gate city of New Hampshire, having a population of 18,000. I will state that it has a larger population than that now, the report having been made two years ago. It is a railroad center of the first rank in our State, there being six or seven railroads centering in it. It is the second city in population in New Hampshire.

The industries of Nashua are the most varied of any city in our State. They include cotton, iron, steel, soapstone, boots and shoes, machinery, engines, boilers, lathes, presses, glazed paper, cardboard, edged tools, boxes, shovels, and lumber in all of its varieties. The industries of Nashua employ 4,000 persons. The aggregate capital employed is $3,000,000, and the value of the products is $2,000,000 annually, paying in wages the vast sum of $1,000,000.

I will state, furthermore, concerning Nashua, that it is a city of twelve churches, two daily and several weekly newspapers, with a very large public library, and everything that goes to make up a progressive city.

Concerning the postal receipts of Nashua, which are, after all, the most important in a matter of this kind, I have not the data for the past year at hand; but two years ago the postal receipts exceeded $20,000 a year, the expenditures being $12,000, leaving a balance to the Government of $8,000.

In response to the interrogatory of the Senator from Missouri I will state that there is not any United States court held in the city of Nashua. The presumption is that the building erected (and it ought to be erected, because the present accommodations are totally inadequate and exposed to fire every hour of the day) will be mainly for post-office purposes. Very likely a deputy internal-revenue collector and possibly certain other minor officers of the Government will have quarters there, but for the present, at least, there will not be United States courts held there.

I feel sure that the bill will commend itself to the favorable consideration of the Senate, and I trust that it will be passed without any controversy or opposition.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT ZANESVILLE, OHIO.

The bill (S. 304) to provide for the erection of a public building in the city of Zanesville, Ohio, was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to have some explanation of the bill. I see there is no report with it, but there may have been a report at some time or other. I hardly think any one Senator will have the opportunity to hunt up every report that has been made from every committee of Congress.

Mr. HOAR. I suggest that the bill stand over without prejudice. Neither of the Ohio Senators is in his seat.

Mr. SHERMAN entered the Chamber.

The PRESIDING OFFICER (Mr. FRYE in the chair). The Senator from Ohio [Mr. SHERMAN] is now present.

Mr. VEST. I can state in regard to the bill that it went to the Supervising Architect and was reported regularly and considered by the committee and passed by the Senate in the last Congress. It is one of the bills which passed the Senate at the last session, but it did not succeed in getting through the other House. It went through all the regular stages of recommendation and examination. I do not recollect the amount appropriated, but I know that I thought the bill was right at the time, and I have never had any reason to change my opinion.

Mr. SHERMAN. I can say of Zanesville that it is one of the most flourishing towns of our State. We have only five or six public buildings in the State. It is a city of the higher rank and contains about 20,000 inhabitants. It is a very flourishing town, on the Muskingum River, and is one of the leading towns in the State.

I have no doubt that, as a matter of economy, Zanesville should have a public building. It is one of the places that I think would naturally be selected for that purpose. I think we have six cities in Ohio that are already provided with public buildings or will be. Mansfield and Zanesville are the only two cities in the list that it is now proposed to provide with public buildings, and I think they are both deserving and important.

As I said a moment ago when I was speaking on the Mansfield bill, I think a general law ought to be passed that where the receipts of a post-office equal $30,000 a year a public building ought to be erected there, and it is really economy to do so in this case, for I have no doubt in the city of Zanesville the cost of renting the buildings, etc., and other necessary expenses amount to at least $2,000 a year, and the interest on the entire cost of this public building will be only $3,000 a year. I believe the building is to cost $100,000. I do not now remember exactly the amount.

Mr. COCKRELL. One hundred thousand dollars is the amount appropriated by the present bill.

Mr. SHERMAN. That is what I thought. I think it a wise thing to erect a public building there. As I said before, there have been dozens and dozens of public buildings provided for in many of the States where the population is not one-half and the business is not one-third what it is in the city of Zanesville.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived——

Mr. SHERMAN. I should like to have a vote on the pending bill.

The PRESIDING OFFICER. The Senator from Ohio asks unanimous consent that the business now in order may be laid aside informally, that a vote may be had on the pending bill. Is there objection? The Chair hears none. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no amendment as in Committee of the Whole it will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time and passed.

DRY DOCK ON GULF OF MEXICO.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Naval Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a letter of the Secretary of the Navy, accompanied by the report of the Commission appointed by me by virtue of a provision in the naval appropriation act approved June 30, 1890, "to select a suitable site, having due regard to commercial and naval interests, for a dry dock at some point on the shores of the Gulf of Mexico, or the waters connected therewith."

The Secretary of the Navy approves the recommendations of the Commission, and they are respectfully submitted for the consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 19, 1892.*

NOTE: The report of the Commission, etc., accompany this message to the House of Representatives.

HOUSE BILLS REFERRED.

The following bills, received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 9) to define and punish blackmailing;

A bill (H. R. 435) to provide an additional mode of taking depositions of witnesses in causes pending in the courts of the United States; and

A bill (H. R. 504) in relation to the western judicial district of Wisconsin.

MEXICAN COMMISSION AWARDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868."

Mr. VEST. Mr. President, I shall endeavor to hasten through what I have to say in regard to the pending bill. I feel like stating to the Senate that no one will be so much rejoiced at the termination of what I consider my duty in the matter as myself. No one who has not examined the papers in this case has any idea of the almost infinite amount of actual toil that is involved in examining a case in which for sixteen years the débris of matter has been piled up from both Houses of Congress and from the Department of State.

I repeat, Mr. President, what I stated npou yesterday, that nothing would induce me to participate in this debate at all but the fact that in the State of Missouri there are a number of the descendants of the claimants of this award who appealed to me as their representative in the Senate to present what they believed to be an honest and just claim. Whatever amount of fraud may be charged against the men originally engaged in this matter, nothing can be said against the women and children and trustees who, by inheritance and assignment, now hold portions of the award. Of course I do not propose to appeal to sentiment, although some sentiment would be cheerful amongst so much drudgery. If Senators would take pains to look at these papers they will find among them a letter from a widow lady in Pennsylvania stating that the bread absolutely necessary for subsistence for herself and daughter is dependent upon the decision of Congress in regard to the portion of this award that comes to her and to her child. Ungrateful as the task is, I shall discharge it to the best of my ability.

Before proceeding to the discussion of the argument upon the evidence, which I shall make as brief as possible out of consideration to the Senate and to myself, I wish to state what may have been misapprehended yesterday when I replied to an interruption by the Senator from Mississippi [Mr. GEORGE]. I was alluding to the terms of the pending bill as to the submission of this case to the Court of Claims, and I criticised the language of the bill when it provided that if the Court of Claims should find that there was any fraud or false swearing then the President of the United States was authorized to pay back to the Government of Mexico the entire amount now in the Department of State growing out of the La Abra claim. I said then that in my judgment the words "false swearing" ought to be "perjury."

The Senator from Mississippi was disposed to criticise my statement because he said a new trial would be granted by a judge for false swearing, which did not constitute perjury in a judicial proceeding. As a matter of course that is elementary law, known to every student of law; but what I wish to reply to, if I did not make him and other Senators who happened to listen sufficiently aware of my purpose, was this: I understand it to be disclaimed by Mexico that this is an application for a new trial. Mexico does not institute these proceedings at all. This is a proceeding *sui generis* by the Government of the United States to investigate one simple fact, and that is whether the name of the Government and its nationality have been used to cover up a deliberate fraud by citizens of the United States upon a friendly power. In all the annals of jurisprudence no such proceeding as this can be found, I undertake to say, where the Government through its legislative department undertakes to inquire through a municipal court into the action of the political department of the Government.

Therefore I said that the phrase ought to be "perjury," because the very preamble of the bill says it is a question of national honor. It is not a question of *meum et tuum*, as would be involved in a motion for a new trial before an ordinary judicial tribunal. The preamble of the bill says:

Whereas the Secretary of State, after investigating the charge of fraud presented by the Mexican Government as to the case of La Abra Silver Mining Company, has heretofore reported that the "honor of the United States requires" that said case "should be further investigated by the United States, to ascertain whether this Government has been made the means of enforcing upon a friendly power claims of our citizens based upon or exaggerated by fraud."

Therefore, I submit that mere false swearing, which might be simply a mistake of an honest witness, would not be sufficient for the finding of this court under the terms of the bill. It should involve the question of deliberate fraud, of perjury, of a stain upon the name of the United States, involved in the fact that its citizens were permitted to use the national character in order to deliberately perpetrate fraud upon a friendly government. That is my meaning. Afterwards, without unnecessary terms, I propose to discuss at last the great question in this case. I may not secure the attention of the Senate; I hardly hope to do so. My own interest in this matter is flagging through the lapse of years; the statute of limitations has nearly run against all interest I had in it; but the great question underlying it and worthy the attention of every Senator, for a greater question could not come before this body, is whether Congress in the passage of this bill does not invade the political domain assigned by constitutional limitation to the Chief Executive alone. That is a question after all of

more importance, because it is not a question of dollars and cents; it is a question of constitutional construction.

As I said before, this case is *sui generis*, standing by itself without precedent. When a mandamus was applied for by Key against the Secretary of State to enforce by judicial decision the distribution of this money, Chief Justice Waite said it is not a question to be governed by ordinary rules of pleading such as would govern a motion for a new trial, but he said it is a peculiar proceeding, in which Congress is asked by one of the Departments of the Government to furnish the means to enable that Department to ascertain the duty of the United States in the premises. There is not one word in the decision of Frelinghuysen *vs.* Key—I modestly take issue with the distinguished Committee on Foreign Relations in regard to it—there is not one word in that decision which says that Congress has the right through one of its own municipal tribunals to settle this question with Mexico. It is a question, as I construe that decision, to be settled by the Chief Executive managing the political relations of this country under the Constitution in conjunction with the Senate of the United States when a treaty is submitted by the President to the Senate for its constitutional sanction by a vote of two-thirds.

Hereafter I propose briefly to give the authorities that I think conclusively settle the question as to whether this is a municipal or legal question, one to be submitted to a municipal tribunal for adjudication and process in the way of enforcing its judgment, or whether it is a question to be submitted exclusively to the President of the United States. That such was the opinion is evident from the fact that President Arthur sent this case in the shape of a treaty to the Senate. The proposition made now to go to the Court of Claims is an afterthought growing out of the fact that the Senate refused to approve that treaty.

Mexico then had only one resort. Mexico had applied to the Senate before to send this case to the Court of Claims. That bill was referred to the Committee on the Judiciary, with Allen G. Thurman as its chairman, and in the personnel of membership were Roscoe Conkling, Joseph E. McDonald, Matt Carpenter, and others, the most distinguished lawyers of the Senate and of the country; and the committee, after considering the identical question of which I now speak, as to whether we had the power to send this case to a municipal tribunal, the Court of Claims, reported unanimously that no such power existed, but it was simply under the exercise of the political power of the Government that this thing could be determined.

While upon that question I will ask that the report of the Judiciary Committee of the Senate, No. 712, Forty-sixth Congress, second session, be printed in the RECORD. "The Committee on the Judiciary, to whom was referred the bill (S. 1682) entitled 'An act directing the Court of Claims to investigate the claims of Benjamin Weil and La Abra Silver Mining Company,' make the following report," in which report they discuss the entire question as to the power of Congress to send this case to the Court of Claims and come to the conclusion that no such power exists. Without reading the report, to which I refer Senators, and about the conclusions of which there can be no discussion, for it speaks for itself, I ask that the report be made a portion of my remarks in this case, without exhausting my own strength or the patience of the Senate.

The report referred to is as follows:

[Forty-sixth Congress, second session. Senate Report No. 712.]

In the Senate of the United States.

June 10, 1880.—Ordered to be printed.

Mr. McDonald, from the Committee on the Judiciary, submitted the following report (to accompany bill S. 1682):

The Committee on the Judiciary, to whom was referred the bill (S. 1682) entitled "An act directing the Court of Claims to investigate the claims of Benjamin Weil and La Abra Silver Mining Company," make the following report:

The fifth section of the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th of July, 1868," is as follows:

"SEC. 5. And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing; therefore, be it enacted that the President of the United States be, and he is hereby, requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law, or considerations of justice and equity require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, or either of them, until such case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree, or until Congress shall otherwise direct; and, in case of such retrial and decision, any moneys paid or to be paid by the Republic of Mexico in respect of said awards, respectively, shall be held to abide the event, and shall be disposed of accordingly; and the said present awards shall be set aside, modified, or affirmed, as may be determined on such retrial: *Provided*, That nothing herein shall be construed as an expression of any opinion of Congress in respect to the character of said claims, or either of them."

In adding this section to the act providing for the distribution of the awards, it was not the purpose of Congress to pass upon the character of the claims referred to in it, as the proviso attached to said section expressly declares. By authorizing the installments payable to these claimants under the treaty to be withheld in the discretion of the President, if, upon investigation of the charges of fraud presented by the Mexican Government against such claims, "he should be of opinion that the honor of the United States, the principles of public law or considerations of justice and equity, required that the awards in these cases, or either of them, should be opened and the cases retried," it was intended, so far as legislative authority might be requisite, to release the executive department from the absolute obligations of the award, and to authorize such examination by the executive department into the complaints of the Mexican Government as would enable the President to pass upon the questions raised by them; and if "the honor of the United States, the principles of public law, or considerations of justice and equity," required a retrial of these cases, or either of them, then and in that case to initiate with the Mexican Government such convention or stipulations as would provide for the retrial under such regulations as would secure the ends of justice and vindicate the honor of the United States.

It appears from the message of the President of the United States of April 15, 1880, transmitting a report of the Secretary of State, to whom the matter embraced in the section above quoted was referred, that no definite conclusions had been arrived at by the executive department upon the questions involved in said section. That report is as follows:

DEPARTMENT OF STATE. *Washington, April 13, 1880.*

To the PRESIDENT:

The Secretary of State, to whom was referred the following resolution of the Senate of the 27th of February, 1880—

"*Resolved*, That the President be requested, if in his opinion not inconsistent with the public service, to inform the Senate what action, if any, has been taken by him under authority of section 5 of the act approved June 18, 1878, entitled 'An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868,' and of the grounds of such action, and what further action, if any, the honor of the United States may, in his opinion, require to be taken in the premises"—has the honor to report.

The act passed by Congress "to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868," contained the following section:

"SEC. 5. And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing; therefore, be it enacted that the President of the United States be, and he is hereby, requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law, or considerations of justice and equity require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, or either of them, until such case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree, or until Congress shall otherwise direct; and, in case of such retrial and decision, any moneys paid or to be paid by the Republic of Mexico in respect of said awards, respectively, shall be held to abide the event, and shall be disposed of accordingly; and the said present awards shall be set aside, modified, or affirmed, as may be determined on such retrial: *Provided*, That nothing herein shall be construed as an expression of any opinion of Congress in respect to the character of said claims, or either of them."

It having been referred by you to the Department of State to institute the investigation required by this action, I gave the subject the most careful examination. I reviewed the proceedings of the commission, including the testimony originally submitted, the arguments made the counsel both for the Republic of Mexico and the United States, the opinions of the members of the commission, and the final decision of the umpire. I considered the representations of the Mexican Government, as set forth in its diplomatic communications to this Department, and subjected to patient scrutiny the supplemental evidence by which those representations had been supported. In addition to this, I heard counsel both for the Mexican Government and the parties interested in these awards.

The most impressive complaint of the Mexican Government in the La Abra case bore upon the award of damages as fraudulently exaggerated.

In the Weil case, the Government of Mexico asserts that no such case had ever had any real existence; that there never was any such property as is alleged to have been seized; that the parties claimant never owned, directly or as agents, any such property; that the seizure of the property is in all its details a pure fiction, and that the evidence by which the whole claim is established is spurious and corrupt.

Upon these complaints, and the examination given to them as above set forth, on the 8th of August last I reported to you my conclusions as to the proper disposition of the matter by the executive government, as follows:

"First. I am of opinion that, as between the United States and Mexico, the latter Government has no right to complain of the conduct of these claims before the tribunal of commissioners and umpire provided by the convention, or of the judgments given thereupon, so far as the integrity of the tribunal is concerned, the regularity of the proceedings, the full opportunity, in time and after notice, to meet the case of the respective claimants, and the free and deliberate choice exercised by Mexico as to the methods, the measure, and the means of the defense against the same.

"I conclude, therefore, that neither the principles of public law nor considerations of justice or equity require or permit, as between the United States and Mexico, that the awards in these cases should be opened and the cases retried before a new international tribunal, or under any new convention or negotiation respecting the same between the United States and Mexico.

"Second, I am, however, of opinion that the matters brought to the attention of this Government on the part of Mexico do bring into grave doubt the substantial integrity of the claim of Benjamin Weil and the sincerity of the evidence as to the measure of damages insisted upon and accorded in the case of the La Abra Silver Mining Company, and that the honor of the United States does require that these two cases should be further investigated by the United States, to ascertain whether this Government has been made the means of enforcing against a friendly power claims of our citizens based upon or exaggerated by fraud.

"If such further investigation should remove the doubts which have been fairly raised upon the representations of Mexico, the honor of the United States will have been completely maintained. If, on the other hand, the claimants shall fail in removing these doubts, or they should be replaced by certain condemnation, the honor of the United States will be vindicated by such measures as may then be dictated.

"Third. The executive government is not furnished with the means of instituting and pursuing methods of investigation which can coerce the production of evidence or compel the examination of parties and witnesses. The authority for such an investigation must proceed from Congress. I would advise, therefore, that the proofs and the conclusions you shall come to thereon, if adverse to the immediate payment on these awards of the install-

ments received from Mexico, be laid before Congress for the exercise of their plenary authority in the matter.

"Fourth. It may be that, as the main imputation in the case of the La Abra Silver Mining Company is of fraudulent exaggeration of the claim in its measure of damages, it may consist with a proper reservation of further investigation in this case to make the distribution of the installments in hand.

"I have this subordinate consideration still under examination, and, should you entertain this distinction, will submit my further conclusions on this point."

These conclusions having been approved by you, and the point reserved for further consideration in the La Abra case having again been referred to me, on the 3d of September last I reported to you my conclusions upon the same, as follows:

"The parties interested in the case of the La Abra Mining Company having desired from you a further consideration of the point reserved in my former statement to you of my views in that case, and the matter having been referred to me to that end, I respectfully submit my conclusion on that point.

"1. Upon a renewed examination of the matter as laid before me by the Mexican Government, I am confirmed in the opinion that the proper limits of the further consideration which the honor of the Government should prompt it to give to this award should confine the investigation to the question of a fraudulent exaggeration of the claim by the parties before the commission to which, under the provision of the convention, it was presented by this Government.

"2. Upon a careful estimate as to any probable or just reduction of the claim from further investigation, should Congress institute it, and under a sense of the obligation of the executive government to avoid any present deprivation of right which does not seem necessary to ultimate results, I am of opinion that its distributive share of the installments thus far received from Mexico may properly be paid to the claimant, reserving the question as to later installments.

"If this conclusion should receive your approval, the payment can be made upon the verification at the Department of State of the rightful parties to receive it."

This latter conclusion having also received your approval, and the results stated in both these reports having been communicated both to the Mexican Government and the claimants, the payment was made upon the La Abra award of the distributive share of the installments then in hand, and payment was withheld of the distributive share of such installments upon the Weil award.

The parties interested in these awards have from time to time preferred requests for a renewed consideration by the Executive of the questions arising for his determination under the act of Congress of June 18, 1878, and have particularly insisted that, in deciding against opening these awards diplomatically and reëxamining them by a new international commission, the whole discretion vested in the Executive as a part of the treaty-making power and under the special provision of the act of Congress was exhausted, and that the payments should be no longer suspended in respect to these cases or either of them. A solicitous attention to the rights of the claimants and the duty of the Executive in the premises has confirmed me in the opinion that Congress should determine whether the "honor of the United States" requires any further investigation in these cases or either of them, and provide the efficient means of such further investigation, if thought necessary.

In the conclusions to which I came, and which I had the honor to submit to your examination, I was principally governed by the following considerations:

1. In the complaints of the Mexican Government there is not the slightest impeachment, express or implied, of the character or composition of the commission, of its methods of procedure, or of the entire regularity and integrity of its actual proceedings. It was composed of able and eminent men, enjoying the full confidence of the Governments by whom they were respectively appointed, and the umpire selected, Sir Edward Thornton, was preëminently fitted for his laborious and responsible duties by his long diplomatic experience, his recognized ability, his high character, and his special knowledge of the two countries whose citizens and Governments were interested in the arbitration.

2. Before this Commission the Government of Mexico had full opportunity and ample time to present its defense, both in evidence and argument, against any claim that was submitted. In the La Abra case a large amount of testimony was taken on both sides, the comparison and valuation of which was within the power of the Commission, and the opinion of the umpire shows that it was carefully considered.

In the Weil case it is true that the Mexican Government submitted no testimony, and that the case was decided upon the evidence offered by the claimants. But the Mexican commissioner explicitly declined the offer of further time to produce such testimony, although he professed that his Government had such in possession, saying upon the trial:

"There is in the present case the still more serious consideration that there is sufficient evidence upon which to judge of the claim, and that by opening the door to new testimony it would only serve to show the claimant wherein the edifice which he had erected upon his imagination was weak, and by enlightening him how to crown his intrigue by new efforts, which, although they would not change the aspect of the case, might lead him to confirm it."

3. The treaty under the provisions of which the Commission was appointed was explicit in recognition of the finality of its action. By Article II of that convention, the two Governments bound themselves to consider the decisions of the commissioners and of the umpire as absolutely final and conclusive, and to give full effect to such decisions without any objection, evasion, or delay whatsoever; and, by the fifth article, the high contracting parties agree to consider the result of the proceedings of the Commission as a full, perfect, and final settlement of every claim upon either government arising from the transactions prior to the exchange of ratifications thereof.

4. Aside from this special provision of the finality of the decision of the Commission, in the very act of its creation, it would seem impossible to review and retry any individual case without opening the door to other reclamations of the same sort. In addition to these cases, with the result of which the Mexican Government is dissatisfied, there are many others which failed of preparation in time, which were rejected on principles not always acquiesced in by those interested, and some in which the claimants deemed the awards very insufficient. The adherence of the Government of the United States to the strict letter of its convention, that the decision of the commissioners should be absolutely final in every case and a complete bar to any claim arising from transactions prior to its ratification, has hitherto prevented any effort on the part of this Government to renew such discussion in favor of its citizens. But if it be once admitted that for any reason short of an impeachment of the integrity of the Commission its proceedings can be reopened for review and its decisions for reversal, there will not be wanting numerous urgent appeals to the justice and sympathy of the Government to extend this measure of relief to many who think that their claims have been erroneously estimated or rejected.

Lastly, the principle of the settlement of international differences by arbitral commissions is of such deep and wide-reaching interest to civilization, and the value of such arbitration depends so essentially upon the certainty and finality of its decision, that no government should lightly weaken its influence or diminish its consideration by making its action the subject of renewed discussion. It is only in extreme cases, where the Commission is itself charged with corruption or where it has clearly exceeded its powers in deciding matters not submitted to its judgment, that prompt and cheerful acquiescence should not be rendered to its action. No such charge is here suggested. It may be true that in this or that instance more adequate justice might have been rendered. The methods and processes of such tribunals, which in time it may be confidently hoped will be improved and perfected, are not yet so complete as to eliminate much opportunity of error.

But the results of such an arbitration, covering, as this did, large, complicated, and numerous transactions, deciding not upon oral testimony winnowed by cross-examination, but upon the contradiction of vague affidavits, can not be fairly judged by the apparent errors of this or that individual case. There is probably no just ground for saying that the aggregate of the awards against Mexico more than equaled the just claims of our citizens, and much complaint has been made that such aggregate falls quite short of them. But the awards made by this Commission were something more than the settlement of mere private claims. It was the adjustment of long-standing national differences. And if in the result more or less was added to or taken from particular awards, still, if on the whole a fair and just balance has been struck; if, considering all that has been given and all that has been refused, the examination has been careful and the judgment impartial, it is the interest and the duty of governments to maintain it.

While these considerations led to the conclusion that these cases ought not to be made the subject of a new international commission, I was yet of opinion that "the honor of the United States" was concerned to inquire whether in these cases, submitted by this Government to the Commission, its confidence had been seriously abused, and the Government of Mexico, acting in good faith in accepting a friendly arbitration, had been subjected to heavy pecuniary imposition by fraud and perjury in the maintenance of these claims, or either of them, before the Commission. In furtherance, however, of this opinion, it seemed to me apparent that the Executive discretion under the act of Congress could extend no further than to withhold further payments on the awards until Congress should, by its plenary authority, decide whether such an investigation should be made, and should provide an adequate procedure for its conduct, and prescribe the consequences which should follow from its results.

Unless Congress should now make this disposition of the matter, and furnish thereby definite instructions to the Department to reserve further payments upon these awards till the conclusion of such investigation, and to take such further order with the same thereafter as Congress might direct, it would appear to be the duty of the Executive to accept these awards as no longer open to reconsideration, and proceed in the payment of the same pro rata with all other awards under the convention.

WM. M. EVARTS.

It will be seen from this report, with respect to La Abra mining claim, the principal ground of complaint is exaggeration of damages, and upon that question it does not appear that any fault whatever attaches to the Commission before whom it was examined, nor to the referee by whom it was affirmed. It also appears that the Department of State so far passed upon the question of excessive damages as to determine the claimants to be entitled to the installments already paid in, and that the Executive had directed the amounts to which the claimants were thus entitled to be paid over; and while the remaining installments not yet received may be regarded as subject to retention to meet the question of a reduction of damages, it virtually determines the question submitted to the Executive Department by the said 5th section, so far as that claim is concerned.

In regard to the Weil claim, the case presents one of greater difficulty. It appears from the report of the Secretary that this claim is charged by the Mexican Government to be a complete fabrication; that this charge was made before the Commissioners at the time it was undergoing investigation. The representative of Mexico claimed to be in possession of evidence then to establish the charge, but declined to introduce it, preferring to rest the case on the evidence introduced by the claimant, but sought afterwards to introduce such impeaching testimony before Sir Edward Thornton, the referee, who declined to receive it, holding, and correctly, that no new evidence could be introduced on the hearing before him, and that upon the evidence submitted to the commissioners he could not do otherwise than to affirm the claim.

In the investigation that has taken place in the State Department, under the authority of the fifth section quoted above, no suggestion appears in the report of the Secretary "that the honor of the United States, the principles of public law, or the considerations of justice and equity require that this case should be retried," but, on the contrary, after stating considerations of public policy which would seem to forbid the reopening of the case, the questions of honor, principles of public law, and considerations of justice and equity are referred to Congress to decide. This would involve an investigation by Congress of facts of an international character which, in the opinion of the committee, properly belongs to the executive department, and which it was the intention of the fifth section of the act of June 18, 1878, to leave with the department.

The bill under consideration proposes to withdraw these two claims from the dominion of international jurisdiction and place them before a tribunal organized and existing solely by virtue of the laws of this country, and in this way it would seem designed to avoid the opening up of other questions of complaint that are known to exist on behalf of citizens of the United States whose claims, for various causes, fail to receive favorable consideration by said commission under the treaty creating the commission.

The second article of that treaty bound the two governments absolutely and conclusively by the final awards of the commission and umpire in all cases coming within its provisions; and it would seem right that if it is to be set aside as to any of the claims it ought to be by a new convention, in which provision should be made for doing justice to all claimants.

The reasoning of the Secretary of State against the propriety of such a course as this would seem to be unsatisfactory; but, in the aspect these cases are presented to us, we feel constrained to report back said bill adversely and recommend its indefinite postponement.

Mr. VEST. Not satisfied with that appeal in the Forty-sixth Congress, Mexico went to the House of Representatives and there made the same proposition through a resolution, and it was there elaborately discussed. I hold in my hand now the report of Mr. Wilson, Report No. 27, in the Forty-fifth Congress, second session, from the Committee on Foreign Affairs:

The Committee on Foreign Affairs, to whom was referred House resolution 30 (*a*, p. 8), in relation to suspending payment of the claims of Benjamin Weil, No. 447, and the La Abra Silver Mining Company, No. 489, on the American docket of the late joint commission of the United States and Mexico, and also a letter from Mr. Secretary Evarts in relation to the same subject (*b*, p. 8), having had the matter under consideration, submit the following report.

In that report, after examining the entire question, the com-

mittee unanimously report that no such power exists to send these awards to the Court of Claims. The language of the committee is as follows:

> Auxiliary legislation may become necessary to the complete execution of a treaty, and to that extent it is competent for Congress to legislate upon the subject. (Lawrence's Wheaton on International Law, p. 457.)
>
> In the case now under consideration the Secretary of State has asked for auxiliary legislation, in this, an act appropriating the amount of money that was withheld from citizens of the United States by Mexico to pay the amount awarded to citizens of Mexico against the United States.
>
> The committee are of the opinion that the House of Representatives has no jurisdiction over the subject-matter referred by the joint resolution, and that the Mexican Republic has not made, and could not properly make, any application to the legislative department of this Government.

In the remainder of the report the general proposition is discussed as to the power of Congress to take up a political subject of this sort and refer it to a municipal tribunal for adjudication.

Not satisfied with this, Mr. President, this question again came up in the House of Representatives, when my friend from Virginia [Mr. DANIEL], not now in his seat, was a distinguished member of that body. There it came up in the Fiftieth Congress after the new evidence of Mexico, upon which such reliance is put here now, had been furnished; and after the letter-press book had been put in evidence; and the Committee on Foreign Affairs of the House of Representatives made an elaborate examination and made their report upon it. Mr. DANIEL submitted the report, in which the committee came to a conclusion by a vote of 10 to 3, with all this new evidence before them, with counsel upon both sides of the most distinguished ability to argue the case, that upon the facts of the case the La Abra award ought not to be opened. That was done by a vote of 10 to 3, and yet Mexico comes here again and says that we must have another examination, sixteen years after the award has been made, when death has sealed the lips of the men who knew more about it than anybody possibly could, and who are now charged with perjury in writing and orally in order that their descendants may not receive their proportionate share of what was given them by the umpire, Sir Edward Thornton. I ask that the portion of the report which I have marked, and only a small portion of Mr. DANIEL'S report, be read.

Mr. DOLPH. Will the Senator kindly state what he reads from?

Mr. VEST. From Mr. DANIEL'S report in the House of Representatives.

Mr. DOLPH. Is that the document the Senator has in his hand?

Mr. VEST. No; this is——

Mr. DOLPH. I was trying to get an extract from the report read in the Senator's speech yesterday, and I understood that the Reporter could not find the document the Senator was reading from.

Mr. VEST. One of the Reporters told me this morning that he could not find that document. I have three copies of it on my desk, and I handed him one this morning. It was published by authority of the Senate. It is the minority report of Governor Brown, and every Senator upon the Committee on Foreign Relations has seen it, and it can be obtained at the document room without trouble. I do not know what the Senator from Oregon means by saying that it can not be obtained. Does the Senator suppose that I would bring in here a fictitious or surreptitious document?

Mr. DOLPH. The Senator has entirely mistaken what I said. I simply asked the Senator what document he read from, and I stated that the Reporter had said to me this morning that he could not find it. I desired to facilitate the work of the Reporter, so that to-morrow morning I might have an opportunity to see in the RECORD the Senator speech, because I propose to reply to it.

Mr. VEST. The Senator will see my speech in the RECORD as a matter of course. I was astonished myself, I will say to the Senator from Oregon, when the Reporter told me he could not find this document. I had five copies of it. I handed one of them yesterday to the Senator from Louisiana [Mr. WHITE] who sits in rear of me, and I gave another to the Senator from Virginia [Mr. DANIEL], and I had three of them left, one of which I handed to the Reporter this morning. There is no trouble about finding it, and every citation made in this minority report can be tested as to its accuracy by referring to the report of the Committee on Foreign Relations.

Mr. MORGAN (to Mr. VEST). Can you find Mr. DANIEL'S report?

Mr. VEST. No, I am hunting for Mr. DANIEL'S report. This is the minority report, No. 2705, part 2. The report of Mr. (now Senator) DANIEL was made from the House Committee on Foreign Affairs in the Forty-ninth Congress, and it was made, as I have stated, upon all the evidence, new and old——

Mr. MORGAN. That was long before De Lagnel was examined.

Mr. VEST. Leaving out possibly De Lagnel's testimony, but the letter-press book was before the committee, the letterpress book upon which I understand the stress of this application to reopen the whole matter on the ground of fraud is based. As to De Lagnel, I will come to him directly. I accept every word of his as true, and he is one of the best witnesses in this whole case for the La Abra Company.

I will submit this whole case on his testimony, and do it with alacrity. I shall proceed in a very few minutes to show that the Senator from Alabama was grossly mistaken yesterday when he said that the minority report of Senator Brown had misquoted the testimony of De Lagnel upon a most important issue. But I will dispose of this report of the House of Representatives first. I ask the Chief Clerk to read from the report the grounds on which the House committee reported against any interference with this award.

The PRESIDING OFFICER. The Chief Clerk will read as requested.

The Chief Clerk read as follows:

> Undoubtedly some of the items of the large claim asserted against Mexico by the La Abra Company are shown to have been exaggerated and others unfounded. But this remains when all that can be reasonably said in favor of the interference proposed has been considered—that there was ample evidence before Sir Edward Thornton that is not impugned by any new evidence to have sustained and warranted his award; that the award did not embrace damages on account of the items that have been surcharged or apparently falsified; that that award was far below what was claimed—that it was far below in amount the damages which, in the opinion of unimpugned witnesses, the claimant's company suffered; that it did not embrace speculative damages; that the mistreatment of the company by Mexican officials and people is proved by their own testimony; and that conceding all that by reasonable intendment the newly discovered evidence proves the award made had ample foundation in testimony, not successfully impeached, and was not in excess of fair compensation for losses suffered according to that testimony.
>
> The United States has never undertaken to be themselves the judge of the legitimacy of these claims, nor could they do so. They were a party to the arbitration, not the arbitor. The legitimacy of the claims was the very question submitted to the court of arbitration under the treaty; and while it is true that with an exalted and refined sense of honor, which of its own instructive impulse refuses the fruit of wrong, the United States will interfere to arrest palpable frauds and impositions practiced by or for the benefit of its citizens. It is also true that they should not attenuate that sense of honor into a Quixotic spirit, and exert its powers to override the most sacred settlements not palpably or apparently obtained by fraud. Were this case reopened by any form of procedure abundance of evidence would be found unimpeached in the records before Sir Edward Thornton to justify his judgment.
>
> The new case, like the old one, would be a case where truth had to be sought under a mass of contradictions, and at the end of it—whatever that end might be—there would be as much room to question the propriety of the decree as there is now. Indeed, such a case as this can never be ended save by the finality that belongs to adjudication. Affidavits and counter affidavits—allegations of intimidation and extortion—recantations and recriminations and reassertions bestrew the record, and no one who reads its heaps of testimony (taken without regard to technical rules, and with no sort of discrimination between direct and hearsay evidence) can reach any other conclusion than that the details of exact truth are impossible of ascertainment, and that any decision should be predicated upon the few landmark facts which are established.
>
> This Sir Edward Thornton evidently well appreciated. He did not discuss the minutiæ of evidence, or refer to that of any single witness. He did not award the speculative damages claimed, or follow counsel in any of the niceties of their argumentation. With the spirit of a wise chancellor he looked at the facts which rose up out of the débris of testimony, and upon them rested his judgment. Those facts remain, and that judgment, in our opinion, should stand: and we fail to see that the honor or conscience of the United States is concerned to disturb it.
>
> Mexico had full and fair hearing. The great mass of cases was decided in her favor, and the only maxim which we conceive is now wisely applicable to this claim is that which tells us it is to the interest of the Commonwealth that litigation should cease.

Mr. VEST. That report was made, as I have said, by a vote of 10 to 3, after an exhaustive examination of all the facts in this case by that committee. In the first place, Mexico brought the question up after five years' consideration before the umpire, when the American commissioner, after hearing all the facts, voted one way in favor of the claim and the Mexican commissioner had voted against it, and the umpire then heard all the case and decided in favor of the award of $687,000 to the La Abra Mining Company. Mexico then put in a long and elaborate motion for a new hearing, in which they charged wholesale perjury and fraud, specifying the Mexican witnesses who had sworn falsely, arraigning, as having been guilty of perjury, the very witnesses whom they now bring in here themselves and put on the stand as worthy of credit.

Dahlgren, who comes here now, and whose evidence is found in this report as a new witness, said that he was a son of Admiral Dahlgren, and I shall show, by the argument of the Mexican authorities before the umpire, that they charged him with robbery and as a man unworthy of credit. He is brought here now and paraded as a man whose deposition was manufactured, and he says he signed a blank piece of paper or some notes, and they were filled up afterwards, a tale that no justice of the peace would tolerate for a second and no respectable lawyer would contemplate with anything but derision. This man, whose testimony is brought here now to induce the Congress of the United States to send this case to the Court of Claims, was denounced by the Mexican authorities and by the Mexican counsel as a robber and a man unworthy of credit.

Another one of the witnesses brought here is a man named Elder, and the evidence shows that he tried to sell his testimony, according to his own admission, to both parties. He told a man going across the ferry from Mare Island navy-yard to San Francisco, or from Oakland to San Francisco, that the Mexican Government had offered him $50,000 to testify. He replied to the subpœna of the Sergeant-at-Arms to appear before the subcommittee of the Senate that he must be paid for it; that he would not come here for the ordinary fees of a witness. He is a man who swore for both parties; who was as much in market with his evidence as ever corn or wheat were offered in market overt to the best bidder. By his own confession a perjured scoundrel before all the world, unblushingly so, parading his villainy out of his own mouth; and he is brought here now as one of the new witnesses, or rather with a new story, to reopen this award and take the money away from these claimants!

To show how Mexico conducted this case I wish to call attention to one statement of the umpire. This was in his ruling upon the motion for a rehearing.

In the case No. 489, "La Abra Mining Company *vs.* Mexico"—

Says Sir Edward Thornton—

the Mexican agent appeals to authorities as to the value of ores, who, he states, are at Philadelphia. Why were not the statements of these gentlemen—of whose existence the umpire was not aware, and to whom he had not access—reduced to evidence and produced before the Commission.

As I stated yesterday, they had evidence they would not produce until the case was decided against them, and then they undertook to bring it on a motion for a rehearing without ever having submitted it to the umpire at all.

Have these claimants no rights at all in this case? Are they to be denounced simply as wholesale perjurers and turned out of court, innocent people who never had anything to do with this litigation? And are we now to understand that there shall be no examination of the matter except by the Court of Claims which reports simply to the President, to the political department of the Government, that there has been fraud and false swearing that brought about this award?

How are they to determine whether that brought it about? How are they to arrive at a conclusion in regard to the ratiocinations and mental processes of Sir Edward Thornton? How are they to determine what induced that award in his mind? And if they find in regard to any portion of it that it was brought about by fraud and false swearing, then so much of the award is to be returned by the President to Mexico. In other words, the United States Government tries the case for Mexico, pays all expenses and returns the money if the Court of Claims and the Supreme Court on appeal (and I will speak of that directly) should find that this award was superinduced or brought about by fraud and false swearing—not by perjury, but false swearing.

Mr. President, especially since the Senator from Oregon alluded to the minority report of ex-Senator Brown, I am glad to come to an issue made between the Senator from Alabama [Mr. MORGAN] and myself just before we adjourned yesterday. I read from the minority report the testimony of Col. De Lagnel, who is accepted as an honest man by both parties. I read from that minority report; when the Senator from Alabama rose in his seat and denied that that was a correct report, and said that the record, as he expressed it, did not substantiate what I had read as coming from De Lagnel as a witness.

I hold in my hand the report of the Committee on Foreign Relations of the Fiftieth Congress, second session, Report No. 2705, submitted by Mr. DOLPH, and in the appendix to that report is the testimony of the witnesses; and the first witness examined is De Lagnel, who had never testified before. He appeared for the first time before the subcommittee, and as to the extract which I read I propose to read it again, and I wish that Senators had in their hands the minority report, to see whether there is the variation of a syllable, of the dotting of an "i" or the crossing of a "t," between one report and the other.

Mr. MORGAN. What page do you read from?

Mr. VEST. I read from page 95 of the report of the Committee on Foreign Relations.

Well—

Asked Mr. Wilson—

there was hostility to Americans there?

That is, at Tayoltita, at the mines.

That existed at that time and I just mention just what I know. My own clerk, a young man who was employed in the store, a Mexican born and raised in San Ignacio, 70 miles from the mines—he had been educated in California, and spoke English as well as I could; in talking with him one evening, discussing this very thing, he just scouted the idea of the withdrawal of the French being due to the United States Government, and I tried to show him that without the United States Mexico would never have got rid of the French; but he scouted it, and speaking of what the Mexicans were capable of and so went on to speak as if they were able to take care of themselves with any people or peoples. I said, speaking to him: "You ought not to give heed to these reports"—something of the sort—"because the Americans are friendly to you. They certainly have shown it in this late action of the Government in assisting in ridding you of this foreign control, and you ought to feel kindly towards them." He said, "we hate them." I said—he was only a boy—"how can you?" I said, "I was here in 1847 in the City of Mexico, and you were born about the close of the war. You are a boy now, how can you have that feeling?" "I have no feeling one way or another towards you except—because," he said, "it was taught us by our fathers. They have told us all and they keep at it."

I should be obliged now to the Senator from Alabama to show me any difference between that and the statement in the minority report. There it is, and I read it yesterday word for word taken from this paper. Here it is on page 20 of the minority report word for word and letter for letter, identical with the evidence that I have read from the report of the committee at large.

Mr. President, it will be noticed, if Senators feel enough interest in this matter to look at the testimony of De Lagnel, that this boy had been prejudiced by his father. Every man familar with Mexicans and especially the lower orders knows that that is the fact all through Mexico. In addition to that, the evidence shows in reference to these matters, if Senators will look at the context in the other testimony of De Lagnel, that the report was spread all over Mexico at the close of our civil war that Gen. Butler was on his way with an army to seize the State of Durango and annex it to the United States.

It had inflamed that population, inflammable at all times, to perfect exasperation, until they had come to the conclusion, officers and people, that the Gringos, as they call the Americans, the locos, or fools, from the north should not be permitted to stay in that country. De Lagnel says they were governed greatly by self-interest. As long as the Americans brought money there and spent it they were señors, hidalgos, but the very minute there was any scarcity of money, the very minute the Mexicans did not receive what they wanted, the very minute that the superintendent of this mine changed the proportion between the cash to the employés, and the goods delivered, even to a fraction, that very instant magistrates and people rose against the company.

In the letters here which are paraded with so much zeal, that are found in this letterpress book from this man Exall, the third and last superintendent of the mines, to David J. Garth, the treasurer, in the city of New York, in 1868, we find the statement from Exall that the authorities are becoming more and more troublesome; and yet the majority report says that Mexico protected our people; that the officials there gave all the protection that was necessary. At the time that Exall wrote this letter he could not have had any object except to have stated the truth, unless it was a part of a deep-laid scheme on his part to disgust the New York stockholders and get possession of the mine himself, which I have no doubt was ultimately his intention. I am not here to defend him, but I am here to defend the innocent people who believe honestly that they have a right to a portion of this award, and that this international arbitration ought to be ended some time or another.

Mr. MORGAN. If it will not interrupt the Senator——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Alabama?

Mr. VEST. Of course; with pleasure.

Mr. MORGAN. The Senator refers to innocent people here a great deal. I desire now to read the list of assignments made by the La Abra Silver Mining Company of this fund, and ask him to inform the Senate, if he knows, which class of people or who are the innocent ones. The fund has been distributed as far as it has been paid in up to a certain time—three or four installments of it—into the hands of persons who had made claims before the Department. Mr. Bayard, in reply to a letter I addressed to him on the 21st of February, 1889, gives a list of assignments made by the La Abra Silver Mining Company.

Conditional assignment by Alonzo W. Adams (dated December 13, 1871, to Wedworth Wadsworth of two twenty-fifths of his interest (one-third) in this award to secure notes of $2,000 and interest. Indorsed on this assignment is a transfer of interest by Wadsworth to Henry C. Hepburn. (Filed in Department January 25, 1879.)

NOTE.—This assignment has been satisfied so far as the Department is concerned.

Agreement between Sumner Stow Ely, A. W. Adams, and George H. Williams (dated October 9, 1879), whereby Mr. Williams is to receive $16,000; $3,326.50 out of first and second installments and balance pro rata out of subsequent installments. (Filed in Department October 18, 1879.)

Assignment by La Abra Mining Company (dated February 4, 1881) to Charles T. Parry and Joseph Hopkinson of $1,400; $1,257.20 to be paid out of third installment and $314.28 out of each of ten succeeding installments commencing with the fifth. (Filed in Department February 5, 1881.)

Decree of supreme court of District of Columbia (dated January 21, 1881), that $15,000 shall be paid out of fourth installment, as follows:

F. P. Stanton, $3,333.33; T. W. Bartley $3,333.33; W. W. Boyce $3,333.33; A. W. Adams, $5,000. (Filed in Department January 25, 1881.)

Assignment by La Abra Company to Cyrus C. Camp (dated May 6, 1880) of $10,000, to be taken in eleven payments of $909.10 each. (Filed September 14, 1880.)

Assignment by La Abra Company to Shellabarger & Wilson (dated February 4, 1881) of $5,266; $2,633 to be paid out of the fifth installment and $2,633 out of the sixth installment. (Filed February 8, 1881.)

Assignment by La Abra Company to W. W. Boyce (dated February 5, 1881) of $8,666, to be paid pro rata. (Filed February 8, 1881.)

Assignment by La Abra Company to Thomas W. Bartley (dated February 5, 1881) of $6,166.66, to be paid pro rata. (Filed February 8, 1881.)
Assignment of La Abra Company to Frederick P. Stanton (dated February 5, 1881) of $6,166.66, to be paid pro rata. (Filed February 8, 1881.)
Assignment of La Abra Company to Thomas W. Bartley (dated November 23, 1881) of $2,500 out of the fifth installment and $833.33 out of each of the succeeding eight installments. (Filed in Department November 25, 1881.)
Assignment by La Abra Company to Frederick P. Stanton, same as above to Bartley. (Filed November 25, 1881.)
Assignment by La Abra Company to George Ticknor Curtis of $850; this assignment is conditional. (Filed June 30, 1884.)
Assignment by La Abra Company to John H. Rice (dated January 10, 1883) of $3,857.15, payable in sums of $428.27 out of each installment, commencing with the sixth. (Filed February 26, 1886.)
Assignment by La Abra Company to George Ticknor Curtis (dated May 29, 1885) of $1,650, on same terms as previous assignment. (Filed April 29, 1886.)
Conditional assignment by A. W. Adams to Shellabarger & Wilson (dated May 12, 1884) of $5,000, to be paid out of the sixth installment. (Filed September 23, 1886).
Assignment by La Abra Company to Eugene Jones (dated June 29, 1880), of $34,000, to be paid in eleven equal installments. Mr. Jones admits having received $6,181.80 on this account. (Filed March 28, 1887.)
Assignment by La Abra Company to Shellabarger & Wilson (dated March 5, 1887) of $3,333.34, to be paid out of sixth installment. (Filed April 1, 1887.)
Conditional assignment by Alonzo W. Adams to Crammond Kennedy (dated May 20, 1886) of $2,500. (Filed April 2, 1887.)
NOTE.—Mr. Kennedy claims that the foregoing amount has been increased to $5,000, but no agreement to that effect has been filed in the Department.

I should be obliged to the Senator from Missouri if he would state under which one of these assignments these innocent people are holding. I do not see Mr. Bartholow's heirs mentioned here or any other person except the attorneys in this case, and Mr. Adams, and the secretary of the company. The evidence in the case shows that the company insolvent, and the funds, instead of going through a regular corporation administration, seem to have parceled themselves out under this very long list of assignments until the attorneys who are of record in this cause, and whose names will be pointed out later in connection with their services here, seem to have become the heirs at law and inheritors, so far as I can see, of the entire fund.

Mr. GEORGE. I desire to ask the Senator from Alabama a question.

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. Certainly.

Mr. GEORGE. I could not hear distinctly the Senator's statement. Does he mean to be understood as saying the assignees consist exclusively of the attorneys and representatives of the La Abra Company?

Mr. MORGAN. Mr. Adams is not an attorney; he is a party in interest, one of the promoters of this award, and very active in the promotion of it. He gets the lion's share here.

Mr. GEORGE. Who is he? Is he a member of the La Abra Company or an officer?

Mr. MORGAN. No, not as I remember; I do not think he was a member or an officer. When I come to explain this matter to the Senate I shall read the deposition of Mr. Ely, who was the secretary of this company during all of its existence, and we will then ascertain. As I understand his testimony, the company is insolvent, but nobody gets anything out of it except those men who promoted its claim here as attorneys or in some other capacity. I do not find that Mr. Bartholow has any interest here or any other person, except those who have got these assignments, as it appears, for services rendered early or late.

Mr. GEORGE. The Senator stated that Mr. Adams was a promoter of the claim?

Mr. MORGAN. Yes.

Mr. GEORGE. Does the Senator mean by that that he assisted in the prosecution of the claim before the Mexican Commission?

Mr. MORGAN. Yes.

Mr. VEST. Mr. President, there is no sort of question but that these assignments were made, and made to pay lawyers and agents to obtain testimony,

Mr. MORGAN. They got it all, so far as I can find out.

Mr. VEST. Yes, and Mr. Garth says in his testimony before the subcommittee of which the Senator from Alabama was chairman, that he had never received anything out of the two hundred and sixty-odd thousand dollars that had been paid by the Government on the first installments.

Mr. MORGAN. Mr. Garth was a stockholder.

Mr. VEST. Of course he was.

Mr. MORGAN. He was the company; he never got anything.

Mr. VEST. Of course not; and all this money was exhausted in paying the expenses of litigation.

Mr. GEORGE. Before the Mexican Commission?

Mr. VEST. Before the Mexican Commission to get testimony and pay lawyers. Of course such attorneys as Shellabarger & Wilson do not practice law for amusement.

Mr. MORGAN. They were not before the Commission at all. The greater part of these assignments has been for services rendered since this cause has been before Congress.

Mr. VEST. Very good; there is no question in the world but that W. W. Boyce, whom a great many of us knew, and other men who were engaged in prosecuting claims here in the city of Washington, received money out of the portion of the award that was paid over to this company. A large amount of money——

Mr. GEORGE. That is an important point to me. Do I understand the Senator from Missouri to admit that the assignees of this fund, who claim now to be innocent purchasers without notice, are the attorneys who represented the claim before the Mexican Commission and who subsequently represented the claim before the committees of either House of Congress?

Mr. VEST. I do not understand that this assignment goes to the whole claim. This was the assignment of the money paid over by the United States Government.

Mr. GEORGE. Was nobody interested in the surplus except the company? Has the whole fund been assigned?

Mr. VEST. I know nobody interested in it except the stockholders who are living and descendants of those dead.

Mr. GEORGE. They are the company?

Mr. VEST. Yes, so far as my information goes.

Mr. MORGAN. They are not innocent people, though?

Mr. GEORGE. I want to understand it.

Mr. VEST. If Senators will allow me, I will show who were the innocent people.

Mr. GEORGE. Let me understand it. I understand it this way, if I am correct, that all the persons who claim as innocent purchasers of this fund are the attorneys who represented the claim before the Mexican Commission and who have since represented the interest of that claim before the committees in the two Houses of Congress, except those who have an interest as stockholders in the La Abra Company. Is that the attitude of it?

Mr. VEST. If the Senator is through I will state what I understand. But I have no personal knowledge about it. I have stated all my connection with it fully to the Senate. All that I know about it is what I derive from this testimony. The letters I have received from my constituents simply appeal to me to resist this bill because it amounts virtually to a judgment against them. That is all; my personal knowledge amounts to nothing. I never conversed even with one of them in regard to it. I never had any written correspondence with anybody in regard to it.

I can not state accurately who is interested now in this award, because there have been assignments and payments from time to time until it would be impossible without an examination authoritatively to tell who now owns it. But I do know this, if human testimony is worth anything at all, that there are widows and orphans and trustees in the State of Missouri who own by inheritance portions of this award and who have nothing else under heaven. I know that. I am reminded of it by the presence of the governor of Missouri upon this floor, not upon that business at all, for he knows nothing whatever about it, but his father-in-law, John D. Perry, of St. Louis, was one of the stockholders, having paid in $5,000, or $10,000 possibly; and he never received a cent.

Mr. GEORGE. For stock in the La Abra Company?

Mr. VEST. For stock in the La Abra Company. I take it for granted that W. W. Boyce, of South Carolina, a former member of Congress, and who, after the war became a claim agent or attorney in this city, was employed in this case, for I see payments were made to him. He was paid out of the money that was paid by the Government upon this award in the installments that were settled without any trouble. We are now discussing the money that is still there and unpaid, of course. This company I have no doubt is insolvent; there is not the slightest question about it from the testimony of Mr. Garth. Mr. Garth was the treasurer, who paid in $50,000 at one time and advanced it out of his own pocket. He afterwards advanced $20,000 as a loan to the company. In the administration of De Lagnel $60,000 in money was sent from New York that these stockholders advanced to the company. Garth says that he would go to one stockholder and another, and tell them, "you are in $5,000 now; if you do not put up more you will lose the whole investment."

Mr. GEORGE. Garth was a stockholder?

Mr. VEST. Of course; possibly the largest stockholder. He was the treasurer of the company, and John Garth his brother, who lives near Hannibal, Mo., as reputable a man as there is on the face of the earth, was another stockholder, and put up $10,000 of his money. There are very few of them living. Adams is dead. He appeared here as agent for the La Abra Company. He went to Mexico and took testimony. He went there in the unsettled condition of the country over the mountains and stayed months among these Mexicans. Of course he had to be paid for it. These things are not done for sentiment. We understand that any claim against this Government must have its representatives, and paid representatives, as claim agents or lawyers, and this city is full of them, many of them reputable men and many of them a disgrace to the legal profession to which they claim to belong. But among them are men of as high honor, professionally

and personally, as tnere are in the world. Of course they had to be paid in order to get one dollar.

Look at the odds against the claimants. Here was the State Department refusing to pay; here were eminent counsel engaged by Mexico; here was my distinguished friend in front of me, with all his ability, for which I have the highest respect, and his zeal for what he believes to be right; here were these claimants whose money was all gone, $600,000 buried in the ground or squandered among the Mexicans at Tayoltita—were they to sit silent and do nothing and employ nobody? They were compelled to employ counsel and agents to take this testimony and to represent their case before the committees of Congress, in the courts, and before the Departments.

Mr. GEORGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. VEST. Certainly.

Mr. GEORGE. I do not want to confuse the Senator, but——

Mr. VEST. It does not confuse me at all.

Mr. GEORGE. I was trying to get at this point, that there is nobody now claiming this fund except the stockholders in the La Abra Company and persons who received assignments of portions of the fund for their services.

Mr. VEST. Oh, no; I most distinctly stated, if the English language means anything for me, that there are trustees, and widows and orphans, who never had anything to do with this matter, whose husbands and fathers are dead; and I was about to read the list.

Mr. GEORGE. They claim by inheritance?

Mr. VEST. As a matter of course.

Mr. GEORGE. Very well; then I will put it this way: There was nobody then interested except persons who received assignments for their services in prosecuting this claim before the Commission or before Congress, or their legal representatives, they getting the title of representatives by inheritance. Is that correct?

Mr. VEST. I do not know, Mr. President. I have simply this to say, that there is no evidence in the world to show that the same assignees are interested now who were interested at the time that report was made. I know as a matter of fact that they are not. Mr. Boyce is dead. He can not be interested. He has nobody to represent him or perform any services. That assignment was of the money already allowed or paid. The Senator from Mississippi seems to be laboring under the misapprehension that that was an assignment of the whole award, *in futuro*. Not at all. The company was compelled, or the parties interested were compelled to pay these attorneys and agents from time to time, and they could only pay them out of the money they got from the Government.

Mr. GEORGE. Now, Mr. President, if the Senator will allow me, that is the very point I was trying to arrive at, whether the persons, being alive or being dead and represented by their heirs, are those who got the assignments to pay for services rendered in the prosecution of the claim.

Mr. VEST. I do not know of any such case as that. I will state what my understanding of the matter is, and I derive it simply from the papers; for I repeat I have never had conversation or communication with anybody except my constituents, trustees, widows, administrators, or executors, and others, who represent now the interests which they inherited in this award; but——

Mr. GEORGE. How did the persons from whom they inherit get it?

Mr. VEST. Stockholders. All I know were stockholders; there was not a lawyer or assignee in the matter.

Mr. GEORGE. They were stockholders?

Mr. VEST. As a matter of course.

Mr. GEORGE. Stockholders of the company?

Mr. VEST. Yes; for instance, Gen. Bartholow, who paid in $10,000. His estate to-day is insolvent, and all that his children have in the world is their expectation, or hope, of obtaining their proportion of this award.

Mr. GEORGE. It is not claimed that they are innocent purchases, but they are representatives of stockholders of the company?

Mr. VEST. As a matter of course, but they are innocent; they had nothing to do with this matter; they had nothing to do with any fraud or any false swearing; their only fault, if it be any fault, is that they inherited this right, as they claim, in this award which is now sixteen years after the issue was decided, being disputed in the Senate.

To show how busy death has been in this matter I will read again what I read yesterday, to show how few of the men who were actively engaged in the matter are now living. Here, for instance, in the death roll is George C. Bissell, a superintendent of mines adjoining La Abra mines; John P. Cryder, a lawyer and miner residing in Mexico; Francis F. Dana, for twenty years a resident of Mexico, and a lieutenant-colonel in the Mexican army in the war of the French invasion; A. W. Adams, the agent of the company in the taking of the testimony of its witnesses; George C. Collins, the president of the company during the period when the claim arose; Thomas J. Bartholow, the first, and Charles H. Exall, the last, superintendent of the company. All these men are dead and the inheritance of those who were stockholders has gone down to their children or their collateral kindred, as the case may be.

Mr. GEORGE. May I ask the Senator one question?

Mr. VEST. Just as many as the Senator pleases. I shall be glad to answer him.

Mr. GEORGE. I desire to know if the Senator contends that the heirs or the legal representatives of deceased parties have a superior right to that of the parties from whom they inherit?

Mr. VEST. As a matter of law, of course not. That is elementary law. It is hardly necessary to ask me that; but the point I am making is that against these heirs, who know nothing about the matter and who had under the terms of this international arbitration every right to believe that it was a finality, it is not equity and abstract justice, sixteen years afterwards and when their fathers are dead, who did know all about it, for Mexico now to bring this matter up and say that fraud and false swearing has been perpetrated. That is the point I make.

I claim here that American citizens have as many rights as the Government of Mexico, and that this is not an *ex parte* proceeding, but one that appeals to the sense of justice and manhood of every Senator upon this floor or every man within the United States. I know (and it requires no evidence to show it) that the people interested in this claim were compelled to employ agents and attorneys. If there is a man who has been in Washington city twenty-four hours who does not know that, he is obtuse to the point of idiocy. These streets and lobbies swarm with claim agents of every description, and they are here living upon this sort of business.

The La Abra Company, I have no doubt, was insolvent. Mr. Garth says they refused to pay out more; that they were driven out of the country, as they contend; that they were in all sorts of difficulties, and they refused to put any more money into these Tayoltita mines. The La Abra Company had no assets except these Tayoltita mines.

These men who got these assignments from time to time out of the money paid to the La Abra Company by the Secretary of State are not now the agents or attorneys of the company. They were changed from time to time. When so many thousand or hundred dollars, as the case may be, were received out of the award the agent was paid. He had to live and support his family. One of them, W. W. Boyce, lived on a little farm, where he died, between here and Baltimore, and he had to be paid and other agents had to be paid. Is there anything criminal in that? Is there anything wrong in that? How else could this claim have been prosecuted?

But, Mr. President, in the language of a very grandiloquent orator who was once in this body, "gentlemen who reside in houses constructed of diaphanous materials should not throw projectiles." In other words, people who live in glass houses ought not to throw rocks. It does not lie in the mouth of Mexico to talk about employing agents. I have a document I want to read, which has a great deal of significance in this connection, and that is the contract between Gen. Slaughter, of Mobile, Ala., and the Mexican Government.

This agreement, made this 29th day of March, A. D. 1877, by and between Gen. James E. Slaughter, of Mobile, Ala., party of the first part, and Señor Don Ignacio Mariscal, minister of Mexico to the United States, party of the second part,

Witnesseth, that the said party of the first part agrees, for the considerations hereinafter named, to undertake the proof of fraud in the claim of the La Abra Mining Company against the Government of Mexico, which claim is numbered 489 on the docket of the Joint Commission of the United States and Mexico and has been adjudicated by the umpire of said Commission.

To this end the said party of the first part agrees to send an agent to Mexico for the purpose of securing testimony in proof of the fraudulent character of said claim; to pay the expenses of such agent as far as the City of Mexico; and to secure such assistance as may be necessary in preparing the evidence so obtained and presenting the same to the proper authorities of the Government of the United States.

The said party of the second part—

Mexico or its minister—

acting for and in behalf of the Government of Mexico, hereby agrees to secure the payment by the said Government of all expenses incurred by the said agent of the party of the first part after he shall have arrived in the City of Mexico; to see that all facilities are furnished by said Government to enable him to secure the necessary testimony, and to pay, by draft payable as hereinafter specified, one-half of the expense incurred by the said party of the first part in the preparation of evidence and the presentation of the same to the proper authorities of the Government of the United States; provided, that such expense shall not exceed the sum of $3,000, American currency.

And the said party of the second part further agrees, in consideration of the services above named, to pay to the said party of the first part, by drafts upon the national treasury of Mexico, payable in Mexican gold ten months after presentation at said treasury, a sum equal to 10 per cent of any portion

of said claim which may be waived or finally withdrawn by the proper authorities of the Government of the United States, or of its total amount if it be waived or withdrawn in the same manner; said drafts to be drawn by the minister of Mexico at Washington immediately upon the final waiver or withdrawal of said claim or any portion thereof, as the case may be, by said authorities of the United States Government.

In witness whereof we have hereunto set our respective hands and seals this 29th day of March, A. D. 1877.

JAMES E. SLAUGHTER.
IGNACIO MARISCAL.

Now, Mr. President, what would be thought, or what ought to be thought, of a friendly power which, after submitting an award to international arbitration, with the extraordinary language in it that the decision of the umpire should be final, without delay or objection—what would be thought of a government under these circumstances, before they paid the money and after the case was decided against them, employing a citizen of the other government to furnish proof that there was fraud in the case in order to get rid of the obligation? Why, when the claim was pending by Great Britain against the United States in regard to the fisheries, and when it was arbitrated, and there was an award of $5,500,000 against this country, which was subsequently paid, we all recollect that there was a statement in the newspapers and a statement by the Secretary of State, Mr. Evarts at the time, that there had been fraud and unfair dealing in the obtaining of that award.

Supposing it had come out in the public press that pending the payment of that award, when the conclusion was to be final between these two countries, the American Government had sent to England and employed an English subject to get up testimony to defeat that award, what would be thought of it by the civilized world? It will not do to answer that fraud vitiates everything and justifies everything to overthrow it. The Supreme Court of the United States has said that this is no ordinary proceeding and the technical rules of law do not apply to it. As Senator DANIEL said in his report in the House of Representatives, and as Mr. Evarts himself said, there ought to be an end of a controversy of this sort in the interest of the peace of the world between two great nations.

If this were a case in court depending upon the *ita lex scripta est*, different rules would apply. If I were here pleading this case as a lawyer I would welcome the conclusion of the Senator from Mississippi [Mr. GEORGE], as I understood him yesterday, that this was a motion for a retrial. Under every rule that governs a motion for a new trial Mexico is out of court, and it is simply evading the whole question to say that Mexico is not now a party, because this proceeding is in the interest of Mexico, continuing the conduct of Mexico for sixteen long years, to do away with the absolute agreement, that the award of the umpire should be final, without objection and without delay.

Mr. President, I will ask the indulgence of the Senate to print certain portions of the minority report which contain citations of authorities and extracts of evidence. I do not propose to insert the whole report with the argument in the RECORD, but I am not able physically to read all this testimony, and I should like, therefore, to have that permission.

Mr. MORGAN. I have no objection at all to the Senator printing anything in his remarks that he desires to do, but at the same time a little controversy arose between him and myself yesterday as to whether that so-called minority report, which is no more than a brief of counsel, prepared by Shellabarger & Wilson, contains a fair statement or a mutilated statement of the testimony of De Lagnel before the subcommittee of the Committee on Foreign Relations of the Senate.

The Senator from Missouri read yesterday a portion of the testimony of De Lagnel. He got down onto page 109. He was reading then from the report on page 21, and he read an extract from the report here, which makes the quotation from the report of the subcommittee.

Mr. VEST. On page 21?

Mr. MORGAN. Yes.

In answer to a question put by Mr. Foster, Col. De Lagnel gave the subcommittee another illustration of this popular excitability—

Amongst the Mexican people; and then goes on to quote the extract down to these words:

These explosions only occurred, I may say, when they were possibly half full of liquor, but *that is very frequently.*

Underscoring it, as it was not in the original report.

That night I could hear, as I lay down to sleep, *the cries of these people blackguarding and cursing the people in that hacienda.*

There was a semicolon in the report of the committee, but the Senator, or the attorney who has made the quotation, put a period there, and after the semicolon follows these words in the same sentence:

But there is some excuse to be made for that class of population.

A period.

When they were sober I never had discourtesy from any of them.

I merely refer to this to show the Senator that the quotations from the text of this report were not accurate and not just.

Mr. VEST. I hope the Senator will do me the justice to say that I never read that testimony.

Mr. MORGAN. I do not believe you ever did.

Mr. VEST. I mean I never read that yesterday. I have read it, of course, in this document.

Mr. MORGAN. I think the Senator read it.

Mr. VEST. No, sir; I am not mistaken. I never read it.

Mr. MORGAN. My eye was resting on that particular extract at the time.

Mr. VEST. I thought the Senator was laboring under a delusion at the time. He was mistaken.

Mr. MORGAN. My eye was resting upon that particular extract at the time the Senator asked me the question whether or not the report had been correctly quoted, and I told him it had not been.

Mr. VEST. I am glad the Senator calls my attention to it, because I intended to have read it, and I shall be glad to bring it before the Senate. I overlooked it in the mass of this testimony. The testimony I read yesterday will show, as any Senator will remember who paid any attention to me, that it was that portion of De Lagnel's testimony in regard to what his boy clerk told him. That is all I read, but I intended, I will tell the Senator frankly, to read the other.

Mr. MORGAN. That may be, but the Senator from Missouri put to me a question—I do not know about putting the question, but he raised the question as to whether or not this minority report, so called, had correctly quoted the testimony out of the report of the committee, and I told him it had not.

Mr. VEST. As a matter of course, I supposed the Senator referred to what I had read.

Mr. MORGAN. I was not referring to anything except to what I knew.

Mr. VEST. I referred to a particular portion of the testimony, and I remember exactly what occurred. I was reading the statement I have alluded to in regard to De Lagnel's clerk, and the Senator from Alabama rose and said, "From what does the Senator read?" and I said, "From the minority report." The Senator then said, "That report is not correct," or words to that effect.

Mr. MORGAN. That is what I said.

Mr. VEST. And just then the Senator from Connecticut [Mr. HAWLEY] interrupted me and asked me to yield to a motion to adjourn. The Senator from Alabama is mistaken. What I did read was literally word for word and syllable for syllable——

Mr. MORGAN. I did not say that what the Senator from Missouri was reading was not correct, but that I said the report was not correct.

Mr. VEST. If the Senator had specified what portion of the report there would have been no trouble about it.

Mr. MORGAN. I did not have the time to specify then, but may hereafter.

Mr. VEST. Very good. If the Senator will go to the report of the testimony taken by the committee he will find that De Lagnel went to a neighboring hacienda or mine and spent the night, and that the Mexican populace held them substantially in a state of siege.

Mr. MORGAN. He does not say so. He says they merely got drunk.

Mr. VEST. He says, "We could hear their threats and curses and expected to be attacked." That is the testimony.

Mr. MORGAN. If the Senator will read that I should be obliged to him.

Mr. VEST. I may not have used the exact language. If the Senator will hand me that report I will read it. He may not have used the word "attacked," but that is the substance of it. I am quoting from memory. Here it is:

I have asked—

Said Mr. Wilson to De Lagnel—

you whether you have a general knowledge of the condition of affairs at the nearest company to yours, the Durango Mining Company. I want to know now from your general knowledge whether they were interrupted or had any serious difficulty with the Mexican authorities while you were there?

A. I can not give testimony to any act on their part interfering with the company directly. I recollect one night, the only one night I ever spent in Mr. Rice's hacienda—I recollect on that occasion the sentiment in the town was so hostile that they told me they were expecting an attack at any moment—

I do not think that I was mistaken—

they were expecting an attack at any moment and were prepared to resist it That I remember perfectly. I slept in the hacienda that night. As I passed through the town I came—it is a peculiar place to get in; you have to wind up the side of a formation that can be barred by a dozen men; you go through a deep ravine and then to the hacienda, so that people in the town would look down into Rice's hacienda below. These explosions only occurred, I may say, when they were possibly half full of liquor, but that is very frequently. That night I could hear as I lay down to sleep the cries of these people, blackguarding and cursing the people in that hacienda; but there is some excuse to be made for that class of population. When they were sober I never had discourtesy from any of them.

I read the testimony of Col. De Lagnel in regard to what passed between him and his boy clerk, showing that I did not propose to suppress any of this testimony, in which he says that self-interest to a large extent governs these people; that as long as you paid them their wages they were not dangerous; but he further says that this hostile feeling existed, and that this man Soto, a justice of the peace there, who had this wine shop, was a dangerous man, a man that could stir them up to any sort of outrage at any time. That is the substance of De Lagnel's testimony, and he is accepted as a credible witness by both parties.

Mr. President, great stress is put upon the letterpress copies of letters which are received in this case. I want to say a few words in regard to them.

Bartholow was the first superintendent of this mine, De Lagnel was the second, and Charles H. Exall was the third. Exall left the mine. I can not be accurate in my recollection as to dates, but my impression is that he left there in the spring of 1868. If I misstate it is not intentional. He went down to Mazatlan, which was 160 miles from Tayoltita, on the seacoast, and went from there to the city of New York. A letter is produced from him, written about that time to a man named Granger, an Englishman, who was his clerk, in which—I will not read it, but the substance of it was that he turned over the property of the company to Granger, and told him that he was going to New York to see the officers of the company.

These letters show that after paying $60,000 during the administration of De Lagnel, the stockholders in New York became tired, as they naturally would, and they told Mr. Exall, who went out to take charge in place of De Lagnel, that he must not draw upon them for any more money, that he must make his expenses out of the product of the mine; and he did so; and the evidence shows that, except an inconsiderable amount, he did pay the expenses during his administration, but he continued to draw for more money from time to time.

When Exall left the mines, he left this letter press copy book there, together with the other papers in the possession, I suppose, of Granger. He went to New York and undertook to get the company to advance more money. He claimed that there was about $5,400 of salary due him and $2,600 due to Granger. He had two objects in view; I have no doubt of that. First, he wanted to get the money for his salary and Granger's, and after getting the money, he then wanted to disgust the company with the mines so that he could denounce them and take possession of them.

Mr. GEORGE. Who was that?

Mr. VEST. Exall, the third superintendent. As the testimony shows, he is dead and, as a matter of course, I have no disposition to say anything harsh of him, but the most charitable construction is that he was looking out for himself and himself alone. Mr. Slaughter, under his contract with the Mexican Government of 10 per cent of what he might defeat of this award, employed a man who had testified in the case on the part of the company named Green, who had a claim before the Commission which was defeated. He lived a long time in Mexico and he was denounced by the Mexican lawyer before the Commission, who speaks of him in the most slighting terms as "the defender of Mexico." Green claimed that he spoke the Mexican language and sided with the Liberals in their contest with the French and that he could go all over Mexico with impunity, that he shared the secrets of the people and that they had no prejudice against him.

The lawyer for Mexico, in speaking of this same man, ridiculed him and his claim, and spoke of him in the language I quote now, and I know that I quote it correctly, as "the defender of Mexico." This man turns up, as all such characters do, in the nick of time. Slaughter was looking out for testimony to do away with this award, and he met Green. They went into a saloon here and took a drink, and he asked Green if he knew anything about the affairs of the La Abra Company. "Everything," says Green, "everything. What I do not know you could put in a primer." He knew it all. Slaughter then employed him. Slaughter was to pay his expenses to Mexico, and then the Mexican Government, under this written contract, paid the balance of his expenses, and gave him all facilities to obtain this testimony. He went up to Tayoltita, and obtained from Granger or somebody else this letter-press book which was left there.

Mr. GEORGE. The copy book of the company?

Mr. VEST. The copy book of the company, and brought that back.

Mr. MORGAN. Is is the right book, though?

Mr. VEST. I am glad the Senator is satisfied with it. He got the letterpress book, which is brought in here now as the basis of this new proceeding in the Court of Claims. It is the same book that was before the House committee and that was here in the Senate when we discussed the treaty.

Mr. MORGAN. I should like to say, if the Senator will permit me, just there that he will probably remember that the authenticity of this book was disputed before the Senate at the time the treaty was under consideration. Gen. Logan particularly disputed it and said it was a forgery, and found a good many objections and exceptions to pages that had been cut out of the book that belonged in one place and another. The Senator will remember that. That led to the resolution under which the subcommittee of the Committee on Foreign Relations made this investigation. It was supposed to be best to remove all doubt upon the question as to the authenticity of that book, and that it should be produced before that committee, and witnesses who knew all about it should be called to testify in regard to it, and so De Lagnel came and other witnesses.

Mr. GEORGE. May I ask whether a proper explanation was made of the cut-out leaves?

Mr. MORGAN. Oh, yes; entirely.

Mr. DOLPH. They were copies of letters that had been written elsewhere and pasted in the book.

Mr. MORGAN. I said "cut out" when I meant "put in."

Mr. DOLPH. And there were letters written at Tayoltita and other places.

Mr. GEORGE. I desire to know whether that book contained the confidential correspondence between the agents there and the officers of the company here?

Mr. VEST. "Officers of the company here?"

Mr. MORGAN. In New York. That is exactly what it contained—the full correspondence of that company with the home office.

Mr. DOLPH. That is, copies of all letters written at the mines?

Mr. MORGAN. All the letters written at the mines were sent here, but when we wanted to get the letters sent from New York in reply, we could not find them. We searched the whole city of New York, but never could find anything at all. The secretary of the company was here, but we could not get them.

Mr. VEST. All I want is the truth to come out before the Senate. The evidence in regard to the books in New York, so far as Mr. Garth is concerned, and I have read all his testimony, was to the effect that they were kept by the secretary of the company, a Mr. Worthington, who is also dead. These books were deposited in a certain place. Mr. Garth swore he had not seen them; that it was not his business to keep them. What Worthington did with them nobody knows. It was just one of the ordinary occurrences in regard to a bankrupt company. The stockholders of the company had become disgusted, the enterprise was a failure, and they did not propose to put any more money in it. Every Senator on this floor is experienced in transactions of that sort, old lawsuits and old speculations, and knows what always becomes of the papers and books in such cases.

Mr. GEORGE. The idea is that the thing just went out of existence as being worthless.

Mr. VEST. The evidence shows that.

Mr. MORGAN. Except that there were a number of judgments against that corporation in New York.

Mr. VEST. I suppose there are a number of judgments. Mr. John H. Garth brought suit against the company in order to make the other stockholders pay their pro rata share. Is there anything singular about that? The books were lost, but the evidence is that they were not destroyed for any purpose of suppressing the testimony. They were gone.

Mr. GEORGE. Is Worthington still living?

Mr. VEST. He is dead. The last that was ever seen of these books they were in his posession. He kept them in a little room in a certain place together with other papers of the firm of Garth & Co., a banking house there. Mr. Garth, who was a banker and broker in the city of New York, was formerly a large tobacco man in the city of Richmond, Va., and moved to my State of Missouri. I knew him very well. Mr. Garth testified that after Exall came and made his report that he had been imprisoned in Mexico and driven out of the country, and De Lagnel said there must be experts sent there and more money spent in order to get anything to reduce these ores, he became disgusted, as any business man would under the circumstances, and let the whole thing go. Whose interest was it to keep these books, or whose interest was it to destroy them?

Mr. GEORGE. Will the Senator allow me? Will he explain how that book was used?

Mr. VEST. My recollection is it was brought by Slaughter's agent, Green, who had been employed by Slaughter.

Mr. GEORGE. Can the Senator from Alabama [Mr. MORGAN] explain how that was?

Mr. MORGAN. It is not a point of any particular consequence, inasmuch as the authenticity of the book was established, as to how Mexico got it, but my recollection is that a man named Granger, who was in the employment of the La Abra Company, was left out there by De Lagnel and Exall in charge of the property of the company.

Mr. DOLPH. Exall turned the mine over by written order.

Mr. VEST. I object to the Senators now making an argument with each other. I have spoken of that myself, and here is the letter.

Mr. MORGAN. I was asked a question.

Mr. VEST. I do not object to the Senator's answering a question, but I object to his colleague on the committee interjecting an argument here.

Mr. MORGAN. I am very much obliged to him for correcting me.

Mr. VEST. As a matter of course, I have no objection to the Senator answering an inquiry.

Mr. MORGAN. This man Granger, I understood, married a Mexican woman, the daughter of the justice of the peace about whom the Senator has been speaking, Soto. He remained there and the property was turned over to him by order of the company, and this man Green, as I am informed and believe, went to Granger and got the books from him. That is how it happened.

Mr. VEST. I supposed so and I stated so. I know nothing about it, but I infer that after Granger married this Mexican woman, Soto's daughter, Soto being in the conspiracy, as I believe, to denounce these mines (which is the Mexican proceeding to take possession of an abandoned mine), after Granger had married Soto's daughter, he betrayed the trust Exall had put in him, and I have no doubt he got the best price he could, contingent upon the result of this matter, for delivering up these books. That is the whole of it.

The testimony shows that Exall was in negotiation with a detective named Fisher, who was employed by Mr. Robert T. Lyons, the attorney of the Mexican Government, who admitted the fact. This detective had an appointment to meet the Mexican minister in the city of New York in regard to this matter, and the minister of this great Government, bearing the insignia of its nationality to foreign countries, was there to meet a common detective, for what purpose? To negotiate a transaction with this same Mr. Exall for $25,000 to get possession of the books. That is the evidence here which is undisputed. I will repeat it. The Mexican minister was negotiating through a detective with this man Exall, who had gone to New York to try to get more money from the company, but could not, to pay Mr. Exall the price he demanded of $25,000 for these same books and papers.

Mr. GEORGE. The letterpress copy books?

Mr. VEST. Yes, the letterpress copy books and everything he could get his hands on. He failed to bleed the other side for any more and he proposed to bleed Mexico. Mexico was willing to pay for anything that was worth the money, but the Mexican minister wanted to know what he was going to pay for. "Barkis was willin'," but Barkis wanted to see what there was to be bought.

Mr. GEORGE. He wanted to look at the goods.

Mr. VEST. Yes, he wanted to look at the goods. It appears that the detective, Fisher, wrote a letter to Exall, in which he said to Exall, "I want you to call on me to have this matter settled, because the Mexican minister is coming from Washington"—that is the substance of it—"and I want to know in regard to the matter before I meet him."

Now, to summarize this testimony—for I am weary and the Senate of course is—these letterpress books show this, and I am willing for them to have their full effect. The letters between Exall, the last superintendent before the catstrophe when the mines were abandoned, and David J. Garth, the treasurer of the company in New York, were all essentially to one effect, "more money, more money," in order to carry on the mines in the proper way. Garth's replies to him were all to the effect, "no more money; you must run the mines on the proceeds of the ore." One thing is to be said, that he left no debts behind him or, if so, to a very inconsiderable amount, two hundred or three hundred dollars. Exall was accused by the Mexicans of having wasted the proceeds of the ore of the mines in gambling and other debauchery. Whether that is true or not of course is a matter of conjecture; but the whole tenor of the correspondence, which I have not the time to read, was simply the demand for more money from Exall and the refusal by Garth.

The question in issue was, did Exall leave that mine because the enterprise had failed as a venture, or was he compelled to leave it by the hostility of Mexican citizens and officials? The testimony shows here—I have not the time to read it, but I will ask to insert portions of it in the RECORD showing my assertion to be true—that he was annoyed and harassed by the Mexican officials and by the Mexican people. That he intended or expected to get more money from Garth is beyond question, but suddenly in the spring of 1868 he left Tayoltita, went down to Mazatlan, and sailed from there to New York, going through to California. When he arrived in the city of New York the testimony shows that he called upon Garth. Garth says he told him—and Exall swears to the same thing—that he had been driven out by the Mexican authorities.

The testimony shows that Olivera, who was the official successor of Perez as the political officer of the district, told this man Exall that if he did not leave that country he would be killed. Exall swears that he was afraid to remain there. After he got to the city of New York he found he could not get the money to pay these salaries—five thousand four hundred and odd dollars to himself and $2,600 to his colleague and associate, Mr. Granger. He then inaugurated another scheme, that is developed by his letter from New York of May 8, 1868, to Mr. Granger. I will insert it in the RECORD (see Appendix A), but the substance of it is this: Exall writes to Granger that he had got to New York, that he could not squeeze the stockholders for another dollar, and he says, "Now I have got a plan on hand to make some money for you and myself. These men are disgusted with this enterprise and propose to abandon it. Now, you hold the mines secure, if you can, and I will try to sell them here to somebody else, but we together will become the residuary legatees of the affairs of the La Abra Company and make a fortune for ourselves."

Here are letters to Granger showing that beyond any sort of question. He says to Granger "do not let anybody see the books"—he and Granger had kept the books, but what those books were he does not specify—"do not let anybody see the books for reasons which you will understand." Afterwards, just before this man's death, when he was confronted with this letterpress book which was antagonistic and contradictory to his letters written to Garth in New York, in which he said to Garth "there is no trouble about the title to the mines, or about the authorities, all we want is money," he was asked how he wrote those letters and at the same time swore differently in his testimony before the commission.

Mr. GEORGE. Who made that statement?

Mr. VEST. Exall. His statement is here in evidence, and I will ask to have it inserted in the RECORD, in which he explains by saying, "I was satisfied from the condition of things there, from what Olivera and others told me, that I could not stay in that country. I determined to disgust the stockholders in New York with their venture and make them abandon the mines so that I could make something out of them. I wrote discouraging accounts to New York and called for more money, although Garth told me before I left for New York that he would not put up any more money." He drew upon Garth for $3,000 in one draft, which was not paid.

He says here in one of his letters to Garth that the Bank of California is about to denounce the mines, about to seize them for debt, and that the banking firm of Echenique, Peña & Co., of Mazatlan, were about to institute attachment proceedings in a Mexican court. In his letter to Granger from New York, as it showed upon its face, he says, "Pay no attention to the Bank of California; pay no attention to the draft for $5,000," which had been drawn by De Lagnel and never paid; "hold the mines," "hold the mines"—these worthless mines which were abandoned by the company because there was nothing in them worth having!

Though in my limited time here it is impossible for me to read all the testimony, it convinces me absolutely that this man betrayed his employers and had two objects in view: One was to secure his salary and the other was to get possession, ultimately, of the mines in order to work them.

Mr. GEORGE. He is the writer of the letters.

Mr. VEST. He is the writer of the letters, in which he continually asks, like the daughters of the horse-leech, "More, more, more!" He never received one dollar from New York during his administration, but $60,000 was paid under the administration of De Lagnel, and then the resources of the company were exhausted. Garth said to him that he did not propose to put up any more money, and he writes to him, "If that thing is a failure the sooner we know it the better."

But, as I say, this man Exall—and his letters show it—was intent upon two things: First, to get his money out of the company; and next, to disgust them with the property so that they would abandon it, and he could denounce it under the Mexican law with his Mexican associates. The last we heard of that hacienda, with all the money that had been spent there, this fellow Soto, the father-in-law of Granger, who was the clerk of Exall, was in possession, having denounced the property under the Mexican law.

Mr. GEORGE. Did he work the mines?

Mr. VEST. I do not know whether he worked them or not. He had a wine shop there. A good deal of money had been spent there, and the mines were being tunneled at considerable expense by another Mexican. Some of the mines had been abandoned altogether. The La Abra mine was an old Spanish mine, through which you could see daylight. It seems to have been run through

a hill, and the pillars that supported the ceiling, under the mining operations, had been cut, and there was a vast amount of débris never worked by this company.

In one of his letters Exall says that just before he left Tayoltita, to go down to Mazatlan, he had picked up some lumps of gold in the La Abra mine; that he had assayed them and they were very rich. As a matter of course it would have taken thousands and thousands of dollars to have transported American machinery and applied it there and put the mines in such condition that dividends could have been secured.

Mr. President, I know in the discussion of this whole matter that great emphasis will be put upon this letterpress book upon the theory already developed in every stage of this case that this was a coolly and boldly concocted scheme to rob Mexico without any basis whatever. The report of the committee shows beyond any doubt that there were mines there, that a large amount of money was expended, that these superintendents reported, as De Lagnel did, that the ore of certain mines was very rich, that this man Exall was enabled for twelve months to pay the expenses of the mines out of the proceeds of them, notwithstanding the disturbed condition of the country, and that Exall left there without any other explanation but that contained in his letter to Granger, which was no explanation at all. I am compelled, he says, by circumstances to go immediately to New York, and he never returned.

Many of the witnesses ard dead and it will never be known with anything like legal accuracy, but my theory of the case is, that while Exall was prosecuting this conspiracy against the company, although he was its superintendent, he became alarmed for his own life because Olivera went to him and told him he would be killed, and he went down to Mazatlan, as he says, with the intention of returning, but he got information there in regard to what was going on or about to go on, and never went back there.

As a matter of course when he got to New York, for he had no other place to go, he went to get more money out of Garth. He could not get it. He then tried to sell this property which did not belong to him to other people. He did not succeed. Pursuing the ordinary course, I will speak of him as gently as I can of all such adventurers, we next find him in negotiations with the Mexican Government to sell the books and papers of the company in order to do away with the award which he himself had sworn was just and right.

Mr. President, I have, greatly to my own satisfaction, only one other thing to say and it is the most serious thing of all for the Senate of the United States to dispose of, and that is as to the power of the legislative department of the Government to send this case to the Court of Claims.

The proceedings originates from an intimation or an opinion from Mr. Evarts, when Secretary of State, that the political department of the Government was unable to investigate the case properly for want of coercive process to compel the attendance of witnesses. All that was ever asked by the State Department was the power to compel the attendance of witnesses so as to arrive at the truth. Mr. Evarts never pretended that there was any other object in view, and he asked Congress to give him the instrumentality. Mr. Evarts himself said, and so did Mr. Bayard, that as to the La Abra case the question was only one of exaggerated damages. They agree with Senator DANIEL in his report in the House of Representatives that the facts did not authorize the reopening of the case as to the question of liability on the part of the Mexican Government.

Mr. GEORGE. There was an act passed.

Mr. VEST. I do not know of any. If the Senator from Alabama [Mr. MORGAN] knows of one, I do not. I have never heard of any, except that there was a bill introduced by Senator Cameron, the father of the present Senator from Pennsylvania. I think he offered such a bill for the distribution of the award, but it never passed.

Mr. MORGAN. Certainly it passed.

Mr. VEST. If it did I do not know it.

Mr. MORGAN. Of course it did; and that is the very proceeding that we are now going on with.

Mr. VEST. Of course that act passed, but I understood the Senator from Mississippi [Mr. GEORGE] to ask whether there was an act to distribute the awards to all the claimants.

Mr. GEORGE. Under the treaty there was no provision of that sort.

Mr. MORGAN. No; but the act to carry into effect the treaty required the Secretary of State to pay out the award as the money came in. The Secretary was directed to suspend payment in these two cases of the La Abra Company and Weil on the ground that they were alleged to be fraudulent.

Mr. GEORGE. Did he make partial payment?

Mr. MORGAN. Everything has been paid except these two claims.

Mr. GEORGE. But partial payments were made on these two claims.

Mr. MORGAN. Yes.

Mr. GEORGE. How did he make those partial payments without an act of Congress?

Mr. MORGAN. There is a great deal of history about that. There was a $5,000 fee given to a member of Congress. There are subjects of that sort that might be interesting to go into, but I do not care now to go into that. This case is big enough now without going into the universality of it.

Mr. GEORGE. Will the Senator tell me whether those partial payments were made without any previous act of Congress directing them to be paid?

Mr. MORGAN. They were paid right in the teeth of the act of Congress.

Mr. VEST. I only know what is shown by the papers in the case, and that is, the State Department took the position that Congress had not acted.

Mr. MORGAN. The lobby had been strong enough to get a very large amount of money out of the hands of the State Department.

Mr. VEST. As a matter of course I know nothing about the lobby. The Senator may draw his own inference as to that; but I think our lobby will compare very favorably with the arrangement made by Slaughter with the Mexican Government. When it comes to that, I am willing to stand the hazard of the die.

Now I come to the question as to the power of which I spoke. It is argued very fully in the brief of Shellabarger & Wilson, and they cite the authorities. I will ask leave to insert it in my remarks. It is contained in the appendix to the minority report.

Mr. GEORGE. Governor Brown's report?

Mr. VEST. Governor Brown's report, and it seems to me the argument is conclusive that we invade the political domain marked out by the Constitution as belonging to the Executive when we undertake to send this case to a municipal court. It seems to me beyond question that the Supreme Court of the United States in Frelinghuysen *vs.* Key recognize the point that this was a subject of negotiation between the two countries.

Mr. MORGAN. The Senator forgets, I reckon, that there is a case later than that which was made upon a motion for a mandamus in the Supreme Court, and they denied that doctrine.

Mr. VEST. I do not understand that the decision in Frelinghuysen *vs.* Key has ever been overruled.

Mr. MORGAN. No; but there is an additional decision of the Supreme Court of the United States.

Mr. VEST. If the Senator finds any decision which says that this case can be sent to the Court of Claims I shall be obliged to him to produce it.

Mr. MORGAN. There was nothing in the case that went before the Supreme Court that involved that question, and therefore they could not say anything about it; but they made their decision broad enough to cover this bill, as I think I will demonstrate when I come to that.

Mr. VEST. Very good. I shall be glad to hear the Senator speak upon it. I shall take the position here, and I have no doubt in regard to the correctness of it, until I hear what the Senator has to say, that in passing this bill we invade the province of the Chief Executive, the political department of this Government. Look at the judgment that is to be rendered by this court. What is it? They are to find whether this award, or any portion of it, was obtained by fraud or by false swearing, and if they do so find, what is the result? Then the President is authorized to withhold that portion of the award. Suppose that either party be dissatisfied with the judgment of the Court of Claims, then the case can be taken to the Supreme Court of the United States as any other case, using the language of the bill, in law or in equity.

The jurisdiction of the Supreme Court of the United States is marked out by the Constitution. We can not enlarge it. We have to determine, if we send this bill on appeal to the Supreme Court, that it is a case in law or equity. How is it a case in law or equity? It is an examination of a trial, a judgment already had for the information of the Executive. If this be a bill in equity or a suit at law, then why does it not have the insignia of such a proceeding and allow the court to determine what the judgment shall be and to enforce it? Why is the language used here, "The President is authorized, if the finding of the court shall be so and so?" Does this come under the constitutional grant of power to the Supreme Court of suits at law or in equity? Is there any pretense that this is an ordinary proceeding such as would be had between John Smith and Thomas Brown before the Court of Claims to be taken under appeal to the Supreme Court?

Mr. GEORGE. Does the bill provide for a suit in the name of the United States against the La Abra Company?

Mr. VEST. Oh, yes; it provides for a suit to do what? A suit

to find out one specific thing, and that is whether another judgment was obtained by fraud or false swearing. Did any lawyer ever hear of that before? What would be thought of an act of Congress that said that a suit between the Senator from Mississippi and myself should be determined in such a way as that? That award was a judgment, and the Supreme Court has decided that such an award passes title to real estate without auxiliary legislation of any sort; and here now we are passing a bill which says a municipal tribunal, after the Senate has refused to give its constitutional sanction to a treaty and after two committees of Congress, one of the Senate and one of the House of Representatives, have reported against it, shall take up an isolated issue and find one way or another, and then on appeal take that emasculated, that hybrid decision, without a name in jurisprudence, without a standing in law or equity, to the highest tribunal in the United States.

Mr. President, I am done.

APPENDIX.

A.

NEW YORK, May 8, 1868.

DEAR GRANGER: Yours from Tayoltita of March 25 reached me day before yesterday. Was much pleased to hear from you and to know that you were getting along in some shape. I wrote you from San Francisco just previous to sailing from this point, giving you a statement of my doings while there; so no need of repetition. As I stated in my letter to you, I came by the Opposition route across the isthmus—Walker's old ground—and while crossing it I can safely say I had the damn'est roughest time imaginable. It was awful low water in the small streams or rivers; heavy rains while on the journey; in water, pushing flats, etc. It was an indescribable mean and rough trip. We were four days getting across; got pretty good sea steamer on this side; twenty-seven days from San Francisco to New York. Of course, on the first day of my arrival here, I saw nothing of the company. The day after I went down and saw Garth. Had a long talk concerning affairs, and, contrary to our expectations, gave me no satisfaction; didn't seem to intend to do anything more.

I have seen him several times, but have got nothing from him of an encouraging nature. He seems disgusted with the enterprise, and, so far as regards himself, intends to do nothing more, or have nothing more to do with it. Well, I then went to one of the stockholders and directors, who talked a little better. It seems there is a party here who has been after Garth, and this stockholder mentioned to sell the mines to a wealthy party who are now successfully mining in California. This party have been after this gentleman repeatedly, endeavoring to get them to sell the mines, etc., they bearing all expense and giving the present company so much stock. This party are not now in New York. One of them has gone to hunt up De Lagnel to get all possible information concerning Tayoltita, etc. In addition the party will pay up all debts against the company.

From what this director tells me, they seem in earnest. They are not aware of my arrival; have been written to informing them of the fact, and I will probably be brought in contact with them before long. Now, as you and I are the principal creditors—I haven't been able to get a cent from them—"the company"—and the thing being in my hands, if this party intend buying, we can and will make a good thing out of it. Those of the company I have seen have turned the affairs over to me; so, in case anything can be done with this party, don't be afraid of your interests—all accounts at the mines are under my control—as yours will be looked to in conjunction with mine. All now depends in what can be done with this party, and more information concerning it I am unable to give until seeing them. I have informed the company that they shall do nothing until you and I were paid, which seemed satisfactory.

This will be mailed by steamer of 11th instant. If you do not hear from me by steamer of 21st, it will be on account of affairs not having been concluded. You may certainly expect a letter by mail of 1st June; hope, previous to that time, that I may have made satisfactory arrangements, etc. Just at this crisis it will be necessary to keep all secure at the mines. In my conversation with these gentlemen I will represent things in a secure state, if possible, get prorogas on mines where times are expiring; keep them secure, if possible, in some way; don't be uneasy or spend a thought on Cullins or Bank of California; find out in a quiet way when and where you may dispose of the remaining property, but do not sell until you hear again from me. I hope to be able to make something for ourselves out of this thing; at present we are in the dark, but I will soon know something definite and will immediately write you. In case this party should purchase I will accompany them to the mines. You can extend Ariza's "Guarismey" privilege "if he wants it" another three, four, or six months; don't extend Guadalupe's more than a month at a time; do the best you can under the circumstances, using your own judgment, being guided to an extent by what I have written.

I am also sorry I sold Green Nelly; I think he is a damn rascal and his company a fizzle. Get the mule, saddle and bridle, and cloths from Green. If the company owe you anything make them pay. Green's draft was refused in 'Frisco and here. I inclose a note to him from the man the draft was drawn on, also one from myelf.

I wish I could send you some means to get along with, knowing you must be having quite a rough time, but am unable. I expect to be paid up here; it's not having been done plays the devil with my arrangements. Since my arrival here the weather has been exceedingly unpleasant; raining nearly all the time. New York is exceedingly dull; business much depressed; the political state of affairs of course has everything to do with it. Johnson is not yet impeached, and heavy odds are bet in Washington against the impeachment.

Many changes have taken place since I was here last. Old friends I left, bookkeepers, clerks, etc., many are now doing business on their own account, but have a hard time of it on account of the state of affairs here. To-morrow I intend to take a run down to old Virginia to see my folks. My mother and a sister are in exceedingly ill health; expect to be gone from here only a few days. I have now written all that bears on the important subject with us. Would write more definite, but, as you see, I am now unable to do so. I will write immediately on receipt of news. Let me hear from you every opportunity, and direct via Acapulco, as they get here sooner than by 'Frisco. I will send this that way. My kind regards to Slone "Manuelitta"—I think that is the way to spell the name—Guadalupe's family generally, Cecilia, and the Tayolititians generally. How are you and Cecilia now? Hoping that this may find you well and getting enough to eat, I remain, as ever, your friend,

CHARLES H. EXALL.

The contents of this keep to yourself.

B.

[Fiftieth Congress, second session. Senate Report 2705, part 2. Views of minority.]

In the Senate of the United States.

March 2, 1889.—Ordered to be printed.

Mr. Brown, from the Committee on Foreign Relations, submitted the following report (to accompany bill S. 2632):

VIEWS OF THE MINORITY.

Testimony of witnesses for the Mexican Government as to the arrest and imprisonment of C. H. Exall, the company's superintendent at the mines.

Refugio Fonseca, examined on behalf of the Mexican Government by Judge Quiroz, at San Dimas, July 22, 1872 (*ibid.*, p. 434), testified that Exall, superintendent of the company's mines, was arrested and imprisoned for three days by Judge Nicanor Perez, and that he did not know whether the said Exall had made any application to the authorities of the State.

N. A. Sloan, whose deposition was taken before Judge Quiroz at Dimas, in behalf of the Mexican Government, on the 9th of October, 1871, testified (*ibid.*, p. 426):

"That the superintendent had been imprisoned without knowing for what; he said that he knew he had been a prisoner in the jail, and that he understood that his imprisonment was because, or, rather, according to what he saw of the affair, it was because the judge went into the hacienda to speak to one of the peons who was at work there, and the superintendent thereupon put him out, from which it resulted that the said judge immediately went to his house and ordered the superintendent to be called before him, when he sent him to prison."

The aforesaid James Granger, in the third of his depositions for the Mexican Government, testified to the arrest and imprisonment of the superintendent as follows (*ibid.*, pp. 434, 435):

"Being asked what he knew about the imprisonment of the superintendent of the mining establishment of Tayoltita, what was his name, how long he was imprisoned, by what judge, and what was the result of the application which the latter made to the authorities of the State, he replied that he was a witness to the arrest, and that his name was Charles H. Exall; that he was imprisoned for two or three days because he reproved Judge Nicanor Perez for having removed from one room to another in the establishment of the company, and he knew that the superintendent had complained to the governor of Durango, but that he does not know with what result."

It will be interesting and suggestive to compare the accounts of Exall's arrest and imprisonment given by Granger in his depositions on behalf of the Mexican Government with his account of the same occurrence in his earlier deposition on behalf of the company; but before quoting from these, it may be proper to quote what is said on this subject in the majority report of the committee (p. 12):

"One of the specific acts alleged to establish the charge of hostility on the part of the Mexican authorities is the imprisonment of the superintendent, Exall. In his deposition before the Commission Exall states that he was arrested by the local judge; that without any form of trial or knowledge of his offense he was sentenced to two months' imprisonment, fined $50, and thrust into prison.

"In a letter which Exall wrote to the prefect at San Dimas, the official superior of the local judge, a copy of which is found in the letter book, all the details as to the causes of the arrest are set forth. His own account as there given contradicts his deposition, and shows that his detention must have been of a trival character. The evidence does not show that he was actually imprisoned. It was an arrest under which he was detained for an hour or so, and was not of sufficient consequence to be mentioned in his correspondence with the New York office, and does not appear to have interfered with his duties as superintendent."

An examination of Exall's letter to the prefect at San Dimas, written from Tayoltita January 7, 1868 (about two months before the abandonment of the mines), shows that Exall was still under arrest when he made this appeal for protection. The letter was written on the same day that the arrest was made. In this letter, after detailing the circumstances minutely, Exall says:

"I asked if he intended putting me in jail please to do so, as I had a headache, and wished to lie down. He then gave me permission to go to the hacienda, but to consider myself still his prisoner, and (to be) at his house whenever ordered. * * * But for being a prisoner I would come and see you in reference to the matter, but unfortunately necessity compels me to write." (Appendix, pp. 316, 317.)

It is evident that this letter was not intended to describe and could not possibly have described the duration of the imprisonment. The letter was an appeal for release from illegal detention then existing, and which had already lasted more than "an hour or so." Exall was evidently anxious, and with good reason, to find out how much longer he was likely to be kept in duress. When the isolation of that mining district is considered and the inflammable character of the population the circumstances attending the superintendent's arrest are worthy of the careful attention of Senators who may have to act in this case. The deed was evidently done to humiliate the superintendent publicly and to magnify the local magistrate's power. This appears from the following passage of Exall's letter, referring to the judge who had made the arrest:

"He had collected around his house a number of men, and in the house preparations had been made as if resistance was expected and force might be required. * * * I asked him if he had gotten through with me, as I desired to return to the hacienda. He replied, yes, he had finished. Mr. Sloane and I then left and bid him good-bye. As we reached the corridor he said he never wanted to see me in his house except on official business. To this I replied, 'Very well, sir,' and turned to leave. He called me back, saying not to go; if I did he would send a force after me, and they would shoot, and insisted on my returning to the house. I did so, without any remark. He then said I was his prisoner. I then requested to know what was to be done. He said he would put me in jail until he could receive instructions from San Dimas. I remained passive, and he then gave full license to his tongue, abusing me in the most violent language." (Appendix, p. 316.)

The effect of such an exhibition of arbitrary power as this among such a population can readily be imagined. What happened afterwards appears from the testimony; and the first thing to be noted is that the prefect did not interfere on Exall's behalf. Just how long he was imprisoned seems to be a matter of some doubt. The Mexican commissioner, Zamacona, in his opinion upon La Abra claim, says that "it is proved by the statements of four unimpeachable witnesses" that Superintendent Exall's imprisonment "only lasted four days." (Ex. Doc. No. 103, H. R., Forty-eighth Congress, first session, p. 40.)

What happened after his fruitless appeal to the prefect is thus related by James Granger in his deposition for the company, made at Mazatlan before the United States commercial agent May 14, 1870 (Appendix, p. 354):

"In the month of December, 1867, or January, 1868, the superintendent, Charles H. Exall, was arrested and imprisoned by the 'juez conciliador' of Tayoltita, Nicanor Perez, on a mere pretext, without any reasonable cause

whatever. The particulars are as follows: Mr. Exall was occupied in a private room and in private conversation, and while so engaged said juez, or judge, Perez, entered the store at the hacienda, and without speaking or asking permission he passed into a private storeroom adjoining, and Mr. Exall, observing this, stepped to the door of said storeroom and in a polite manner addressed said Perez, saying that no one was allowed to enter said storerooms without license, and if he had any business to please communicate the same to him. Said Perez came out of said storeroom in a great rage and asked Mr. Exall if he thought he, Perez, was a thief, or wanted to steal anything. Mr. Exall denied any such idea, and stated that in requesting him to leave the private storeroom he was merely carrying out the general rules of the company.

"Said Perez would listen to no explanations, and when he went out remarked that he, Exall, should hear from him. About half an hour after, an order came to the hacienda for Mr. Exall to attend, forthwith, before the said juez, or judge, Perez, which order Mr. Exall obeyed, and upon entering said court room said Judge Perez commenced a tirade of the most infamous personal abuse of said Exall, without allowing explanation or justification, sentenced said Exall to pay a fine of, I think, about $50, and imprisonment for two months.

"Exall was confined in the hacienda until the next morning, when he was sent for by said 'juez,' who did lock up said Exall in an old empty house, with the declared intention of sending him to San Dimas to complete his sentence. Said judge remarked, at the same time, that he could not permit Exall to ride even his own mule to San Dimas; that he should treat him the same as he would treat any common prisoner.

"When I went to visit said Exall in his prison, the next morning, I found him busily engaged in killing fleas that were troubling him. It was a filthy place. By personal influences I brought to bear, and by securing the payment of the fine imposed upon him, I managed to get Mr. Exall released. All the above I witnessed myself.

"A few weeks after this occurrence, on a Saturday, the superintendent, Exall received from said Judge Perez an order directing him to attend at his 'juezgado' (court room), and the same evening at seven (7) o'clock, Mr. Exall, in obedience to said order, went to the court room, where he found assembled a large number of the employés of La Abra Company's mines, and others, and in their presence the judge proceeded to lecture said Exall upon the manner in which the business of said company should be carried on, and he threatened that if the superintendent of the company did not work in the mode and manner to please the authorities they should be deprived of their property, and forced to flee the country; all of which was said in my hearing, and although I have only stated a few circumstances that came under my direct observation, showing the animus of the authorities and people of this district, these are not by any means to be taken as all that took place, nor even as the most vexatious. It was the daily and almost hourly annoyances and interruptions. Every pretext that could, by any means, be made the basis of a suit or exaction was availed of."

Exall's own account of his arrest and imprisonment as given in his deposition on behalf of the company, before Mr. Justice Barnard, of the supreme court of New York, December 2, 1869, is as follows (*ibid.*, p. 337):

"The civil officers of the legitimate Government of Mexico under President Juarez also harassed and annoyed us, and interfered with the continuing of the mining operations of said company. I was arrested by the order of the local magistrate or judge of Tayoltita, whose official title, as I understood, was 'juez,' and thrust into prison and sentenced by him to a fine of $50 and imprisonment for two months. I had no trial, nor even an examination, except by him personally, and do not know for what I was arrested or imprisoned; but I here state positively that I had not committed any act, crime, or offense against the laws or people of Mexico, or any citizen or soldier of the same, nor against any of the authorities, local or national.

"I was released through the personal influence of a Mr. Granger, who had to promise payment of the said fine; no good reason ever having been given me for my arrest or release. I had frequently applied to the proper military and civil authorities of Mexico, both in Sinaloa and Durango, for redress and protection against the violence stated, but was rudely denied by both in every case, and could get neither; and these threatened acts, and the acts of violence, were encouraged and connived at by said authorities, if not actually instigated by them, which last I believe to be the fact also. By reason of these facts it was very difficult to keep men there at work, and the prosecution of the work was greatly hindered and delayed, and it finally became utterly impossible to continue the mining operations of the company; and I was compelled, with my men, to give up the same entirely, and to abandon the mines and all the mining implements and property of the company, to save our lives."

It does not appear to the undersigned that there is any conflict whatever, as suggested in the majority report, between the letter which Exall wrote on the day he was arrested, to the prefect, at San Dimas, and the foregoing account extracted from his deposition. Nor will it be now contended by members of the committee, in view of the statement of the Mexican commissioner, Zamacona, and the testimony of Mexican witnesses, that "the evidence does not show that he (Exall) was actually imprisoned," or that the detention was "of a trivial character"—only "an hour or so"—and "not of sufficient consequence to be mentioned in his correspondence with the New York office."

If the letterpress copy book contains all his correspondence with the New York office, Exall only wrote one letter, as superintendent, after his release from confinement at Tayoltita, and that was written to Mr. Garth on the 24th of January, 1868, at Mazatlan. There may have been a reason why Exall did not allude to his imprisonment in that letter, but the reason was not the one suggested in the majority report of the committee, if an affidavit which Exall made shortly before his death (Appendix, pp. 943-945), and to which the majority report makes no allusion whatever, is to be credited. That affidavit undertakes to explain certain discrepancies between some of his later letters as superintendent and the depositions which he subsequently made in support of the company's claim before the joint commission. This antemortem affidavit of his will be further considered hereafter, in connection with his letters as they appear in the company's letterpress copy book.

Before leaving the subject of his arrest and imprisonment, it may be well to add an account of the affair given by another eyewitness—John P. Cryder—in a deposition on behalf of the company (*ibid.*, pp. 374, 375):

"I was, myself, a witness to an outrage upon the superintendent of that company, Mr. Charles H. Exall, who was, to my own knowledge, improperly and unlawfully arrested and imprisoned by the local judge, or 'juez' at Tayoltita. I was present when said arrest was made, and I was also present at the hacienda of said La Abra Company when the cause or excuse was given, which appeared to me like a miserable pretext for said arrest. It was this: Said Superintendent Exall was sitting in his private room at the hacienda, in consultation with some man on private business, when the said 'juez' walked into an adjoining private storeroom, without knocking or being invited in, and Mr. Exall remarked to said 'juez' that it was his private storeroom, and if he, the 'juez,' wished to see him on business, he, Exall, would go out and see him, or words to this effect.

"These remarks were made in a pleasant and gentlemanly manner, which should have given no offense to any reasonable man, but said 'juez' remarked that his dignity was insulted, or something to that effect, and that he would have satisfaction, or that he, Exall, would hear from him; and about half an hour after the occurrence named I saw an armed guard come with the orders of said judge, or 'juez,' and arrested Superintendent Exall, and took him before the judge.

"I followed him, and I heard the said local judge, Nicanor Perez, order said Superintendent Exall to be imprisoned in the hacienda that night, with a guard over him; and said judge sent for said Exall the next morning to appear before him, which he did, in charge of a guard, and the moment he entered the court room I heard the said judge call him, Exall, very bad names, and he poured out upon him the most vile epithets in the Spanish language, abusing him in the most shameful manner; all of which Mr. Exall seemed to bear without losing his temper; and said judge, after he had exhausted the vocabulary of abusive epithets, as I thought, then turned to said Exall and announced his determination to carry out the sentence of imprisonment for two months in the common jail at San Dimas, and $50 fine, but at the same time ordered the guard to compel said Exall to go all the way to San Dimas on foot, and not to allow him even to ride his own mule, saying the judge would learn the Gringos (as Americans are called) to treat him with deference and respect.

"He then ordered said Exall to be locked up that night in Tayoltita in an old uninhabited house that was said to have been occupied by diseased persons. It did seem to me that nothing was too bad for said judge to say and do against said Exall. The next morning I visited said Exall, in company with an Englishman, whose name was James Granger. This Mr. Granger not being an American but an Englishman, had some influence with Judge Perez, although he was in the employ of the company, and he was permitted to call on the prisoner. He invited me to go with him, and I did so; we found Mr. Exall, a gentleman of refinement, busily engaged in the work of defending himself from the attacks of millions of fleas. The house where he was confined had a most disgusting smell, and was filthy beyond description.

"It was said by the people there that this old house had been but recently occupied by persons of loathsome diseases, and that the judge knew this fact when he sent Mr. Exall there.

"This seemed to create so much sympathy and feeling at Tayoltita in favor of Mr. Exall, even with those natives and unemployed workmen who were in favor of driving said company away from the country, that Mr. Granger managed, with some influences unknown to me, and by securing the payment of the fine, to get Mr. Exall released from this vile prison house; and I do not know what became of the case after that."

Taking all the testimony on this subject together—what was offered on behalf of the Mexican Government and what was offered by the company in the depositions from which the foregoing extracts have been made—it appears beyond question that the local judge publicly and unlawfully invaded the personal liberty of the company's superintendent and insulted and humbled him—made a spectacle of him—in the presence of the people who worked in the mines, as well as of those who were dissatisfied because he did not employ them, and afterwards imprisoned him for several days in a filthy hut. He did not owe his release from this pesthouse to the interference of the local judge's superior, to whom he had appealed in writing, but to the efforts of one of his own subordinates, a British subject, whose relations to the "juez conciliador" of Tayoltita, Guadalupe Soto, appear in the testimony.

It will also have been noticed that the same magistrate, Perez, as stated in the foregoing extract from Granger's deposition, made another exhibition of his hostility "a few weeks afterwards" (which would be in February, 1868), and threatened "in presence of a large number of the employés of La Abra Company's mines" that the company "should be deprived of their property and forced to flee the country if the superintendent or company did not work in the mode and manner to please the authorities."

The interference of the local authorities with the company examined.

In the majority report of the committee it is held that the interference of the local authorities with the working of the company's mines was in accordance with Mexican law and was exercised with a proper regard for the welfare of the miners. On page 12 the committee say:

"The action of the local officials, Mora and Soto, is relied upon by the claimants to establish interference by the authorities in the working of the mines, and their orders to the superintendent were produced before the commission. These orders show upon their face that they were occasioned by an alleged failure of the superintendent to observe his contract with the miners, by which they were to be paid two-thirds of their wages in goods from the company's store and one-third in cash. The failure to make the cash payment led to the interference of the local magistrate, which was authorized by the Mexican mining laws."

The orders of the prefect, Mora, at San Dimas, and of the local judge, Soto, at Tayoltita, are printed on page 360 of the appendix. The order issued on the 4th of July, 1867, by Judge Soto, is as follows:

Second court—Conciliador, Tayoltita.

To the Superintendent of the Abra Reducing Works:

By the communication of yesterday, dated the 3d, received from the gefe politico of San Dimas, I notify you that if you do not intend to work the Abra mines as they were formerly worked, upon the system of thirds, that you immediately vacate the mines, to allow the operatives to work them on their own account, without further loss of time.

Liberty and reform.

TAYOLTITA, *July 4, 1867.*

GUADALUPE SOTO.

A later order issued by the prefect was in the following terms:

Gefetura politico of San Dimas.

To the Representative of the Mines, Tayoltita:

The gefetura, being informed that you have stopped the mines in that mineral, informs you that this is not the engagement you entered into with me, and that it hence believes that you place no value upon your word. Nevertheless, if you don't choose to continue your work, give the people permission to collect ores in the mines, as I will not hold myself responsible for the consequences in a town where the people are without work.

Independence and reform.

SAN DIMAS, *July 10, 1867.*

These orders have not been defended either by the authorities who made them, or by the Mexican Commissioner Zamacona, in his opinion against the claim of La Abra Company, upon the ground taken by the committee; that is, that they were lawful. As already noticed, Judge Soto, in his deposition on behalf of the Mexican Government, stated that he issued his order because he was compelled to do so by an uprising of the people, and because of instructions he had received from his superior officer, the prefect at San Dimas. It would indeed be a strange law that would authorize a justice of the peace to say to a mining company: "You are ordered to arrange your work with the operatives within two hours; and if you come to no arrangement, you will vacate the mines."

Nor did the prosecuting attorney at Durango, who conducted the taking of defensive testimony for the Mexican Government, seem to regard these official orders as they have been regarded by the committee. He seems to have been afraid that they would tend "to fix the responsibility for the company's loss upon the Mexican Government," and so, in his instructions to the court

of first instance at San Dimas, he said: "It is of great importance that C. Marcos Mora, who was the judicial authority of that district, and Guadalupe Soto, who was judge at Tayoltita, be examined, in order that they may state whether they have dictated and issued the communications, a copy of which accompanies this" (*ibid.*, p. 429).

Soto was examined, with the result which has been noted. But Mora was never examined, although it is in evidence that he was accessible, doubtless because Soto's examination made it clear that the orders were issued and that further inquiry would only "make bad worse" for the Mexican Government.

The method by which the authorities could legally intervene in case of difficulties between the miners and their employers was stated to the subcommittee by Capt. Charles B. Dahlgren, a witness produced on behalf of the Mexican Government, who had been superintendent of the Durango Mining Company at San Dimas from 1870 to 1875. The examination on that subject was as follows (*ibid.*, p. 683):

"Q. Suppose a contract existed between a mining company and the miners, that they would pay the miners two-thirds in goods, supplies from the store, and one-third in cash, and the company attempted to pay all in goods or reduced the amount of the cash payment, would the authorities exercise the right to interfere to protect the miners?

"A. In case it had been an agreement between the parties?

"Q. Yes.

"A. The authorities would hold you to the contract.

"By Mr. LINES:

"Q. In what way; what would be the form of the interference by the authorities?

"A. It would be by putting in an interventor, a government official, to see, not to direct your workings of the mine, but that the legal agreement was carried out.

"Q. He would supervise the distribution of the proceeds?

"A. The distribution of the proceeds, but not the working of the mines?

"Q. There would not be any lawsuit about it in the ordinary American sense of the term?

"A. There would be certain formalities in the court by which the judge would appoint an interventor. That man would come down to us and present his credentials. The man would have quarters at the hacienda. He would have a right to examine the proceeds of the silver and the books, and see what your debts were; first, that the men were paid, and then that the merchants were paid, and the distribution made according to the agreement between the operatives and the mine."

It appears that there never was any such intervention in this case, for the very good reason that the La Abra Company never broke any of its contracts with its miners. This is shown by the testimony of another witness produced on behalf of the Mexican Government, Mr. A. B. Elder, who entered the employment of the company in the spring or early summer of 1866 and remained at Tayoltita until the fall of 1867. He was in charge of the company's reducing works when the aforesaid orders were issued. Various questions were put to Mr. Elder on this subject by the chairman of the subcommittee bearing upon some possible justification or excuse for these orders (*ibid.*, pp. 600-604).

"By the CHAIRMAN:

"Q. Now, Mr. Elder, I will ask you a question. Is it the custom of the Mexican civil authorities, enforced through the alcalde, to take supervision of the relation between mining companies and Mexican operatives in Mexico, so as to see that the operatives are paid what the miners or the mining companies agree to pay?

"A. Yes; they do that.

"Q. That is a matter of legal administration in Mexico?

"A. Yes, sir.

"Q. For the purpose of preserving the miners in their rights as against their employers?

"A. Yes, sir.

* * * * * * *

"Q. Now, if you, in Mexico, desired and needed a peon or miner whom you found to be in the employment of another man or another company, I suppose your first inquiry would be how much debt he owes to his employer?

"A. Yes, sir.

"Q. After getting his consent to go with you in place of remaining with the other person, then you would assume that debt, under an agreement with the former employer, you and he agreeing upon what would be a fair living to the Mexican while he was in your service, and the surplus over that living while in your service would go to the extinguishment of that debt?

"A. Yes, sir.

"Q. And so if you desired to transfer that same man to another person you would make the same arrangement?

"A. Yes, sir.

"Q. So that the debt always follows the man along, and is a sort of mortgage lien upon his service after his living, as agreed upon between the employers, is taken out?

"A. Yes, sir.

* * * * * * *

"By Mr. KENNEDY:

"Q. Do you say that these orders that I have referred to were addressed to Mr. Exall because his miners owed anybody else money?

"A. No.

"Q. Did you ever examine the Mexican law on that subject?

"A. I never did.

* * * * * * *

"By the CHAIRMAN:

"Q. Now, suppose the second employer, the one who takes him with a mortgage upon his labor, fails to provide for him that sort of living, is the practice in Mexico for the alcaldes to interfere and compel the second employer to live up to his contract and to provide the man with food, raiment, and whatever it is that he has agreed to furnish to the laborer?

"A. I never saw an instance of that kind, where they attempted to make a man furnish it. You remember it is customary for most every mining company to keep supplies such as men use, corn, beans, rice, sugar, tobacco, calicoes, etc., which they take out every Saturday or Sunday before commencing work on Monday, for whatever they have done for the week prior.

"By Mr. KENNEDY:

"Q. Did you ever hear of any miner that was in the employ of La Abra Company—I mean the workmen to whom the company owed anything—failing to get supplies at the store?

"A. No, sir.

"Q. How far was the store from the mill?

"A. About 300 feet.

* * * * * * *

"By the CHAIRMAN:

"Q. Now, before you answer this, I desire to recall your attention to another matter about which you have been speaking. Did you hear of any complaint of La Abra Company's employés in regard to their payment; whether it should be in money or in goods at the store, or in supplies?

"A. At one time there was something of a jangle among the men, that the amount of cash had been reduced and a greater percentage of goods was paid. It was not anything that attracted any great attention. I paid very little attention to it, but I heard it talked of.

"Q. Do you recollect whether the alcalde there interfered to look into that matter to correct it if it was presented by the operators?

"A. It was referred to the alcalde, but it was talked over with the superintendent.

"Q. Now, is that a subject which you understood was within the jurisdiction of the alcalde?

"A. I have always understood that to be within the jurisdiction of the alcalde.

* * * * * * *

"By Mr. KENNEDY:

"Q. Mr. Elder, is not it a matter of contract between the mining superintendent and the men what proportion of their wages shall be paid in supplies and what in money?

"A. Yes, sir.

"Q. Now, give us your own experience in that matter, when you were a miner at La Puerta, and tell us whether you did not sometimes pay your men all money and at other times part in supplies and at other times a different proportion in supplies and money?"

"A. Yes, sir; that was very often the case. We sometimes paid them three-fourths money.

"Q. And would it not only be when a contract that had been made between the mining superintendent and his men was violated that the justice of the peace would interfere?"

"A. That was when the justice interfered; never at other times."

It appears from the testimony that laborers had flocked to Tayoltita far in excess of the number that could be advantageously employed by that company. These unemployed workmen were a very dangerous element in that sparsely populated region, and it appears that instead of advising them to go elsewhere, the local judge, who kept a wine shop, in which the laborers drank and gambled, took sides with them, and insisted that the company should employ the whole unemployed population. Although Mr. Elder was a willing witness for the Mexican Government, he indicated the real reason for the orders in question as follows (*ibid.*, p. 565):

"Q. Do you know anything of the troubles that occurred between the superintendent of La Abra mines and the authorities about July, 1867; if so, state what you know in regard to it?

"A. Yes; they served a notice on the company that they wanted them to work more men; that they wanted them to put more work on the various mines."

This is brought out more clearly in a deposition made on behalf of the company by Matias Avalos, a Mexican who had been in its employ as a packer, and for whose honesty, truthfulness, and intelligence Capt. Charles B. Dahlgreen, a witness for the Mexican Government before the subcommittee, vouched in the strongest terms. Avalos testified as follows:

"At another time—I think in the month of July, 1867, when I was engaged in bringing down from the mines to the hacienda the ore belonging to the La Abra Company—I met all the Barreteros and men employed in and about the mines going down to the hacienda, and the Barreteros and all the other men stopped and talked with me, and they all said an order had been sent up to the mines by Marcos Mora, gefe politico of that district, to stop work, and ordering them all to Tayoltita.

"When I came down to the town, in the evening, the gefe was at the house of Guadalupe Soto, and I heard the gefe, Marcos Mora, tell these men, a very large crowd of them, that the company did not work as he, the gefe, wanted them to work, and employ all the men who were out of work at Tayoltita, and that he would not let any of them work if they did not employ all of them, and work all their mines at the same time, as he had directed them to work; and he said at the same time that he was going to take the mines away from the company and give them to all of the people, to work them as they pleased; and that night, I remember well, I did not sleep at all, for the words used by the gefe politico to the crowd of miners were well intended and had the effect to incite the Mexican miners and men out of employment to riot, and perhaps to something much worse than that, and I expected serious trouble that night for the company.

"I do not know how the company settled the matter, or how it was that 'La Abra Company' stayed in the district as long as they did after that affair, for I knew the authorities were determined to get rid of them, from all I could hear whispered about by Mexicans out of employment, who seemed to be in with the gefe and juez in getting the company out. I know these troubles went on from time to time until the spring of the year 1868, when the superintendent, Exall, abandoned all the mines and the hacienda and metals and stamp mill, and everything they had there, and the company has never been there or done any work in San Dimas district since that time."

Capt. Dahlgren's estimate of the character of Avalos will be found in the appendix, page 667, 711. Avalos made a second deposition on behalf of the company, in which he stated that Quiros, the judge at San Dimas, sent for him to give a deposition before him the previous summer in connection with this case, and notified him that if he did not go to court and give evidence against the Abra Mining Company he would fine him $100 and otherwise punish him. He further stated that he went to court, and there found a multitude of natives of the country armed, and some of them threatened him with violence because the judge told them that he had given a deposition in favor of the company and against Mexico; also that the judge wrote a deposition for him to sign, a part of which was not true, and that he supposed that that paper went as his deposition, but he did not consider it as any evidence of his in the case (*ibid.*, p. 409).

New evidence in regard to the justice of the peace at Tayoltita.

A most remarkable disclosure in regard to Guadalupe Soto, local judge at Tayoltita, was made by Col. De Lagnel, who testified on behalf of the Mexican Government, and was the first witness examined by the subcommittee in the investigation recently closed. Col. De Lagnal was the second superintendent of the company at the mines, and acted in that capacity at Tayoltita from the spring of 1866 to the spring or early summer of 1867. He gave the following testimony as to Guadalupe Soto, who was "juez conciliador" or justice of the peace at Tayoltita:

"So far as the Mexican authorities were concerned, when I came in contact with them, they were civil, and I have no reason to recollect anything that was to be found fault with. As to some of the minor authorities, this man Soto, for instance, I must say he was a pernicious man, I thought. But I speak with no personal feeling against him, for I never did anything else but bow to him when I would meet him. He had the only good house upon the land belonging to the company. I never went into his house, but I understood that he sold mescal and wine to the miners and others. It was in the portico of his house that the balls took place every Saturday night when the miners would come down. They would come down on Saturday night, and Saturday night and Sunday night there would be a regular drunken satur-

nalia. That would begin on Sunday morning with ball and music, and the miners and women assembled, and then it would degenerate into a saturnalia. The blankets would be spread upon the ground and there would be gambling. The great trouble of the place was the presence of the gamblers who came to fleece these miners every pay day, and another trouble was the sale of liquor. I stopped the sale of liquor at the hacienda and turned it over to this man Soto.

"By Senator BROWN:

"Q. What position did he hold?

"A. When I first went there I do not know whether he was in office or not, and I am not certain that he held office during my incumbency. But he was a potent factor, I think, in the way of constantly urging others and exciting bad feelings. That was evident in the conduct of the workmen from time to time, and it was traced to him. When I say traced, I mean that I depend on what I heard from others who brought me information. I did not go into his house and held no intercourse with him except simply to bow to him and speak to him when I would meet him.

"Q. His course seems to have stirred up prejudice against the company?

"A. Yes, sir. He was inimical to the company from the first. The miners were subject to his influence, and they were stirred to a demonstration at one time that I witnessed."

Soto was afterwards justice of the peace at Tayoltita when Exall was superintendent. The "demonstration" to which Col. De Lagnel alluded was afterwards described by him in his testimony before the subcommittee. It seems that when Col. De Lagnel first became superintendent, the laborers' wages were paid half in money and half in goods at the company's store, but subsequently, on account of the reduction of the amount of ready money on hand, they agreed to take two-thirds of their pay in goods and one-third in cash. This, of course, left them less for drinking and gambling, and less to spend in Soto's shop. De Lagnel was notified by Sloan that there was going to be trouble the next day when the men assembled, for they understood that the superintendent would not be able to pay them the proportion of the money he had promised them. It was a fact that, owing to the difficulty of communication with Mazatlan, where De Lagnel's drafts on the company were cashed, he was short of ready funds, but the difficulty was only temporary. He gives the following account of what happened:

"The next morning when the men assembled for payment I was in the store. It was a beautiful bright day. Ordinarily they came in dressed in white, but I noticed on this day, although the day was beautiful and bright, they had their native Mexican blankets thrown over their left shoulders. That, however, did not cause any question in my mind. While I was engaged in writing the tickets, giving them their debit and credit account, with the signs that are used to express dollars and cents, and the balance due them written out so that there could be no doubt as to the balance due, the young clerk who was in attendance at the store was standing then in front of them and I was sitting back of him, said to me, 'Colonel, if you are going to do anything you had better be quick about it.' I asked him what he meant. He said that the fellow who was talking was inciting these men to make an attack upon me, and he told them not to wait. The clerk told me that the man was talking about the Candelaria affair, which had taken place before my time there, I believe. They had risen there and killed some officer and sacked the place.

"What he was saying, as told me by this clerk, was, that if they only had a little pluck and unanimity among them, and made the attack at once, they could clean out the whole establishment. There was some $15,000 or $16,000 of property lying right around them within reach. I told him to keep quiet, and I kept them in view from the table where I was. I then started up from the seat where I was sitting, and that movement they interpreted, I suppose, as an intention on my part to go for the money, because when I made payments I would go to the room where I had the strong box and get the money. I first dispatched Sloan to the superintendent of the company above me and asked him to loan me what ready money he had on hand, so that in case I found I could do it I could make some explanation. He brought $125 or $150. I then went to my room and brought down what little money I had; it did not exceed one hundred and odd dollars, and I also brought down seven six-shooters which I had, with ammunition.

"I then called up the workmen and told them to lock up their tools and put them away, and then put on their six-shooters and come up to the old hacienda. Between that and the store where these miners were assembled was a place about 18 feet long, a court, a closed space between the buildings close by and the stone wall. I told them that I might have trouble; that I hoped not, however, but to see that everything was in order, and if they heard any disturbance to come in and shoot them down as fast as they could. These men came up, as I directed, and the Mexicans saw them come in. There was no demonstration on their part, nor did they cross the court. They staid in the wine room as much out of sight as possible.

"I called the head cleaner, Bartolo Rodriguez, who was the only man I had that I could really trust. * * * He failed me this time in point of courage. That is the only charge I have to make against him. I told him to go out and talk to these men, to tell them the situation; that I had striven to get the money, that their own political difficulties lay in the way. (The French must have been there at that time.) I told him to tell them that I was out of ready money, except a few dollars at the hacienda; that I was willing to pay them altogether their indebtedness in goods and let them go at once, or to pay them two-thirds in goods and give them a due bill for the balance, or if they chose to let the whole of it stand I would settle it eventually, if they chose to settle their accounts in that way.

"I also told him to tell them that I was perfectly well aware of the influences to which they were subjected; that it was the gamblers who wanted their money, and it was the liquor dealer who wanted to sell his liquors to them; that they were persuaded by evil-disposed persons; and that they might feel assured that I would not put myself in their power at that distance from home without support if I intended to do anything but the right with them. But he was afraid to go to them, and I do not think he did anything at all.

"Then one of the men came forward to try and make terms, and endeavored to assure me that these were good people; that they meant no harm; that I must not be frightened, etc. I told him I was not frightened; that my desire was to avoid difficulty; that if we misunderstood each other, I wanted to explain matters; that I would endeavor, as far as possible, to be just and honest with them; that it was my interest to do so; but that if they forced me to extremities, I would deal summarily with them.

"He asked me if I had arms and ammunition. I told him I had plenty; that I had plenty of food to stand a siege and plenty of arms to defend myself with. But I said, 'I tell you if I commence this work I won't leave one of you alive unless you kill us.' I said, 'Go back and try to explain to those men what I have told you, and tell them I mean rightly by them.'

"I then sat down and saw what little money I had and made the distribution. It was very small, but I made the distribution to each, anyhow, and I then called the fellow who was the ringleader. He came up to the counter, when I called his name for payment, in a sort of surly manner, with his hat on his head. Uniformly the custom was for a man when he came for his pay to take off his hat and say Ave Maria. I do not know what they meant by it, except perhaps that it indicated respect and some deference. But this time his manner was surly and defiant. I told him to take off his hat; he removed it. Then I told him that I intended to pay him in full and that he must quit the place at once. I paid him in full and ordered him to cross the stream to the opposite bank, so as to be off the domain where I supposed I had control, and ordered him never to return under pains and penalties.

"Q. Did he obey?

"A. He went off, and I never saw him again. I then called up the rest of the men in turn and paid them. I told them what I had done; that I desired to do what was right and to fulfill my engagements with them so far as I could. I told them at the same time, if they were not satisfied with the condition of things, as it might occur again. I wanted them to quit the place at once. None of them left me. They all stayed. After that I never had any trouble." (Appendix, pp. 72, 73.)

It is clear from this account that if a man of less coolness and courage than Col. De Lagnel had been in charge of the company's enterprise at that time its property might have been sacked and its American employés murdered.

Soto's connection with this "demonstration" is thus described by De Lagnel (*ibid.*, pp. 91, 92):

"Q. I understood you to say that this man Soto was a pestiferous sort of man, or you used some characterizing word?

"A. I considered him so. I thought he was an underhand, a very quiet man. He did not show anything exteriorly, for he was always courteous when I saw him, but I thought he was secretly undermining the whole affair.

"Q. Why did you think that?

"A. I was so informed. I think it was attributed to him and others—the excitement among the workmen when the money gave out, when they came in, each man armed with a machete hidden under his blanket.

"Q. Yes, I understand; but I want to understand what there was that came to your knowledge or came to you in the way of information that satisfied you that he was trying to undermine you in that business?

"A. I do not say undermine. He was exerting an adverse influence. The people left to themselves seemed to be quiet, harmless people, easily aroused and excited, particularly by a man of their own nation as opposed to a foreigner, and I was told that Soto was at the bottom of this affair; that he was inimical to the establishment and to me being connected with it.

* * * * * * *

"Q. Yes; and if anything of that kind came from a government official it would be very likely to excite their animosity and hostility to that company, would it not?

"A. I have no doubt of that.

"Q. Why did you think this came from Soto, that he was the man who was doing it?

"A. Because he kept a store which conflicted to a certain degree with the store at the hacienda. They were only across the roadway, and probably not a hundred feet apart. When I went down I supposed that the domain belonging to the company would be under my control wholly. When I arrived there I found this house up; this man's domicile. He owned the house and I never clearly understood my relations with him, how far I dared with safety to the interests of the company interfere with him. I would rather have had him away entirely, but I hesitated to do anything to militate against the interests of the company. I know he influenced these people, for these weekly entertainments were held in front of his house, and the liquor, the mescal, was sold in his little shop or store."

The letterpress copy book not a fair test.

Although he and the Abra enterprise had such a narrow escape, Col. De Lagnel said nothing about it in his letters to the company; and therefore, according to the doctrine laid down by the committee, nothing of importance in his testimony tending to fasten the responsibility upon Mexico for the company's abandonment of the mines is to be credited unless some account of it is found in his correspondence with the home office. This criterion of the truthfulness of the depositions of the various superintendents is thus expressed in the majority report (p. 11):

"The claimant's memorial, besides charging various specific acts, contains general charges of acts of violence, persecutions, and outrages by the Mexican authorities and people, which are alleged to have so alarmed the employés of the company and to have so interfered with the working of the mines that it became necessary to abandon them. If these allegations had any foundation in fact some statements would undoubtedly be found in the letter book and letters constituting the correspondence between the superintendent at the mines and the company's agents in New York to sustain them. On the contrary, this correspondence shows that from the very beginning of the company's operations it was specially favored by the authorities."

This idea of the committee is expressed still more emphatically and comprehensively on page 7:

"In the opinion of the committee the correspondence between the company's superintendents and agents at the mines in Mexico and the managing agent of the company in New York, accompanying this report, is sufficient, considered alone, to show the whole claim of the company to be fraudulent and the claimant's testimony before the Mixed Commission, so far as it tended to fix the responsibility for the company's loss upon the Mexican Government, to have been rank perjury."

The correspondence in question (which is printed in the Appendix, pp. 236-318) occurred between Gen. Bartholow, Col. De Lagnel, and Mr. Exall, who were successively superintendents of the company's mines in Mexico, and Mr. Garth, who was treasurer of the company in New York. It is undoubtedly reasonable to expect that this correspondence will show some of the difficulties experienced by the company in Mexico, growing out of the alleged failure of the Mexican authorities to protect the company's officers and property from illegal exactions and interference, and making it impossible, with any comfort or security, to conduct the business at the mines; but it does not seem reasonable to maintain that nothing tending to make the Mexican Government liable in damages to the company is to be credited, no matter how credible the witness or the statement may otherwise be, unless the fact is specifically stated in that correspondence.

Col. De Lagnel's examination affords an opportunity to test the committee's theory. He was one of the company's superintendents, whose letters from the mines at Tayoltita to the treasurer in New York appear in the letter-press copy book which the Mexican Government has introduced as part of its "newly-discovered evidence." He did not testify for either party before the Joint Commission. The Mexican Government presents him now as a witness on its behalf. His credibility is unimpeached; both sides regard him as honest and truthful. Now, will the committee apply its criterion to Col. De Lagnel's testimony, and brand it as "rank perjury" so far as it tends to fix responsibility upon the Mexican Government for the company's abandonment of its mines, because he never said anything about the "pernicious" Soto, or the armed "demonstration" of the workmen, in his correspondence with the company's agents in New York? Nor does he seem to have said anything in his letters to the home office in regard to the deep-seated hatred and suspicion with which citizens of the United States and the country itself were regarded by the Mexicans—a feeling on their part the extent and intensity of which seems to have surprised him not a little.

Failure to enforce the law proved by a witness for the Mexican Government.

The inability of the local authorities to punish crime or protect property in that vicinity appeared in the testimony given before the subcommittee by another of the Mexican Government's witnesses, Mr. A. B. Elder, who, immediately prior to his employment by La Abra Company, had been mining on his own account at La Puerta, which is about 15 miles distance from Tayoltita. He testified as follows (*ibid.*, p. 569):

"By Senator DOLPH:

"Q. Did you work the mine after that?
"A. I worked the mine not for the company but as an individual.
"Q. After that?
"A. Yes, sir.
"Q. And it was during the time you were working on this mine that the ore was taken?
"A. Yes sir.
"Q. And in consequence of the stealing of your ore you went to the justice of the peace to get him to bring suit against the parties, and he advised you that on account of the condition of affairs it was not practicable, and you quit work on the mine; is that it?
"A. Yes, sir; I quit working.
"Q. On that account?
"A. Because I could not protect myself from the men at that time.
"Q. The authority of the Mexican Government had not yet been established at the time, after the French had left that section of the country?
"A. No, sir.

* * * * * * *

"By Mr. KENNEDY;

"Q. Now, is it or is it not the fact that during the whole of that contest the Mexican or patriot Government had control of the San Dimas mining district; in other words did the French——
"A. The French did get there once or twice.
"Q. Now tell us just when that was.
"A. Well, I could not give you that, Mr. Kennedy; that is, the date I could not fix, because they were back and forth.
"Q. What I want to get at is this: The military operations did not affect your administration of the mines at La Puerta; you were outside of the limits of the active struggle, were you not?
"A. Comparatively.
"Q. And your difficulties came from interruptions to your supplies coming from Mazatlan?
"A. Yes, sir.
"The CHAIRMAN. Military interruption or interruption of robbers, or what?
"A. Military.

"By Mr. KENNEDY:

"Q. Now, had the military situation anything to do with the powerlessness of the justice of the peace to give you justice in those complaints that you made against the men who stole your ore; was there any interference of the military with the civil authorities?
"A. It was not the military.
"Q. So that there was nothing in the military situation to explain the trouble you had with the miners at La Puerta?
"A. No, sir.
"Q. And, of course, I need not ask whether it was anything in the military situation that made the men steal the ore?
"A. No, sir." (*Ibid.*, p. 604.)

Mr. Elder had previously testified as follows (*ibid.*, p. 568):

"Q. What is the name of that magistrate to whom you applied?
"A. I can not tell; it was so long ago I have forgotten; they often change down there; each administration has its own officials.
"Q. Did you ask him to try to stop these robberies?
"A. I went to him and told him that they had taken from me probably twenty-five cargas (7,500 pounds) of very fine ore, and I wanted to get an action against them to make them stop taking my ore; and he said, 'The way things are at present, I don't think we can do anything with them.'
"Q. Did he say anything as to what would be the personal results to himself if he attempted to enforce the law?
"A. He said he didn't think it would be safe for him or me to attempt to enforce the law; to attempt to arrest the men."

The following shows how Mr. Elder was treated himself when he was in charge of the company's mill at Tayoltita (*ibid.*, p. 597):

"By Mr. KENNEDY:

"Q. * * * Did you not come to my office in Washington, within a few days, and say to me, in the presence of another person there, that you knew that Mexican officers were in the habit of putting people in jail and confining them without any trial at law, and that there was one little black justice of the peace, who went barefooted, that you had known to do such things, or words to that effect?
"A. My recollection——
"Q. The question is whether you said that to me in my office?
"A. My recollection is that he would come and I would have to stop the mill and he would take me about a mile away as interpreter. He did that a number of times.
"Q. You mean by force?
"A. Oh, yes.
"Q. Well, how was the force exerted?
"A. Send a couple of soldiers after me with bayonets.
"Q. Did you ever make any resistance?
"A. I say, 'I can not go; I am running the mill; I will have to shut down.' 'It makes no difference; come along.'
"Q. How often did that happen?
"A. That happened about four or five times.
"Q. What did you say they wanted you to do?
"A. They wanted me to act as interpreter in his court.
"Q. And where had you to go to?
"A. I had to go about a mile above the hacienda to an old village.

"By the CHAIRMAN:

"Q. What hacienda?
"A. Tayoltita.

"By Mr. KENNEDY:

"Q. Do I understand that these occurrences that you mention now happened while you were assayer for La Abra Company at Tayoltita?
"A. Yes, sir."

Seizure and confiscation of the company's mule trains.

The committee's proposition that "the correspondence between the company's superintendent and agents at the mines in Mexico and the managing agent of the company in New York, accompanying this report, is sufficient, considered alone, to show the whole claim of the company to be fraudulent, and the claimant's testimony before the Mixed Commission, so far as it tended to fix the responsibility for the company's loss upon the Mexican Government, to have been rank perjury," may also be tested by a comparison between the deposition of Gen. Bartholow, who was the company's first superintendent at the mines, and his letters to Mr. Garth, the company's treasurer in New York.

Gen. Bartholow's testimony was taken for submission to the joint commission on behalf of the company in June, 1874. His letters to Mr. Garth, three in number, were written between February 6, 1865, and April 10, of the same year—a period but little over two months, and it is therefore impossible that they should contain anything like a full account of the occurrences and transactions in Mexico affecting the company during his superintendency, which commenced in the summer of 1865. It is evident that the letterpress copy book does not contain all of his correspondence with the home office, and can not fairly be put in comparison with his deposition, so far as the latter deals with facts that transpired prior to February 6, 1866.

Gen. Bartholow, now deceased, attained his military rank in the war for the Union. He was distinguished and highly esteemed in St. Louis, the senior member of a banking house in that city. The United States commissioner, Mr. Enos Clarke, before whom Gen. Bartholow was examined, certified that Gen. Bartholow was well known to him "as a prominent banker and citizen of the city of St. Louis, a man of responsibility, and of excellent character as a gentlemen of truth and veracity;" and attached to the general's deposition is a certificate of the Hon. Samuel Treat, judge of the district court of the United States for the eastern district of Missouri, that, in his opinion, Thomas J. Bartholow, the aforegoing deponent, personally known to him, "is a prominent banker in the city of St. Louis, in said district, and a gentleman of unquestioned veracity and integrity, whose statements are entitled to the fullest confidence."

In rebuttal of testimony produced on behalf of the Mexican Government, to the effect that the company never owned any mule trains, and hence could have suffered no loss by the capture of its mules, Gen. Bartholow deposed as follows (Appendix, p. 476):

"Two entire mule trains, loaded with provisions and supplies belonging to said company, were captured by the military authorities of the Mexican Republic, and the mules and supplies so captured and taken by force were appropriated to the use of said army, and I never was able to recover any of said mules or supplies, nor did said Abra Company ever receive any indemnity or compensation for the same, although I applied to Gen. Ramon Corona, the chief in command of said forces on the Pacific coast, to restore to the company the property so captured by his subordinate officers, and at the same time implored protection from him against further depredations of that character against the property of the company. He responded to said appeal by referring me to the commanding officer at San Ignacio, Sinaloa, under whose military jurisdiction the property was seized. I visited said commander at San Ignacio, whose name, I think, was Gen. Guerra or Gen. Parra. I do not now recollect which of the two was then commanding at that point. I knew them both, and a number of other officers of said army whose troops had committed similar depredations and had levied other 'prestamos' upon the Abra Company while under my superintendence."

This is a sufficiently definite statement, susceptible of direct refutation if not true. The Mexican agent in Washington, as soon as this deposition was filed, could have taken steps to examine Gens. Corona, Guerra, and Parra, but the testimony of none of these officers was filed with the commission. Gen. Bartholow deposed that he had visited the Mexican commander at San Ignacio, within whose military jurisdiction the alleged capture had been made, to confer with him in regard to restitution or indemnity. Such a statement might easily have been disproved if untrue. The committee brands Gen. Bartholow's deposition on this point as "rank perjury" so far as it tends "to fix responsibility for the company's loss upon the Mexican Government" (there seems to be the rub), because "it appears from the letters, copies of which are found in the testimony of witnesses taken before the committee, that the company never owned any mule trains, but that all its transportation was conducted by hiring mule trains owned by Mexicans" (Report, p. 13). If it is Gen. Bartholow's letters, as they appear in the letterpress copy book, that are alluded to by the committee, the answer is that they contain nothing inconsistent with the facts stated on this point in his deposition.

The capture of the mules by the military authorities in the earlier operations of the company would prove to the superintendent that it would be better to hire mules if possible. His letters show how difficult it was to do this, and how the cost of "packing" had risen on account of the frequent seizures of mule trains for the use of the army. It might well be that the packers would insist on some guaranty from the company, and, whether or not the company had any proprietary interest in the mules or was liable to their owners to any extent in case of capture, trains of mules laden with machinery and supplies belonging to the company, and in charge of its employés, might properly be described as "the company's mule trains." What the mules carried was worth far more to the company than the mules, and even delay in receiving supplies and machinery, to say nothing of their absolute loss, would entail large additional expense upon the company and otherwise seriously embarrass the enterprise. An incident of that sort is related in Mr. Clarke's deposition (*ibid.*, p. 368).

In his letter of March 7, 1866, to Mr. Garth, in giving an account of the murder of Mr. Grove, an American employé of the company who had been in charge of one of the mule trains, Gen. Bartholow says (*ibid.*, pp. 247, 248):

"I had nominally purchased a train of pack mules in Mr. Grove's name and sent him to San Ignacio to obtain a permit for them to pack for me and a guaranty that they would not be taken by the army. He succeeded in getting these documents and was on his way home to take possession of the mules and start them to packing. He passed the night previous to his death at the house of one Mellton, at Tachamete. * * * Grove told this man of his purchase of the pack train, and that he was to pay $4,000 for it, and was on his way to take possession of it and start it to work, thus leaving the impression that he had this sum of money with him."

This may mean that that particular train of mules was purchased by the company in Grove's name, the word "nominally" referring to the fact that Grove was merely the nominal owner, or it may mean that the purchase was nominal, *i. e.*, that there was no real transfer of the property from the Mexican owner; but this latter supposition seems inconsistent with what is said about the purchase, the price, and the possession of the pack train. Except for the question of "perjury," it would be a matter of no practical importance whether any of the mules that did the company's packing between Mazatlan or Durango and the mines belonged to the company or not; for nothing was allowed by the umpire on that account. He allowed the company what it actually expended in its Mexican enterprise, and outside of these expenditures the only allowance was for the estimated value of the ore on the patios.

But the proof that, in its earlier operations, the company did own a considerable number of the three or four hundred mules on which its packing was done, is conclusive, and is left untouched by the admitted fact that certain of the mule trains were hired, and that when he retired from the superintendency Gen. Bartholow turned over only twelve mules to his successor.

It seems that there were two captains of mule trains in the employ of the company who were murdered on the road—one William Grove, whose body was found, and another who was "lost and never seen afterwards." This, as well as the reputed ownership of mule trains by the company, appears from the deposition of Juan Francisco Gamboa, who testified (*ibid.*, p. 366):

"I was acquainted with the principal employés of the said company at the

time they were in operation at Tayoltita during the years 1865, 1866, 1867, and up to the time the company abandoned the said mines, which I think was in the month of March, 1868. I know that some mule trains belonging to the company, which were loaded with a large quantity of provisions and other articles, were taken, and it was said that this was done by the Republican army, but I did not personally witness it. I heard it said at the time of the capture of the mule train belonging to the said company, which was loaded with provisions and other articles for their operatives in the said mines. As the head muleteer was lost and never seen afterwards, it was supposed that he had been killed by those who captured the mules. I also heard of the murder of Grove at a place called Arroyo del Candelero, between San Ygnacio and the company's mines in Durango; but I know nothing personally of the facts of the murder, except from general hearsay."

Gen. Bartholow asserts positively, in another part of his deposition, that the company owned mule trains, and he states the fact and gives the reasons as follows (*ibid.*, p. 478):

"I employed from one hundred to one hundred and sixty mechanics, miners, and laborers, including muleteers, during my superintendence; they were supplied with provisions purchased and packed from the city of Durango and from the valley of Sinaloa to the company's works at Tayoltita. Other supplies, such as powder for blasting, quicksilver, fuze, mining tools, also bacon, flour, and butter, were purchased at and shipped from San Francisco, Cal., to Mazatlan, and thence by pack mules to the company's works aforesaid. The distance from Durango to Tayoltita was 160 miles or more, and the distance from Mazatlan to the company's works was about the same. Some of the provisions used, such as meats, lard, salt, and other small supplies, were purchased for me by my contractors in the valley of Sinaloa, of whom I now recollect José María Loaiza, of San Ygnacio, as one of the principal contractors for making said purchases. The average distance of said valley towns from the said company's works was about 100 miles.

"In carrying on works of that magnitude it was, of course, absolutely necessary for the company to own and work large numbers of mules, which it did, as I have stated. Mule trains furnished the only possible means for the transportation of supplies."

Now, compare these statements in his deposition with the following from the first letter of his that appears in the letterpress copy book, addressed to Mr. Garth, and dated at Tayoltita, February 6, 1866 (*ibid.*, p. 239):

"Mr. Griffith, William Grove (a new man from Saline County, Mo.), and Dr. Hardy have charge of all the pack trains. Each manages and controls a train. This is necessary, for the reason that if some American in the employ of the company is not constantly with the trains there is great danger, if not a certainty, that the animals would be taken by the military authorities; and, besides, I could not get the Mexicans to pack for us unless I agreed to do this; besides, with this arrangement I have a guaranty that my men, animals, and effects will not be interfered with."

Later on, in the same letter, alluding to the great excess of expenses over the estimates, Gen. Bartholow says (*ibid.*, p. 120):

"This difference in estimate is caused principally by the weight of the mill and its cost being first so greatly underestimated, and of course all calculations based upon the weight and cost of the mill in my former estimate are not reliable; and, besides, when I left here for San Francisco, in September (1865) mules could be contracted for to pack at from $8 to $10 per carga, but after the Liberals took possession of the country and confiscated large numbers of mules it was with the greatest difficulty that I could get anyone to agree to pack at all; and had I not succeeded in getting military protection our mill would now be lying in Mazatlan. Had I at the time I agreed to remain in Mexico known that I would have to contend with half the difficulties I have even now encountered I never would have undertaken the task; but as I agreed to do it, my pride is enlisted in the success of the enterprise, and I will see it through if it is possible for energy and industry to succeed."

Gen. Bartholow's revised estimate for the cost of packing was from $16 to $18 per carga, quite double the rates that prevailed before military seizures of mules became so frequent. The increased cost and difficulty of hiring mules may have induced the superintendent to purchase them. His nominal purchase of a mule train in Mr. Grove's name is mentioned in the next letter, already noticed (*ibid.*, p. 247); and in a letter written between these two to his bankers at Mazatlan Gen. Bartholow says (*ibid.*, p. 243):

"On my way home from your city I passed 174 mules loaded with my machinery, about half of which have arrived and the rest will be here to-morrow, when Dr. Hardy will start back with 150 of them, which will be sufficient to transport all I have of machinery and goods left in Mazatlan. This is quite gratifying to me, and to pay the packers I need, in addition to what money I have on hand, at least $2,000 more, and have drawn upon you in favor of Dr. W. B. Hardy for this sum, which draft please do me the favor to honor."

From this it clearly appears that some at least of these 174 mules were hired. But these were by no means all the mules that were carrying for the company. And it will be observed that at that time, February 21, 1866, less than two months before the close of Gen. Bartholow's superintendency, the machinery had nearly all been transported over the mountains to the mines; but outside of the transportation of the machinery there was abundance of work for mule trains, as appears by the following paragraph from Gen. Bartholow's letter of March 7, 1866, to Mr. Garth (*ibid.*, p. 248):

"As I advised you in my last, I have drawn upon you in favor of the Bank of California for $10,000, which draft will go to San Francisco by the steamer of the 16th instant. The most of this money I expect to use in the purchase of salt and corn. Will start the mules now engaged in packing machinery to bringing up these supplies as soon as they arrive with the balance of the mill, which will be in a day or two. When our mill is running, we will not use less than 500 pounds of salt daily, and as none can be packed in June, July, August, and September, and perhaps October, it is absolutely necessary that enough be in store to run us during the rainy season. To keep us fully supplied with this necessary article will require during the packing season a train of at least one hundred mules, and another train of an equal number will be necessary for corn and panoca. All these matters will require constant and assiduous attention from your superintendent, for a failure to obtain an ample quantity of these supplies for the rainy season will not only involve a very heavy expense, but will greatly retard, if not absolutely stop your work. If the latter should occur, you will lose your miners, and much time will be required to obtain a new set, for these men are so improvident that if they are without work for two weeks at a time they and their families are in danger of starvation; then mutiny and revolution is the inevitable result."

It is confidently submitted that there is nothing in Gen. Bartholow's letters inconsistent with what appears in his deposition in regard to the ownership and the loss of mule trains by the company. It is clear that he had expended a very large amount of money in excess of the previously estimated expenses, and it is also clear, as we have seen in Col. De Lagnel's case, that there were things of great importance to the security and eventual success of the company's enterprise that were not reported in the letters which appear in the letterpress copy book. Besides there is no evidence that all the letters that were written by the superintendents were copied in that book; and it has been already noticed that it contains no letters at all during the earlier and greater part of Gen. Bartholow's superintendency.

There is a great body of testimony corroborating in a general way the deposition of Bartholow on this matter and showing that the capture of mule trains and provisions belonging to the company and the collection of "prestamos" or forced loans from its property were matters of general repute in that part of Mexico at that time among people who were not likely to be misinformed. The testimony of two witnesses, Cole and Clarke, who were engaged as forwarders for the company in 1865, 1866, and 1867, will be found on pages 363, 364, and 369 of the appendix; Bouttier's (*ibid.*, p. 380); Avalos's, 356; and Green's, 341. J. M. Loaiza, a Mexican merchant and muleteer, who was employed by the company "in the years 1865, 1866, 1867, and the beginning of 1868," in forwarding its supplies and machinery, sometimes assisting the aforesaid witness, Cole, and was familiar with its operations, after testifying to its reputed losses from seizures of its mule trains by the Liberal forces, continued as follows (*ibid.*, p. 378):

"I know that they took, as I have stated, one of the trains which was carrying provisions for the company, and it is also supposed that they robbed it and killed the muleteer, as he has never been heard of since.

"This depredation occurred while Thomas J. Bartholow was superintendent of the company, at the end of 1865, or the beginning of 1866. A short time afterward one Grove, the muleteer of another train, employed by the company, was found brutally murdered by the people of the country, on the road to the mines where he was going, at a place called 'El Arroyo del Candelero,' between San Ygnacio and San Dimas, where his body was found horribly mutilated."

Exall's depositions before the Joint Commission compared with his letters and explanatory affidavit.

The opinion of the majority of the committee that "there was no forced abandonment of the mines" is based upon an alleged conflict or want of coherence between Exall's depositions before the Joint Commission and his letters to Mr. Garth as they appear in the company's letterpress copy book. This opinion is stated in the report (pp. 8 and 9) as follows:

"Exall, the last superintendent, was the only witness before the Commission who pretended to give the circumstances of the forced abandonment of his own knowledge. Exall's deposition is completely overthrown by his own letters. Months before he left Tayoltita he informed the officers of the company in New York that the mines were not yielding any ores that it would pay to reduce; that he was out of funds and pressed on all sides with debts, and that unless relieved by remittances of money from New York he would be compelled on that account to abandon the property. Finally, January 24, 1868, he wrote to the treasurer in New York that unless he received money by the steamer of the next month he would be compelled to come to New York and lay the embarrassed situation of the affairs before the company. It also appears that about this time Exall talked publicly concerning his intended visit to New York. The original and the press copy of the following letter to the single remaining employé at the mines has been produced before the committee:

"'TAYOLTITA, *February 21, 1868.*

"'Mr. JAMES GRANGER:

"'SIR: As circumstances are of such a nature as to compel me to leave for San Francisco, and probably for New York, to inquire into the intentions of this company, I place in your hands the care and charge of the affairs of the La Abra Silver Mining Company, together with its property.

"'You are invested hereby with all power confided in me, of course acting in all your transactions with an eye to the interests of the company.

"'This will, to you, should occasion require it, be ample evidence of the right possessed by you to act in their behalf.

"'Very respectfully,

"'CHARLES H. EXALL,

"'*Administrator La Abra Silver Mining Company.*'

"The date fixed by Exall, in his deposition before the Commission, of his expulsion from the mines was on or about March 20, 1868. An original letter of Exall's was produced in evidence before the committee, dated at Mazatlan (the seaport, 150 miles from the mines), March 15, 1868, which shows that he had been at that place some days when the letter was written, and that he had left the property and mines in the quiet possession of Granger, his assistant; that he was on his way to San Francisco and New York to obtain money from the company to pay the overdue salary of himself and his assistant, Granger, and that he expected to return."

In his first deposition, which was made nearly two years after he left Tayoltita, Exall says that he "can not state dates and names with any degree of certainty." It does not appear that he kept a diary, and it does appear by the letterpress copy book and otherwise, that he left the company's books and papers at the hacienda when he abandoned the mines. Testifying from recollection, it would not be strange if he were a week out of the way in regard to the date of his departure from Tayoltita.

But it is evident that Exall's depositions, filed on behalf of the company with the Joint Commission, and the letters alluded to in the majority report, furnished different if not inconsistent causes for the abandonment of the mines; and the difference is so remarkable that if not explained it would justify a grave suspicion of Exall's sincerity; nevertheless, even if unexplained it could hardly overcome the great body of testimony, partly furnished by witnesses who testified on behalf of the Mexican Government to the continued interferences, annoyances, and wrongs of which the company was the victim in Mexico, and which, it is claimed, led to the abandonment of the enterprise. An explanation of the difference between his deposition and his letters was made by Exall in writing, under oath, on the 1st of May, 1878, and was received in evidence by the subcommittee on the afternoon of Wednesday, February 27, 1889, but no mention whatever is made of it in the majority report, which is likewise silent in regard to the "newly discovered evidence" impeaching the conduct of the Mexican Government in its efforts to subvert this award.

Before considering Mr. Exall's explanatory affidavit, it ought to be observed that it was never claimed by him in his deposition, or by the company in its memorial, that he was driven out of Tayoltita by any riotous uprising (although there had been such uprisings or "demonstrations") or by any open attack upon the hacienda, or any one public act of violence, either on the part of the authorities or people. But it was claimed both by him and the company that by a persistent and long-continued course of illegal interferences and impositions, accompanied by acts of violence, with the connivance of the local magistrates, and the refusal of the higher authorities to afford protection or redress, it was made impossible for the company to conduct its business or retain possession of its property at Tayoltita.

In his first deposition, after giving an account of his arbitrary arrest and imprisonment, in regard to which the evidence has already been collated in this report, Exall refers as follows to the situation after the French army had retired from Mexico and the Liberal party had come into power (Appendix, p. 337):

"Indeed, it was even worse in the mines, for then they seemed to turn their whole attention to what they called a purpose on our part to annex Durango to the United States. And it was in vain that we protested that we had no such intention.

"The report had become general, and we were so harassed that it was impossible to continue our work with safety, as I have before stated."

It will be remembered that Col. De Lagnel, in his testimony before the subcommittee on behalf of the Mexican Government, testified to the excitement

produced at the mines and throughout the district by the story of Gen. Butler's alleged designs upon the State of Durango.

Recurring to the company's experience before the withdrawal of the French troops, Exall says (*ibid.*, pp. 337, 338):

"The military under Maximilian frequently captured our mules and stores in the same way, and shamefully abused our men who were conducting the trains. They assigned as a reason for so doing that we, the said company and its employés, were Republicans and hostile to the interests of their so-called Imperial Government, which was true. And so, between the two fires, we had no protection, neither of the contending parties respecting our rights under the law but both of them robbing us. Large quantities of silver ore was taken or stolen from our mines after we had taken it out, and such were the threats against us that we did not dare to go out and defend it, as we would have been in great danger of losing our lives by so doing. The ores so taken were of the very richest."

Further on he says (*ibid.*, pp. 459, 460):

"Said Judge Guadalupe Soto, and the prefect, Marcos Mora, encouraged this spirit among the men and incited them to riot by telling them, falsely, that the company came there to annex Durango and Sinaloa to the United States, and they ordered all the men whom I did employ to quit work, which nearly all of them did do frequently for weeks at a time, paralyzing the works and the business of the company, so that I sometimes had but few men at work, and the men who did work had to so manage the same as to deceive the prefect, or keep the fact from his knowledge that they were still working for the company; and on one occasion Aquilino Calderon attempted, notwithstanding this order, to work at the mine "El Cristo," but thereupon he was by force of arms compelled by said judge and prefect to quit the company's service, and they, the said prefect, Mora, and Judge Soto, infused the same hostile feeling into the whole mass of workmen, and said Mora and Soto issued the written communications or orders to me, which are referred to in said defensive testimony, requiring me to employ all the men and work the mines as Soto and Mora directed, or to abandon them to the people to be worked by themselves as they pleased; but those written orders were mild compared with verbal orders given me by said officials from time to time, and finally the last order or warning by the prefect, Olivera, notifying me to abandon the works and leave the country, which forced the abandonment of the company's works and mines.

"It was but a foregone conclusion with said authorities, as from their words and actions I felt, weeks before that time, that the abandonment was inevitable. The local authorities and other politicians urged the workmen to hostile demonstrations, and at one time they charged upon the hacienda and broke in the doors. This state of hostile feeling continued, and said turbulent characters continued to harass the company in its operations, and when, soon afterwards, Macario Olivera, Soto's son-in-law, became prefect, matters grew rapidly worse, so much so that only a few nights before I escaped, an attack was made upon the hacienda of the company by some men headed by said prefect Olivera himself, as I was informed the next day by one of the friendly Mexican workmen, a muleteer. They were armed with pistols and machetes, but as I had been previously warned of it by said friendly muleteer, I was in some measure prepared for the attack, and after they discovered my position and strength they retired for that night.

"Soto and Olivera both told me that unless I employed all the men who were out of work in that district, which they knew was utterly impossible, that they would let the working people drive the company out of that district and give them the mines to work as they pleased. Their verbal orders to me were much more pointed, emphatic, and hostile, than anything they wrote me. They were working openly and covertly to get us out, and to escape as much of the responsibility as possible for so doing."

Now, it is claimed by the committee, in the majority report, that although this testimony (and there is much more of it, giving the details of other annoyances and injuries) is confirmed by numerous witnesses, some of whose depositions were taken and filed by the Mexican Government, nevertheless it is not to be credited, because certain letters written by Exall to Garth show that Exall was short of money, and could not carry on the company's works without remittances from New York, which the treasurer refused to send. It will hardly be denied that two causes for abandoning the company's business might coexist and coöperate, each one of which might be conclusive.

The business might be abandoned because it was unprofitable—that is, because the ores could not be reduced at a profit—or the business might be abandoned because of such illegal interferences and want of proper protection as the umpire found from all the evidence to have been proved in this case. The financial straits of the company would be no excuse for such wrongs, nor an available defense for the Mexican Government, except perhaps in mitigation of damages.

And the fact that the company abandoned its valuable improvements, as well as its mines, supports the theory that the abandonment was caused by a conviction on the part of the company that it could neither conduct its business nor hold its property in Mexico on account of the alleged interferences and want of protection. Furthermore, the evidence seems to warrant the belief that the company in New York could have readily obtained all the capital that might have been needed, if its directors could have given any assurance that property was safe and the laws reasonably well enforced at the mines.

In answer to a question why he and the company did nothing further after the abandonment, Exall answered (*ibid.*, p. 338):

"Because I did not dare to return and resume mining operations there. I was and am satisfied that I could not do so with safety to the life of myself or my workmen, or with safety to the property of said company, such was the hostile feeling or prejudice against said company, as citizens of the United States, and further prosecution by said company of mining operations there, both on the part of the citizens and the local and national authorities of the Mexican Republic, and the violent acts resulting from that feeling and prejudice, being encouraged and connived at by said authorities as I have stated. And I returned to the State of New York and advised said company that it was useless to attempt any further working of said mines, and gave them the facts above stated as my reason for that advice; and I understand that said company was so advised by others, who were citizens of Mexico."

Recurring now to Exall's explanation of the difference between his depositions and his letters, it appears from the testimony of Mr. Ely, who was examined by the subcommittee in the afternoon of February 27, that while on a visit to Washington he had seen certain copies of letters alleged to have been written by Exall as printed in a pamphlet or petition which had been prepared by Gen. James E. Slaughter in the interest of the Mexican Government, and was in circulation among members of Congress in the spring of 1878, and that when he (Ely) returned to New York, he made search for the company's correspondence, and not being able to find it, he sought an interview with Exall, and asked him whether he had ever written such letters as those that had been published by Gen. Slaughter, and, if so, whether the facts therein stated were true. The following extracts from Mr. Ely's examination by the chairman of the subcommittee shows what passed between Mr. Ely and Mr. Exall before the explanatory affidavit was made (*ibid.*, pp. 949, 950):

"Q. Well, what I wish is a statement of your best recollection of all you said to Exall in respect to those letters—the whole of it. Just go right through now and state it in your own way.

"A. I stated to him that there appeared to be certain letters from him written to Mr. Garth as treasurer of the company, and that those letters contained statements in them that the ores at the mines in Mexico were of little value; that there had been no trouble down there with the authorities; that he had been embarrassed for want of funds—well, I can not give you it in much more specific form than that. The general upshot of it was that the company was without valuable property down there, and that his letters tended to show it; and that they were without means down there, and that his letters tended to show that; and that there was no difficulty with the people about titles or anything else of that kind, or any abandonment; that he had written to Mr. Garth that if he did not intend to let the property go to the dogs down there he must send some money.

"I can not remember all I said, nor give you now anything nearer to it than that; that I certainly said to him the statements in those letters, if those letters were written by him and the statements were true, conflicted with the statements that he made in his depositions for the company, and that if those were his letters, and the statements were true, I wanted to know it; and that if they were not true I wanted him to tell me what his explanation of them was, if they were his letters. That is as near as I can now tell you, Mr. Senator, about this. I have no doubt that I gave him something more, particularly of the expressions in the letters, but I conveyed to him the impression as strongly as I could that those letters, in my opinion, went counter to his affidavits, and I wanted to know what the truth was about them.

"Q. I suppose that, as a lawyer, you selected out the points that you thought were the most essential for him to reply to?

"A. Well, it showed most conclusively that his depositions would not be true if the letters were true.

"Q. And you stated to him what these points were, in the language of the letters, as you saw them in Slaughter's petition?

"A. No, I did not use the language of the letters, except that I jotted down a few expressions that struck me as peculiar.

"Q. Well, can you recall any of those expressions?

"A. One was about its 'going to the dogs;' did not want the property to 'go to the dogs' struck me as a peculiar expression and made an impression upon my mind; and send him some money; wanted to know the intentions of the company in regard to it, and another thing is there is no difficulty about titles or anything else; it was only money.

"Q. Did you inform Exall that his letters, if genuine, contradicted his deposition given before the Commission?

"A. I suppose I did that, yes; in this way: I told him if these letters were genuine, or if the statements in them were true, that then they conflicted with his depositions."

Exall's explanatory affidavit is printed on pages 943-945 of the appendix. It shows that shortly after he arrived at Tayoltita he came to the conclusion that it would be impossible, on account of the state of the country and the hostility of the local authorities, for the company to retain possession of its property and carry on its business of mining; and that he entered into a scheme or plot with James Granger, which is stated as follows (*ibid.*, p. 943):

"We saw that if the company was actually expelled, as we were certain it ultimately would be, we might not, and most probably would not, be able to secure the property, as it would probably fall into other hands; but if the company could be induced voluntarily to abandon the property before matters culminated in an expulsion, or to part with it for a small consideration, we could probably retain the possession and secure the property to ourselves and due protection (Mr. Granger being an English subject).

"The company was already somewhat disappointed because more rapid progress had not been made at the works and in reaching money results, and somewhat dissatisfied with being drawn on by the superintendent for more money. We thought that the state of affairs at the works could, from time to time, be so presented to the company as to induce the feeling we desired, and concluded to act accordingly. * * * In my letters to Mr. Garth, treasurer of the company, written from time to time, I purposely dwelt upon and exaggerated the necessities and the exigencies of the situation, and belittled the value of the mines and ores, and gave to the letters a discouraging aspect. I also wrote to him about my arrest and the threats made to me, and the difficulties and obstructions generally which I met with from the Mexican authorities and people."

It has already been observed that the letter-press copy book contains copies of letters in regard to the need of money, and the impossibility of continuing the company's operations without it, but no copy of any letter, except the one addressed to the prefect, in regard to the "arrest" and the "threats," or (later than July 13, 1867) in regard to "the difficulties and obstructions from the Mexican authorities and people" referred to by Exall in this affidavit. Perhaps he did not copy his letters to the home office on these subjects. Be this as it may, they do not appear in the letterpress copy book, the incomplete character of which has already been noticed. Superintendent Bartholow's earlier letters are all missing. One of these he alludes to in his letter of February 6, 1867, as having been written about the first of the previous month. He also alludes in his letter of March 7, 1867, to his "last"—an earlier letter which does not appear in the copy book—in which he says he informed Mr. Garth that William Grove was missing, and that it was feared he had been waylaid and murdered. Nor are the dates in the copy book consecutive (*ibid.*, pp. 313-317).

Exall denies in his explanatory affidavit that he ever delivered the letter of February 21, 1868, to Granger, turning over to him the care of the property, and explains how that letter came to be written (*ibid.*, p. 944):

"Mr. Garth wrote such answers to my letters as I assumed they would call forth, and from the answers it seemed evident that the company would not be unwilling to enter into some arrangement to part with their property; and in the latter part of February, 1868, I concluded to go on to New York and see what could be done to that end.

"Preparatory to so going I drew a paper addressed to James Granger, which purported to invest him with my authority and to give him power to act for the company. I had no power to confer, being only an acting superintendent, nor authority to confer such power if I had any; but it was necessary for the purposes we had in view that he be in possession, and that he should seem to Mexicans to have the proper authority. Had I gone then, I intended to return. But I reconsidered my decision to go at that time, and concluded I ought to remain longer before going, and await still more alarming indications from the people and authorities, and the paper I have referred to was never delivered to Granger. Whether I destroyed it or left it among the loose and discarded papers at the hacienda of the company I do not remember."

He then continues as follows:

"I remained there some time afterwards, but I waited too long, and the explosion which I believed to be several months distant came unexpectedly, and the expulsion of the company, and my abrupt departure to save myself from personal harm, and the complete abandonment of everything belonging to the company took place as I have stated in my deposition."

He adds that he still hoped that Granger, instead of some Mexican, would get the possession of the property, but that he was afterwards informed that Judge Soto, the father of Granger's wife or mistress, took possession of and occupied the company's hacienda. He then says:

"I returned to New York and informed the company of its expulsion and

of my forced abandonment of all its property, and gave them a full history of the state of their affairs and of the feeling in Mexico against them. The company seemed to think the case was hopeless."

The affidavit closes as follows:

"I speak of my letters from general recollection of them only, but the foregoing is a correct history of the origin and purpose of all letters I have ever written which contain anything inconsistent with my depositions. They were written for the express purpose of enabling Granger and myself to obtain the possession of the company's works and mines in the contingency which I have mentioned, and were known to and largely prompted by Granger, and, in fact, partly drafted by him, and in so far as they conflict with my depositions the letters are untrue, and every material statement in my depositions is true."

The question arises whether there is anything in the evidence, outside of this sworn statement, to show that Exall really exaggerated the financial difficulties at the mines and belittled the value of the ores in those letters of his to Garth. It does appear that Exall received no remittances from the company during the whole term of his superintendency, which lasted from April, 1867, to March, 1868; and that the only draft he ever undertook to draw upon the company—the one for $3,000 mentioned in his letter of July 13, 1867, to Mr. Garth—was not negotiated (*ibid.*, pp. 307, 309). It also appears that on the 1st of July, 1867—eight months before the abandonment—he had a cash balance of $1,733.58 on hand at Tayoltita, and that the company at that time owed its American employés $1,070.46; C. Sandoval, for charcoal, $46.59, and Echenique, Pena & Co., at Mazatlan, for money borrowed and merchandise, $2,094.70, making a total indebtedness of $3,211.75, and leaving a deficit of $1,478.17. (*Ibid.*, p. 306.)

From this time till the abandonment Exall paid all the running expenses of the mines and the works and the hacienda out of the returns from the mill. He also settled with Cullins, to whom the company owed $1,492, but he says in his letter of December 18, 1867, that he borrowed that amount (*ibid.*, p. 313). If he did, he subsequently repaid it, for he left no debts unpaid at the mines or in Mazatlan, except arrears of salary due to Granger and $250 borrowed from Pena & Co. A. B. Elder testified that he and other employés of the company were paid in full when Exall returned from one of his trips to Durango (*ibid.*, p. 582).

Mexican witnesses accuse him of squandering the products of the mill in gambling (*ibid.*, p. 521), and seem to intimate that bullion was "disposed of" improperly by Exall and Elder (*ibid.*, p. 417). This may refer to the fact stated in Exall's affidavit that he shipped bullion clandestinely to New York and San Francisco instead of sending it to the mint at Durango (*ibid.*, p. 944). The statement in his second deposition that he extracted $17,000 worth of silver from 20 tons of ore (*ibid.*, p. 462), which has seemed so incredible to the Mexican Government and the majority of the committee, receives considerable color of probability from Gen. Bartholow's letter to Mr. Garth, of March 7, 1866, in which the general makes the following statement (*ibid.*, p. 246):

"From 'La Luz' we have taken out 400 tons, and the quantity mined weekly has been increased to an average of 30 tons, and at the same time we have succeeded in reducing the cost delivered on the patio to $15 per ton. In this mine we have found a small vein, an offshoot from the main vein, which is now about 6 inches wide, which is producing with two hands (no more can be worked in it) from three to four hundred pounds per week of ore of surprising richness. If the opinion of the Mexicans, including Don Ignacio Manjarrez, is worth anything, these say it will yield $1 to the pound. I think this is an overestimate, but I would not be surprised if it should assay $1,000 to the ton. I have put up about 2 pounds of it, which I will send with this letter by Wells, Fargo & Co.'s Express. On its receipt I would be glad if you would have it assayed and report the result. This ore we put up as fast as mined in gunny sacks and store it in the wareroom."

Another rich "find" was made under Col. De Lagnel's superintendency, to which he alludes in his testimony before the subcommittee, as follows (*ibid.*, p. 54):

"I remember the wild excitement among the miners, because when the ore was brought down you could see the gold in streaks as large as a big diaperpin head little pellets of gold along like fine shot, so as to leave a line of gold.

"Senator BROWN. That, then, was very rich gold ore?"

"The WITNESS. I took it for granted that that was rich ore. All the miners seemed to be in a state of excitement. They found it out by sinking a shaft, I think for ventilation or for the easy dropping of the ore, or some such purpose as that, from the upper level, I forget just what, and in that way they found this valuable ore."

Mr. Elder testified that he made assays of ore at La Puerta for Col. De Lagnel previous to June, 1866. It may have been some of this ore that gave the following satisfactory results (*ibid.*, p. 509):

"Q. Just tell us what assays you made for him before you went to Tayoltita?

"A. He came to my place with some ores and asked me to make assays for him. I did so, and I got very fine results, about $250, and as much as $600 that day from those ores."

If these rich "finds" were all stored in the warehouse in gunny sacks, or kept, as ordinary prudence would require, in some safe place by themselves, there must have been a lot of high-grade ore on hand, and it was probably from this that Exall got such results after the mill was running and after De Lagnel had left Tayoltita; for there was only one "run" of the mill while De Lagnel was superintendent, and that was made just before his departure for New York, from 10 tons taken promiscuously from the large piles on the patio (*ibid.*, pp. 36, 37).

It also appears that Exall must have incurred legal expenses to a considerable amount, for he employed one of the most distinguished lawers in Mexico, Mr. Jesus Chavarria, to appeal, on several occasions, to the State government, on behalf of the company, for the protection and redress which had been denied by the local authorities (*ibid.*, top of page 389).

It therefore seems clear from the evidence, outside of Exall's explanatory affidavit, that he did exaggerate his financial difficulties and belittle his re, sources in the letters which he wrote to Mr. Garth after July, 1867. He seems also to have invented dangers which did not exist, for we find him saying to Mr. Garth on the 6th of October, 1867, that "amparas are not now granted, and mines are to be held only by working;" and yet, eight days later, he applied to the president of the mining deputation of the district of San Ygnacio (apparently with success) for an amparo for six months on the mines Arrayan, Sauz, and Talpa (*ibid.*, pp. 310, 312).

Shortly after this, on November 8, 1867, Granger writes to Garth that Exall had left Tayoltita on the 26th ultimo with bullion for Durango, in company with Mr. Sloan and two mozos, and that it was reported that the party had been met by a band of robbers and that everything was taken from them (silver, mules, arms, etc.), leaving them in their underclothing to make their way into the city, about half a day's journey (*ibid.*, p. 312); and on the 18th of December Exall writes to Garth "for God's sake" to telegraph to the Bank of California and pay De Lagnel's draft, so as to stop the threatened suit (*ibid.*, p. 313), although two months previously he had explained to Mr. Garth that "there was a flaw in the draft," De Lagnel having failed to sign as superintendent, thus "making it an individual affair" and preventing a seizure of the company's property (*ibid.*, p. 310). In his last letter to the company's treasurer, which appears in the letterpress copy book, dated at Mazatlan, January 24, 1868, Exall raises this same alarm again, and says that he has been doing everything in his power "to keep the Bank of California from getting possession;" that he has thus far succeeded, but "can prevent them no longer," and fears that "they will eventually have their own way."

Meanwhile his difficulties with the local authorities were increasing and their aggressions growing more intolerable. Judge Soto had denounced the lower hacienda and had taken possession of it and set men to work on it, although the company had intervened by Exall to protect its property, and no decision had been rendered by the courts. Exall's letters to the prefect at San Dimas show that he had appealed to Judge Perez at Tayoltita against Judge Soto's illegal action, and although Perez decided that Soto must suspend work, Soto continued his operations, and Exall afterwards learned that Perez had told Soto privately to go on with his work, "which he did," and thereafter "continued working." The two local magistrates seem to have combined to break the law and seize a part of the company's property. It also appears from the same letter (*ibid.*, p. 314) that Soto claimed that he was working by authority of an order from the prefect at San Dimas—the same official before whom Exall's appeal was pending and to whom the letter in question was addressed. In a letter written the same day to Castillo de Valle, December 5, 1867, (*ibid.*, p. 315) begging his good offices in this matter, Exall expresses his fear that the local authorities had committed themselves to Soto, and shows what a serious injury Soto's proceedings were and would be to the company.

It matters little that when the case was carried to the State courts of Durango the decision was eventually against Soto. The company was virtually in the power of the local authorities at Tayoltita and San Dimas, and all their arbitrary and illegal acts were known to the populace and were productive of hostility and opposition to the company and contempt for the law. Following this trouble with Soto came the arrest and imprisonment of Exall by Soto's associate, Judge Perez, under the circumstances already described, and this was afterwards followed by a judicial "demonstration" against Exall, in the presence of the workmen, at which he and the company were threatened with expulsion from the mines. These judicial assaults seem to have culminated in a warning given by Olivera, the prefect at San Dimas, to Exall in person, that his life was not safe at Tayoltita, and that if he consulted his safety he would abandon the mines. (*Ibid.*, pp. 460–462.)

The company's case does not depend on Exall's depositions.

Having considered the evidence tending to show that Exall did really exaggerate the company's financial difficulties at Tayoltita in his letters which appear in the letterpress copy book, as stated in his explanatory affidavit, it now remains to inquire whether there is evidence, in addition to what has been already quoted or referred to, showing that the causes to which he ascribed his abandonment of the mines and the works of the company at Tayoltita, in his depositions before the Joint Commission, did really exist. It will be noticed that his explanatory affidavit closes with the statement that in so far as they conflict with his depositions the letters are untrue, and every material statement in his depositions is true. The grounds for the abandonment of the mines, as stated in Exall's depositions have already been noticed in this report. It is now proposed briefly to collate the evidence which was before the umpire on this branch of the case, and has not been hereinbefore noticed.

The Mexican prefect, Mora, who was examined on behalf of the company, being questioned as to his predecessor, Quiros, and his successor, Olivera, and particularly as to their disposition towards La Abra Company, answered (*ibid.*, p. 393):

"That neither of them were satisfied with the laws given by President Juarez, inviting foreigners to come to the country, and although those persons might have obeyed them it was against their own wishes; that they not only showed their unwillingness to do so, but in various ways tried to molest them and force them to leave the place."

As to the company's fruitless appeals to the State authorities for protection, the same witness testified (*ibid.*, p. 395):

"That lawyer Chavarria informed him that the Abra Mining Company, at the time referred to in the question, employed him and Mr. Rice, the former as lawyer and the latter as attorney in fact of the company, to make a complaint to the governor, Gen. Francisco Ortez de Sarate, of the damages and persecution which the company were experiencing at San Dimas, and asking him for protection; that at the time the governor sent for deponent, and questioned him with regard to the company; that the deponent informed him that it consisted of Americans, and, like all other foreigners, was working for the ruin of Mexico; he refused it the protection which it prayed for."

In regard to the stealing of the company's ores and failure of the local judges to protect the company from these depredations, Mora testified (*ibid.*, p. 394):

"That during the time of his administration he had no knowledge of the theft of the ores referred to in this question, but he did hear it stated that during Olivera's time the Mexican operatives, who were absolutely without work to maintain themselves, stole some of the company's ores, and that neither Quiros nor Olivera would listen to any complaints, made on account of the said robberies, by the company's superintendent."

Avalos, when he was examined on behalf of the Mexican Government, subsequent to his deposition for the company, testified that it was true that the company had been prevented by the people from working. Extracts from his testimony on behalf of the company have already been given.

In his first deposition for the company, James Granger testified as follows (*ibid.*, p. 356):

"Q. Were any of the authorities, local or national, civil or military, in the mining regions of Mexico, in favor of extending protection or security to American companies engaged in working said mines?"

"A. No, sir; they are bitterly opposed to it; as I have before said, they are all in favor of seeing the mines of Mexico in the hands of, and worked by, Mexicans. I have heard the two prefects of San Dimas, that I have named, Marcos Mora and Macario Olivera, say so while they were officiating as prefects there, and I have often heard Judge Guadalupe Soto, of Tayoltita, say so. The last-named authority I have heard say much more on the subject, as applied to 'La Abra Silver Mining Company.' * * * That he would go for clearing them out if they attempted to return to work their said mines at Tayoltita. I know that this was, and is now, the feeling there with higher Mexican authorities than Guadalupe Soto in that district.

The same witness testified (*ibid.*, p. 357) that at that time, May 14, 1870, the principal hacienda and buildings of said La Abra Company at Tayoltita were occupied by the said Guadalupe Soto and his family, and that his office was then "gefe de Cuartel." Granger said that he had been at Tayoltita himself "but a few days ago." Avalos also testified in May, 1870 (*ibid.*, p. 358), that the company's hacienda and property at Tayoltita were occupied at that time by Judge Soto and his family.

Alfred A. Green, who, since the award in favor of La Abra Company was rendered, has been employed by Gen. Slaughter under his contract with the Mexican Government to obtain testimony impeaching the award, testified in New York on behalf of the company in December, 1869. In that deposition he says (*ibid.*, p. 241):

"I know the mines called 'La Abra,' in the State of Durango. It is situated at Tayoltita, in the same district of San Dimas. I also know 'La Abra Silver Mining Company,' the company that owned and worked said mines

'La Abra.' * * * In January, February, and March, 1868, I was frequently at said mine 'La Abra.' * * * In January, 1868, at San Dimas, I heard some Mexican citizens, in the presence of the 'juez' of that place, declare that they would kill or drive away all the men of that company, and the threat was applauded by the 'juez.'"

The same witness testified in regard to the stealing of ores, and the feeling of general hostility on the part of the authorities and people as follows (*ibid.*, p. 342):

"After the expulsion of said 'La Abra Company,' which I have mentioned, in March, 1868, Mexicans were engaged in carrying off its ores, and it would have been impossible for the company to have returned and continued its mining operations. Any persistent attempt to do so, I am sure, would have only resulted in the killing of the superintendent and his officers.

"My long residence in Mexico, and my ability to converse in the Spanish language, and the interest which I had taken in the liberal cause, and services I had rendered it, which were well known in the State of Durango, enabled me to mingle freely with the inhabitants, and for a long time, and until a short time before I was driven away from San Dimas, I was regarded by most of the Mexicans more as one of them than as a foreigner, and matters were talked of by the citizens before me as freely as if I had been a native-born Mexican, and I know well the state of feeling of the citizens of the State of Durango and the Mexican authorities, civil and military, against foreigners in general, and citizens of the United States of America (or Americans as they are called) in particular, at and subsequent to the commission of the acts against said 'La Abra Silver Mining Company,' which I have mentioned. It was very bitter, and ended in open hostility and violence. The report was industriously circulated that the object of the Americans, and especially 'La Abra Company,' was to annex Durango, Sinaloa, and other border States to the United States of America. Such, I know, were not the views or aims of Mr. Exall nor of other Americans in charge of neighboring mines, whom I knew. The report was circulated to inflame the more ignorant classes. The real object, it was evident, was to get the possession of the mines and property of the American companies and the benefit of their expenditures.

"On several occasions, in January, February, and March, 1868, in San Dimas district, I have heard Mexican citizens and authorities say that they meant to drive off and kill out all the Americans, and get their mines and property.

"This feeling of hatred and hostility was shared by the military authorities and soldiery, and by the local civil authorities, and was encouraged by them. It grew in intensity and boldness until it culminated in open violence and forcible dispossession of 'La Abra' and other companies. Several other American companies, besides La Abra, were driven off in a similar way. Any attempt to obtain restitution or protection from the authorities was vain, and only increased the personal danger. * * *

"From my knowledge of the feelings of the citizens and authorities in San Dimas and the situation of affairs there and from my own case I am confident that after the acts against said 'La Abra Company' any effort on the part of said Exall, or of anyone else for the said company, to continue mining operations would have resulted in his or their death by violence."

It appears in the "new evidence" offered by Mexico (Ex. Doc. No. 103, p. 287) that while the Joint Commission was in session the Mexican Government obtained (or now alleges that it obtained) a deposition of William R. Gorham, in March, 1872, stating that the deposition of the aforesaid Alfred A. Green, from which the foregoing extracts are taken, "was not read to said Green nor signed by him." Now, although Gorham's deposition was not submitted to the Joint Commission, nor any evidence tending to impeach the authenticity of Green's deposition, Gorham's deposition has, nevertheless, been printed by Congress as part of Mexico's "new evidence." Nor has the Mexican Government availed itself of the opportunity afforded by the Senate to produce Green before the subcommittee and examine him in regard to his deposition or the matters of which it treats. He is still living, and, as has been stated, has been in the employment of the Mexican Government, under Gen. Slaughter, endeavoring to collect evidence in Mexico to impeach this award. His conduct in that employment will be noticed hereafter in connection with the recent testimony given before the subcommittee on behalf of the Mexican Government by Capt. Charles B. Dahlgren, who also had made a deposition, in favor of the company, which was filed with the Joint Commission.

Perhaps the reason why Gorham's affidavit stating that Green had never signed his deposition was not submitted to the Joint Commission was the fact that an affidavit of the same Gorham was attached to Green's deposition certifying that Green had made it, and that it was "entitled to full faith and credit" (*ibid.*, p. 344). Gorham's affidavit would not do for the Joint Commission, but it has been available, with other false and defamatory matter of the same sort, as will be shown hereafter, to swell the volume of the so-called "newly discovered evidence" presented by the Mexican Government to the State Department and Congress for the purpose of subverting this award.

Recurring again to the testimony corroborating the company's memorial and Exall's depositions, attention is invited to the deposition of Carlos F. Galan, which was taken in January, 1874, in support of the claim of James Tobin *vs.* The Republic of Mexico, and submitted also in this case. Mr. Galan was a cadet of the military college of Chapultepec, a lieutenant in the Mexican army throughout the war with the United States, subsequently a member of the bar in Sinaloa and Lower California, and, after holding various positions of honor and trust in the latter Territory, its governor and chief justice. He resided at Mazatlan from 1859 to 1872, where he was an interpreter and translator of the English, French, Spanish, and Italian languages, and publisher of the newspapers Occidental and La Voz del Pueblo. His testimony relates mainly to the difficulty of taking depositions in Mexico before the Mexican authorities in behalf of claimants, citizens of the United States, under the treaty of July 4, 1868, and his account of the efforts of high officials to intimidate Mexican witnesses and prevent their testimony from being taken in support of American claims, and to suborn testimony in opposition, shows a signal disregard of law and justice in quarters where it would not be expected. His testimony in regard to the forcible seizures of property by the military, the levying of "prestamos," and the illegal and tyrannical conduct of the civil authorities during the time that the company was conducting its operations in Mexico and subsequent thereto is as follows (*ibid.*, pp. 497, 498):

"Q. What officers of the army under Gen. Corono were authorized or allowed to exact and collect such 'prestamos,' or forced loans, from foreigners?

"A. All officers on duty, from major-generals down to lieutenants, and I have known of cases there where noncommissioned officers and private soldiers of that command exacted and collected such prestamos, with or without the authority of their superiors in command. Such cases were common and an everyday occurrence during the late wars there, not only during the time covered by the questions, from 1863 to 1867, but even up to the day I left that country, in May, 1872, such exactions were still made and enforced in that military department by said authorities.

"Q. How do you know or how were you made acquainted with the facts stated by you in answer to the foregoing question?

"A. By living within the military jurisdiction of Gen. Corona during the time referred to, and by listening to the statements of the military officers of the Republic, many of whom often stated to me that they were ordered by their superior officers in command to make such demands, and to seize, for the use of their troops, all or any provisions or supplies found with anyone, or any money, goods, chattels, or other things of value, which could be converted into money or supplies for the army, in case they should refuse or neglect to pay such prestamos; and in many cases the said military authorities of the Republic seized and converted to their use the goods, provisions, and other supplies needed by the army, without stopping to make said exactions or of going through the form of levying prestamos. I know the facts, too, by conversing with the sufferers, soon after the depredations were committed there, some of whom were broken up and ruined in their several enterprises, of which Gen. Corona was the chief.

"Q. Will you please name some of the foreigners of Sinaloa and Durango who have suffered heavy losses, or ruin, as stated by you, on account of said acts of the Mexican military authorities?

"A. Yes; I know a Spanish house, in Mazatlan, that of Echeguren Harmanos & Co., late 'Echeguren Quintana y Co.,' who have suffered in this way, *i. e.*, by such prestamos alone, exacted by said military authorities, and the payment enforced from them, to the extent of nearly or quite a quarter of a million of dollars, during the time referred to; and I know of many other foreign houses there who have been compelled by said authorities to pay large prestamos for the support of said army, amongst whom I will name 'Echenique Pena y Co.,' 'Careaga y Co.,' 'Storzel Bartning & Co.,' 'Melchers & Co.,' John Valcke, and 'Kelly & Co.,' and amongst the American miners, farmers, and manufacturers who have suffered in the same way, many of them having been broken up and entirely ruined by the said acts of the military combined with the prefects of the districts and other local authorities, I will mention the 'Trinidad & San José Silver Mining Company'—John Middleton, of this city, Charles Bouttier, a partner of the above, whose brother, Leopoldo, the superintendent of their mines, actually died from the effects of his imprisonment, who was maltreated and abused in nameless ways while a prisoner, because he had the misfortune to have been born in France, which facts I learned from the Mexican officers themselves; George Briggs, a farmer; one Mr. Elliott; Alfred Howell, a manufacturer at Mazatlan; the 'Carmen Mining Company;' Daniel Green, of this city; John Cole, of Camancho, near Mazatlan; 'La Abra Silver Mining Company,' and James Tobin, this claimant."

John P. Cryder, who was employed as assistant superintendent of the Guadalupe Gold and Silver Mining Company, about a league from Tayoltita, from the last of December, 1867, to the 1st of March, 1868, remaining there until the close of that month, and who was frequently at the company's hacienda, and "intimately acquainted with Mr. Exall," testified as follows (*ibid.*, pp. 375, 376):

"I heard said local judge, Nicanor Perez, say he would 'run that La Abra Silver Mining Company out of Mexico.' He said that 'the mines of Mexico belonged to Mexicans,' and that his Government had no right to permit the 'Gringos,' as he called Americans 'to come here and carry off all the best of their metals,' and that the people,' he said, 'would take care that the ores of La Abra mines don't go away in the hands of these Gringos,' and he, the judge, Nicanor Perez, would see that the people of Mexico shall have the benefit of these locos' ('fools') investments.

"I recollect that his remarks were made in a prejudiced and determined manner, and in the form of a threat, that he would encourage any act, if necessary, to carry his point against that company, and I so understood it and communicated the facts to some of the American employés there. This was in February, 1868. I afterwards told Mr. Exall of the threats of the juez.

"I also heard Macario Olivera, the prefect or gefe politico of the district of San Dimas at that time, February or March, 1868, say that 'La Abra Silver Mining Company could not stay in that district;' that 'it would be impossible for them to do so.' This was at San Dimas. He did not say positively what course he would pursue, but he said the authorities were determined to get rid of that company, and they could not stay there and work those mines; he said it would be better for that company to give up their mines and leave the country 'before any accident should happen,' for which, he said, 'the prefect would not be responsible.'

"I asked him what he meant by making use of the word 'accident' in that conversation, and he made an evasive reply, which satisfied me that mischief was meant, either by the prefect himself or by the people or local authorities, with the acquiescence of said prefect. This said Macario Olivera was, at the time this conversation took place, February or March, 1868, the official and acting prefect of that district. He was called 'gefe politico.' The gefe politico of a district, in any part of Mexico, is the chief authority, civil, military, and political. I know a man must possess great nerve if he dares to oppose the will of the 'gefe politico' in any district of this country. The intimations of difficulties or 'accidents' made by said gefe politico against La Abra Silver Mining Company were made in the presence of two or three Mexicans, who evinced immediate approval of said remarks, and considerable of feeling. My suspicions were at once aroused that Superintendent Exall might be in great danger, and that other 'accidents' might happen, and I told Mr. Exall the first time I saw him after this conversation I have related with said prefect."

It will be remembered that Cryder was an eyewitness of Exall's imprisonment, and that his testimony regarding that occurrence has already been quoted.

The deposition of Mr. Jesus Chavarria was taken on behalf of the company at Durango, July 11, 1872, before Pedro J. Barraza, first judge of letters. A certificate of this judge is attached to the deposition, stating that lawyer Jesus Chavarria is "a resident of this city (Durango), one of its first lawyers, and, by his dignity and well-known integrity, is, beyond all doubt, entitled to full faith and credit."

The whole of Mr. Chavarria's deposition should be carefully read. He testified as follows (*ibid.*, p. 387):

"That in July or August of 1867, the year referred to in the question, he was at San Dimas on private business, and also at Tayoltita, as he has before said; that he went to the mines for the purpose of seeing them, and that he conversed with the gefe politico upon their condition; that in consequence of these he became satisfied that both that officer and the mining people were strongly bent upon annoying and driving the Abra Company away, and with which they were continually provoking quarrels; that officer and some of the workmen stated that they believed the company to be annexionists; that it was therefore hateful to Mexico, and they thought it best to drive it away from that mineral anyhow; that, for this purpose, the authorities instigated the laboring people, on the pretext of their wants, not to work for the company; that he further knew that the company's ores were frequently stolen, and that it was not legally protected by the Gefetura, where the superintendent usually made fruitless complaints of the thefts; that that officer [the gefe] also gave him, deponent, to understand that he had a special interest in the expulsion and despoliation of the company, in which case he intended to denounce the mines at Tayoltita, and he offered deponent a share in them, which deponent refused, and reproved his conduct in permitting the operatives to steal the ores, which they did with impunity, to the great responsibility of the authorities of that department, who, either by their connivance or indolence, compromised the honor and good name of the Republic."

It will be remembered that Marcos Mora, who was at that time about to retire from the office of prefect, was the author of the order to the company which had previously been mentioned, and that it was under Mora's author-

ity and an "uprising of the people" that Soto sheltered himself for the orders which he had issued to the superintendent of the mines.

It appears that Chavarria had an interview with the incoming prefect, who proved himself a worthy successor of Mora and a fitting ally of Soto. Mr. Chavarria says (*ibid.*, p. 388):

"That he met Macario Olivera on the road from San Dimas to Gavilanes; that they conversed together upon the subject referred to in the question, and Olivera acknowledged to him the plans and intentions existing at Tayoltita, on the part of the authorities and the operatives, to injure and expel the Abra Company from their mines by intrigues, or such direct and indirect means as it would be impossible for them to resist, and that Olvera revealed to deponent that he was interested in that hostility, and in combination with the gefe politico, whom he was going to replace, to carry out the sinister projects before referred to."

Mr. Chavarria gives the following account of a meeting of the company's Mexican workmen at the house where he and Mora were stopping at Tayoltita (*ibid.*, p. 388):

"11. State whether Marcos Moro, the gefe politico, was visited on the second night of their stay at Tayoltita, in July or August of 1867, at the house where they were stopping, by any of the employés of the Abra Company, or any of the head Mexican workmen who had been in the employ of the company. Also, state all that then and there took place between the said employés and the gefe, Mora, as to their continuing in the company's service; state what the parties named did and said in your presence.

"A. That all the matters referred to in the question are true; that the greatest disorder prevailed upon that occasion; that the head miners, by order of Marcos Mora, mutinied against the Abra Company and the superintendent; they refused to work any longer in the mines, which resulted in the continuance and increase of the robbery of the ores, which was openly carried on in daylight, and in the presence of the superintendent."

Chavarria also testifies as to what Olivera and Mora told him in Durango, after Exall had abandoned the company's mines and works at Tayoltita, in regard to the cause of the abandonment (*ibid.*, p. 388):

"12. State whether, at Durango or other places, you have had any conversations with the said gefe politico, Marcos Mora, or his successor, Macario Olivera, since the month of March, 1868, touching the reasons why the Abra Silver Mining Company abandoned their mines and property; and if so, then state all that the said gefes politico told you, and others in your presence, prior and subsequent to the abandonment of the mines, which may throw any light on the subject of the abandonment, and the manner in which this was brought about.

"A. That subsequent to the time referred to in the question he conversed with Macario Olivera, in Durargo, and also with Marcos Mora, on his frequent visits to him when he was in prison, and was told that the company had finally been compelled to abandon their mines at Tayoltita, through the loss of their property, owing to the concerted hostitity against it in March of 1868."

Mr. Chavarria also testified of his own knowledge to the failure of the appeals which he made on behalf of the company to the national and State authorities for protection against the wrongful acts of the local magistrate at San Dimas and Tayoltita (*ibid.*, pp. 388, 389):

"15. State whether the protection of the national and State authorities was duly and legally invoked on behalf of the Abra Silver Mining Company, at the end of 1867, to protect it against the unlawful attempts made against it and the robbery of its property by Mexicans at the instigation of the gefe politico of the district and the local authorities at Tayoltita. If this be so, then state how you learned the facts. Who was employed by the company as its agent to represent the facts to the authorities? Who was employed and acted as the company's attorney at the time the said protection was invoked? State what was told him, and what was done in his presence by the national and State authorities when the said protection was asked for and in reply to his petition.

"A. That the matter stated in this question is true in all its parts; that deponent, employed by Mr. Rice of California as Exall's lawyer repeatedly solicited from the State government protection for the Abra Company, to suppress the robberies and outrages which the company were experiencing at Tayoltita, but all to no purpose, as, after innumerable steps and measures, the executive of the State never even so much as requested the authorities at San Dimas to comply with their duties. The only answer given was, that the government of the State, at whose head was Francisco Ortez de Zarate, in 1867, would not meddle in private matters."

This corroborates Mora's testimony, already quoted, on the same subject, and, with the testimony of the company's employés, conclusively establishes the allegation of the memorial and justifies the umpire's conclusion that the company was denied due protection in Mexico.

Mora was afterwards imprisoned for malfeasance in office and Olvera was killed in a riot among the miners.

Proof that an immense quantity of ore was stolen.

Further testimony could be cited sustaining the allegations of the company's memorial and of its last superintendent in regard to the stealing of the ores, both before and after the abandonment. The witness, Cole, testified that he had "frequently seen them (the Mexicans) packing off said ores from the works of said company, in sacks upon mules' backs, in March, April, and May, 1868" (*ibid.*, p. 363), and, as already noticed, Mexico's subagent, in her proceedings to subvert the award, Mr. Alfred A. Green, who was at Tayoltita in January, February, and March of that year, testifies to the same effect. But there is a mathematical demonstration of the truth of the company's claim that the best of the ores that were abandoned have been removed since the abandonment. The quantity of ore left on the patios when the property was abandoned has been estimated by some of the witnesses for the Mexican Government as high as from 10,000 to 14,000 cargas. This was the estimate of Mr. Jesus Torres (*ibid.*, p. 443).

No witness makes the quantity less than 700 or 800 tons. The umpire found the quantity to be 1,000 tons. One of the three witnesses brought up by the Mexican Government from Mexico in the recent investigation testified before the subcommittee that the pile of ore at the hacienda was "the same size the last time he saw it as it was the first time;" that "there is about 500 or 600 cargas;" that he first saw it when he "went to work in the mines." This was in 1871, as fixed by the date of the denouncement of "Rosario," including "La Luz," the mine referred to by the witness (Francisco Torres), which he worked in partnership with James Granger, in whose name the denouncement had been made (*ibid.*, p. 335). Jesus Torres swore that when the company abandoned the mines in March, 1868, there were from 10,000 to 14,000 cargas of ore (most of it he said was worthless rock) at the hacienda. Francisco Torres swears that in 1871, about three years subsequent to the abandonment, there were only 500 or 600 cargas left. What had become of all the rest?

The report of the House Committee on Foreign Affairs in the Forty-ninth Congress.

A careful examination of the evidence which was submitted to the Joint Commission both on behalf of the company and the Mexican Government, and of the testimony recently taken by the subcommittee, has led the undersigned to the conclusion so forcibly expressed by Representative, now Senator, DANIEL, in his report from the House Committee on Foreign Affairs, of December 5, 1886, against any revision or disturbance of La Abra award. The House committee's report seems all the more impressive because it affirms the power of Congress to make provision for a judicial investigation of the award, as provided in the bill now under consideration (S. 2632), but concludes upon the merits that the award should not be reopened. The letter-press copy-book and Exall's letters were carefully examined, and their authenticity was not questioned by the committee. The report disposes of this feature of the case as follows:

"Superintendent Exall's contradictions of his testimony as revealed in his letters, now produced for the first time, are given great importance, and stress is laid upon them as imputing that his testimony was false and the claims of the company purely pretentious.

"It should, however, be remembered that Exall was acting for his own interest, and that his letters conformed to what that interest seemed to require. He was a creditor of the company. He was in Mexico, and needed money, and as an inducement to the company to send him money he apparently colored the facts he recited in his newly-presented letters under the impulses of the moment, and described conditions to suit his necessities. We can not justly hold the company responsible for his course any more than we could justly hold a nation responsible for the conduct of a traitor. True, his testimony is apparently discredited, but he is dead, and explanations which, if living, he ought to make are now impossible. But, did this case rest upon his testimony, it would be nevertheless discredited, and in our opinion it should be disregarded; and, disregarding it, there is an abundance of sound testimony to sustain the award."

The explanatory affidavit made by Exall shortly before he died, and which is now in evidence and has been considered at length in this report, was not before the House committee, the original having disappeared from the files of the Senate Committee on Foreign Relations, to whom it had been presented in August, 1882, and an examined copy not having been produced and proved till the recent investigation. (Appendix, pp. 939-941.)

The grounds on which the House committee reported against any interference with this award are summarized by Mr. DANIEL as follows:

"Undoubtedly some of the items of the large claim asserted against Mexico by the La Abra Company are shown to have been exaggerated and others unfounded. But this remains when all that can be reasonably said in favor of the interference proposed has been considered—that there was ample evidence before Sir Edward Thornton that is not impugned by any new evidence to have sustained and warranted his award; that the award did not embrace damages on account of the items that have been surcharged or apparently falsified; that that award was far below what was claimed; that it was far below in amount the damages which, in the opinion of unimpugned witnesses, the claimant's company suffered; that it did not embrace speculative damages; that the mistreatment of the company by Mexican officials and people is proved by their own testimony, and that (conceding all that by reasonable intendment the newly-discovered evidence proves) the award made had ample foundation in testimony not successfully impeached, and was not in excess of fair compensation for losses suffered according to that testimony.

"The United States has never undertaken to be themselves the judge of the legitimacy of these claims, nor could they do so. They were a party to the arbitration, not the arbiter. The legitimacy of the claims was the very question submitted to the court of arbitration under the treaty; and while it is true that with an exalted and refined sense of honor, which of its own intuitive impulse refuses the fruit of wrong, the United States will interfere to arrest palpable frauds and impositions practiced by or for the benefit of its citizens. It is also true that they should not attenuate that sense of honor into a Quixotic spirit, and exert their powers to override the most sacred settlements not palpably or apparently obtained by fraud. Were this case reopened by any form of procedure, abundance of evidence would be found unimpeached in the records before Sir Edward Thornton to justify his judgment. The new case, like the old one, would be a case where truth had to be sought under a mass of contradictions, and at the end of it—whatever that end might be—there would be as much room to question the propriety of the decree as there is now.

"Indeed, such a case as this can never be ended save by the finality that belongs to adjudication. Affidavits and counter affidavits—allegations of intimidation and extortion—recantations and recriminations and reassertions bestrew the record, and no one who reads its heaps of testimony (taken without regard to technical rules, and with no sort of discrimination between direct and hearsay evidence) can reach any other conclusion than that the details of exact truth are impossible of ascertainment, and that any decision should be predicated upon the few landmark facts which are established.

"This Sir Edward Thornton evidently well appreciated. He did not discuss the minutiæ of evidence or refer to that of any single witness. He did not award the speculative damages claimed or follow counsel in any of the niceties of their argumentation. With the spirit of a wise chancellor he looked at the facts which rose up out of the débris of testimony, and upon them rested his judgment. Those facts remain, and that judgment, in our opinion, should stand; and we fail to see that the honor or conscience of the United States is concerned to disturb it.

"Mexico had full and fair hearing. The great mass of cases was decided in her favor, and the only maxim which we conceive is now wisely applicable to this claim is that which tells us it is to the interest of the commonwealth that litigation should cease."

The course pursued by the Mexican Government in endeavoring to impeach La Abra award.

By the treaty of July 4, 1868, providing for the settlement of claims of citizens of the United States against Mexico and of citizens of Mexico against the United States, the two Governments entered into the following agreement:

"The President of the United States of America and the President of the Mexican Republic hereby solemnly and sincerely engage to consider the decision of the commissioners conjointly, or of the umpire, as the case may be, as absolutely final and conclusive upon each claim decided upon by him or them respectively, and to give full effect to such decisions without any objection, evasion, or delay whatsoever."

The first installment was due upon the awards, and was paid by the Mexican Government to the United States on the 31st of January, 1877. On the 21st of November, 1876, the Mexican agent, Mr. E. Avila, addressed a communication to the Mexican minister at Washington, in which it was stated that at the meeting of the agents and secretaries of the Joint Commission held the day before, the Mexican agent had presented certain statements in writing, with a view that they should be inserted in the record of the proceedings of the day, but it was not so done, because both the agent and the secretary of the United States did not think it proper.

One of these statements was a reservation of "a right on the part of the Mexican Government to show, at some future time, and before the proper authority of the United States, that the claim of La Abra Silver Mining Company was fraudulent and based on affidavits of perjured witnesses, with a view of appealing to the sentiments of justice and equity of the United States Government, in order that the award made in favor of the company should be set aside." The minister inclosed a copy of Mr. Avila's communication to

Mr. Hamilton Fish, who was at that time Secretary of State, remarking "that the manifestations contained in the annexed note of Sr. Avila are in accord with the instructions he has received from the Government of Mexico." Mr. Fish replied to the minister on the 4th of December, 1876, in a letter from which the following sentence is taken:

"I must decline, however, to entertain the consideration of any question which may contemplate any violation of, or departure from, the provisions of the convention as to the final and binding nature of the awards, or to pass upon, or by silence to be considered as acquiescing in, any attempt to determine the effect of any particular award."

The Mexican minister replied on the 8th of the same month that there was no intention to "put in doubt the final and conclusive character of the abovementioned awards;" that Señor Avila had only expressed the possibility that the Mexican Government might at some future time have recourse to some proper authority of the United States to prove that the two claims he mentioned were based on perjury, and that, "if such an appeal should be made, it will not be resorted to as a means of discarding the obligation which binds Mexico, and that, should it prove unsuccessful, the Mexican Government will recognize its obligation as before."

On the 20th of December, 1876, Mr. Fish sent a dispatch to Mr. Foster, who was at that time United States minister in Mexico, acknowledging the receipt of a dispatch in which he had stated that the Government of Porfirio Diaz had applied for a loan of $500,000, and had represented that $300,000 of the amount would be payable to the Government of the United States in the course of the next month. Mr. Fish inclosed with his dispatch to Mr. Foster a copy of a protocol, with an account of the expenses of the Joint Commission, showing a balance of $57,499.01 in favor of Mexico, and suggested that the Mexican Government, if it chose, could deduct the whole of that balance from the first installment of the awards payable to the United States. This was done, the whole of its contribution to the expenses of the arbitration being taken from La Abra award, and the first payment was made on the 31st of January, 1877, as stated.

Gen. Slaughter sends an agent to Mexico.

It appears from the testimony of Gen. Slaughter that the agent whom he employed to go to Mexico, in accordance with the terms of his contract with the Mexican Government, was Mr. Alfred A. Green—the same person who had made a deposition on behalf of the company before the Joint Commission, and had preferred a claim, unsuccessfully, on his own behalf, against the Mexican Government before the same tribunal. Previous to this adverse decision, Mr. Green, who had been much in Mexico, and spoke the language fluently, had assisted Gen. A. W. Adams in taking depositions on behalf of the company in Mexico, but afterwards quarreled with him in regard to compensation. This quarrel is described in ex-Consul Sisson's testimony before the subcommittee (*ibid.*, p. 801). Gen. Slaughter had met Green in Mexico. How they met again in Washington and came to an agreement in this Mexican business is told by Gen. Slaughter as follows (*ibid.*, p. 914):

"Q. Do you know a man by the name of Green?
"A. Yes.
"Q. Did you employ him to assist you?
"A. I sent Green to Mexico to get that press letter copy book.
"Q. When was that?
"A. That was a short time after I signed that contract. I sent him immediately afterwards. I had never seen Green since I met him in Mexico. I had never heard of Green being in the case at all. I accidently met Mr. Green here in Washington, and I had known him in Mexico, and known his brother very well. I walked over to Willard's with him and took a drink and asked him if he knew anything about this business. He told me he did, and went on to tell me what it was; said he thought it was a fraud, and all that sort of thing.
"Q. We do not care anything about that.
"A. I asked him, 'Green, can you get me the evidence of this thing?' He says, 'Yes; I can.' Says I, 'Would you be willing to go to Mexico and get these papers for me?' He said, 'Yes; I would.' I said, 'When will you go?' He said, 'Any time.' 'Very well,' says I, 'I will pay your expenses and send you out there and give you so much if you will go out and get these papers.' And I sent him, and he furnished the Mexican Government—did not furnish me—but in reply to my sending him out there this pressletter copy book was sent back through the Mexican Government to Washington, directly here. It did not come to me at all.
"Q. Now, did you have any written agreement with Green as to what he was to do?
"Mr. FOSTER. I object. I think we have got to a point where we must object." * * *

Green went down to Mexico on this mission, and while he was in San Francisco he met Capt. Charles B. Dahlgren and told him that Adams had boasted that "he had obtained Dahlgren's signature (to his deposition in behalf of the company) by the use of a good round sum of gold." Dahlgren seems to have believed that Adams, who was largely interested in the award, had made such a statement as that, and he thereupon wrote the letter to Mr. Robert Lyon (Lines) of November 12, 1877, which has been printed in the "new evidence offered by Mexico" as proof that Dahlgren's deposition had been "forged." Dahlgren was examined by the subcommittee, and his examination will be alluded to hereafter. Counsel for the claimant offered affidavits to prove that Green had endeavored to suborn perjury in Mexico in his employment under his contract with Gen. Slaughter, for the purpose of impeaching this award, but the offer was refused by the subcommittee on the ground that the affidavits were *ex parte*.

To this, counsel replied that the affidavit of William R. Gorham of March 23, 1872, alleging that Green did not sign his deposition which was submitted to the Joint Commission on behalf of the claimant, was *ex parte*, and that it had not been followed up by the Mexican Government in producing Gorham or Green before the subcommittee, and that it was not fair, after having made such a charge in the formal presentation of its case to the Department of State and to Congress, and having had the benefit of the consequent suspicion, to leave it in that shape. It appears, however, that before he entered into the service of the Mexican Government, under the Slaughter agreement, his character had been assailed by the agent of Mexico in his motion before the umpire for a new hearing of the claim. In his attack upon the company's witnesses (to which the umpire rather drily alludes in his denial of the motion) Señor Avila remarked (Ex. Doc. No. 103, House of Representatives, Forty-eighth Congress, first session, p. 90):

"Neither can be considered as a respectable witness Alfred Green, the pretended liberator of Mexico, who tried to defraud that nation by presenting a fraudulent claim."

Gen. Slaughter employs an attorney in Washington, who employs detectives in New York.

While Green was trying to liberate Mexico from paying all or part of La Abra award, under his subcontract with Gen. Slaughter, by collecting "newly discovered evidence" in the vicinity of the mines, another subagent of Gen. Slaughter was at work for the same purpose in this country. This was Mr. Robert B. Lines, who testified before the subcommittee as to his employment by Gen. Slaughter (Appendix, p. 922). And Gen. Slaughter also testified that he "employed Mr. Lines soon after signing the contract" (*ibid.*, p. 914). Thomas J. Fisher, a New York detective, testified before the subcommittee that he was employed by Mr. Lines in that city early in the year 1878 (*ibid.*, p. 879) "to make the acquaintance (of Exall) and find out if possible from Exall what the facts were; take means to do that."

In his direct examination Fisher testified (*ibid.*, p. 882) that he might have given Exall to understand that if he would unswear what he had sworn to before the Commission, it would be of advantage to him; but that "Gen. Slaughter was very anxious to obtain these facts for the purpose of having Exall indicted." Fisher said it was a pretty hard thing for him to say what his instructions were; that he did not remember of any particular instructions given him at the time (*ibid.*, p. 884):

"Q. Were you authorized to offer him anything?
"A. I never was. Of course I reported and told Gen. Slaughter what he had said and the amount that was mentioned. That was talked over, and Gen. Slaughter distinctly said to me that he did not want to negotiate for a thing, or did not want any proposition made, unless he knew just exactly what were in his possession—find out what he had in his possession.
"Q. 'The amount mentioned.' By that do you mean the $25,000?
"A. Yes.
"Q. Mentioned by Exall?
"A. Mentioned by Exall and Kittelle both.
"Q. Was there any formal offer on the part of Mr. Exall or Mr. Kittelle in relation to the sale of documents; if so, what was it?
"A. Yes, there was on the part of Exall.
"Q. Please state what it was.
"A. Mr. Exall proposed——
"Mr. KENNEDY. Just say what he said.
"The WITNESS. Well, Exall said that if there was an offer made of $25,000 for these papers and documents that he had he would produce them, or that was what he said in substance.

* * * * * * * *

"Q. What did Gen. Slaughter say to you, if anything, as to any expectation of getting evidence out of Exall's mouth to convict him of perjury?

* * * * * * * *

"The WITNESS. I don't remember that Gen. Slaughter gave any instructions to get it in any particular way. The object was to get it. I don't remember whether——
"Q. To get evidence that would convict Exall of perjury?
"A. Yes.
"Q. Now, Mr. Fisher, in these conversations which you had with Exall or Kittelle, did you say anything to either of them as to any protection to be afforded to Exall from criminal prosecution?
"A. No, sir; I don't remember that I ever did. I don't think I ever did."

Mr. Fisher also testified on his direct examination (*ibid.*, p. 823) that—

"The first intimation of documents came from Exall himself. The first that I ever heard in relation to there being any papers or valuable documents in existence came from Exall himself."

But being cross-examined with reference to a time prior to his acquaintance with Exall, Fisher testified as follows (*ibid.*, p. 887):

"Q. Now, can you tell us substantially what it was that Mr. Lines said to you at that first interview; not the very words, but the substance of it?
"A. Well, I remember that he spoke to me in relation to this claim, and that an effort was to be made to set it aside or open it, and that they wanted to have evidence on that point; secure evidence of this award being an unjust one.
"Q. Now, what did he say, if anything, about Exall?
"A. Well, my impression is that he told me that Exall—at least I know that he told me that Exall had been connected with this company as an officer or secretary; that he held a position in the company. I forgot exactly what it was, but that he held a position in the company, and was liable to have books and papers and documents in relation to it that would show the exact state of affairs; the exact amount of the loss that had been sustained by these parties."

And, being pressed in regard to Gen. Slaughter's alleged purpose of having Exall indicted for perjury, Fisher gave the following testimony (*ibid.*, pp. 888, 889):

"Q. Now, what steps, if any, were you instructed to take to show that Exall's testimony was perjury?
"A. Well, as I remember it, my instructions were directed particularly toward getting these papers and documents that he had.
"Q. Well, how did you expect to prove Exall's alleged perjury by documents in Exall's possession that you wanted him to turn over to you?
"A. Well, I had not any knowledge of what these papers and documents were; he never stated what they were, except he stated they were very important and very valuable to the party that Gen. Slaughter represented.

* * * * * * * *

"Q. What did you say to Exall in regard to the testimony that he had already given?
"A. Well, I have not any recollection that I ever spoke to Exall in relation to any testimony he had ever given. I don't think I did. I don't know that there was—I am almost positive there was not anything said on that point. Whether Exall knew that I knew that he had testified I have no knowledge.
"Q. Do you mean to say that there was never anything said by Exall to you or by you to Exall in regard to the position in which Exall would place himself by giving you documents or any testimony showing that he had previously perjured himself?
"A. Well, I believe there was—my recollection is that there was something said upon that point, that the documents that he had in his possession would put him in a false position. There was something said upon that, I remember, but what it was exactly I can not recall.
"Q. Well, how did you meet that objection?

* * * * * * * *

"THE WITNESS. Well, it would be pretty hard for me to say what I told him. I was liable to tell him a good many things for the purpose of getting evidence out of him.

* * * * * * * *

"Q. Certainly. Now I ask you what you did tell him.
"A. Well, I could not state exactly what I told him.
"Q. Well, give us your best recollection.
"A. Well, I could not tell you from memory what I told him. I have not any doubt that I told him it could be arranged satisfactorily, so that no harm would come to him. I have no doubt I told him that. I have no doubt that I did."

Prior to Fisher's examination George W. Kittelle had testified before the subcommittee that he had consented to be introduced to the detectives, Fisher and Weed, in New York, at the request of Mr. Ely, for the purpose of finding out what their object was in approaching Exall, and who were their principals; and Kittelle had produced a letter written by Fisher to Exall while these negotiations were in progress. When Fisher was examined he did not know that this letter was in evidence, and in his cross-examination he was at first quite positive that he had never been notified by Mr. Lines or

Gen. Slaughter or otherwise informed that the Mexican minister, Mr. Zamacona, was expected to be present at a conference on this business in New York. Fisher's letter to Exall is as follows (*ibid.*, p. 774):

NEW YORK, *February 4, 1878.*

DEAR SIR: The Mexican minister is expected to arrive in this city either to-morrow or Wednesday, and I should like to see you before I see him. Will you please let me know what time and place it would be convenient for you and I will call upon you? Please address me by bearer or in care of the doorkeeper of the Broad street entrance of the Stock Exchange.

Yours, respectfully,

THOMAS FISHER.

CHARLES EXALL, Esq.

After reading this letter Mr. Fisher was examined as to his purpose in writing it, as follows (*ibid.*, p. 908):

"Q. Exactly. In other words you wanted to get a little more definite information in regard to these papers before you communicated with the Mexican minister as to the $25,000. Is not that so?

"The WITNESS. I say that I did want to get from Exall information before I communicated about the $25,000.

"By Mr. WILSON:

"Q. Well, you had already received from him the statement that he had these papers?

"A. Certainly.

"Q. You had already received from him the statement that he thought they were worth $25,000 to the Mexican Government?

"A. Yes, that he thought so.

"Q. That he claimed they were worth that; you had received that?

"A. Yes.

"Q. But you had not received any definite information as to what the papers contained?

"A. I had not.

"Q. But you had communicated before this time to Mr. Lines or to Gen. Slaughter what Exall had said to you about these papers?

"A. Undoubtedly.

"Q. Yes, you had communicated that to Gen. Slaughter and Mr. Lines?

"A. Yes.

"Q. Very well; but you were not able to communicate to them what the papers contained or to give them very definite information as to what they were?

"A. No, sir.

"Q. And you wanted to get a further interview with him in respect to these papers?

"A. Yes.

"Q. And so you wrote him this letter; is that it?

"A. Well, I don't remember exactly what the object was in writing that letter to him, but it was something in relation to that.

"Q. Well, you wrote him this letter after you had received all this information?

"A. From him?

"Q. Yes.

"A. Undoubtedly.

"Q. And after you had communicated what you had received from him to Mr. Lines and Gen. Slaughter?

"A. Yes.

"Q. Now, you say to him that 'the Mexican minister is expected to arrive in this city either to-morrow or Wednesday, and I should like to see you before I see him,' and you say that when you wrote that letter you wrote it with a purpose of getting more definite information about these papers?

"A. I did.

"Q. We will leave that right there. Now, will you tell us who paid you for your services in this matter?

"A. Mr. Lines."

Mr. Lines's negotiations with Mr. Elder.

Mr. Lines at this time was also negotiating with another former employé of the company, Mr. A. B. Elder, for documents which he claimed were in his possession, and Mr. Elder had sent a letter which he had received from Mr. Lines to Gen. Bartholow, who, it will be remembered, was one of the company's stockholders, and its first superintendent at the mines. In this letter, which is dated at Washington January, 17, 1878, Mr. Lines alluded to the negotiations which he was conducting through the detective Fisher, with Exall in New York, as follows (*ibid.*, p. 635):

"Exall is in New York. I have not his address, but my agents are in communication with him, and he shows, as I am informed, a disposition to purge himself of the false swearing into which he was undoubtedly led by older rascals."

The expression—"to purge himself"—used by Mr. Lines at the time, shows that he and his principals—Gen. Slaughter and the Mexican minister—were trying to induce Exall to "unswear" what he had sworn to in his depositions on behalf of the company before the Joint Commission, and swear to a different state of facts. In his own testimony and in his examination of Mr. Elder, Mr. Lines was careful to discriminate between documentary evidence, which he admitted he would have advised the Mexican Government to purchase, if of the kind desired, and one's own affidavit, which he held could not properly be purchased. He also said that when he wrote to Elder that Exall was showing a disposition "to purge himself," he did not use the expression in its technical sense.

But Mr. Lines's unstudied statement in his contemporaneous letter to Elder, taken in connection with Mr. Kittelle's positive testimony on this point (*ibid.*, pp. 768, 772, 773), and the probabilities indicated by the situation, would show conclusively that it was new testimony from Exall himself, under oath, as well as any books or papers of the desired character he might possess, that the Mexican Government, by its agents, was trying to obtain. On this point Mr. Lines testified as follows (*ibid.*, p. 928):

"Q. Now, you go on to say, referring to Exall: 'And he shows, as I am informed, a disposition to purge himself of the false swearing into which he was undoubtedly led by older rascals.' Who was it that gave you that information?

"A. Mr. Fisher. He informed me that Exall claimed to have papers, documents, and to be willing to furnish them.

"Q. No; but you say that 'he shows a disposition to purge himself of the false swearing.' What did you mean by that?

"A. Well, I did not use that in the technical sense. I was not corresponding with a lawyer, and I meant merely that Exall showed a disposition, as I was informed, to furnish testimony which would show the truth of the matter.

"Q. Well, do I understand you that if a man who had sworn falsely was willing to sell documents in his possession for a good round price that you would call that purging himself?

"A. I would not call it so in a conversation between you and me, but in a letter of this kind I might do so. That was all I meant, at least, by the expression."

But Mr. Elder, who was produced before the subcommittee as a witness on behalf of the Mexican Government, had written to Gen. Bartholow, inclosing an alleged "verbatim" copy of a portion of another letter received by him from Mr. Lines, which reads as follows (*ibid.*, p. 636):

"[Copy of a letter from R. B. Lines to A. B. Elder, copied by A. B. Elder.]

"*Verbatim.*] WASHINGTON, D. C., *February 17, 1878.*

"Your evidence backed by these memoranda in view of your position ought certainly to be conclusive. Sundell said in Sept. the ores were all there. The lobby in behalf of the Co. finding itself unable to suppress investigation is now trying delay it with more success. Just when it will commence is still uncertain. Let me know what you will furnish the memoranda sworn to by you and Exall letter for.

"Exall is in N. Y., and I think in a few days we shall have his papers. My agents are in communication with him in N. Y., and he is weakening very rapidly. I shall be glad to forward to him anything you may offer. I do not know his address, as everything is done through my agents.

"There is much in the letter not in this.

"[In pencil:]

"Yours, R. B. LINES.

"A. B. ELDER.

"I have an offer to go to China. Silver mines there. Do you want any stock in the company? The prospects are good. Maybe so; dividends."

It is only fair to Mr. Lines to say that in his testimony before the subcommittee he said (*ibid.*, p. 930):

"These words, 'sworn to by you,' I am very positive were not in any letter I ever wrote to Mr. Elder."

In one of his own letters to General Bartholow, Elder states plainly what the Mexican authorities wanted from him and what they had offered him for it. He had fixed the price at $10,000, and the following was evidently intended to draw out a bid of something over $8,500 for his wares (*ibid.*, p. 639):

LONE PINE, CAL., *April 5, 1878.*

Gen. BARTHOLOW:

DEAR SIR: Yours of the 24th ultimo come duly to hand, and contents noted. I sent to you a few days since a postal card asking the return of Mr. Lines's letter. If you have not already started it, you need not be in a hurry about doing so. In a letter from Washington a few days since they, through an agent, have offered $1,500 less than I asked them; they want my deposition and the letter and memoranda, and I think I will accept, as I have been losing in the sheep business for the last year.

As for the company for China, it is not perfected yet. I will let you know more of it soon.

Hoping, yours, truly,

A. B. ELDER.

Elder's letters to Mr. Lines had been printed in the "new evidence offered by Mexico" with certain insinuations and charges against the company, the falsity of which was shown by Mr. Elder's cross-examination before the subcommittee, as follows (*ibid.*, p. 593):

"Q. Now, I wish to direct the attention of the witness to the statement of the Mexican Government, on page 428 of Ex. Doc. 103, under the title of 'New evidence offered by Mexico.' I will read you a sentence or two:

"'Herewith are transmitted the originals of certain letters addressed by A. B. Elder, the assayer for La Abra Company, to the Mexican minister and Mr. Robert B. Lines. Mr. Elder desired to find a market for the knowledge which he possessed of the affairs of La Abra Company. He was informed that if he had any documents, clearly authentic, bearing upon the case, there might be room for a negotiation, but that affidavits were not regarded as purchasable. Mr. Elder claimed to have such papers, and was asked to produce them and name his price. This, as his letters show, he failed to do, and the correspondence with him was dropped. He appears, however'—and this is the point to which I invite your careful attention—'he appears, however, to have found a market for the letters addressed to him in reply by Mr. Lines.' Now, I want to ask you whether it is a fact that you ever found any market anywhere for the letters addressed to you by Mr. Lines.

"A. Never in the world, sir.

"Q. Is there the slightest foundation in fact for the assertion of the Mexican Government which I have just read to you? Did you ever offer any of Mr. Lines's letters for sale to anybody?

"A. Never.

"Q. Did you ever receive anything for any of Mr. Line's letters from anybody?

"A. Not one cent.

"Q. Did anybody ever offer to pay you one cent for any of Mr. Lines's letters?

"A. Never."

Elder not only contradicted thus explicitly the intimation in Mexico's "new evidence" that he had found a market for the letters addressed to him by Mr. Lines, but he also testified to the falseness of the charge which the Mexican Government had made against the company as follows (*ibid.*, p. 595):

"Q. Now, I invite your attention to another sentence in your letter of April 8, 1878, to Mr. Lines: 'Through some party to me unknown, I am offered a good show to go to China to look after a silver mining company's affairs.' I ask you who it was that made you that offer?

"A. Well, I don't know who it was that made me that offer.

"Q. I ask you whether you have any reason to suppose that it was made to you by any officer or other party interested in La Abra Company?

"I have no reason to believe so. Such propositions were often made to me.

"Q. It was nothing uncommon?

"A. Nothing uncommon.

"Q. You had been mining how long?

"A. Ever since 1853.

"Q. Now, I want to invite your attention to the statement made by the Mexican Government in regard to that China business, on page 430 of that same document, No. 103, under the title of "New evidence offered by Mexico." I now read to you, Mr. Elder:

"'Either Mr. Elder has exhausted La Abra treasury, or else the persons conducting the affairs of that company have swindled him, as they did their other witnesses, by failing to carry out their contract and send him to China.'

"Now, I ask you whether there is the slightest foundation in fact for the allegation that you had any contract with any officer of La Abra Company, or with the company itself, to go to China, or for the allegation that they swindled you by not sending you there?

"A. None whatever.

"Q. Can you think of any reason for such a statement being made?

"A. I can not imagine any. I certainly never received any such proposition from any member of La Abra Company."

It will have been observed that the "offer to go to China" was communicated by Elder in his letter of February 17, 1878, to Gen. Bartholow (*supra*), and not by Gen. Bartholow to Elder. It is certainly quite a remarkable feature of this recent investigation by the subcommittee that one of the most serious charges made against the company by the Mexican Government in its formal presentation of its case to Congress and the Department of State, should be proved false by one of its own witnesses, and that witness of all men necessarily best informed as to the fact.

It seems clear that if Elder's memorandum book had really contained what he said it did, he would have sworn to its correctness and sold it to the Mexican Government, but he never produced it, or any other papers, although he received the following considerate assurance from Mr. Lines (*ibid.*, p. 635):

"You may rest assured that there is no disposition to take advantage of your voluntary offers or to use your information, which is of unquestionable value, to your prejudice."

Elder failed in his efforts to use Mr. Lines's letters as an inducement to Gen. Bartholow or La Abra Company to enter into competition with the Mexican Government for what he had to sell, and he had shown himself so evidently purchasable, or Mr. Lines was so sure that he had nothing worth buying, that in preparing the statement of the "new evidence offered by Mexico," Mr. Lines dismissed him, but nevertheless printed his letters and availed himself of the occasion to make a charge of the most infamous conduct on the part of the La Abra Company, which, according to the Mexican Government's own showing before the subcommittee, was without any foundation or color of excuse.

After a lapse of ten years the Mexican Government seems to have thought that something could still be made out of Elder, and he seems to have thought that something could still be made out of the Mexican Government. He was subpœnaed on behalf of the Mexican Government by the subcommittee on the 14th of January, 1889, in a telegram from the Sergeant-at-Arms informing him that he would be allowed mileage at the rate of 5 cents per mile each way and $3 per day while detained in Washington (*ibid.*, p. 622). He responded immediately:

"I must see money, and more than you offer, before I leave home."

The Sergeant-at-Arms replied:

"You will be allowed [no] more than the law allows, and the United States Senate commands you to come."

To which Elder responded:

"I am not of the kind that works for $3 per day, nor will I leave here without money to pay all expenses liberally, and I will come near having something to say about it."

This was January 16. The same day he telegraphed again:

"Send $500. Will leave on 20."

Elder seems to have been in some confusion of mind, for he testified on cross-examination, in explanation of his telegrams, that he did not know which side had subpœnaed him, and that before reporting to the Sergeant-at-Arms he went to see the company's counsel in Washington. He thought that perhaps it was the company that wanted him.

As a sample of the manner in which Mexico would impeach Sir Edward Thornton's award in this case, if the Senate bill under consideration should pass and the Court of Claims should take jurisdiction, some extracts from Elder's cross-examination are appended (*ibid.*, p. 625):

"Q. Did you report to the Sergeant-at-Arms when you arrived in Washington?

"A. I did not,

"Q. How long were you in Washington before you reported to the Sergeant-at-Arms?

"A. I got in Friday after 9 o'clock.

"Q. When did you report to the Sergeant-at-Arms?

"A. Monday morning. I was sick Saturday and Sunday; did not get out of the hotel.

"Q. What day was it that you were at Judge Shellabarger's office?

"A. That was Saturday morning.

"Q. Now, will you swear that you did not say to me, in the presence of another person sitting in the same room, that you had put a value of $10,000 during the time that you were corresponding with Mr. Lines upon the memoranda and the letter mentioned in that correspondence?

"A. I believe I said so to you, and I consider that if the memoranda was worth anything it was worth that to a party——

"Q. Why did you come to Judge Shellabarger's office before you reported to the Sergeant-at-Arms?

"A. I supposed from that telegram that La Abra Company caused my being summoned here.

"Q. Did you not have at that time a letter in your pocket, dated December 28, 1888, from the consul-general of Mexico at San Francisco, informing you that your presence was required here as a witness?

"A. I did.

"Q. Did not you show that letter to Mr. Kennedy in the conversation that took place at Judge Shellabarger's office?

"A. In your office?

"Q. Well, it was my office; put it that way.

"A. Judge Shellabarger referred me to you. I supposed from the nature of the telegram that it was——

"Q. The question is, Did not you show to Mr. Kennedy in his office the letter now in evidence addressed by the consul-general of Mexico at San Francisco to you, dated December 28, 1888, informing you substantially that your presence would be required here as a witness in this La Abra investigation?

"A. I presume I did."

Following is the letter from the Mexican consul-general at San Francisco, which, it will be observed, is dated about three weeks earlier than the subcommittee's subpœna (*ibid.*, p. 573):

[Correspondentia Particular Del Consul-General De Mexico. Alejandro K. Coney, 604 Clay street, San Francisco, Cal.]

DECEMBER 28, 1888.

DEAR SIR: It being necessary, in the interest of justice, that your testimony be heard by the committee of Congress in the matter of the "Abra" claim, your expenses to Washington and back will be paid, as also during your stay at the capital. Will you kindly answer at your earliest convenience, and oblige,

Yours, very truly,

A. K. CONEY.

Mr. A. B. ELDER, *Santa Clara.*

Some light is thrown upon Elder's motives and expectations in the subjoined passage from his cross-examination (*ibid.*, pp. 624, 625):

"The CHAIRMAN. Well, proceed, Mr. Kennedy, if you please, to lay your predicate.

"By Mr. KENNEDY:

"Q. I want to ask you, if you please, Mr. Elder, whether on or about the 19th day of January——

"Mr. FOSTER. The present month.

"By Mr. KENNEDY:

"Q. Whether on or about the 19th day of January, 1889, while you were crossing the bay in California on a ferryboat, you met a man by the name of Alexander S. Gillespie, or any man at all, to whom you said that you had been subpœnaed to Washington City to testify in reference to some old claim between American capitalists and the Mexican Government; that you were an assayer of minerals, etc.; that the claim was about some mines in Mexico; and whether you further stated that the Mexican Government had promised you $50,000 if you would give evidence favorable to them. Also, whether you said that unless the other party gave you more money, you would likely give the kind of evidence required?

"A. I met a man on the ferry and we were talking. He said he was a blacksmith, said he had been here, and I told him. He asked me which way I was traveling, and he had been to San José hunting a job as a blacksmith. I told him I was coming to Washington, and I said I had been summoned there by telegraph of the Sergeant-at-Arms of the United States Senate in an award claim of some citizens of the United States against the Mexican Government. He remarked, 'Is there much money depending?' I said, 'Yes, I think there is nearly $1,000,000.' 'Well,' he says, 'they ought to pay you well to go on such a trip as that.' Now, as to my saying that the Mexican Government had offered me $50,000, that I never said. There was talk that they ought to pay me for a trip of that kind. I said, 'I presume they will pay me. I don't know, but the Sergeant-at-Arms says I will get 5 cents a mile. It will be almost like riding on the boom to get there and back.' I says, 'If anybody gives me anything it will be voluntarily.' I says, 'I can not demand anything for my evidence.' What I know is simply what I knew at the mill, and the thought of getting any stipulated amount has never entered my head.

"Q. Did you say anything about the other party?

"A. La Abra?

"Q. The company?

"A. Not a word that I recollect of; not one word.

The letter referred to in the foregoing extract had been received by Mr. SHERMAN, chairman of the Committee on Foreign Relations, and handed to Mr. MORGAN, chairman of the subcommittee. The letter is herewith appended, with the agreement of counsel in regard to it (*ibid.*, pp. 687, 688):

"The CHAIRMAN. It is agreed by counsel that if Alex. S. Gillespie were present and under oath he would make the statement in regard to the conversation with A. B. Elder, which is contained in the following letter, and the presence of Gillespie is by agreement dispensed with.

"The letter is as follows:

"OAKLAND, CAL., *January 19, 1889.*

"*To the honorable Chairman Committee on*
"*Foreign Relations, Washington, D. C.:*

"To-day while crossing the bay here on ferryboat I met a man who said he had been subpœnaed to Washington City to testify in reference to some old claim between American capitalists and the Mexican Government; that he was an assayer of minerals, etc., and the claim was about some mines in Mexico; and stated further that the Mexican Government had promised him $50,000 if he would give evidence favorable to them; he also said that unless the other party gave him more money that he would likely give the kind of evidence required. He lives at San José, Cal., and will be in Washington about January 26. He is paying his own expenses to Washington for the present, and expects to have a private interview with Señor Romero, the Mexican minister, as soon as he arrives in Washington. Perhaps this may be of service to your committee, as he said both sides subpœnaed him.

"Hon. G. R. Tingle (chief seal-island agent, Alaska), at present in Washington, D. C., knows me, and you can refer to him about trustworthiness.

"Respectfully,

"ALEX. S. GILLESPIE,
"*752 Brush Street, Oakland, Cal.*"

Dahlgren's examination.

In availing itself of the opportunity afforded by the Senate to show that La Abra award should be reopened, the Mexican Government called but one of the witnesses whose depositions had been filed with the Joint Commission. This was Capt. Charles B. Dahlgren, whose deposition on behalf of the company had been taken at Mazatlan before United States Consul Sisson on the 18th of September, 1872. Five years afterwards—in November, 1877—Capt. Dahlgren was put into communication with Mr. Robert B. Lines by Mr. Alfred A. Green, who, it will be remembered, had been sent to Mexico by Gen. Slaughter, under his contract with the Mexican Government, "for the purpose of securing testimony in proof of the fraudulent character of said claim." Green met Dahlgren in San Francisco, and made a statement to him, some account of which will be found in Dahlegren's testimony before the subcommittee (*ibid* pp. 712-715). After his interview with Green, Dahlgren wrote the following letter, which has been printed as part of the "new evidence offered by Mexico" (Ex. Doc. 103, p. 235), and may be found in the Appendix, p. 644:

"SAN FRANCISCO, CAL., *November 12, 1877.*

"Mr. ROBERT LYONS,
"*United States Senate Post-Office, Washington:*

"SIR: I have good reasons for knowing that the testimony under my signature, as offered by A. W. Adams in the La Abra case or claim, has been perverted, and is therefore fraudulent, and should be treated as such.

"My testimony was taken in rough notes and left for him to copy or fill in over my signature on a clean sheet, as I was called off on important business.

"I know now that said testimony has been perverted and by said A. W. Adams.

"Very truly,

"C. B. DAHLGREN.

"My address here is: Capt. C. B. Dahlgren, Pacific Refining and Bullion Exchange, cor. Brannan and 7th, S. F.

"P. S. I understand said A. W. Adams boasted he had obtained my signature by the use of a 'good round sum of gold.' Advise me how I can bring him before a court to substantiate said statement.

"C. B. D.

"I refer to Gen. Sherman and Rev. B'y'n Sunderland."

Dahlgren's interview with Green and his opinion of him appear in his testimony before the subcommittee as follows (*ibid*, pp. 644, 645):

"The WITNESS. I was informed that I had testified in the Abra case, and that my testimony had been purchased for a 'good round sum of gold.'

"By the CHAIRMAN:

"Q. Who was your informant?

"A. A. A. Green.

"Q. Where does he live?

"A. He is living a great deal in the Republic of Mexico.

"Q. Was he your acquaintance?

"A. He was an acquaintance of mine; yes, sir.

"Q. A man whose opinion you respected?

"A. I knew nothing against him. He had been the original owner of the Candalaria mine, of which I had been the superintendent, and therefore, I had been brought into business contact with him.

"Q. In consequence of that information, what did you do?

"A. He then told me what my testimony had been, and asked me if that was the case. I was very angry, and I then put myself into communication with Mr. Lines and wrote that letter to him."

At that time Green was in the employment of Gen. Slaughter under his contract with the Mexican Government. Green had probably examined Dahlgren's deposition in Washington; at all events, he pretended to be fa-

miliar with its contents, and undertook to tell Dahlgren what his "testimony had been." There is no evidence that Green stated the contents of Dahlgren's deposition to him correctly or that Adams had ever said he had obtained the deposition from Dahlgren by bribery. There is not the least likelihood that Adams ever made such a statement, or would have made it even if it had been true, for the award in favor of La Abra Company had been rendered only recently, and Adams was largely interested in it and aware of the opposition to its payment by the Mexican Government, and he would therefore have been the last man to say anything reflecting upon its integrity. But of course Green's representations were calculated, as they were doubtless intended, to make Dahlgren angry and eager to prevent his deposition from being of any further service to Adams or the company.

The measures he would be likely to pursue when in such a frame of mind can be imagined from his conduct as disclosed in the course of his examination before the subcommittee. It will be remembered that Green as well as Dahlgren had a grudge against Adams, and that Green had besides a pecuniary interest under his agreement with Slaughter in making Dahlgren hostile to the company and the award.

Great importance is given to Dahlgren's testimony before the subcommittee by the fact, already mentioned, that he was the only witness produced before the subcommittee by the Mexican Government of all of the witnesses whose depositions were filed with the Joint Commission; also by the fact that it was on his letter of November 12, 1877 (*supra*), that the Mexican Government based its charge that testimony had been "forged" by Adams in favor of the company's claim; and this importance is enhanced when it is remembered that Dahlgren's examination may fairly be regarded as showing the best that could be done in the way of impeaching the award if the question of its validity should ever be submitted to the Court of Claims as proposed by Mr. Morgan's bill. In this view it is considered proper to examine Dahlgren's testimony before the subcommittee at considerable length.

A critical examination of Dahlgren's letter shows that when it was written—more than five years after his deposition was taken at the United States consulate at Mazatlan—he had forgotten at what length he had been examined, and supposed that a single sheet would have contained his deposition. "My testimony," he says in his letter, "was taken in rough notes, and left for him to copy or fill in, over my signature, on a clean sheet." The original deposition on file in the Department of State contains eight sheets, written on both sides, and signed by Dahlgren near the middle of the sixteenth page. He admits his signature to be genuine, and his testimony shows that his answers to Adams's questions (which answers were not written out by Adams but by Peña) were quite voluminous. These questions and answers, which Dahlgren in his letter calls "rough notes," were, he says, corrected by him—interlined and crossed out to such an extent as to make them unfit for use as a deposition. A fair copy was therefore necessary, and Dahlgren's testimony shows that there was abundance of time for making it, for he testifies that he went to the consul's office "early in the morning," and was there on that business until 1, 2, or 3 o'clock in the afternoon (*ibid.*, p. 659).

The idea that a man of his intelligence, holding the position of superintendent of the Durango Mining Company and consul of the United States, should leave his "testimony" to be "filled in," over his signature, "on a clean sheet," in support of a claim for such a large sum against the Government to which he was accredited in his consular capacity, seems preposterous, and if anybody but himself had made such a charge against him it would have seemed too improbable for belief. All the presumptions would have been against it. This is how it seems to have struck Mr. Lines, for when he was asked in his cross-examination whether he had advised Dahlgren, as requested in his letter, how Adams could be brought before a court to substantiate his charge of bribery, he replied (*ibid.*, p. 927):

"I regard the statement in Dahlgren's letter as a very extraordinary one, and I thought perhaps an improbable one, that he had allowed his testimony to be taken in rough notes in that manner, and I thought that Mr. Dahlgren was much more concerned in the matter than the Mexican Government was, and for that reason I held no further communication with him at all, I believe, after sending him that telegram."

A careful examination of Dahlgren's testimony furnishes the strongest proofs of the falseness of his letter. Before he was examined in the subcommittee he had inspected his deposition in the State Department, where it is filed with the other records of the Joint Commission, and he had seen that the original draft or "rough notes" could not have been copied or filled in "on a clean sheet." So when he came before the subcommittee he testified that his deposition "filled up a number of sheets," and when the chairman asked how many, replied: 'Oh, quite a number; there may have been a dozen or two dozen sheets, a large number of sheets;'" and he continued (*ibid.*, p. 647):

"I then said: 'Gen. Adams, allow me to read over those papers.' He said: 'They are your answers as written down by my secretary, and it is long; it is not necessary; have you no confidence in me?' I said, 'I wish to see those papers, and unless I do they can not go out of this room; I must see them.'"

Dahlgren seemed to have forgotten that the "papers" were of no use to Adams, because at that time they were neither signed nor sworn to. Dahlgren continues:

"He then handed me the sheets, and I read them over. I then said: 'Gen. Adams, those are not the answers as I gave them to you, sir, and I will not allow that to pass for evidence.' 'Well,' he said, 'scratch it out or erase it, as you see fit.' That was done, and then I said: 'Now, those answers are satisfactory to me, and I will sign them,' and I did sign them. He then said: 'That is not fit to hand in as testimony, all scarred up in that manner.' I said: 'You had no business to write those answers in that way.'"

The witness seemed to have forgotten that his answers had not been taken down by Adams, but by Peña. Dahlgren continued:

"And I said, 'Well, I am on the way to San Dimas, and I haven't time to stay longer.' I then called to Mr. Sisson, who was consul to Mazatlan while I was United States consul at Durango——

"By Mr. FOSTER:

"Q. At that time?

"A. At that time; yes, sir. I said to Sisson, 'I will sign a blank sheet of paper and put it in your possession as consul, as between two consuls; you are to transcribe these notes and retain the original, and hand that signature with the transcribed sheets ahead of it to Gen. Adams as my testimony.' Sisson said he would do it. I then jumped on my mule and rode away, 170 miles, back to San Dimas."

It will be observed that Dahlgren said that he signed the original deposition or "rough notes" after his corrections had been made, and, in addition, signed a blank sheet to be attached to the new copy which was to be made by Consul Sisson. Next day, his direct examination still continuing, the chairman inquired (*ibid.*, p. 677):

"Q. Did you affix your signature at all after that single blank sheet of paper; did you sign your name twice?

"A. No, sir; I don't think I did, because it was in such bad shape that I would not."

Dahlgren did not seem to be able to state the same circumstance twice in in the same way. He was greatly troubled about his oath—a difficulty which he evidently had not anticipated. When asked whether he was sworn (*ibid.*, p. 647) he said, "I do not recollect, sir; I do not recollect whether there was any formality in swearing me or not." Asked again after a considerable interval (*ibid.*, p. 650) whether he had any clearer recollection than he had already stated as to whether he was sworn by the consul, he replied, "I don't recollect as to that." But in certain small particulars, not affecting the sense of his deposition, his memory was most wonderful. He seemed inclined to deny that he had said anything contained in his deposition—the mere fact that it was there seemed to arouse his antagonism. For example, his deposition made him say, "The late Rear-Admiral John A. Dahlgren was my father." In his testimony before the subcommittee (*ibid.*, p. 651) he said, "I never said that. To the question, 'Are you or are you not a son of the late Admiral Dahlgren, of the United States Navy,' my reply was 'I am.'"

An examination of the question in the deposition shows that his consular position as well as his parentage was inquired into, and while it might have been properly answered by the words, "I am," instead of the answer contained in the deposition, namely, "Yes; the late Rear-Admiral John A. Dahlgren was my father, and I hold the position suggested in the question, and I am so recognized by said authorities," the two answers mean exactly the same; and it is remarkable that after the lapse of seventeen years Dahlgren could have been so positive that he made the one answer rather than the other.

Recurring again to the question whether he was sworn, Dahlgren said (*ibid.*, p. 677):

"A. I recollect when I wrote my name. I have seen the document and recognize my name. I handed it to Sisson. I said, 'Consul Sisson, I put this in your charge, to have this transcribed and written—the rough notes;' supposing, of course, as a colleague of mine, as one consul for another, that he would act for me. I had just received information that imperatively called me away. It was absolutely necessary to go. I could not delay. It was not my business to tell them that (he had testified previously that he did tell them that). When I took this to him he said, 'You swear that this is the truth, the whole truth, and nothing but the truth?' I said, 'I do.'

"By Mr. KENNEDY:

"Q. Alluding to the blank sheet of paper?

"A. Alluding to the testimony I had given.

"Q. And you signed a blank sheet of paper and handed it to him?

"A. That is it.

* * * * * * *

"The CHAIRMAN. I will have to take this myself.

"Q. You now state that you were sworn?

"A. Yes; that I was sworn at first.

"Q. No; you state that you were sworn. When the consul that administered that oath to you did so, did he have in his hand or did you have in your hand a paper to which that oath applied?

"A. No, sir."

In his cross-examination the same subject was revived. (*Ibid.*, pp. 706,707.)

"By Mr. WILSON:

"Q. Were you sworn on that examination?

"By the CHAIRMAN:

"Q. Was an oath administered to you?

"A. No; that was administered to me at the beginning.

"Q. Well, was there at the end?

"A. I have stated in my examination that when I signed that paper and handed it to Sisson he said, 'Is this the truth, the whole truth, and nothing but the truth?' holding that blank piece of paper in his hand which I had requested him to transcribe.

* * * * * * * *

"I was not sworn until the examination was over, and I handed to him that blank sheet of paper then he said, 'Is this the truth, the whole truth, and nothing but the truth?'

"Q. And that is your statement now in regard to it?

"A. That is. That is my statement. That is the only swearing that was done in the matter."

Before Dahlgren's testimony is further examined, it may be as well to refer to the testimony of ex-Consul Sisson in regard to the manner in which Dahlgren's deposition was taken. Sisson, who was subpœnaed on behalf of the company, testified before the committee on that matter as follows (*ibid.*, pp. 792, 793):

"By Mr. KENNEDY:

"Q. Have you examined the original deposition of Dahlgren that is now on file in the Department of State?

"A. Yes, sir.

"Q. When did you first see that document?

"A. When did I first see it?

"Q. Yes; I mean the eighteen pages of which it is now composed.

"A. It was made out in my consulate.

"Q. Now, will you state the circumstances attending the taking of that deposition? I mean the signing of it by Dahlgren, his oath to its truth, so far as you are concerned.

"A. Well, Mr. Dahlgren and Mr. Adams, Mr. Peña, and, I think, Governor Galan, came up to the consulate for the purpose of making out an affidavit.

"By the CHAIRMAN:

"Q. Now, do you mean an affidavit, Mr. Sisson, or a deposition?

"A. I do not mean an affidavit. I mean a deposition.

"Q. In this La Abra case?

"A. In this La Abra case. And they sat down in the office there and went to writing.

"Q. You say they went to writing. Who went to writing?

"A. Mr. Peña did the writing; the interpreter. Adams and Dahlgren were discussing the matter.

"By Mr. KENNEDY:

"Q. What time of day did these gentlemen whom you have named come to the consulate?

"A. Oh, along in the morning sometime. I can not tell exactly what hour they did come.

"Q. Well, now, proceed.

"A. Well, Mr. Peña went to draw up the paper and they talked it over. I was out and in the room while they were at it, and finally it was finished and all written out. I went in there then and swore Mr. Dahlgren, and it was read over to him.

"Q. You mean this identical deposition?

"A. I mean this identical deposition that is in the State Department to-day, or was yesterday.

"By the CHAIRMAN:

"Q. You examined it through, did you?

"A. I did. I swore him—the usual form of oath that was attached there to it—and after it was all through he signed it right there. Mr. Peña witnessed it right there. Then I put my oath to it.

By Mr. KENNEDY:

"Q. That is, the certificate?

"A. I mean my certificate. Then I signed it and put the seal of office to that. Then I turned it over to Mr. Danglada, who put the ribbons through it in the form you see. You see how it is done there, put through and through, brought back, sealing-waxed about the top of it, and he held it up while I put the stamp on that sealing-wax. Mr. Dahlgren, as soon as he signed it, went off."

After reading to Sisson, from the record, Dahlgren's testimony, already quoted, that he had signed a blank sheet of paper, etc., the ex-consul's examination was continued as follows (*ibid.*, p. 794):

"Q. Now, Mr. Sisson, what have you to say to that statement of Dahlgren so far as it concerns you?"

"A. I can say that he signed no blank sheet at all there to my knowledge. What he signed was this deposition of his. What he and Adams did and talked about—they talked a great deal—I can not tell, but this was the result of their work, was the making his deposition there.

"Q. Now I read again to you:

"By the CHAIRMAN:

"Q. There is one part of that you have not answered. He states there that he makes some declarations to you. What do you say about this?

"By Mr. KENNEDY:

"Q. I will read that again to him:

"'I will sign a blank sheet of paper and put it in your possession as consul, as between two consuls; you are to transcribe these notes and retain the original, and hand that signature with the transcribed sheets ahead of it to Gen. Adams as my testimony.' Sisson said he would do it.'

"Now, you have just said that Dahlgren never signed any blank sheet of paper in your consulate to your knowledge, and the chairman invites your attention to what Dahlgren says he said to you about transcribing the notes and your promise to do that. Is that true?

"A. No, sir; I don't recollect any such thing.

"By the CHAIRMAN:

"Q. No, but do you deny it?

"A. I do deny it; yes, sir.

"Q. You say it is not true?

"A. I do.

* * * * * * *

"No affidavit was ever taken there unless it was written out in full as a deposition.

"By the CHAIRMAN (*ibid.*, p. 795):

"Q. Is that your reason for saying that Dahlgren has made a false statement, that you never do business in that way, or do you state it as your recollection in connection with this particular paper?

"A. I state that as a recollection.

"Q. In connection with this particular paper?

"A. Yes.

"Q. That he did not sign a blank sheet at all, but signed the deposition after it had been filled out, and only after it had been filled out?

"A. That is what I say.

* * * * * * *

"By the CHAIRMAN:

"Q. Wait one moment; I wish to ask him a question. This document that you saw in the State Department was drawn up, you say, in Peña's handwriting?

"A. Yes.

"Q. Was that read over to Dahlgren in your presence?

"A. Yes.

"Q. Who read it to him?

"A. Peña, I think, and I think I read some of it myself.

* * * * * * *

"By Mr. KENNEDY (*ibid.*, p. 799):

"Q. You say that every word of the deposition that is now in the State Department was read to the witness in your presence before he signed it?

"A. That is what I intended to say.

The consular clerk corroborates Sisson.

It will have been noticed that Sisson said that Dahlgren's deposition immediately after he signed it had been turned over to Mr. Danglada, who put the ribbons through it and held it up while the consul put the stamp on the sealing-wax. Sisson had previously testified that his consular clerk was Domingo Danglada, a Mexican, who spoke Spanish, English, and French. After Dahlgren had been examined by the subcommittee, counsel for the company made inquiries in San Francisco for Peña—the man who read Dahlgren's depositions to him and subscribed it as witness—in order to have him subpœnaed, but found that he was dead. It was discovered, however, that Danglada was still living at Mazatlan, and when the company's counsel requested that he should be subpœnaed (agreeing to bring him to the boundary line between the two countries), the following telegraphic correspondence was admitted in evidence by consent in lieu of his personal appearence (*ibid.*, p. 638):

"Mr. FOSTER. Before you adjourn we will answer the opposition that we reluctantly, and in order to avoid any excuse for further delay in this investigation, will admit that Danglada, if present, would swear to this statement contained in the telegram.

"The CHAIRMAN. I will read it. Shellabarger & Wilson, counsel of La Abra Silver Mining Company, sent a dispatch addressed to Domingo Danglada, at Mazatlan, Mexico, dated February 21, 1889, at Washington, D. C., as follows:

"'Dahlgren swears he did not sign his deposition taken September, 1872, before Sisson, about La Abra claim, but signed a blank sheet of paper. Sisson swears that Dahlgren signed said deposition when fully written out, and that it was read to Dahlgren by Peña in your presence, and you tied it up. Which is the truth? Wire at our expense.

"'SHELLABARGER & WILSON.

"'Via Galveston, February 23, 1889, dated Mazatlan, 23.

"'SHELLABARGER, R. J. WILSON, *Wash'n, D. C.:*

"'Sisson is correct. Dahlgren signed deposition when fully written out.

"'D. DANGLADA.'"

"It is admitted by the counsel for Mexico that if D. Danglada were here he would swear that he received the telegram above copied and made the answer above copied and would swear that—

"'Sisson is correct. Dahlgren signed deposition when fully written out.'"

Dahlgren's disposition to repudiate everything in his deposition has already been noticed. Although he had sworn that the original draft or "rough notes" comprised "a dozen or two dozen sheets," and that the examination was prolonged and tedious, he scarcely left enough of his deposition in his testimony before the subcommittee to fill a single sheet. He tried to dispute even the most trivial things in his deposition. One illustration of this has already been given; another is furnished below which also shows his shiftiness, his readiness to swear to two conflicting facts (*ibid.*, p. 704):

"Q. You have testified as one of the evidences that this is not your deposition——

"A. Yes.

"Q. Hold on a minute now—that you did not say your family was going to New York as recorded in this deposition; that you said your family was going to San Francisco. Now, I want you to say whether, in the light of what you have just stated, you can swear that you did not say that your family was going to New York as it is recorded in this deposition?

"A. I have told you that I did not attach any importance. I said they were going to San Francisco. I did not say where else they were going.

"Q. I beg your pardon——

"A. Well, that is what I say now.

"Q. Well, I am not talking about what you are saying.

"A. It is an immaterial question.

"By the CHAIRMAN:

"Q. No, it is not immaterial. It is what you said then. Did you say to that man who took down your deposition that your family were going to New York or going to San Francisco?

"A. Well, after an interval of eighteen years, about, I don't know what I did say, only that I was going to send them to San Francisco first.

"The CHAIRMAN. Well, that ought to be satisfactory.

"By Mr. WILSON:

"Q. No; one moment further. You have sworn here before the committee, and pointed out as one of the evidences that this deposition is not correct, that they recorded it here that you said that your family was going to New York.

"A. Well, I did say San Francisco to Gen. Adams.

"Q. Now you swear to that?

"A. Yes; I swear to that now."

Being asked how he happened to sign that sheet of paper half-way up, he said (*ibid.*, p. 700):

"I do not know that.

"Q. Why not at the bottom as well as half-way up the sheet?

"A. That never occurred to me."

But a reason occurring to him just then why it might be prudent to sign a blank sheet for such a purpose near the middle, he continued as follows, without a break:

"I signed it right there in the middle of the sheet or wherever it is. I do not think I have seen that paper since I put my name on it. I will tell why I did that. I did so, thinking that upon this they could put in the certificate of the consul. I knew that something was to be added to it, and signed it up so as to give them room."

He testified in his original deposition that in 1871 he removed certain parts of machinery, which the company had abandoned at Tayoltita, to San Dimas, and used them in the mill belonging to the Durango Company, of which he was superintendent; and in his deposition he claimed to have done this with the sanction of the court (*ibid.*, pp. 402, 403). In his testimony before the subcommittee (*ibid.*, p. 685) he said that the judge declined to give him permission to take these pieces, and that Granger told him (*ibid.*, p. 689) that if the judge would not allow him to take the machinery it would be all right—he (Granger) would allow him, and under that promise he (Dahlgren) took the machinery.

Further examined in regard to this appropriation of property that did not belong to him, he testified (*ibid.*, p. 709):

"Q. You had taken a part of this La Abra Company property from that place?

"A. Yes, I had.

"Q. Will you tell us the property you took away?

"A. I took a water-wheel 24 feet in diameter and, I think, 6 feet breast.

"Q. What else did you take away?

"A. I took some retorts.

"Q. How many?

"A. Two.

"Q. What else did you take away?

"A. I took all such machinery as I needed. I can not recollect the pieces, but I took everything I needed to complete my mill at San Dimas.

"Q. In other words, you dismantled this mill for the purpose of building up your own?

"A. I did.

"Q. From whom did you buy that?

"A. Santiago Granger."

He was further examined on this transaction (*ibid.*, p. 733):

"Q. From whom did you purchase this La Abra property that you took away from there?

"A. I took it.

"Q. Just went and took it?

"A. I took it; yes.

"Q. Did not buy it from anybody?

"A. I paid no money for it, sir.

"Q. By what authority did you take it?

"A. I applied to Judge Quiros for permission to take it, and he denied me, and Granger said: 'If he does deny you, I will allow you to go over and take it;' and I did go over and take it, and that is what I did.

"Q. You just went there and carried away property that did not belong to you?

"A. No, sir; I had permission from Granger to do it.

"Q. Where was Granger at the time?

"A. In my employ as bookkeeper.

At this juncture, for some reason, Dahlgren thought it was important to conceal the fact that Granger had been in the employment of the Durango Company at San Dimas prior to Dahlgren's arrival at that place. It had been developed that Dahlgren had been dealing with a man in his own employ for property which that man did not own, and that under a pretended permission from him, and without paying him or anybody anything for it, and notwithstanding the refusal of the judge to sanction his proceeding, Dahlgren had plundered the works. Granger claimed that he had been left in charge of the property by Exall in March, 1868, but he had left Tayoltita and entered the employ of Ralph Martin, Dahlgren's predecessor at San Dimas, as bookkeeper. But Dahlgren did not want it to appear that when he arrived at San Dimas in July, 1870, Granger was already bookkeeper for the Durango Company. And in his cross-examination, having forgotten what he had previously said on this point, he dodged and prevaricated as follows:

"By Mr. WILSON:

"Q. You found him at San Dimas when you went there?

"A. Yes.

"Q. And do you know in whose employ he was when you went there?

"A. I only know from hearsay.

"Q. Well, was he in th e employ of your company?

"A. I do not know.

"Q. Was he at work in the office of your company?
"A. I could not tell that.
"Q. When you went there?
"A. When I went there I found him there.
"Q. What was he doing?
"A. I do not know.
"Q. Was he keeping the books of the Durango Company?
"A. No, sir; not that I know.
"Q. Well, what was he doing?
"A. I told you I did not know.
"Q. Well, how soon did you take him into your employ? You found him there?
"A. Immediately upon my arrival.
"Q. Did you change his employment in any way?
"A. No, sir; I did not. It was over three months after I was there that I took him in my employ.
"Q. Well, he was there working for the Durango Company, was not he?
"A. I do not know.
"Q. Who was keeping the books of the company when you went there?
"A. I could not say that; I did not know.
"Q. Well, who kept the books of the company during the first three months after you went there?
"A. Ralph Martin. I was there three months with my predecessor before he left.
"Q. And Ralph Martin was your predecessor?
"A. Yes.
"Q. And who kept the books for Ralph Martin?
"A. He kept his own books, and I kept my own books. We started in to wind up the business. It took him three months to wind up, and I started in with my own expenditures.
"Q. Well, I want to know whether Granger was doing anything for that company when he went there?
"A. I do not know, I tell you most distinctly.
"Q. Did you see him there?
"A. I did see him there.
"Q. Was he about the hacienda all the time?
"A. No, sir.
"Q Where was he?
"A. Sometimes in town; sometimes in Tayoltita. When he was out of the hacienda I did not know where he was.
"Q. But after you had been there three months you put him in as bookkeeper?
"A. Yes; I took him in.
"Q. And after he had been in your employ about a year, when Quiros had refused you the right to take that property, you got your authority from your employé, Granger, and you went over and carried it away?
"A. Yes.
"Q. And that is the way you got possession of it?
"A. Yes."

Now, it will scarcely be credited after reading the foregoing that the following is to be found in Dahlgren's direct examination (*ibid.*, 679):

"Q. When did you first become acquainted with James Granger?
"A. When I first reached San Dimas, in July, 1870.
"Q. What was Granger's occupation at that time?
"A. He had been bookkeeper for my predecessor, Ralph Martin, and I retained him in that position during the five years and two months that I was there."

A more complete contradiction of all his prevarications on that point could scarcely be put into a shorter sentence.

In his motion before the umpire for a new hearing, Señor Avila, the Mexican agent in attendance upon the Joint Commission, alluded to Dahlgren's conduct, as disclosed in his deposition, in stripping the mill at Tayoltita, as follows (Ex. Doc. No. 103, H. R., Forty-eighth Congress, first session, p. 94):

"Deponent says that in the enterprise of which he is superintendent, the only American one that has escaped the fury of the Mexican authorities, he availed himself of the opportunity by purchasing a part of the property at mere nominal prices from private individuals, in the acquisition of which he was sustained by the judge of the first instance of San Dimas, according to a contract.

"Here, then, we have the son of an admiral and (himself) consul taking advantage of robberies, but sustaining the claim to which robbers serve as a cover. If a person who acts in this manner is a reputable witness, the undersigned must then candidly confess that he does not understand the meaning of the word."

What Señor Avila would have said of Dahlgren's conduct if, instead of claiming, as he did in his deposition, that he was authorized by the court to take the machinery, he had testified, as he did before the subcommittee, that he took it notwithstanding the refusal of the court to grant him permission, can readily be imagined.

Before the subcommittee Dahlgren denied that he had said in his deposition, in answer to the question how his company could remain at San Dimas without disturbance, that they had had disturbances and difficulties, and had been obliged to submit to all exactions, whether lawful or unlawful, but had found out how to manage and interest them, otherwise they would have been compelled to leave like the others without a doubt. That Dahlgren did make such a statement in his deposition and that it was true is made probable by the testimony of his predecessor as superintendent of the company's mines at San Dimas, Ralph Martin, an unimpeached witness, whose deposition on behalf of the company was taken in New York before United States Commissioner Stilwell in June, 1874. On this point Mr. Martin said (Appendix, p. 470):

"There was, in reality, no protection given to foreigners in the country, and I never knew any effort to be made by the authorities there to extend protection to Americans who were at variance with Mexicans, excepting only in cases where the profits of the mining enterprise were shared by said authorities."

Many more instances of Dahlgren's untrustworthiness could be cited from his testimony before the subcommittee, but another must suffice. It was claimed by counsel for the Mexican Government that certain statements contained in Dahlgren's deposition could not have been made by him, because the facts stated were not within his knowledge; for example, that when he was examined at Mazatlan, on the 18th of September, 1872, he did not know the names of the company's mines, and therefore could not have mentioned them. When Mr. Foster was examining Dahlgren upon the questions and answers in his deposition seriatim, his attention was drawn to the fourth question and answer, reading as follows (*ibid.*, p. 651):

"Q. Where are said mines and property situated; and of what did said improvements of claimant consist, and in what condition are they now?

"A. The principle mines of 'La Abra Silver Mining Company' are in 'La Abra' Mountain, near Tayoltita, in said district of San Dimas. Their names are 'El Rosario,' 'El Cristo,' 'La Abra,' 'La Talpa,' 'El Arrayan,' 'El Sauce,' and some others in that district whose names I have forgotten."

Then his examination was thus continued:

"Q. Is that a correct answer to the question as you gave it?

"A. No, sir; because I didn't know what mines they possessed.

"Q. Did you ever know, by name, the mines whose names are here given? Did you ever know whether or not they belonged to La Abra Company?

"A. No, sir; I knew that La Abra mine belonged to the company. I had been at El Arrayan, but I didn't know the names of the rest of the mines belonging to the company.

"Q. And you did not attempt to give the names in that examination?

"A. No, sir; nor their condition."

But subsequently, in his reply to a question whether he had testified in his deposition "to anything as to the denouncement of the Rosario mine by Granger" (*ibid.*, p. 653), he replied: "I believe I did." That made three of the company's mines whose names he knew prior to his examination at Mazatlan—"La Abra," "Arrayan," and "Rosario." Further on, his attention was again directed to the names and value of the company's mines, as stated in his deposition, "more particularly to 'La Abra,' 'El Rosario,' 'La Talpa,' and 'El Cristo' veins, and to a remark of his in his said deposition that he 'should like to own them, and if it were possible to raise capital to work them.'" Whereupon, forgetting that he had said a short time before that he did not know their names, he replied that he could have owned them if he had wanted to, and that he had the means to work them, and then to show how familiar he was with the company's mines, and in what a practical manner, he added (*ibid.*, p. 659):

"Some people repeatedly asked me to go over there and take hold of those mines, but I always declined.

"Q. Why did you decline?

"A. Because I sent over my right-hand man to look over the district and if there was anything good to secure it.

* * * * * * *

"My rule always is to send out my right-hand man to look at a property first, and then if he reports favorably on it I go myself and look at it, and if it is good I take it."

But without this evidence that he had received a report on the company's mines there would be a strong probability supporting his deposition that he knew their names, and in a general way their location and characteristics; for during more than two years prior to his examination at Mazatlan he had been associated intimately with James Granger, who knew all about the mines, and Gen. Adams had been his guest at San Dimas, and had there made examinations of witnesses preliminary to taking their depositions in court. And Dahlgren testified that he "heard the case talked of pro and con in his hacienda" (*ibid.*, p. 670):

"We would sit there of an evening and talk of it."

He had been at San Dimas over two years, and his "right-hand man" had made a report on the company's mines before he made his deposition at Mazatlan in September, 1872.

Besides, in referring to his book on the "Historic Mines in Mexico," in which the company's mines "La Abra," "Rosario," "La Luz," and "El Christo," are mentioned, he said to the subcommittee (*ibid.*, p. 687):

"I have always kept carefully a mining diary, and as I got information about mines I placed it down, tabulated it, and kept it. During the five years I was in Mexico I did that, and finally I got such a mass of data I put it into shape."

It is also to be remarked that in speaking of his frequent visits to the company's hacienda in October, November, and December of 1871, when he was helping himself to the machinery, he said (*ibid.*, p. 685) that nobody at that time was occupying the company's mines. In the earlier part of his examination before the subcommittee (*ibid.*, top of p. 652) he said that he did not know "anything whatever of the mines that La Abra Company abandoned," alluding to the time when he made his deposition at Mazatlan, but it afterwards appeared, as already observed, from a memorandum in his notebook, that two months before he was examined at Mazatlan, he had made a personal examination of "El Arrayan." It also appeared that he knew his bookkeeper had denounced "El Rosario," and that he (Dahlgren) was intimate with Francisco Torres (*ibid.*, p. 686), who worked that mine and "La Luz" in partnership with Granger in 1870 or 1871.

The testimony of ex-Consul Sisson or Domingo Danglada was not necessary to prove that Dahlgren committed perjury in maintaining, as he did before the subcommittee, the truth of his letter to Lines in regard to the manner in which his deposition was taken at Mazatlan. It does not appear that his deposition could ever have been of much importance in the case, so far as the award was concerned, for he did not arrive at San Dimas until July, 1870, more than two years after La Abra Company had abandoned its property, and the great bulk of his deposition was hearsay.

It is true that he vouched again and again in the strongest terms for the honesty, intelligence, courage, and truthfulness of his Mexican "mozo," Avalos, whose three depositions, two taken on behalf of the company, and one alleged to have been taken by a Mexican judge in court on behalf of the Mexican Government, are printed in the appendix, and have been already noticed in this report. But Dahlgren's deposition takes its chief importance from the fact that he denied having made it in the form in which it was submitted to the Joint Commission, and that his denial, coupled with his aspersion upon Gen. Adams, was made so prominent in the so-called "new evidence offered by Mexico" so early in the efforts of that Government, through Gen. Slaughter and his subagents, to impeach the award.

The testimony of ex-Consul Sisson and of Domingo Danglada, with Dahlgren's own contradictions and inconsistencies, have destroyed his credibility and relieved Gen. Adams and the company from any discredit or stigma cast upon them by Dahlgren's letter. That Dahlgren's letter was injurious to Gen. Adams and, reflexively, to the company, is beyond dispute; for in an earlier report by Mr. Edmunds for Mr. Morgan, from the Committee on Foreign Relations (July 7, 1886), it is said that the evidence submitted by the Mexican Government in the document entitled "Claims against Mexico" shows that some of the testimony offered by the company to establish its claim before the Commission was forged by its agent and attorney, Adams.

The reference in that report is to Dahlgren's letter, which was printed therein with the following caption in italics: "*Letter from C. B. Dahlgren to Mr. Robert B. Lines, stating that his deposition in favor of La Abra Silver Mining Company has been forged.*" This charge will now have to be withdrawn with the other charges falsely accusing Gen. Adams of having been short in his accounts as captain and assistant commissary at the close of the Mexican war, and of having been thrice court-martialed (and, inferentially, disgraced) during his service in the United States Army in the war for the Union.

One of the most remarkable and satisfactory features of the recent investigation was the formal withdrawal of the charges against Gen. Adams, affecting his military record, by one of the counsel for the Mexican Government (Mr. Lines) in the course of his cross-examination. The official documents showing the falsity of the charges reflecting on the personal integrity of Gen. Adams were received in evidence and are printed, with the testimony of Mr. Lines on the subject, on pages 931-934 of the appendix.

It seems to the undersigned that the testimony taken before the subcommittee instead of impeaching the award has shown the strong foundations upon which it rests and has justfied the wisdom and equity of the umpire.

The Mexican Government has shown by Col. De Lagnel in this recent investigation how general and deep-seated were the suspicion and hatred of the United States and its citizens among the population in the vicinity of the mines when

he was the company's superintendent in the year 1867; how "pernicious" and dangerous was the character of the local justice of the peace who had established himself on the company's property; on what slight occasion an armed "demonstration" was made against the superintendent and his American employés at the hacienda; how the same thing happened at San Dimas, and how unfounded is the theory of the minority report that events of importance which were not mentioned in the company's letter-press copy book are not to be credited, although the superintendent testifies to them under oath.

The Mexican Government in this recent investigation has shown by Francisco Torres that of all the ores abandoned by the company in March, 1868—from 10,000 to 14,000 cargas—only 500 or 600 cargas remained two or three years after the abandonment, and it need hardly be said that if the ore had been poor it would not have been carried away. The Mexican Government in this recent investigation has shown by Somero and Hermosillo that, in the estimation of one of the most experienced and competent miners in Mexico, La Abra mine is still so rich in undeveloped resources that during the last seven or eight years he has been engaged in tunneling the property—an extensive and systematic operation not yet completed—at a cost of from $50,000 to $60,000.

The Mexican Government in this recent investigation has shown by A. B. Elder that one of the most infamous charges it ever made against the company was utterly without foundation or color of excuse; and also that no protection was afforded by the local authorities to the witness himself when the richest of his ores were stolen at La Puerta in 1865, and that it would have been dangerous both for him and the local magistrate if the latter had attempted to enforce the law. The Mexican Government has also put itself under a cloud of suspicion by the testimony of the same witness, and of the "contractor," Gen. James E. Slaughter, and of the detective, Fisher, in regard to the propriety and integrity of the methods it has pursued in its attempts to reopen the award. Instead of showing, as it set out to show in the recent investigation, that the award should be reopened and the claim readjudicated on the merits, the Mexican Government has shown that the ancient maxim which the House committee, in Mr. DANIEL'S report, has applied to this case, should be so applied without further evasion or delay: It is to the interest of the commonwealth that litigation should cease.

Legal objections to the bill.

The bill (S. 2632) authorizes and directs the Attorney-General of the United States "to bring a suit or suits in the name of the United States in the Court of Claims against La Abra Silver Mining Company, its successors and assigns, and all persons making any claim to the award, or any part thereof, in this act mentioned, to determine whether the award made by the United States and Mexican Mixed Commission in respect to the claim of the said La Abra Silver Mining Company was obtained, as to the whole sum included therein or as to any part thereof, by fraud or false swearing, or other false and fraudulent practices on the part of the said La Abra Silver Mining Company, or its agents, attorneys, or assigns;" and undertakes to confer jurisdiction upon the Court of Claims "to hear and determine such suit, and to make all interlocutory and final decrees therein as the evidence may warrant, according to the principles of equity and justice, and to enforce the same by injunction or any proper final process, and in all respects to proceed in said cause according to law and the rules of said court so far as the same are applicable." The bill also grants an appeal to either party from the Court of Claims to the Supreme Court of the United States, and undertakes to confer jurisdiction upon that court to decide such appeal.

It is provided in the fourth section of the bill "that in case it should be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of La Abra Silver Mining Company, was based upon or obtained through fraud or false swearing, or other false and fraudulent practices of said company, or its assigns, or by their procurement, the President of the United States is hereby authorized to release the Government of Mexico from the further payment thereof to the extent that the same is so declared fraudulent, and to return to said Government any money paid by the Government of Mexico on account of said award remaining in the custody of the United States that has not been heretofore distributed to said La Abra Silver Mining Company, or its successors and assigns, which such court shall decide that such persons are not entitled, in justice and equity, to receive out of said fund."

The fifth section of the bill declares that it shall not be lawful for the Secretary of State, during the pendency of said suit and until the same is decided, to make any further payments out of said fund on account of said award, and that in case said court shall decide in said suit that said La Abra Silver Mining Company, or its successors and assigns, are in justice and equity entitled to any part of said award that shall remain to be paid or distributed, the Secretary of State shall proceed to distribute the same to the persons entitled thereto.

Nature of the question which the bill proposes to submit to the Court of Claims.

Is the question which it is thus proposed to submit to the Court of Claims, and on appeal to the Supreme Court of the United States for decision, judicial and justiciable or political or diplomatic in its nature? The question simply stated is whether an award rendered under such a treaty as that of July 4, 1868, between Mexico and the United States, by a Mixed Commission, should be opened on account of allegations of fraud in the procurement of the proofs upon which it is founded. Or, in other words, whether the United States, so far as this particular award is concerned, should in comity and justice release Mexico from its solemn engagement (in the language of the treaty) "to consider the result of the proceedings of this Commission as a full, perfect, and final settlement of every claim." What department under our form of government has the power to make a final answer to that question whether Mexico should be released from her engagement in this case or not?

Is that power lodged in the Executive or the judiciary; or can it be exercised by either? Perhaps an exact definition of the thing done and the authority exercised in rendering the award will be of assistance in answering the question. In rendering the award it was determined that the Mexican Government should pay to the Government of the United States, for the benefit of La Abra Company, a certain sum of money. This determination was not the act of either Government alone. The Commission was the creature of both Governments; the umpire was the chosen agent of both Governments acting through their respective Commissioners who chose him.

The particular thing that was ascertained and determined in the Abra award was ascertained and determined by the two Governments acting conjointly by virtue of and in accordance with the treaty. The judgment rendered—the coin issued from this international mint bears the stamp of both Republics. An award may be the fruit of a treaty, and it may be provided in that treaty that the award shall be final, and yet the award may not have an international character. The ascertainment of what amount is due to A or B may be made by a purely domestic agency, as in the cases of the Chinese claims under the treaty of 1858, or the Mexican claims that were decided under the treaty of February 2, 1848 (Guadalupe Hidalgo), both of which treaties left the ascertainment and determination of the amount of the particular claims to the United States acting exclusively by its own agents. Article 15 of the aforesaid treaty with Mexico contained the following provisions:

"The United States, exonerating Mexico from all demands on account of the claims of their citizens mentioned in the preceding article, and considering them entirely and forever canceled, whatever their amount may be, undertake to make satisfaction for the same, to an amount not exceeding three and one quarter millions of dollars. To ascertain the validity and amount of those claims, a board of commissioners shall be established by the Government of the United States."

The award to Gardiner by the Commission appointed under that treaty was a purely domestic act. The Government of the United States had a direct pecuniary interest in that award; the Mexican Government had none. It was not only the right of the Government of the United States, but a duty it owed to all its citizens, to refuse to pay that award on proof that it was obtained by corruption, and it was in the courts and the courts only that the Government could enforce its rights and obtain justice against the wrongdoer after the award was rendered. The wrongdoer was first indicted for perjury and then was made defendant in a civil suit to annul the award for fraud. It has been already observed that Mexico was not represented in the tribunal by which that award or the Atocha award was rendered, and that these awards were not stamped with the international character which distinguishes La Abra award. They were the work of a purely domestic agency, and founded entirely on *ex parte* proofs. No evidence whatever was taken in opposition to the claims.

The report of the majority of the committee and the citation in that report from the views of counsel for the Mexican Government overlook this vital distinction. Neither the committee nor counsel mention a single instance of the submission of an award of a mixed or international tribunal to a domestic court of either of the high contracting parties for review. An international award—an ascertainment and determination of a particular claim by a mixed commission—can be reviewed, but it can be reviewed only by the concurrent action of the two sovereign powers who were parties to it. The question whether such an award ought to be reviewed is a question for the two nations communicating with each other through their constitutional organs of communication; in other words, the question is diplomatic and not judicial.

This was the conclusion reached in June, 1880, by the Judiciary Committee of the Senate in reporting against the passage of a bill authorizing the Court of Claims to investigate this same La Abra case. The committee, consisting of Allen G. Thurman, chairman; Joseph E. McDonald, Thomas F. Bayard, A. H. Garland, L. Q. C. Lamar, David Davis, George F. Edmunds, Roscoe Conkling, and Matt. H. Carpenter, held (Report No. 712, Sen., 46th Cong., 2d sess.)—

"That this would involve an investigation by Congress of facts of an international character, which, in the opinion of the committee, properly belong to the executive department, and which it was the intention of the fifth section of the act of June 18, 1878, to leave with the department.

"The bill under consideration proposes to withdraw these two claims from the dominion of international jurisdiction, and place them before a tribunal organized and existing solely by virtue of the laws of this country, and in this way it would seem designed to avoid the opening up of other questions of complaints that are known to exist on behalf of citizens of the United States, whose claims, for various causes, failed to receive favorable consideration by said Commission under the treaty creating the Commission.

"The second article of that treaty bound the two Governments absolutely and conclusively by the final awards of the Commission and umpire in all cases coming within its provisions, and it would seem right that if it is to be set aside as to any of the claims it ought to be by a new convention in which provision should be made to do justice to all claims."

The constitutional inability of Congress to make justiciable what is not justiciable, or to withdraw from the judiciary what is justiciable, is expressed by Mr. Justice Curtis in rendering the opinion of the Supreme Court of the United States in Den *vs.* The Hoboken Land Improvement Company (18 How., 285), as follows:

"To avoid misconstruction upon so grave a subject, we think it proper to state that we do not consider Congress can either withdraw from judicial cognizance any mattter which from its nature is the subject of a suit at the common law, or in equity or admiralty; nor, on the other hand, can it bring under the judicial power a matter which, from its nature, is not a subject for judicial determination."

This point will be found presented more at large, with the authorities, in some extracts from a brief of Messrs. Shellabarger & Wilson, of counsel for the company, which will be printed in an appendix to this report.

The bill would encroach on the power of the President to distribute the funds, and would revive in the courts a controversy that has been settled between the two nations.

It is assumed in the majority report that the President's power to lawfully withhold distribution of the funds received from Mexico in payment of these awards comes from Congress by virtue of the act of June 18, 1878, and that he has no authority to distribute these funds because of an alleged reservation of the control of their distribution on the part of Congress, indicated by the words "until Congress shall otherwise direct," which are to be found in that act; and the majority report intimates that this view is supported by the decision of the Supreme Court in the case of Frelinghuysen *vs.* The United States (110 U. S., 63).

The question involved in that case was whether the President had any right to withhold the funds paid in by Mexico from any of the awardees—whether he had discretion in the premises or a merely ministerial duty to discharge. This was the only question before the court, but in deciding that question the court was obliged to consider certain other questions upon which the decision of that particular question depended. The act of June 18, 1878, was carefully considered by the court, because it was relied upon by the counsel for the Government as a justification for the refusal of the Secretary of State to distribute the funds which he had received from the Government of Mexico on account of the Weil and La Abra awards.

Why legislation was necessary to carry the treaty of July 4, 1868, into effect.

It appears from a letter addressed by Mr. Evarts, while Secretary of State, on the 6th of November, 1877, to Mr. Swann, who was chairman of the Committee on Foreign Affairs of the House of Representatives, that no action on the part of Congress was considered necessary to authorize the President to distribute the funds that had been and were thereafter to be received from Mexico under the treaty of July 4, 1868. Such distribution, Mr. Evarts said, "would be according to the practice of the Government," but some legislation was necessary to make good to the fund the amount with which the Government of the United States was charged, *i. e.*, the sum total of all the awards which had been rendered by the Mixed Commission in favor of citizens of Mexico against the United States, and which under the treaty had been deducted from the sum total of awards in favor of citizens of the United States against Mexico.

So we find the act of June 18, 1878, appropriating the amount reserved by the Mexican Government, and also authorizing the Secretary of State to deduct from the payments received and to be received from Mexico a sum not to exceed 5 per cent thereof until the aggregate of the amount so deducted should equal the sum of $114,948.74, being the amount of the expenses of the

Commission. Mexico having deducted and reserved the amount awarded to her own citizens from the sum total awarded against her in favor of our citizens (who thus, as it were, paid a debt due by their Government to the Government of Mexico), Congress proceeded to "make good to the fund" the amount so reserved, in order that there might be a sum sufficient in the hands of the Secretary of State, with the installments paid to him by the Mexican Government, to pay the amounts awarded to our citizens by the Joint Commission.

The act of June 18, 1878, construed by the Supreme Court of the United States.

It was a portion of the fifth section of the act that the court found it necessary to construe in the case of Frelinghuysen *vs.* The United States (*supra*). That portion read as follows:

"SEC. 5. And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing; therefore, be it enacted, that the President of the United States be, and he is hereby, requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law, or considerations of justice and equity, require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, or either of them, until such case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree, or until Congress shall otherwise direct."

There is nothing in the opinion of the court, as rendered by the late Chief Justice Waite, to support the idea of the committee that the President takes his power either to distribute or to withhold distribution of the funds in question from Congress; but, on the contrary, the opinion holds that the President, having under the Constitution the initiative in making treaties, may, as the constitutional depository of such treaty-making power, inquire into such charges as those made by the Mexican Government in this case and into the propriety of opening such an award with a view of providing for a retrial of the claim by a treaty. "In our opinion," says the Chief Justice, "it would have been just as competent for President Hayes to institute the same inquiry without this request as with it"—alluding to the act in question—"and his action, with the statute in force, is no more binding on his successor than it would have been without." The court seemed anxious to avoid the idea that in a matter of this sort Congress would undertake to give any direction to the President. This appears from the following passage:

"The first section of the act of 1878 authorizes and requires the Secretary of State to receive the moneys paid by Mexico under the convention, and to distribute them among the several claimants, but it manifests no disposition on the part of Congress to encroach on the power of the President and Senate to conclude another treaty with Mexico in respect to any or even all the claims allowed by the Commission, if in their opinion the honor of the United States should demand it."

The court does not tolerate the idea, although there are some expressions in the act which seem to point that way, that Congress intended to direct the President either to distribute or not to distribute these funds, or to investigate or not to investigate Mexico's charges against these awards. "The fifth section, as we construe it," said the Chief Justice, "is nothing more than an expression by Congress, in a formal way, of its desire that the President will, before he makes any payment on the Weil or La Abra claims, investigate the charges of fraud presented by Mexico, 'and if he shall be of the opinion that the honor of the United States, the principles of public law, or considerations of justice and equity, require that the awards * * * or either of them should be opened and the cases retried,' that he will 'withhold payment * * * until the case or cases shall be retried and decided in such manner as the Governments of the United States and of Mexico may agree, or until Congress shall otherwise direct.'"

The court here has quoted the very words from the act which seem to reserve some power on the part of Congress to "direct" a distribution of the funds in those particular cases at some future time, and the court has said of the 5th section of the act including those words, that it "is nothing more than an expression by Congress, in a formal way, of its desire," etc. Speaking of the act, the Chief Justice says:

"From the beginning to the end it is, in form even, only a request from Congress."

The words, "or until Congress shall otherwise direct," evidently refer to the withholding of payment, and not, as has been maintained on the Mexican side, to any alternative method of retrying the Weil or La Abra claims—not, as has been argued, to some domestic instead of the international proceeding pointed out by the words of the act, namely, "in such manner as the Governments of the United States and Mexico may agree." This is shown by the repetition of the word "until." The words, "it shall be lawful for the President to withhold payment until" an agreement for a retrial shall be made between the two Governments, or "until Congress shall otherwise direct," were not intended to be imperative, and could not be so construed without involving an encroachment by Congress upon the province of the Executive.

The court distinctly held that such withholding was in the President's discretion, without any authority from Congress—as completely without the statute as with it; that of his own motion he could negotiate with Mexico for a new trial of any or all of the claims, and, while so negotiating, and until the two Governments ceased to negotiate, he could withhold the funds from the persons in whose favor awards had been rendered. In the following passages from the late Chief Justice's opinion the court has made its meaning and the scope of its decision clear beyond question:

"From the statements in the answer of Secretary Frelinghuysen in the Key case it appears that further evidence has been found, and that President Arthur, upon this and what was before President Hayes, has become satisfied that the contested decisions should be opened and the claims retried. Consequently, the President, believing that the honor of the United States demands it, has negotiated a new treaty, providing for such a reëxamination of the claim, and submitted it to the Senate for ratification. Under these circumstances it is, in our opinion, clearly within the discretion of the President to withhold all further payments to the relators until the diplomatic negotiations between the two Governments on the subject are finally concluded. That discretion of the executive department of the Government can not be controlled by the judiciary.

* * * * * * * *

"All we decide is, that it was within the discretion of the President to negotiate again with Mexico in respect to the claims, and that, as long as the two Governments are treating on the questions involved, he may properly withhold from the relators their distributive shares of the money now in the hands of the Secretary of State."

The decision of the Supreme Court is therefore directly opposed to the views expressed in the majority report in regard to the source and extent of the President's power to withhold or to make distribution of the funds received from Mexico on account of La Abra award.

APPENDIX.

OBJECTIONS TO THE BILL S. 2632.

The bill is an attempt at special legislation in this, that it would change the rules of law governing the opening of judgments and the granting of new trials.

[Extracts from a brief submitted by Messrs. Shellabarger & Wilson, of counsel for La Abra Company, to the Committee on Foreign Relations, and printed for its use, May 2, 1888.]

The proposed suit, as defined by the pending bill, is one which proposes to supply Mexico, in her attack upon this award, with rules of law, in aid of her attack, that are not afforded to any other suitor in any other case, either in England, or this country, or any civilized nation.

In Cooley's Constitutional Limitations, pages 391 and 392, and in note 2, the salutary rule of law upon this subject is thus stated:

"On principle, it can never be within the bounds of legitimate legislation to enact a special law, or to pass a resolve dispensing with the general law in a particular case, and granting a privilege and indulgence to one man by way of exemption from the operation and effect of such general law, and leaving all other persons under its operation.

"Such a law is neither just nor reasonable in its consequences. It is our boast that we live under a government of laws and not of men; but this can hardly be deemed a blessing unless those laws have for their immovable basis the great principle of constitutional equality. Can it be supposed for a moment that, if the Legislature should pass a general law, and add a section, by way of proviso, that it should never be construed to have any operation or effect upon the persons, rights, or property of Archelaus Lewis or John Gordon [in this case La Abra], such a proviso would receive the sanction or even the countenance of a court of laws?"

This special aid and favor, establishing rules of trial and adjudication in favor of Mexico and against the American citizens, which this bill proposes, but which is denied to all other litigants, is this: It is perfectly settled law, as laid down in The United States *vs.* Throckmorton (98 U. S. R., 61), and in effect repeated in 101 U. S. R., 947; 111 U. S. R., 520, and 112 U. S. R., 32) that no fraud will set aside a judgment or award, except (to here quote the words of the Supreme Court) "those which are extrinsic or collateral to the matter tried, and not a fraud which was in issue in the former case."

It has been claimed that this rule of evidence asserted in Throckmorton's case (98 U. S. R., 61; also in 101 U. S. R., 477; 111 U. S. R., 520, and 112 U. S. R., 32) has been in some way qualified or overruled in Minor against The United States (114 U. S. R., 233). This is an utter mistake, and the law of Throckmorton's case (*supra*) is as firmly fixed as any principle of our law. This case of Minor's reaffirms, adheres to, and repeats the law as above cited from Throckmorton (see this in 114 U. S. R., 241 and 242). And Minor's case simply holds that, in an *ex parte* proceeding before the land officers, where there is no adversary element in the case, where witnesses are not examined and cross-examined, but everything is on one side, and a fraud is thus perpetrated in securing a patent, there the principles of the Throckmorton case do not apply.

But we submit that it is too late in the history of international awards for any one, even though having the reckless courage of Mexico, to assert that an international trial, secured through an international treaty, where the commissioners are sworn as quasi judges, where testimony is taken upon examination and cross-examination, and where the right for both sides to appear by counsel is secured, as is done by the second article of the treaty under which this award was made (see treaty of July 4, 1868, volume Public Treaties of the United States, 510), and where the treaty makes the decision of the commissioners or umpire "absolutely final and conclusive upon each claim decided," is a mere *ex parte* and nonjudicial proceeding, like the one described by Justice Miller (on p. 240, 114 U. S.) in Minor's case.

The treaty itself makes the trial strictly one *inter partes* and adversary; and the testimony taken in this one case of La Abra, upon examination and cross-examination (and which has been printed in book form and was presented to committees of Congress and is now accessible to the Senate committee), forms an immense mass, the mere printing of which cost the claimant about $1,500. And as to the decision reached in the case being a judgment of an international court the law is equally settled. On this point the language of the Supreme Court, in the most elaborately considered case regarding such an award ever decided by that court, is that "their" (the commissioners') "decision within the scope of their authority is conclusive and final" (Comegys *et al. vs.* Vasse, 1 Peters, 212).

In Judson *vs.* Corcoran (17 How., 612) the same court decides that these international trials are so thoroughly adversary and judicial in their nature as that they pass the legal title to estates decreed or adjudged thereby.

The finality of such judgments as these is again repeated in the case of Key *vs.* Frelinghuysen (110 U. S., 72).

Observe that, so far as the point of finality is concerned, it is here alluded to not for the purpose of showing that a treaty can not set aside this award, but simply for the purpose of establishing the grade, or rank, or class, or dignity to which these decisions belong; that they are not *ex parte*, as was the decision in Minor's case, but are preëminently adversary, and judicial, and final.

But this present bill carefully, and on purpose, proposes to ignore and abolish this rule, and not only to retry the question of alleged fraud, which was in issue before, and was tried by the commissioners and by the umpire, Sir Edward Thornton, but it proposes to overthrow that award either in whole or, at least, in part, provided any part of it was influenced in its procurement by, not perjury, but any "false swearing" (see sec. 1 and sec. 4). So that the effect of this bill is, first, to supply, in the United States, a champion to fight Mexico's battles and pay her expenses; and then it proposes to set aside this award, if its procurement was in any degree produced by "false," though perfectly honest, opinions, regarding value, or the like. And the committee will never forget that it is not pretended, and never will be, that the time given to Mexico, by the United States, for procuring evidence of said alleged fraud (more than five years, during which the Commission was in session) was not ample, or that the trial was not perfectly fair and entirely free from any "extrinsic fraud," preventing or tending to prevent a fair trial of the issues.

The bill would set the award aside for an alleged exaggeration of damages, which the House Committee on Foreign Affairs in the Forty-ninth Congress found to be not proved by Mexico's so-called "new evidence."

Our next point is that this bill proposes to set aside the award, not upon the ground that this property of the American claimant was not taken by Mexico, but upon the ground that the damages were exaggerated.

The utmost that was asserted by Mr. Evarts, in the statement which is in part quoted in the first "whereas" of this bill, was that there was evidence tending to show that the damages were "exaggerated," and only exaggerated. And we are glad, on this point, to be able now to state that, in his last official communication on the subject to the President, the present Secretary of State explicitly adopts and emphatically repeats the conclusion of Mr. Evarts, to wit, that this is only a case of alleged "exaggeration" of damages.

This letter of Secretary Bayard, dated 28th of February, 1888, and found in Executive Document No. 109, Fiftieth Congress, first session, can not, we regret to say, be regarded as friendly to the American side of this controversy;

and yet, in this last communication, the Secretary has the justice to state as follows (see page 6):

"Nor can the payment, by Mr. Evarts, of certain installments of La Abra award be regarded as inconsistent with his recommendation of investigation in that case, since the allegations of fraud in relation thereto (La Abra award) affect only the measure of damages, and not, as in the Weil case, the question whether any ground of claim ever existed."

Here, then, confessedly, the only objection to the award is that the damages were too large, and yet on this point, at the last Congress, a committee of the House, after full investigation, finds that the damages are amply justified by proofs which remain unimpeached by Mexico's so-called "new evidence." We quote the words of the majority of the committee, which we confidently submit are fully justified by the testimony, a summary of which will be found cited in the views of the minority, embodied in Senate Report No. 1454, first session Forty-ninth Congress, at page 11 *et seq.*, to which, and to the book of evidence there cited, we beg the attention of the committee.

The finding of the House committee, referred to above, upon this sole question of exaggerated damages, is stated by Mr. DANIEL in his report (No. 3474, H. R., Forty-ninth Congress, first session, page 29) as follows:

"But this remains, when all that can be said in favor of the interference proposed has been considered, that there was ample evidence before Sir Edward Thornton, that is not impugned by any new evidence, to have sustained and warranted his award; that the award did not embrace damages on account of the items that have been surcharged or apparently falsified; that that award was far below what was claimed; that it was far below, in amount, the damage which, in the opinion of unimpugned witnesses, the claimant's company suffered; that it did not embrace speculative damages; that the mistreatment of the company, by Mexican officials and people, is proved by their own testimony; and that, conceding all that, by reasonable intendment, the newly discovered evidence proves, the award made had ample foundation in testimony not successfully impeached, and was not in excess of fair compensation for losses suffered, according to that testimony. * * * Mexico had full and fair hearing. The great mass of cases was decided in her favor, and the only maxim which we conceive is now wisely applicable to this claim is that which tells us it is to the interest of the Commonwealth that litigation should cease."

The bill would submit a political question to the courts.

The next point we desire to submit is that the bill in the provision attempting to give jurisdiction to the Supreme Court is clearly unconstitutional, because it is an attempt to submit a political as distinguished from a judicial question to the judgment or decree of the Court of Claims, and, on appeal, to the Supreme Court of the United States.

On this point we wish to, if possible, make the matter plain. Our point is not that the United States can not sue a wrongdoer for the recovery back of moneys fraudulently obtained from the Government. It is abundantly settled that such suit can be maintained. Neither is it our present point that the "finality" given to an international award by treaty is such that the award could not have been attacked by a proper suit, brought by the proper party, and conducted under the known rules of law applicable in such a case. Nor is it our present point that Mexico could not, at the proper time and before her appeal to the proper diplomatic forum, where she has just been defeated, prosecute a suit to determine whether the Abra award, made by the Mixed Commission, was obtained by such fraud as would, on legal principles, overthrow or justify the reopening of the award. But, on the contrary, the present point is this, that the question which the pending bill proposes to submit to the courts for trial is, in substance and legal effect, as to what the President and Secretary of State shall do with the money now in the possession of the Secretary, and hereafter to come into his hands, paid in by Mexico upon the said award.

As to this, keep, now, please, carefully in mind the following preliminary suggestions, bearing upon the present point:

First, that in the paragraph by Mr. Evarts, recited in the first part of the preamble to this bill, it was, by Mr. Evarts, distinctly declared that neither international law, honor, nor equity demanded or permitted a new international trial, such as that named in the fifth section of the act of 1878; and he, in addition, there stated that the investigation which was needed was simply an *ex parte* investigation by the United States, through its own instrumentalities, for the purpose of ascertaining whether, in fact, the damages had been "exaggerated." The thing, therefore, recommended by Mr. Evarts in the passage quoted in the preamble of the bill, was not at all a suit "at law or in equity," within the sense of these words, as embodied in Article III, section 2, of the Constitution of the United States, declaring that "the judicial power' shall extend to all cases in law or equity arising under the "Constitution," etc.

On the contrary, he had just discarded the right to resort to an international trial *inter partes*, upon the case as it then stood before him; and the further and more thorough investigation which he suggested, and for the means of making which he said that the Executive was dependent upon Congress, was, as we understand his meaning, not only to be *ex parte*, but was intended merely to satisfy the conscience of the United States, by removing doubt, and to enable the Executive to determine definitely what further action, if any, might be required. We respectfully submit that this further investigation has now been thoroughly made. No extrajudicial examination could be fairer or more thorough than that which was made by the House committee last session, from whose majority resort, ten to three, we have already quoted. Nor was it *ex parte*. The Mexican Government was represented by its distinguished and accomplished agent, Mr. Foster, and learned counsel besides; and had every possible advantage at the different sessions in presenting its case, for many matters on its side were considered which would be excluded by the rules of law at a regular trial.

Next carefully observe that the United States does not and never did pretend to have the slightest property interest in this money, and which is requisite to enable it to sue touching the money. Therefore, the suit which is to be prosecuted under this bill is, in its characteristics and objects, a political, as distinguished from a judicial, inquest, precisely like the one recommended in the passage from Mr. Evarts, partly quoted in the preamble to this bill; and is a suit, in its design and general result, simply advisory to our Executive touching its duty regarding this money. And so the bill itself, in certain passages, treats and regards the matter. It does not contemplate or authorize any judgment or decree upon which process of execution or other process to enforce the decree is contemplated or is possible. On the contrary, it provides, in section 4, what the President shall do in the event of a certain finding in favor of Mexico; namely, he shall release Mexico, and return certain moneys paid in. And also provides, in section 5, in case the decision is in favor of La Abra, that the Secretary shall pay La Abra the moneys paid in.

It is thus seen that the lawsuit proposed is one by the United States, in regard to moneys in which it has no property interests whatever, and is simply the conduit through which the money passes on its way from Mexico to the American awardees. It will be also observed that the proposed suit is not in the nature of "a bill of interpleader," filed by a stakeholder, for direction by the court as to what shall be done with the money. This is so because, first, it is not proposed to make Mexico a party to this bill; and because, second, the question (as we shall presently see) which party shall get this money is not a judicial question in its nature, but a political one.

With these preliminaries kept carefully in mind, turn now to the inquiry what the law is as to the possibility of giving the Supreme Court of the United States jurisdiction to decide, or adjudge, or decree, or advise regarding such political questions. And in answer to this last inquiry notice, first of all, that the question proposed to be submitted to the courts has been finally decided and closed by the action of the treaty-making power in finally rejecting the treaty providing for a new trial. This being so, the action of the political branch of the Government is conclusive upon the courts, and the courts to which it is proposed to send this case for determination can not decide it otherwise than as it has been decided by the treaty-making, or political, branch of the Government.

In order right here to make plain what we mean, take this illustration: Suppose this bill were, in express words (as it is in legal effect), one directing the Court of Claims, and, on appeal, the Supreme Court, to decide whether a new treaty ought to be made, providing, as the one recently rejected did, for a new commission and international trial. Is there anybody that would say that such a question can be submitted to the Supreme Court?

Of course there is not. And yet this is, in effect, precisely what the present bill does, as we have seen. That no such political question, or nonjudicial question, whether political or not, can be sent to the Supreme Court by an act of Congress, is thoroughly settled. On this point turn first to the opinion by Chief Justice Taney, found in Gordon *vs.* The United States, reported in 2 Wallace, 561, and then to the opinion in that case found in the appendix to 117 United States Report, page 698. There this subject is examined with great fullness. And the pith of the decision is embodied in the following statement, from page 702, 117 United States Report, by the Chief Justice:

"Nor can Congress authorize or require this court to express an opinion on a case where its judicial power could not be exercised, and where its judgment would not be final and conclusive upon the rights of the parties, and process of execution awarded to carry it into effect."

A question in legal principle like this was submitted to Caleb Cushing, as Attorney-General, and was answered in his opinion of November 25, 1855 (7 Opinions, 599), where he decided what is thus expressed in the headnote:

"The question whether the United States will pay, according to their original tenor, drafts drawn by the Mexican Government under the Macilla convention, or suspend payment at the subsequent request of the said Government, is a matter of political and not of legal determination."

The same legal question is decided in scores of cases by the Supreme Court; these holding that the judicial powers and the political powers of the Government must be constantly kept distinct and the one not to encroach upon the other, and that, wherever the political department of the Government has settled a nonjudicial question (as the political department has settled this, by rejecting a treaty providing for a new trial) in a given way, there the judicial department can not overrule or inquire into the wisdom of that decision. This will be found in, amongst others, the following cases:

Luther *vs.* Borden, 7 How., 1, 11.
White *vs.* Hart, 13 Wall., 649.
Phillips *vs.* Paine, 92 U. S., 132, and the cases there cited.
United States *vs.* Lee, 106 U. S., 209.
The Exchange *vs.* McFadden, 7 Cranch, 116.
State of Georgia *vs.* Stanton, 6 Wall., 50.

Even the case of Frelinghuysen *vs.* Key (110 U. S., 70 *et seq.*) is one where this doctrine of the want of power, even in "Congress, to 'encroach' upon the power of the President and Senate to conclude another treaty with Mexico," and to determine whether a new international trial ought to be granted, is more than indicated—is in effect asserted.

After stating that the fifth section of the act of 1878 (20 Stats., 144) provided for a certain distribution, the court (p. 74) adds:

"But it manifests no disposition, on the part of Congress, to encroach on the power of the President and the Senate to conclude another treaty with Mexico in respect to any, or even all, the claims allowed by the Commission, if in their opinion the honor of the United States should demand it."

Then, lower down, the court says:

"From the beginning to the end it is, in form even, only a request from Congress to the Executive. This is far from making the President for the time being a quasi judicial tribunal to hear Mexico and the implicated claimants, and determine once for all between them whether the charges which Mexico makes have been judicially established. In our opinion it would have been just as competent for President Hayes to have instituted the same inquiry without this request as with it, and his action with the statute in force is no more binding on his successor than it would have been without."

If this case, therefore, shows, on this aspect of the matter, anything, it shows that the court regarded the question of granting a new trial to Mexico as a political or diplomatic one, which even Congress could not interfere with farther than to make a "request" as distinguished from a law.

And it results, *a fortiori*, that it is impossible for Congress to send to the Supreme Court, for its decision, this nonjudicial inquiry regarding what is required of the Executive by considerations of "honor," political morality, or public expediency.

A fair retrial is now an impossibility—Death of the company's witnesses.

Our next proposition is that it is flagrantly and manifestly unjust to now overthrow this award by this one-sided and partial trial to be had under rules unknown in all civilized States, and this at a time when all the witnesses that could know anything about this alleged fraud are dead.

Testimony could not now be taken for the company in Mexico.

Another reason is the impossibility of the company now taking testimony in Mexico. The transactions to be proved occurred twenty years ago, and it is nearly twelve years since the award was made. The proposed evidence, if taken at all, must be sought in a mountainous, almost inaccessible mining district in the State of Durango, and among a semibarbarous people, which (as is the case in all mining localities) is a constantly changing population. After such a lapse of time, in such a locality, and among such a people, and after the failure of memory, the disappearance and death of witnesses, the taking of such testimony is palpably and literally impossible. Add to all this the enormous expense attending the quest for evidence and the taking thereof, and it needs but be stated to anyone having the slightest experience regarding trials in human courts to make it obvious that the obstacles to the procurement of such evidence (whatever the facts may be) are simply insurmountable.

But if these obstacles were not insuperable, the hostility of the Mexican officials would be. Before, when there was comparatively no excitement about the case of said company, other than such as resulted from the fact that the company was American, the quest for evidence had to be made under armed protection to the life of the company's agent, and at the expense of an accompanying armed guard hired at the seaport Mazatlan. And to deter and prevent any testimony being given in favor of said company, the Mexican judge of that district threatened and intimidated the witnesses who were brought before him by the company's agent; and he declared that he would take no testimony for the company when its attorney was present, and declared that none should be taken in his court that would aid the company; and he incited manifestations of mob and other violence, such as endangered the life of witnesses, attorneys, and others evincing friendliness to the com-

pany. Besides all this, its witnesses were spirited away and kept from testifying.

All these supremely disgraceful proceedings are matters of record, and are before you in the case. And now, after the hue and cry which has been made about this case, no witness resident in Mexico, and especially in that district, who should hereafter testify the truth in favor of this American company, would be permitted to live in that country, or dare to testify, and no man competent to ascertain and select the proper evidence would hazard his life by going there and attempting to obtain it. The recent foul murder of the superintendent of the mines of an American company (Mr. Baldwin), situate in the same State of Durango, and in the same general locality, "for no other crime than that he was an American," is only one more of the many evidences that the hostility in that district, which expelled the Abra Company, there still bears sway, and with all the fullness of its pristine vigor.

Mr. MORGAN. Mr. President, before the Senator from Oregon [Mr. DOLPH] takes the floor in reply to the Senator from Missouri, [Mr. VEST], as I understand he desires to do upon the case, I wish to make a very few remarks.

Mr. GEORGE. Does the Senator wish to proceed to-night?

Mr. MORGAN. Yes. I wish to call the attention of the Senate to a case which is very much in point here, called the Gardiner case. It was a case between a citizen of the United States and the Government arising out of the treaty of Guadalupe Hidalgo made with Mexico. I will read the points in regard to that matter, omitting a great many citations of proceedings and statutes which are not necessary to be put upon the record:

By Articles XIV and XV of the treaty of Guadalupe Hidalgo, concluded February 2, 1848 (Pub. Treaties, pp. 497, 408)—

Mr. GEORGE. From the decision of what court is the Senator reading?

Mr. MORGAN. The Supreme Court of the United States. I am not reading from the decision itself—

the United States discharged Mexico from all prior claims of American citizens and agreed to "make satisfaction for the same to an amount not exceeding $3,250,000.

Those are the old claims anterior to the Mexican war, which our Government assumed to pay to its own citizens, fixing the amount at $3,250,000.

Article XV further stipulated that—

"To ascertain the validity and amount of those claims a Board of Commissioners shall be established by the Government of the United States, whose awards shall be final and conclusive."

That was part of the agreement between Mexico and the United States. The United States was to establish this board of commissioners and their agreement or decision was to be conclusive.

Before the commission established under that treaty one George A. Gardiner brought a claim for the value of mines, etc., in the province of Rio Verde, State of San Luis Potosi, Mexico, from which he alleged that he had been unlawfully driven by officers of the Mexican Government. On this claim the commissioners made an award of $423,750, which was paid to Gardiner or his assignees on or about the 16th May, 1851 (Senate Report No. 182, first session Thirty-third Congress, vol. 2, part 2, pp. 347 *et seq.*).

By the Government of the United States.

Information having been obtained that the claim of Gardiner was fraudulent, in July, 1851, Gardiner and his brother, John C., were indicted for the false swearing, and the bankers of Gardiner (Corcoran & Riggs in Washington, and the New York Life Insurance and Trust Company in New York) were notified by the Treasury Department that the Government claimed the moneys of Gardiner in their hands. Gardiner was subsequently indicted for forgery, and his brother for perjury on his trial. The former was finally convicted on the indictment for false swearing at the December term, 1855, of the criminal court of the District of Columbia (same report, pp. 50 and 346, 347). Being sentenced to ten years' imprisonment, Gardiner committed suicide.

April 28, 1852, Mr. Olds, of Ohio, offered in the House of Representatives a resolution, which was objected to, asking the President for the information obtained by the Government in the matter of the Gardiner claim; also why the trial of Gardiner was delayed, and whether any Cabinet minister had received any portion of the award (Globe, vol. 20, part 2, p. 1207).

In the Senate Mr. Soulé, on the 11th of June, 1852, offered a resolution similar to the first clause of the above (*Ib.*, p. 555).

June 28, 1852, Mr. Olds offered another resolution, reciting the allegations of fraud in the claim and of Secretary Corwin's connection with it, and raising a committee of five to investigate (*Ib.*, p. 1628).

The committee was raised and they went on with the investigation.

August 3, 1854, Mr. Stanton made a report from the House Judiciary Committee (House Report 369, first session Thirty-third Congress) accompanying a further bill "to prevent frauds on the Treasury of the United States," and offered the following resolution, which was adopted:

"*Resolved*, That the President be requested to institute proceedings in law or equity against all such agents, attorneys, and confederates as may have assisted in prosecuting the claims of George A. Gardiner and John H. Mears, or either of them, before the board of commissioners appointed under the treaty of Guadalupe Hidalgo for the adjudication of claims on Mexico, in order to test their liability to refund the amounts paid them as agents, attorneys, confederates, or assignees out of the awards made by the said commissioners to said Gardiner or Mears" (*Ib.*, p. 2139).

Bills had been filed against Gardiner in the United States circuit courts in Washington and New York, and injunctions obtained in July, 1852 (Senate Report 182, first session Thirty-third Congress, p. 347). Decrees were rendered in favor of the United States March 29, 1855, in Washington, and June 14, 1859, in New York (see docket entries).

The record of the suit in Washington seems to have been lost. From the record of the suit in New York it appears that the United States set forth in its bills the provisions of the treaty with regard to the "finality" of the awards and the stipulation of the United States "to make satisfaction" of the same; charged upon evidence discovered since the award and payment that the claim of Gardiner was "wholly false and fraudulent" and prayed—

"That the said award so made by the said Board of Commissioners may be adjudged and declared void, and the said George A. Gardiner may be decreed to restore, refund, and repay" the amount thereof. The decree is to the effect "that said award be and the same is hereby in all things reversed and annulled."

Now, the Senator will notice here that the resolution under which this proceeding went did not provide that the Commission should go still further and ascertain whether, after all, there was not some basis of claim in favor of Gardiner against Mexico upon which something might have been allowed to Gardiner and Mears. It simply took the ground that if that award had been obtained by Gardiner and Mears through fraud and perjury, it should be set aside and the money should be refunded, and it gave the courts jurisdiction to proceed in that matter and to that extent, and only to that extent.

On these decrees some $250,000 were recovered.

Messrs. Corcoran and Riggs, who were innocent parties here in the city, gentlemen of the highest possible repute, paid back the money they had got, although they must have lost heavily by it.

It thus appears that the whole power of the United States in its three departments of government—both branches of the legislature, the executive, and the civil and criminal courts—was used to bring Gardiner to justice and to recover the money paid on his fraudulent claim.

No consideration of "vested rights" in the claimant prevented the United States from interfering with the final and conclusive award in his favor, when the protection of the Treasury was in question.

But this was not all. The Government of Mexico, without being asked to release the United States from the stipulations of the treaty, was called upon to assist the latter in the Congressional investigations and in the civil suits and criminal prosecutions.

A commission was sent to Mexico by the select committee of the Senate, and was instructed, among other things, "to take sworn declarations as to the fact from the competent authorities;" "to secure the evidence of Don Santiago Gomez, and to force him, through the Mexican authorities, to produce the books;"—

Directing a committee of the Senate to appeal to the Mexican authorities to use their power to compel their own citizens to produce their books and witnesses—

to bring Gardiner's witnesses "before some alcalde" and "have them examined *de novo*;"—

They had been examined once, and this proposition was to examine them *de novo*—

to get them to point out to the Commission and the alcalde the location of the mines; to have Gardiner "summoned"; and to "obtain from the authorities what orders you (they) may deem necessary to facilitate your (their) mission." (Senate Report 182, first session Thirty-third Congress, pp. 115, 116.)

The United States secretary of legation in Mexico was notified by the State Department of the appointment of the Commission for the purpose of obtaining "evidence to convict Gardiner and recover back the money paid to him," and was informed that—

"This Government requests, asa favor on the part ofMexico, that such measures be adopted by it as may be necessary to protect the gentlemen sent on this Commission on their way to and from the said department of Rio Verde, and that instructions be given to the local authorities to afford them every aid and facility in procuring evidence and in performing the duty assigned to them." (*Ib.*, p. 153.)

On the 8th of November, 1852, "Mr. May and Mr. Partridge," members of the Commission, "accompanied by Mr. Rich," chargé d'affaires of the United States, "waited upon the minister of relations, Mr. Yonez, and were by him introduced to President Arista." The President and minister examined the documents filed by Gardiner in support of his claim, pronounced them informal, and "expressed their unqualified opinion" that the claim was false and fraudulent.

"The President promised [say the Commissioners] to give us the aid and coöperation of his Government, as well as that of the several States which we might visit in order to the fulfillment of our duties. He requested that we would indicate in writing through our charge the precise kind of service that we required." (*Ib.*, pp. 117, 118.)

On the two following days the Commissioners indicated to the chargé (pp. 154, 155) the kind of assistance required by them, which comprised instructions to the civil and military authorities in the State of San Luis Potosi, Queretaro, and Michoacan, and the services of a military officer to accompany them on their mission.

All this and much more was freely granted, almost every page of the commissioners' report bearing evidence to the active good will of, and the assistance rendered by, the authorities of Mexico, State and federal, executive and judicial. The results of the civil and criminal suits above referred to show how valuable and effective was this assistance.

Mexico had no possible pecuniary interest in invalidating the award of Gardiner. On the contrary, she ran the risk of having his claim revived against her in case the award should be unjustly annulled. It is true that the United States would be debarred by the treaty from seeking to enforce it diplomatically, but in morals and by her own law Mexico would have been bound to pay it and hold the United States responsible for a violation of the treaty.

The course of Mexico could only have been governed by a desire to treat the United States with justice and comity, and of course by a well-founded expectation of like treatment from the latter on similar occasion. Such expectation was justified by the diplomatic promise of the United States chargé d'affaires, who, in writing to the minister of foreign affairs on the 9th of November, 1852, said:

"By complying with the request of Mr. May the Mexican Government will confer a great obligation upon that of the United States, and which that Government will always be happy to reciprocate" (*Ib.*, p. 157).

It was further justified by the promise of the minister of the United States, Mr. Alfred Conkling, who, in a note dated December 7, 1852, thanked the minister "for the valuable aid already so courteously rendered by him," regretted "the necessity of again invoking" his assistance, and added:

"Should the Government of Mexico at any future time stand in need of similar acts of comity on the part of the Government of the undersigned, he trusts he need hardly assure his excellency that they will be most cheerfully and promptly rendered" (*Ib.*, p. 158).

You have had a sample of the return of that in the argument of the Senator from Missouri [Mr. VEST] this afternoon.

Mr. DOLPH. I will not take the floor to-night, as I understand the senior Senator from Indiana [Mr. VOORHEES] will be ready to speak to-morrow. If he is, I will postpone my remarks until after he has concluded.

EXECUTIVE SESSION.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 20, 1892, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 19, 1892.

CONSUL.

Lewis Dexter, of Providence, R. I., to be consul of the United States at Fayal, Azores, to fill a vacancy.

RECEIVER OF PUBLIC MONEYS.

Henry E. Kryger, of Neligh, Nebr., to be receiver of public moneys at Neligh, Nebr., vice Alfred Lundvall, resigned.

PROMOTIONS IN THE ARMY.

Ordnance Department.

Second Lieut. William M. Peirce, Second Artillery, to be first lieutenant, January 15, 1892, to fill the vacancy in the department caused by the death of Maj. George W. McKee, on November 30, 1891.

Medical Department.

Capt. Edward B. Moseley, assistant surgeon, to be surgeon, with the rank of major, January 9, 1892, vice Patzki, retired from active service.

Cavalry arm.

Lieut. Col. John J. Upham, Third Cavalry, to be colonel, January 14, 1892, vice Brisbin, Eighth Cavalry, deceased.

Maj. Eugene B. Beaumont, Fourth Cavalry, to be lieutenant-colonel, January 14, 1892, vice Upham, Third Cavalry, promoted.

Capt. Sanford C. Kellogg, Fifth Cavalry, to be major, January 14, 1892, vice Beaumont, Fourth Cavalry, promoted.

First Lieut. Robert London, Fifth Cavalry, to be captain, January 14, 1892, vice Kellogg, Fifth Cavalry, promoted.

Second Lieut. Robert E. L. Michie, Second Cavalry, to be first lieutenant, January 14, 1892, vice London, Fifth Cavalry, promoted.

Artillery arm.

Second Lieut. Arthur T. Curtis, Second Artillery, to be first lieutenant, December 17, 1891, vice Chase, who resigns his line commission from the date of the confirmation by the Senate of his appointment as assistant quartermaster.

Infantry arm.

First Lieut. John G. Ballance, regimental adjutant, Twenty-second Infantry, to be captain, January 14, 1892, vice Cavick, Twenty-second Infantry, retired from active service.

CONFIRMATIONS.

Executive nominations confirmed by the Senate, January 19, 1892.

UNITED STATES ATTORNEY.

Matthew T. Allen, of California, to be attorney of the United States for the southern district of California.

RECEIVER OF PUBLIC MONEYS.

John H. Lott, of Buffalo, Wyo., to be receiver of public moneys at Buffalo, Wyo.

POSTMASTERS.

Hartwell Hendrickson, to be postmaster at Marion, in the county of Williamson and State of Illinois.

Harrison W. Coursey, to be postmaster at Polo, in the county of Ogle and State of Illinois.

Francis J. Menzies, to be postmaster at Westchester, in the county of Westchester and State of New York.

Robert J. Hock, to be postmaster at Goshen, in the county of Orange and State of New York.

Charles Ayres, to be postmaster at Metuchen, in the county of Middlesex and State of New Jersey.

Tolian M. Sidenstricker, to be postmaster at Newman, in the county of Douglas and State of Illinois.

Mary C. Piper, to be postmaster at Greenfield, in the county of Greene and State of Illinois.

Andrew J. Hyland, to be postmaster at Cohocton, in the county of Steuben and State of New York.

Odell H. Dean, to be postmaster at Randolph, in the county of Cattaraugus and State of New York.

Bishop Armstrong, to be postmaster at North Tarrytown, in the county of Westchester and State of New York.

James M. Requa, to be postmaster at Tarrytown, in the county of Westchester and State of New York.

Albert H. Lapham, to be postmaster at East Aurora, in the county of Erie and State of New York.

Cassius A. Johnston, to be postmaster at Hoosick Falls, in the county of Rensselaer and State of New York.

Albert E. Pound, to be postmaster at Chippewa Falls, in the county of Chippewa and State of Wisconsin.

Gustav Kustermann, to be postmaster at Green Bay, in the county of Brown and State of Wisconsin.

Charles Frantz, to be postmaster at Kenosha, in the county of Kenosha and State of Wisconsin

Alfonzo Shafer, to be postmaster at Reading, in the county of Hillsdale and State of Michigan.

Andrew W. Seed, to be postmaster at Cass City, in the county of Tuscola and State of Michigan.

Charles Smith, to be postmaster at Hartford, in the county of Washington and State of Wisconsin.

Lewis E. Musick, to be postmaster at Mountain Grove, in the county of Wright and State of Missouri.

Nathan C. Harrison, to be postmaster at Jackson, in the county of Cape Girardeau and State of Missouri.

William Comegys, to be postmaster at Ash Grove, in the county of Greene and State of Missouri

Edward L. Bretnor, to be postmaster at Grafton, in the county of Walsh and State of North Dakota.

William A. Miller, to be postmaster at Staples, in the county of Todd and State of Minnesota.

William J. Callender, to be postmaster at Woodbine, in the county of Harrison and State of Iowa.

James J. Chatham, to be postmaster at Nogales, in the county of Pima and Territory of Arizona.

Thomas J. Pickett, jr., to be postmaster at Ashland, in the county of Saunders and State of Nebraska.

William P. Hess, to be postmaster at Flandreau, in the county of Moody and State of South Dakota.

Joseph C. Taylor, to be postmaster at Albany, in the county of Shackelford and State of Texas.

John Snoddy, to be postmaster at Big Spring, in the county of Howard and State of Texas.

Miss Belle Lippard, to be postmaster at Hubbard, in the county of Hill and State of Texas.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 19, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

WATER SUPPLY FOR PENITENTIARY AT M'NEILS ISLAND, STATE OF WASHINGTON.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of the Treasury, transmitting a communication from the Attorney-General, and its inclosures, in relation to the water supply for the United States penitentiary on McNeils Island, Washington; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

MARY F. LEWIS AND DAVID B. ANDERSON.

The SPEAKER *pro tempore* also laid before the House letters from the assistant clerk of the Court of Claims, transmitting copies of findings of the Court of Claims in the case of Mary F. Lewis *vs.* The United States and David B. Anderson *vs.* The United States; which were severally referred to the Committee on War Claims, and ordered to be printed.

CHANGES OF REFERENCE.

Mr. BELTZHOOVER. Mr. Speaker, I desire to report back the bill (H. R. 1218) for the relief of Charles M. Kennerly, and the bill (H. R. 1523) for the relief of John Regan, which were improperly referred to the Committee on War Claims, and ask that they be referred to the Committee on Claims.

The SPEAKER *pro tempore*. Without objection that order will be made.

There was no objection.

Mr. McKINNEY. Mr. Speaker, I am instructed by the Committee on Invalid Pensions to report back the bill (H. R. 1857) granting an honorable discharge certificate to Hugh Kerr, late of Company F, First Battalion, Fourteenth Regiment United States Infantry, which was improperly referred to our committee, and ask that it be referred to the Committee on Military Affairs.

The SPEAKER *pro tempore*. The correction in the reference will be made.

Mr. BARWIG. Mr. Speaker, I ask that the bill (H. R. 2777) to repeal an act entitled "An act authorizing the establishment of a park in the District of Columbia, which was referred to the

Committee on the District of Columbia, be recalled and referred to the Committee on Appropriations.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Wisconsin, that this bill be recalled from the Committee on the District of Columbia and referred to the Committee on Appropriations? [After a pause.] The Chair hears none, and it is so ordered.

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that the bill (H. R. 398) to authorize the Secretary of the Treasury to employ a special agent to investigate judgments and other debts due to the United States and to secure the collection thereof, which has been referred to the Committee on Appropriations, be referred to the Committee on the Judiciary. The bill contains no authority for making an appropriation, and at the last Congress it was before and action was taken upon it by the Committee on the Judiciary.

The SPEAKER *pro tempore*. Will the gentleman please send the bill to the Clerk's desk? [After a pause.] The Chair is of the opinion that the reference was correct. The bill provides for the appointment of officers in an Executive Department of the Government. But the Chair will state the request of the gentleman from Pennsylvania to the House. The gentleman asks unanimous consent that the bill (H. R. 398) providing for the appointment of additional officers to investigate the question of claims allowed by the Court of Claims shall be withdrawn from the Committee on Appropriations and referred to the Committee on the Judiciary. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

BRIDGE ACROSS THE MISSOURI RIVER NEAR LEAVENWORTH, KANS.

Mr. BRODERICK obtained unanimous consent to introduce a bill (H. R. 4272) to authorize the construction of a bridge across the Missouri River at some accessible point within 2 miles north and 2 miles south of the city of Leavenworth, in the county of Leavenworth, in the State of Kansas; which was read a first and second time, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

AWARDS TO CREEK INDIANS.

Mr. PEEL. Mr. Speaker, I ask unanimous consent that the bill introduced by myself, the number of which is not given in the RECORD, for the purpose of settling the awards to the Creek Indians, and which was referred to the Committee on War Claims, be withdrawn from that committee and referred to the Committee on Indian Affairs.

The SPEAKER *pro tempore*. Will the gentleman indicate the title of the bill again?

Mr. PEEL. Mr. Speaker, the bill is for the purpose of paying awards that were made several years ago by a commission of the United States to the loyal Creek Indians in the Indian Territory. I say by mistake this bill was referred to the Committee on War Claims, and should go to the Committee on Indian Affairs. We had the same bill before that committee in the last Congress and reported upon it.

The SPEAKER *pro tempore*. The gentleman from Arkansas asks unanimous consent that the bill indicated by him, for the settlement of certain awards to Indians, be taken from the Committee on War Claims and referred to the Committee on Indian Affairs. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

WESTERN JUDICIAL DISTRICT OF WISCONSIN.

Mr. EZRA B. TAYLOR. Mr. Speaker, I ask leave to make a report from the Committee on the Judiciary, the bill (H. R. 504) in relation to the western judicial district of Wisconsin. It is a bill providing for the time of holding a court. I ask for the present consideration of the bill.

The SPEAKER *pro tempore*. The gentleman from Ohio asks unanimous consent for the present consideration of a bill, which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 504) in relation to the western judicial district of Wisconsin.

Be it enacted, etc., That the regular terms of the circuit and district courts in the western district of Wisconsin shall be held at the times and places following:

At Eau Claire, on the first Tuesday in June; at Superior, on the second Tuesday in July; at La Crosse, on the third Tuesday in September, and at Madison on the first Tuesday in December in each year; and the clerk residing at Madison shall attend all terms of said courts at Eau Claire and Superior as clerk thereof.

Mr. EZRA B. TAYLOR. Mr. Speaker, as the report of the committee on this bill has not been printed, I will simply state that there is no change by this bill with reference to the place where the courts have heretofore been held. During the last session of last Congress a place was fixed for holding a term of court, but no time has been fixed for the holding of the court at that place; and it is done by this bill. That is all there is of it.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill? The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. EZRA B. TAYLOR moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MODE OF TAKING DEPOSITIONS.

Mr. OATES. Mr. Speaker, I desire to make a report from the Committee on the Judiciary, and ask unanimous consent for the consideration of the bill which I send to the Clerk's desk.

The SPEAKER *pro tempore*. The gentleman from Alabama reports the bill, which the Clerk will read, and asks unanimous consent for its immediate consideration.

Mr. OATES. Mr. Speaker, the bill reported from the Committee on the Judiciary is not accompanied by any written report, but I desire to have the bill engrossed and read the third time, and will explain the bill to the House.

The SPEAKER *pro tempore*. The Clerk will report the bill, after which the Chair will ask if there be objection to its consideration.

The Clerk read as follows:

A bill (H. R. 435) to provide an additional mode of taking depositions of witnesses in causes pending in the courts of the United States.

Be it enacted, etc., That in addition to the mode of taking the depositions of witnesses in causes pending at law or equity in the district and circuit courts of the United States, it shall be lawful to take the depositions or testimony of witnesses in the mode prescribed by the laws of the State in which the courts are held.

Mr. OATES. Mr. Speaker, this bill passed the House in two preceding Congresses, but failed in the Senate. It is quite simple in its provisions. It only provides for the taking of depositions in the courts of the United States according to the rules and methods prevailing in the State courts. It is cumulative. It does not interfere with the present method of taking depositions, but only proposes to adopt the methods of the State courts as well, so as to give parties a choice.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. OATES moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TO DEFINE AND PUNISH BLACKMAILING.

Mr. OATES. Mr. Speaker, I desire also to report back the bill (H. R. 9) to define and punish blackmailing, and ask for its present consideration.

The SPEAKER *pro tempore*. The bill will be read, after which the Chair will ask for objections.

The bill was read as follows:

Be it enacted, etc., That any person who, within the District of Columbia or other place over which the United States have exclusive jurisdiction, shall levy or attempt to levy blackmail on any other person by making, threatening, or attempting to make any disclosure, oral or written or by publication, within or outside of such district or place, injurious to the character of any person, for the purpose of obtaining money or other benefit, or for the purpose of ridicule or revenge, shall be guilty of a misdemeanor, and, upon conviction thereof before any court having jurisdiction for the trial of crimes or misdemeanors within the place or territory in which such offense is committed, shall be punished by fine not exceeding $1,000, and shall be imprisoned or confined at hard labor for not exceeding one year, at the discretion of the court trying the case.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. HOLMAN. Mr. Speaker, I think the first part of that bill was not distinctly heard, and I ask that it be again reported.

The bill was again read.

Mr. OATES. Mr. Speaker, I will say to the gentleman from Indiana [Mr. HOLMAN] and to the House that this bill has been carefully considered by the Committee on the Judiciary, and that in the opinion of the committee it ought to pass. The bill is reported from the committee without dissent.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. OATES moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BILLS INTRODUCED.

Bills and joint resolutions of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred as indicated below:

CRUELTY TO CHILDREN IN DISTRICT OF COLUMBIA.

By Mr. COGSWELL: A bill (H. R. 4273) to prevent cruelty to children in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

PENALTY FOR TAKING ILLEGAL RATES OF INTEREST.

By Mr. SNODGRASS: A bill (H. R. 4274) making it a misdemeanor for any association doing business under the national banking laws of the United States to charge or take an illegal rate of interest, and to confer upon the States and Territories concurrent jurisdiction with the United States—to the Committee on Banking and Currency.

CHAMPLAIN AND ST. LAWRENCE RAILROAD.

By Mr. CURTIS: A bill (H. R. 4275) to grant to the Champlain and St. Lawrence Railroad Company a right of way across the Fort Montgomery military reservation—to the Committee on Military Affairs.

COMPENSATION OF FOURTH-CLASS POSTMASTERS.

By Mr. CUMMINGS: A bill (H. R. 4276) relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

OBSERVANCE OF LABOR DAY IN THE DISTRICT OF COLUMBIA.

By Mr. LODGE: A joint resolution (H. Res. 62) providing for the observance of Labor Day in the District of Columbia—to the Committee on the District of Columbia.

GEN. NAPOLEON J. T. DANA.

By Mr. McKENNA: A bill (H. R. 4277) for the relief of Gen. Napoleon J. T. Dana—to the Committee on Military Affairs.

The SPEAKER *pro tempore*. This appears to be a private bill.

Mr. McKENNA. I think not, Mr. Speaker.

The SPEAKER *pro tempore* (after examining the bill). The Chair is inclined to think it is a private bill, but will give it the benefit of the doubt.

The bill was referred to the Committee on Military Affairs.

UNITED STATES COURTS AT JACKSON, KY.

By Mr. KENDALL: A bill (H. R. 4278) to provide for holding terms of the circuit and district courts of the United States for the district of Kentucky at Jackson, in said district, and for other purposes—to the Committee on the Judiciary.

INVESTIGATION OF PINKERTON DETECTIVE AGENCY.

Mr. WATSON. Mr. Speaker, I ask unanimous consent of the House to withdraw from the Committee on the Judiciary a resolution introduced by myself the other day and referred to that committee. In explanation of this request I desire to say this: The resolution instructs the Committee on the Judiciary to inquire into the character, organization, and operation of the Pinkerton Detective Agency. The question raised is purely a legal question, but the resolution is now before the Committee on the Judiciary really for the purpose of having that committee recommend whether or not they shall be instructed to investigate that agency.

I think, on consideration, that that question can be determined by the House, that it should be determined by the House, and that its determination by the House would expedite the work to be done by the committee; and, the matter being a very important one, which I presume concerns every man upon this floor who is in any way interested in labor, or who is a friend to labor, I ask unanimous consent that that resolution be withdrawn from the Committee on the Judiciary, so that the House may decide whether or not we will instruct that committee to make the investigation into the character, rules, regulations, forces, arms, and equipment of the Pinkerton Detective Agency, in order to determine whether or not it is a legally constituted body, or whether it is not dangerous to the civil institutions of this country.

The SPEAKER *pro tempore*. The gentleman's request can be granted only by unanimous consent.

Mr. WATSON. I am aware of that.

Mr. OATES. Mr. Speaker, the gentleman's resolution is before the Judiciary Committee and has been referred to a subcommittee over which I have the honor to preside. I will remind the gentleman and the House that the practice in such cases is for the committee to whom a resolution is referred to report it back, recommending either its adoption or its nonadoption. I think, therefore, that the gentleman is a little "previous" in making this request. If he will just wait until the next meeting of the committee I have no doubt that his resolution will be reported back with a recommendation either that it be adopted or that it be not adopted. Meanwhile I object to the request.

Mr. WATSON. That statement, Mr. Speaker, is perfectly satisfactory to me. I only want to have the resolution acted upon.

INTRODUCTION OF BILLS.

By unanimous consent, additional bills were introduced, read a first and second time, ordered to be printed, and referred as below:

UNITED STATES CUSTOM-HOUSE, FALL RIVER, MASS.

By Mr. RANDALL: A bill (H. R. 4279) to provide for the acquisition of land adjacent to the United States custom-house and post-office building in Fall River, Mass.—to the Committee on Public Buildings and Grounds.

PENSACOLA TERMINAL COMPANY.

By Mr. RAYNER: A bill (H. R. 4280) to grant the right of way to the Pensacola Terminal Company through the lands of the naval reservation near Pensacola—to the Committee on Naval Affairs.

HUTCHISON AND SOUTHERN RAILROAD COMPANY.

Mr. PEEL. I ask unanimous consent for the present consideration of a bill which I send to the desk, and which I have been directed by the Committee on Indian Affairs to report favorably.

The SPEAKER *pro tempore*. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory."

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. BURROWS. What is it?

The SPEAKER *pro tempore*. The Clerk will report the bill, after which there will be opportunity for objection.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company to construct and operate a railroad, telegraph, and telephone line from the city of Anthony, in the State of Kansas, through the Indian Territory, to some point in the county of Grayson, in the State of Texas," approved September 26, 1890, be, and the same is hereby, amended as follows:

"That said railroad company be, and they are hereby, authorized to extend and operate said road, telegraph, and telephone line with like powers and privileges and under like limitations and conditions as are provided in said original act, in a southeasterly or southerly direction from the terminus of said road under said original act, to wit: From its connection with the Santa Fé Railroad at or near the city of Guthrie, in the Territory of Oklahoma, or some point north of there within a distance of 20 miles to the southern boundary of said Indian Territory, at or near a point north of the city of Denison, in the State of Texas."

SEC. 2. That said original act described in section 1 of this act, and the amendment thereto, shall extend and be in full force and effect for the period of three years from the approval of this amendment or act.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. BURROWS. I reserve the right to object until the gentleman from Arkansas [Mr. PEEL] can make some explanation.

Mr. PEEL. I should like to do so.

Mr. BURROWS. I am fearful that this bill is in conflict with the resolution we have recently adopted about grants of public lands to corporations. [Laughter.] I think the attention of the gentleman from Indiana [Mr. HOLMAN] had better be called to it.

Mr. PEEL. This bill does not conflict with that resolution at all, I assure the gentleman. Mr. Speaker, during the last Congress an act was passed granting right of way to this railroad company from Anthony, Kans., to Guthrie, Okla. That law, a copy of which I hold in my hand, contains the usual guaranties and protections to the Indians in regard to their private settlements, and reserves to Congress the right to amend or repeal the act whenever Congress may see proper. That law also contains the usual clause making the grant unassignable, etc.

This bill is simply an amendment to that act, and proposes to authorize this company to extend its line under the same conditions and limitations and with the same privileges granted in the original act. The bill has been referred to the Interior Department and has been examined by the Secretary of the Interior and the Commissioner of Indian Affairs, whose letters recommending the bill accompany the report. The bill carries no appropriation; it simply extends the right of way of this company. I am certain that, as it is merely an amendment of an act of the last Congress, my friend from Michigan [Mr. BURROWS] will not object.

Mr. BURROWS. Does it give any portion of the public domain to this railroad company?

Mr. PEEL. None, except what the laws have always given to companies under similar circumstances.

Mr. BURROWS. Then it does give some portion of the public domain to a private corporation. That being the case, I want to call the attention of the gentleman from Indiana [Mr. HOLMAN] to the bill.

Mr. HOLMAN. I am much obliged to the gentleman.

Mr. SPRINGER. The Government does not own any of the land through which this road passes; it belongs to the Indians.

The SPEAKER *pro tempore*. Is there objection to the consideration of the bill?

Mr. BURROWS. The right to object was reserved, with the

understanding that the gentleman from Indiana might have an opportunity to make an explanation.

Mr. HOLMAN. I am very much obliged to my friend from Michigan for his vigilance. I do not remember the exact purport of the original act; but I believe it contains the usual provisions for the appraisement of the land taken for right of way, and provides for the payment of compensation under the direction of the Secretary of the Interior. Am I not correct in that?

Mr. PEEL. That is correct.

Mr. HOLMAN. I understand that the act referred to embraced also the limitations usually imposed upon railroad companies, which have been permitted to construct their roads through the Indian Territory, as to the cost of transportation and the like.

Mr. PEEL. There are the same limitations in that respect.

Mr. HOLMAN. I understand that the charter now granted is subject to the same conditions and limitations as those in the original act.

Mr. PEEL. Certainly.

Mr. BURROWS. But it gives public land to a private corporation.

Mr. PEEL. It does not give away a foot of any public land.

Mr. BURROWS. Then how is the road to be carried through?

Mr. PEEL. This is a road through the Indian Territory, where the land does not belong to the United States.

Mr. HOLMAN. I understand the bill provides that compensation shall be made to the extent of the value of the land taken.

Mr. SPRINGER. There is not a foot of the public domain along the line of this road.

Mr. BURROWS. Then the proposition is to give away the land of other people—not our own.

The SPEAKER *pro tempore*. Does the gentleman from Michigan object?

Mr. BURROWS. I do not.

The SPEAKER *pro tempore*. The Chair hears no objection.

Mr. BUSHNELL. I do not know whether I object or not, until I have asked a question.

Mr. PEEL. I yield for the gentleman's question.

Mr. BUSHNELL. Has this bill been referred to any committee?

Mr. PEEL. It is reported unanimously by the Committee on Indian Affairs.

Mr. BUSHNELL. That is what I wanted to know. If that statement was previously made I did not catch it.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed for a third reading, was accordingly read the third time, and passed.

On motion of Mr. PEEL, the motion to reconsider the vote last taken was laid on the table.

NATIONAL BANKS.

Mr. HARTER, by unanimous consent, introduced a bill (H. R. 4281) for the better control of and to promote the safety of national banks; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President was communicated to the House by Mr. PRUDEN, one of his secretaries.

ENROLLED BILL SIGNED.

Mr. LEWIS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 123) fixing the times for holding the district and circuit courts of the United States in the northern district of Iowa; when the Speaker *pro tempore* signed the same.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. PENDLETON up to and including Friday next, on account of important business.

THE PUBLIC PRINTING.

The SPEAKER *pro tempore*. The Clerk will report the unfinished business.

The Clerk read as follows:

A bill (H. R. 3513) providing for the public printing and binding and the distribution of public documents.

Mr. O'NEILL of Missouri. Mr. Speaker, concerning this bill, the title of which has just been read, and which I believe is now open for discussion, I must, in the first place, compliment the Public Printer on the marvelous speed that he has displayed in getting it ready for presentation to the House. The time that elapsed between the report of the committee and the time when it was returned from the Public Printing Office to the document room was but three days, while we have been waiting for the printing at his office of important bills, introduced as early as the 6th day of January, and which were only this morning delivered to the document room. This bill, so peculiar and extraordinary in its effects on the Public Printer and his office, was presented on the 13th day of January, and on Saturday last, January the 16th, we find it with the voluminous report bound and ready for the use of the House. The speed that has been displayed in the attempt to force this bill through the House is also most admirable.

I am, too, the more pleased, Mr. Speaker, that this extraordinary zeal has been shown, because it indicates that in the event of trouble with any other country our Departments would have everything ready and we could be equipped for any emergency in a very few days; that is, if we may take this as a criterion.

I have been trying in the limited time permitted me to examine throughout this extraordinary document, and I think that it would be well that we should begin with the title and call it "a bill to enlarge the powers and privileges of the Public Printer and to lessen his liabilities." How this bill could be reported to this House without first having gone through the scrutinizing glances of a Democratic Committee on Printing is a marvel to me. I have tried to find the merit that is said to be in this bill. I find whatever of good there is in it is now the law; the changes suggested are the obnoxious features of the bill.

I find in the brief time I have had to examine it a great many features that satisfy me at once that this bill should have the heel of disapprobation put on it here, unless the House thinks that it should be sent to the Committee on Printing to be pruned of its many obnoxious features.

I will only call the attention of the House now to some of the proposed changes. Here is one of them, section 32, which abolishes the branch printing offices in the Census Department, in the Pension Department, in the Adjutant-General's Department, and in the Agricultural Department; there are other Departments involved that I can not now recall, and it is not true, as has been stated, that the heads of these Departments recommend the abolition of the printing offices in their various bureaus or Departments.

On the contrary, nearly all them expressly state that the work is done in many cases better and cheaper than at the Public Printing Office. This is especially true of the Census Office. If you want to find the reason why the Public Printer, who, it is stated here, is so very much in favor of this change, desires to concentrate these various offices under his control, I will give you a reason in brief. With a relentless partisanship he has discharged several hundred competent and efficient printers and other workmen, and filled their places with less experienced, if not less competent men; their skill could not save them—they belonged to another party, and had to go. Many of the men so discharged to-day are employed in these other offices; in fact, nearly all of the men employed in these branch offices are men who have been formerly employed at the Government Printing Office, and I think it would be extraordinary if this House would extend the scope of this man's power and would permit him to follow up his purposes and during his term of office enable him to continue the banishment of these men from place and employment.

I find another serious objection to this bill. Congress, a few years ago, in 1888, in order to give emphasis to the eight-hour law, a law that had been passed in response to the demand of the working classes, and which had been disregarded in the Government Printing Office, found it necessary to attach to a bill an emphatic demand on the Public Printer that he should rigidly enforce the provisions of the eight-hour law in that office. This law was in force at the time the present Public Printer took charge. Should this bill be recommitted to the committee, and they desire to investigate the question, I will guaranty to prove by the printers themselves, that the Public Printer has not alone deliberately violated and is now violating the spirit of the law and ignoring the instructions of both branches of Congress in that respect, but that through his agents and his employés he has brought the influence of his department to work to compel the Typographical Union to rescind their rule demanding its rigid enforcement in that office, and prohibiting their members from working over eight hours.

In this bill the act of February 18, 1888, that I have referred to, is skillfully omitted, and its omission is not accidental, and at the end of the bill you will find that all acts and parts of acts inconsistent with it are repealed. There are not many accidents about work of this kind. I desire now to call your attention to section 46. Congress thought proper to provide that in employing labor in that department the Public Printer should only employ men who were competent. The law passed by Congress July 31, 1876, provides that "it shall be the duty of the Public Printer to employ no workman who is not thoroughly skilled in the respective branches of the industry." And my friend from Tennessee [Mr. RICHARDSON] will pardon me for referring to this matter as to the Public Printer, for out of justice to the gentle-

man from Tennessee I may be permitted to say that I do not believe he is aware of all the features of this bill or the changes in existing law contemplated to be made in that office. This bill, I am informed, came through the Senate committee; it is mainly their work.

Going back to the act of July 31, 1876, providing for employment of none but skilled workmen, in this bill we find that it only applies to printers and binders, so that the Public Printer could fill the places of the proof-readers, copyists, stereotypers, machinists, and all the elements of the trade employed there, without requiring any test of competency, fitness, or skill.

Another remarkable feature of this bill is when it proposes to compel the members of Congress to furnish a list of the names of those they propose to favor to a superintendent appointed by the President, who will take charge of our affairs and distribute our books. This would provide offices for men who need them, but that it would save one dollar, I do not believe. Any abuse about sending away documents or to get rid of the accumulated books at the Capitol is a matter we can easily reach by resolution. This House will not, I am sure, seriously entertain the proposed change.

The provisions of the bill permitting exchange of old presses for new, the permission to purchase supplies at the market rates and without contract, the criminal feature which only punishes when he corruptly colludes to defraud the Government, and in fact the defects which such a brief examination as I have been permitted to make of this bill, satisfies me that it is not deserving of consideration, nor do I fear that this House will permit it to pass.

Now, I am aware that after I have finished what remarks I have to make on this bill the reply will be made, "If you do not like these features then as we progress under the five-minute rule we will change them." How can you expect to change the features of a bill of this kind, so full of objectionable features? The report was only printed within the last two days, and was only accessible to members since yesterday.

It is indeed difficult to know just how many Africans are hid away in this wood pile. We can not tell. There is but one course to take in regard to this bill, and that is, now that the attention of the House has been called to it, to either kill the bill now or send it back to the committee and have that committee go through this measure from beginning to end. The Committee on Printing can give us all of the reforms that might be embraced in a bill of this kind and we could adopt them, and omit the other features that neither Congress nor the country desire.

I move, Mr. Speaker, that the bill be recommitted to the Committee on Printing.

Mr. RICHARDSON. I make the point of order that that motion is not in order. The House has agreed to debate the bill. I hope it will not be recommitted. The Committee on Printing have reported it here. The Joint Committee on Printing have examined it and prepared it with great care. I have no reply to make to the remarks of the gentleman when he says that this House has not had any time to examine this bill, and when he says somebody else, outside of this House, some other gentleman, has prepared it and is responsible for it.

As I said on yesterday, I do not claim, speaking for myself, that it is a perfect measure. It is open to discussion and amendment. I do not claim any particular honor for having assisted in its preparation. I will merely say that so far as I am concerned, as a member of the joint committee charged with the preparation of the bill, I did my duty and attended every session of the joint committee, with possibly two or three exceptions. We spent seventy-five or one hundred days in the sessions of the committee, and I do not think I was absent from them to exceed three and possibly not over two days. I hope the House will not recommit the bill.

The SPEAKER *pro tempore*. The Chair will hear any authority the gentleman has on the point that it is not in order at this time to move to recommit.

Mr. RICHARDSON. The reason I submit that it is not in order is this: The House has by unanimous consent made it a special order. We have agreed to consider it in the House as in Committee of the Whole, and then that, after the general discussion, it should be considered by sections and by items. That order of the House has not been executed. It has not been considered by sections or by items at all, and now I think that we should carry out the order already made. That is the reason I make the point of order that the motion of the gentleman from Missouri [Mr. O'NEILL] is not in order.

The SPEAKER *pro tempore*. The Chair would like to hear any authority which the gentleman has upon the subject; but the Chair thinks that the motion to recommit comes under the designation of consideration. It is one method of "consideration," and is one means of disposing of it. Therefore, in the absence of any authority, the Chair would hold that the motion is in order at this time. The Chair thinks it is for the House to determine how far it will go after the adoption of a special order before it applies any one of the various methods of disposition to the measure.

Mr. HOLMAN. Mr. Speaker, I hope the gentleman from Tennessee will allow some little time for the examination of this bill. The gentleman made a very interesting speech upon the subject yesterday, but I take it for granted that most of the members of the House would like more time in which to examine the bill before voting upon a measure of so much importance. It is comparatively a new measure. It has been before the House but a very few days. It is an exceedingly important and radical measure. There are many excellent provisions in it, but I must say that I am apprehensive of some of the provisions; and I suggest therefore the expediency of the policy of allowing the matter to go over. There will not be any great press of business for the next few days, and I would suggest to the gentleman to let the measure go over till next Monday or Tuesday, to give us all an opportunity of understanding the effect of its provisions.

Mr. RICHARDSON. Mr. Speaker, in answer to the suggestion made by the gentleman from Indiana [Mr. HOLMAN], I desire to say that I am perfectly content to have the measure go over to any reasonable time. On yesterday, after discussing it, I myself asked to have it go over until to-morrow, in order that members might have the opportunity to examine this elaborate report upon the bill; but other gentlemen thought it best to proceed to-day with its consideration. Now, I am perfectly willing for the gentleman from Indiana [Mr. HOLMAN] to make his motion to send it over till to-morrow, or until next Monday, or until any day in the early future. I will not oppose that, but I do object to its being recommitted to the committee. The committee have spent much time upon it and have reported it to this House with a favorable recommendation. Now, Mr. Speaker, if the gentleman from Indiana [Mr. HOLMAN] will make a motion to postpone to any day which he may consider advisable in the near future, there will be no objection upon my part.

Mr. O'NEILL of Missouri. I make the point of order that the motion to recommit would take precedence.

Mr. HOLMAN. There being a motion pending to recommit, I suppose the motion to postpone until a later day would not be in order until after the disposition of the pending motion.

The SPEAKER *pro tempore*. The Chair would state to the gentleman from Indiana [Mr. HOLMAN] that until general debate is closed, the bill being considered in the House as in Committee of the Whole, if other gentlemen desire to discuss it, the Chair will recognize them for that purpose. The Chair thinks that at any time after the consideration of a bill has been entered upon, that debate being closed, it would be in order to move to recommit.

Mr. RICHARDSON. I understood that to be the point of order which I made, that general debate had not been closed, and that the House had ordered, by unanimous consent, that there should be general debate upon the bill.

The SPEAKER *pro tempore*. But the Chair would state to the gentleman from Tennessee [Mr. RICHARDSON] that if no gentleman rose to further engage in general debate that would necessarily close general debate. Of course, if any gentleman did rise the Chair would recognize him. The statement which the Chair made was on the assumption that no gentleman desired to further engage in general debate.

Mr. RICHARDSON. Well, if the Chair understands that general debate had closed, the Chair is mistaken.

The SPEAKER *pro tempore*. No gentleman has yet addressed the Chair for the purpose of asking recognition.

Mr. RICHARDSON. I will ask recognition of the Chair.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman.

Mr. RICHARDSON. I propose to debate the bill.

The SPEAKER *pro tempore*. The Chair will entertain the motion of the gentleman from Missouri later if he withdraws it now.

Mr. RICHARDSON. If any gentleman desires to be heard I will yield to him. I will yield to the gentleman from South Carolina [Mr. JOHNSTONE].

Mr. O'NEILL of Missouri. Mr. Speaker, I rise to a point of order.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Missouri that the motion to recommit will be entertained after general debate has closed, if the gentleman withdraws it.

Mr. O'NEILL of Missouri. Then I withdraw my motion until after general debate is closed, with the understanding that I will be recognized then to make that motion.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman.

Mr. O'NEILL of Missouri. Then I withdraw my motion to recommit.

Mr. RICHARDSON. I object to any agreement being made as to recognition. I do not think the Chair ought to agree to recognize the gentleman for that motion.

Mr. MORSE. Mr. Speaker, is it in order to offer an amendment to this bill?

The SPEAKER *protempore*. Not until general debate is closed. The gentleman from Michigan [Mr. CHIPMAN] is recognized.

Mr. CHIPMAN. Mr. Speaker, I was in hopes that the motion offered by the gentleman from Missouri [Mr. O'NEILL] would be acquiesced in and that this bill would be recommitted. The bill, in my judgment, proceeds upon an entirely wrong basis. It proceeds upon the basis that we must cut down the number of documents published by the Government and distributed among the people. On that score I for one have heard no complaint. The only complaint which I have heard among the people is that the documents published here are not sufficient in number to supply the demand. There is a cry for more instead of a demand for less; and the economy which is now about to be entered upon, for that reason, is neither wise nor popular.

The bill contains features which this House will never acquiesce in. There are several provisions—it is not my purpose to call attention to all of them—but there are several provisions which are especially objectionable. I for one consider the provision that under certain circumstances, and during the greater portion of each Congressional term, the Committee on Printing of the Senate shall have entire charge of the publication of documents by the Government. That is an improper provision. In some way we must provide differently for that matter. Instead of giving more power to the Senate, instead of yielding in any degree more of consequence to that body, I would curb them, and would at least, Mr. Speaker, confine them to their absolute functions under the Constitution. I would assert, so far as in me lies, the power given to this House under the Constitution, which places us, as holding the purse of the United States, in the attitude of being the chief branch of the Congress of the United States.

I have seen this process go on before I came here, and especially since I have been a member of this body; and during the last thirty years, step by step, the House has lost in consequence, lost in power, and has to a greater or less degree—to a greater, in my judgment—abdicated the power that is given to us under the Constitution. We have lost practically all control over appropriation bills. The Senate coerces us into the adoption of measures under the guise of amendment, and coerces us into the support of measures which neither our reasons, our consciences, nor our sense of duty approve.

Mr. RICHARDSON. Mr. Speaker, I desire for a moment to interrupt the gentleman from Michigan, if it will not interfere with him, to make a statement in this connection.

Mr. CHIPMAN. Certainly; I yield to the gentleman.

Mr. RICHARDSON. The criticism which the gentleman offers upon section 17 is that it is giving to the Senate committee power that is exercised by the joint committee when there is no House committee.

Mr. CHIPMAN. Yes, sir.

Mr. RICHARDSON. The object of that is simply this: During the month of December, as we know, every two years, there is no Committee on Printing of the House. During that month it is necessary very often, indeed universally, to take some action in regard to printing. For instance, if the gentleman from Michigan were to make a speech and wanted to insert a map in it when printed, he could not get that into the RECORD without the consent of the committee, and his speech would have to lie over a month. The letting out of contracts for printing, advertising for bids for specimens or samples of paper, and of material to be bid upon for the fiscal year beginning in December, and in order that this work of printing may be started, that these advertisements may be made, the Senate committee would have power to act in the absence of the House committee. That is the object of this section, without giving any additional power to the Senate committee.

Mr. CHIPMAN. Mr. Speaker, the object is very plain, and it was hardly worth while to take up my time with the explanation. I am not saying that the object is an improper one. I have made no such assault upon the bill, but I simply say that some other way should be found by which to effect that object.

I will now make this further criticism, because it is a good occasion upon which to make it; the necessity which exists, for the Senate Committee as proposed in this bill, illustrates how inartificial—I almost said how undemocratic—our form of government is. There is a time, from the 4th of March down to December, in which the people of the United States are not represented by the Representatives whom they have elected to represent them here; and the moral which I draw from that—and this is a proper occasion in which to draw that moral—is, that we should change the time for the assembling of Congress, and let the date of our assembling be on the 4th of March, when our term of office commences.

But, Mr. Speaker, I find here a provision by which the editing of the RECORD is turned over to this Committee on Printing. Why is that proposed? What is the matter with the RECORD? Does anybody find fault with the manner in which it is conducted now? It may be that some gentleman of superfine taste—some gentleman who is sensitive as to the beauties of the English language—would like some of the matter which falls from the lips of some of us here changed. It might be that some gentleman may differ as to the importance of matters which now go into the RECORD, and might say to you or to me that certain matters are of no importance, whereas when it goes to our constituents it may be the very life or death of our political career.

It may be a matter of immense importance, not simply to the member, but to the locality from which he comes. What is the difficulty with the RECORD now? What fault is found with it? Is it a question of fastidiousness? If that is all, then let us go on in the old way. But if we are to have an editor of the RECORD, let us have one responsible man, not a committee consisting of so many Senators and so many Representatives, who may cut and slash, who may change your meaning, who may suppress your meaning.

Let us have some one man who will be responsible to the House, and, as I think, we have one man who is responsible, the Speaker, under whose supervision the RECORD is made up. I, for one, do not desire any censor over what I say here. I do not desire any gentleman, however scholastic his capacity, however refined his taste, to correct my grammar or to substitute his English for my English. I wish what I say here to go to the people exactly as I say it; and I think that is the wish of every member of this House in his own case. For one I am unwilling to make this change and to confer this power upon a committee instead of leaving it where it is now, subject to the will of the entire House every morning when we assemble here.

Mr. RICHARDSON. I beg the gentlemen's pardon, but I do not quite understand what provision of the bill he is now criticising. What change does he refer to?

Mr. CHIPMAN. The change providing for editing the RECORD.

Mr. RICHARDSON. Mr. Speaker, there is no provision in the bill for an editor of the RECORD, or for the revision of members' remarks.

Mr. CHIPMAN. Then, perhaps, I have got the wrong copy copy of the bill. But let us see:

SEC. 13. The Joint Committee shall have control of the arrangement and style of the CONGRESSIONAL RECORD, and while providing that it shall be substantially a verbatim report of proceedings, shall take all needed action for the reduction of unnecessary bulk, and shall provide for the publication of an index of the CONGRESSIONAL RECORD semimonthly during the sessions of Congress and at the close thereof.

Why, sir, in taking action for the reduction of "unnecessary bulk" they may strike out the very choicest English in the RECORD. [Laughter.]

Mr. RICHARDSON. I can assure my friend that that provision of the bill is not justly liable to the criticism he is making. There is no intention at all to provide for revising the speeches of members.

Mr. CHIPMAN. I have no doubt, Mr. Speaker, that my friend's intentions are entirely honorable. [Laughter.] But under that provision even the strong and beautiful things that I am saying now might come under the censorship and fail to appear in to-morrow's RECORD. The joint committee might think they were too "bulky." [Laughter.]

Now, Mr. Speaker, my observation here is that if there is any thing that a member loves, especially in his speeches, it is bulk. [Laughter.] He likes to see it ripple and flow and meander indefinitely from one end of the RECORD to the other. [Laughter.] Why, sir, I know gentlemen who have been in the RECORD every day since I have been in Congress, and undoubtedly they will be among the first victims to this new process of reducing "unnecessary bulk." [Laughter.]

But, Mr. Speaker, there is another provision in this bill to which I object. I refer to the provision in regard to the superintendent of documents and their custody. Yesterday, in the debate, I asked my friend from Tennessee [Mr. RICHARDSON] whether, under the provisions of this bill, a member could order his documents sent to him in bulk, and he said he thought he could. If that is the case, then the bill effects no reform in that respect. If that is so, there is no provision here for guarding against any evil which the bill is supposed to correct. But while I, for one, do not care to have my Congressional morals in the matter of the distribution of documents supervised, while I feel that they are entirely correct at present in that respect, and while I believe that the great mass of the members of this House distribute their documents honestly and intelligently, I suggest that, if this provision is to remain in the bill, it ought to be such

as to effect some purpose. It should stop the improvident distribution of documents, if there is improvident distribution. It should take the documents entirely from the control of the member and put it into the control of this great bureau, with its chief at $3,000 a year, who, by the way, in the near future, will probably aggregate hundreds of clerks around him, such is the growth of Government bureaus in this country.

The chief of this bureau, if he should exercise the functions which the bill proposes to give him, will have absolute control over my morals and over the morals of every member of the House in relation to the distribution of documents. He can say that you and I shall not send out documents unless we send them under certain rules and regulations. The gentleman from Tennessee [Mr. RICHARDSON] says that is not the case, but I differ with him. The bill provides expressly that the matter of the distribution of documents shall be in the control and custody of this bureau, or office, or whatever it may be called. I wish to call the attention of members to the phraseology of sections 62 and 63 of the bill:

The President of the United States shall nominate and, by and with the consent of the Senate, appoint a superintendent of documents, who shall receive a salary of $3,000 per annum. He shall have general supervision of the distribution of all public documents and to his custody shall be committed all documents subject to distribution.

A friend near me asks how long this officer is to hold his office. That is a conundrum. [Laughter.]

Mr. RICHARDSON. How long do Cabinet officers hold office?

Mr. CHIPMAN. Oh, then we are to have a new Cabinet officer. [Laughter.]

Mr. RICHARDSON. Not at all. I only use that as an illustration. There is no limitation to the term of a Cabinet officer or of a postmaster. The gentleman ought to be fair in arguing this matter. What is the limitation of the term of office of a Presidential postmaster?

Mr. CHIPMAN. Four years.

Mr. RICHARDSON. Where do you find it?

Mr. CHIPMAN. I suppose it to be so.

A MEMBER. It is distinctly stated in his commission.

Mr. RICHARDSON. But there is no law for it.

Mr. CHIPMAN. I will not make the point that we can not in case of a change of Administration get this man out of office, whoever he is; but I wish to call attention to the language of these sections. It is provided that this officer to be appointed by the President—

shall have general supervision of the distribution of all public documents, and to his custody—

The language is explicit—

and to his custody shall be committed all documents subject to distribution.

Not to my custody, not to the custody of the member who is entitled to the documents, but to the custody of this superintendent to be appointed under this law. Then provision is made for the method of distribution; and upon my word I would rather make a treaty with England on the fishery question than attempt to get a document from that room under the provisions of this bill. The correspondence would be quite as voluminous as that between our Secretary of State and the British prime minister upon the Bering Sea controversy.

He shall keep the document account of members of Congress and Departments.

What do I wish him to keep my document account for? I can keep it myself. I have a book for that purpose which answers my purpose in every particular. I can keep that account; and I can keep it straight. I know that nobody will be cheated by that account when I keep it myself. I am certain all my documents will go where that book shows that they go; that is, where I desire them to go—where they will do the most good. [Laughter.]

He shall keep the document account of members of Congress and Departments, and, on request of any Senator, Representative, or Delegate, shall promptly furnish a statement of documents standing to his credit.

You can get from this high Government official that poor boon; you can get an account of the documents standing to your credit. Of course we would all feel very vain after we had gone through the performance of writing to him on the subject and getting a return in due course of mail (provided our turn had come) telling us what we had to our credit.

All orders for the distribution of documents by Senators, Representatives, or Delegates and Departments shall be sent to the superintendent of documents on franked or other labels, or in lists, which shall be kept confidential—

Nothing is said about sending orders for documents in bulk; nothing is said about having them taken to our homes, or to our rooms, and having them distributed as we desire to have them distributed. You must write your order, send it through this high functionary, and he will "keep it confidential." [Laughter.] Well, my friends, that is some comfort, provided we are sure the man is not a little "leaky." How that arrangement would work depends upon who the man is. Sometimes matters of this kind, which ought to be kept confidential, especially lists of names which will be useful for campaign purposes, go to sources not intended and are used for purposes that were never contemplated—

which shall be kept confidential, and which shall give the name and address of each and every party to whom documents are ordered sent; and it shall be the duty of the superintendent of documents to establish such a system of registration by card index or otherwise—

We might as well say he shall keep a steam engine for the purpose. There is an amount of machinery here that is perfectly appalling—

by card index or otherwise, as will prevent duplication in the distribution of documents.

Suppose you wish to duplicate; suppose there is a necessity to duplicate, are we to have a censor over us to admonish us that we shall not do so; that we ought not to do so? My friend from Tennessee says that when you have given the order, if the superintendent finds that you are duplicating an order given by some one else he will notify you to that effect, but that finally, after you have corresponded with him, he will send the document wherever you may be pleased to direct. But suppose the document is in immediate request; suppose you wish to have it used for a particular purpose, and at once. As I said before, you do not wish to go through a correspondence rivaling the Blaine-Salisbury correspondence on the seal question in order to get a book or a pamphlet or a map to somebody.

In a word, this is a violation of the good old way—an attempt at economy in a direction in which nobody demands economy. It is an attempt to put a guardian or censor over the members of this House, stripping us as a body of just so much power. I, for one, as a matter of principle, and as a matter of duty, would not surrender in this way the least tithe or tittle of the power which resides in this House under the Constitution, and as to which the people have made us here their agents. As well delegate other powers; as well delegate the supervision over other matters. Why, sir, there is one matter in which a supervision over the proceedings of this House has been deemed wise by a great many persons, yet the House has never seen fit to acquiesce in it; I mean the reference of contested-election cases to the judicial power as such cases are referred in England, in Canada, and in other British colonies. That would be an infringement upon the powers of this House, a giving away of some of our power, and therefore this House has never been in the mood to acquiesce in it.

This may not be a great matter. Someone may answer me and try to ridicule my position by saying that I undertake to apply a great principle to a small matter. My reply is that where a principle is involved everything is great, nothing is small, especially when the powers and the rights of the members of this House are involved. I could point, Mr. Speaker, to matter after matter in this bill which is objectionable. Take, for instance, the matter of the CONGRESSIONAL RECORD. We receive but 21 copies of the RECORD now for distribution. By the terms of this bill the number is reduced to 20. The right thing for us to do, in justice to our constituents and to ourselves, is not to reduce the number of the copies of the RECORD we receive, but what we need to do is to increase it.

Mr. MORSE. That is right.

Mr. CHIPMAN. Increase the number, and instead of 21 copies make it 50. Increase the number and let us send it out amongst our people, at least let us see that every newspaper and public library in each district obtain a copy, which they can not do now. Even there this idea of economy, the economy of taking one RECORD from each member of the House, enters and is one of the features of this bill.

Now, Mr. Speaker, I am in favor of economy. I am in favor of wise economy. I am in favor of an economy which the intelligence of the American people will sustain. But I can say to gentlemen on this floor that the American people, whether Democrats or whether Republicans, will never support an economy which consists, not in doing things wisely, but in not doing them at all. This bill is based upon just that idea. The cry of economy is in the air. It is in the air, and I propose to stand manfully by the true economy of the present crisis. But no economy has been demanded in this direction; no change has been demanded in this regard by anybody; nobody desires it. And here is this bill, bulky, framed not by a committee of our own House, but framed in conjunction with a committee of another body; a bill so bulky that it is difficult to comprehend what is in it and what is its scope; a bill which has no necessity in the present situation of public affairs; a bill which if it economizes at all in the distribution of information among the people as to what we are doing here, is guilty of an unpatriotic, mean, and uncalled-for economy. [Applause.]

Mr. JOHNSTONE of South Carolina. Mr. Speaker, on yesterday afternoon, when it was proposed to terminate the general debate on this bill and discuss its provisions under the five-minute rule, it was opposed by myself, because I thought there were cer-

tain general provisions in the bill that should be scrutinized carefully by the members of this body before they came to the details. An inspection of the bill last night has convinced me of the correctness of my thought.

This bill, as it strikes me, was wisely intended, but as it is presented to the House it can be properly denominated alone as "a bill for the enlargement of the scope of executive power and the curtailment of legislative privileges." If, sir, you will take the different sections and provisions of the bill you will find the privileges of this House or of the Senate are enlarged in no single particular, and every power that is given under the bill is practically given to the executive branch of this Government.

Take for instance, and I ask the House to turn with me for a few moments to the different sections to which I shall specifically allude—turn to page 24 of the bill, section 62, and let us see what it provides:

> The President of the United States shall nominate and, by and with the advice and consent of the Senate, appoint a superintendent of documents, who shall receive a salary of $3,000 per annum. He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution, excepting those printed for the use of the two Houses of Congress, which are to be distributed on the order of Members and Delegates or are for the special official use of the Executive Departments.

Now, sir, it would seem, according to that provision, that every document that is printed by governmental authority in any of the Departments should be turned over to the superintendent of documents and their distribution should be under his supervision. Let us see whether or no that is the case. Turn to page 32 of the bill, section 77, and as you read along in the different clauses of that section you will see that every executive branch of this Government is left as it is at present, with full power to distribute its own documents. For instance, under the first clause the Department of Agriculture is authorized to make the distribution of its own reports.

A few clauses further down in the section you will find that the Navy Department is authorized to distribute every document that is printed for the use of that Department. Carrying the investigation still further you will find in broad terms, as I stated, that every Executive Department of the Government is left with the same powers of distribution as they have under present provisions of law.

Now, then, turn to section 63 of the bill and you will find that the members of this House and of the Senate alone have the power to conduct the distribution of their documents taken away from them, and that, too, in spite of the assurance of the gentleman from Tennessee [Mr. RICHARDSON] on yesterday, given, no doubt, under a misapprehension as to the provisions of the bill that is before us, actually taken away from the members of this body and the Senate and given to a superintendent of documents absolutely. That is to say, sir, when you examine the provisions of the bill they are directly in favor of leaving the Executive Departments as they are at present and taking away from the legislative department of the Government the power to distribute as they now have it. For what purpose can that be done or should it be done?

I had imagined, when I first read the bill, that there could be but one purpose in it.

For fifteen or twenty years past this House alone has been, of all the branches of the Government, under the control of the Democratic party. With the exception of a period of but four years every other department of the Government has been under the control of the Republican party, and this bill seeks to consolidate the power in the Republican party, through its management of the executive branch of the Government, to distribute the political literature of the country. It strikes me that the Democratic members of this joint committee have slept upon their political rights and are furthering a scheme, the object of which is to turn over to the Republican party a power and right which at present they do not possess, and in addition to those which they now have.

Think of it for a moment. With the power vested alone in the political party having charge of the Government to distribute its political literature it is impossible for any gentleman who gives the subject a moment's reflection to dismiss from his mind the idea that it will be done in behalf of the party to which this power is committed. How does it stand at present? Every member of the Senate or House has the authority to distribute Government publications as he pleases, and it can scarcely be questioned that they reach the people in a better way than they can possibly be reached under the provisions of this bill, for the reason that the different localities that give expression to their opinions through the election of members of this House speak as segregated localities, with different voices, and thereby enable themselves to have a different literature. But still further, and this is perhaps one of the most obnoxious features of the bill——

Mr. DICKERSON. Will the gentleman allow me to ask him a question before he leaves that section?

Mr. JOHNSTONE of South Carolina. Certainly.

Mr. DICKERSON. What part has this House, under that bill, in the selection of the superintendent of documents?

Mr. JOHNSTONE of South Carolina. I was just passing to that point. Now, turn to page 39. This, perhaps, is one of the most obnoxious features of the bill. Still pursuing the same line of building up the executive at the expense of the legislative branch of the Government, this bill proposes, in one of its most important features, not only to keep the American people, but to keep the representatives of the American people, in absolute ignorance of the conduct of the different Departments.

It provides therein that certain very important reports that are required by law to be made to this House shall not be printed at all unless the officer making the report deems it important to do it, or unless this House by special resolution requires it. Now, it strikes me that no more fundamental error could be committed by this House than to give to any Department of the Government the power to keep its transactions secret and within itself. By what means would we detect the imperfect or improper conduct of the affairs of any Department? Each member could only find it out by a personal inspection of the original papers, and that labor would be too great to be attempted by any one. Mark you, this provision too is in favor of the executive branch of the Government and at the expense of the legislative department.

Still further—and this has been alluded to, but only in one of its aspects, by the gentleman who last addressed the House—this joint committee is authorized to edit the CONGRESSIONAL RECORD; a joint committee, composed in part of members of the Senate, another and a different house from ours, is absolutely invested with power, under this bill, to expunge from the RECORD the remarks of members of this House. Just think of the proposition in its baldest form: to give to a committee of the Senate the right to revise the proceedings of the House.

The argument can not be parried. This power is not vested in the representatives of the House on the joint committee, but is vested in the joint committee as a whole, and the Senators there voting have equal power with our representatives to expunge from the RECORD anything which they conceive to be objectionable which may be said here. There is a further objection to the bill, which is this: The members of this House, according to the recommendation of this joint committee, are to be sent to an official, in whose selection they have not one particle of influence, for the conduct of their own business. This superintendent of documents is to be an appointee of the President. He is to be confirmed by the Senate, and the members of this House are directed to go to him for the conduct of personal business—business in which they personally are concerned.

In what position will they stand? I suggest to the gentleman from Tennessee [Mr. RICHARDSON], the important member so far as this House is concerned of this joint committee making this report, that he at least should have seen that the members of this House should have the power to appoint the man who is to do their business. Suppose he conducted this business in an unacceptable manner to us. What power of removal have we? We will have no power so far as his induction into office is concerned, and there he will stand, the agent of an adverse political party, the spokesman of adverse political sentiments, refusing to obey the will of the members of this House in regard to their own personal and official business. [Applause.]

Mr. MILLER. Mr. Speaker, it will be recollected, perhaps, that when this matter was up for consideration yesterday I proposed to postpone the further consideration of this bill, saying that I regarded it as a very important bill. I have not changed my mind about it, and from what I have heard from the gentlemen who have spoken upon this question, I think it is very desirable that the bill should be considered, not only in open House, but that we should take this bill and read it by ourselves. It is an important measure, by which a large amount, in my opinion, can be saved without interfering with the interests or the rights of the people.

I think it is about the first opportunity we have had here to reduce the expenses of the Government; and the fact that there is a large accumulation of printed matter in the various rooms of this Capitol, matter which ought to have been distributed among the people, is an indication to my mind that we can do away with a great deal of the printing which has heretofore been done at great expense. I think that the committee is entitled to a great deal of credit for the labor which the members of it have bestowed upon that report; and when gentlemen come to consider the many things to be taken into consideration, I think they will give credit to that committee for having really performed a task that was neither very light nor very agreeable.

I do think that we might with propriety postpone the further consideration of this bill, say for a week or such a matter, in order that we could act understandingly; and that after the members of the House have read this bill they would be a great deal better prepared to act intelligently upon it. Although there are

many things about this bill that I take exception to, and in which I agree with my friend from Michigan [Mr. CHIPMAN], and with the gentleman from South Carolina [Mr. JOHNSTONE], yet I think upon due examination and consideration by the members, these objections can be overcome and the bill perfected so that it will be satisfactory to the members of this House. And, as I stated before, there is evidently all through that bill, in my opinion, an effort upon the part of that committee to perform their duties; and I do think some of the criticisms that have been thrown out on the work of that committee are really uncalled for.

Now, Mr. Speaker, if it is in order, I move that the further discussion of this bill be postponed until a week from Wednesday.

Mr. RICHARDSON. I hope the gentleman will permit me to say a word before he makes that motion.

Mr. MILLER. Yes, sir.

Mr. RICHARDSON. Mr. Speaker, I desire to say a few words in reply to the speeches that have been made by gentlemen on the floor, having no personal feeling in regard to the consideration of this bill; but I regret to see gentlemen taking so extreme a view of some of the provisions of the bill and hurling anathemas at the entire bill because some of its sections fail to meet with their approval.

Now, if it be true that some sections are subject to the criticisms that have been generously made by members, I ask the House not to reject the entire framework, and not to reject the bill because of objections that might obtain properly possibly to some sections or items in the bill; but when the bill is open for amendment under the five-minute rule, as it will be, and as each item comes up to be considered, the defects which have been kindly pointed out may be removed by amendment in the House if it sees fit to make such correction.

Now, then, my friend from Missouri [Mr. O'NEILL] starts out with a statement which is that section 32 abolishes the branch printing offices.

Mr. O'NEILL of Missouri. I said it turns them over to the Public Printer.

Mr. RICHARDSON. No, sir; my friend said that that section of the bill abolishes the branch printing offices.

Mr. O'NEILL of Missouri. The gentleman knew what I meant. It puts them under the control of the Public Printer, does it not?

Mr. RICHARDSON. Now, Mr. Speaker, the whole of the law in the Revised Statutes provides that all the printing of this Government shall be done at the Government Printing Office, except as otherwise provided by law.

Mr. O'NEILL of Missouri. Yes.

Mr. RICHARDSON. There is no provision of law for the little offices I speak of—one in the Weather Bureau, one in the Surgeon-General's Office, and several others that I included in my remarks yesterday.

Mr. O'NEILL of Missouri. That in the Census Bureau?

Mr. RICHARDSON. Now, Mr. Speaker, what we desire is that if there is to be public printing that public printing shall be done in the Public Printing Office, or under the supervision of the Public Printer.

Mr. O'NEILL of Missouri. Will the gentleman pardon me for an interruption.

Mr. RICHARDSON. Yes, sir.

Mr. O'NEILL of Missouri. The gentleman omits the Census Office. The gentleman desires to transfer that branch office to the control of the Public Printer.

Mr. RICHARDSON. I desire that all the printing of the Government, that is, the bill provides that all the printing of the Government, the public printing, shall be under the supervision of the officer created to attend to the public printing of the Government. This is right, it seems to me. I can not see why the Superintendent of the Census should have a printing office set up in his department any more than that the Commissioner of Fish and Fisheries should have one, or the Civil Service Commission, or the Weather Bureau, or the Secretary of State, or the other seven executive officers of the Government.

Why is it these offices shall not be under the supervision of the Public Printer? It can not be that there is any difference in politics, I would suggest to my friend, because the Public Printer is supposed to be in accord and sympathy with the Administration, whatever the Administration may be, politically speaking. The Superintendent of the Census is very apt to be in harmony politically with the head of the Government, or the Chief Magistrate of the Government.

Mr. HENDERSON of Iowa. Will the gentleman allow me just a word at this point?

Mr. RICHARDSON. Most cheerfully.

Mr. HENDERSON of Iowa. If I understood my friend from Missouri, when he was on his feet, he intimated pretty broadly, as he usually does, that the Government Printer was back of this bill. I want to say to him that my understanding is he has taken no special interest in this measure. He is indifferent to it, excepting as he is not indifferent to anything that Congress may desire.

Mr. O'NEILL of Missouri. Then that is a magnificent illustration of mind-reading.

Mr. HENDERSON of Iowa. I would be glad to hear from the gentleman from Tennessee on that point.

Mr. RICHARDSON. Mr. Speaker, I have no objection to stating the connection of the Public Printer with this bill. He was summoned as a witness before the joint committee. He gave his testimony. It appears there in a modest way, as he is a modest gentleman; and since that time he has never appeared before the joint committee, so far as I know, and I think I have been at all the meetings of the committee, except perhaps two or three. He has made no suggestions, and has had no conference with the committee, and so far as I know, this bill does not bear a single solitary suggestion made by the Public Printer, except as it will be found in his printed testimony. But, that by the way.

But, Mr. Speaker, to go back to the branch office of the Census Bureau. I said that it ought to be under the supervision of the Public Printer. I do not care what party is in control of the Government the public printing ought to be under the control of the Public Printer.

Mr. WISE. I will ask the gentleman from Tennessee if it is not true that the branch printing offices in the State, War and Navy, and Interior Departments are all under the supervision of the Public Printer.

Mr. RICHARDSON. Well, the branch printing offices in the Treasury, in the Interior Department, and in two other Departments are already under control of the Public Printer.

Mr. WISE. The State and Navy Departments.

Mr. RICHARDSON. Yes, in the State and Navy Departments. This bill simply provides that the Public Printer shall furnish the material to these branch offices in order that the public printing may be done methodically and uniformly.

Now, my friend from Missouri [Mr. O'NEILL] goes on and makes some criticisms, kindly criticisms I hope, of section 46. He says the word "workmen" is left out, while the words "printers and binders" are inserted. Section 46 provides as follows:

> It shall be the duty of the Public Printer to employ printers and binders who are thoroughly skilled in their respective branches of industry, as shown by trial of their skill under his direction.

Now, that seems to cover all that is necessary. The word "workmen" would apply, for example, to a man who stands as a watchman at the door, and I do not see why it is necessary to provide that he shall be "skilled" in that profession, if it be a profession. The committee were of opinion that the words "printers and binders" were sufficient to cover the classes of workmen who would be required to be thoroughly skilled in their occupations.

Mr. O'NEILL of Missouri. A law passed on July 31, 1876, provides that no "workmen" shall be employed who are not thoroughly skilled. That is the law, and there must have been some reason for departing from it in this bill. There are other "workmen" besides the watchmen at the doors; there are janitors, copyholders, pressmen, carpenters, machinists, and others.

Mr. RICHARDSON. Well, Mr. Speaker, I say to the gentleman that if the section is open to the criticism that he makes, if, when we reach that section, he will propose an amendment, he will find me advocating it with him. But I do not want, and I hope he does not want, to cut down the whole tree because one little twig may have a rotten leaf upon it. If the gentleman wants it to be amended in that respect, I assure him that he will not meet any opposition from me, but I insist that a defect like that is no reason why the whole bill should be rejected and the earnest, assiduous, the anxious efforts of the committee for nine months past to bring about a reform in this matter be set at naught.

Mr. LIVINGSTON. I will ask the gentleman whether, if we should fail to adopt the provision in section 62 for the appointment of a superintendent, all the remainder of the bill would not go by the board?

Mr. RICHARDSON. Not at all. That provision is wholly independent. I will come to that in a moment.

Now, Mr. Speaker, my excellent friend from Michigan [Mr. CHIPMAN], whom I admire so much and whose ability I appreciate so highly, made some humorous, and possibly some unfair, criticisms upon this bill. He spoke of the undue power which it proposes to give to the Senate committee. I attempted to explain that during his remarks, but I refer to it now again because I felt that I was trespassing upon the gentleman's time, and therefore could not do justice to the subject. The bill does propose to give the Senate Committee on Printing authority to do certain things when there is no House Committee on Printing. I have stated the reason for that. During a certain period there is no House Committee on Printing, and there is always some routine business which ought to be transacted by the joint committee.

We thought, therefore, that there could be no harm in permitting the Senate Committee on Printing to exercise this power until the House committee was appointed.

But, Mr. Speaker, if, at any time, it should appear to the House that the Senate committee were doing anything which they should not do, then the Speaker could at once appoint his Committee on Printing, which could meet with the Senate Printing Committee as the joint committee, so that I do not think that provision is so dangerous as my friend from Michigan thought, or seemed to think, it was. But, if it is thought to be dangerous, that provision can be struck out of the bill entirely without injury to the general scheme. Again, my friend criticised the section of the bill which gives the joint committee control of the arrangement and style of the CONGRESSIONAL RECORD. The language is "arrangement and style." My friend certainly cannot judicially say that that means that this committee is to have power to "edit" the CONGRESSIONAL RECORD, or to strike out one solitary word of any speech which he or any gentleman may make upon this floor.

Mr. CHIPMAN. Read what it says about "reducing bulk."

Mr. RICHARDSON. Yes; and I will show the gentleman what that refers to. The committee recognized the fact that the RECORD has become too voluminous.

Mr. CHIPMAN. The question is not what the committee intended, but what may be done under the provisions of the bill.

Mr. RICHARDSON. But, Mr. Speaker, we must construe the language of the bill fairly, and the language is that they may superintend and have control of "the arrangement and style" of the CONGRESSIONAL RECORD, in order to prevent unnecessary bulk. It does not provide that they can cut down a speech which is made upon this floor, either by my friend from Michigan (who always makes his speeches so admirably) or by any other member.

But, as I say, the RECORD is becoming voluminous; it is getting too large. Upon that point we have heard a good deal of testimony, and I ask the indulgence of the House for a moment while I refer to some of it. One of the official reporters was called before the committee with a view of obtaining testimony from a practical expert upon this subject, and I ask attention to a portion of his statement in regard to the unnecessary bulk of the CONGRESSIONAL RECORD. I read:

As to the duplication of motions referred to above; this is a matter which should be left largely to the discretion of the reporters. Perhaps it would be more proper to speak of this as the "repetition of motions" by the presiding officer of either House, as, for instance:

"Mr. KERNAN. I move that the Senate now proceed to the consideration of executive business.

"The PRESIDING OFFICER. The Senator from New York moves that the Senate proceed to the consideration of executive business."

"Mr. ANDERSON. I move that the House resolve itself into Committee of the Whole for the purpose of considering the Private Calendar.

"The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole for the purpose of considering bills upon the Private Calendar."

The latter statement in each case being entirely accurate but utterly superfluous. Manifestly it would be enough to say in either case:

"The motion was agreed to," or "The motion was rejected," as warranted by the facts.

A further reduction could be made in the volume of the daily RECORD by abbreviating certain forms of stating the business, which have prevailed, without any apparent good reason, for many years. An instance of this may be cited in the House proceedings, where a bill or resolution is passed and the ordinary motion is made to reconsider and lay on the table. It is customary to state this as follows:

"The bill (or joint resolution) was ordered to be engrossed and read a third time, and being engrossed, it was according read the third time and passed.

"Mr. SAUNDERS moved to reconsider the vote by which the bill (or joint resolution) was passed; and also moved that the motion to reconsider be laid upon the table.

"The latter motion was agreed to."

This form takes up six lines of the RECORD, and is repeated many thousands of times during a session. It would seem that a statement similar to this would be sufficient:

"The bill was engrossed, read a third time, and passed," or, simply, "The bill was engrossed and passed," or, "The engrossed bill was read a third time and passed; its reconsideration, on motion of Mr. SAUNDERS, being tabled."

This gentleman then recites other instances of the same kind. Let me give a further illustration.

Mr. CHIPMAN. Allow me this suggestion. The gentleman from Tennessee is giving his idea as to how the RECORD should be made up. There may come another Committee on Printing who may think the forms of statement should be longer or should be in some way different.

Mr. RICHARDSON. If the gentleman is right in his suggestion, let him move an amendment to add right here to this section the words "but they shall not take one word from the uttered speech of any member of Congress." We will agree to that; there will be no controversy about it.

Mr. CHIPMAN. I think the gentleman misapprehended the point of what I said. He has given a specimen of how he thinks the RECORD could be improved; somebody else may have a different idea. My objection is that the matter is necessarily left to somebody's discretion. The gentleman's discretion takes the direction which he now indicates; somebody else's discretion may take another direction.

Mr. RICHARDSON. We will fix this matter, with the gentleman's assistance, so that there can be no exercise of discretion which will do any injury to any member of Congress.

Now, one other illustration and I will pass from this subject. Take the single matter of motions to reconsider and to lay that motion on the table. Every measure passed in this House, I believe, without exception, is followed by a motion to reconsider and a motion to lay on the table the motion to reconsider. Now, listen further to the statement of this gentleman:

Take the single item of "reconsideration," referred to on page 4, and apply it only to the bills and joint resolutions passed by the last Congress (and I refer now to House proceedings alone), and leaving entirely out of the count the thousands of times when this form is used with reference to simple motions, resolutions, or routine matters, or even amendments, and we find as follows:

Bills and joint resolutions which have actually become laws	2,189
Six lines of the RECORD to reconsideration of each	6
Giving a total number of lines of	13,134

or 131½ columns of the RECORD.

Do you desire that the RECORD shall be made voluminous by this kind of matter? If so, take away from the Committee on Printing or from the stenographers the power simply to make this little reduction; allow the matter to remain as it is, and you have 131 columns of the RECORD in a single session occupied with the statement of these motions to reconsider and the tabling of them.

When to this is added the myriad number of times this form is used in reference to bills which do not become laws, to simple motions, or resolutions, etc., the number of columns will be largely more than doubled, and when there is also appended the duplication of motions, and the various other unnecessary forms, or rather redundant forms, of stating business in the House and in Committee of the Whole, this number will be at least quadrupled.

Mr. WALKER. I would like to ask the gentleman how much the committee estimate would have been saved in the matter of printing if the bill now proposed had been in operation as law during the Fifty-first Congress?

Mr. RICHARDSON. Mr. Speaker, I do not undertake to make any estimate of that kind. I spoke of that matter yesterday; and the gentleman will find in my printed remarks what I had to say on the question of reduction of expense.

Mr. WALKER. What would be the reduction?

Mr. RICHARDSON. Very large; I do not know how to estimate it in dollars and cents. But the advantage is not simply in dollars and cents; it is in having a methodical and orderly system of laws on this subject, to which easy reference can be had.

Mr. WALKER. I understood there had been an estimate given by some member of the committee as to the saving that will be made by this bill.

Mr. RICHARDSON. A rough estimate was made; the saving may be all the way from $400,000 to $500,000. I can not undertake to be accurate as to the figures.

Mr. HATCH. Is there anything in any existing law that will prevent the person now having charge of the matter from adopting the suggestions which are made in the report as to abridging the statements in regard to the ordinary business of the House to which the gentleman has referred?

Mr. RICHARDSON. Upon that point I will say that there is no written law upon the subject; but there is a custom which has been followed in this House for a hundred years.

Mr. HATCH. If there is no existing law on the subject, why is there any need of legislating now?

Mr. RICHARDSON. In order to get rid of a custom which has come to have almost the force of law.

Mr. HATCH. Can we not simply instruct the officer having this matter in charge?

Mr. RICHARDSON. By whom shall he be instructed?

Mr. HATCH. Well, we can adopt a resolution in half a dozen lines.

Mr. RICHARDSON. We propose to give instruction of that kind in the bill now under consideration.

Mr. HATCH. But why not pass a simple resolution? What need is there for passing a bill with a hundred sections in it to do what can be accomplished in a dozen lines?

Mr. RICHARDSON. The suggestion of the gentleman would apply to only one of the reforms proposed.

Mr. HATCH. I suggest to the gentleman that he might very well have taken a little of his own medicine in preparing his bill. Instead of a bill of one hundred sections, it seems to me we might have had one of three or four sections.

Mr. RICHARDSON. The gentleman may be right about the fact that there are too many sections. I do not undertake to say that if we had had the wisdom and experience of my friend from Missouri we might, and probably would, have had a better bill; but I do hope that we will have his assistance when we come to consider it by items.

Mr. HATCH. Well, I have not been able to find anything in the bill yet, nor have I heard anything in the presentation of the case by the gentleman himself which would warrant me in voting for any of its provisions. [Laughter.]

Mr. RICHARDSON. I am very much obliged to the gentleman. I am sorry that the bill does not please him, and had hoped that he would at least give us his valuable assistance in perfecting it. The gentleman from Missouri will understand that there are many provisions of the bill. Some of them do not change existing law. Some of these, in fact the most of them, have been in existence for thirty years.

Mr. HATCH. If the provisions of the bill do not change existing law why put them in?

Mr. RICHARDSON. It was necessary, in many instances, in order to make the bill complete as a whole. The report shows in every case the reason.

Mr. HATCH. But I can not see any reason for enacting a law that is already in force.

Mr. RICHARDSON. If the gentleman would take the trouble to examine the report——

Mr. HATCH. I have heard a part of it read.

Mr. RICHARDSON. Has the gentleman read the report?

Mr. HATCH. I have not.

Mr. RICHARDSON. The gentleman states that he has heard a part of the report read. It has not been read on the floor.

Mr. HATCH. I will state to the gentleman that I have simply heard extracts from the report read, but I have not read it myself, and I do not think that I will get time between now and the adjournment of this session to read it. I will have to become more interested in the bill than I am now to induce me to do that.

Mr. RICHARDSON. Then I submit that the gentleman ought not to criticise something that he has not either read or heard read, for this report has certainly not been read in the House.

Mr. PICKLER. Let me ask the gentleman from Tennessee if this bill reduces the number of agricultural reports printed?

Mr. RICHARDSON. It does.

Mr. PICKLER. To what extent?

Mr. RICHARDSON. It reduces the number from 400,000 to 300,000.

Mr. PICKLER. What is the object of reducing the number of agricultural reports printed?

Mr. RICHARDSON. I will state to the gentleman that the reason is simply this: The supply is much greater than the demand. We print 400,000 copies of the report of the Secretary of Agriculture, which costs $200,000, or 50 cents a copy. But any gentleman who wants a copy can go into one of the second-hand bookstores in this city where they are for sale and buy them at from 4 to 10 cents a copy. Now, if there is a demand for a book costing 50 cents, it certainly could not be purchased readily at a cost of from 4 to 10 cents.

Mr. PICKLER. That may be applicable to some portions of the country, but it is not so in the district I represent. I could well distribute five times the number I receive.

Mr. RICHARDSON. It is applicable to the District of Columbia, at all events.

Mr. ENLOE. The trouble is in the distribution, not in the number printed.

Mr. PICKLER. Yes, as the gentleman from Tennessee suggests, the trouble is in the distribution and not in the publication.

Mr. RICHARDSON. That may be so.

Mr. PICKLER. Now I would like the gentleman to discuss the matter that I raised on yesterday afternoon. That is, why it is better to turn over these documents for distribution to a superintendent rather than to distribute them through the members of the House as now.

Mr. RICHARDSON. I will give the gentleman the reasons which influenced the committee in framing this portion of the bill. But first let me say that the general complaint has been that there is too much printing, and consequently a great waste of public money in that way. It occurred to the committee that we would recommend to Congress these reductions. I know of no other way to reduce the cost except to print fewer of these documents. We did not confine the reduction to the agricultural reports alone, but applied it to all Government publications almost without exception.

The effort was to economize in the public printing generally. If Congress did not wish to do so, if it wishes to print 400,000 copies of the Report on Agriculture instead of the number recommended by the committee, when we come to consider that item we can strike out 300,000 and insert 400,000, and no material harm will be done to the bill. But, as I have said, it occurred to us that if we were to begin to economize, why it was necessary to start the economy somewhere, and we believed it could well be done by printing fewer of these documents.

Now, I recur to the other question to which the gentleman has referred, and will then conclude, because I do not wish to weary the House—that is, upon the question of the distribution of what is printed. I said yesterday that it was before this committee in testimony that one man had procured 40 copies of a valuable publication. We did not think that this practice ought to exist, and the only way to remedy it was for some one person to see to whom documents were sent, in order that he might inform members of Congress that their distribution was being duplicated.

Now, Mr. Speaker, it was not the intention to prevent duplication if any member wishes to duplicate, but simply to give you notice that the order you send is a duplicate one, if it be so, and permit you to withdraw it or send the document if you wished. That is to say, you have that right, and the absolute right, to send it if you choose. Now, gentlemen come forward and say that they are not willing their documents or lists of documents should pass under the supervision of an appointee of the President of the United States. That is not a sufficient objection to the method to justify a member in voting against it, if the method itself is right. You can remedy that by an amendment to the bill, and it will not meet with serious objections on my part. I myself would prefer that the man who distributes or exercises the supervision over the lists of members should be a creature of Congress.

A MEMBER. That is right.

Mr. RICHARDSON. I am not here to put any supervision over members of Congress in any lists or in any distribution of any documents. Let us have then a creature of Congress, if it is thought best. If it would not be considered immodest I might suggest that the Joint Committee on Printing might select you a suitable man as superintendent of documents, or any other committee would probably do as well.

Mr. HEARD. Will the gentleman permit an inquiry? What is the objection to putting it, as now, with the Doorkeeper elected by the House to select the superintendent?

Mr. RICHARDSON. That is just the difficulty, where you have one in the Senate and one in the House, the House is powerless to know what is being done in the Senate document room.

Mr. HEARD. But that is just precisely what we want, and it it has worked satisfactorily.

Mr. RICHARDSON. Besides there is nobody charged with the distribution of departmental printing.

Mr. HEARD. So far as that is concerned I do not think it is a matter of very serious importance to us. But this provision is dealing with the distribution of documents that belong to the members of the House and are controlled by them. There is no complaint of that now.

Mr. RICHARDSON. It might be, Mr. Speaker, that we could reach an agreement by which the suggestion made by the gentleman from Missouri [Mr. HEARD] could be embodied, that is that the documents of members should be distributed entirely without submitting lists or anything else to the superintendent. But the object we had in view was to get rid of the vast accumulation, the vast surplus of documents now existing in the various Departments. There is not an Executive Department of this Government that is not to-day flooded with extra documents that do not belong to members of Congress.

Mr. BANKHEAD. Will the gentleman allow me to ask him a question?

Mr. RICHARDSON. Certainly.

Mr. BANKHEAD. I would like to have you state to the House whether or not, in your opinion, section 67 of this bill takes from the House of Representatives the power it now has to appoint its own employés? I refer to page 28, section 67, the latter clause.

Mr. RICHARDSON. I will say to the gentleman that I do not think there was ever any intention on the part of the committee that this superintendent of documents should appoint the officers of the House document room. If the section has that effect it can go out of the bill.

Mr. BANKHEAD. I would like, for the information of the House, to read the latter clause of this section:

> The superintendent of documents shall appoint all employés authorized by Congress.

Now, I would like to have the gentleman from Tennessee [Mr. RICHARDSON] state what construction he puts upon that clause; whether, in his opinion, the superintendent of documents, under this provision of the bill, will not be authorized to appoint all the employés authorized by Congress in connection with the service of this House.

Mr. RICHARDSON. I will give you a frank answer upon that. I ask you to read section 75, which says:

> There shall be one folding room of the Senate and one folding room of the House of Representatives. They shall be in charge of superintendents, appointed, respectively, by the Sergeant-at-Arms of the Senate and Doorkeeper of the House, who shall also appoint the necessary assistants.

Now, if there is any inconsistency the other provisions may be stricken out.

Mr. BANKHEAD. The gentleman reads very well, but he does not go far enough. He should read the remainder.

Mr. RICHARDSON (continuing to read).

All reports or documents to be distributed for Senators, Representatives, and Delegates shall be folded and distributed from the folding rooms under the general direction of the superintendent of documents, and whenever, in his opinion, it is advisable to fold and distribute any documents from the Government Printing Office or the storehouses connected therewith he shall so order.

We are upon the question of the appointment of these officers, and it expressly says that the Doorkeeper shall appoint the superintendent and the necessary officers.

Mr. BANKHEAD. The gentleman has invited my attention to section 75 of this bill, and I undertake to say that that section provides that the superintendent of documents may absolutely discontinue the folding room of this House and order all documents for the use of Congress to be distributed from the printing office or from storehouses whenever he pleases.

Mr. RICHARDSON. If it would save time I do not see that anybody would be hurt; but I say this, Mr. Speaker, that if the gentleman wants to strike it out it can go out of the bill. I want it understood that we desire the distribution of our documents to be under the absolute control——

Mr. BANKHEAD. Of the members of this House.

Mr. RICHARDSON. Of the members of this House, through the Doorkeeper and the assistants appointed by the Doorkeeper for the purpose.

Mr. BANKHEAD. And that is the law now, and this bill seeks to change it.

Mr. RICHARDSON. It may remain the law, if the gentleman desires it and the House desires it. We have provided a different method possibly, but we do provide, as I insisted in the beginning, that the Doorkeeper shall appoint the superintendent, and he shall appoint his assistants.

Mr. BANKHEAD. But all under the supervision of the superintendent of documents.

Mr. RICHARDSON. We will not quarrel about that, because I concede that if it is open to any criticism such as the gentleman makes, I will not object to an amendment to make it just as he desires it.

Mr. HEARD. That will be all right.

Mr. BANKHEAD. But do you not admit the correctness of my criticism and construction of the bill?

Mr. RICHARDSON. No, sir; I do not agree with you, because there are two provisions in the bill, and you would have to construe the bill with both provisions before you.

Mr. BANKHEAD. The trouble with the bill in my opinion is, if the gentleman will pardon me, that it conflicts all the way through.

Mr. RICHARDSON. Perhaps there may be conflicting provisions in it.

Mr. BANKHEAD. I for one am opposed to every line and section in it.

Mr. RICHARDSON. Then the gentleman is opposed to about three-fourths of the provisions of the Revised Statutes on the subject, which are copied bodily into this bill, and that shows that the gentleman does not mean all he says when he says that, but that he is joking.

Mr. DINGLEY. Will the gentleman from Tennessee indulge me for a moment?

Mr. RICHARDSON. Yes, sir.

Mr. DINGLEY. The gentleman spoke a few moments ago of the large number of documents remaining in the basement of the Capitol; I would like him to explain how those documents have accumulated there?

Mr. RICHARDSON. That I will explain to the gentleman in a moment.

Mr. DINGLEY. Is it not a fact that all documents sent to the Capitol are assigned to members of the House? Now, if any member of the House should die, or shall leave the House and shall leave documents to his credit, is it not required that they shall be placed to the credit of his successor? Now, my question is, why it is that documents remaining in the Capitol have not been passed to the credit of the successor of each member of the House from that district?

Mr. RICHARDSON. Mr. Speaker, this large accumulation of documents of which I have made mention comes about in this way: From time to time in the past twenty or thirty years, and possibly longer, these documents and books have accumulated in the various committee rooms of this Capitol. They have increased in excessive numbers in the Library, and in order to make room for other and possibly more valuable volumes they have from time to time been transferred from the committee rooms and have met with a resting place in the vaults and basement of this Capitol. I would also state that the lowest estimate made is that there are 200,000 volumes there that do not belong, and never did belong, to the quotas of members of Congress.

The same trouble exists in the Senate, and to a greater degree there, because it is true that many Senators, as I learned, and as was shown by the proof, did not send out public documents at all, but permitted them to lapse. They permit them to remain there in the document room until they are finally transferred to the basement of the Capitol, and there they remain to nobody's quota. It is not in proof possibly in the testimony, but was mentioned by an officer of the Senate who has charge of these documents, and the names of quite a number of Senators were given who never sent out documents. Some of them died years and years ago, and their quotas were eventually put in the basement or cellar and there have remained, and they enter into this accumulation.

Of course that is an exception to the statement I made a moment ago, when I said that none of them belonged to the quotas of members of Congress. I do not believe that there are any of that surplus or accumulation that ever belonged to members of the House; but the facts are that some of them did belong to the quotas of Senators. Still they do represent the surplus that has accumulated.

Mr. DINGLEY. How does it happen that they have not been assigned to different members?

Mr. RICHARDSON. They were not assigned at all.

Mr. DINGLEY. How does it happen that these documents accumulated? Whenever a resolution is passed ordering the printing of any document or report, it provides that a certain number shall be printed for the use of the House, to be assigned in proportion, to each member a certain number, and a certain number for the Senate; and then the number not assigned is reserved for the House and Senate libraries.

Mr. RICHARDSON. In answer to the gentleman, I will say that the bill provides further, that whenever in the division of documents among members there is a surplus over 25, that that surplus in excess of 25 shall go to this superintendent of documents. Now, take a number of documents printed during a session of Congress, and divide the number ordered by the House by the number of members—say 332—and if there is a remainder of 330 left, that remainder is not apportioned to members. Mr. Speaker, I ask attention of members to this statement. The report shows, that when you take this surplus, this remainder that is not assigned to members, in one Congress this surplus amounts to 40,000 books! Now, would you think that? This remainder left over, after division among the members is not apportioned to anybody. It is an accumulation here that finally seeks its resting place, as I stated before, in the basement of the Capitol. Now, when you take this remainder which is a fraction, it amounts in the long run to 45,000 volumes.

Mr. DINGLEY. I would ask the gentleman, how does it happen that there should be such a distribution of books as to leave a surplus of 45,000, and why these 45,000 can not be equally divided among members?

Mr. RICHARDSON. Because, if the gentleman will notice, suppose there are 500 copies of something printed for the use of the House, and we have 335 members, that will give each member 1 copy and there will be a fraction, 165, left.

Mr. DINGLEY. I do not refer to the printing of the smaller documents for the use of the House, but in the printing of reports and other printing which is of a larger character.

Mr. RICHARDSON. I am not speaking of reports. It is bound volumes I speak of; and these accumulated fractions will amount to 45,000 coming over from the Forty-ninth or Fiftieth Congress, I do not recollect which; but it is very large at each session of Congress. This surplus will go to this superintendent to be distributed.

Now, Mr. Speaker, I would say in further answer to the gentleman's question, as to how these books got into the basement of the Capitol, I do not know, but they have been there for years and years, and some of them are rotting and molding. But there they are, and they ought to be taken out and distributed among the people.

Mr. DINGLEY. There is no doubt about that.

Mr. RICHARDSON. A friend near me suggests a remedy, to distribute them among the new members. Well, Mr. Speaker, I have no objection to that. But there ought to be something done with them, and it occurred to the Joint Committee that if we had this superintendent of documents he could distribute them, and in the distribution the bill, as gentlemen will see, gives the preference to members of Congress.

Mr. BROSIUS. Will the gentleman permit a question at this point?

Mr. RICHARDSON. Yes, sir.

Mr. BROSIUS. Is any part of the surplus accumulation to which the gentleman refers due to the fact that books, which are

to the credit of deceased members of the House, have never been sent out?

Mr. RICHARDSON. I do not think so, because I think that wherever there have been quotas undistributed at the death of members, they have usually passed to their successors.

Mr. BROSIUS. That is the next question that I was going to ask. In some instances, I know, that has not been the case, and I would like to know, if the gentleman from Tennessee can give me the information, what disposition is made of the books of deceased members?

Mr. RICHARDSON. They go to their successors.

Mr. BROSIUS. Not always.

Mr. RICHARDSON. Perhaps not always. I am not prepared to say, because I have never investigated that matter. I do know, in regard to some deceased members of the House, that their documents were carried to their homes, upon the idea that they were the personal property of the members themselves; and if gentlemen will take the trouble to examine the law which apportions these books and documents I think he will find the better legal opinion to be that they do in fact belong to members individually. I know, of course, that the intention of the law is that the member shall hold them in trust for his constituents. That is certainly the intent and meaning of the law, and that ought to be the law.

Mr. BROSIUS. I have not any doubt as to the rightful ownership of these books or documents; what I am trying to find out is whether they ever reach their rightful owners. If in any particular case a member of this House goes to the folding room and makes inquiry upon this subject, he will be told that the accounts of the deceased member have been closed and that nothing stands to his credit. Now, that in all such cases the books have been sent to the personal representatives of the deceased member I do not believe, and if the gentleman can give me the information I would like to know what disposition is made of the documents in such cases.

Mr. RICHARDSON. As I have never had occasion to make any inquiry upon that point except in an ordinary way as a member of the House, I am not prepared to give any information or opinion about it, further than to say that I do not think the gentleman from Pennsylvania [Mr. BROSIUS] is accurate when he says that it is always claimed that the account of the deceased member has been closed. I know that there are some instances in which the successors have got the undistributed balance of the quotas of deceased members.

Mr. BROSIUS. I did not mean to make my statement so broad as that.

Mr. RICHARDSON. Now, then, Mr. Speaker, one word more. The committee thought it was best to have this superintendent of documents appointed by the President. Gentlemen around me here seem to have a different idea. They seem to think that this superintendent ought to be the creature of Congress. I repeat that if on the further consideration of this bill it shall be deemed best to make that amendment, I shall not oppose it.

I am perfectly willing, even, that the distribution shall go on as it has done heretofore if the majority of this House and of the other House think that best; but I do know that there are crying evils and irregularities in this matter that ought to be remedied, and this committee has made a humble but earnest effort to suggest a plan for the correction of those evils and irregularities.

Mr. RAY. What is the objection to leaving the distribution of the documents belonging to a member of this House to himself, if he desires to make the distribution?

Mr. RICHARDSON. I will answer the gentleman by saying that I do not understand that there is any proposition to change that.

Mr. RAY. As I understand the bill, the distribution can only be done through a circumlocution office.

Mr. RICHARDSON. Not at all.

Mr. RAY. The member must first send his list to this superintendent of documents, and then he must await the pleasure or convenience of this official until he gets his quota.

Mr. RICHARDSON. I repeat what I have already said in this discussion, that if it is the desire of the House I have no objection to amending the bill so as to provide in so many words that each member shall control in his own way the distribution of his own books and documents. There is no disposition on the part of this committee to interfere in the slightest degree with the free distribution by members of any document published by Congress.

Mr. BANKHEAD. Can the gentleman tell us where the principal office of this superintendent of documents is to be—in the Interior Department or at the Capitol?

Mr. RICHARDSON. There is no provision made for that in the bill.

Mr. BANKHEAD. It may be in the Public Printing Office.

Mr. RICHARDSON. That would be a very good place for it; but there is no such provision in the bill for that. That is a matter that Congress can deal with. Congress might, if they saw fit, put this official where the books and documents are kept now.

Mr. DICKERSON. What remedy are we to have if this official fails to recognize our rights? If he should fail entirely to discharge his duty towards the members of this House, what power would they have to punish him? In other words, would not the entire control of this official be in the Senate and the President of the United States?

Mr. RICHARDSON. I do not think there would be any such power in the Senate; the Senate would have no more power over this officer after he was appointed than the House would. But I will meet the gentleman's question frankly. If this officer neglected his duty—if there were any willful violation of duty on his part—the remedy would be to impeach him, and thus get rid of him, as you would do with any other officer of the Government.

Mr. BUTLER. There seems to be no trouble about the distribution of the regular quota of documents given to each member; the only trouble seems to be to distribute the surplus. Now, can not this Congress and every succeeding Congress, provide by resolution for the distribution of the surplus just as well as would be done by having a regular officer to attend to the matter?

Mr. RICHARDSON. There would be no difficulty about that.

Now, Mr. Speaker, I obtained the floor by the courtesy of my friend from Wisconsin [Mr. MILLER], who had made a motion to postpone this bill until Wednesday of next week. I desire to say that the bill ought not to be set aside hurriedly, and it ought not to be passed upon hurriedly, as some gentlemen seem to think has been the desire of the committee. The bill ought to receive the fullest and freest discussion. Let us pass so much of it as is right, and strike out so much as is objectionable.

Now, Mr. Speaker, in order that the gentlemen of the House may have time to examine the bill and report properly, and I beg them to take time to do so, I renew the motion made by the gentleman from Wisconsin to postpone the further consideration of this bill until Wednesday of next week.

Mr. O'NEILL of Missouri. Mr. Speaker, considering that it will be easy to take the few features of reform that there may be in this bill, and to have a new bill framed by the Committee on Printing, and that the easiest way to dispose of the present bill is to kill it right here and now, I move to lay the bill on the table.

The SPEAKER *pro tempore*. The Chair thinks that the motion of the gentleman from Missouri takes precedence of the motion to postpone. The question is on the motion to lay the bill on the table.

Mr. POWERS. What would be the effect of that motion?

Several MEMBERS. It kills the bill.

The SPEAKER *pro tempore*. The adoption of the motion, unless it should be reconsidered, would have the effect to kill the bill.

Mr. ENLOE. If this bill should be laid on the table will that action interfere in any way with the consideration of another bill on the same subject that may be brought in here later?

The SPEAKER *pro tempore*. The Chair thinks it would not. There is no rule now existing by which that would be the effect.

The question being taken on the motion of Mr. O'NEILL of Missouri, there were—ayes 105, noes 58.

Mr. DINGLEY. I think we had better have the yeas and nays.

Mr. RICHARDSON. I call for the yeas and nays.

The yeas and nays were ordered, 42 voting in favor thereof.

The question was taken on the motion of Mr. O'NEILL of Missouri to lay the bill on the table; and there were—yeas 140, nays 105, not voting 86; as follows:

YEAS—140.

Abbott,	Causey,	Enochs,	Kyle,
Alderson,	Chipman,	Epes,	Lagan,
Alexander,	Claney,	Forman,	Lane,
Arnold,	Clover,	Forney,	Lanham,
Babbitt,	Cobb, Ala.	Fowler,	Layton,
Bacon,	Cobb, Mo.	Gantz,	Lester, Ga.
Bailey,	Cogswell,	Geissenhainer,	Lewis,
Bankhead,	Compton,	Grady,	Lind,
Barwig,	Coolidge,	Griswold,	Little,
Belknap,	Cooper,	Hallowell,	Lockwood,
Beltzhoover,	Covert,	Harter,	Magner,
Bentley,	Cowles,	Hatch,	Mallory,
Bergen,	Cox, N. Y.	Haugen,	Mansur,
Blount,	Crawford,	Hayes,	McCreary,
Boatner,	Culberson,	Haynes,	McDonald,
Bowman,	Dalzell,	Herbert,	McGann,
Brosius,	Daniell,	Hoar,	McKeighan,
Brunner,	Davis,	Hull,	McKinney,
Bunn,	De Armond,	Johnson, Ohio,	Mills,
Bunting,	Dickerson,	Johnstone, S. C.	Mitchell,
Bynum,	Dockery,	Jones,	Moore,
Cable,	Durborow,	Kem,	Morse,
Capehart,	Edmunds,	Kendall,	Mutchler,
Caruth,	English,	Kilgore,	O'Neil, Mass.

O'Neill, Mo.	Rusk,	Stone, C. W.	Wheeler, Ala.
Owens,	Sayers,	Stone, W. A.	Wike,
Page, R. I.	Scull,	Stone, Ky.	Willcox,
Page, Md.	Shell,	Tarsney,	Williams, N. C.
Parrett,	Shively,	Taylor, V. A.	Williams, Ill.
Paynter,	Shonk,	Tracey,	Wilson, Wash.
Pearson,	Simpson,	Turpin,	Wilson, Mo.
Ray,	Snodgrass,	Van Horn,	Wilson, W. Va.
Rayner,	Snow,	Warner,	Winn,
Robertson,	Stahlnecker,	Weadock,	Wolverton,
Rockwell,	Stewart, Texas	Wheeler, Mich.	Youmans.

NAYS—105.

Amerman,	Dungan,	Long,	Post,
Andrew,	Dunphy,	Loud,	Powers,
Boutelle,	Elliott,	Lynch,	Richardson,
Brawley,	Enloe,	Martin,	Rife,
Bretz,	Everett,	McClellan,	Seerley,
Broderick,	Funston,	McKalg,	Smith,
Brookshire,	Geary,	McKenna,	Sperry,
Bryan,	Gorman,	McMillin,	Springer,
Buchanan, Va	Greenleaf,	McRae,	Stewart, Ill.
Bullock,	Grout,	Meredith,	Storer,
Burrows,	Hall,	Meyer,	Stout,
Busey,	Halvorsen,	Miller,	Taylor, Tenn.
Bushnell,	Hare,	Milliken,	Terry,
Butler,	Harries,	Montgomery,	Tillman,
Catchings,	Heard,	Moses,	Townsend,
Cate,	Hemphill,	Newberry,	Tucker,
Cheatham,	Henderson, Ill.	Oates,	Turner,
Clark, Wyo.	Holman,	O'Donnell,	Wadsworth,
Clarke, Ala.	Hooker, N. Y.	O'Neill, Pa.	Walker,
Cockran,	Hopkins, Ill.	Otis,	Watson,
Coombs,	Houk, Ohio	Outhwaite,	Waugh,
Cox, Tenn,	Johnson, Ind.	Pattison, Ohio	White,
Crosby,	Johnson, N. Dak.	Patton,	Whiting,
Cummings,	Jolley,	Payne,	Wise.
De Forest,	Kribbs,	Peel,	
Doan,	Lapham,	Perkins,	
Donovan,	Livingston,	Pickler,	

NOT VOTING—86.

Allen,	Chapin,	Hooker, Miss.	Robinson,
Atkinson,	Coburn,	Hopkins, Pa.	Russell,
Baker,	Crain,	Houk, Tenn.	Sanford,
Bartine,	Curtis,	Huff,	Scott,
Beeman,	Cutting,	Ketcham,	Stackhouse,
Belden,	Dingley,	Lawson, Va.	Stephenson,
Bingham,	Dixon,	Lawson, Ga.	Stevens,
Blanchard,	Dolliver,	Lester, Va.	Stewart, Pa.
Bland,	Ellis,	Lodge,	Stockdale,
Bowers,	Fellows,	McAleer,	Stump,
Branch,	Fitch,	Norton,	Sweet,
Breckinridge, Ark.	Fithian,	O'Ferrall,	Taylor, Ill.
Breckinridge, Ky.	Flick,	Patterson, Tenn.	Taylor, E. B.
Brickner,	Fyan,	Pendleton,	Taylor, J. D.
Brown,	Gillespie,	Pierce,	Warwick,
Buchanan, N. J.	Goodnight,	Price,	Washington,
Byrnes,	Hamilton,	Quackenbush,	Wever,
Cadmus,	Harmer,	Raines,	Williams, Mass.
Caldwell,	Henderson, Iowa.	Randall,	Wilson, Ky.
Caminetti,	Henderson, N. C.	Reed,	Wright.
Campbell,	Hermann,	Reilly,	
Castle,	Hitt,	Reyburn,	

So the motion to lay the bill on the table was agreed to.

The following pairs were announced:

Until further notice:

Mr. BRANCH with Mr. WEAVER.

Mr. PATTISON of Ohio with Mr. REYBURN.

Mr. CAMPBELL with Mr. WILSON of Kentucky.

Mr. BRECKINRIDGE of Arkansas with Mr. DINGLEY.

Mr. STEVENS with Mr. RANDALL.

Mr. HOOKER of Mississippi with Mr. RUSSELL.

Mr. REILLY with Mr. TAYLOR of Illinois.

Mr. FITHIAN with Mr. WRIGHT.

For this day:

Mr. WARWICK with Mr. HARMER.

Mr. HENDERSON of North Carolina with Mr. BINGHAM.

Mr. CAMINETTI with Mr. LODGE.

Mr. PENDLETON with Mr. SMITH of Illinois, until Friday morning.

The result of the vote was announced as above stated.

Mr. O'NEILL of Missouri. I move to reconsider the vote last taken and lay that motion on the table.

Mr. MILLER. On that I ask for the yeas and nays.

Mr. SPRINGER. Pending the motion, I move that the House do now adjourn.

The question was taken, the House divided, and there were ayes 89, noes 112.

So the House refused to adjourn.

The question being taken on the motion of Mr. O'NEILL of Missouri, the House refused to order the yeas and nays, and the motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. CAMINETTI, indefinitely, on account of sickness.

To Mr. REILLY for the remainder of this week, on account of business.

To Mr. WASHINGTON, indefinitely, on account of sickness.

PRINTING FOR COMMITTEE ON RULES.

The SPEAKER *pro tempore*. The Chair will state that the Committee on Rules find it necessary to have a little printing done in preparing the proposed code of rules in pamphlet form, and if there be no objection the order will be made for that purpose.

There was no objection, and it was so ordered.

And then, on motion of Mr. MCCREARY (at 3 o'clock and 20 minutes p. m.), the House adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. BELTZHOOVER: A bill (H. R. 4282) for the relief of A. J. Schwartz, administrator of Michael Schwartz, deceased, late of Adams County, Pa., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

By Mr. BROOKSHIRE: A bill (H. R. 4283) to pension Mary Venard, late hospital nurse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4284) to pension Mrs. Lenora Wright—to the Committee on Invalid Pensions.

By Mr. BOUTELLE: A bill (H. R. 4285) to correct the military record of John R. Brown—to the Committee on Military Affairs.

By Mr. BRODERICK: A bill (H. R. 4286) for the relief of Cora Robinson—to the Committee on Invalid Pensions.

By Mr. CHAPIN: A bill (H. R. 4287) for the relief of John L. Broome—to the Committee on Naval Affairs.

By Mr. CLANCY: A bill (H. R. 4288) authorizing the payment of the pension of Edward S. Smith, accrued at the date of his death, to his mother, Catherine—to the Committee on Invalid Pensions.

By Mr. COMPTON: A bill (H. R. 4289) for the relief of John A. Camalier—to the Committee on War Claims.

Also, a bill (H. R. 4290) to provide for the payment of a bounty to District of Columbia Volunteers—to the Committee on War Claims.

Also, a bill (H. R. 4291) for the relief of Richard P. Blackistone—to the Committee on War Claims.

Also, a bill (H. R. 4292) to incorporate the Washington and Northeastern Railway Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. CRAIN: A bill (H. R. 4293) to increase the pension of Mrs. Emeline C. Russell, widow of Charles A. Russell, late of Battery D, Fourth United States Artillery—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 4294) to correct the military record of John Ragan—to the Committee on Military Affairs.

Also, a bill (H. R. 4295) for the relief of Witherby & Gaffney—to the Committee on Claims.

By Mr. DE ARMOND (by request): A bill (H. R. 4296) for the relief of the heirs of James Taylor, deceased—to the Committee on War Claims.

By Mr. FORNEY: A bill (H. R. 4297) for the relief of the estate of D. M. Sparks, late of Cherokee County, Ala.—to the Committee on War Claims.

By Mr. FOWLER: A bill (H. R. 4298) for relief of Caleb Aber—to the Committee on Military Affairs.

By Mr. GREENLEAF: A bill (H. R. 4299) granting a pension to Cleste A. Boughton, widow of Bvt. Brig. Gen. Horace Boughton, late of the United States Army, retired—to the Committee on Invalid Pensions.

By Mr. HATCH: A bill (H. R. 4300) for the relief of James W. Ralls—to the Committee on Invalid Pensions.

By Mr. HOUK of Tennessee: A bill (H. R. 4301) for the relief of William E. Taylor, of Winchester, Franklin County, Tenn.—to the Committee on War Claims.

By Mr. KRIBBS: A bill (H. R. 4302) granting a pension to James McCammon—to the Committee on Invalid Pensions.

By Mr. LOCKWOOD: A bill (H. R. 4303) for the relief of Franklin Lee and Charles F. Dunbar—to the Committee on Claims.

By Mr. LODGE: A bill (H. R. 4304) for the payment of bounty to John O. Nelson—to the Committee on War Claims.

By Mr. MCCLELLAN: A bill (H. R. 4305) to remove the charge of desertion now standing against George Alcott on the rolls of the War Department—to the Committee on Military Affairs.

By Mr. MCRAE: A bill (H. R. 4306) for the relief of William Crow, of Okolona, Clark County, Ark.—to the Committee on War Claims.

By Mr. MARTIN: A bill (H. R. 4307) to amend the military record of Daniel Eldridge—to the Committee on Military Affairs.

By Mr. MEYER: A bill (H. R. 4308) for the relief of John Rhodes and wife—to the Committee on War Claims.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 4309) for the relief of First Lieut. Herbert Cushman, United States Army—to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 4310) to increase the pension of Henry O'Connor—to the Committee on Invalid Pensions.

By Mr. STAHLNECKER: A bill (H. R. 4311) for the relief of B. J. Van Vleck, administrator of Henry Van Vleck, deceased—to the Committee on Claims.

By Mr. SMITH of Illinois: A bill (H. R. 4312) to increase the pension of Daniel P. Roberts, late a second lieutenant in Company F of the Third Regiment of Missouri Volunteers in the war with Mexico—to the Committee on Pensions.

By Mr. STONE of Kentucky: A bill (H. R. 4313) for the relief of George W. Quick—to the Committee on War Claims.

Also (by request), a bill (H. R. 4314) for the relief of Augusta De Alma—to the Committee on War Claims.

Also, a bill (H. R. 4315) for the relief of William H. Ogilvie—to the Committee on War Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 4316) for the relief of William H. Nave—to the Committee on Invalid Pensions.

By Mr. TERRY (by request): A bill (H. R. 4317) for the relief of William Barnes—to the Committee on War Claims.

By Mr. TURPIN: A bill (H. R. 4318) to pension John T. Livingston, of Hale County, Ala.—to the Committee on Pensions.

By Mr. WAUGH: A bill (H. R. 4319) granting a pension to John R. Thatcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4320) granting a pension to Thomas Kennedy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4321) granting an honorable discharge to Andrew J. Lane—to the Committee on Military Affairs.

Also, a bill (H. R. 4322) to correct the military record of George A. Marks—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: A bill (H. R. 4323) granting a pension to Volley McMurphy—to the Committee on Pensions.

By Mr. YOUMANS: A bill (H. R. 4324) increasing the pension of Olive C. Morton, a Revolutionary pensioner—to the Committee on Pensions.

PETITIONS, ETC.

Resolutions and petitions were, under the order adopted by the House January 5, delivered to the Clerk and severally referred as follows:

By Mr. ALDERSON: Petition of John G. W. Tompkins and John C. Brown, administrators of the estate of Rachael M. Tompkins, deceased, praying for the reference of claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. ANDREW: Papers to accompany House bill 2792, granting increase of pension to John D. C. Creighton—to the Committee on Invalid Pensions.

Also, petition of Henry T. Pierce and others, for the improvement of Neponset River, Massachusetts—to the Committee on Rivers and Harbors.

Also, petition of District Assembly No. 210, Knights of Labor, praying for the passage of a bill which will authorize the collection of statistics relative to the slums of certain cities—to the Committee on Labor.

By Mr. ATKINSON: Petition of Robert M. McCormick, to accompany House bill 3739, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. BEEMAN: Petition of William L. Cleannan, of Newton County, Miss., for property taken and used by the United States Army during the war—to the Committee on War Claims.

By Mr. BELDEN: Papers in support of House bill 3755, for relief of Theodore H. Weed, charged with a certain amount of commissary stores "unaccounted for"—to the Committee on War Claims.

By Mr. BINGHAM: Resolution to pay out of the contingent fund to Mrs. Annie B. White, wife of Alex. B. White, deceased, late an employé in the office of the Clerk of the House of Representatives, six months' salary, funeral expenses, etc.—to the Committee on Accounts.

By Mr. BOUTELLE: Petition for the removal from the record of John R. Brown, late of Company F, Third Maine Volunteers, the charge of desertion—to the Committee on Military Affairs.

By Mr. BUCHANAN of Virginia: Petition, accompanying House bill 3525, for increase of pension of Rebecca Mays, widow of Stephen Mays, a soldier of the Revolution—to the Committee on Pensions.

By Mr. BUNTING: Petitions of the National Woman's Christian Temperance Union of Niagara County, N. Y., asking that appropriations for the World's Fair be withheld unless the same be closed on Sunday; of members of the Methodist Episcopal Church of Pekin, N. Y., for the same purpose—to the Select Committee on the Columbian Exposition.

By Mr. BURROWS: Petition of the citizens of Cass County, Mich., that Congress will favorably consider the awarding of better remuneration to the fourth-class postmasters of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. CAINE: Petition of Nathan Tanner, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. COBB of Missouri: Petition of John Dieter, to accompany House bill 3779, for relief—to the Committee on Claims.

Also, papers of Mrs. Abby W. Houk, to accompany House bill 3657, for relief—to the Committee on War Claims.

Also, papers to accompany House bill 4047—to the Committee on Invalid Pensions.

By Mr. CRAWFORD: Petition of ladies of the Woman's Christian Temperance Union of the Ninth district of North Carolina, asking that the Columbian Exposition be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. CROSBY: Petition of citizens of Boston, Mass., that the present postal law which provides for third and fourth class mail matter may be changed to permit both classes being consolidated into one class, to be designated as third class and the rate 1 cent for two ounces; also, petition of citizens of Enfield, N. H.; of citizens of Auburn, Me.; five petitions of citizens of Chicago, Ill.; two petitions of citizens of Indianapolis, Ind.; two petitions of citizens of St. Paul, Minn.; five petitions of citizens of Philadelphia, Pa.; three petitions of citizens of Nashville, Tenn.; also, petition of citizens of North Conway, N. H.; of the State Board of Trade of New Hampshire; of citizens of Iowa and Missouri; of Illinois and Iowa; of the Pittsburg Paint and Oil Club; of citizens of Pittsburg, Pa.; and of Hillsborough Bridge, N. H., for the same purpose—to the Committee on the Post-Office and Post-Roads.

By Mr. DE ARMOND: Papers to accompany House bill 4060—to the Committee on War Claims.

Also, papers to accompany House bill 4059—to the Committee on War Claims.

By Mr. DOCKERY: Resolutions adopted by the DeKalb County F. L. U., demanding an increase of the circulating medium, etc.—to the Committee on Coinage, Weights, and Measures.

By Mr. DUNPHY (by request): Petition of the Spartan Water Meter Company for the introduction of their waste water saving devices for use of the District of Columbia government—to the Committee on Appropriations.

By Mr. ENLOE: Papers in the case of W. C. Dillahunty, in support of House bill 3791—to the Committee on War Claims.

Also, petition of R. W. Creecy, asking an appropriation to purchase water meters and waste-water devices for the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Willis R. Bonner for relief, accompanied with House bill 3890—to the Committee on Invalid Pensions.

By Mr. FUNSTON: Petition of Joshua M. Bailey, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

Also, resolutions of the Synod of the State of Kansas against the indiscriminate issuing of permits or licenses to sell intoxicating liquors in Kansas—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition for a third division of the Federal judicial district of Kansas—to the Committee on the Judiciary.

By Mr. HALL: Petition of 55 persons of the Third district of Minnesota, praying for the closing of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HARRIES: Memorial and resolution of the Chamber of Commerce of St. Paul, Minn., asking Congress to place the maritime pilot service under the control of the Federal Government—to the Committee on Interstate and Foreign Commerce.

By Mr. HEARD: Petition and affidavits to support House bill 1334, for the relief of Thomas T. King—to the Committee on Invalid Pensions.

By Mr. HENDERSON of North Carolina: Papers in claim of Thomas T. Long, of Catawba County, N. C.—to the Committee on War Claims.

By Mr. HOUK of Ohio: Papers to accompany House bill 4114—to the Committee on Military Affairs.

By Mr. HOUK of Tennessee: Petition for the relief of John H. Gillespie, of Franklin County, Tenn., for reference of his claim to the Court of Claims; of William E. Taylor, of Winchester, Tenn.; of Adele Currin, of Ruthford County, Tenn.; of Amanda Currin, of the same county; of J. N. Sparks, administrator of the estate of Loadicia Bivens, of the same county; of George Beesley, administrator of the estate of Christopher Beesley, of the same county; of Mrs. H. A. Rayburn, heir of Mrs. Hollie McFadden, deceased, of the same county; of Argulus Bratton, of Franklin County, and of Eliza L. Collier, of Murfreesboro, Tenn., for the same purpose—to the Committee on War Claims.

Also, papers to accompany House bill 4121—to the Committee on Claims.

By Mr. HUFF: Resolution of the Farmers' Institute of Westmoreland County, Pa., protesting against a reduction of letter postage and demanding instead a reduction of rates upon fourth-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. McCREARY: Petition of Col. George S. Shackelford, to accompany House bill 3209, for increase of pension—to the Committee on Invalid Pensions.

By Mr. McKINNEY: Petition of George W. Smith, to praying that his claim for stores and supplies may be referred to the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the Bowman act; and of J. Thomas Gelwick, for the same purpose—to the Committee on War Claims.

Also, petition of Sarah L. Smith and Mary E. Smith, to accompany House bill 3221, in support of their claims—to the Committee on War Claims.

Also, petition of R. A. Hurley, to accompany House bill 3219, in support of his claim—to the Committee on War Claims.

Also, petition of Henry Schreider, administrator of the estate of Philip Shearer, Montgomery County, Md., to accompany House bill 3223, for stores and supplies taken by the military force of the United States—to the Committee on War Claims.

By Mr. McMILLIN: Petition of George G. Meade Post, No. 5, of Washington, D. C., for the monthly payment of pensions—to the Committee on Invalid Pensions.

By Mr. MANSUR: Petition of James C. Wallace, in support of House bill 4222, praying that his claim be referred to the Court of Claims—to the Committee on War Claims.

Also, petition, with accompanying papers, in support of the claim of Jesse M. Blue (H. R. 3226)—to the Committee on War Claims.

By Mr. MEREDITH: Petition for payment for property taken by United States troops during the war—to the Committee on War Claims.

By Mr. MILLER: Petition in favor of the adoption of House bill 5353 of the Fifty-first Congress, known as the option bill—to the Committee on Agriculture.

By Mr. MONTGOMERY: Petition for the relief of Malinda Shentworth, mother of John Shentworth, deceased, Company F, One hundred and twenty-second United States Colored Troops, war of 1861—to the Committee on Invalid Pensions.

By Mr. MORSE: Petition of citizens of Cohassett, Mass., asking for a naval board of inquiry to be convened to inquire into the conduct of Commander Edwin Longnecker, United States Navy, in connection with his alleged ill treatment, ironing, and imprisoning civilian Robert E. Carbry, of Boston, Mass.—to the Committee on Naval Affairs.

By Mr. NEWBERRY: Petition for relief of E. A. Jennings, accompanying House bill No. 3263—to the Committee on Military Affairs.

By Mr. O'DONNELL: Petition of 162 citizens of Albion, Mich., praying that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

Also, resolutions of Michigan Commandery Order of the Loyal Legion, favoring the erection of a military chapel in the national cemetery at Arlington—to the Committee on Military Affairs.

Also, resolutions of the same organization for the enactment of a law prohibiting the improper use of the flag of the United States—to the Committee on Military Affairs.

By Mr. O'NEIL of Massachusetts: Petition of citizens of North Scituate, Mass., to promote the efficiency of the Life-Saving Service, and of citizens of Cohasset, Mass., for the same purpose—to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Pennsylvania: Protest of William E. Hooper, of Philadelphia, Pa., and of Alice W. Denney, of the same city, against closing the World's Fair on the Sabbath day—to the Select Committee on the Columbian Exposition.

By Mr. OUTHWAITE: Petition of 221 persons of the State of Iowa, asking that no appropriations be made by Congress for any exposition or exhibition unless the same be closed to visitors on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PAGE of Rhode Island: Resolution for furnishing additional assistance to the locksmith of the House—to the Committee on Accounts.

By Mr. PERKINS: Petition of J. Jasper and 25 other citizens of Sioux County, Iowa, in behalf of the Conger lard bill—to the Committee on Agriculture.

Also, petition of A. Van Pelt and 25 other citizens of the same county, for the passage of the Butterworth bill defining options and futures—to the Committee on Agriculture.

By Mr. STAHLNECKER: Petition of 79 citizens of the Fourteenth Congressional district of New York, praying that appropriations to the World's Fair be conditioned that the same be closed to visitors on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of the New York Chamber of Commerce, favoring appropriations for the Chicago World's Fair—to the Select Committee on the Columbian Exposition.

Also, resolutions of the Military Order of the Loyal Legion of the United States, favoring naval and military preparations for suitable defenses of the country and its interests in case of necessity—to the Committee on Naval Affairs.

By Mr. SMITH of Illinois: Petition of John M. Hawkins, of Pulaski, Ill., favoring the keeping of the World's Fair open on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Perry County, Ill., favoring the passage of the Butterworth option bill—to the Committee on Agriculture.

By Mr. STEWARD of Illinois: Petition of various churches and citizens of Joliet, Ill., protesting against opening to visitors the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WILLIAM A. STONE: Petition of letter-carriers of the Pittsburg post-office, for passage of bill increasing salary of letter-carriers after four years of service—to the Committee on the Post-Office and Post-Roads.

By Mr. TARSNEY: Petition of Samuel T. Hoover, in support of House bill 4242, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. TAYLOR of Tennessee: Petition and papers in support of claim of Gustavus F. Jacknick—to the Committee on War Claims.

By Mr. TERRY (by request): Petition of William Barnes, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. WHITING: Papers to accompany House bill 4264—to the Committee on War Claims.

SENATE.

WEDNESDAY, *January 20, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. MITCHELL. I present resolutions recently adopted by Salem Grange, Patrons of Husbandry, of Salem, Oregon, in favor, first, of the United States Government becoming the principal owner or controller of the Nicaragua Canal, and of the Government advancing money and guarantying bonds in sufficient sums and in such manner as to finish that important work for use in the least possible time consistent with true economy; second, recommending that all public lands of the United States over 4,000 feet above the sea level be withdrawn from sale and settlement; and, third, as a measure of safety to such mountain lands and the interests of animal industry, that the lands be let for grazing purposes under the supervision of the Bureau of Forestry of the Department of Agriculture.

As the resolutions relate to two separate and distinct subjects, all in one paper, which is not separable, it can only go to one committee, of course. I move that it be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. MITCHELL presented a petition of Mono Grange, No. 25, Patrons of Husbandry, of Oregon, and a petition of Coast Fork Grange, No. 243, Patrons of Husbandry, of Oregon, praying Congress to pass an act construing the late forfeiture act according to its original and true purpose, to forfeit all the lands within the 40-mile boundaries and between the terminal limits drawn at right angles with the general course of the unconstructed road for 25 miles next to said terminal; and also praying for the passage of an act resuming and restoring to the public domain all ands opposite to and coterminous with those portions of any railroad line not constructed within the time or according to the law under which they are claimed; which was referred to the Committee on Public Lands.

He also presented the petition of Benjamin Franklin Dowell, of Oregon, praying to be allowed a pension on account of services with the Oregon Volunteers in the years 1853, 1854, 1855, and 1856; which was referred to the Committee on Pensions.

He also presented a petition of the Legislature of Washington, praying for the passage of a bill for the relief of Peter G. Stewart, of that State; which was referred to the Committee on Claims.

Mr. BLODGETT presented the petition of Rev. J. C. Mahan, pastor, and 140 members of the Second Methodist Episcopal

Church of Rahway, N. J., and a petition of citizens of Flemingon, N.J., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. FELTON. I present a petition of the Humboldt Chamber of Commerce, of Eureka, Cal., praying that the full amount of $700,000 recommended by the Board of Engineers in charge of the improvement of Humboldt Bay be appropriated at an early date as possible.

It is an able presentation of the situation of that harbor, and gives convincing facts as to the necessity of such improvements and the urgency for immediate action on part of Congress, as, owing to climatic conditions, the spring and summer is the proper time for construction. Also, to prevent the shoaling of the river harbor the entire construction should be carried on at the same time; that such a course would require a larger appropriation at this time but combines the elements of safety and economy in the end.

I move that the petition be referred to the Committee on Commerce.

The motion was agreed to.

Mr. FELTON. I present a petition of the Chamber of Commerce of Los Angeles, Cal., praying for a new project for Government work at San Pedro, Cal., officially known as Wilmington Harbor, California.

In connection with this petition there are some very interesting facts which go to show that further appropriation should be expended upon that harbor. In the course of the two last decades $900,000 have been spent for the improvement of the harbor and the receipts in the last nine years from customs have been over $700,000. When the improvement was commenced there was but 18 inches of water on the bar at low tide, and now there is 14 feet of water in the inner harbor; according to the report of the engineers it can be further deepened to from 26 to 28 feet low tide. San Pedro is the only entry port to that great and fertile part of the southern portion of the State of California; the harbor is not only necessary for commerce, but as a harbor of refuge—it being the only safe harbor on the coast for 400 miles north and 200 south.

I move that the petition be referred to the Committee on Commerce.

The motion was agreed to.

Mr. CULLOM. I present a petition numerously signed by members of Minier Grange, No. 214, Patrons of Husbandry, of Little Mackinaw Township, Tazewell County, Ill., praying that post-office facilities be extended to farmers as well as other people. I move that the petition be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. HOAR. I present the memorial of a considerable number of bankers and national-banking institutions of the city of New Orleans, La., remonstrating against the passage of Senate bill 685, relating to the purchase and sale of cotton, etc. I move that the memorial be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. WOLCOTT presented a petition of the Denver (Colo.) Real Estate and Stock Exchange, praying for the passage of the bill providing for coinage at the Denver mint; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. MANDERSON, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 298) for the relief of Eunice Tripler, widow of Charles S. Tripler;

A bill (S. 780) for the relief of Robert H. Montgomery; and

A bill (S. 547) for the relief of Lieut. Col. Charles G. Sawtelle, Deputy Quartermaster-General, United States Army.

Mr. CAMERON, from the Committee on Naval Affairs, to whom was referred the bill (S. 247) for the relief of Henry E. Rhoades, reported it without amendment, and submitted a report thereon;

He also, from the same committee, to whom was referred the bill (S. 1079) for the relief of Assistant Engineer Howard D. Potts, United States Navy, reported it without amendment, and submitted a report thereon;

Mr. DAVIS, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 614) authorizing the restoration of the name of Thomas H. Carpenter, late captain Seventeenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers.

A bill (S. 337) to remove the charge of desertion standing against the name of Joseph G. Utter; and

A bill (S. 333) for the relief of Henry Unterleiter, alias Cook or Koch.

Mr. CULLOM. I am directed by the Committee on Interstate Commerce, to whom was referred the bill (S. 1516) granting the right to erect and maintain dams across the Kansas River within Shawnee County in the State of Kansas, to ask to be discharged from its further consideration and that it be referred to the Committee on Commerce. I call the attention of the Senator from Kansas [Mr. PEFFER], as the bill was introduced by him, to the fact that the Committee on Interstate Commerce authorized me to report the bill back and have it referred to the Committee on Commerce instead of Interstate Commerce.

The report was agreed to.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 46) for the relief of William B. Stokes, M. M. Brien, sr., Thomas Waters, and William T. Haskins, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1518) for the relief of Lewis F. J. Iseger, asked to be discharged from its further consideration, and that it be referred to the Select Committee on Indian Depredations; which was agreed to.

REPORT ON MARITIME CANAL OF NICARAGUA.

Mr. MANDERSON. I am instructed by the Committee on Printing to report back adversely the Senate resolution to print a report of the Committee on Foreign Relations on the Nicaragua Canal, and I ask that it be indefinitely postponed.

The report was agreed to.

Mr. MANDERSON. I am directed by the Committee on Printing to report a concurrent resolution to reach the same purpose designed by the Senate resolution just indefinitely postponed. I ask for the present consideration of the concurrent resolution.

The concurrent resolution was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring therein), That there be printed 15,000 additional copies of the report and appendices, No. 1944, of the Senate Committee on Foreign Relations, to accompany Senate bill 4827, to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889, made to the Fifty-first Congress, of which 5,000 copies shall be for use of the Senate and 10,000 copies for use of the House of Representatives.

BILLS INTRODUCED.

Mr. DAVIS introduced a bill (S. 1734) to amend section 2237 of Title XXXII of chapter 2 of the Revised Statutes of the United States, in relation to salaries of registers and receivers of United States land offices; which was read twice by its title, and, with accompanying papers, referred to the Committee on Public Lands.

Mr. STOCKBRIDGE introduced a bill (S. 1735) for the relief of Francis M. Potter; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WARREN introduced a bill (S. 1736) to amend section 2237 of chapter 2 of the Revised Statutes of the United States, relating to registers and receivers of land offices; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1737) for the relief of William A. Richards, United States surveyor-general of Wyoming; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BLODGETT introduced a bill (S. 1738) granting a pension to Louisa V. Bomford, widow of James V. Bomford, late colonel United States Army; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1739) for the relief of the legal administrators of William Boardman, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAULKNER introduced a bill (S. 1740) to define the route of the Baltimore and Ohio Railroad in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1741) to vest the title of public square 1102, in the city of Washington, D. C., in the trustees of the Fourth Street Methodist Episcopal Church, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1742) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GEORGE introduced a bill (S. 1743) for the relief of the legal representatives of William D. Wilson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1744) for the relief of Audley C. Britton; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT. I have been requested by the Delegate from New Mexico to introduce a bill to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States. I wish to say that in introducing the bill, I do so at the request of the Delegate, and without in anyway committing myself to the provisions of the bill.

The bill (S. 1745) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States, was read twice by its title, and referred to the Committee on Territories.

Mr. MITCHELL introduced a bill (S. 1746) granting a pension to Benjamin Franklin Dowell, of Oregon, for services with the Oregon Volunteers in the years 1853, 1854, 1855, and 1856; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1747) granting a pension to Charles W. Hammond; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 1748) granting a pension to Mrs. Janet L. P. Taylor; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 1749) to make an appropriation for the procurement of sites for defenses of the eastern entrance to Long Island Sound; which was read twice by its title, and referred to the Committee on Coast Defenses.

Mr. PERKINS introduced a bill (S. 1750) to authorize the construction of a bridge across the Missouri River at some accessible point within 2 miles north and 2 miles south of the city of Leavenworth, in the county of Leavenworth, in the State of Kansas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TELLER introduced a bill (S. 1751) for the relief of Augusta De Alna; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL (by request) introduced a bill (S. 1752) for the relief of W. A. Walker, of Albuquerque, N. Mex.; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also (by request) introduced a bill (S. 1753) to remove charges of desertion in certain cases; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 1754) for the relief of Herbert Cushman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 1755) to amend certain sections of Title LII of the Revised Statutes of the United States, and to carry into effect certain recommendations of the United States delegates to the International Marine Conference; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. FRYE. This is an exceedingly important bill, covering the recommendations made at that maritime congress, as many by the congress itself as were applicable to our country, and also those made by the United States delegates to the congress, and many of the bills were considered by the Committee on Commerce. The matters were, however, so very important and so complicated that the committee preferred that there should be another board which should pass upon the recommendations, and a request was made by the Senate to the Secretary of the Treasury that he would appoint a board to take into consideration during vacation all those recommendations. He appointed a board of very accomplished officers indeed. They have spent a great deal of time, months of labor, and exceedingly careful labor, too, I judge from the results, and this bill is the fruit of their labors. They have also sent in a statement of reasons for certain recommendations. The bill was sent to various boards of trade and mercantile and maritime associations, and their criticisms have been received in reply. All this matter is necessary for the consideration of this bill by the Committee on Commerce. Therefore I ask that the reasons of the board and the various reasons given in the papers I hold in my hand may be printed as a document for the use of the Senate.

The VICE-PRESIDENT. They will be printed as a document, if there be no objection.

Mr. COCKRELL. I think that a day or two ago a report was made from the Secretary of the Treasury—and I desire to call the attention of the Senator to it—in response to a resolution of the Senator from Massachusetts in regard to this same matter.

Mr. FRYE. No; that covered a question of no very great importance, the use of life-saving projectiles, etc., for steamers.

Mr. COCKRELL. It did not relate to the subject-matter to which the Senator here refers?

Mr. FRYE. No; this covers the whole maritime interests of the country, changes to be made in lights, rules of the sea, etc. It is very important indeed.

Mr. COCKRELL. Would it not be better to have the bill printed separately?

Mr. FRYE. Yes.

Mr. COCKRELL. And the documents separately?

Mr. FRYE. I prefer to have them printed separately, the documents all in one book, both separately.

Mr. COCKRELL. Let the documents be printed in one volume.

The VICE-PRESIDENT. That order will be made, in the absence of objection.

Mr. GEORGE introduced a bill (S. 1756) to carry out certain findings of the Quartermaster-General and the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. WASHBURN introduced a bill (S. 1757) defining options and futures and imposing special taxes on dealers therein, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. COLQUITT, it was

Ordered, That the papers of Clara Morris be taken from the files of the Senate and referred to the Committee on Claims.

PRINTING OF BANKRUPTCY BILL.

Mr. PERKINS submitted the following resolution; which was read:

Resolved, That the Public Printer is hereby instructed to print 5,000 copies of Senate bill 1694, and send them to the Senate document room.

Mr. PERKINS. If there is no objection I ask for the consideration of the resolution now. If there is, of course I consent that the resolution may go to the Committee on Printing. I will state that it is a resolution providing for printing extra copies of what is known as the Torrey bankruptcy bill, and while the type is in form I thought it was best that the resolution should be considered.

Mr. MANDERSON. What is the number that it is proposed to print?

Mr. PERKINS. Five thousand copies.

Mr. MANDERSON. I presume that would be under the limit of $500, but I think the law is imperative that such resolutions shall be referred. We will take speedy action on it.

Mr. PERKINS. Very well.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Printing.

STENOGRAPHER FOR INTERSTATE COMMERCE COMMITTEE.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interstate Commerce be, and it is hereby, authorized to employ a stenographer to report hearings before said committee, the expenses thereof to be paid out of the contingent fund of the Senate.

INDIAN AGENCIES.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be directed to communicate to the Senate any information in the Department upon the question of dispensing with any of the Indian agencies estimated for in the estimates for the next fiscal year, and the conclusions of the Department upon the feasibility of dispensing with any and how many of such agencies.

PUBLIC BUILDING AT GRAND HAVEN, MICH.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar will be taken up. The first bill on the Calendar will be proceeded with.

The bill (S. 377) to provide for the purchase of a site, and the erection of a public building thereon, at Grand Haven, in the State of Michigan, was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. I should like to have some explanation as to the population of this place and the necessity for a public building there, and as to whether there is any United States court held there, or any United States offices other than the post-office.

Mr. STOCKBRIDGE. I will state that at Grand Haven, Mich., there is a custom-house. The chief office of the life-saving stations for the eleventh district, covering that whole lake coast, is there. The weather signal office is there. The office of the United States engineers in charge of all harbors on the east side of the lake is there. The office of the local engineer in charge of Grand Haven Harbor, and the office of the superintendent of all the light-houses on the east shore of Lake Michigan are there. The office of inspectors of hulls of all steam vessels of that district is there. The office of inspector of boilers is there. The office of surgeon of the Marine Hospital Service for that district is there.

I will state that the Government now pays expensive rent for all the offices named, which are mostly of a limited capacity, and the fire risk is very great for all the records in those offices. The bill passed the Senate in the last Congress.

Mr. COCKRELL. What is the population of the city?

Mr. STOCKBRIDGE. The population of Grand Haven is about 6,000, but the business of the place, gathering all these offices there pertaining to the east side of the lake, makes the erection of this building very proper in my judgment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT DEADWOOD, S. DAK.

The bill (S. 436) to provide for the purchase of a site, and the erection of a public building thereon, at Deadwood, in the State of South Dakota, was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to hear some explanation of the bill. Is there any court held there? What is the population of the city, and what justifies this building?

Mr. PETTIGREW. Deadwood is one of the three places in the State of South Dakota where terms of the United States district court are held. The Government is paying for offices of the court and for the courtroom about $4,000 a year, and $1,000 rent for a post-office building. The population of Deadwood itself is about 4,000, but it is the center of several towns, so that within a radius of 5 miles there is a population of over 15,000 people.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT DOVER, N. H.

The bill (S. 368) to provide for the purchase of a site, and the erection of a public building thereon, at Dover, in the State of New Hampshire, was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to have some explanation of the bill.

Mr. CHANDLER. There is no report from the Senate committee accompanying the bill, I suppose solely for the reason that the committee concluded to omit to make reports in cases where bills had passed the Senate several times. This bill has passed the Senate I think three times at least, and I am not certain but that it has passed four times. It has been reported favorably in the House of Representatives, and I have in my hand Report No. 1528, Fifty-first Congress, first session, from the Committee on Public Buildings and Grounds of the House of Representatives, which states fully the reasons why that committee deemed it justifiable to make an appropriation for a public building in Dover, N. H.

Dover is a large manufacturing city, and is a rapidly-growing city, full of enterprise, and, as has been conceived by the Senate on three occasions and by the committee of the other House, is entitled to this appropriation for a public building. I believe if any public-building bills are to pass this bill is one that should pass.

Mr. COCKRELL. What is the population of Dover?

Mr. CHANDLER. The population was stated in the report of the other House to be 15,000. I think the population is about 2,000 more, probably about 17,000. There are no suitable post-office accommodations there, and this building, I beg leave to assure the Senator from Missouri, is very much needed by the city. I am perfectly willing to take my full responsibility of voting for the bill, and I trust that the Senator from Missouri will make no objection to it.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT STILLWATER, MINN.

The bill (S. 687) for the erection of a public building at Stillwater, Minn., was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to hear some explanation of the necessity for this building and something about the population of the place, whether United States courts are held there, and what United States offices are there.

Mr. WASHBURN. A bill precisely like this passed the Senate at the last session of Congress. Stillwater is the fourth largest city in Minnesota. It is a very important manufacturing town, the population of which according to the last census I do not precisely remember, but it is somewhere from eighteen to twenty thousand. I think this bill is as meritorious as any which has passed the Senate during this session.

Mr. COCKRELL. Mr. President, one word. I am not going to make any opposition to the passage of this bill, but it seems that in all of these bills one of the principal arguments for their passage now is that at the last Congress, the celebrated Fifty-first Congress, these bills were passed through the Senate. It is remarkable that they did not get through the House of Representatives. With the proneness of that Congress to make appropriations, I do not think it is a sufficient argument simply to say that a particular bill passed the Senate at the last session and failed in the other House, because certainly that House was recognized as rather liberal in the appropriations it made during that Congress.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT SALEM, OREGON.

The bill (S. 534) to provide for the construction of a public building at Salem, Oregon, was considered as in Committee of the Whole.

Mr. COCKRELL. Mr. President, I should like to hear some explanation of this bill before it is passed. Is this bill for Salem, Oregon, one of the old bills, one that has been passed by the Senate heretofore? I desire to know what is the necessity for it.

Mr. DOLPH. A similar bill was passed, I think three times, certainly at least twice, by the Senate, but failed to receive favorable consideration by the other House.

Salem is the capital of the State. It contains some fine State buildings, a capitol building, an insane asylum, and other public buildings, costly and ornamental to the city. It is now in the second district of Oregon, and there is not a Federal public building in the district.

The population is about 10,000. The business of the post-office authorized the free-delivery system some years ago, and I suppose the proceeds of the office are from $15,000 to $20,000 a year. The accommodations are at present very poor. It would cost to rent in a proper location a suitable building more than the interest on the money required to erect a building. I think there can be no possible objection to the bill. As I have said, it has passed the Senate, I think three times, at least twice.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT THE DALLES, OREGON.

The bill (S. 601) for the erection of a public building for a post-office and United States land-office at the city of The Dalles, Oregon, was considered as in Committee of the Whole.

Mr. McPHERSON. Mr. President, I think that it is high time that some inquiry were made touching the location of public buildings at unimportant towns over the country. I see there is no report accompanying this bill, and so far as I am informed the Senate has not been advised as to the necessity for a public building to cost $100,000 in a town in a remote State, where the population is less than 1,000 according to the last census.

Mr. MITCHELL. Mr. President, the Senator is wholly misinformed.

Mr. McPHERSON. I have examined the census report.

Mr. MITCHELL. The Senator is evidently quoting the population of one precinct or ward of the city of The Dalles. The city of The Dalles is the metropolis of Eastern Oregon. It is the principal city in that great section of the State which contains more territory, as far as that is concerned, than all the New England States put together, including New Jersey.

Mr. McPHERSON. That is outside of New England.

Mr. MITCHELL. Yes; New Jersey is outside of New England. The Dalles has in the neighborhood of about 5,000 actual population in the city proper, and a large population, I suppose ten or fifteen thousand, within a radius of a few miles around it. It is the entrepôt of the trade of that country. Millions of pounds of wool from that great section come in there annually, also large quantities of wheat. It has some three or four newspapers. I think it has one daily and three or four weeklies. It has also three or four national banks and several private banks. There is an immense amount of business done there annually. It is in a Congressional district other than Salem, for which an appropriation was made a few minutes ago of $100,000. The principal land office in the State is located at The Dalles.

Another matter that it may be proper to state, is the fact that the whole of the State of Oregon is now in one judicial district, the court being located in Portland. It is evident that there must be a division of that State at a very early date and another district established. That, of course, is in the future, but that it is bound to come in a very short time I have no doubt. As the matter stands now, the city of The Dalles is a place of considerable importance. There are machine shops located there in connection with the great corporations doing business along the railroads and on the river, there is a large transient population coming and going, and a large, steady, and rapidly increasing amount of business done there every year.

Mr. McPHERSON. I am much obliged to the Senator from Oregon for his explanation, but still I am not convinced.

Mr. MITCHELL. I will say to the Senator from New Jersey that I notice in looking over the census report that there is some mistake in regard to the population of The Dalles. The population is between four and five thousand in the city itself, as shown by the last census

Mr. McPHERSON. Then it shows clearly, among other things, that the late census is not an infallible document. I believe complaint has been made in some other parts of the country with regard to the imperfections of the census report. This charge seems to find justification at The Dalles as well as elsewhere. I have looked in the census report and I find as to cities of 1,000 population and over that The Dalles is not mentioned at all. There is no information whatever as to the necessity of a public building for a post-office there——

Mr. MITCHELL. That is evidently a mistake.

Mr. McPHERSON. In a city of 5,000 people, the number claimed by the Senator from Oregon to exist in the city, there is no claim that there is need for a court building, if I understand the Senator, or for any other purpose except a land office and a post-office.

There are many cities in the East with a population anywhere from 50,000 to 100,000, in which no public building has been erected for a post-office or for any other public purpose by the Government of the United States. There can only be a limited amount of money appropriated each year and used intelligently and judiciously in the construction of public buildings. I submit if it is not wisdom on the part of this Government to erect public buildings in cities having now a large population, having a steady and healthy growth, as many of the cities of the East have, instead of at The Dalles.

We appeal here to the Congress of the United States for buildings for post-offices, for court purposes, for internal-revenue officers, and for custom-houses in many of the eastern cities, and we do not get appropriations of money for those places. But you go to the State of Oregon and anticipate a city which is to spring up there in the future with a population sufficient to justify the appropriation proposed of $100,000. You have not yet reached the time when the necessity for $100,000 investment is apparent. These appropriations can not be unlimited, though a certain amount of money may be appropriated each year for public buildings. I should be glad to see the time come when the Committee on Public Buildings and Grounds would discriminate between these applications for public buildings and appropriate for them first where they are to accommodate the greatest number, and where they should be first built.

Mr. MITCHELL. Mr. President, I will only say a word. The fact that Oregon is a remote State, as was stated by the Senator from New Jersey, I suppose ought not to cut much figure in the case.

I hold in my hand a communication from the Supervising Architect of the Treasury recommending this appropriation. I also have in my hand a letter from the Commissioner of the General Land Office, transmitted by the Secretary of the Interior, showing the large amount of business done in the land office at The Dalles, which I shall ask to have inserted in my remarks.

The VICE-PRESIDENT. The papers referred to by the Senator from Oregon will be printed in the RECORD, in the absence of objection.

The papers are as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, D. C., March 1, 1890.

SIR: The letter from your committee, dated December 14, 1889, requested such information as I may have and my opinion in regard to the advisability of Senate bill 406, introduced December 4, 1889, by Hon. JOHN H. MITCHELL, to provide for the acquisition of a site and the erection thereon of a public building for the accommodation of the post-office, United States land office, etc., in The Dalles, Oregon, at a cost not to exceed $150,000, becoming a law.

In reply, I have the honor to submit the following:

Copy of a report, dated February 20, 1890, addressed to this office by the postmaster of The Dalles, Oregon;

Copy of a report, dated December 17, 1889, addressed to this office by the honorable the Acting Postmaster-General;

Copy of a report, dated January 22, 1890, addressed to this office by the honorable the Secretary of the Interior; and

Copy of a report, dated January 16, 1890, addressed to this office by the Commissioner of the General Land Office.

By reference to page 1035, report of the Postmaster-General, 1889, it will be observed that the gross postal receipts for the fiscal year ending June 30, 1889, in that city were $7,617.17; the salary, clerk-hire, rent, light, and fuel, and other incidental expenses aggregated $2,479.04; the net postal receipts were $5,138.13, and that in addition to said post-office being self-sustaining, it yielded a net postal revenue of 67 per cent.

From computations made in this office, based upon the data contained in the papers above cited, it is found that a suitable site can be procured and a public building about 45 by 90 feet in dimensions, two stories high with basement, of fireproof construction, including heating apparatus, vaults, and approaches, and excluding elevator service, which is not deemed necessary, can be erected thereon for the accommodation of the post-office and land office for $100,000, or $50,000 less than the limit of cost proposed by said bill.

After duly considering the subject, I am of the opinion that such a public building will afford proper accommodations for the present and prospective needs of the Government offices to be located therein, and that said bill should become a law after being modified so as to make $100,000 instead of $150,000 the limit of cost of site and building.

Respectfully, yours,

JAS. H. WINDRIM,
Supervising Architect.

Hon. LELAND STANFORD,
Chairman Committee on Public Buildings and Grounds, United States Senate.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., January 16, 1890.

SIR: I am in receipt, by your reference, for early report, of a communication from the Supervising Architect of the Treasury Department, dated the 13th ultimo, requesting certain information in regard to the business of the land office at The Dalles, Oregon, with a view to the assignment of rooms for said office in the new Government building proposed to be erected at that place.

In reply, I have the honor to state that in the year 1878, there were 442 entries of public lands in that office, and in 1888, 2,246 entries. The number of entries will probably decrease in the next ten years; but other business in relation to the disposal of lands will, in all probability, require the same space and accommodations.

Four persons, officers and clerks, are regularly employed, and an addition to the clerical force will be made as soon as practicable. Office room is also required for the use of special agents, hearings, and contests.

The actual floor area needed for the proper accommodation of the land office and its records, should be equivalent to three rooms, each not less than 24 feet square. I may add that one of the rooms should be furnished with a safe or vault for the use of the receiver of public moneys.

On account of the inadequacy of the appropriation, no allowance has been made for office rent since 1882, when the sum of $180 per annum was authorized.

Very respectfully,

LEWIS A. GROFF, *Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

Mr. MITCHELL. The Senator seems to lose sight of the fact that a land office in a Western State cuts a considerable figure in questions of this character. A great amount of business is done there and the Government can not transact its business there except by paying rent from time to time, and there will be more rent paid in the course of a few years for post-office apartments and land-office rooms than it would cost to erect a building with suitable accommodations.

I will also state that this bill passed the Senate at the last session, and I hope it will not be made an exception to the bills that did pass the Senate at the last session.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and read the third time.

Mr. McPHERSON. In order that this matter may be decided once for all by the Senate, believing as I do this to be a reckless appropriation of the public money at a place where a public building is not really needed, at least not half as much needed as it is in many other localities, and for the reason I have already given, that appropriations can not be made from the public Treasury in many places where public buildings are needed, I ask for the yeas and nays on the passage of the bill.

The VICE-PRESIDENT. The Senator from New Jersey asks for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. COCKRELL. I should like to ask the Senator from Oregon a question in regard to the bill. Is there any United States court held in Eastern Oregon?

Mr. MITCHELL. No, sir; there is no United States court held in Eastern Oregon.

Mr. COCKRELL. At what places in Oregon are United States courts held?

Mr. MITCHELL. At Portland. I will state, in further answer to the Senator from Missouri, that the question has been seriously discussed and is discussed now in regard to the necessity of providing either that terms of the United States courts shall be held in Eastern Oregon in order that witnesses, jurors, and litigants may not be dragged five or six hundred miles, or that a new district may be established, including within its boundaries that section of the State. There has never been an appropriation made for more than two public buildings in the whole State of Oregon, and these for buildings at Portland.

Mr. COCKRELL. What is the size of The Dalles compared with other cities in Eastern Oregon?

Mr. MITCHELL. It is the largest city in Eastern Oregon, considerably larger in population, and certainly in business importance, than any other of the cities of Eastern Oregon. It is the fourth city, I think, in population and importance in the State.

Mr. COCKRELL. What are its transportation facilities?

Mr. MITCHELL. As to its transportation facilities, it is right on the Columbia River.

Mr. COCKRELL. I understand that.

Mr. MITCHELL. And the Oregon Railway and Navigation Company's railway, which is a transcontinental road, runs through the city. It is an important place, and gradually becoming of more importance every day.

Mr. COCKRELL. Is it such a place that in the event a United States court should be held in the eastern district of Oregon The Dalles would be the place selected at which it should be held? Is it centrally located with such facilities of communication and intercommunication as to make it a point that would probably be selected?

Mr. MITCHELL. The facilities for transportation and communication are good as far as that is concerned. As I have stated, it is located on the Columbia River, and a railroad running through the entire section of the State runs through the

city. I wish to be entirely candid about this matter, and I am not prepared to say, and do not wish to predict, that The Dalles would be selected, provided a new judicial district was organized in Eastern Oregon. Of course that would be for Congress to determine; but the city of The Dalles is perhaps as well suited to accommodate the business, I think, quite as well, if not better, than any of the other cities in that section of the State. I am willing to say that much, and that much is true. There are, however, other cities of importance in that section of the State, such as Pendleton, La Grande, Baker City, and others, at any one of which a Federal court-house for a separate judicial district in that section might with propriety be located.

Mr. McPHERSON. I should like to ask the Senator a question. I understood him to say in answer to an inquiry I made that there was no court now held at The Dalles. I understand him now to say, however, that in anticipation that there may be a court held in that part of the district The Dalles would be the proper place for the court, but he does not say that it is the only place. There may be other cities desiring public buildings for such purposes.

There is no invidious distinction made by me as against Oregon or against the city of The Dalles. I only want to bring the matter up here and now in order to know whether it be the purpose of the Senate of the United States to contribute $100,000 of money at this time for a town so small, so minute that it has not even a place in the census report as a city of 1,000 people; and confessedly this building is to be erected for no other purpose in the world except for a post-office and a land office.

The Senator knows there are hundreds of such offices in the country, and we do not need to erect a public building costing $100,000 for a land office. Would it not be better and wiser to wait until this city grows to something like the proportions of cities that the Congress of the United States have heretofore thought proper to recognize as being sufficient to justify a public building costing $100,000. This is the idea I have in view.

Mr. MITCHELL. Mr. President, it is hardly fair that the Senator from New Jersey [Mr. McPHERSON] should insist, after what has been said here, that this city has, as shown, as he claims by the census report, a population of but 1,000. That perhaps is true in one census table the Senator has referred to, which is evidently a mistake, but the census reports will show when he gets down to the proper statement that the population of Dalles City is between four and five thousand.

I answered the question of the Senator from Missouri [Mr. COCKRELL] in regard to the court business. I have not said that any United States court was held in Eastern Oregon. I have said just the contrary, that no term of court is now held there, but that it is the expectation of the people of the State of Oregon, and especially of the people of that section of the State, that a new district will be organized at an early day, as they think, when the matter is brought to the attention of Congress, as it will be this session by myself. I have not said that The Dalles would be selected as the place for that court, because I desire to be entirely candid about it. I have said that by reason of its transportation facilities, its location, and all that, it would, as I think, be as eligible a place for the location of the court if a new district were established there as any other of the cities which would aspire for the honor.

There is another thing, Mr. President, the Senator from New Jersey evidently loses sight of. He loses sight of the fact that in many of our cities of the West, while the population is not as large as that of many cities of the East, the amount of business transacted is infinitely larger in most of them—I refer to our cities in Oregon, Washington, Idaho, and elsewhere on the Pacific coast—than in many cities of the East of five times the population. For instance, take the case of my own city of Portland, Oregon, where the population is only about 65,000. Last year there was a wholesale business done in that city of $131,000,000, or very much more, if I am correctly informed, than was transacted in the city of Denver, with its large population, much more, perhaps, than was transacted in many of the cities of the Senator's State, where the population probably is five or six times as large as in the city of Portland.

The Senator will be surprised, and he will be instructed as well, if he will take a little trip out to the States of Oregon, Washington, and Idaho, and take a look at them. I wish he would go down the Columbia River and go up the Columbia River, and go over our railroads, and along and through our magnificent valleys, and grand forests, and beautiful cities and towns, and take a look at the immense amount of business that is being transacted there in Portland, Astoria, The Dalles, Pendleton, and other places. I am quite sure if the Senator from New Jersey were to visit The Dalles, to see for himself the activity that prevails there, the business energy, the manufacturing industries established there, the immense amount of wool and of wheat that are coming in there every day during a great portion of the year, he would be astonished. Why, sir, we raise more wheat in one county in the State of Oregon than the Senator from New Jersey ever saw. [Laughter.]

When I traveled through the county of Umatilla fifteen years ago the only wheat grown in the whole county was a 3-acre patch. Now, they raise, well, I do not know, but perhaps 10,000,000 bushels and over in that county alone.

Mr. McPHERSON. Will the Senator please inform me whether he wants a post-office or a granary for that wheat? [Laughter.]

Mr. MITCHELL. We have the granary, and now we want the post-office. [Laughter.] My remarks were intended as an answer to the suggestion made by the Senator from New Jersey about remote States, and all that kind of thing. If the Senator would visit the State of Oregon he would not think it was such a remote State after all, and I am sure he would receive a right royal welcome if he will only come.

I have nothing more to say and ask for a vote.

Mr. GEORGE. Let me ask the Senator a question.

Mr. MITCHELL. Certainly.

Mr. GEORGE. For what purpose is the building to be erected?

Mr. MITCHELL. For a post-office and other public offices.

Mr. GEORGE. What other public offices are located there?

Mr. MITCHELL. The principal land office in the State of Oregon—and we have five, I believe, in that State—is located at The Dalles. There is an immense amount of land business transacted there, as is shown by a letter on my desk from the Secretary of the Interior.

Mr. GEORGE. I hope I shall be indulged in one remark. In a city of Mississippi containing 10,000 inhabitants and growing very rapidly, only the sum of $50,000 was allowed for a post-office building.

Mr. MITCHELL. That probably is due to the modesty of the Senator from Mississippi.

Mr. GEORGE. No, sir; not at all.

Mr. McPHERSON. I congratulate the Senator from Oregon upon the growth of his State. Nobody feels happier over the result of her prosperity and her great growth than myself, but I do submit that if that Senator will take the census reports and will consult those reports and investigate the question as to all the New England States he will find cities of fifteen, thirty, forty, and even fifty thousand people, where the Government has never yet erected a public building. Go south, if you please, among the large and magnificent and growing cities there, and you will find many large cities in which the Government has erected no public building.

Take the Northern and Middle States—take Ohio. I think I heard the Senator from Ohio [Mr. SHERMAN] say yesterday, or I read it in the RECORD this morning, that the great State of Ohio had but six public buildings erected upon her territory. Take Pennsylvania, New York, and the Western States, Illinois, if you please, and I need not mention any more of them—take the census reports, and you will find magnificent cities, whose growth and increase in trade during the past ten years would have justified any Senator upon this floor in voting for a reasonable and moderate appropriation of money for a public building, and yet no such buildings have been erected. Take my own State, if you please. I think I have some of the figures here that I can quote for the information of the Senate.

Take Atlantic City, which has 13,000 population; Perth Amboy, 19,000; Camden, 50,000; Elizabeth, 37,000; Hoboken, 45,000. We did appropriate a hundred thousand dollars for a public building at Hoboken, with a population of 45,000 and with an increase of growth of nearly 50 per cent during the past ten years. Here is Jersey City, with a population of nearly 170,000, and the sum appropriated for the purchase of a site and erection of a public building in that city, which seems to be sufficient for the purpose, was only $80,000. Take the city of Paterson, with a population of 78,000, and it has no public building, and so on. I might go to Orange, with a population of 18,000.

Now, sir, I can not vote for an appropriation of $100,000 for a building which is confessedly nothing more than a post-office building in the city of The Dalles. I accept the Senator's statement as to the amount of the population, although it is in contradiction of the census report; but even if it has a population of 5,000, which the Senator claims for it, I can not vote for an appropriation of $100,000 to erect a post-office in the so-called city of The Dalles, Oregon, when cities in my own State of 80,000 population have never had a post-office building, and while there are many cities in the South and West and in the Middle and Eastern States with a population ten times greater that are unable to convince the committee that they too have rights which should have priority over a small town in the wilderness.

Mr. MITCHELL. May I inquire how many public buildings there are in New Jersey?

Mr. McPHERSON. I can not recall more than three at the present time; one at the capital of the State, which is a court

building; another at Newark, which I think was only constructed last year, and one in Jersey City. I can recall no other public building in that State. It would seem to me that the Government ought to appropriate money for these large cities that have grown up in the great, populous parts of our country. Unless it can be shown that there is an absolute necessity for a building for court purposes or for other than post-office purposes in small towns no such appropriations should be made. In a place of 5,000 people the Government could rent a building very much cheaper and just as much to the advantage of the post-office patrons.

Mr. MITCHELL. Just another remark, Mr. President. Of the many millions of dollars that have been appropriated for public buildings in this country more than nine-tenths of the whole amount has been expended east of the Mississippi River.

Mr. GEORGE. It is always a disagreeable duty, Mr. President, to resist any appropriation that is proposed to be made which a Senator from the State wants. I do not like to disoblige any Senator in any local measure, but I feel bound to say, after what has been stated on this occasion, that the appropriation now proposed appears to me to be very largely excessive. The population of the town, as I understand, does not exceed 5,000; and it was not that much by the last census. What was it by the last census?

Mr. McPHERSON. It is not included in the list of those cities which have a population of 1,000 so far as I have been able to examine the report.

Mr. MITCHELL. That is a mistake.

Mr. GEORGE. What was the population?

Mr. MITCHELL. I think about 4,400; that is in the immediate city.

Mr. GEORGE. The corporate limits?

Mr. MITCHELL. Included in the corporate limits; but of course there is a large population around in the immediate neighborhood. It is a river city, and, as I said before, a place of considerable importance in regard to the amount of business transacted there.

Mr. PADDOCK. Mr. President——

Mr. GEORGE. I want to get through. I have nearly concluded.

Mr. PADDOCK. I just wanted to ask a question.

Mr. GEORGE. In a moment. I dislike very much to disoblige the Senator from Oregon, but I believe there ought to be a halt called on appropriations. The last Congress appropriated over a billion of dollars. That has caused a good deal of criticism in the country, and very just criticism. The people of the section of the country in which I reside, whatever may be the happy condition of other parts of the Union, are now suffering from the very greatest financial distress. The price of the cotton crop, which is our main dependence, is lower now than it has been for thirty or forty years. The people are burdened with debt; the farmers can not meet their obligations, and I think that this time is a very inopportune one for the purpose of expending extravagantly the public money. The people want a reduction of taxation. The burdens are heavier in that direction than they can bear, and whilst I should be willing to vote for the new and the rising and progressive and improving State of Oregon a liberal sum for a public building I can not consent to vote for this extraordinary sum, extraordinary and excessive as compared with similar appropriations made for my own State.

For the city of Meridian, one of the most progressive, enterprising, and growing cities in the South, I with difficulty got through $50,000 for the erection of a post-office there. The city of Natchez, having a population of six or eight thousand has never had a single dollar appropriated for a public building. The city of Greenville, having also a population of seven, eight, or ten thousand—I believe ten thousand—is without a single dollar in that respect. There are other towns and cities in my own State which are equally entitled to the benefits of the bounty of the Government. I feel, therefore, compelled to say to the Senate and to the Senator from Oregon that, unless this appropriation is cut in two in the middle, so as to make it something like the appropriations that have been made in similar cases in the State of Mississippi, I shall be compelled to vote against the bill.

Mr. MITCHELL. May I ask the Senator another question? Has it not been his experience and has not the Senator found that where an appropriation of only $50,000 has been made for a public building after the ground for site has been purchased and the building erected you find you have one scarcely worthy of the name. Right in that connection I desire to say that property rates at a very high figure in The Dalles. You can not get a suitable site for any small amount.

Mr. GEORGE. I have not had the experience or the observation suggested by the Senator. I know that in the city of Oxford, where the Federal court is held, a post-office, a public building was erected, I believe, for the sum of $50,000. In the city of Aberdeen, where a Federal court is held, I do not think $50,000 was more than was appropriated. In only two places in the State of Mississippi have a hundred thousand dollars been expended in a public building. One was at the capital of the State, where there was a Federal court and a land office, and the other was at the city of Vicksburg, where there was a Federal court and not a land office, but I believe a custom-house. I think we had as well go a little slow in appropriations. The people are oppressed; taxes ought to be reduced, and they can not be reduced if we go on making these extravagant appropriations.

Mr. PADDOCK. I should like to ask the Senator (I do not remember to have heard whether he made answer to the question or whether the question was put to him) what the gross receipts of the office at The Dalles are?

Mr. MITCHELL. I am not able to state at the moment. The amount, however, is stated in the letter of the Supervising Architect which I sent to the desk a few minutes since.

Mr. PADDOCK. Mr. President, it occurs to me to say now, in the midst of this controversy, while the Senator is looking for his papers, that in the first session of the Fiftieth Congress I proposed a measure here, the first of the kind ever presented in either branch of Congress, to provide a general law for the construction of all post-office buildings wherever post-office buildings should be built, on a plan and by a method which should be entirely impartial as to the amount of appropriations and as to the location of the offices in the several States. The proposition was to this effect——

Mr. MITCHELL. Mr. President——

Mr. PADDOCK. I hope the Senator will allow me to finish this sentence—I am not going to make a speech—the proposition was to this effect substantially: That, starting on the basis where the annual aggregate gross receipts for three successive years for a town should be ascertained to be $3,000 for each year, amounting to $9,000, a post-office building should be built, the appropriation for which should not exceed this sum of three times the sum of such receipts. That proposition has been pending here in one form or another ever since. It has been reported from the Committee on Public Buildings and Grounds twice or three times, not exactly in the form in which I introduced my bill, but another bill based substantially on the same idea. I refer to the bill reported by the Senator from Missouri [Mr. VEST]. As I have listened to this discussion to-day I have been more impressed with the importance of some such legislation as that.

The bill as it stands now reported by the Committee on Public Buildings and Grounds limits the construction of these post-office buildings to offices of what are known as the fourth-class, and limits the maximum appropriation to $25,000. I shall propose, when that bill comes up for consideration, an amendment removing the limit entirely, so that all post-office buildings, commencing with the class I have named, may be constructed upon that basis, so as to do away with these perpetual controversies arising on these bills for special acts on account of excessive appropriations in some places and too small appropriations in others. At some time or other in the near future we must come to some such rule of legislation as this or we shall come to infinite trouble—much greater trouble than we have yet known. But until some general plan such as I have described shall be adopted by legislation I shall vote for these bills which have been reported upon favorably both by the Supervising Architect and the Committee on Public Buildings and Grounds.

Mr. MITCHELL. The report of the Supervising Architect, recommending the appropriation of $100,000 for the public building at The Dalles is dated March 1, 1890. When this bill was first introduced, nearly two years ago, the Supervising Architect recommended that amount, which was $50,000 less than the limit of cost proposed by the bill; which, as originally introduced by me, was for $150,000. The Supervising Architect says:

By reference to page 1035, Report of the Postmaster-General, 1889—

He goes back to the report of the Postmaster-General of 1889, over three years ago—

It will be observed that the gross postal receipts for the fiscal year ending June 30, 1889 in that city were $7,617.17; the salary, clerk hire, rent, light, and fuel and other incidental expenses aggregated $2,479.04; the net postal receipts were $5,138.13, and that in addition to said post-office being self-sustaining, it yielded a net postal revenue of 67 per cent.

From computations made in this office, based upon the data contained in the papers above cited, it is found that a suitable site can be procured and a public building about 45 by 90 feet in dimensions, two stories high, with basement, of fireproof construction, including heating apparatus, vaults, and approaches, and excluding elevator service, which is not deemed necessary, can be erected thereon for the accommodation of a post-office and land office for $100,000, or $50,000 less than the limit of cost proposed by said bill.

After duly considering the subject, I am of the opinion that such a public building will afford proper accommodations for the present and prospective needs of the Government offices to be located therein, and that said bill should become a law after being modified so as to make $100,000 instead of $150,000 the limit of cost of site and building.

Mr. DOLPH. I only desire to say a word. I have listened to the argument of the Senator from Mississippi [Mr. GEORGE] in regard to the necessity for economy. I wish to say that this na-

tion is wealthy enough and the Treasury is in such condition—if it is not it can be soon placed in such condition—as to enable the Government to make the necessary expenditures for every needed public work, and it is poor economy to refuse appropriations for the reasons assigned by the Senator from Mississippi or for any other reason when a great public work is demanded.

It seems to me that a statesmanlike policy would be to make the necessary appropriations for the works that are demanded, and if the condition of the Treasury will not justify the expenditure, to put the Treasury in such condition as will justify it.

In regard to post-offices, I quite agree with the Senator that if a building is required simply for a post-office there ought to be some degree of equality between the different States of the Union. Congress is here to legislate for every section, and in the distribution of the funds in the Treasury for public purposes, if the public service will permit it, I think with the Senator that there should be some equality between the States, and the question as to whether an appropriation should be for a building for a post-office alone would depend largely upon the population of the city or town in which it was to be erected; that is to say, the number of patrons of the office and the receipts of the office.

But in this case, as in many others, there is another question that comes up. A building is not required at this point alone for a post-office. It is required for a district land office and will be required for many years. There is not a Federal public building in all of Eastern Oregon, which embraces about two-thirds of the State of Oregon, or something over 60,000 square miles, and I have no doubt that the expense of procuring a suitable and proper building for a post-office, so that the public shall be decently accommodated—and certainly the General Government ought to see that that is done—and of securing proper accommodations for the local land office, is as great annually at the present time as the interest would be on the amount proposed to be appropriated by this bill. While the town is growing and the State is filling up, the business of both the post-office and the local land office will increase from year to year.

The VICE-PRESIDENT. The roll will be called.

The Secretary proceeded to call the roll.

Mr. COCKRELL (when his name was called). I am paired with the senior Senator from Iowa [Mr. ALLISON].

Mr. MORRILL (when his name was called). I am paired with the senior Senator from Tennessee [Mr. HARRIS]. Therefore I withhold my vote.

Mr. WHITE (when his name was called). I am paired with the Senator from Montana [Mr. POWER].

The roll call was concluded.

Mr. CULLOM. I inquire if the Senator from Delaware [Mr. GRAY] is recorded as voting?

The VICE-PRESIDENT. He has not voted.

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. I therefore withhold my vote. I should vote "yea" if he were present,

Mr. DAWES. Has the senior Senator from Alabama [Mr. MORGAN] voted?

The VICE-PRESIDENT. He has not.

Mr. DAWES. I am paired with him; otherwise I should vote in the affirmative.

Mr. JONES of Arkansas. I am paired with the Senator from New York [Mr. HISCOCK].

Mr. BARBOUR. I desire to know if the Senator from Connecticut [Mr. PLATT] has voted.

The VICE-PRESIDENT. He has not voted.

Mr. BARBOUR. Then I withhold my vote.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "yea." If no quorum has voted I will vote.

The VICE-PRESIDENT. A quorum has voted.

Mr. MANDERSON. I then withhold my vote on account of my pair.

Mr. WOLCOTT (after having voted in the affirmative). I am paired with the Senator from West Virginia [Mr. KENNA] on political matters. I fail to understand that this vote has any particular political significance, but I will withdraw my vote unless it is necessary to make a quorum.

The VICE-PRESIDENT. The Senator's vote will be withdrawn.

Mr. FAULKNER. I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. CAREY. I am paired with the Senator from South Carolina [Mr. IRBY]. If he were present, I should vote "yea."

The result was announced—yeas 35, nays 12; as follows:

YEAS—35.

Allen,	Cameron,	Dolph,	Hale,
Blodgett,	Daniel,	Dubois,	Hansbrough,
Brice,	Davis,	Felton,	Hawley,
Call,	Dixon,	Gallinger,	Higgins,
Hoar,	Pettigrew,	Squire,	Turpie,
Mitchell,	Proctor,	Stanford,	Vest,
Paddock,	Sanders,	Stewart,	Warren,
Peffer,	Sawyer,	Stockbridge,	Wilson.
Perkins,	Shoup,	Teller,	

NAYS—12.

Bate,	Coke,	Gibson, La.	Pugh,
Berry,	Colquitt,	McPherson,	Vilas,
Chilton,	George,	Palmer,	Walthall.

NOT VOTING—41.

Aldrich,	Dawes,	Jones, Ark.	Quay,
Allison,	Faulkner,	Jones, Nev.	Ransom,
Barbour,	Frye,	Kenna,	Sherman,
Blackburn,	Gibson, Md.	Kyle,	Vance,
Butler,	Gordon,	McMillan,	Voorhees,
Carey,	Gorman,	Manderson,	Washburn,
Carlisle,	Gray,	Morgan,	White,
Casey,	Harris,	Morrill,	Wolcott.
Chandler,	Hill,	Pasco,	
Cockrell,	Hiscock,	Platt,	
Cullom,	Irby,	Power,	

So the bill was passed.

PUBLIC BUILDING AT PROVIDENCE, R. I.

The bill (S. 580) to provide a suitable site for a post-office in the city of Providence, R. I.; which was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. I see that the Senator who introduced the bill is not here. I do not know whether his colleague is familiar with the situation or not. I see there is no report with it. Was the bill passed at the last session?

Mr. DIXON. The bill was passed by the Senate at the last session, but did not pass the other House. The necessity for extended postal facilities in Providence has been very great for a long time. The post-office is at present in the Government building, which was erected more than thirty-five years ago, when the city of Providence contained a population of about 50,000. The population of the city of Providence has increased very greatly; it is 132,146, I think, by the last census.

The building, which was erected about thirty-five years ago, has been occupied by the post-office, the United States circuit and district courts, the custom-house, the internal-revenue offices, and the offices of the officers connected with the courts. The accommodations are exceedingly limited, and the public business in the post-office department can not be performed either conveniently or economically. The building stands upon a piece of land that is 60 feet by 134, including the walks at the side and around the building. The accommodations are so cramped that the business of the post-office can not be properly performed.

Mr. COCKRELL. This is for a separate building purely for the post-office?

Mr. DIXON. It is purely for the post-office.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT FRESNO, CAL.

The bill (S. 1206) to provide for the purchase of a site and the erection of a public building thereon at Fresno, in the State of California, was considered as in Committee of the Whole.

Mr. COCKRELL. There is a report in that case. Let it be read.

The PRESIDING OFFICER (Mr. PADDOCK in the chair). The report will be read.

The Secretary read the report, submitted by Mr. STANFORD, from the Committee on Public Buildings and Grounds, January 12, 1892, as follows:

The committee recommend the passage of this bill without amendment. The bill passed the Senate during the last Congress. The committee append the report made then.

[Senate Report No. 1876, Fifty-first Congress, second session.]

The Committee on Public Buildings and Grounds, to whom was referred Senate bill 3940 "to provide for the purchase of a site and the erection of a public building thereon at Fresno, in the State of California," respectfully report in favor of the passage of the same. In support of the bill the following is submitted:

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, D. C., December 16, 1890.

SIR: I have the honor to acknowledge the receipt of letter of the 12th instant from your committee, requesting a report from this office upon Senate bill 3940, introduced May 26, 1890, by you, to provide for the acquisition of a site and the erection thereon of a public building for the accommodation of the United States post-office and other Government offices in Fresno, Cal., at a cost not exceeding $75,000.

In reply I have to call attention to the report made from this office June 13, 1890, to your committee upon said bill, in compliance with request contained in letter dated May 28, 1890, from your committee. (Copy inclosed.)

In said report the statement was made that from computations made, based upon the data received, therein specifically referred to, with the amount of money which the bill proposes to fix as the limit of cost, it was found that a building two stories high, with basement, about 50 feet by 100 feet in dimensions, the first floor giving about 5,000 square feet of floor area for the post-office, or 10 per cent increase over the accommodations now provided for the post-office, the second story covering about three-fifths of the floor area of

the first story, for the accommodation of the internal-revenue office and signal office, built of brick, with stone trimmings, not of fireproof construction, can be erected for about $75,000; or

That such a building, faced with stone, of fireproof construction, including heating apparatus, vaults, and approaches, can be erected for about $100,000; also,

That from a letter received through Hon. William Vandever from Mr. Thomas F. Hughes, offering to donate land as a site for the building, a corner lot of dimensions of 50 feet by 140 feet, said lot would be too small for the proposed building, and to provide the 40-foot fire limit 40 feet by 140 feet additional land would have to be acquired to afford a proper site; also,

That it is stated in the postmaster's letter, referred to in the report, that he estimates the value of land, centrally located in the business portion of the city, as being from $400 to $1,000 per front foot, having a depth of 150 feet.

Thus it will be observed that the estimated amount for the building alone is $75,000 or $100,000, contingent upon the character of the building to be erected, and to make the site offered to be donated available it would be necessary to acquire 40 feet of land additional to provide a 40-foot fire limit required by the bill, making the estimated cost of the additional land to complete the site probably amount to $16,000, or, for an entire site if purchased, $36,000, these calculations being made at the minimum rate for the land specified in the postmaster's report.

Respectfully yours,

JAS. H. WINDRIM,
Supervising Architect.

Hon. LELAND STANFORD,
Chairman Committee on Public Buildings and Grounds, United States Senate.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair will lay the regular order before the Senate, which is Senate bill 539.

Mr. DOLPH. If the Senate is ready to vote on the bill which has been read and the report read, I am quite willing that a vote should be taken upon it.

The PRESIDING OFFICER. If there be no objection, the Senate will proceed with the consideration of the bill.

Mr. COCKRELL. I should like to ask the Senator from California what is the population of Fresno, and also as to whether any courts are held there and whether any officers of the Government except those connected with the post-office are located there?

Mr. FELTON. There are no courts held there, I think. Fresno is the largest city within the great San Joaquin Valley. It is somewhat of a railroad center. Its inhabitants number from fourteen to fifteen thousand, and the city is situated in a densely populated part of the country. In fact, it is the center of that valley and a very growing place. The appropriation that is provided in the bill is not large, and I understand that a portion of the land for the building may be given by the city, so that the United States will not have to purchase it.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MEXICAN COMMISSION AWARDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868."

Mr. DOLPH. I had hoped and expected that the senior Senator from Indiana [Mr. VOORHEES] would be present and would occupy the floor this afternoon. I understand that he has returned to the city, but is not well. His colleague [Mr. TURPIE] has been endeavoring to get in communication with him, and can report whether he will be able to be present and be heard to-day.

Mr. TURPIE. I will say to the Senator from Oregon that I regret I have not yet heard from my colleague, but I think I shall hear from him in a few minutes. Still, I would not like to delay the Senator from Oregon in the discussion.

Mr. DOLPH. I would much prefer to submit anything further I have to submit upon this bill after the Senator from Indiana has made his speech. It would also have been a matter of great convenience to me if the speech of the Senator from Missouri [Mr. VEST] had been printed in the RECORD before proceeding. I expected to see it there, and therefore attended to some other matters that seemed to imperatively demand my attention while the Senator was speaking and did not listen to all he had to say, because his speech was composed to a considerable extent of quotations from testimony. I could not even while I listened follow the line of his argument. But rather than that the bill should be laid aside and its consideration postponed indefinitely I will proceed now. If the Senator from Indiana comes in I shall be quite willing to discontinue my remarks and listen to him, and conclude after he has made his speech. I have no prepared speech, and it would not discommode me at all. If he is to submit anything to the Senate that I think requires attention, I should prefer to speak after he has concluded. So, if he comes in at any time this afternoon I will give way for that purpose.

Mr. TURPIE. I am much obliged to the Senator from Oregon for the courtesy, and I will let my colleague know his wishes as soon as he enters the Chamber.

Mr. DOLPH. Now, Mr. President, reversing the order in which I proceeded to consider the bill on Monday last, I will devote my attention, first, to some of the legal propositions which have been advanced by the Senator from Missouri [Mr. VEST]. I would esteem it a great favor if we could have such order in the Senate Chamber that what I have to submit may be heard by the reporters, and I would very much like to get the ears of Senators who are to vote upon this measure. I know it is an old matter that has been often discussed in the Senate, but new Senators have come in who have not heard the former discussions and probably are not familiar with the case. I have such entire confidence in the merits of the measure now before the Senate that I should be very glad to get the ear of every Senator.

I referred to the case of Frelinghuysen *vs.* Key when I had the floor before. I now refer to a later case, reported in 139 United States Reports. It is the case of Boynton *vs.* Blaine.

The case commences on page 306 of the volume. It was an application to the supreme court of the District Columbia for a mandamus against the Secretary of State to compel him to pay over to the petitioner as assignee of one Weil certain moneys in respect to a claim allowed under a convention between the United States and Mexico in the adjudication of claims of citizens of either country upon the government of the other.

Mr. PLATT. Was that after the rejection of the treaty?

Mr. DOLPH. Yes. It will be understood by Senators that the case of Weil and the case of the La Abra claim stand on precisely the same footing; that precisely the same charges are made in regard to the manner in which the awards were obtained before the Mixed Commission. Precisely the same legislation has been had in regard to each; precisely the same action of the State Department has been taken in regard to each, and precisely the same legislation is now proposed by the Senate Committee on Foreign Relations in regard to each case. Therefore, whatever is said in the opinion in this case in regard to the Weil case is just as applicable and just as forcible when applied to the La Abra claim.

Mr. FRYE. That is, so far as the law is concerned.

Mr. DOLPH. So far as the law of the case is concerned.

Mr. DAWES. May I inquire of the Senator if the evidence is the same, applicable to both?

Mr. DOLPH. No; but the question of law. I qualified my statement. It is applicable so far as the law of the case is concerned.

Mr. DAWES. It was my fault that I did not hear. Will the Senator allow me to inquire, if it is proper before the discussion of the other case, whether there is any material difference in the weight of testimony on that point?

Mr. DOLPH. It is claimed that there is. From my examination of the testimony I do not think there is a particle of difference in regard to the facts in the two cases; that is to say, as to the weight of testimony. I think both claims were fraudulent in the inception. They were manufactured. They are supported by fraudulent and false testimony, and the Government of the United States was equally imposed upon in both.

It has been claimed by some of the opponents of the bill now under consideration by the Senate that in this case the question involved is simply a question of exaggerated damages; that there was proof to sustain to some extent a claim against Mexico, and that in this respect this case differs from the case of Weil, which was for the loss of mules and cotton, I believe, and in which the testimony shows that the claimant never had a mule or a bale of cotton. In this case the La Abra Company had a mine in Mexico; but that does not alter the case. That does not make a case against the Government of Mexico. It is necessary to show that the parties were deprived of their mines and of their property by Mexico before they can get even a foundation for a claim against that country.

I presume that some Senators were amused who followed the drift of the argument of the Senator from Missouri yesterday when he was talking about Exall, who was the archconspirator and false swearer upon whose testimony this award was obtained before the Mexican Commission. He argued that Exall had conspired with Granger to secure this mine and to misrepresent the character and value of the mine to the officers of the company in New York that he might make something out of it. And that after his return to New York he had been in correspondence with Granger, who was in charge of the mine, with this view. I should have thought it would have occurred to the Senator that that proposition was not very consistent with the idea that the company had been driven from its mine and deprived of the possession of it long before that time.

But I propose now to proceed to see what there is in this case; and as I have not very fully stated the history of the case, I will ask to have read the history of it summarized by the Supreme Court reporter in the case just cited from the answer of the Secretary of State detailing the history of the case. Such a statement certainly ought to be a satisfactory history of the case. In

the application for the award the proceedings before the Mixed Commission were set up. Quotations were made from the treaty to show that the award between the two countries, Mexico and the United States, was to be final and conclusive; the fact was stated that the money had been paid, and that it was under the control of the Secretary of State, and it was alleged to be his duty to pay it over to Weil and his associates, and upon these allegations an application was made for a mandamus.

The petitioner prayed for process that a peremptory writ of mandamus be granted upon hearing. The mandamus was denied and the case was appealed from the supreme court of the District to the Supreme Court of the United States, and the decision of that court, without a dissent, was rendered by Chief Justice Fuller. I ask Senators to give attention to the statement of the Secretary of State in the answer to the petition, giving the history of this case; and I ask the Chief Clerk to read, commencing at the bottom of the page, with the words "A rule to show cause," and reading until he comes to the opinion of the court.

Mr. MORGAN. I should like to say, before the Chief Clerk proceeds to read, that I concur with the Senator from Oregon in the view that that is the clearest and best statement that I have ever yet seen as to all the historical parts of this transaction. Of course it does not deal with the question of fraud on the part of these claimants—the testimony——

Mr. DOLPH. It deals only with the questions of law involved.

Mr. MORGAN. But it disposes of every question of law that has been raised in argument in this case now or heretofore—every one.

The PRESIDING OFFICER. The Chief Clerk will read as indicated.

The Chief Clerk read as follows:

A rule to show cause having been entered, the Secretary of State answered, stating, among other things, the amount that would be paid to relator "if the President of the United States, in whose control is the said undistributed balance, should determine that it is not inconsistent with the public interests to pay the same, or so much thereof as would be ratably payable, to the said Boynton," but saying, "that the President of the United States has forbidden the payment of any part of the said net balance on the ground hereinafter stated, and that for that reason no scheme of distribution of the said net balance has been made." The answer then alleged that the money paid by Mexico became, upon receipt, the money of the United States, and not in any way subject to the demand or control of the original claimants, who were not recognized by the said Commission, the only parties to which, and who appeared before the Commission, being the Governments of the United States and the Republic of Mexico, each represented by one person, in virtue of Article II of the treaty.

It was further stated that the allegation of the petition that the United States was under some obligation "to make distribution and payment pro rata to the claimants in whose favor awards had been made" was not founded on any provision of the said treaty. And further, that the United States was "invested with the entire control of said claims to enable it to discharge any international duty that may attach thereto or to any part thereof, and that if the President of the United States has probable cause to think that good faith toward the Republic of Mexico and a proper regard for the honor of the United States require that any part of the money so paid by the Republic of Mexico should be withheld from distribution, this respondent is advised that it is the duty of the President to withhold payment of the same until a proper investigation can be had; and this respondent, answering, saith, that so it is that grave charges and representations impeaching the integrity of the evidence on which the award in the case of said Weil was made have been brought to the notice of the Government of the United States in a way to command its earnest attention, and that it is the desire of the President to have the said charges and representations investigated so soon as the Congress shall have provided the means for doing so."

The answer also averred that a bill had been reported to the Senate on June 20, 1888, "to provide for the desired investigation by investing the supreme court of the District of Columbia with jurisdiction over the subject;" that "while the said charges and representations are pending the President of the United States hath concluded that payment of the money now demanded by the relator should be withheld;" and that the course thus taken by the President was in harmony with section 5 of the act of June 18, 1878.

The inference set up in the petition as deducible from the rejection by the Senate of the convention of July 13, 1882, was denied, and the contrary inference suggested, in view of the bill reported in the Senate, that "the refusal of the Senate to ratify the said convention was the result of a desire that the proposed investigation into the said charges and representations should be made by a tribunal deriving jurisdiction over the subject from a law of the United States."

It was then averred that the money awarded was not held by respondent impressed with a trust for the parties claiming to be entitled to the same, but as the agent of the President, whose control over it was complete, and who could at any time withdraw it from the control of the respondent; that to hold him accountable as a trustee might be to subject him to personal liability for the money; and that it would cause an embarrassing conflict to adjudge him responsible to private parties for a fund which it might be the duty of the United States to return to the Republic of Mexico, as decided in the case of Frelinghuysen *vs.* Key, referred to by relator. The answer finally alleged that the petition related to a matter "which falls exclusively within the powers and competency of the President of the United States, and this respondent as subordinate to him and subject to his direction and control, and which doth in nowise fall within the jurisdiction and competency of the judicial department of the Government of the United States; and that it would involve an interference of the said judicial department with a matter which is exclusively committed by the Constitution to its coördinate, the executive department, for this honorable court to take cognizance of the matter of the relator's petition."

The cause having been heard, the mandamus was refused and the petition dismissed, whereupon a writ of error was allowed to this court.

The following may be taken as a sufficiently comprehensive statement of the matters upon which the judgment proceeded.

The time for decision fixed by the convention of July 4, 1868, was from time to time extended, finally until November 20, 1876, and payment of the first installment to the Government in favor of whose citizens the greater amount might have been awarded, was provided to be made on or before January 31, 1877. (19 Stat., 642.)

On the 19th of January, 1877, Mr. Secretary Fish invited the attention of Congress to the necessity of making provision for carrying the awards into effect, and pointed out that "an appropriation by Congress will be necessary for the payment of the amount of the awards against the United States, which sum, by the terms of the treaty, is to be deducted from the awards against Mexico and from the amount to be paid by Mexico. Provision should also be made for the distribution among the several parties entitled to the money as it may be received, and also for the reimbursement to the United States of the amount paid by the United States toward the joint expenses of the Commission, and which, by the terms of the treaty, is to be deducted from the awards."

A bill to carry out the Secretary's recommendation passed the House during the Forty-fourth Congress, and was favorably reported in the Senate, but was recommitted to enable the committee to consider the complaints made by the Mexican Government as to the manner in which the awards in favor of La Abra Company and Weil were procured. The Mexican Government had, in the mean time, notified the Secretary of State that evidence, not within its knowledge or control before the awards were rendered, had been discovered, which, it was claimed, would establish the fact that the awards in the cases of La Abra Company and Benjamin Weil were procured by fraudulent imposition upon the Commission and upon the Government of the United States on the part of the claimants.

The finality of the awards as between the two governments was not denied by Mexico, and the Mexican minister announced the intention of the Government to comply with the treaty by paying the installments as they became due. At the next session a bill passed both Houses entitled, "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868," which was approved June 18, 1878. (20 Stat., 144.) Sections 1 and 5 of this act are as follows:

"That the Secretary of State be, and he is hereby, authorized and required to receive any and all moneys which may be paid by the Mexican Republic under and in pursuance of the conventions between the United States and the Mexican Republic for the adjustment of claims, concluded July 4, 1868, and April 29, 1876; and whenever, and as often as, any installments shall have been paid by the Mexican Republic on account of said awards, to distribute the moneys so received in ratable proportions among the corporations, companies, or private individuals respectively in whose favor awards have been made by said commissioners, or by the umpires, or to their legal representatives or assigns, except as in this act otherwise limited or provided, according to the proportion which their respective awards shall bear to the whole amount of such moneys then held by him, and to pay the same, without other charge or deduction than is hereinafter provided, to the parties respectively entitled thereto. And in making such distribution and payment, due regard shall be had to the value at the time of such distribution of the respective currencies in which the said awards are made payable, and the proportionate amount of any award of which by its terms the United States is entitled to retain a part shall be deducted from the payment to be made on such award, and shall be paid into the Treasury of the United States as a part of the unappropriated money in the Treasury.

"SEC. 5. And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing, therefore be it enacted, that the President of the United [States] be and he is hereby requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law or considerations of justice and equity, require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, or either of them, until such case or cases shall be retired and decided in such manner as the governments of the United States and Mexico may agree, or until Congress shall otherwise direct. And in case of such retrial and decision, any moneys paid or to be paid by the Republic of Mexico in respect of said awards respectively, shall be held to abide the event, and shall be disposed of accordingly; and the said present awards shall be set aside, modified, or affirmed as may be determined on such retrial: *Provided*, That nothing herein shall be construed as an expression of any opinion of Congress in respect to the character of said claims, or either of them."

Under the provision of the fifth section, President Hayes caused the charges of fraud preferred by the Mexican Government to be investigated, and Mr. Evarts, then Secretary of State, made a careful examination of the newly discovered evidence presented by Mexico, and submitted his conclusions to the President in August, 1879, which were in substance: That neither the principles of public law nor considerations of justice and equity required or permitted as between the United States and Mexico that the awards should be opened and the cases retried before a new international tribunal, or under any new convention or negotiation respecting the same; that, however, the matters called to the attention of the Government on the part of Mexico brought into grave doubt the substantial integrity of the claim of Benjamin Weil and the sincerity of the evidence as to the measure of damages insisted upon and accorded in the case of La Abra Silver Mining Company; that the honor of the United States required that these two cases should be further investigated by the United States to ascertain whether this Government had been made the means of enforcing against a friendly power claims of our citizens based upon or exaggerated by fraud; that if further investigation should remove the doubts, the honor of the United States would have been completely maintained, but if, on the other hand, the claimants should fail in removing these doubts, or they should be replaced by certain condemnation, the honor of the United States would be vindicated by such measures as might then be dictated; and that, as the executive had not the means of instituting and pursuing methods of investigation which could coerce the production of evidence or compel the examination of parties and witnesses, and the authority for such an investigation must proceed from Congress, the proofs and conclusions the President might come to thereon, if adverse to the immediate payment on these awards of the installments received from Mexico, "should be laid before Congress for the exercise of their plenary authority in the matter."

These views were adopted by President Hayes, and on the 15th of April, 1880, were communicated to Congress with another report of Mr. Secretary Evarts, under date of April 13, 1880, recapitulating his report of the preceding August, and concluding: "Unless Congress should now make this disposition of the matter, and furnish thereby definite instructions to the Department to reserve further payment upon these awards till the conclusion of such investigation, and to make such further order with the same thereafter as Congress might direct, it would appear to be the duty of the Executive to accept these awards as no longer open to reconsideration, and to proceed in the payment of the same pro rata with all other awards under the convention." On April 27 1880, a bill was introduced in the Senate directing the Court of Claims to investigate the claims in question, and was referred to the Committee on the Judiciary, which reported adversely, and in effect that the proper remedy was in a new convention, in which provision should be made for doing

justice to all claimants. On a bill of like character the House Committee on Foreign Affairs made a favorable report.

In August, 1880, Mr. Secretary Evarts, having been notified through the Mexican legation of the intention of the Mexican Government to commence suits to impeach and set aside the two awards, objected to such proceeding as in contradiction of the whole purpose of the convention, as well as of explicit provisions thereof; and accordingly no further steps were taken in that direction.

No definite instructions were given by Congress in respect to the matter during that session, but after its close payments were made upon these awards by the direction of the President, the same as on the others. Another installment was paid by the Mexican Government and distributed to these claimants, with the rest, during President Garfield's Administration. In this way five installments were distributed. After President Arthur came into office he examined the cases further, and "believing that said award was obtained by fraud and perjury," negotiated a treaty with Mexico providing for a rehearing. On January 31, 1882, the sixth installment was paid by Mexico to Mr. Frelinghuysen, then Secretary of State, but a distribution of this installment to these claimants was withheld by order of the President.

The cases of Frelinghuysen *v.* Key and La Abra Silver Mining Company *v.* Frelinghuysen (110 U. S., 63), were decided by this court January 7, 1884. President Arthur negotiated the convention with Mexico for a rehearing of the cases by a joint commission, July 13, 1882, and sent it to the Senate for its consideration. This convention was rejected by the Senate, April 21, 1886. On May 11, 1886, President Cleveland transmitted to Congress a report of the then Secretary of State, dated May 6, in respect to the claim in question. Mr. Bayard in his communication gave a résumé of the various proceedings touching the claims, and suggested that the President "notify Congress of the conditions of the law and facts." He said: "It is within the province of the legislative branch of this Government now to review the history of the proceedings—legislative, executive, and judicial—connected with the two claims;" and, referring to the act of June 18, 1878, thus concluded:

"This last-mentioned act of Congress contained the further provision—stated not additionally, but in the alternative to those above recited—'or until Congress shall otherwise direct.' To relieve the action of our government from any ambiguity of legislative expression, or the Executive from any uncertainty as to his line of duty in relation to the awards in favor of Benjamin Weil and La Abra Silver Mining Company, under the treaty with Mexico promulgated February, 1869, I suggest that the attention of Congress should be earnestly invoked to the consideration of the present status of these claims referred to, and the duty of the Executive under an existing treaty, to which the force and effect of paramount law is given by the Constitution, in the event of the adjournment of the two Houses without further action in reference thereto."

March 5, 1888, President Cleveland in a special message transmitted a recommendation from the Secretary of State that "Congress take action to provide expressly for the reference of the claims in question to the Court of Claims or such other court as may be deemed proper, in order that a competent investigation of the charges of fraud may be made." The Secretary's communication referred to Frelinghuysen *v.* Key, and inclosed a letter from the chairman of the Senate Committee on Foreign Relations, dated March 5, 1887, containing a resolution embodying the views of a majority of that committee, and requesting the President to withhold further payments on the awards in question until the allegations of fraud "shall have been duly investigated by the courts of the United States, under the direction of the President, or under the further direction of Congress," and letters from members of the House of Representatives upon the same subject, dated March 5 and 7, 1887.

The Secretary stated that it was thought that a proper judicial investigation of the claims in question might be secured under the twelfth section of the act approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," and that the Department had sought the consent of the claimants in the Weil and La Abra cases to an investigation and decision of the allegations of fraud in relation thereto, by the Court of Claims, which was declined. The President's message closed with these words: "If for any reason this proceeding be considered inadvisable, I respectfully ask that some final and definite action be taken directing the executive department of the Government what course to pursue in the premises. In view of the long delay that has already occurred in these cases, it would seem but just to all parties concerned that the Congress should speedily signify its final judgment upon the awards referred to, and make the direction contemplated by the act of 1878, in default of which the money now on hand applicable to such awards remains undistributed."

New bills were introduced providing for a judicial investigation of the charges of fraud in connection with these claims, and on June 20, 1888, the Senate Committee on Foreign Relations made a report recommending the passage of a bill for that purpose, in the Weil case. An inquiry was subsequently ordered by the Senate with reference to the La Abra claim, which commenced September 24, 1888, and extended to February 27, 1889, and was reported upon March 1, 1889. The petition in this case was filed November 23, 1889.

Mr. DOLPH. I will now refer to the opinion of the court, delivered by Mr. Justice Fuller. It has already been stated by the Senator from Alabama [Mr. MORGAN], who is a member of the Committee on Foreign Relations, that this decision covers every point which has been raised and discussed by the Senator from Missouri. I think so myself. After laying down some elementary propositions of law in regard to when a mandamus will be allowed and when it will not, the learned Chief Justice proceeded to state what I shall read.

Mr. HOAR. Will the Senator give the volume and page?

Mr. DOLPH. I am reading from 139 United States Reports, page 319. The court say:

In view of these settled principles was the relator entitled to the writ?

Upon establishing at the seat of Government an Executive Department to be known as the State Department, with a Secretary of State as its head, Congress provided:

"The Secretary of State shall perform such duties as shall from time to time be enjoined on or intrusted to him by the President relative to correspondences, commissions, or instructions to or with public ministers or consuls from the United States, or to negotiations with public ministers from foreign states or princes, or to memorials or other applications from foreign public ministers or other foreigners, or to such other matters respecting foreign affairs as the President of the United States shall assign to the Department, and he shall conduct the business of the Department in such manner as the President shall direct." (R. S., §§ 199, 202; 1 Stat., pp. 28, 68.)

It is contended, however, that, in this instance, the final custody of the money was vested by the act of June 18, 1878, solely in the Secretary of State, and that it was thereby made his duty to distribute and pay the awards to the claimants independently of the direction or control of the President. But the act thus referred to as the basis of this application, when considered throughout as it must be, not only does not undertake to impose the payment of these awards as an independent duty upon the Secretary, but specifically subjects such payment to the control of the President. The Secretary of State was, indeed, authorized and required by the first section to receive from Mexico the whole money awarded, and to distribute the same from time to time as the installments came in, among those in whose favor awards had been made, or to their legal representatives or assigns, but this was accompanied by the restriction, explicitly expressed, out of abundant caution, "except as in this act otherwise limited or provided."

And by section five, the payment and distribution were limited, so far as the cases of Weil and La Abra Company were concerned, by the request to the President to investigate any charges of fraud as to those claims, and the provision that if he should be of the opinion "that the honor of the United States, the principles of public law, or considerations of justice and equity," required that the awards, thus specifically named, or either of them, should be reopened, and the cases retried, it should be lawful for him "to withhold payment of said awards, or either of them, until such case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree, or until Congress shall otherwise direct."

Payment of the Weil award had been withheld by the President, after an investigation, but the case had not been retried and decided in a manner agreed upon by the United States and Mexico, nor had Congress otherwise directed. How then could Weil or his assignee, the relator, insist upon payment under the first section of the act in disregard of the limitation imposed by the fifth? On what principle could it be held that the duty was imposed upon the Secretary to pay an award by an act expressly providing that payment should not be made in a specified contingency, which had occurred? What power had he to do the thing demanded in virtue of legislation which forbade it to be done?

The political trust with which every government is charged, as respects its own citizens, was not the ground of relator's contention, but he relied on the act of 1878 as giving him the right to enforce the alleged obligation by judicial proceedings, and it was essential to the maintenance of his position that the record should bring him within its terms.

The principal propositions urged by counsel are, "that the award made against Mexico in favor of Benjamin Weil remains a final and conclusive adjudication in favor of a citizen of the United States against a foreign government."

And that I understand to be substantially the claim made—

that "the United States have not now and never have had any property, right, or interest in the original claim or the award, or in the money paid in by Mexico to meet and satisfy it;" that "the money so paid is, by the terms of a statute, in the official custody of the Secretary of State; the President of the United States has now no lawful control over it, and never had any lawful control over it, excepting for a temporary purpose during the pendency of a new treaty in the Senate; that control ended when the Senate rejected the new treaty."

These propositions have already been substantially disposed of by the decision of this court in Frelinghuysen *vs.* Key (110 U. S., 63), from the principles announced in which we have no disposition to recede.

There the Supreme Court, in its decision through Mr. Chief Justice Fuller, emphatically say that they do not recede from the propositions laid down in the case of Frelinghuysen *vs.* Key, and that that decision disposed of all these contentions.

It was there ruled, Mr. Chief Justice Waite delivering the opinion, that there was no doubt as to the conclusiveness of the awards under the convention of July 4, 1868, but that the language of the treaty was to be construed as used in a compact between two nations for the adjustment of the claims of the citizens of either against the other; that citizens of the United States having claims against Mexico were not parties to the convention; that while the claims of individual citizens were to be considered by the Commission in determining amounts, the whole purpose of the convention was to ascertain how much was due from one Government to the other on account of the demands of their respective citizens; that, as between the United States and Mexico, the awards were final and conclusive until set aside by agreement between the two governments or otherwise; that the right of the United States to treat with Mexico for a retrial was unquestionable; that each Government, when it entered into the compact under which the awards were made, relied on the honor and good faith of the other for protection, as far as possible, against frauds and impositions by the individual claimants; "and that where a fraudulent claim or false testimony was presented by a citizen for reference to the Commission, this was an imposition on his own government, and it would be not only its right but its duty to repudiate the act, if it afterward discovered that it had in this way been made an instrument of wrong towards a friendly power."

There is another most emphatic statement contained in the opinion of the Supreme Court in the case of Frelinghuysen *vs.* Key, reiterated and reaffirmed in this case of Boynton *vs.* Blaine, which I will repeat:

And that where a fraudulent claim or false testimony was presented by a citizen for reference to the Commission, this was an imposition on his own government, and it would be not only its right but its duty to repudiate the act, if it afterward discovered that it had in this way been made an instrument of wrong towards a friendly power. And the Chief Justice said: "International arbitration must always proceed on the highest principles of national honor and integrity. Claims presented and evidence submitted to such a tribunal must necessarily bear the impress of the entire good faith of the government from which they come, and it is not to be presumed that any government will for a moment allow itself knowingly to be made the instrument of wrong in any such proceeding.

"No technical rules of pleading as applied in municipal courts ought ever to be allowed to stand in the way of the national power to do what is right under all the circumstances. Every citizen who asks the intervention of his own government against another for the redress of his personal grievances must necessarily subject himself and his claim to these requirements of international comity." And considering the act of June 18, 1878, in its operation upon the question of further negotiations, it was remarked that no disposition was manifested "on the part of Congress to encroach on the power of the President and Senate to conclude another treaty with Mexico in respect to any or even all the claims allowed by the Commission, if in their opinion the honor of the United States should demand it. At most it only provides for receiving and distributing the sums paid without a protest or reservation, such as, in the opinion of the President, is entitled to further consideration. It does not undertake to set any new limits on the powers of the Executive." As to the fifth section of that act, it was observed "From the beginning to the end it is, in form even, only a request from Congress to the Executive. This is far from making the President for the time being a quasi-judicial tribunal to hear Mexico and the implicated claimants and de-

termine once for all, as between them, whether the charges which Mexico makes have been judicially established."

And it was added—

And to this I call the especial attention of Senators who have any doubt upon the power of Congress in this matter—

And it was added that, "as between the United States and the claimants, the honesty of the claims is always open to inquiry for the purposes of fair dealing with the government against which, through the United States, a claim has been made."

The new convention was then pending in the Senate, and it was clear that the discretion of the executive department of the Government to withhold all further payments to the relators until the diplomatic negotiations between the two Governments on the subject were finally concluded could not be controlled by the judiciary.

This is conceded by the relator, and such a concession is inconsistent with the contention that the award was a final and conclusive adjudication in Weil's favor, as an individual, against Mexico. As between nations the proprietary right in respect to those things belonging to private individuals or bodies corporate within a nation's territorial limits is absolute, and the rights of Weil can not be regarded as distinct from those of his Government. The Government assumed the responsibility of presenting his claim, and made it its own in seeking redress in respect to it. Under this convention it was the balance that was to be paid, after deducting from what was found in favor of one government that which was found in favor of the other. So that the moneys paid in liquidation of that balance belonged to the United States.

Not to Weil or to the La Abra Company, or, to put it in different language, the money which is now in control of the Secretary of State, which has not been distributed to these claimants, belongs to the United States and not to the La Abra Company or its assigns. So Mr. Chief Justice Fuller says:

So that the moneys paid in liquidation of that balance belonged to the United States, to be increased by appropriation to the extent of the amounts allowed Mexico, and the aggregate to be distributed to the claimants as might be provided.

In United States *ex rel.* Angarica *vs.* Bayard, 127 U. S. 251, 259, where a sum of money had been received by the Secretary of State as part of an award made by the Spanish-American Claims Commission, which sum of money had been eventually paid to the petitioner, but had in the mean time been invested and earned interest, it was held that the Secretary was not liable to pay such interest to the petitioner, because the sum in question was withheld by the United States and the petitioner's claim based on the withholding was a claim against the United States, and the case fell within the settled principle that interest is not allowed on claims against the United States—

In accordance with that decision whatever claim the La Abra Company and its assigns may have to this money is a claim against the United States, and it is the right of the United States to ascertain whether it was legally and equitably entitled to it before paying it over, and if in equity and good conscience it belongs to the Mexican Government to return it—

and the case fell within the settled principle that interest is not allowed on claims against the United States unless the Government has stipulated to pay i erest or it is given by express statutory provision. There, under the agreement for arbitration, as here, under the convention, the claim was laid before the arbitrators and umpire "on the part of the Government of the United States," and was presented with the testimony in its favor "only through the Government of the United States" and "by the Government of the United States." So the two advocates were spoken of as "representing, respectively, the two governments," and it was stated that "the two governments will accept the awards." "Thus by the plain terms of the agreement," remarked Mr. Justice Blatchford, delivering the opinion of the court, "the amount of the award in the case of Angarica was to be paid by the Spanish Government to the Government of the United States. It was paid by the Spanish Government to the Secretary of State of the United States, representing the Government of the United States.

"If there was any unlawful withholding from the petitioner of the $41,129.74, the money was withheld by the Government of the United States, acting through the Secretary of State, and any claim of the petitioner based upon an unlawful withholding was a claim against the Government of the United States."

Congress in furnishing the auxiliary legislation needed to carry the results of the convention under consideration into effect, requested the President to so far investigate certain charges of fraud as to determine whether a retrial ought to be had. This inquiry might have resulted in reopening the awards as between the two nations, or in such reëxamination in a domestic forum as would demonstrate whether the honor of the United States required a different disposition of the particular amounts in question.

Now, I wish to read that again, and I will ask the attention of Senators to it as covering this entire case, and by a decision of the highest judicial tribunal in the land removing any difficulty in the way of the course that is proposed to be pursued by the Committee on Foreign Relations in this matter. The Chief Justice says:

This inquiry might have resulted in reopening the awards as between the two nations.

That is to say, by a new convention which was negotiated but rejected by the Senate, because a portion of the Senate believed with Secretary Evarts that this matter ought to be investigated by the United States alone without Mexico as a party, and that the United States should determine for itself what in good conscience it ought to do in the matter.

Or—

Chief Justice Waite says—

or in such reëxamination in a domestic forum—

Precisely what we are proposing to do—

as would demonstrate whether the honor of the United States required a different disposition of the particular amounts in question.

I say here is the authority of the highest judicial tribunal of the land for the very proceeding we are proposing, an investigation not in which Mexico is a party, not in which Mexico is consulted, not for the purpose of retrying the matter between Mexico and the United States, but to inform the executive department of the Government by a judicial finding what the facts are in this case that the executive department may know what the honor of the United States requires to be done with this fund, which is the money of the United States until it is distributed.

The validity and conclusiveness of the awards remained unimpugned so long as they were permitted to stand, and the principle of *res adjudicata* could not be invoked against the United States by individual claimants while the controversy raised as to them remained *in fieri*.

In Frelinghuysen *v.* Key, while conceding the essential value of international arbitration to be dependent upon the certainty and finality of the decision—

Just what is contended for here by the Senator from Missouri—

the court adjudged that this Government need not, therefore, close its doors against an investigation into the question whether its influence had been lent in favor of a fraudulent claim. It was held that no applicable rule was so rigid as not to be sufficiently flexible to do justice, and that the extent and character of any obligation to individuals, growing out of a treaty, an award and the receipt of money thereon, were necessarily subject to such modification as circumstances might require.

So long as the political branch of the Government had not lost its control over the subject-matter by final action, the claimant was not in a position, as between himself and his Government, to insist on the conclusiveness of the award as to him. And while it is true that for the disposition of the case of Frelinghuysen *v.* Key it was sufficient that it appeared that diplomatic negotiations were pending which, as the court demonstrated, the act of 1878 in no manner circumscribed, it does not follow that the political department of the Government lost its control because those negotiations failed.

Now I ask the especial attention of Senators to the concluding portion of this decision:

On the contrary, that control was expressly reserved, for it was made the duty of the President, if of opinion that the cases named should be retried, to withhold payment until such retrial could be had in an international tribunal, if the two Governments so agreed, or in a domestic tribunal if Congress so directed, and, at all events, until Congress should otherwise direct. The fact that a difference of view as to whether the retrial should be international or domestic may have arisen and led to delay—

That is the exact case that has occurred; that has been the occasion of the delay—

or that such difference may have existed on the merits, does not affect the conclusion. The inaction of Congress is not equivalent to a direction by Congress. The political department has not parted with its power over the matter, and the intervention of the judicial department can not now be invoked.

That is the condition of this claim to-day. President Arthur determined that under section 5 of the act of 1868 the President was authorized to withhold the payment and distribution of this award, and that it was his duty to do so, having ascertained to his satisfaction that the awards had been procured by fraud. President Cleveland followed in the footsteps of President Arthur. Mr. Secretary Bayard was a strong advocate of Congressional action by which this matter could be investigated and justice done to Mexico; and the present Administration is simply following in the steps of the two preceding Presidents and Secretaries of State.

Mr. President, we have that decision before us, bringing this case down almost to date, in which it is plainly shown that this money can not be distributed under existing legislation until Congress shall authorize it. It appears that every administration since this matter was first brought to the attention of the administration has asked Congress to take action. And in view of the reports of committees which I cited in the Senate when I opened this debate, in view of the several decisions of the Supreme Court of the United States and the supreme court of the District in this matter, in view of the opinions of the several Secretaries of State which have been transmitted to Congress, it does not seem to me that I need to talk longer about the law of this case.

There is no dispute among those speaking officially or judicially as to the power of Congress in this matter. The only question has been whether the United States would proceed by a new convention with Mexico to inquire into the facts with regard to this claim, to ascertain whether the award was obtained by a fraudulent imposition upon our Government that justice might be done to Mexico, or whether we should proceed, as advocated by Mr. Evarts when Secretary of State under President Hayes, to have the question examined and determined by the domestic tribunals for the information of the State Department.

The Senate once on an adverse report from a committee rejected the proposition to proceed in the domestic tribunals. Afterwards a treaty was negotiated with Mexico for the reëxamination of this claim, and that was rejected presumably partly upon the ground that the proper course was supposed to be that advised by Mr. Secretary Evarts. Now, the Committee on Foreign Relations has in three different Congresses brought this matter to the attention of the Senate and reported a bill to have these claims examined in a domestic tribunal.

A matter has been called to my attention by the honorable Senator from Massachusetts [Mr. HOAR], and as I propose to refer to it, and he, I believe, is ready to submit his remarks, I will give way for that purpose. It is a question of law relating to one of the provisions of the bill.

The PRESIDING OFFICER. The Senator from Oregon yields to the Senator from Massachusetts.

Mr. HOAR. What I have to say can hardly be dignified by the phrase "submitting some remarks." I merely wish to make a motion to amend the bill, and to simply state the proposition on which the motion depends. I move to strike out the third section of the bill.

I wish to say, Mr. President, that I entirely agree with the Committee on Foreign Relations as to the scheme or method they have adopted for disposing of this somewhat difficult and very long-considered question. I think, as they seem to think, that it is a question with which the Government of Mexico as such has no relation as a party. Between the United States and Mexico the final award of the tribunal established by the treaty determined all questions of lawful or international right, as I understand it.

I understand, in the next place, that it is settled by the two decisions of the Supreme Court of the United States that the United States Government holds this fund without any legal or equitable relation to either of these claimants, using the word "equity" in the sense of a branch of the law which defines and establishes rights capable of being enforced by judicial tribunals. The United States as a nation presented a claim against another nation, which claim was measured by obligations of that other nation, legal or equitable, to our own citizens, as we held and as we argued at great length in the case of the Geneva award.

So the question for the Secretary of State, or rather for the President of the United States, under whose direction the Secretary of State is bound always to act in the discharge of duties which are not expressly defined by statute, and under whose direction the Secretary of State is expressly commanded to act by statute, by the act creating the office—the question for the President of the United States is a question of public or political discretion as to what he shall direct to be done with this sum of money which has been received from Mexico in discharge of an international obligation on her part.

I quite agree with the committee in the next step, which is that if the United States Government has been made unconsciously the instrument of wrong or fraud upon a friendly nation, or upon any nation, friendly or unfriendly, for that matter, the Government of the United States, on ascertaining it, is bound to return any sum of money which has been so received by it to the Government which has paid it over under those circumstances.

I understand that the purpose of the bill is to enable the President of the United States to instruct himself on that question by such investigation, pursued under the forms of law, as the framers of this proposed act deem necessary, through the instrumentality of a tribunal authorized to send for persons and papers, and to hear parties who may conceive themselves to be affected, favorably or injuriously, by the decision to which that tribunal shall arrive, and to report to the President of the United States.

I agree with the committee in thinking that the Court of Claims is on the whole a reasonably proper and suitable tribunal for that purpose. Considering that one thing to be desired in this matter is the satisfaction of Mexico, and that the question was an original question between our Government and that of Mexico, I should have much preferred, if the committee had thought best, that the President should have been authorized to constitute a tribunal, by and with the advice and consent of the Senate or otherwise, which should contain one or more foreign jurists of distinction, in whom the whole civilized world would have confidence and whose concurrence in any decision which this tribunal had reached would undoubtedly have been eminently satisfactory to Mexico as it would have been to us. But the committee having preferred the Court of Claims, I do not think that is a very important consideration.

However, my difficulty with the bill is in the section which provides for an appeal from the Court of Claims to the Supreme Court of the United States. As I understand it, the Supreme Court of the United States is only authorized to sit for the decision of cases in law or equity or admiralty arising under the laws and treaties of the United States or under the Constitution thereof, such as are defined in the jurisdictional clause; and it is well settled that the decision of a case within the constitutional sense is the final determination of some question of legal right, using the word "legal" as including equitable in the technical sense arising between the parties described; and we can not impose upon that tribunal the duty of instructing the conscience or the understanding of any political department of the Government, whether legislative or judicial.

Now, we have gone so far as to hold that where there is a claim against the Government of the United States having a foundation in contract or in tort or in some other legal relation which if it existed between two private parties would constitute a cause of action which might be enforced by the court, the United States, although it can not be sued without its own consent, may impose upon a tribunal the duty and clothe it with the power of determining such a question between the United States and a citizen of the United States or of any foreign Government, and may impose upon the Supreme Court of the United States the appellate jurisdiction of revising such questions. But the only ground on which that proceeds is that the obligation of the United States, legal or equitable, in that case, under contract or tort or otherwise, is a legal one; that all that is wanting is a tribunal clothed with proper jurisdiction to enforce it; and that when that is created it becomes a case at law or in equity arising between the United States and a citizen thereof.

But here the whole of this report, the whole argument of my honorable friend from Oregon, the whole argument, if I understand it, of my honorable friend from Alabama (though I did not hear the whole of it), goes on the ground that there is no claim, legal or equitable, in the technical sense which I have described on the part of anybody to this fund; that its disposition is a political question to be determined according to the instructed discretion of a political department of the Government.

If that be true, we have no constitutional right to impose upon the Supreme Court of the United States the duty of dealing with it. It is the same question, in substance, which came up in regard to the pension laws very early in the history of the Government. We undertook to impose upon the judges of the Supreme Court of the United States the duty of finding the facts in regard to the claims of Revolutionary pensioners in the first few years after the Government was formed. The finding of the court was under the act of Congress to be reported to Congress, and Congress was then expected to act in accordance with the findings of the justices of the court, but still reserving its discretion as to the legislation which should take place after those facts were found. While all the judges of the Supreme Court denied the authority of Congress, if I recollect the decision aright, to impose upon them that duty, in one or two of the circuits the judges said they would act as commissioners, but that it was imposing upon them a separate duty and authority in addition to their judicial duties under the Constitution and laws.

Mr. GEORGE. In one circuit only was that done.

Mr. HOAR. They consented to act, just as the justices of the Supreme Court who were named in the act creating the Electoral Commission consented to act, and just as the courts have acted, I think, in one or two other cases which might be referred to. But the other judges not only agreed with their brother in that one circuit in denying the authority of Congress to impose those duties upon them without their consent, but also refused to exercise the jurisdiction which was imposed.

Mr. GEORGE. And that judge afterward resigned.

Mr. HOAR. So, Mr. President, if we desire to have this matter finally disposed of and get rid of it in accordance with the general theory which has been agreed upon, I believe unanimously, by the Committee on Foreign Relations, it seems to me we should strike out the appeal to the Supreme Court of the United States. While, if the committee should recommend the substituting of some additional and revising power for that, which we might create, I should not withhold my vote from it, I, myself, for one, should be entirely content to leave the whole matter to the Court of Claims; and I think the constitution of that court is such that all parties in interest, whether Mexico or these claimants under the awards, will acquiesce in the judgment of that court as an impartial, learned, and industrious tribunal.

Mr. DOLPH. Mr. President, I desire also to yield at this time for some remarks that the Senator from Connecticut [Mr. HAWLEY] desires to make. I understand that he expects to be absent from the Senate to-morrow, and if he has not an opportunity to submit his remarks this afternoon he will not have an opportunity to submit them at all on the bill. As I have already given way to the Senator from Massachusetts to submit his amendment, which can be moved now and go over for action at least until after I have concluded my remarks, I will give way to the Senator from Connecticut.

Mr. HOAR. I ask the Senator from Connecticut to allow me to add to what I said the citation where the history of the matter to which I referred will be found. I desire to refer to Miller on the Constitution of the United States, page 351, and the succeeding pages.

The PRESIDING OFFICER. The Senator from Massachusetts moves to strike out the third section of the bill.

Mr. HAWLEY. Mr. President——

Mr. MORGAN. Before the Senator from Connecticut goes on I wish to say——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Alabama?

Mr. HAWLEY. I submit it to the Senator from Oregon. I am speaking in his time.

Mr. MORGAN. I desire only a moment to say to the Senator

from Massachusetts that I think we should be prepared on authority to show him that the appeal to the Supreme Court is within the jurisdiction of that court as it is now provided by law. At the same time I concur with the Senator that the appeal to the Supreme Court of the United States is of no practical value to any person. It was put in the bill out of abundant caution, lest some one might complain that we had not done for the claimants all that could possibly be done in giving them a fair field to assert their rights.

Mr. HOAR. I suggest to my friend from Alabama to strike it out out of more abundant caution.

Mr. MORGAN. That is for the Senate to say, but that is why the committee put it in the bill.

Mr. CHANDLER. I ask the Senator from Oregon to yield to me to let me make an inquiry of the Senator from Massachusetts with reference to the point he has just made.

Mr. DOLPH. I have yielded the floor to the Senator from Connecticut [Mr. HAWLEY], and leave the matter entirely to him.

Mr. CHANDLER. I wish to ask the Senator from Massachusetts whether the last four lines of the bill do not entirely obviate the objection which he has made. Of course it is recognized that you do not want to go to the Supreme Court to have it render a judgment which judgment is to be disregarded; but here is a provision that—

In case said court shall decide in said suit that said La Abra Silver Mining Company, or its successors and assigns, are, in justice and equity, entitled to any part of said award that shall remain to be paid or distributed, the Secretary of State shall proceed to distribute the same to the persons entitled thereto.

Does not that give the money absolutely in payment of its judgment? If the Supreme Court renders a judgment it ought to be paid——

Mr. HOAR. The point is, the Supreme Court can not render a judgment, and the chaos will return again if we send it there. In other words, the Supreme Court of the United States have no constitutional duty or power—Congress can not give them constitutional duty or power—to say what justice and equity require of a political department of the Government.

Mr. CHANDLER. Not as to a fund in possession of the State Department?

Mr. HOAR. No, if there is a legal obligation.

Mr. CHANDLER. If the Senator is right about that, then I yield the point.

Mr. HOAR. That is the proposition.

Mr. CHANDLER. The Senator is aware that when a suit against the United States has been adjudicated by the Court of Claims and then adjudicated on appeal to the Supreme Court, the judgment comes back to Congress for payment, and it is not paid until we appropriate for it. Now, here is a case where if the Supreme Court affirm the judgment of the Court of Claims in behalf of the La Abra Company it does not come back to Congress but the Secretary of State is under the obligation imposed by statute of the United States to pay the judgment. Therefore, it seems to me that the point which the Senator makes, that the Supreme Court is called upon to perform a duty which it can not constitutionally be asked to perform, is entirely obviated.

Mr. HOAR. The Senator fails to take, entirely, the point which I made. It was not that there was not a provision for carrying into effect what the Supreme Court of the United States should say, but that the Supreme Court could not be clothed with the duty or authority of saying what justice and equity require; and I called the attention of the Senate to the distinction between the case which the Senator from New Hampshire adverts to and this one; that where there is a legal obligation, an obligation in law or in equity treated as a branch of law, against the United States, undoubtedly the United States may consent to be a party, and the Supreme Court of the United States may be clothed with appellate jurisdiction. That is equally true whether the judgment requires an act of Congress to pay it afterwards or whether it is provided that it may be paid as a matter of duty by one of the Executive Departments of the Government. But here the committee say this is a political question, and a question to be settled according to the instructed notion of the political department in regard to what is just between the parties, and the Supreme Court of the United States can not constitutionally be asked to give opinions on such a question as that.

Mr. CHANDLER. If the Senator from Massachusetts will allow me I will grant that the Supreme Court can not be made the adviser of the Secretary of State or the President in a question of this character. The Supreme Court can not be made the adviser of the conscience of the Executive. I am not familiar with the report of this committee; I deal simply with the bill which is before the Senate. The bill does not say that the effect of the judgment of the court is to instruct the conscience of the Secretary of State or the President of the United States. The bill says that the effect of the decision of the court is to keep this fund and deliver it to Mexico or to pay it to these claimants.

Now, it seems to me the Senator is making a distinction without a difference when he says that because the court can not instruct the conscience of the Executive it can not adjudicate as to the rights of these parties to a sum of money that is in the manual possession of the Government, held in trust for somebody.

Mr. HOAR. But the committee go on the ground that the parties have not rights. That is the trouble. Suppose we were to pass a law that in consideration of the long, faithful, and able services of the Senator from New Hampshire there should be paid to him such sum of money as the Supreme Court of the United States should think reasonable, or that the Court of Claims should think reasonable, and on appeal would the Supreme Court of the United States entertain jurisdiction of that? Would they entertain jurisdiction any more if it were said that the money was to be instantly paid by the Secretary of the Treasury when the Supreme Court had made their decision?

Suppose we should pass a law that all pensioners might go into the Court of Claims and having shown the character of their military services and their need, the Court of Claims should be authorized to say what would be a reasonable pension to be paid to each of those persons or to each class of persons, and that there should be an appeal on the part of the United States or on the part of the claimant to the Supreme Court, and that when the Supreme Court had made its decision then the Secretary of the Interior should put the name of the person affected on the pension roll, and the pension should be paid from the Treasury without further act of Congress, would anybody hold that the Supreme Court would be bound to accept, or would accept, or should accept, the duty so imposed upon them?

The proposition, I repeat, is not that there is any difficulty in getting the judgment of the Supreme Court paid under the mechanism contrived in the bill. The proposition is that the decision of the Supreme Court is not to be under the bill a declaration of a legal or equitable right, but they are asked to declare what ought to be done in justice. I use the words justice and equity; the term equity, *noscitur e sociis*, means according to a general notion of what is just and reasonable under the circumstances. So, you have not got a decision of what the Constitution describes as a case, which means a controversy as to a legal right.

Now, the Senator from New Hampshire does not answer that at all in his remark. He does not make any remarks which indicate that I have made it clear to his mind. The Senator from New Hampshire supposes me to object to this bill that there is something to be done after the Supreme Court get through with it which prevents it from being a case under the Constitution. That is not the trouble. If the money were paid into the Treasury and were to be taken from the Treasury by a warrant, certified by the clerk of the Supreme Court, my point would remain unaffected. It is that this is either a legislative or a political discretion, one or the other. The question whether this award shall be paid back to Mexico, or shall be paid to the present owners of the interest of the La Abra Company or the Wier claim, is a question, as the committee say, and as Chief Justice Fuller said, of political discretion. It is a political discretion, to be determined either by the President directing the Secretary of State, or it is to be determined by Congress, as it undoubtedly may be determined by Congress acting legislatively, and such a question as that can not constitutionally be imposed upon the Supreme Court.

Mr. HAWLEY. Mr. President, I have but a few remarks to make. By the treaty of July 4, 1868, the American and Mexican Commission was constituted to hear a large number of claims. Among them were two, called now the Weil and the La Abra claims. The award in those two cases amounted to $1,159,000. Upon that approximately half was paid. I do not pretend to give the exact figures, but something like $600,000 is still nominally due upon those claims.

But now the United States Government, having come into the unexpected possession of certain evidence, finds that those claims were from top to bottom, side to side, fraudulent. I accept the judgment to this effect of those gentlemen of the committee and others who have closely investigated the question. It is impossible for each individual Senator to enter upon the long investigation that would be necessary to come to a conclusion upon such a question of fact. I accept the decision that those claims were wholly fraudulent. Now, the question is, what shall the United States do with the six hundred and odd thousand dollars remaining in its hands?

I am very glad and proud to say that the judgment of the Senate upon this question has not been uncertain. By a large majority it has said more than once that it desires to give back this money to Mexico. Is it necessary to argue that that is the course all honorable gentlemen would take? It seems to me the question does not admit of argument, and therefore I cheerfully vote for whatever measure may be pending aiming towards that result, and I shall vote myself for the pending bill.

But it happens to be within my power to give an illustration of how Mexico is acting under a somewhat similar case, that is to say, a case depending purely upon a national sense of honor and not upon law or legal obligation. When this original Commission was constituted, one of my constituents, the State bank of Hartford, having become in the collection of debts due it the possessor of certain claims against Mexico for arms furnished, filed its claim. The Commission decided that it had no jurisdiction, whereupon the State bank dropped the matter.

By the terms of the treaty of July 4, 1868, this among other claims was barred; in the language of that treaty, barred and thenceforth inadmissible. It was also expressly barred and excluded from settlement and payment by the domestic legislation of Mexico. But by and by the State Bank, feeling that its claim was entirely equitable, and it being admitted by the Mexican Government that the arms in question had been delivered, ventured to make another presentation of the case, barred by treaty, barred by statute, thrown out of court by the Mexican Claims Commission. The Mexican Government took it up, admitted the justice of it, paid it, $35,000, in securities for which it had to pay 33 per cent premium, such being the difference in the currency of Mexico and the United States.

Mr. President, that is a fine example. I think that I must for myself endeavor to reciprocate the honorable and among its private citizens the gentlemanly conduct of the Republic of Mexico.

Mr. DOLPH. Mr. President, I shall not undertake to discuss at this time the power of Congress to impose upon the Supreme Court of the United States the duty of taking jurisdiction of an appeal from any decision which might be rendered by the Court of Claims under the provisions of this bill. I have not examined the authorities, and my colleague upon the Committee on Foreign Relations [Mr. MORGAN], who had charge of these claims long prior to the time when I became a member of the committee, will discuss that proposition of law at the proper time.

Mr. CHILTON. Will the Senator from Oregon excuse me for a moment?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Texas?

Mr. DOLPH. I yield to the Senator.

Mr. CHILTON. The proposition which has been stated by the Senator from Massachusetts occurred to me in reading the bill; in other words, that any duty which belongs exclusively to the political department of the Government can not be imposed upon the judicial branch. But I would ask the Senator if the question as to whether the judgment is fraudulent does not possess such elements of litigation, or, in other words, if it is not such a case as that by the voluntary act of the United States in entering the Court of Claims and litigating the question with the parties who claim the award the United States Supreme Court would take jurisdiction of it by appeal as a case, as a litigation, as a controversy which has been inaugurated by the act of the United States Government?

Suppose, for instance, that a question of distribution should arise, two parties claiming this award. That, too, would be a political duty, in the first instance, of the executive branch of the Government to settle; but suppose an act was passed which should authorize the United States Government to give relief to the parties claiming this award in the Court of Claims and to bring a suit of this description, would not an appeal lie to the Supreme Court of the United States from the judgment which had been rendered? I mention this, because it seems to me that it would be far more satisfactory, if it can be done constitutionally, to have this matter progress to the court of last resort, the Supreme Court of the United States.

Mr. DOLPH. Mr. President, I never like to discuss a legal proposition without being fully advised in regard to it, and when I do have to discuss such a proposition I generally exhaust all the means of information upon it that are within my power. I therefore propose to leave the discussion of the legal question which has been raised by the Senator from Massachusetts to the Senator from Alabama [Mr. MORGAN], who will speak upon this measure and on a bill involving another award made at the same time and by the same Commission. But I will say that I am disposed to agree with the Senator who has just interrogated me.

Here is a sum of money which has been paid by the Government of Mexico, and now under the control of the Secretary of State. The question primarily as to what shall be done with it may be purely a political question, but I doubt very much whether any President or any Secretary of State would feel at liberty to refund this money to the Government of Mexico without some authority from Congress for doing so.

To meet the difficulty it is proposed by the committee in reporting this bill that the United States, the Government, the Administration, shall cause to be instituted a suit to determine what shall be done with this fund. As has been suggested by the Senator, to submit this sum of money to abide the event of litigation, the decision of the courts, and it is provided that if certain facts are found by the Court of Claims, in the first instance, and by the Supreme Court of the United States as the court of last resort, to wit, if it shall be found that this award was procured by fraud and false testimony or other false and fraudulent practices, and that the Government of the United States was imposed upon, then the money shall be returned by the Secretary of State to the Government of Mexico. But if it shall be found that the award was not secured by fraud, by false testimony, and by fraudulent practices, then the Secretary of State shall proceed and distribute this money to the La Abra Silver Mining Company or its assigns, the parties authorized to receive it, and jurisdiction is conferred by the bill to determine that question of fact and to determine what disposition is to be made of the money.

I am under the impression that the Supreme Court under this proposed act can and would take jurisdiction of this question and determine it. But I do not see that it is very important to either the claimants or the Government that this case should go to the Supreme Court of the United States, and personally I should be quite willing to see the third section stricken out of the bill. I would not propose to have it done or agree to its being done, of course, without a consultation with the committee of which I am a member and under whose direction I reported the bill, but it seems to me that for the information of the Government, for the guidance of the executive department, an examination, an adjudication, and decision by the Court of Claims is just as good as if the Supreme Court were to pass upon the case, to pass upon a mere question of fact. I think that the permission to these claimants to go into the Court of Claims and submit their cause that is all that is required.

But I say as to the legal proposition made by the Senator from Massachusetts. I shall not undertake the discussion of it at this time. If I choose to add anything to the discussion after it has been presented by the Senator from Alabama, I will do so.

There has been another suggestion made to me by a Senator, which, on account of his legal learning and his knowledge of this case, deserves some attention, and that is, that there ought to be an omission of the word "or," in the thirteenth line of the first section. I see no objection to that myself, although I do not attach as much importance to it as the gentleman I refer to does. The section reads:

> To determine whether the award made by the United States and Mexican Mixed Commission in respect to the claim of the said La Abra Silver Mining Company was obtained, as to the whole sum included thereln or as to any part thereof, by fraud or false swearing or other false and fraudulent practices

I should be quite willing myself to leave out the word "or" or to insert the word "and" in place of "or."

Mr. MORGAN. Where it first occurs?

Mr. DOLPH. Where it first occurs in the section; and if that would obviate any objection that any Senator has to this bill, at the proper time, if the motion to amend is made, so far as I am concerned I shall be quite willing to consent to it.

Mr. MORGAN. I suppose the criticism is entirely grammatical. I do not know what else it could be.

Mr. DOLPH. The Senator I have reference to supposed that the case ought not to be reopened and retried unless such a case were presented as would authorize a court to reopen its own judgment or the judgment of another court for fraud; that mere false swearing alone is not sufficient for that purpose.

Mr. President, I do not propose to go any further into the questions of law arising upon the consideration of this bill. I think the decision of the Supreme Court of the United States, which I quoted from at length, settles conclusively the power and the right of Congress to do what we are proposing to do by this bill.

I express my regret again that I am not able to have in print before me the long and able speech of the Senator from Missouri, but I do not propose to go through all this testimony and into every collateral issue which has been raised in this case before the Mixed Commission and before the State Department and before the Committee on Foreign Relations. I do not consider it necessary.

It is alleged here by the committee, and stated in the report which I had the honor to submit in the Fiftieth Congress, that this award was secured by fraud and by false testimony and by fraudulent practices; that it was founded in fraud. I stated to the Senator from Missouri, and also said when I opened the discussion upon the bill, that if that proposition were denied I would make it appear from testimony which had been taken in this case, which could not be controverted, that it was true, and that is what I propose to do. I could not undertake to follow the Senator in all that he has stated, in all the quotations he has made from the false and perjured testimony which was before the Mixed Commission. I could not follow him in regard to all the extracts from the testimony of witnesses which appear to favor in a general way the claim that there had been some mistreatment of this

company by Mexico, or that the Government or people of Mexico were unfavorable to American citizens.

I submit to the Senate that it is wholly immaterial to show that some Mexican citizen, in conversation with some of the agents or employés of this company, manifested hostility towards the Government of the United States or the people of the United States, or even to show that there was a general sentiment of hostility on the part of the Mexicans towards the Americans. It is equally immaterial to show that these claimants had a mine in Mexico or that they worked a mine in Mexico, or even that it was a valuable mine; or unless something more is shown; unless it is shown that they lost their property by the fault of Mexico. The charge made in this case is that these people, the owners of this mine, were deprived of their property by the Government of Mexico or the people of Mexico; that they lost their mine on account of the hostility of the Mexican people to Americans, and to this company in particular; and unless that can be established there is no foundation whatever for this claim.

If this company was not deprived of the possession of its mines, if it did not cease to work its mines, if their property was not destroyed or lost to them by the action of the Mexican Government, all these other questions are immaterial; the Government of Mexico never was liable to these people, and when they made claims against the Mexican Government it was an imposition upon the United States, and it was a fraud upon the Government of Mexico.

Now, I propose to quote at considerable length in this case from the letters of the superintendents of this company at the mines during the times the company were in possession and working these mines, and from some of the letters of the officers of this company to its superintendents and agents at the mines to establish what I propose to show. As a convenient way of submitting the facts to the Senate in regard to this matter, I will quote from the report which I had the honor to submit upon this bill, and then refer to the testimony to show that what I state is substantiated by the testimony. I read from the report:

The testimony taken by the committee is sufficient to establish beyond question the authenticity of the letterpress copy book of La Abra Company presented to the Secretary of State by the Mexican Government. It was identified before the committee by one of the superintendents of the company, Col. Julius A. De Lagnel—

Senators will recollect that the Senator from Missouri [Mr. VEST] stated substantially that Mr. De Lagnel was a man of truth and veracity, whose testimony, it was claimed on both sides, could be relied upon—

as the press copy book in use at the mines in Tayoltita, Mexico, during the time he was superintendent of the company's works, and he identified all the press copies of the letters signed by himself. The press copies of letters signed by Charles H. Exall, the superintendent who succeeded De Lagnel, and the press copies of the letters of James Granger and certain statements of his handwriting in the same book, as also the original letters of David J. Garth, the treasurer of the company, and of Charles H. Exall, were duly proved by competent witnesses to be genuine.

I propose to establish that proposition. We have genuine letters here, and when I show that they are the genuine letters of agents and officers of this corporation I shall refer to them to show what the exact facts are in regard to this mine. They are witnesses which can not be impeached; they are witnesses who do not lie, and the facts which appear from these letters can be relied upon.

I refer now to De Lagnel's testimony on pages 6, 10, 11, and 12 of the Appendix, which Senators will see if they have the report before them.

Julius A. de Lagnel sworn and examined.

By Mr. FOSTER:

Q. Please state your name, residence, and occupation.
A. At this time?
Q. Yes.
A. My name is Julius Adolphus de Lagnel. I reside in Alexandria, Va.—

Convenient here—

am at present without any fixed occupation, and live upon the little means I have. My age is sixty-two, nearly; passed sixty-one.
Q. What has been your occupation in the past, briefly?
A. From 1847 until 1861 I was an officer of the Second Artillery, United States Army. From the summer of 1861 until April, 1865, I served the Confederate States. Early in 1866—I think it was January—I was introduced to Mr. David J. Garth and recommended to him for a position, and was with the La Abra Company from early in 1866 to the spring of 1867. I think it was about September or early fall of 1868 until the spring of 1870 I was in the employ of Marshal O. Roberts, of New York, as purser on a steamer between New York and Fernandina, Fla. Then, in the fall of 1870, I was sent by Mr. Allen McLain, president of the Pacific Mail Company, to California.

You see this is a man of experience, once an officer of the United States Army, who also served in the Confederate army during the war, and he had been employed as purser on ocean steamships and in other responsible business positions.

Another question:

Q. As superintendent of the La Abra Mining Company, state whether you had charge of the property and books of the company at the mine.
A. Upon arrival Gen. Bartholow turned over everything to me in the shape of books and property, and I was recognized as in charge until the time I left.
Q. Who was Gen. Bartholow?
A. Gen. Bartholow was the former superintendent.

Now you have the statement of the time which this witness was in the employment of this company and his position, and that he succeeded Gen. Bartholow.

The CHAIRMAN. The question was—

Not to dwell too long upon this testimony—

The CHAIRMAN. The question was: "I want to know if the letters signed J. A. de Lagnel, from page 69 to 153, are yours. By whom are they written? Take them in a lump, and if there are any you have doubt about, probably the shortest way is to refer to them. Take it between those pages, with such exceptions as you choose to make." Now, you can proceed with your answer.
A. The letter on page 100, I think, was written by Norton.
Q. Will you explain who Norton is?
A. He was an employé, and spoke Spanish, and wrote for me in Spanish. I wrote for him in English and he would write it in Spanish.
Q. He was an employé of the company?
A. Yes, sir. Page 101 is written by Norton. Page 125 is very indistinct, but I think it is mine. Page 137 is very imperfect, but I think it is mine. Page 138 is Norton's. Page 144, neither written nor signed by me, but from the signature and position in the book think it to be undoubtedly Exall's.

Mr. GEORGE. Whose testimony is that?

Mr. DOLPH. Mr. Julius De Lagnel, superintendent of the mines for over a year. He is a man who can be relied upon.

Mr. MORGAN. A man who was there during the period when it was said all these difficulties occurred.

Mr. DOLPH.—

All the other letters—

Now listen—

All the other letters contained within the book between those numbers named are mine.

Mr. GEORGE. Not Exall's.

Mr. DOLPH. Not Exall's. We have not got to Exall's. We prove them by another witness.

By Mr. FOSTER:

Q. Was Granger an employé of the company during the time you remained there?
A. I do not think I was paying him any salary. He had been living at the hacienda ever since his arrival, at first as a guest, and, needing a bookkeeper, he being an experienced one, acted in that capacity; but I anticipated that Mr. Exall would take him regularly into his employ and give him a salary. I do not recollect ever making any engagement. If I did so it has escaped me.

Granger is the man who was left in charge of the mine when Exall left the mine. It was turned over to Granger by a formal letter when Exall left.

Q. State whether the letter book, from the beginning up to page 153, appears now in the same state in which it was when you left the mine.
A. Do you want me to examine this letter by letter?
Q. No; the general condition of the book.
The CHAIRMAN. Examine it so that you are satisfied you can make a correct answer to the question.
The WITNESS. Well, the only way is to examine the pages. [After examination.] Yes, sir; I find the original numbers all in and nothing inserted.

Now we have the letter books that contain copies of letters written by De Lagnel and some written by other persons in his employment during the year he was there.

Mr. GEORGE. I should like to ask the Senator another question.

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. DOLPH. Yes, sir.

Mr. GEORGE. Are those letters written by De Lagnel the letters upon which the Senator relies to show the fraudulent character of the claim?

Mr. DOLPH. They are in part. There are also other letters which are proved in the same way.

Mr. MORGAN. And we have his statement.

Mr. DOLPH. And we have his statement in the testimony here.

Mr. GEORGE. Are they as pertinent to the question as those written by Exall?

Mr. DOLPH. Quite as pertinent. I will read what Mr. Foster says to the same witness on page 11.

By Mr. FOSTER:

Q. To whom did you deliver the letter book when you left the mine?
A. I take it for granted, without recollecting, that I gave it to Mr. Exall. It is the only thing I would have done. I do not remember the occurrence, but I must have given it to him with all the books together in the desk.

By Mr. STAPLES:

Q. You have no recollection on that subject?
A. No, sir.

By Senator DOLPH:

Q. You did not take it away?
A. No, sir; I did not.

Mr. GEORGE. He was the predecessor of Exall as superintendent.

Mr. DOLPH. Yes; he was the predecessor of Exall as the superintendent of the mine.

Q. You did not take it away?
A. No, sir; I did not.
Q. Or deliver it to anybody else?

A. No, sir; I never took the book out of the office where it was kept from the time I received it until the time I left.
Q. You turned the property over to Mr. Exall. How did you do it?
A. I made receipts, an inventory of the property, and turned it over to him.

By Mr. FOSTER:

Q. Have you preserved any of those receipts or invoices, or did they remain in your possession?
A. No, sir; I gave the papers I brought home to Mr. Garth.

Mr. Garth was the treasurer of the company. He was before the committee and was examined at length, but all the papers and books in New York were alleged to have been lost. Those we could not get.

Mr. GEORGE. Was the treasurer located in New York?

Mr. DOLPH. He was located in New York.

By the CHAIRMAN:

Q. When was that?
A. That, I think, was in the month of May; it must have been May, 1867.

By Mr. FOSTER:

Q. You will please examine the letters in the front of this letter book attached to your deposition given in San Francisco, dated May 10, 1867; May 20, 1867; May 30, 1867; June 10, 1867; July 10, 1867; July 20, 1867; August 10, 1867; October 10, 1867, and state if you know by whom they were written and signed.
A. (After examinging the letters.) All of these letters that I hold in my hand that have been named were written and signed by Mr. Garth.

The treasurer of the company. Those are original letters.

Mr. GEORGE. Found in Mexico?

Mr. DOLPH. Found with the letter book.

Mr. GEORGE. In Mexico.

Mr. DOLPH. In Mexico. I now refer to the testimony of Mr. Tuttle, on pages 23 and 24 of the appendix to the report of the committee. Mr. Tuttle states:

My name is William P. Tuttle; age 45; residence, Madison, N. J.; occupation, banker and broker, New York City.

He was brought to prove the handwriting of Exall.

Senator DOLPH. The examination will proceed.
The WITNESS. I would say that all the letters that purport to be written by Mr. Exall are most unmistakably in his handwriting. There are a few statements here which are in another handwriting.

The foundation had been laid for this testimony. This gentleman had been in the employ of Exall, or at least he was familiar with his handwriting:

They show themselves, and there is another letter; there is a letter from another party, but those that are in there purporting to be his handwring are most unmistakably his.

By Mr. FOSTER:

Q. Those that have the signature C. H. or Charles H. Exall?
A. The signature is correct, and, as nearly as I can judge, the handwriting is his.

There were some other letters he did not swear to; but he said the signatures were undoubtedly Exall's, and the handwriting he thought was Exall's.

I also refer to Garth's testimony, who was the treasurer of the company, which is found on page 128 of the appendix.

Mr MORGAN. He lived in New York and remained there. He was a large stockholder.

Mr. GEORGE. I should like to ask another question. Has the Senator read the letters upon which he relies?

Mr. DOLPH. No, I have not read any letters yet.

Mr. GEORGE. Do you propose to read them?

Mr. DOLPH. I propose to read from them. I am now establishing the proposition that these letters are proved by uncontradicted testimony to be genuine letters.

Mr. GEORGE. Then you do propose to read them?

Mr. DOLPH. I propose to read from them to show the fraudulent character of this claim.

This is from Mr. Garth, the former treasurer of the company, and he, being a party in interest, was placed on the stand by the committee and examined in order to find out where the papers were and to get from him such information as we could get concerning this affair:

By the CHAIRMAN:

Q. I wish to identify some letters we have here which purport to be original letters written by David J. or D. J. Garth [handing witness the press-copy book]. I would be glad if you would look over that batch just in front and see if they are in your handwriting. Examine each one carefully and then, after you get through, state which of those letters are in your handwriting.
A. (After examining letters.) These are all written by me, in my handwriting.
Mr. SHELLABARGER. Name them over by their dates and place so that we will get it in the record.
The WITNESS. There is one May 10, 1867.

By Mr. DOLPH:

Q. Who is it addressed to?
A. To Mr. Charles H. Exall. One of May 20, 1867.
Mr. SHELLABARGER. State in each case where they are dated at and to whom addressed.
The WITNESS. This of May 10 is dated in New York, and directed to Charles H. Exall, Tayoltita, Mexico. This of May 20, 1867, is directed to the same party at the same place. This of May 30 is from the same point, New York, to Charles H. Exall, Tayoltitia, Mexico. This of June 10 is to the same party, from the same place. This of July 10, 1867, to the same party at the same place. This of July 20, 1867, is directed to the same party, at the same place. This from New York, August 10, is to Charles H. Exall, at Tayoltita, Mexico. This from New York, October 10, 1867, is to Charles H. Exall, Tayoltita, Mexico. I believe that is all that I see.

I think I need not go further to establish the proposition that these letters I propose to read have been shown to be genuine. They are sworn to be genuine, those written by Mr. De Lagnel, by the writer himself. As to those written by Mr. Exall, the handwriting of Exall is proved by a banker and broker of New York familiar with his handwriting; and the authorship of the letters signed by D. J. Garth, and written to the agents of the company at the mines, are identified by Mr. Garth. So these letters are identified by the parties who wrote them. There is no question about it, and no man will have the hardihood to deny that they are genuine. I read again from the report:

D. J. Garth, the former treasurer of La Abra Company, and the agent of the company who conducted its business in New York and the company's correspondence with the superintendents of the company's works in the mines at Tayoltita during the operations of the company there, in his testimony before the committee, admitted the receipt of the originals of nearly all of the letters addressed to him, written by De Lagnel and Exall, and copied in the press copy book, together with the genuineness of the letters purporting to have been written by himself.

I wish to call the attention of the Senator from Mississippi to this paper. Mr. Garth on the stand admitted the receipt of nearly all these letters, the copies of which were found in the letterpress book and were identified by De Lagnel.

Mr. GEORGE. That he got them in New York?

Mr. DOLPH. That he got them in New York. To prove that proposition I quote from the testimony of Mr. Garth, found on pages 217, 218, 829, 830, 861, and 862 of the report. I first read from page 217 of the report:

By Mr. DOLPH:

Q. There are several letters between those two pages, then?

That is between page 125 and page 126.

A. Yes, sir.
Q. Those at Mazatlan appear to have been divided instead of being between 124 and 125; part between 125 and 126, so as not to be on the same stub?
A. I suppose so.
Q. Is that the fact; just examine it and see?
A. That is the fact.
Q. Several letters in each place?
A. Yes, sir. This letter, Mazatlan, 17th of November, 1866, is a letter of 8 pages, between 125 and 126, from J. A. De Lagnel to D. J. Garth.
Q. Have you read the printed copy of that letter?
A. I don't remember doing so.

This is Mr. Garth.

Q. Well, read just sufficiently to state whether you remember having received it?
A. No, sir; I do not.
Q. I wish then, as we pass, you would look at that printed copy and state whether you recollect having received that letter?
A. I recognize it by the fact that he drew upon me for $7,000, and the fact that it was paid.

That is one letter which he recognized as having received.

Q. So you are able to state that you received that letter?
A. Yes, sir; I am able to state from that fact. I recollect that draft was paid.

By Mr. MCDONALD:

Q. Well, that is in answer to five letters received by him?
A. Yes; his letter says it is in answer to them all.

That is to say, this letter of De Lagnel was a letter in answer to five received from Garth, as I understand it.

Between pages 136 and 137 I find the following: Mazatlan, December 31, 1866, to G. F. Nolte, Cosula, from J. A. De Lagnel. Mazatlan, dated 5th January, 1867, to D. J. Garth, by J. A. De Lagnel.

By Mr. DOLPH:

Q. Do you recollect receiving that letter?
A. I would have to look it over perhaps before I could say [after reading it]; yes, I know I received that letter.

Mr. GEORGE. Right there let me ask, was there any proof tending to show that any of these letters in the copy book were not received?

Mr. DOLPH. Oh, no, there was none; but I think probably there were some that could not be identified merely from memory.

Mr. GEORGE. But there was no allegation made that the letters were not received?

Mr. DOLPH. Oh, no; there was no attempt made to prove that there were any letters that appeared there that had not been mailed and properly received by the company in New York, but I am not sure that the copy of every letter found there was brought home by the recollection of something contained in it to the witness Garth and admitted to have been received by him.

Mr. GEORGE. There was no denial?

Mr. DOLPH. There was no denial that they were received.

By Mr. DOLPH:

Q. Do you recollect receiving that letter?
A. I would have to look it over perhaps before I could say [after reading it]; yes, I know I received that letter.

By Mr. MCDONALD:

Q. Following that, do you find one of January 5?
A. Mazatlan, Mexico, 5 January, 1867; to William C. Ralston, cashier, Bank of California, by De Lagnel.
Q. Between the same pages?
A. Yes, between 136 and 137.
Q. Do you find any other of the same date to the same person?
A. Another of the same date to the same person.

By Mr. SHELLABARGER:

Q. Between the same pages?
A. And between the same pages; yes, sir. Between 144 and 145 I find the following: Mazatlan, 5th February, 1867; W. C. Ralston, cashier Bank of California, by J. A. De Lagnel; and one of the same date, from the same place, to D. J. Garth, New York, by De Lagnel.

By Mr. DOLPH:

Q. Do you recognize that letter; do you remember having received it?
A. (After reading it.) Yes, I recognize that letter.

By Mr. MCDONALD:

Q. Well, pass on to the next.
A. Between pages 152 and 153 I find this: "Mazatlan, April 16, 1867; William C. Ralston, by J. A. De Lagnel." I recognize that.

Mr. GEORGE. Is that Mr. Garth's testimony still?

Mr. DOLPH. That is Garth's testimony.

Q. What do you mean to say by saying you recognize that? I will ask you whether or not all these letters referred to as having been written by De Lagnel are in his handwriting?
A. I am satisfied that they are, except where they are so indistinct that I can not make them out.
Q. Let me understand; you have no more doubt about the balance of these letters that are illegible, which purport to have been written by Mr. De Lagnel at Mazatlan, than this one you now speak of to Ralston, have you?
A. No; I think not.

Mr. MORGAN. If the Senator will allow me, I will explain in a moment in reference to that. Very early in this controversy, after the discovery of this book, it being obtained by Mexico, it was filed in the State Department of the United States and remained there for several years.

Mr. COLQUITT. The letter book?

Mr. MORGAN. The letter book, and it was printed. A copy of the book was put in print, and in consequence of the lapse of time the ink in the original letter book in some places faded out so as to make it illegible. What the committee were trying to do when Mr. Garth was there was to fix upon his mind and through his testimony establish the fact that he had received letters which corresponded with the printed letters so as to identify these letters that could not be read conveniently, and in fact some of them could not be read at all at that time in consequence of the fading of the ink. The committee, therefore, had to go through that process of identification of the letters with the printed matter, the committee having the original letters there. We then called Garth's attention to the substance of each of these letters. While he disclaimed that he had any positive memory of the identical or particular letters which he had received, he said "I received letters containing that information about that time."

Mr. GEORGE. Let me ask another question. Did De Lagnel, who wrote the letters, testify?

Mr. MORGAN. He testified to every one of them.

Mr. GEORGE. They were letters sent from New York.

Mr. MORGAN. Yes. Then we printed in evidence a number of letters written by Garth and others in New York, and we tried to get the copy letter-press book that they had in New York, but could not find it. We sent for the treasurer's accounts, and any other accounts connected with the company while Garth was treasurer.

Mr. GEORGE. Right on that point I should like to have an explanation. What explanation did the company give of the disappearance of the books from New York?

Mr. MORGAN. The Senator from Oregon [Mr. DOLPH] can tell that as well as I can.

Mr. DOLPH. They gave no very satisfactory explanation. They were traced from one officer of the company to another. I do not think Mr. Garth gave any satisfactory explanation for the books being out of his hands. The company, however, had really ceased business operations, failed to make its reports, and the whole property was considered as lost. The books were treated as of no account and stored away in some office of one of the ex-officers of the company, probably the secretary, and were said to have been lost and could not be found. I think that officer was dead. As one member of the committee, I was not entirely satisfied with the explanation made, and I felt, also, if the books had been in existence, it would not have been for the interest of the company or the company's agents in New York to have produced them in view of what we had already been able to get of the correspondence and transactions of the company.

Mr. GEORGE Did the committee use all the means in their power to get possession of the books and papers?

Mr. DOLPH. We did. We subpœnaed everybody who we supposed knew anything about them. They were demanded of the attorneys of the company, and every other step was taken that is known to the practice in such cases.

Mr. MORGAN. There was a *subpœna duces tecum* issued to every person we could hear of who had had possession or any connection with the books at all, stockholders, treasurer, and secretary. The secretary of the company was dead, and Garth was treasurer and a large stockholder. Garth kept his books and the book of correspondence in the secretary's office, and when he would write a letter in his own office he would take it to the secretary's office in New York, and there have it copied into the letter-press book.

Garth had understood that the secretary had put the books in some loft or garret somewhere and had made one or two searches for them. The attorney of the company, who had been all the time prosecuting this claim, when on the stand had an entire absence of any knowledge or recollection about the treasurer's books or any account books of the company. They had all vanished. The committee, however, used very diligent efforts to get those records brought before it, and failed entirely, which I thought and believe resulted from an effort on the part of the company to conceal the evidence.

Mr. GEORGE. Is the Senator aware of any effort being made by any person connected with that company in New York to find those books and produce them before the committee?

Mr. MORGAN. None, except what they testified to themselves on their examination as to why the books were not produced.

Mr. DOLPH. I will not follow up the question of showing the genuineness of the letters. I think they are shown to be genuine beyond controversy, and no Senator and no party interested will attempt to call attention to any testimony that appears in this volume relating to the case to show that these letters are not genuine letters.

Before I undertake to show what a fraud this claim was, I desire to ask attention to what was claimed in this case in order that I may contrast the facts and the evidence which has been taken in the case with the claim made before the Mixed Commission. To show how gigantic and how complete this fraud is it is necessary to show what was claimed by this company. Exall, who is the man who has been denounced by the Senator from Missouri [Mr. VEST], and who, it is claimed, was in the conspiracy to obtain this mine from these people in New York, was the man upon whose testimony largely this award was made. He was the moving spirit. I think he was the originator and discoverer of the plan to make the claim against Mexico.

That company represented in its memorial—

Found on pages 328 and 329 of the report of the committee. I am now quoting from the report—

That company represented in its memorial before the Joint Commission that it purchased in 1865, in Tayoltita, State of Durango, Mexico, certain silver mines of great value and extraordinary richness; that it sent intelligent agents to Mexico and made heavy and judicious expenditures on its mining property, to wit, over $300,000; that it had extracted a large amount of the richest ore; that it was subjected to threats, robberies, seizure and confiscation by the authorities of mule trains and supplies, forced loans, onerous taxes, imprisonment of its superintendent, murder of one of its officials, and other acts of violence, persecution, and interference by the Mexican civil and military authorities and people; that on account of these persecutions, outrages, and insecurity it was impossible to work the mines, and it was compelled to abandon them (in March, 1868).

Mind, March, 1868.

Mr. COLQUITT. Three years.

Mr. DOLPH. Yes, since 1865. The time is fixed, I think, in Exall's deposition, I will say in passing, on the 30th of March, 1868. This date will become important as we proceed in the examination of the facts of this case.

Mr. GEORGE. The date when they alleged they gave up the mines?

Mr. DOLPH. The date when they turned over the affairs and abandoned the mine.

That in consequence of the forced abandonment the mines and buildings, of the value of $1,000,000.

Senators will recollect that the company had already stated that they had expended $300,000, and it will be seen directly how that was expended, how exaggerated these statements were, though that is not material unless other facts are established—

and the silver ore extracted, amounting to 1,000 tons, of the value of $500,000, were wholly lost to the company; that, if permitted to work the mines, the clear annual profits would have been $1,000,000; and that by the forced abandonment the company was utterly ruined. Damages were claimed to the amount of $3,030,000, and the award was rendered for $683,041.30.

I will not stop to read from the memorial. The committee states it, and there can be no question but that it is taken from the memorial of the company. The memorial is found printed in this volume on pages 328 and 329, and any Senator can refer to it and see that the statement of the company before the Mixed Commission in their memorial is properly referred to in this report. The committee say:

At the time of the alleged forced abandonment no complaint whatever was made to the Department of State at Washington, to the Mexican Government, nor to the United States minister at the City of Mexico.

Mr. MORGAN. No claim was ever filed in any place at the time.

Mr. DOLPH. No claim was ever made to our Government for these alleged injuries.

Mr. GEORGE. At any time?

Mr. DOLPH. At any time until it was made to the Mixed Commission.

Mr. MORGAN. The first appearance of the claim was before the commissioners while they were in session, late in the progress of their investigation. Nobody knew about it until then.

Mr. DOLPH. The committee proceed to say:

It appears from the evidence before the committee that after the last superintendent returned to New York, in May, 1868, and made his report, the officers and directors of La Abra Mining Company took no steps to protect or recover possession of their property in Mexico; sent no agent there to look after or inquire into its condition, and did nothing whatever to maintain their rights. The claims convention with Mexico of July 4, 1868, was proclaimed February 1, 1869, and the memorial of La Abra Company was not filed before the Commission till June 14, 1870, more than two years after the abandonment of the mines.

Mr. MORGAN. Will the Senator pardon me one moment?

Mr. DOLPH. Certainly. It does not interfere with me a particle.

Mr. MORGAN. I will call attention to the condition of affairs there at that time. Our civil war ended in 1865. The Mexican civil war ended late in the year 1867 or the beginning of 1868 in the death of Maximilian. The period of time covered by the negotiation between the United States Government and Mexico in respect of the claims which existed mutually amongst the people of the respective governments, one against the other, was from about March, 1868, until July, 1868. The La Abra Company abandoned these mines, and it so avers in its petition, pending negotiations before the convention was signed, but while the whole country knew that the convention was in process of construction.

Mr. GEORGE. At the date when they alleged they were obliged to abandon the mine.

Mr. MORGAN. Yes. The convention was signed on the 4th day of July, 1868, and that furnished a convenient opportunity for this company, as the committee believe from the evidence, to recoup all its losses by presenting a claim against the Mexican Government to the Mixed Commission, and they delayed until 1870 before they presented any claim at all, having made no complaint to the United States Government, none to Mexico, and none to any authority whatsoever. The first appearance of that claim was upon these affidavits being lodged in that Commission without their having received a particle of supervision on the part of any officer of any government whatever.

Mr. GEORGE. On that statement I should like to ask the Senator a question. How did the Joint Commission take jurisdiction of this claim? As I remember reading the treaties they could only take jurisdiction of claims which had been presented to the Government of the United States, and they were to be presented by the Government to the Commission. How did that happen?

Mr. MORGAN. When I come to take the floor on this question I shall read the report of the secretary of the Commission, which shows how these claims were presented and how they were considered. There were very nearly or quite two thousand claims presented to the Commission, involving claims against the Government of Mexico of upwards of $400,000,000. The claims on the part of the people of Mexico amounted to, perhaps—I forget the exact figures—some $20,000,000, or something like that. The mass of the claims was very great, and there was scarcely a claim that was considered by that Commission from beginning to end that had received the supervision of either of the Governments. They were presented raw, in any form that the claimants saw proper to present them in that Commission. They were tumbled in by hundreds and hundreds, and many of them were presented very late in the progress of the investigation by the Commission.

So much were the dockets crowded in this way that there had to be two extensions of the convention, one by the action of the commissioners, which was provided for in the original convention itself, and another by a convention between the two Governments, in order to make room for the great volume of claims thus tumbled in upon the Commission.

In connection with this subject, if the Senator from Oregon will permit me one moment, I protest, as I have done since I have been in this body and connected with the Committee on Foreign Relations, that we ought to raise a select committee on the claims of citizens of the United States against foreign countries, and no claim ought to be permitted to be presented by the Government of the United States against any foreign country, under any convention, until it has undergone an investigation upon the part of a committee either of the House or of the Senate, or of both.

The trouble in this whole business is that the opportunity for the grossest perjury that the human tongue and pen and heart ever perpetrated in the history of mankind has been afforded by the laxity of the proceeding before this Commission, as the Senator from Mississippi [Mr. GEORGE] suggests, in utter violation of the terms of the convention.

Mr. GEORGE. Right there allow me a word. If the statement made by the Senator from Alabama is correct, as I have no doubt it is, it raises a very serious question in my mind as to the jurisdiction of the Commission to render any award at all. I have a memorandum, which I will read, taken from the treaty, that claims only shall be presented to the Commission—I now quote literally—"which shall have been presented to each Government for its interposition."

So the view which the Senator from Alabama insists is the correct one, that claims should first undergo the supervision of the respective governments, was provided for in the treaty. According to that statement these claims were tumbled in and put in there without prior sanction or supervision of the Government of the United States, in direct violation of the express terms of the treaty itself.

Mr. MORGAN. I will say that the Committee on Foreign Relations did not consider that question, for the reason that the Congress of the United States enacted a law, which was signed by the President in June, 1872, for the purpose of distributing the awards under this convention, thereby affirming and ratifying fully the regularity of the proceedings and waiving, of course, all informalities and actions theretofore, and the committee felt they were bound, as the Government of the United States had felt bound, to consider those awards as being entirely unobjectionable upon any question of practice that prevailed before the Commission and the Government of Mexico had conceded the validity of the awards as an engagement between the two Governments in compliance with the convention, and it has gone on faithfully, with entire punctuality, to pay every installment until the last installment has been paid and is now in the subtreasury at New York.

Mr. GEORGE. Mexico has not defaulted in the payment.

Mr. MORGAN. Never for a single moment.

Mr. TELLER. If the Senator who has the floor is willing, I should like to move an adjournment.

Mr. DOLPH. I do not know that I can object to an adjournment at this time. I could hardly finish my remarks in justice to this case to-night, but I beg the Senate to understand that I have given way to several Senators during my remarks and have not occupied the entire time since I first took the floor. I shall conclude at my earliest convenience to-morrow.

Mr. TELLER. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 21, 1892, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 20, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

NATIONAL RED CROSS.

Mr. BLOUNT. I ask unanimous consent to have printed in the RECORD a communication from Miss Clara Barton, president of the American National Red Cross.

The SPEAKER *pro tempore*. The gentleman from Georgia [Mr. BLOUNT] asks unanimous consent to have printed in the RECORD a communication from the president of the Red Cross Association.

Mr. SNODGRASS. I object.

INTRODUCTION OF BILLS.

By unanimous consent, bills of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred to the committees named below:

BANKING LAWS.

By Mr. COX of Tennessee: A bill (H. R. 4325) to amend the banking laws of the United States, increase the circulation, and produce uniformity of currency—to the Committee on Banking and Currency.

PAYMENT OF UNITED STATES BONDS.

By Mr. SNODGRASS: A bill (H. R. 4326) to make the bonds of the United States payable in any currency of the United States that is a legal tender for any debt or purpose—to the Committee on Ways and Means.

IMPORTS, ETC., FROM THE DOMINICAN REPUBLIC AND PORTO RICO.

Mr. STONE of Kentucky. Mr. Speaker, I desire to introduce a resolution for present consideration.

The SPEAKER *pro tempore*. The Clerk will report the resolution, after which the Chair will ask if there be objection to its present consideration.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be requested to forward to the House a statement of all goods that have been imported into the United

States from the Dominican Republic and Porto Rico, dutiable or free; also a statement of all goods that have been exported from the United States to the Dominican Republic and Porto Rico, for ten years prior to the act approved October 1, 1891, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," together with a statement of the duty collected on all such articles.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this resolution?

There was no objection.

The resolution was agreed to.

On motion of Mr. STONE of Kentucky, a motion to reconsider the last vote was laid on the table.

INTRODUCTION OF BILLS.

The introduction and reference of bills was then continued under the order above adopted, as follows:

SETTLERS ON THE DES MOINES RIVER LANDS, IOWA.

By Mr. DOLLIVER: A bill (H. R. 4327) to indemnify the settlers upon the so-called Des Moines River lands in the State of Iowa—to the Committee on the Public Lands.

PUBLIC BUILDING, LITTLE ROCK, ARK.

By Mr. TERRY: A bill (H. R. 4328) to provide for the improvement of the building and grounds of the United States court and post-office at Little Rock, Ark.—to the Committee on Public Buildings and Grounds.

EXTRA COPIES OF LAWS RELATING TO CURRENCY, ETC.

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent to present the resolution which I send to the Clerk's desk for immediate consideration.

The SPEAKER *pro tempore*. The Clerk will report the resolution, after which the Chair will ask if there be objection.

The Clerk read as follows:

Resolved, etc., That the Public Printer be, and he is hereby, authorized to print 10,000 extra copies of the laws relating to loans, currency, etc., and that the compilation be brought up to and include the acts of the Fifty-first Congress.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. RICHARDSON. I object, and I ask the reference of the resolution to the Committee on Printing.

The SPEAKER *pro tempore*. If there be no objection it will be so referred.

There was no objection.

INTRODUCTION OF BILLS.

The introduction and reference of bills was then continued under the order above adopted, as follows:

HARBOR DEFENSE, SAN DIEGO, CAL.

By Mr. BOWERS: A bill (H. R. 4329) authorizing the Secretary of War to obtain lands for site for military post and harbor defense at San Diego, Cal., and making an appropriation therefor—to the Committee on Military Affairs.

LICENSE OF A PIER, CHICAGO RIVER.

By Mr. DURBOROW: A bill (H. R. 4330) to repeal H. R. No. 104, first session Fifty-first Congress, granting to the Secretary of War a permit to license to use a pier at mouth of Chicago River—to the Committee on Interstate and Foreign Commerce.

ADDITIONAL COPIES CONGRESSIONAL RECORD.

Mr. OTIS. Mr. Speaker, I offer a resolution for reference, which I wish to have read.

The SPEAKER *pro tempore*. Is there objection to the introduction of the resolution?

Mr. RICHARDSON. Is it a request for the consideration of the resolution or simply that it be read?

The SPEAKER *pro tempore*. Simply that it be read and referred.

Mr. RICHARDSON. It is not for present consideration?

The SPEAKER *pro tempore*. Not for present consideration. The Chair asked if there was objection to its introduction for reference. After that it was the right of the gentleman, the Chair thinks, to have it read.

Mr. ENLOE. I would like to know if it will appear in the RECORD if it is read.

The SPEAKER *pro tempore*. The Chair thinks not, in the case of a resolution or bill simply introduced for reference.

The Clerk then reported the title of the resolution, which is as follows:

Joint resolution (H. Res. 64) calling for additional copies of the daily CONGRESSIONAL RECORD for each member of the Fifty-second Congress.

The resolution was then read at length, and referred to the Committee on Printing.

PUBLIC BUILDING AT ANN ARBOR, MICH.

By Mr. GORMAN: A bill (H. R. 4331) providing for a public building at Ann Arbor, Mich.—to the Committee on Public Buildings and Grounds.

SURVEY OF LITTLE WABASH AND EMBARRAS RIVERS, ILL.

By Mr. FITHIAN: A bill (H. R. 4332) providing for a survey of Little Wabash and Embarras Rivers, Ill.—to the Committee on Rivers and Harbors.

ALEXANDER SAMPSON.

Mr. HAYES. Mr. Speaker, in the deficiency appropriation bill of the Fifty-first Congress certain relief was granted "James" Sampson in relation to some land in the State of Washington. In that bill, by pure mistake or accident, the name was "James" Simpson, whereas it should have been "Alexander" Sampson. I have prepared a bill to correct that mistake, and it does not require unanimous consent to introduce it, being a private bill; but there is some question as to which committee it ought properly to go. As the Committee on Appropriations have had that matter in charge, and are familiar with all the facts, I ask that the bill be referred to that committee.

The SPEAKER *pro tempore*. If there be no objection the reference indicated by the gentleman from Iowa will be made. The Chair will state to the gentleman from Iowa that that bill goes through the petition box.

PROPERTY IN THE DISTRICT OF COLUMBIA.

By Mr. RICHARDSON (by request): A bill (H. R. 4333) for the relief of certain property in the District of Columbia—to the Committee on the District of Columbia.

MONEYS DEPOSITED IN NATIONAL BANKS.

By Mr. CLOVER: A bill (H. R. 4334) directing the Secretary of the Treasury to call in at once and cover into the national Treasury all moneys now deposited with national banks and drawing no interest—to the Committee on Banking and Currency.

DISPOSITION OF BOOKS AND PUBLIC DOCUMENTS.

By Mr. BUSEY: A bill (H. R. 4335) to authorize the disposal of books and public documents now on hand—to the Committee on Printing.

REPEAL OF ACT ESTABLISHING PARK IN DISTRICT OF COLUMBIA.

By Mr. BARWIG: A bill (H. R. 4336) to repeal an act entitled "An act authorizing the establishing of a park in the District of Columbia—to the Committee on the District of Columbia.

CHANGE OF REFERENCE.

Mr. DOAN. Mr. Speaker, I desire unanimous consent to change the reference of the bill (H. R. 345) fixing a uniform standard of grain. It affects only the quality of grain, and heretofore such matters have been referred to the Committee on Agriculture.

The SPEAKER *pro tempore*. In these matters of change of reference members require the reading of the bill, and the Chair will be obliged if the gentleman will send forward a copy of the bill, or will recognize the gentleman later for that purpose.

PARK IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I desire to ask the unanimous consent of the House that the bill H. R. 2777, which was erroneously referred to the Committee on Appropriations yesterday, be rereferred to the Committee on the District of Columbia.

Mr. SAYERS. What bill was that, Mr. Speaker?

The SPEAKER *pro tempore*. The gentleman from South Carolina asks unanimous consent that the reference made of the bill, the title of which the Clerk will report, be changed from the Committee on Appropriations to the Committee on the District of Columbia.

The Clerk read as follows:

A bill (H. R. 2777) to repeal an act entitled "An act authorizing the establishment of a park in the District of Columbia."

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from South Carolina?

Mr. SAYERS. A moment, Mr. Speaker.

The SPEAKER *pro tempore*. The Chair will state to the House, that, as the Chair remembers, this bill was originally referred to the Committee on the District of Columbia, and on yesterday unanimous consent was asked to change the reference from the Committee on the District of Columbia to the Committee on Appropriations. Is the Chair correct in his impression?

Mr. HEMPHILL. Yes, sir.

The SPEAKER *pro tempore*. And then the reference was made to the Committee on Appropriations.

Mr. DOCKERY. I do not understand what that bill is.

Mr. HEMPHILL. I will state to the gentleman from Missouri that it is simply a bill to repeal the act in relation to establishing a park in the District of Columbia. It does not carry a dollar of appropriation.

The SPEAKER *pro tempore*. The Clerk will again report the title of the bill.

The title of the bill was again reported.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from South Carolina?

Mr. DOCKERY. I misunderstood the character of the bill. I have no objection.

Mr. CHIPMAN. I object.

Mr. HEMPHILL. I will say to the gentleman from Michigan that it does not take a single dollar from the Treasury. The bill belongs to the Committee on the District of Columbia.

Mr. CHIPMAN. I withdraw the objection, as I objected under a misapprehension.

Mr. BARWIG. What is the request?

The SPEAKER *pro tempore*. The gentleman from South Carolina requests that the bill, the title of which has been read, the reference of which, by unanimous consent, was changed yesterday from the Committee on the District of Columbia to the Committee on Appropriations, be referred back to the Committee on the District of Columbia.

Mr. SNODGRASS. I object.

The SPEAKER *pro tempore*. Objection is heard.

Mr. HEMPHILL. Who objected?

The SPEAKER *pro tempore*. The gentleman from Tennessee [Mr. SNODGRASS].

Mr. HEMPHILL. Mr. Speaker, I move to reconsider the vote by which this bill on yesterday was referred to the Committee on Appropriations.

The question was put.

Mr. HEMPHILL. Mr. Speaker, I would like to say a word upon that. This bill does not appropriate a single dollar out of the public Treasury. It is a matter that belongs to the Committee on the District of Columbia; and so far as I know there is no reason why the House should constitute a committee and then take away from it the business that properly belongs to it. This change of reference was made on yesterday without the knowledge of the Committee on the District of Columbia, and we simply ask to be put in possession of a bill that went to us under the rules.

The question was taken on the motion to reconsider, and it was agreed to.

Mr. HEMPHILL. I move that this bill be committed to the Committee on the District of Columbia.

The motion was agreed to.

POST-OFFICE BUILDING, BUFFALO, N. Y.

By Mr. LOCKWOOD: A bill (H. R. 4337) to fix the limit of cost of the United States post-office building at Buffalo, N. Y.—to the Committee on Public Buildings and Grounds.

CHANGE OF REFERENCE.

On motion of Mr. DOAN, the Committee on Coinage, Weights, and Measures was discharged from further consideration of the bill (H. R. 345) to provide for establishing a uniform standard for wheat, corn, oats, barley, and other grains, and for other purposes; and it was referred to the Committee on Agriculture.

DISTRIBUTION OF ACCUMULATED DOCUMENTS.

Mr. RAY. Mr. Speaker, I ask unanimous consent to introduce and have considered at this time the resolution which I send to the desk.

The SPEAKER *pro tempore*. The resolution will be read, after which the Chair will ask for objections.

The resolution was read, as follows:

Whereas it appears from the report of the Joint Committee on Printing that there are in the basement of the Capitol and in the various Department buildings of the Government many thousand bound volumes of Government publications not belonging or apportioned to the Senators and Representatives in Congress, and which volumes are the accumulation of years; and

Whereas the Government has no use for the same, and it is desirable that these books be distributed amongst the people at an early day:

Resolved, That the Committee on Printing be, and hereby is, instructed to prepare and report a bill at an early day providing for the equitable apportionment and distribution of such bound volumes of Government publications to the Senators and Representatives of the Fifty-second Congress for distribution by them.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this resolution?

Mr. RICHARDSON. I object.

Mr. SPRINGER. Let it be referred to the Committee on Printing.

The resolution was so referred.

DRY DOCK, GULF OF MEXICO.

The SPEAKER *pro tempore* laid before the House the following message from the President of the United States; which was read, ordered to be printed, and referred to the Committee on Naval Affairs:

To the Senate and House of Representatives:

I transmit herewith a letter of the Secretary of the Navy, accompanied by the report of the Commission appointed by me by virtue of a provision in the naval appropriation act approved June 30, 1890, "to select a suitable site, having due regard to commercial and naval interests, for a dry dock at some point on the shores of the Gulf of Mexico or the waters connected therewith."

The Secretary of the Navy approves the recommendations of the Commission, and they are respectfully submitted for the consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 19, 1892.*

FOND DU LAC CHIPPEWA INDIANS.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate submitted by the Secretary of the Interior for an appropriation for the Fond du Lac Chippewa Indians; which was referred to the Committee on Indian Affairs, and ordered to be printed.

SUPPLEMENTAL ESTIMATES BY THE SECRETARY OF WAR.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting supplemental estimates submitted by the Secretary of War for the service of the fiscal year ending June 30, 1893; which was referred to the Committee on Appropriations, and ordered to be printed.

UMATILLA INDIAN RESERVATION.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate submitted by the Secretary of the Interior for an appropriation for the sale and allotment of the Umatilla Indian Reservation; which was referred to the Committee on Appropriations, and ordered to be printed.

COSTS IN INDIAN CONTESTS RELATING TO PUBLIC LANDS.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate submitted by the Secretary of the Interior for an appropriation to pay the legal costs incurred by Indians in contests relating to public lands; which was referred to the Committee on Appropriations, and ordered to be printed.

COURT OF PRIVATE LAND CLAIMS.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General, and its inclosures, in relation to increasing his estimate for the Court of Private Land Claims for the fiscal year ending June 30, 1893; which was referred to the Committee on Appropriations, and ordered to be printed.

CONSTRUCTION OF NAVAL VESSELS.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting estimates of appropriations for the construction and equipment of vessels for the port of San Francisco, Cal., for Lakes Michigan and Superior, for Puget Sound and Straits of Juan de Fuca, Washington; for Lake Ontario, and St. Lawrence River, New York: and for additional appropriation for the vessel at the port of Chicago, Ill.; which was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

JOHN R. GILMAN.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a communication from the Secretary of the Interior and its inclosures, relating to the claim of John R. Gilman against the United States; which was referred to the Committee on Claims, and ordered to be printed.

JAMES M. LOWRY.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a communication from the First Comptroller of the Treasury in relation to the act of Congress of February 21, 1891, for the relief of James M. Lowry; which was referred to the Committee on Claims, and ordered to be printed.

S. H. KETTLEWELL.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the First Comptroller of the Treasury and its inclosures, relating to the claim of S. H. Kettlewell against the United States; which was referred to the Committee on Claims, and ordered to be printed.

RATIFICATION OF AGREEMENT WITH INDIANS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a copy of a communication from the Commissioner of Indian Affairs and its inclosures, recommending that the agreement with the Upper and Middle Band of Spokane Indians and the Lower Pend d'Oreille and the confederated bands of Flathead, Pend d'Oreille, and Kootenai Indians of the Jocko Reservation be ratified; which was referred to the Committee on Indian Affairs, and ordered to be printed.

SCHOOLS IN UTAH TERRITORY.

The SPEAKER *pro tempore* also laid before the House a letter

from the governor of Utah, transmitting the fourth annual report of the commissioner of schools for Utah Territory; which was referred to the Committee on Education, and ordered to be printed.

WAR CLAIMS.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting copies of the findings of that court in the cases of the following-named persons against the United States; which was referred to the Committee on War Claims, and ordered to be printed:

Darling Allen, deceased; Preston Chavis, deceased; W. P. Dowdy, deceased; J. G. Flowers, deceased; T. J. Hargiss; J. I. McCown; J. G. Newlee, deceased; Marion Patrick, deceased; Nelson Potter, deceased; Mary Quarles, deceased; J. A. Roe; William Sloan, deceased; J. G. Thurman, deceased.

REGENTS OF SMITHSONIAN INSTITUTION.

Mr. CUMMINGS. I am directed by the Committee on the Library to report back with a substitute the joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution. I ask for the immediate consideration of this resolution.

The joint resolution was read, as follows:

Resolved, etc., That the vacancies in the Board of Regents of the Smithsonian Institution, of the class other than members of Congress shall be filled by the appointment of William Preston Johnson, of Louisiana, in place of Noah Porter, of Connecticut, resigned; and by the reappointment of Henry Coppee, of Pennsylvania, and M. C. Meigs, of Washington City, whose terms of office expire on December 26, 1891.

The proposed substitute was read, as follows:

Strike out all after resolving clause and insert the following:

"That the vacancies in the Board of Regents of the Smithsonian Institution of the class other than members of Congress shall be filled by the appointment of William Preston Johnston, of Louisiana, in place of Noah Porter, of Connecticut, resigned, and the appointment of John B. Henderson, a citizen of the District of Columbia, in place of Montgomery C. Meigs, deceased, and by the appointment of Henry Coppée, of Pennsylvania, whose term of office expired on December 26, 1891."

Mr. CUMMINGS. I will simply say that the substitute reported by our committee puts the name of John B. Henderson, of the District of Columbia, in the place of that of Gen. Meigs, who has died since the passage of the original joint resolution of the Senate.

The substitute was agreed to.

The joint resolution as thus amended was ordered to a third reading, read the third time, and passed.

On motion of Mr. CUMMINGS, a motion to reconsider the last vote was laid on the table.

BILLS INTRODUCED.

By unanimous consent bills were introduced, read twice, and referred as indicated below:

DUTY ON WOOL AND WOOLEN GOODS.

By Mr. SPRINGER: A bill (H. R. 4338) to admit all wools free of duty and to repeal the duty per pound and per square yard upon woolen goods—to the Committee on Ways and Means.

PENSION TO EX-UNION SOLDIERS.

By Mr. DAVIS: A bill (H. R. 4339) granting a pension to all ex-Union soldiers who served in the war of the rebellion, and providing a special pension fund, and for other purposes—to the Committee on Invalid Pensions.

PUBLIC BUILDING, HUNTINGTON, W. VA.

By Mr. CAPEHART: A bill (H. R. 4340) to provide for the erection of a public building at Huntington, W. Va—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, QUINCY, ILL.

By Mr. WIKE: A bill (H. R. 4341) to provide for the pavement of the walks and streets adjoining the United States public building and grounds in the city of Quincy, in the State of Illinois, and appropriating $1,000, or so much thereof as may be necessary, for that purpose—to the Committee on Appropriations.

DISTRIBUTION OF PUBLIC DOCUMENTS.

By Mr. DE ARMOND: A joint resolution (H. Res. 65) providing that public documents not otherwise disposed of by law shall be allotted to the members of this Congress for distribution among the people—to the Committee on Printing.

RELIEF OF CERTAIN CITIZENS.

By Mr. RAYNER: A bill (H. R. 4342) for the relief of sundry citizens of Washington, District of Columbia—to the Committee on Claims.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed bills of the following titles; in which concurrence was requested:

A bill (S. 81) to relinquish the interest of the United States in a certain parcel of land in the city of Pensacola, Fla., to Escambia Lodge, No. 15, Free and Accepted Masons;

A bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.;

A bill (S. 435) to aid the State of South Dakota to support a school of mines;

A bill (S. 444) granting to the State of South Dakota section numbered 36 in township numbered 56 west, in the county of Yankton, in said State, for the purpose of an asylum for the insane, to correct an act approved June 16, 1880, attempting to make such grant to the Territory of Dakota, and for other purposes;

A bill (S. 418) to change the times for holding the circuit and district courts of the United States for the western district of Missouri;

A bill (S. 1095) for the relief of Thomas Chambers;

A bill (S. 79) for the erection of a public building at Tampa, Fla.;

A bill (S. 94) to provide for the purchase of a site and the erection of a public building thereon at Jacksonville, in the State of Illinois;

A bill (S. 197) providing for the erection of a public building at the city of Norfolk, Nebr.;

A bill (S. 237) for the erection of a public building at Waterbury, Conn.;

A bill (S. 303) to provide for the erection of a public building in the city of Mansfield, Ohio;

A bill (S. 304) to provide for the erection of a public building in the city of Zanesville, Ohio;

A bill (S. 339) for the erection of a public building at Fergus Falls, Minn.;

A bill (S. 367) to provide for the purchase of a site and the erection of a public building thereon at Nashua, in the State of New Hampshire;

A bill (S. 426) to provide for the erection of a public building for the use and accommodation of the post-office at Mammoth Hot Springs, in the Yellowstone National Park; and

A bill (S. 1054) to provide for the construction of a public building at Hastings, Nebr.

ORDER OF BUSINESS.

Mr. SPRINGER. If no other gentleman desires to introduce a bill I will move that the House do now adjourn.

The question was taken; and on a division, demanded by Mr. SIMPSON, there were—ayes, 113, noes 39.

So the motion was agreed to; and accordingly (at 12 o'clock and 52 minutes p. m.) the House adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. BRODERICK: A bill (H. R. 4343) to increase the pension of Col. Everard Bierer—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 4344) granting a pension to John Duncan, of Preston, Ohio—to the Committee on Invalid Pensions.

By Mr. CAPEHART: A bill (H. R. 4345) for the relief of A. W. Rollins and granting him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 4346) for the relief of Delatus Kent—to the Committee on Military Affairs.

Also, a bill (H. R. 4347) for the relief of William Price, late lieutennnt-colonel of the One hundred and thirty-ninth Regiment of Virginia Militia—to the Committee on Military Affairs.

Also, a bill (H. R. 4348) to correct the record of William Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 4349) for the relief of W. H. Hawkins—to the Committee on Military Affairs.

Also, a bill (H. R. 4350) for the relief of James Gooldin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4351) for the relief of William H. C. McCune—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4352) for the relief of Alfred Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4353) for the relief of William Large—to the Committee on War Claims.

Also, a bill (H. R. 4354) for the relief of Thomas Matheny—to the Committee on War Claims.

Also, a bill (H. R. 4355) for the relief of W. O. Wiatt—to the Committee on Claims.

By Mr. COBB of Missouri: A bill (H. R. 4356) for the relief of Mrs. Catherine Barry Meaha—to the Committee on War Claims.

By Mr. CROSBY: A bill (H. R. 4357) for the relief of Johannah Fitzgerald—to the Committee on Invalid Pensions.

By Mr. FITHIAN: A bill (H. R. 4358) granting a pension to Rev. J. M. Madding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4359) granting an increase of pension to Isaac M. Shup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4360) for the relief of John McCarty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4361) granting a pension to James M. Hughes, late of Company H, Third Ohio Regiment—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4362) for the relief of Henry Dulgar—to the Committee on Military Affairs.

Also, a bill (H. R. 4363) to remove the charge of desertion against Charles W. Hammond—to the Committee on Military Affairs.

Also, a bill (H. R. 4364) for the relief of Francis M. Price—to the Committee on Military Affairs.

Also, a bill (H. R. 4365) for the relief of Neil Fisher—to the Committee on Military Affairs.

Also, a bill (H. R. 4366) granting a pension to Jacob Hall—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 4367) for the relief of John Albright—to the Committee on Military Affairs.

Also, a bill (H. R. 4368) for the relief of Alexander Sampson—to the Committee on Appropriations.

By Mr. KYLE: A bill (H. R. 4369) for the relief of Enoch P. Ward, of Holly Springs, Miss.—to the Committee on War Claims.

By Mr. McCLELLAN: A bill (H. R. 4370) to correct the record of and grant an honorable discharge to Capt. William M. Lyne—to the Committee on Military Affairs.

By Mr. MANSUR: A bill (H. R. 4371) for the relief of William J. Ford—to the Committee on Pensions.

By Mr. NORTON: A bill (H. R. 4372) for the relief of William P. Buckmaster—to the Committee on Claims.

Also, a bill (H. R. 4373) for the relief of the trustees of the Methodist Church of Warrenton, Mo.—to the Committee on War Claims.

By Mr. POST: A bill (H. R. 4374) for the relief M. D. Zarbell—to the Committee on Military Affairs.

Also, a bill (H. R. 4375) for the relief of Charles S. Blood—to the Committee on Military Affairs.

Also, a bill (H. R. 4376) granting a pension to Ellen Miles Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4377) granting a pension to Mrs. Susan Elma Gillett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4378) granting a pension to Benjamin Churchill—to the Committee on Pensions.

By Mr. RICHARDSON: A bill (H. R. 4379) for the relief of Giles Hudspek—to the Committee on War Claims.

Also, a bill (H. R. 4380) for the relief of Hugh Carothers, of Lawrence County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

By Mr. RUSK: A bill (H. R. 4381) for the relief of the Merchants and Miners' Transportation Company of Baltimore, Md.—to the Committee on Claims.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 4382) for the relief of Guernsey County, Ohio—to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 4383) for the relief of William H. Roberson—to the Committee on War Claims.

Also, a bill (H. R. 4384) for the relief of Mary E. Simerly—to the Committee on War Claims.

By Mr. TERRY. A bill (H. R. 4385) to pension Nathan Falkner, of Saline County, Ark.—to the Committee on Pensions.

Also (by request), a bill (H. R. 4386) to correct the military record of John Tyner, John Chitwood, and T. W. Butts, of Logan County, Ark.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4387) for the relief of L. J. Lawrence—to the Committee on War Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 4388) for the relief of Amanda M. Wade—to the Committee on War Claims.

Also, a bill (H. R. 4389) for the relief of Octavia A. Otey—to the Committee on War Claims.

Also, a bill (H. R. 4390) for the relief of Mary P. Wade—to the Committee on War Claims.

Also, a bill (H. R. 4391) for the relief of John N. Nelson—to the Committee on War Claims.

Also, a bill (H. R. 4392) for the relief of Richard Crompton—to the Committee on War Claims.

Also, a bill (H. R. 4393) for the relief of Mrs. Nancy Rutledge—to the Committee on War Claims.

Also, a bill (H. R. 4394) for the relief of Alonzo H. Richards—to the Committee on War Claims.

Also, a bill (H. R. 4395) for the relief of Mrs. Margaret J. Rutledge—to the Committee on War Claims.

Also, a bill (H. R. 4396) for the relief of William R. Long—to the Committee on War Claims.

Also, a bill (H. R. 4397) for the relief of Martha A. Fike, of Townley, Walker County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4398) for the relief of Jesse B. Morgan—to the Committee on War Claims.

Also, a bill (H. R. 4399) for the relief of Mrs. Emily C. Dickson—to the Committee on War Claims.

Also, a bill (H. R. 4400) for the relief of Conrad H. and E. August Albes—to the Committee on War Claims.

Also, a bill (H. R. 4401) for the relief of Mrs. Molisa O. Wakefield—to the Committee on War Claims.

Also, a bill (H. R. 4402) for the relief of John A. Bates—to the Committee on War Claims.

Also, a bill (H. R. 4403) for the relief of Thomas W. Wilson—to the Committee on War Claims.

Also, a bill (H. R. 4404) for the relief of Jesse Bennett—to the Committee on War Claims.

Also, a bill (H. R. 4405) for the relief of William S. Morgan—to the Committee on War Claims.

Also, a bill (H. R. 4406) for the relief of Mrs. Bathsheba Gordon—to the Committee on War Claims.

Also, a bill (H. R. 4407) for the relief of Joseph T. Sides—to the Committee on War Claims.

Also (by request), a bill (H. R. 4408) to provide for acquiring the lands and marking the lines and positions of the troops of the Army of Northern Virginia at Gettysburg, Pa.—to the Committee on Military Affairs.

Also, a bill (H. R. 4409) for the relief of Elijah T. Myers, late a private of Company G, Second Regiment of Missouri Volunteer Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 4410) for the relief of William A. Goad, late a private of Company H, First Regiment of Alabama and Tennessee Independent Vedette Volunteer Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 4411) for the relief of Henry A. F. Worth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4412) for the relief of Sallie K. Lawing—to the Committee on Invalid Pensions.

By Mr. WIKE: A bill (H. R. 4413) for the relief of James Jeffers, and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. WHEELER of Alabama: A bill (H. R. 4414) for the relief of Sarah E. Lentz—to Committee on Pensions.

Also (by request), a bill (H. R. 4415) for the relief of Mrs. Luis Freyre—to the Committee on Claims.

Also (by request), a bill (H. R. 4416) authorizing the Librarian of Congress to purchase Townsend's Library of National, State, and Individual Records, comprising a collection of historical records concerning the origin, progress, and consequences of the late civil war—to the Committee on the Library.

PETITIONS, ETC.

Petitions and resolutions were, under the order adopted by the House January 5, delivered to the Clerk and severally referred as follows:

By Mr. ALLEN: Petition for the relief of the estate of John Kincaid, deceased, of Alcorn County, Miss., asking reference of claim to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. ANDREW: Petition of George D. Ayres and of J. Storer Cobb, of Boston, Mass., praying for the adoption of the metric system in the customs service—to the Committee on Coinage, Weights, and Measures.

By Mr. BELKNAP: Petition of the Hon. Edwin F. Uhl and others, for the improvement of Mackinac Island as a national park—to the Committee on Military Affairs.

By Mr. BURROWS: Petition of 131 citizens of the State of Michigan, asking Congress to prohibit the opening of the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BYNUM: Petition of Thurston T. N. Pattison, of Southport, Marion County, Ind., for rent, fuel, and supplies furnished the Second Regiment Indiana Cavalry—to the Committee on War Claims.

By Mr. COMPTON: Papers in support of the claim of John A. Comalier for payment for search of records in support of House bill 4289—to the Committee on War Claims.

Also, memorial of Richard P. Blackistone, in support of House bill 4291—to the Committee on Claims.

By Mr. COOMBS: Petition of the Summerfield Methodist Episcopal Church, Brooklyn, N. Y., requesting loan to Columbian Exposition under certain conditions—to the Select Committee on the Columbian Exposition.

By Mr. COVERT: Petition of N. C. Jessup and others, for the construction of a canal from the east end of Great South Bay at

West Hampton to the west end of Shinnock Bay at Quogue—to the Committee on Rivers and Harbors.

Also, petition of John E. Carter and others, for the improvement of the Life-Saving Service; of Charles H. Herman and others; and of Jesse B. Edwards and others, for the same purpose—to the Committee on Interstate and Foreign Commerce.

By Mr. CROSBY: Petition of citizens of New Britain, county of Hartford, Conn., for the free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. CURTIS: Petition of 35 citizens of New York, against opening the World's Fair to visitors on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DAVIS: Four petitions of citizens of Kansas City, Kans., on the subject of the Pacific Railroads—to the Committee on the Pacific Railroads.

Also, four petitions of citizens of Kansas, in favor of closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DE FOREST (by request): Petition of Mary Dondican and others, citizens of Greenwich, Conn., against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DOLLIVER: Petition of Olof Johnson and others, and of A. G. Carlson and other citizens of Hamilton and Boone Counties, Iowa, in favor of the Conger lard bill—to the Committee on Agriculture.

Also, petition of Henry O'Conner, for an invalid pension of $25 per month—to the Committee on Invalid Pensions.

By Mr. GROUT: Petition and affidavit of James Carlin, of Anna Levine, and of Sophronia Bailey, for a pension—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Protest of Ira P. Flagler and 18 other citizens of Eau Claire, Wis., against the opening of the International Exposition of 1893, or any part thereof, on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. HAYES: Petition of citizens of Muscatine County, Iowa, in favor of the option bill—to the Committee on Agriculture.

By Mr. HAYNES: Petition of 169 ladies of the Women's Christian Temperance Union of West Chester, Ohio, asking that the Columbian Exposition be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HITT: Petition of Henry O'Connor, for invalid pension of $25 a month—to the Committee on Invalid Pensions.

Also, memorial and resolutions of the Chamber of Commerce of the State of New York, asking Congress to so aid the World's Fair financially as to insure a success—to the Select Committee on the Columbian Exposition.

By Mr. LIND: Petition of 146 citizens of Minnesota, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of E. J. Lien and 38 other citizens of Faribault, Minn., praying for the passage of the so-called Butterworth bill—to the Committee on Agriculture.

Also, petition of E. J. Lien and 27 other citizens, of the same city, asking for the passage of the Conger lard bill—to the Committee on Agriculture.

By Mr. MONTGOMERY: Petition of estate of Sinclair Garvin, deceased, late of Hart County, Ky., for reference of his case to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. PAGE of Maryland: Petition of vessel owners and masters of Baltimore, Md., favoring the transfer of the Revenue-Cutter Service to the naval establishment; and of the present and ex-collector of customs, present and ex-surveyor of customs, naval officers, and agents of steamship companies at Baltimore, Md., for the same purpose—to the Committee on Naval Affairs.

By Mr. PAGE of Rhode Island: Petition of Robert Rodman and 85 others, for an appropriation to remove obstruction in Wickford Harbor, Washington County, R. I.—to the Committee on Appropriations.

By Mr. PERKINS: Petition, accompanying House bill 4310, for increase of pension of Henry O'Connor—to the Committee on Invalid Pensions.

By Mr. PICKLER: Petition of 300 citizens of South Dakota, including the cities of Pierre, Flandreau, and Canton, and counties of Miner, Moody, and Edmunds, asking that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. POST. Petition of George W. Prince and 18 other citizens of Galesburg, Ill., asking that a pension of $30 per month be granted to Benjamin Churchill, late a soldier of the war of 1812, and now over 100 years old—to the Committee on Pensions.

Also, petition of Dr. C. W. Leffingwell and others, for the adoption of the metric system in the customs service—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the National Farmers' Convention assembled at Sedalia, Mo., in favor of the improvement of the Savannah River—to the Committee on Rivers and Harbors.

Also, resolutions of the Board of Trade of Chicago, Ill., favoring the consolidation of the Revenue Cutter Service and the Navy—to the Committee on Interstate and Foreign Commerce.

By Mr. REED: Petition of George W. True, mayor of Portland, Me., and many others, in favor of reconsideration of vote whereby the House of Representatives refused to charter ships for the relief of the starving in Russia—to the Committee on Foreign Affairs.

By Mr. RICHARDSON: Petition of Giles Hudspeth, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. RUSK: Petition of the Board of Trade of the city of Baltimore, Md., in reference to the proposed transfer of Revenue Marine Service—to the Committee on Naval Affairs.

By Mr. WILLIAM A. STONE: Petition of letter-carriers of the Allegheny post-office, for increase of salary—to the Committee on the Post-Office and Post-Roads.

By Mr. TOWNSEND: Resolutions of the Denver Real Estate and Stock Exchange, in favor of the establishment of a coinage mint in the city of Denver, Colo.—to the Committee on Coinage, Weights, and Measures.

By Mr. WHEELER of Alabama: Petition of Malinda McClendon, of Scottsboro, Jackson County, Ala., praying that her claim be referred to the Court of Claims under the act of March 3, 1883; of A. L. Esslinger, for the same purpose; two petitions for the relief of Bathsheba Gordon; two petitions for the relief of Jane B. Morgan; petition for the relief of William V. Morgan; of Milton Williams, of Madison County, Ala.; of Peter M. West, of Lawrence County, Ala.; two petitions for the relief of Joseph T. Sides; two petitions for the relief of William R. Losey; two petitions for the relief of Margaret J. Rudledge; two petitions for the relief of Alonzo H. Richards; petition for the relief of Nancy Rutledge; of Richard Crompton; of John N. Nelson; of C. H. and E. A. Allen; of Martha Ann Fike; of John A. Bates; of Emily C. Dickson; of Molisa O. Wakefield; of Thomas W. Wilson; of Emily Drake, and of Jane Bennett—to the Committee on War Claims.

Also, petition for the relief of Elijah T. Myers, late a private of Company G, Second Regiment of Missouri Volunteers; two petitions for relief William A. Good, deceased, late a private of Company H, First Regiment Alabama and Tennessee Cavalry Vidette Volunteers—to the Committee on Military Affairs.

SENATE.

THURSDAY, *January 21, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. PADDOCK presented a petition of the Angora Goat Breeders' Association of California, praying for the passage of legislation for the advancement of the mohair industry; which was referred to the Committee on Public Lands.

Mr. CAMERON presented a petition of sundry letter-carriers of Allegheny, Pa., praying for an increase of salary for letter-carriers in their fourth year of service; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. CHANDLER. I present the petition of W. Morgan, David M. Davis, John R. White, A. R. Dick, Cornelius Collins, and 1,247 other employés of the Bureau of Engraving and Printing, praying to be allowed fifteen days' additional annual leave, their privilege thus to be made equal to that of other Government employés. I move that the petition be printed as a document, and referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. GRAY presented a petition of shipowners and others interested in commerce on the Great Lakes, and a petition of the Board of Trade of Portland, Me., praying for the passage of the bill to transfer the Revenue Marine to the naval establishment; which were referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 246) for the relief of Thomas A. McLaughlin, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 250) to remove the charge of desertion from the military

record of George S. Ackerson, reported adversely thereon, and the bill was postponed indefinitely.

Mr. COCKRELL, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1196) to facilitate the settlement of claims for arrears of pay and bounty;

A bill (S. 1094) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina reservation in North Dakota; and

A bill (S. 111) for the relief of Orin R. McDaniel.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 318) for the relief of Joseph Johnson, reported it with amendments, and submitted a report thereon.

Mr. COCKRELL. The Committee on Military Affairs, to whom have been referred the ten or twelve bills I now report, have instructed me to report each one of them back adversely and recommend that they be indefinitely postponed, the reports agreed to, and the relief claimed in each case denied. I ask that that order be made.

The reports were agreed to, and the bills postponed indefinitely, as follows:

A bill (S. 240) to remove the charge of desertion from the military record of John Lyons;

A bill (S. 39) granting an honorable discharge to Thomas Fitzgibbon;

A bill (S. 459) granting an honorable discharge to Michael Phoertner;

A bill (S. 599) authorizing the Secretary of War to remove the charge of desertion from the record of Madison Parish;

A bill (S. 518) for the relief of John Sullivan;

A bill (S. 732) for the relief of Henry Judge, of Ashland, Oregon;

A bill (S. 241) to remove the charge of desertion from the military record of Thomas Morrison;

A bill (S. 809) to remove the charge of desertion against Henry Crangle;

A bill (S. 916) removing the charge of desertion from the military record of Adam James Springer;

A bill (S. 1000) to remove the charge of desertion from the military record of William Pullman; and

A bill (S. 1329) granting an honorable discharge to Bennett Dorsey.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 884) to provide for the settlement of claims of officers and crews of the Navy to certain moieties, and conferring jurisdiction on the Court of Claims to hear and determine the same, asked to be discharged from its further consideration and that it be referred to the Committee on Claims; which was agreed to.

He also, from the Committee on Naval Affairs, to whom was referred the bill (S. 457) for the relief of the assignees or legal representatives of John Roach, deceased, to pay balance due on the United States steamer Dolphin, asked to be discharged from its further consideration and that it be referred to the Committee on Claims; which was agreed to.

Mr. WASHBURN, from the Committee on Commerce, to whom was referred the bill (S. 1241) to amend an act entitled "An act relative to the Minneapolis Industrial Exposition, to be held annually in the city of Minneapolis, State of Minnesota," approved March 3, 1887, reported it without amendment.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 17) for the relief of John F. W. Dette, reported it with an amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Education and Labor, to whom was referred the joint resolution (S. R. 16) authorizing the distribution of public documents to land-grant colleges, reported it without amendment, and submitted a report thereon.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (S. 1312) for the relief of Dr. John B. Read, reported it without amendment.

Mr. MITCHELL, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 726) for the relief of P. B. Sinott, late Indian agent at Grande Ronde Agency, State of Oregon;

A bill (S. 352) for the relief of George F. Roberts, administrator of the estate of William B. Thayer, deceased, surviving partner of Thayer Brothers, and others; and

A bill (S. 730) for the relief of H. W. Shipley.

Mr. MITCHELL. I desire to state that all the several bills which I have reported this morning were cases reported favorably upon and passed by the Senate at the last Congress. In fact, they have passed the Senate three times each, I think, heretofore.

The VICE-PRESIDENT. The bills will be placed upon the Calendar.

Mr. DOLPH, from the Committee on Commerce, to whom was referred the bill (S. 1189) for the establishment of a beacon light and fog signal on the Government breakwater recently constructed at Bridgeport, Conn., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1632) for the establishment of a light and fog signal station near Butler Flats, New Bedford, Mass.;

A bill (S. 722) to amend an act entitled "An act to reorganize and establish the customs collection district of Puget Sound," approved August 28, 1890;

A bill (S. 1498) for the establishment of additional aids to navigation in Tampa Bay, Fla.; and

A bill (S. 1631) to establish a life-saving station at Gay Head, on the coast of Massachusetts.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 755) to fix the compensation of inspectors of hulls and boilers in certain districts of the United States, reported adversely thereon; and the bill was postponed indefinitely.

Mr. FRYE. Senate bill 755 was reported adversely because the Committee on Commerce have instructed me to make provision for it in Senate bill 744, which is reported favorably with an amendment, rendering entirely unnecessary the former bill, which was indefinitely postponed. I therefore report back the bill (S. 744) to amend "An act to amend section 4400 of Title LII of the Revised Statutes of the United States, concerning the regulation of steam vessels," approved August 7, 1882, with an amendment and a written report thereon.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 750) to amend and reënact section 5 of an act entitled "An act to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck," approved May 4, 1882, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, submitted a report thereon, accompanied by a bill (S. 1775) to fix the compensation of keepers and crews of life-saving stations; which was read twice by its title.

Mr. FRYE. The original bill just reported is to take the place of Senate bill 750, indefinitely postponed.

The VICE-PRESIDENT. The bill will be placed so on the Calendar.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 743) to establish a marine board for the advancement of the interests of the merchant marine, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1280) to amend an act entitled "An act to amend section 4178, Revised Statutes, in relation to the marking of vessels' names at bow and stern, and also to provide for marking the draft," approved February 21, 1891, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1222) to protect the wages of seamen, reported it with amendments, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 356) for the relief of John W. Blake, reported it without amendment, and submitted a report thereon.

Mr. DANIEL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 602) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., reported it with amendments, and submitted a report thereon.

Mr. MCMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1351) to provide for the purchase of a site and erection of buildings for the Girls' Reform School of the District of Columbia, reported it with an amendment, and submitted a report thereon.

PRINTING OF BANKRUPTCY BILL.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably, with an amendment, the Senate resolution proposing to print 5,000 copies of Senate bill 1694, which is known as the bankruptcy bill. I find on investigation that 5,000 copies, whether printed in bill form or document form, come within the limit of the law. If printed in bill form the cost will be $331, and if printed in document form, $187. It seems to the committee it will meet the whole demand fairly will if it shall be printed in document form, and I will move the necessary amendment when the resolution has been read.

The Chief Clerk read the resolution submitted yesterday by Mr. PERKINS, as follows:

Resolved, That the Public Printer is hereby instructed to print 5,000 copies of Senate bill 1694, and send them to the Senate document room.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. MANDERSON. I move to add, after the word "print," in the second line, the words "in document form"; so as to read:

Resolved, That the Public Printer is hereby instructed to print in document form 5,000 copies, etc.

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Mr. MORRILL introduced a bill (S. 1758) to provide for the erection of an additional fireproof building for the National Museum; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. VANCE introduced a bill (S. 1759) for the relief of the heirs of Nathaniel Magruder; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. WILSON introduced a bill (S. 1760) to provide for the erection of a public building in the city of Fort Madison, Iowa; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1761) to remove the charge of desertion from the record of James Boyle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 1762) for the relief of the University of the State of Missouri; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FAULKNER introduced a bill (S. 1763) for the relief of the administrator of Andrew D. Coplin, deceased, of Harrison County, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAULKNER. At the request of the Senator from Virginia [Mr. BARBOUR] I introduce a bill, and ask its reference to the Committee on the District of Columbia.

The bill (S. 1764) for the relief of sundry citizens of Washington, D. C., was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McPHERSON (by request) introduced a bill (S. 1765) for the purpose of increasing the efficiency of the coast defenses; which was read twice by its title, and referred to the Committee on Coast Defenses.

Mr. KYLE introduced a bill (S. 1766) to amend section 6 of an act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891, amendatory of section 2301 of the Revised Statutes, relating to payments for lands under homestead entries in South Dakota; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. WARREN introduced a bill (S. 1767) to authorize the location of a branch home for disabled volunteer soldiers on the Fort D. A. Russell military reservation, in Laramie County, in the State of Wyoming, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CHANDLER introduced a bill (S. 1768) to allow thirty days' leave of absence to employés in the Bureau of Engraving and Printing; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. TELLER introduced a bill (S. 1769) for the relief of certain Cherokee Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 1770) granting a pension to Annie M. Greene; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1771) to amend the "Act to regulate commerce;" which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. CAMERON introduced a bill (S. 1773) for the relief of John W. Gummo; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SANDERS introduced a bill (S. 1774) to enable the Secretary of the Interior to carry out the provisions of certain laws; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McPHERSON introduced a bill (S. 1776) to constitute Newark, in the State of New Jersey, a port of immediate transportation; which was read twice by its title, and referred to the Committee on Finance.

Mr. MORGAN introduced a bill (S. 1777) for the erection of a public building at Selma, Ala.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

PORTSMOUTH (N. H.) DRY DOCK.

Mr. GALLINGER introduced a bill (S. 1772) for the construction of a wooden dry dock at the United States navy-yard, Portsmouth, N. H.; which was read twice by its title.

Mr. GALLINGER. Mr. President, before the bill is referred I ask the indulgence of the Senate while I submit some brief observations on the necessity for the contemplated legislation. In the last annual report of Commodore Farquhar, Chief of the Bureau of Yards and Docks, the following language can be found, in speaking of the navy-yard at Portsmouth, N. H.:

> The balance dry dock at this station requires extensive repairs. It is of wood and has been in constant use for forty years, but as its capacity is not beyond 3,500 tons it is useless for the larger vessels, and therefore I do not recommend that a large sum be expended upon its repairs. If this yard is to be maintained a new dry dock is required. It is believed that by taking advantage of the channel, the bottom and sides of which are between the two islands which compose this yard, closing one end and putting a gate at the other, with the necessary pumping machinery, a dock capable of docking the largest ships will be obtained at a comparatively small outlay. As this yard with its fine climate is a sanitarium for ships to go to after a cruise in the tropics to refit it is recommended that steps be taken to construct this dock by appropriating $100,000 to commence.

The bill contemplates the construction of a wooden dry dock, the chief reason for this being that wood is less liable to the effects of heat and cold than masonry, and will last longer in a variable climate like that of New England, while for expediency of repair wood is preferable, and a dock constructed of wood is more comfortable and healthful for the workmen.

The present floating dry dock at Portsmouth was built by Gilbert & Secor, of New York, for the Government, under contract signed November 11, 1848, and was completed in 1851. The extreme length of the dock is 350 feet; breadth, 105 feet; depth or height, 38 feet 3 inches; contract price, $437,325.

There can be no doubt that at the time this dock was built, and for a long time after, it was one of the best, a great piece of mechanism of its kind, and large enough to take in any ship of the naval or merchant service of that period. During the late war it did good work, handling with ease such ships as the Colorado, Franklin, Minnesota (ready for sea with everything on board), De Soto, Piscataqua, the ironclad Terror, and many other very heavy ships; the Franklin being considered at this time of sufficient weight (4,000 tons for hull alone) to be used in testing the strength of the new Simpson dry dock at the navy yard at Norfolk, Va. In connection with this dock there is a tide-water basin and a marine railway, which was also built by contract with Gilbert & Secor, the contract price for the basin and railway, including gate to basin, being $295,580. In this basin the dock is moored except when docking or undocking a ship, the natural rise of the tide at high water being sufficient to float the dock and its extra weight of ship (4,000 tons or over), while at low water the basin is nearly dry, the dock resting on a foundation of four longitudinal courses of dressed granite.

In making extensive repairs to ships in times past the railway, which is operated by hydraulic power, has been considered of great advantage, the ship to be repaired being placed in position in the dock, the dock raised and the forward gate removed; it is then floated in the basin and lowered to the granite foundation by opening a valve in the bottom, allowing the water to flow in. The ways in the dock are then connected to the ways on the land and the power applied, drawing the ship out of the dock onto the land, leaving the dock ready for use the next day if necessary. During the time the late William L. Hanscom was attached to this yard as naval constructor the old Ironsides (Constitution) was hauled out here and very extensively repaired. The old sailing frigate Franklin was also taken out on these ways, cut up, and transported overland to the ship-house near the bridge, from which the present Franklin was created, under the head of repairs. This was also the ship furnished the contractors by the Government for testing the lifting power of the dock and the pulling power of the hydraulic machinery before its acceptance.

During the rebellion there were several ships built on these ways and launched into the dock. Among them were the renowned Kearsarge, the Ossipee, Piscataqua, and ironclad Terror. Since that time many ships have been hauled out for extensive repairs, among which were the Wyoming, Monongahela, Ticonderoga, Lancaster, Omaha, and Portsmouth. The Nantasket was hauled out and cut up.

There are disadvantages in a dock of this kind. It must be evident to any person who gives the matter a thought that it is not only quite a large undertaking, but a risky one as well, to haul out of a basin into the quick waters of the Piscataqua this great mass of wood and iron, with its either side showing to the wind nearly 1,500 square yards of surface, having a draft of 8 feet and a displacement of 8,400 gross tons, and a ship of 4,000 tons weight added to it.

A sudden squall, the breaking of a hawser, or a quick fall of the tide might happen, either of which might make detention enough to cause the dock to take the ground when part way out. Should this occur when one-third or more of its length was out it would be ruined or so badly strained that it never would float again; and if the ship were not destroyed it would be a very expensive job to put it afloat. The chances are that both ship and

dock would be used up. This never has happened. The mechanics who have had the handling of it have been very fortunate in this respect, but there have been several narrow escapes.

It was considered in the best days of this dock an intricate job to raise it steadily and level with a ship on it by manipulating the pumps and gates. Much more so is it now. Once three hours was ample time to remove with the pumps all the water and raise the dock with a ship on it; now it will take from five to seven hours and sometimes more. Once it could be raised with the windows opened. Now they must be closed, and the openings in the gates also closed. Once it required 1,000 tons of ballast to sink it with the gates open; now it does not require any. We must remember that wood and iron will not last forever, and that deterioration must commence in a structure of this kind, exposed to the weather as it necessarily is, as soon as the first timber is laid; and certainly forty-three years is a good old age for a dock to last and be in as good condition as this one is.

The bottom of this dock has never been seen since it was launched. Neither can it be without incurring an unwarrantable expense. The top, sides, and deck have been repaired, but the bottom, the vital part, never. At about the time this dock was built the same contractors built a sectional dock at the old Philadelphia yard and soon after built a balance dock like this one at Pensacola, Fla., and later built a sectional dock at the Mare Island navy-yard. The Pensacola dock was destroyed by fire during the rebellion. The Philadelphia dock was sold when the old yard was disposed of, and the Mare Island dock has been a bill of expense for years, and, I believe, is not used since the new dock has been in running order.

Therefore, you will observe, the Portsmouth dock has outlived them all, and can be used yet; but from its great age, its old-fashioned and obsolete pumps, its small size as compared with the new ones, being too short for long ships, and soon will be too weak for steel ones, and its great expense to handle as compared with modern docks, it has about outlived its usefulness. There is now in process of construction at Port Royal, S. C., a dock for which an appropriation of $500,000 was made. Seven hundred thousand dollars was apropriated by the last Congress for the purchase of a navy-yard site and building a dock at Port Orchard, Wash. Mare Island yard has a new stone dock, and New York, Philadelphia, and Norfolk have new ones of the Simpson type. Boston has had her stone dock put in thorough repair, with new modern pumps. Portsmouth alone seems to have been neglected, and unless something is done in this matter soon the navy-yard might as well be abandoned. It will require three years after the appropriation before a dock can be got ready for use, and if commenced now it may be sadly needed before it is completed.

Why is it Portsmouth can not have a new dock as well as the rest, and especially as well as Norfolk or Port Royal? Why is it that this yard is almost closed and depleted of all material, while there are millions being spent at Norfolk, and $500,000 being expended at Port Royal preparatory to opening a navy-yard there?

I trust, Mr. President, that the bill may receive prompt, careful, and favorable consideration at the hands of the Committee on Naval Affairs.

The VICE-PRESIDENT. The bill will be referred to the Committee on Naval Affairs.

PRINTING OF ANTI-OPTION BILL.

Mr. WASHBURN. I submit the following resolution, and ask for its present consideration:

Resolved, That 1,000 copies of Senate bill 1757 be printed in bill form for the use of the Senate.

Mr. SANDERS. What is the subject-matter of the bill?

Mr. WASHBURN. It is what is known as the option bill, to prevent dealing in futures.

The resolution was considered by unanimous consent, and agreed to.

SUPPLY OF CIRCULATION.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar will be proceeded with.

Mr. STANFORD. In pursuance of the notice heretofore given by me, I desire to call up Senate bill 1204.

The VICE-PRESIDENT. The title of the bill will be stated.

The CHIEF CLERK. A bill (S. 1204) to provide the Government with means sufficient to supply the national want of a sound circulating medium.

The VICE-PRESIDENT. The question is upon the reference of the bill to the Committee on Finance, on which the Senator from California has the floor.

Mr. STANFORD. Mr. President, the bill which I have introduced to provide the Government with means sufficient to supply the national want of a sound circulating medium is the same as that introduced by me at the last session of Congress, and which was adversely reported by the Committee on Finance. The report does not seem to me to show evidence of careful consideration of the principles and truths that underlie the bill, no matter what its details may be. It appears to be rather the result of a hasty and superficial comparison, based upon a supposed similitude between this bill and measures adopted by other nations to supply the money necessary for business transactions. A careful investigation of the schemes of foreign governments, referred to by the committee, reveals the fact that they were all different in principle, and the issue of money which they provided for was based upon insufficient security.

The bill under consideration provides for the direct issue of money upon a material practically unlimited in quantity, its value based upon a standard of measurement (which may be so many grains of gold, or silver, or any convenient commodity), and the good faith and credit of a civilized nation of 65,000,000 people with a per capita power of production unequaled by any other country in the world. A comparison between this country of ours to-day and France under Louis XV, or France in 1792 when she was fighting united Europe, or between us now and the colonists struggling for independence, or between this country and the Argentine Republic, seems to me absurd. Yet the committee's chief arguments are based upon such comparisons. As well might the credit of a solvent and well-established firm of excellent character and undoubted wealth be compared with that of some profligate individual of limited means.

In its endeavors to establish a similarity between the bill now under consideration and the financial schemes of John Law, the committee quotes as follows from Law's writings:

> If a paper currency, not convertible into specie, be based or secured upon any article of value, such as land, and be issued to an extent not greater than the value in specie of such article, such paper currency shall not be depreciated in comparison to specie.

John Law's theory was one thing, his practice another; but when he wrote as above quoted he did not provide a basis for the issue of money that in any manner can compare with the basis provided for under the terms of this bill, viz, the good faith and responsibility of an enlightened Government supported by 65,000,000 of intelligent, producing people, added to a real-estate security of double the amount of money loaned. The committee in its allusion to Law's Mississippi scheme does not fully describe that stupendous bubble. It states that an immense amount of paper was issued, but omits to mention the security upon which the issue was made. This security was stock in the Mississippi Trading Company—a company that was to acquire vast tracts of land in the Mississippi Valley, trade with the Indians, and work supposed gold, silver, and copper mines, mines that had no existence. All this was in 1717, before the Indian titles were extinguished, before Daniel Boone had gone into Kentucky. It is the comparison of a shadow to a substance.

The committee further points out as an awful example the fate of the assignats or notes issued during the French Revolution. These notes were based upon the confiscated property of the clergy and nobility, who had very generally fled the country. The Republic was at that time at war with practically the whole of Europe, and distracted by internal dissensions, a large portion of its people favored the reëstablishment of the monarchy, which would mean the return of the despoiled clergy and nobles, the restoration of their property and the consequent destruction of the security on which the assignats were based. Under these circumstances is it a wonder that the assignats were not in commercial favor? Yet poor and uncertain as these assignats were, it was largely through their means that the Government of the Republic was able to face its enemies and successfully maintain itself against combined Europe. France produced neither gold nor silver; she was surrounded with enemies by land and sea, and but for her paper money must have succumbed.

The Argentine Republic issue of cedulas is another scheme to which the committee compares this bill. The two propositions are radically dissimilar. The great object which the bill now under consideration seeks to attain is the increase of money in circulation. The Argentine cedulas provided for no increase of money. In this bill it is proposed that the Government receive two per cent in interest on the money it issues directly; in the Argentine, the Government guarantied interest on the bonds issued by the bank in return for the mortgage on the lands. Moreover, the Argentine lands were not assessed at their value prior to the passage of the cedula enactment, but on a fresh assessment made after its enactment. The consequence was fraud. I have been informed that upon a farm worth $7,500 there was loaned $250,000. Nevertheless, the prosperity of the Argentine Republic within the last ten years has been unexampled, while its troubles certainly can not be traced solely to its schemes of land loans.

The committee has also alluded to the Continental money of our fathers, issued during a revolution and at a time when our independence was far from being assured, the report of the com-

mittee to the contrary notwithstanding. As early as 1780 Lord Howe wrote to his Government that fictitious paper had been circulated by the British to such an extent as to render worthless the Continental money. I will here quote briefly from an able article on metallic money by James D. Holden:

The paper currency issued during the Revolutionary war by the Continental Congress, also that issued by the Confederate States during the rebellion, both of which depreciated to such an extent that they became valueless, are frequently alluded to by advocates of the specie-basis system for the purpose of showing the superiority of metallic over paper money. Such references, although unjustly so, have proven a most effective weapon in the hands of those who are so greatly benefited by a continuance of the present financial policy of the Government. Unjustly so for the reason that there is no analogy whatever between full legal-tender paper money and the issues referred to. Neither of these issues were money nor did they purport to be. They were promises to pay gold coin made by a people impoverished in a struggle to establish that which alone possesses the sovereign power to create and issue money, a reasonable government.

Not long ago I saw a statement that the assessable value of the property of Massachusetts at the time of the Revolutionary war, when it included the State of Maine, was $11,000,000, and the entire assessed value of the thirteen colonies was about $600,000,000. In these days our country has increased its property value, from 1880 to 1890, twenty thousand millions, or two thousand millions a year net.

A comparison between a financial proposition of the weak, struggling colonists and that of our country to-day does not seem to me to be legitimate. But in the former case the Government did not loan its money and had no security, whereas in the plan now before us the Government loans its money and takes approved security for every legal dollar issued, while the bill-holder is protected by the legal-tender quality of the money, and should it depreciate in value it can be used to pay off the mortgage indebtedness, release the property, and be retired at par. Thus it is not possible for the Government or the individual to suffer loss.

As regards the more recent issue of paper money in this country I will again quote Mr. Holden, who says:

The authority for the issue of Confederate currency was simply an unsuccessful attempt to establish a government. As regards the Continental currency, in the light of the successful issue of the conflict, it may with safety be said that had the issue been full legal-tender paper money, instead of unnecessary and futile promises to pay gold coin, there would have been no depreciation in the issue whatever. That this view is not an unreasonable one is illustrated by the difference in value during the rebellion of the two different paper issues of the Federal Government, one of which, the "demand notes," issued to the amount of $60,000,000, remaining at par with coin during the darkest days of the struggle, notwithstanding the fact that the other issue, known as "greenbacks," depreciated in value as compared with coin or the demand notes. The demand notes remained at par because they performed all the legal functions of gold coin. The greenbacks depreciated in value because they did not.

It is claimed by specie-basis advocates that the depreciation of the greenbacks was due to an impaired credit of the Government. This, however, can not be true, for the reason that an impaired Government credit would have affected all its paper issues alike. The other claim that the demand notes remained at par, because they were "payable in coin on demand," is not tenable, for the reason that the Government suspended specie payment January 1, 1862, and did not resume until January 1, 1879.

In its report the committee, by its able chairman, expressed alarm lest a low rate of interest might inspire improvident habits. If this theory be true, then by all means let us raise the rates of interest all over the country, for we most certainly want our people to be as provident as it is possible to be. But perhaps the committee considers that we have reached that happy medium of supplying the borrower with money without inspiring him with improvident, extravagant, or speculative habits. The suggestion that a low rate of interest can be prejudicial to the borrower seems to me a most singular one, especially when we consider that money, except in its use, is of no more value than any other tool. I suspect that it would be difficult to convince the borrower that he could be injured by a low rate of interest. The greatest stimulus of production is the ability to make exchange of surplus products; without this ability the stimulus to industry would be lost, civilization would cease, and abject poverty would become the rule. The report further says:

The circulating value of a paper currency can only be maintained by its convertibility into specie at the will of the holder.

Here I take issue. The real value of money lies in its ability to pay debts, equalize balances, and facilitate the exchange of commodities, and that is the best money which will do this directly, and not by first converting it into another kind of money of an unequal quantity, and then using that money in the settlement of obligations.

The assertion of the committee in this case can not be explained, except by supposing that money depends for its value upon something besides its legal-tender quality. The great thinkers, from Aristotle to Mill, the committee excepted, all agree that money does not depend upon the material for its value, but upon its legal-tender qualities. Aristotle said:

Money exists not by nature, but by law.

In 1837 Henry Clay said in these halls:

Whatever the Government agrees to receive in payment of the public dues is money, no matter what its form may be; Treasury notes, drafts, etc. Such bills or paper, issued under the authority of the United States, are money.

Daniel Webster said:

When all our paper money is made payable in specie on demand, it will prove the most certain means that can be used to fertilize the rich man's field by the sweat of the poor man's brow.

Benjamin Franklin said:

Gold and silver are not intrinsically of equal value with iron. No methods have been hitherto formed to establish a medium of trade equal in all its advantages to bills of credit made a legal tender.

The theory of the intrinsic value of money has been abandoned by the best writers and speakers.—*Encyclopedia Britannica.*

Metallic money, while acting as coin, is identical with paper money in respect to being destitute of intrinsic value.—*North British Review.*

An article is determined to be money by reason of the performance by it of certain functions, without regard to its form or substance.—*Appleton's American Encyclopedia.*

Falling prices and misery and destruction are inseparable companions. The disasters of the dark ages were caused by decreasing money and falling prices. With the increase of money, labor and industry gain new life.—*David Hume.*

There is no more insignificant thing intrinsically in the economy of society than money.—*John Stuart Mill.*

That the intelligent and able members of this committee should take the position they do in regard to intrinsic values only shows how, without proper investigation, the ablest men may be deceived by popular fallacies.

The committee is also in error when it assumes that this bill can not be made available to any other class than the farmers. It is, on the contrary, intended for the benefit of *all* classes, but the farmer necessarily becomes the instrument by which the money is issued, because he possesses the best security upon which the Government can loan. The farmer will, in its use, put the money in circulation. In the abundance of money thus created the mechanic, the laborer, the merchant, and the manufacturer will obtain all they need for the transaction of their various callings.

That more money is necessary to carry on the business of the country is conceded, I believe, by every intelligent person; therefore to confine ourselves to coining gold and silver, materials limited in quantity, owned by a few individuals, and over which the Government has no control, is to fail to meet the nation's wants.

Our business is carried on mostly upon credit, and the only way to protect credit is to have a sufficiency of money, in order that when the demand for money is made it can be obtained, on good security. It has been stated, and I presume on good authority, that the shrinkage in values in this country by the disturbance of credit in consequence of the failure of the Barings was equal to $2,600,000,000, and as our business increases, the more necessary it becomes that we should have money enough for the protection of our credit. Just contemplate the magnitude of a business which in ten years has increased the wealth of the country nearly twenty thousand millions.

The value of property is in its force. To illustrate this I venture to quote from a speech I made in this Chamber in 1890, because it seems to perfect the argument to-day more than anything else that I could say:

The power of money is only to be measured by the extent to which it is used; to the extent of the credit given on property the value becomes energized, as illustrated in the case of the 90 per cent of currency advanced by the Government on its own bonds. One hundred thousand dollars in United States bonds are worth to the owner in his vault, and to the owner only, say, $4,000 per annum, the interest they bear, but when the owner receives the 90 per cent of the money in legal tender the latent force is energized and the $90,000 in its activity may create in a single year a value equal to the entire amount advanced. The same energy can be imparted to the latent value of land by a loan, as in the case of a loan upon bonds.

Money is only valuable in its activities, and to the extent that it is in activity there will be production and corresponding benefits to the laboring classes, who, after all, are the great multitude of our people, and as such they involve the greatest economic considerations. To illustrate how far the activities may determine the values, suppose a man borrows $100 for one year at 6 per cent and employs one hundred men to work for him at a dollar a day. With this sum of $100 he is able to employ them for one day. If he can convert the product of their labor into cash at the close of the day he can employ them the next day, and so on for every workday in the year. The $6 interest on the money in the presence of such activities becomes inconsequent.

When money is controlled by a few it gives that few an undue power and control over labor and the resources of the country. Labor will have its best return when the laborer can control its disposal; with an abundance of money, and through coöperation, this end will be practically attained.

Money, the indispensable tool in the transaction of business and the industries of the country generally, should not be allowed to pass into the hands of a few, for it commands the entire labor of the country. It stimulates labor and employs it, from the construction of the simplest implement up to the steam engine, where a man puts his hand to a lever and becomes equal in power to a thousand men. This power for good is only limited by the amount of labor it can command. Where it exists in sufficient quantities there can be no laborer unemployed excepting from choice.

It also provides the means by which labor can organize in the prosecution of every calling and assures to the laborer the full fruits of his industry.

To illustrate this, let us suppose that a mechanic in a coöperative association earns $3 a day. He leaves $1 in the association and takes $2 for the support of his family. The daily dollar left with the association is equal to the interest on a capital of $5,000 at 6 per cent, and ought, if there is money enough in the country, to command the credit necessary to prosecute the calling of the association. Therefore each man in the association is equal to a capital of $5,000.

With money so plentiful that it can not be monopolized, men can combine their productive capacities and command the money necessary to carry on their business to any extent.

Wealth is the product of labor, and is only valuable in its uses. Legislation has been and is still directed towards the protection of wealth, rather than towards the far more important interests of labor on which everything of value to mankind depends. This bill has for its ultimate aim the benefit and assistance to the great producing sources of all prosperity. When money is restricted in quantity, it necessarily gives to a few a control of production. Labor must not be denied its tools; on the contrary, it must be supplied with them, for its value depends upon its power of production, and by this power it will always be measured.

It does not seem to me that there can be any reasonable question of the power of the Government to issue paper money and loan it, when the fact is considered that it issues and loans its paper money now, and that such action has been sustained by the Supreme Court of the United States. The Government now loans paper money upon its own indebtedness for the purpose of supplying, in part, the national want of a sound circulating medium. In order to supply this want the Government pays interest of 4 per cent upon its bonds, whereas the bill now under consideration would enable it to supply the same kind of money to the country, and instead of paying interest to receive 2 per cent. Consider for a moment the effect of making active and putting in circulation the latent forces that lie in one-half the real estate of the country.

The rate of 2 per cent will not be burdensome to the borrower. In time the entire expense of the Government may be met from this source, and as the money when loaned by the Government is to supply a general want, the loaning becomes a most beneficent act, while the burdens of Government will be entirely lifted from the people.

While the bill provides that the loan shall be for a period not longer than twenty years, yet the borrower has the privilege of paying off the indebtedness when he no longer has use for the money, and the Government at the expiration of the twenty years may renew the loan. If this bill should become law it would probably soon furnish the Government with money sufficient to meet all its ordinary expenses.

As for the details of the bill, I do not care to discuss them. I am willing that it shall be amended as the wisdom of the Senate determines. I think the objections in detail, as brought out by the report, are not justified, and at another time I shall be ready to discuss them if occasion offers. Now, I trust more particularly to the principle involved, which is the duty of the Government to furnish money enough to meet the wants of the people. This duty on the part of the Government is conceded; therefore, the question only remains how it can be accomplished; and for my part I do not see how else it can be done than by issuing money stamped on a material inexhaustible in supply, upon unimpeachable security.

The loaning of money on real estate need excite no alarm or be thought a new or strange thing. It is being done now by banks in every State in the Union. This bill merely suggests that the Government shall do directly what has so long been done indirectly; that it shall fulfill its obligations by furnishing the people at a low rate of interest with that which is indispensable to their prosperity and happiness—money, the best medium of exchange.

In conclusion, I have no hesitation in declaring that, for money purposes alone, the credit of our nation, with its legal power, is more valuable to us than would be inexhaustible mines of gold.

Mr. MITCHELL. May I ask the Senator a question?

Mr. STANFORD. Certainly.

Mr. MITCHELL. I have not read the bill lately, if I ever did, and I should like to ask the Senator whether there is any limit in the bill to the amount of money that may be loaned to any one person?

Mr. STANFORD. There is no limit, except the value of the security. The object is to get the money out to the people, and thus make use of it to the extent that the people have security to give for it.

Mr. MITCHELL. Would the bill by its provisions include, on a fair interpretation, a corporation?

Mr. STANFORD. I think so, if the corporation had any lands to offer as security.

Mr. MITCHELL. Is there anything in the bill that would prevent large corporations, say one of the large railroad companies, from making a demand for a large amount of money from the Government on the faith of its land grant, for instance? Could such companies do that?

Mr. STANFORD. No matter where the money comes from, so that it gets out among the people. The Government can not afford to part with its money except upon a full consideration. But unfortunately for the railroads, their lands are generally already mortgaged at 6 per cent.

Mr. MORRILL. Mr. President, I do not desire to embarrass my friend the Senator from California, but I should like to ask him whether it is proposed that these issues of money shall be made in more than one place in a State?

Mr. STANFORD. By the Government itself in all the States.

Mr. MORRILL. In the principal town or in all the towns?

Mr. STANFORD. By such agencies as the proper Department of the Government shall determine.

Mr. MORRILL. Then I should like to inquire, as the Senator talks about this bringing a large income to the United States, how much it would cost to establish agencies in every considerable town of our country to investigate the value of land, and also to certify that to the Government.

Mr. STANFORD. I do not think it follows necessarily that there shall be an agent in every county. There will be agents of the Government. I suppose, however, that it will probably cost less to make the investigation than the people now have to pay when they borrow money.

Mr. MORRILL. But in order to have the bill comprehensive and equal in its value, the farmers in every county and town in the United States ought to have the privilege of obtaining this money.

Mr. STANFORD. Yes, sir.

Mr. MORRILL. Then there must be somebody to ascertain the value of the land upon which it is proposed to base this loan.

Mr. STANFORD. Yes. That is ascertained by the assessment on which the farmer pays his taxes, which is conclusive. It is not proposed that the Government shall loan money to a greater amount than one-half of that value, but that value may be rejected by the Government agents if it is not thought satisfactory by them.

Mr. MORRILL. The land must be examined by somebody in each particular locality, and, if so, it seems to me it would take considerable of an army to furnish the requisite information to the Government for it to act upon.

Mr. STANFORD. Not more, at any rate, than is now done in borrowing from private individuals, probably nothing like so much. When the plan is properly systematized, I suppose one agent will be sufficient to investigate for several counties. Perhaps the United States district attorney or some other officer may be selected.

I have not discussed the details of the bill because I have considered that the great question was to establish the principle. When that is established, then the details may be discussed and adopted as the wisdom of Congress shall determine. In presenting this bill I thought in order that it might be well understood that I should present what I supposed would fairly provide for the machinery to put the plan in operation.

The VICE-PRESIDENT. What disposition does the Senator wish to have made of the bill?

Mr. STANFORD. I understand the Senator from Kansas [Mr. PEFFER] desires to be heard on the bill before it is referred.

Mr. PEFFER. Mr. President, the details of this bill need not now be considered, and it would be equally useless at this time to discuss the particular plan by which its provisions are to be carried into effect. It is the principle of the bill which first concerns us, the doctrine it embodies, the proposition it involves. Until that is conceded it is folly to go further. The bill assumes that the people, through the agency of the Government which they have created, not only may or can, but that they ought to supply themselves with what money they need, and that borrowers ought to have the use of money at a low rate of interest. It is to that assumption that I desire to address myself.

When we look backward over the progress of this century and see how far we have come, it seems strange that we are just at the threshold of the greatest problem of all the centuries, the equitable distribution of the products of labor; that we are only beginning to learn the powers which justly belong to the government of a free people, and to see how admirably adapted to the demands of a high civilization our own Government is.

An intelligent discussion of this bill requires, at the outset, a consideration of some of the powers which were granted to the Federal Government, and the reasons therefor. The crucial period in our early history was that between the close of the

Revolutionary war and the organization of government under the Constitution. The union of the colonies was a confederation entered into for purposes of mutual defense. They had not surrendered their sovereignty. They had not established a federal government. The people did not constitute a nation. They joined forces in a war in which they had a common interest, and at its close they found themselves politically independent, but still commercially prostrate before their old enemy, and a prey to the rapacity of maritime powers.

Six years of political confusion, six years of commercial slavery, six years of local conflicts among a people of common origin, of similar history, speaking the same language and worshiping the same God, wrought a new revolution; order came out of chaos, and in the travail of the time this nation was born. Its coming was as natural as the birth of a child. All things were ready, and the time had come. The people, having learned the weakness of division and the danger of delay, formed a more perfect Union by ordaining and establishing a Constitution and organizing a Government with plenary powers concerning all matters which had occasioned them most trouble in their divided condition, chief among which were taxation and commerce.

All legislative authority of the new Government was vested in a Congress, and in the enumeration of many powers granted, the first relates to laying and collecting taxes; the second, to borrowing money; the third, to regulating commerce; the fourth, to naturalization and bankruptcy; the fifth, to money and weights and measures. After expressly mentioning these and many others, the last grant of power is this:

> To make all laws which shall be necessary for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

The government of a monarchy is the machinery by which the imperial will is applied in the laws. The government of a republic is the agency through which the popular will is to be expressed and the people's judgment executed. In this country we have conferred upon the Government certain specific powers relating to matters which pertain to the general welfare; then we authorize Congress to provide the means necessary to make these powers effective in legislation.

When we speak of the Government, we do not refer to some great unknown or untried power, some foreign entity separate and apart from ourselves, our institutions and our country; nor do we allude to a paternal potentate, prince or power, endowed with fatherly instincts, whose watchful care directs our way and guards our interests. Paternalism is an exotic; it does not flourish in a Republic where the people are the source of power.

The Government of the United States was organized by the people not as a disconnected body to control their affairs and provide for their wants, but as a direct agency for the execution of great powers—to "establish justice, secure domestic tranquillity, provide for the common defense, and promote the general welfare." It is a government clothed with the power of the people, established for their convenience and benefit. When we assert that the Government acts, it is equivalent to saying the people move. If the Government declare war, build a railroad, or create money, it but carries into effect what the people, in one form or other, had determined should be done. The Government is the child of the people, not their father.

The authority of Congress over the subject of money is absolute and without limit. It is expressly granted in two separate clauses of the Constitution—one relating to commerce among the several States, the other to the coining of money and regulating the value thereof. Either would be sufficient to confer all the power needed. Indeed, the power would exist without a grant; it belongs to a nation as an incident of sovereignty, the same as any other power necessary to perpetuate government and insure the comfort and convenience of the people. The authority has been voluntarily bestowed by those in rightful possession of it, and in language so plain as to be unmistakable.

This doctrine was taught by the fathers, though they differed about its proper application. One party urged it when favoring the United States bank policy; the other party, with equal assurance of its soundness, applied it to the theory of a Government supply of money, independent of banks. Thomas Jefferson, in a letter to John W. Epps, June 24, 1813, wrote:

> And so the nation may continue to issue its bills as far as its wants require and the limit of its circulation will admit.

Again, in another letter to the same person, September 11, 1813, he said:

> Bank paper must be suppressed, and the circulating medium must be restored to the nation to whom it belongs.

President Madison, in a message to Congress, December 3, 1816, said:

> But for the interest of the community at large, as well as for the purposes of the Treasury, it is essential that the nation should possess a currency of equal value, credit, and use wherever it may circulate. The Constitution has intrusted Congress exclusively with the power of creating and regulating a currency of that description.

Daniel Webster, in an argument delivered in the Senate, January 31, 1833, said:

> The constitutional power vested in Congress over the legal currency of the country is one of its very highest powers, and the exercise of this high power is one of the strongest bonds of the union of the States. * * * It is not to be doubted that the Constitution intended that Congress should exercise a regulating power, a power both necessary and salutary, over that which should constitute the actual money of the country, whether that money were coin or the representative of coin. So it has always been considered.

This matter has been judicially determined several times. The Supreme Court, in the "Legal-tender" cases, 12 Wallace, United States Supreme Court Reports, 545 *et seq.*, say:

> The Constitution was intended to frame a government as distinguished from a league or compact, a government supreme in some things over States and people. It was designed to provide the same currency having a uniform legal value in all the States. It was for this reason the power to coin money and regulate its value was conferred upon the Federal Government, while the same power to emit bills of credit was withheld from the States. The States can no longer declare what shall be money or regulate its value. Whatever power there is over the currency is vested in Congress. If the power to declare what is money is not in Congress it is annihilated. * * *
>
> And, generally, when one of such powers was expressly denied to the States only, it was for the purpose of rendering the Federal power more complete and exclusive; how sensible, then, its framers must have been that emergencies might arise where the precious metals might prove inadequate to the necessities of the Government and the demands of the people—when it is remembered that paper money was almost exclusively in use in the States as a medium of exchange, and when the great evil sought to be remedied was the want of uniformity in the current value of money; it might be argued, we say, that the gift of power to coin money and regulate the value thereof was understood as conveying general power over the currency, and which had belonged to the States and which they had surrendered. * * *
>
> By the obligation of a contract to pay money is to pay that which the law shall recognize as money when the payment is to be made. If there is anything settled by decision it is this, and we do not understand it to be controverted. No one ever doubted that a debt of $1,000, contracted before 1834, could be paid with 100 eagles coined after that year, though they contained no more gold than 94 eagles when the contract was made, and this is not because of the intrinsic value of the coin, but because of its legal value. The eagles coined after 1834 were not money until they were authorized by law, and had they been coined before, without a law fixing their legal value, they could no more have paid a debt than uncoined bullion or cotton or wheat.

As to the express grant there can be no dispute, but there is some difference of opinion concerning the nature, scope, and extent of the implied powers. We are pretty well agreed upon what commerce means, and there is no disposition to question the right of Congress to exercise supervisory powers over it in a general way; but where is the limit of jurisdiction and what may be justly excluded from Congressional oversight? Commerce is defined to be "the exchange or buying and selling of commodities; especially the exchange of merchandise on a large scale between different places or communities; extended trade or traffic."

The internal commerce of the United States is enormous, twenty times greater than our foreign trade; greater than the entire foreign commerce of all the great nations of Europe. The Pennsylvania Railroad system alone, according to Mr. Carnegie, transports more tonnage than all the merchant ships of Britain. In carrying on this immense trade nearly one-half the railway mileage of the world is used, half a million men are employed, and a vast number of locomotives, cars, boats, ships, and other vehicles and implements are in constant use. Every one of these items is subject to Congressional control if it be used in interstate commerce. Congress exercises control over navigable waters, and the boats floated on them, and we have gone so far along the line of interstate-railway traffic as to bring it all under one general rule, prohibiting unjust discriminations and unreasonable charges.

We are exercising similar control over money, and it is because money, like cars and ships, is an instrument of commerce. In the march of civilization we have come to a plane where vehicles for moving values are as needful as vehicles for moving commodities. Our bank exchanges in a single year amount to over $18,000,000,000. Dimes, dollars, and eagles are as much instruments of commerce as are cars, locomotives, and steamboats. The power to regulate one includes the power to regulate all. And we are not without authority and precedent in this matter. Economists and statesmen agree that money is a necessary factor in commercial transactions, and our Government has many times exercised authority over the use of money, not only in the mints and in the Treasury, but in the hands of the people.

During sixty-nine years of our national life the Government fixed the rate of interest which citizens should pay for the use of money. Under the two acts establishing United States banks (in force forty years) the rate of interest was fixed at 6 per cent. The rate prescribed in the present national banking law is the legal rate in States where the banks are situated and 7 per cent where there is no legal rate fixed by the State law. In addition to this, the statute prescribes the kind of security which may be taken—personal security.

It is submitted, Mr. President, that in the light of our own his-

tory, it is rather late to question either the authority or the propriety of the people preparing and issuing money for their own use when they need it. Every one of the American colonies, at times when they were without gold or silver coin, prepared, issued, and used paper money. The seven years' war of the Revolution was fought to successful conclusion on paper money; and our new Government began the issue of paper before it was three years old. Bank notes were issued in 1791, and Treasury notes followed quickly after the first bank charter expired in 1811. Treasury notes were issued in 1812, 1813, 1814, and 1815.

The second United States bank was established in 1816, continuing twenty years, to 1836. Treasury notes were issued in 1837, 1838, 1840, 1841, 1842 (two issues), 1843, 1846, 1847, 1857, 1860, and 1861.

Besides these issues of notes under authority of acts of Congress, local banks in all parts of the country were issuing notes under State laws. And all this in order to satisfy the public need of money. When the slaveholders' rebellion brought war upon us in 1861, coin ceased to circulate among the people, the national Treasury was empty, banks suspended specie payments, and the most perplexing question before Congress was how to procure money with which to prosecute the war. The defects and inconveniences of bank notes issued under authority of State laws became painfully apparent, and the financiers of that day set about to devise a "national currency."

Early in 1863 the scheme took form in an act of Congress entitled "An act to establish a national currency." In the mean time several acts had been passed authorizing the issue of Treasury notes and United States notes to a large amount, some of them being declared "lawful money," and were made legal tender in payment of all debts except for duties on imports and interest on the public debt. During the four years of that war Government paper issued under various acts of Congress, and which was used and reported as currency or as money, was $3,309,271,327.45, as appears from the following table, found on page 60 of the report of the Treasurer of the United States, 1891:

United States currency of each class, together with one and two year notes and compound-interest notes, issued, redeemed, and outstanding at the close of the fiscal year 1891.

Class.	Issued during year.	Total issued.	Redeemed during year.	Total redeemed.	Outstanding.
Old demand notes	.....	$60,030,000.00	$385.00	$59,974,352.50	$55,647.50
United States notes	$70,792,000	2,402,921,808.00	70,792,000.00	2,056,240,792.00	346,681,016.00
Treasury notes of 1890	51,852,417	51,852,417.00	1,624,000.00	1,624,000.00	50,228,417.00
Currency certificates	39,440,000	941,735,000.00	28,050,000.00	917,955,000.00	23,780,000.00
Gold certificates	63,520,000	1,450,359,880.46	68,601,550.00	1,297,898,451.46	152,461,429.00
Silver certificates	84,904,000	629,034,000.00	71,728,566.00	314,318,815.00	314,715,185.00
Fractional currency	.....	368,724,079.45	3,831.37	353,440,461.52	15,283,617.93
One and two year notes	.....	211,000,000.00	740.00	210,938,345.00	61,655.00
Compound-interest notes	.....	266,595,440.00	2,750.00	266,415,530.00	179,910.00
Total	310,508,417	6,382,252,624.91	240,803,822.37	5,478,805,747.48	903,446,877.43

The amount outstanding at the beginning of the fiscal year 1866, exactly stated in the finance report for that year at pages 25, 104, and 168, was $1,942,842,630. And this does not include national-bank notes. When that money was issued it was not expected by the Government officers that it would be kept and used as a permanent currency. It was believed that national-bank notes would takes its place. Within four years after the war closed there was but little of it left in circulation except that part of it technically designated "United States notes," commonly known as "greenbacks." The retirement of this particular class of paper was suspended by act of Congress in the early part of 1868 (February 4), and it served the purposes of a "national currency" so admirably that by the act of Congress of May 31, 1878, it was made part of the permanent money of the country, and the Supreme Court held the money good.

Thus it appears that from the beginning we have been accustomed to the use of paper money, and in every instance when coin was so scarce as to imperil the public credit or greatly inconvenience the people Congress provided Treasury notes for temporary use. Our experience during the great war and since has taught us that, under some circumstances at least, we may use paper money safely; and it is now quite generally conceded that whatever of that sort of money we do use ought to be prepared and issued by the General Government so that it shall form a national circulating medium, having equal value in all parts of the country.

There are some very large bodies of organized farmers in this country and workingmen in other departments of industry who have been for some years considering this matter of paper money, and without exception they have expressed themselves in favor of Government issues. They are all opposed to corporations of any class controlling any portion of the circulating medium of the country. The Knights of Labor, the Patrons of Husbandry, the Farmers' Alliance and Industrial Union, the Farmers' Mutual Benefit Association, and other similar organizations have expressed themselves as being strongly opposed to any other sort of paper money than that issued directly by the Government.

It is needless to refer to the records of these bodies; they are public, open to the world, so that all who wish to obtain them have done so or may do so. It may be well, however, to place on record here a more authoritative statement than this. At the twenty-third session (1889) of the National Grange of the Patrons of Husbandry, a committee was appointed to present to Congress the various measures which, in the opinion of the body, required legislative action. On request of the committee Mr. Mortimer Whitehead, national lecturer of the Grange, prepared a brief review of the proceedings had in the national councils of the order on the subject of finance. It is as follows. I will ask the Secretary to read it.

The Secretary read as follows:

PATRONS OF HUSBANDRY, NATIONAL GRANGE,
OFFICE OF LECTURER,
Washington, D. C., December 29, 1890.

DEAR SIR: Complying with the request of your committee, I submit herewith a brief report of the action of the National Grange for several years past, relating to finance, as found recorded in the proceedings of its annual meetings.

The National Grange is on record through all the years of its history in favor of a plentiful supply of money for the use of all the people of our country, and against the control of money by a few special classes who have it in their power to depress the price of land and all its products, and the products of other labor as well.

However much farmers, in their several organizations, and laboring men in theirs, may differ upon other matters it is a good sign that, without exception, all the farmers, laborers, and workingmen's societies in the United States have placed the demand for the free coinage of silver in their national platforms, and have recorded themselves squarely on the side of more money and no middlemen to control its supply. All agree that at least $50 per capita should be the limit, and that the supply of currency should increase in proportion to the increase in population.

The plan of the Government issuing money at a low rate of interest upon landed security direct to the people, the same as it is now loaned to the national banks with their bonds for security, has rapidly grown in favor, and has been approved by the National Grange after full, fair, and free discussion.

Respectfully,

MORTIMER WHITEHEAD,
Lecturer, National Grange, P. of H.

JOHN TRIMBLE,
Member of Legislative Committee of the National Grange, P. of H.

Mr. PEFFER. Thirty-four States and Territories were represented by delegates in the body that appointed the committee to whom that statement was made, and the membership of the Grange at that time was about 500,000. It is the oldest body of organized farmers in the country and controls half a million votes on money.

And further showing the feeling among farmers and their colaborers throughout the country concerning Government control of the currency, I will ask the Secretary to read the paper which the page will carry to his desk.

The Secretary read as follows:

WASHINGTON, D. C., *January 6, 1892.*

To the honorable the House of Representatives and Senate of the United States in Congress assembled:

Your memorialists, a committee elected by the supreme council of the National Farmers' Alliance and Industrial Union, under its instructions and on its behalf, would most respectfully represent:

That the universal and unparalleled depression in all departments of our great agricultural industry has impressed the farmers of the United States with gravest concern and alarm. That despite their fruitful soils, the favoring conditions of climate, their faithful application and courageous industry, and irrespective of seasons or harvests, their farms and the products of their labor are constantly and steadily depreciating in value. That the inspiriting hope of competency and comfort as a reward for their toil is vanishing in their earnest struggle for sustenance and the preservation of home. That patient, honest, and earnest investigation of this anomalous condition of affairs has impressed the farmers of the country with the solemn conviction that the evils which are thus clogging and paralyzing their energies are

largely due to discriminating inequalities in our governmental policy and which are the legitimate outgrowth of partial and unfriendly legislation.

Your memorialists would further respectfully represent:

That in their organized capacity, the farmers in thirty-eight States and Territories of the Union, after long and earnest deliberation and with remarkable unanimity, formulated and adopted a declaration of principles (an official copy of which is hereto appended), which they believe if enacted into law would restore agriculture to its true and just position among the great industries of the country and would conserve the highest and best interests of the public good. That they respectfully, but most earnestly, commend to the patriotic consideration and favor of your honorable bodies the justice and wisdom of enacting such laws as will embody the principles enunciated in the declaration referred to.

Your memoralists would respectfully represent:

That they are specially charged to ask the attention of your honorable bodies to the great and urgent necessity for immediate legislative action for the financial relief of the industrial and business interests of the country. That they believe that the present financial system of the country is not only inherently defective but that it is incompatible with the genius and spirit of our institutions and is in conflict with the fundamental principles of our Government. That they believe that the system, born of the terrible exigencies of a mighty civil war, purely as a military expedient and necessity, which, while it doubtless saved the life of the nation in war, has been demonstrated, under the test of experience, not to be the system for preserving and perpetuating that life in peace. That they believe that a sacred and steadfast observance and maintenance of the powers and functions conferred upon the Government by the Constitution, for making, issuing, and controlling the money of the people, is absolutely essential to healthful and symmetrical development in our material progress, and that these powers and functions can not in any manner be relinquished or transferred without violence to equity and justice and gravest peril to the safety and liberties of the people. That they believe that the exclusive rights secured to the Government by the Constitution to make money carries with it the unavoidable obligation and responsibility to supply it in such manner and amount as to meet at all times the requirements of the legitimate business of the country and of our growing population and trade. That they believe that the exercise of the legitimate and rightful functions of the Government in the control of money would obviate a recurrence of the ruinous effects of undue contraction in the volume, as demonstrated in the present depressed conditions, which are paralyzing the energies of the people in all departments of industrial enterprise. That they believe that all money should be issued direct by the Government to the people at a low rate of interest and in sufficient volume to meet the legitimate demands of the legitimate business of the country on safe and valid securities, and that it should be a full legal tender for all debts. That they believe that silver should have all the rights in coinage and all the qualities of legal tender which gold possesses.

Your memorialists would further respectfully represent:

That those for whom they speak do not ask your honorable bodies to venture upon doubtful expedient or experiment, but respectfully and most earnestly present the deplorable and alarming financial condition of the agricultural interests of the country, with the hope that a remedy may be speedily sought and devised through which they may be relieved from impending bankruptcy and ruin, and which will secure to our people and to posterity the blessings of a permanent, just, and equitable financial system.

Respectfully submitted.

L. L. POLK,
C. W. MACUNE,
MANN PAGE,
W. F. GWYNNE,
L. P. FEATHERSTONE.

National Legislative Committee of the N. F. A. and I. U.

DECLARATION OF PRINCIPLES OF THE NATIONAL FARMERS' ALLIANCE AND INDUSTRIAL UNION.

1. (*a*) We demand the abolition of national banks.

(*b*) We demand that the Government shall establish subtreasuries in the several States which shall issue money direct to the people at a low rate of tax, not to exceed 2 per cent per annum, on nonperishable farm products, and also upon real estate, with proper limitations upon the quantity of land and amount of money.

(*c*) We demand that the amount of the circulating medium be speedily increased to not less than $50 per capita.

2. We demand that Congress shall pass such laws as will effectually prevent the dealing in futures of all agricultural and mechanical productions, providing a stringent system of procedure in trials that will secure prompt conviction, and imposing such penalties as shall secure the most perfect compliance with the law

3. We condemn the silver bill recently passed by Congress, and demand in lieu thereof the free and unlimited coinage of silver.

4. We demand the passage of laws prohibiting alien ownership of land, and that Congress take prompt action to devise some plan to obtain all lands now owned by foreign syndicates, and that all lands now held by railroads and other corporations in excess of such as is actually used and needed by them be reclaimed by the Government, and held for actual settlers only.

5. Believing in the doctrine of equal rights to all and special privileges to none, we demand—

(*a*) That our national legislation shall be so framed in the future as not to build up one industry at the expense of another.

(*b*) We further demand a removal of the existing heavy tariff tax from the necessities of life, that the poor of our land must have.

(*c*) We further demand a just and equitable system of graduated tax on incomes.

(*d*) We believe that the money of the country should be kept as much as possible in the hands of the people, and hence we demand that all national and State revenues shall be limited to the necessary expenses of the Government economically and honestly administered.

6. We demand the most rigid, honest, and just State and national governmental control and supervision of the means of public communication and transportation, and if this control and supervision does not remove the abuses now existing, we demand the Government ownership of such means of communication and transportation.

7. We demand that the Congress of the United States submit an amendment to the Constitution providing for the election of United States Senators by direct vote of the people of each State.

Mr. PEFFER. That memorial comes from men of the highest character, officially representing a body composed of farmers and other classes of working people, with a voting strength of at least two and a half million persons of every shade of political faith on other questions, but agreed on these: (1) That to the Government alone belongs the right to prepare and issue the people's money; (2) that Government paper ought to take the place of bank notes in the currency of the country; (3) that the only proper and safe test concerning the amount of money needed by the people is their own reasonable estimate based on their personal experience; (4) that the control of the financial interests of the people ought to be placed and kept in their own hands and wholly taken away from particular persons and corporations; (5) that the rate of interest for the use of money on long time ought to be the same in all parts of the country, and that it ought not to exceed the average rate of net profit of business in the industrial pursuits as shown in the annual rate of increase in the value of the permanent wealth of the country.

If it be objected that the plan proposed by this bill would open the way for dangerous inflation of the currency, it may be answered that it is no more subject to this objection than the national-bank law now and for a long time in force. The present bank capital, as the Comptroller's report shows, would carry a circulation of about $650,000,000, or more than $500,000,000 more than is now out. The banks could, if they choose to do so, increase their circulation to an unlimited extent. By act of Congress, January 24, 1875, the limit on bank circulation was removed, so that from that time to the present the banks have had the legal right to increase their circulation to any extent. There is nothing in this bill more dangerous than that.

In fact, sir, there is practically no limit now to the inflation of money under the existing system. Every bank check represents money; every draft, every bill of exchange, every promissory note in bank, represent money. Every mortgage on real estate and every chattel mortgage represent money. The only limit to the amount of money in use to-day, in one form or other, is the limit of the borrower's security. What a vast amount of money would be saved to the people if, as is proposed in this bill, the rate of interest were 2 per cent.

Concerning the probable depreciation of paper money, it may be said that whatever may have been the extent of depreciation in paper money in other countries, or what may have been the history of paper-money experiments in this country, it will hardly be affirmed by well-informed persons that United States notes issued during the war of the rebellion were treated fairly; that their apparent fluctuation in the money market came from an inherent defect in the money itself, or that in their case there was a fair and honest test of the merits of that sort of money. Senators now present remember that these notes were purposely depreciated by direct legislation in order that they might be used to advantage in the purchase of bonds. But there was another reason for their depreciation and for their seemingly frequent changes of value. I read from pages 22 and 23 of Finance Report, 1864:

> The experience of the few past months can not have failed to convince the most careless observer that, whatever may be the effect of a redundant circulation upon the price of coin, other causes have exercised a greater and more deleterious influence. In the course of a few days the price of this article rose from about $1.50 to $2.85 in paper for $1 in specie, and subsequently fell in as short a period to $1.87, and then again rose as rapidly to $2.50; and all without any assignable cause, traceable to an increase or decrease in the circulation of paper money, or an expansion or contraction of credit, or other similar influence on the market, tending to occasion a fluctuation so violent. It is quite apparent that the solution of the problem may be found in the unpatriotic and criminal efforts of speculators, and probably of secret enemies, to raise the price of coin, regardless of the injury inflicted upon the country or desiring to inflict it.
>
> All such attempts should be indignantly frowned upon by a patriotic community, and the efforts of all good citizens invoked to counteract such nefarious schemes. A law providing for the exemplary punishment of combinations for such a purpose might tend to vindicate, if it could not fully protect, the public rights in this regard, and should be, so far as possible, rigidly enforced.
>
> But whatever success might attend any effort to check speculation in coin, or to counteract its injurious effect, it is still obvious that, so long as there remains a large and increasing necessity for its use, and a limited supply, it will command a price commensurate with the necessity and the difficulty of obtaining it.

It was this speculating in gold which affected its value in the market, and the money of the people was charged with the gambler's crime. It is not true, Mr. President, that our paper money depreciated, except in its relation to gold coin. It remained at par with other things from the hour of its issue. The business of the country was done on a paper basis; gold and gold coin were commodities, dealt in the same as stock and bonds. They were not money in the sense that Government notes were money. There was no gold money in circulation among the people. Paper money was used to pay the soldiers, to pay contractors, to pay everybody in the ordinary trade of the country. Paper was used in the purchase of bonds. Duties on imports and interest on the public debt were paid in coin, but nothing else was.

I repeat, sir, our paper money did not depreciate. Gold went up and down as the state of the gold market was made to be, and as the demand for it was greater or less the price was higher or lower. Compared with gold, everything went down, paper money with the rest. But, compared with wheat or corn, or cotton, tobacco, beef, pork, or any of the products of labor, or with labor

itself, the paper money remained at par. This suggestion may be helpful to persons who worry over the loss of "parity" between gold and silver. If we will keep our money at par with the things which are necessary for the lives and comfort of the people, it will matter little about the money-changers' quarrel over the phantom "parity."

But why should such notes depreciate? Our bonds did not go down, and the same power which issued them and kept them good would issue the notes proposed by this bill. At one time we had bonds outstanding to the amount of $2,116,568,920. Our population at that time was about 38,000,000; our taxable wealth was about $32,000,000,000, and the bonds, instead of depreciating, went up in the market until they commanded a premium of 30 per cent and upwards. We have actually paid out $56,268,649.78 in premiums on our bonds the last four years. So good did we expect our bonds to be that before we had issued one we had planned a system of banking on them; and so good did they actually become that the banks withdrew most of their bonds deposited as security to bill holders and sold them in order to take advantage of the premium. If our bonds be good, why should our notes be bad? Our wealth is constantly increasing; so is our population and business. If we were able to keep our bonds at or above par it is difficult to understand why we could not manage to do as well by our notes.

The simple truth is, Mr. President, the people are becoming accustomed to regard the Government as not only the source, but the proper source, from which should issue all of our money, whether metallic or paper. Mr. Treasurer Huston, some two years ago, in his report called attention to the fact that the Government has assumed the responsibility of issuing money to the people of the country, and he devoted one full page to the importance of that particular subject. It has become common in the messages of our Presidents, and in all of our state papers relating to finance, that this subject is treated to greater or less extent.

It is not a new thing that is brought to the attention of the public now for the first time by a few men, here one and there one, anxious to court notoriety or to foist themselves into place to be stared at by the people. So strong and enduring has become our faith in the honor and credit of the people that we have practically abandoned the coinage of one of the metals used by us nearly a hundred years for coin, and now purchase it only to warehouse it and hold it there as security for issues of paper money.

There is nothing new, then, in the bill presented by the Senator from California so far as the matter of issuing paper money is concerned; but there are two other features of the bill which in this connection will appear to be new, or at least they will meet with opposition as if they were new, namely, first, to issue at one time a very large addition to the money of the country, and, second, to lend money to the people.

As to the first feature, the opposition comes from a small minority of our citizens; a minority which, however, wields an imperial influence in our public affairs, growing stronger and more powerful as its wealth is increased. Its rule of action is: "Ask and ye shall receive; knock and it shall be opened unto you." Its record is written in the statutes of our country. It managed to effect the retirement of more than a thousand million dollars of paper money at a time when one-third of our countrymen needed money more than they needed anything else; it made hard bargains for the people, and in their name and without their consent promised to pay large amounts of coin when we had no coin; it depreciated the value of the people's property, drove them into debt, and increased their obligations. In carrying out the policy of this minority the country was deprived of the use of more than $325,000,000 of silver money to which it was entitled.

The silver-coinage law of 1878 authorized the purchase and coinage of $4,000,000 worth of silver bullion every month, but the Treasury stopped at one-half that amount. Instead of purchasing and coining $4,000,000 worth the actual average coined was only $2,000,060 worth. Under the same policy, beginning in 1883, the banks, while increasing their number at the rate of one hundred and fifty-nine a year, down to 1890, withdrew their notes from circulation at the rate of about $22,000,000 a year, as appears from the Treasurer's report for 1891. From 1879 to 1882, four years, the annual increase of bank-note circulation was about $9,500,000. If that rate of increase had been continued down to 1890 we should have had about $250,000,000 of bank notes in circulation at that time more than we did have.

On the 30th day of June, 1882, the amount of bank notes out was $357,555,266, as appears from a recent statement; on the 30th day of June, 1890, the amount was $185,722,978, showing a retirement in the eight years of $171,832,288. (This is subject to an addition of the difference between the amounts of lawful money on deposit in the Treasury on the two days named to redeem the notes then in process of retirement.) Putting together the $325,000,000 of silver money of which we were deprived, and the $250,000,000 of bank notes withheld and withdrawn, we have a total of $575,000,000, money which would now be in circulation—that much more than we have.

It is within reason to believe that if this amount had been put out and kept out among the people, as the law authorized, as the lawmakers intended and expected, and as the business needs of the country required, there would now be but little indebtedness among the people. Here we have $575,000,000 which the laws provided for, but which was withheld in part and withdrawn in part, and the bill now before the Senate proposes to issue less than one-fifth of that amount. Besides this the banks were authorized to increase their circulation to an unlimited extent. Surely this, then, is not a reckless proposition, in view of what we have lost, and in view of the further fact that the minds of statesmen are now largely occupied by thoughts concerning the best way to safely add to the volume of our money.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Chair will ask the Senator from Kansas to suspend for a moment. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

Mr. DAWES. I ask that the pending order be laid aside informally.

The PRESIDING OFFICER. The title of the bill will be read, and the Chair will state the question.

The SECRETARY. A bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868.

The PRESIDING OFFICER. The pending question is on the amendment moved by the Senator from Massachusetts [Mr. HOAR], to strike out the third section of the bill.

Mr. DOLPH. I renew the request of the Senator from Massachusetts [Mr. DAWES] that unanimous consent be given that the Senator from Kansas may conclude his speech before the regular order is taken up.

The PRESIDING OFFICER. The Senator from Oregon asks the unanimous consent of the Senate that the unfinished business be temporarily laid aside until the Senator from Kansas concludes his remarks.

Mr. COCKRELL and others. No objection.

The PRESIDING OFFICER. The Chair hears no objection, and the request is granted. The Senator from Kansas will proceed.

Mr. PEFFER. Mr. President, why increase the circulating medium? Let the census reports answer. The private indebtedness of the people is increasing at an alarming rate. Tables for five States—Alabama, Illinois, Iowa, Kansas, and Tennessee are now in type, and I am under obligations to Mr. Superintendent Porter and Mr. Holmes, an able assistant, for advance proofs. They show an incumbrance on the farms and homes of the people in force January 1, 1890, equal to an average of $85 for every person, man, woman, and child, in the five States. The average for Alabama and Tennessee is $24; for Illinois, Iowa, and Kansas, it is $125. This was nearly all placed during the last preceding ten years. In ten counties in the heart of one of the best of the Western States, 64 per cent of the farms which are occupied by their owners are encumbered.

The average value of the farms is $3,694, and the average mortgage debt is $1,402. It costs the owner of a mortgaged farm, which he cultivates in these ten counties, $114 annually to carry his mortgages. Though reports are incomplete, enough is known to show that farmers and poor townspeople in the Eastern and Middle States are no better off than those of the Western and Southern States. And yet it appears that Massachusetts, with 8,315 square miles of territory, with a population of 2,230,000, and a taxable property valuation of $1,584,756,802 in 1880, increased her taxable wealth in the ten years following $569,377,824, while nine great agricultural States—Indiana, Illinois, Iowa, Nebraska, North Carolina, Georgia, Alabama, Mississippi, and Louisiana—with a territory of 485,385 square miles, a population of 15,600,000, and taxable property amounting to $2,792,919,163 in 1880, increased their taxable wealth only $559,000,000, or $10,000,000 in round numbers less than Massachusetts. Their territorial area is fifty-eight times that of Massachusetts, their population in 1880 was seven times as large as hers, and their wealth was nearly twice as great.

The increase in the assessed property valuation in that small State during the ten years was two and one-fourth times as much as that of Missouri; two and one-half times as much as Ohio; three and one-half times as much as each of the two States Kentucky and Wisconsin; four times as much as each of the two States Georgia and Tennessee; four and one-half times as much

as Kansas; five times as much as each of the four States Colorado, Indiana, New Jersey, and Oregon; six times as much as each of the two States Arkansas and Nebraska; seven times as much as each of the three States Alabama, Iowa, and Louisiana; ten times as much as each of the States North Carolina and Virginia, and twelve times as much as each of the States Florida and Mississippi.

The three States of Pennsylvania, New York, and Massachusetts, with a territorial area of 102,700 square miles, with a population of 11,048,847, and with an assessed property valuation of $5,920,155,824 in 1880, increased their aggregate taxable wealth in the ten years following $2,602,145,772, or $229,920,528 more than one-half as much as all the rest of the country put together. Here is a tabulated statement showing these facts in detail:

Statement showing the assessed valuation of real and personal property of the several States named and for the whole country for 1880 and 1890.

States.	Total assessed valuation.		Increase of assessed valuation.	Population.		Assessed valuation per capita.	
	1880.	1890.		1880.	1890.	1880.	1890.
Total for whole country	$16,902,993,543	$24,249,589,804	$7,346,596,261	50,155,783	62,622,250	$337.01	$387.62
Alabama	122,867,228	197,080,441	74,213,213	1,262,505	1,513,017	97.32	130.26
Arkansas	86,409,364	a172,408,497	85,999,133	802,525	1,128,179	107.67	152.82
Colorado	74,471,693	188,911,325	114,439,632	194,327	412,198	383.23	458.30
Florida	30,938,309	76,936,938	45,988,629	269,493	391,422	114.80	196.53
Georgia	239,472,599	377,366,784	137,894,185	1,542,180	1,837,353	155.28	205.39
Illinois	b786,616,394	b727,416,252	a59,200,142	3,077,871	3,826,351	255.57	190.11
Indiana	727,815,131	782,872,126	55,056,995	1,978,301	2,192,404	367.90	357.08
Iowa	398,671,251	a478,318,248	79,646,997	1,624,615	1,911,896	245.39	250.18
Kansas	160,891,689	290,593,711	129,702,022	996,096	1,427,096	161.52	203.63
Kentucky	350,563,971	512,615,506	162,051,535	1,648,690	1,858,635	212.63	275.80
Louisiana	160,162,439	234,320,780	74,158,341	939,946	1,118,587	170.40	209.48
Massachusetts	1,584,756,802	2,154,134,626	569,377,824	1,783,085	2,238,943	888.77	962.12
Mississippi	110,628,129	a157,518,906	46,890,777	1,131,597	1,289,600	97.76	122.15
Missouri	532,795,801	786,343,753	253,547,952	2,168,380	2,679,184	245.71	293.50
Nebraska	90,585,782	184,770,305	94,184,523	452,402	1,058,910	200.23	174.49
New Jersey	572,518,361	688,309,187	115,790,826	1,131,116	1,444,933	506.15	476.36
New York	2,651,940,006	3,775,325,938	1,123,385,932	5,082,871	5,997,853	521.74	629.45
North Carolina	156,100,202	212,697,287	56,597,085	1,399,750	1,617,947	111.52	131.46
Ohio	1,534,360,508	1,778,138,457	243,777,949	3,198,062	3,672,316	479.78	484.20
Oregon	52,522,084	166,025,731	113,503,647	174,768	313,767	300.52	529.14
Pennsylvania	1,683,459,016	2,592,841,032	909,382,016	4,282,891	5,258,014	393.07	493.12
Tennessee	211,778,538	347,510,103	135,731,565	1,542,359	1,767,518	137.31	196.61
Virginia	308,455,135	362,422,741	53,967,606	1,512,565	1,655,980	203.93	218.86
Wisconsin	438,971,751	592,890,719	152,918,968	1,315,497	1,686,880	333.69	351.47

a Annual report of 1889.
b The State board of equalization declares that in 1880 the assessed value was 50 per cent and in 1890 only 25 per cent of the true value; hence the reduction.

This is an astounding state of facts. Here we have a small portion of the country, three States, with an area but little larger than that of Kansas and not two-fifths as large as Texas, with one-sixth the population of the country and one-third the taxable wealth, accumulating more property in the same time than one-half of all the rest of the country. And this includes but a very small amount of money, though the money centers are there.

These are manufacturing States, they are commercial States, and some of their people are largely engaged in the business of lending money. They have been blessed by the fostering care and protecting hand of a friendly Government, and they have reaped golden harvests from fields which the farmers planted. Year by year these States grow richer as compared with other parts of the country, and with their greater wealth comes a larger influence and increased power in public affairs. There is the manufacturing center, there the money center, there the political center of the American people, and there are our present rulers.

Mr. President, we are face to face with a grave problem. They who control the money of the people regulate their business and dictate their laws. Wall street claims to wield a power greater than that of monarchies, and we know that the Government of the United States is on friendly terms with Wall street. We know, further, that our Government has poured millions of money into the laps of operators there. And we know, further, that many millions of money not due have been paid to public creditors—a mere gratuity to a favored few, and at times, too, when the toiling masses were clamoring for money to use in their daily business. In the single year 1890, as appears in the Treasury Department report, some $17,000,000 in premium on bonds and $12,000,000 in advance interest were paid out of the public Treasury—not one dollar of it due. The amount paid as premium would never have been due and need never have been paid, and the amount paid as advance interest would not have been due till nine months after the money was actually paid. We are pressing money on men who do not need it, while many of the men who imperiled their lives when the country was in danger are forced into almshouses to escape starvation.

A few persons, comparatively, are fast absorbing the wealth of the country. The average annual rate of wealth-increase was 4 per cent the last ten years, while borrowers were compelled to pay 8 to 12 per cent and upward for the use of borrowed money. Operators about the money centers grow opulent and strong, while men and women whose labor produces the wealth grow correspondingly poor and weak. All this is wrong, and it betokens an unhealthy state of things. The system which begets it is fatally defective. It must be modified if not radically changed, in the common interest of all the people. Money is the life-blood of commerce. It flows out through the arteries of trade, carrying health and vigor to every department of business. It stimulates effort, it encourages enterprise, it civilizes men, and brings the world together. It employs labor and lightens the burden of toil. It drives away want and relieves distress. It gladdens the hearts of the poor, it takes joy to the lowly, it brings hope to the despondent, and throws sunshine into the dwellings of men.

To him who lives in affluence and ease, whose home nestles in the splendors of wealth, who moves amid magnificent surroundings, to him it matters little what is the state of the money market. He has credit, which takes the place of money. His check is good at bank for a thousand or a million dollars. Scarcity of money affects him not; his income is fixed; he draws steadily upon the labor of other men. He knows not what it is to want. It it is not so with the man of toil—the man who opens farms, lays out highways, bridges streams, tunnels mountains, and builds cities—the man whose muscles rear the mansions of the rich, and whose sweat and blood lay crystallized in palatial walls. Money enters into the daily business of the common people; they can not get along without it, its need being most keenly felt where the greatest poverty is. Time was, and that, too, within the memory of many of us now living, when but little money was needed in the ordinary affairs of working people.

The mechanic owned his little shop, worked up crude material, and received pay largely in supplies fresh from the field, orchard, or garden. The farm hand dwelt in the tenant house, and he had his garden, his firewood and cow pasture free, but the country mechanic who once dwelt among the farmers is there no more; he has become a character in history. He has been driven into towns and cities and there massed among machines wth muscles of iron and nerves of steel. Whereas once he did all the work that was done on the articles which he made, and received all the profits, now he works on a particular part only, and his employer takes the profit on the finished article. And whereas once he received his pay largely in barter, now he can use nothing but money in the many little transactions which the wants of his family make necessary.

Look at him, with a hundred, five hundred, or a thousand others, moving in line by the window or the counter on pay day, waiting his turn for the $1.25, more or less, per day which may be due him on his week's or his month's work. The employer does not wait for his money. He passes the long line of waiting workers and draws his check for the money he needs, if any. It is a pregnant fact, sir, that of all men, he that is poor, in this day

and age, is most in need of money. His daily wage may be $1 or $2, or less or more, but he needs it all, every cent of it, in money. Nothing else satisfies his need. He trades within a small circle, a dollar at a time, it may be, or a dime, even a penny, and he needs money in every transaction. When he made shoes, he had shoes to exchange for supplies; when he made wagons, he had wagons to trade; but now his employer has the shoes and the wagons, and he sells them in vast numbers, doing the business through banks. The poor man has no bank account. He transacts no business there. It is not an unreasonable estimate to place the number of persons in this country who work for wages at 12,000,000. Allowing each one of them $300 a year, the amount of money handled by them all would be $3,600,000,000—more than twice as much money as there is in the country.

Men of large means, men whose business affairs are managed on a large scale, need but little money. Our foreign commerce amounts to nearly $20,000,000,000 annually, and a few millions only are needed to settle balances. All the rest is done with drafts and bills of exchange. Our internal commerce is vast in extent, amounting yearly to many thousand million dollars, yet but little money comparatively is actually handled in doing the work, and most of that is needed to pay the poor men and women whose hands perform the hardest part of the labor. The farmer once made most of the implements he used in raising his crops. The fiber in his clothing was grown on the farm, the yarn was spun there, it was woven and made into garments within a few rods of the spot where it grew. Wheat and corn and cotton and tobacco were hauled miles away to the great market towns, and there exchanged for sugar, coffee, tea, spices, and other supplies which could not be produced at home. Meat was cured, fruit preserved, and grain ground on the land where they grew; but the smokehouse and the neighborhood mill, like the wagon-shop by the wayside, have disappeared. The modern farmer sells his wheat and buys his flour; sells his cattle and swine and buys his meat; he sells his fruit and buys it back in cans and jars; he sells his cotton and wool and buys them back in cloth and clothing.

All this requires money, and a great deal of it. Only fifty years ago a few dollars sufficed to carry on an ordinary farm a year; now it requires ten times as much. Wheat and cotton will not pay for wagons and shoes and coats now. Money and only money will answer.

And now, after having superseded the farmer as a mechanic and manufacturer on his own ground, having crowded him out of the business of making forks, leather, and cloth, and having pushed him from barter to cash, having wrested from him many of his ancient privileges and changed his habits of economy and self-help, having removed his defenses and exposed his interests to the organized rapacity of stronger men, his competitors have diminished the sources of his income and thus increased the number of his necessities. At a time when he needs $10 they give him but one. When the aggregate business of the country nets but 4 per cent yearly profit he is compelled to pay 8 per cent to 10 per cent, and far beyond in some instances, for the use of borrowed money. Shadows flit over his fields, his bushels and pounds do not go as far as they did once; he has more trouble to pay his taxes, and his interest dues seem larger and harder to meet than ever before.

The good year 1891 comes with its wonderful crops, foreign demand is greater than it has ever been, and prices of a few farm products go up; yet farming as a business is profitless; more than one-third of our farms are occupied by renters, and more than one-half of those that are occupied by owners are mortgaged for more than 50 per cent. of their value as estimated when times were good. Still, money flows steadily on to the great centers. More than $200,000,000 of interest and dividends goes to New York City every year. The great cities drain the country, while business failures increase steadily in number, and tenement houses and farm and home mortgages multiply. Under shadows from the smokestacks of manufacturing cities, rich farming lands lie idle. The wealth of the States grows grandly, but it accumulates only in the cities.

Like the moving waters of a mighty river, money pours steadily into the great centers where men deal in margins and gather in the drift of trade. The progress of these powerful communities is marked by the wrecks of commerce. One man is rich, nine are well-to-do, ninety others of every hundred are poor. A hundred years ago 95 per cent of our people lived on farms, and nearly as high a percentage owned their homes. Now, farmers and their assistants constitute about 45 per cent of the population; fully 60 per cent of the able-bodied people work for wages, and less than one-third of these own the houses they live in.

So we see, Mr. President, that money is a vital organ in the body of trade. Its circulation is a necessary function. To stop it, or to retard it, is to invite death and insure decay.

To take away the people's money from them is like draining away blood from the human body; and shortening the supply of money affects business just like withholding food affects the lives of men. They of fixed incomes, and they who live on interest which other men pay for the use of borrowed money, profit by the straits of debtors. Scarcity of money brings trouble on the farm and distress in the shop, but it pours dollars into the coffers of them that fatten on the misfortunes of their fellows. The Stanford bill proposes a remedy for this condition of things.

It is not my purpose at this time to discuss the philosophy of money nor to refer to the charge of "fiatism" further than to show that the money proposed in this bill is as good as the money we now use. I quote two sections of the bill, as follows:

SEC. 4. That the Treasurer of the United States is hereby authorized and directed to cause to be printed, signed, and ready for issue, for the purpose hereinafter mentioned, circulating notes of the United States of the denominations of $1, $5, $10, $20, $50, $100, $500, and $1,000 to the amount of $100,000,000, and such additional amounts from time to time as shall be necessary to meet the requirements of this act.

SEC. 5. That said notes when issued, as hereinafter directed, shall be a legal tender in payment of private debts, equally with gold and silver coin for like amounts, and shall be received at par in all parts of the United States in payment of taxes, excises, public lands, and all other dues to the United States, and also for all salaries and other debts and demands owing by the United States, within the United States, except interest on the public debt, and in redemption of the national currency.

If the notes provided in these sections are fiat money, then we have been using fiat money and with great success nearly thirty years. The first act of Congress making lawful money out of United States notes was approved February 25, 1862. The language of the law is:

And such notes herein authorized shall be receivable in payment of taxes, internal duties, excises, debts, and demands of every kind due to the United States, except duties on imports, and of all claims and demands against the United States of every kind whatsoever, except for interest on bonds and notes, which shall be paid in coin, and shall also be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest as aforesaid.

By act of March, 1878, the retirement of these notes was prohibited, and their circulation was made perpetual. They have been held good by the Supreme Court, and are accepted by every person in the country without question. If they are good, the notes provided for in this bill can not be bad, for they are alike. Aside from that, it is submitted that if a bank check or the order of a merchant or trader is good for a few dollars or a hundred dollars, or a million, surely the nation's note ought to pass current among people who know that our aggregate wealth is equal to more than an average of a thousand dollars to every man, woman, and child within our boundaries. And every citizen expects the Government to endure.

As to the matter of the Government lending money to citizens, while at first sight this may seem a startling as well as a novel suggestion, yet, as matter of fact, we have been doing that very thing a long time. It is true, indeed, that the Government, State or National, has from the beginning been continually creating money in one form or other for the express purpose of its being lent to the people. We all understand well enough that there has not been in our history, nor in the history of any of the modern nations, a time when the people were without the use of money which was made for the purpose of its being lent to them.

As before suggested, the United States bank was established in order to get more money for the people to use, and coming through that channel we understand that the money will get to the people only by their borrowing it. All the provisions of the law were framed with that particular object in view. A bank of issue is created, so far as the feature of issuing the money is concerned, for the single purpose of lending money to the people. The Government is behind the bank. Without the legislative power of the people being brought into action the bank would have no power to issue any sort of money. Any person or any number of persons may do a banking business without the issuing attachment, and have no special authority of law for it; but when they would issue their notes to the people to be used as money, they must first have the authority of the legislature.

So in our present national-banking law, the object, as stated in the enacting clause, is to establish a national currency; that is to say, a species of paper money to be used among the people, and to be got to them by lending it and naming the security. There is no way for banks to get money out among the people other than to lend it to them. So it is not straining the construction of the law to say that the Government has been in the habit ever since we have been a nation, of authorizing banks to issue money to be lent to the people. The bill now before the Senate proposes to do nothing more than that, so far as this particular feature of the bill is concerned.

The only difference in practice which would result from the operation of the bill proposed by Senator STANFORD and the practice now in vogue is, that the Government in that case would do directly what in this case it does indirectly, that is to say, under the operation of this bill the Government would lend money to the people without the intervention of banks or any other agency, taking security from them with their obligation and enforcing it

in favor of all the people, just the same as bankers and loan agents now lend money to the people and take security from them, the Government seeing that the securities are enforced in case of failure to pay. The Government has lent money directly to certain corporations, railroad companies, and others. It does more. It supplies the money which banks lend to their borrowers, and the constitutionality of this proceeding has not been questioned. The authority of the Government to lend money is no longer in dispute, but it is objected that the particular method proposed by this bill would do violence not only to existing customs but to the best and safest principles of financial management; that business would be deranged by it; that the conscience of the people would be shocked and credit be destroyed; that inflation would follow; that bankruptcy, disaster, and ruin would be the end.

But think a moment. It is the principle, not the particular plan, that I am discussing. There is no change proposed in this bill, as far as security is concerned, except in the mere matter of executing the loans and in collecting the debts in case of failure upon the part of the borrowers to pay. The same sort of security which has been accepted ever since men began to borrow money is proposed in this bill, that which is regarded as the best security among the people of all civilized nations, that which has been regarded as the best security by our own people and upon which all of our recorded debts are based, is what this bill proposes, namely, land—land owned and occupied or used by the borrowers. As the law now stands, and as it has been so long that the memory of man runneth not to the contrary, land has been accepted as security for the payment of debts; it has been recognized under our laws as security, and our customs as well as our laws have been built upon that theory. Land is not only good security, but the lawmaking power has declared that when it is given as security all the powers of the Government will be brought to bear to enforce it.

To-day, if a borrower who has mortgaged land as security for the payment of a debt fails to pay at the time agreed upon, the creditor need only ask the court for judgment, and the machinery of the law is at once put in motion to collect the debt. The creditor is saved, though the debtor be lost. If the land has to be sold to make the payment, it is sold under laws and proceedings long, long ago established. If a city, county, township, school district, or any other local subdivision of territory is encumbered with debt in the form of bonds, upon failure to pay according to agreement the creditor asks judgment in court, and the law takes its course, to the extent, if need be, of the officers of the court levying taxes upon and selling the property of the people within the particular jurisdiction to pay the debt. The Government stands behind the creditor.

Under the operation of this bill the people of the United States would be the creditor. The same court and the same machinery of law now provided and in use would operate to collect debts in case the Government should be the lender, instead of individual persons, as we have it under present practice. Under this bill all the people of the country, in their organized capacity, would be the creditor, whereas at present one individual, or a number of individuals associated as a partnership or a corporation, is the creditor. There is that difference, and only that.

Prof. Sumner, in his "History of American Currency," refers to the land-loan system of Pennsylvania, adopted in 1723:

The issue was for £15,000 (about $75,000), put in the hands of commissioners in each county, according to the taxable assessment. The commissioners loaned the bills at 5 per cent on mortgage of land. The loan was for sixteen years, payable one-tenth annually, and the interest was to defray the expenses of government. Installments repaid during the first ten years of the period were to be loaned out again only for the remainder of the period.

Benjamin Franklin is the reputed author of the Pennsylvania paper-money system. He advocated it on two distinct grounds: One, the necessity of a currency, and the impossibility of keeping a sufficient supply of gold and silver in the country, and so, as he said before the committee of the House of Commons, if you can not have what you would prefer, the expediency of taking the next best thing; the other, the absolute advantages of this currency, even over the precious metals. One of these advantages was the revenue derived to the Government from it. In Pownall's Administration of the Colonies this subject is referred to in the following language:

In a country, under such circumstances, money lent to settlers upon interest creates money. Paper money thus lent upon interest will create gold and silver in principal, while the interest becomes a reserve that pays the charges of government. This is the true Pactolian stream, which converts all into gold that is washed by it. It is upon this principle that the wisdom and virtue of the Assembly of Pennsylvania established, under the sanction of Government, an office for the emission of paper money by loan.—*See Pownall, Administration of the Colonies*, 4th ed., p. 186.

Thomas Jefferson, in his writings, frequently alluded to the paper money used in the colonies.

Previous to the Revolution—

He says in one place—

most of the States were in the habit, whenever they had occasion for more money than could be raised immediately by taxes, to issue paper notes, or bills, in the name of the State, wherein they promised to pay the bearer the sum named in the note or bill. In some of the States no time of payment was fixed, nor tax laid to enable payment. In these the bills depreciated. But others of the States named in the bill the day when it should be paid, laid taxes to bring in money enough for that purpose, and paid the bill punctually on or before the day named. In these States paper money was in as high estimation as gold and silver.—*Jefferson's Works*, vol. 9, p. 248.

The Prussian states used paper money based on real-estate security many years ago quite satisfactorily, and some of the small German states are now using treasury notes as money.

Early in the eighteenth century Virginia used tobacco for money. It was stored in warehouses and the receipts for it passed as currency. Prof. Sumner says "it was true money."

In Russia, at this time, grain is stored, and the warehouse receipts are used as money.

Quoting my own language in another place:

The power vested in Congress and Congress alone to supply the people with money carries with it the duty to direct the application of the power in practice, just as the authority to create courts carries with it the power to assist the courts in the performance of their duties. Judges are not usually farmers, merchants, manufacturers, or railroad managers, yet it frequently happens that they must direct the management of farms, of mercantile establishments, manufacturing processes, and railroads. Death, failures in business, default in payment of dues, and neglect or refusal to meet engagements make it necessary for courts to appoint administrators, executors, referees, and receivers, with necessary assistants, to settle business which can not be settled in any other way. Vast interests are managed in this way by the Government through its officers, the judges and their appointees, and without any friction or failure. All this is quite practicable.

Look at the Post-Office Department, managed by the Government through one man. The Postmaster-General in a recent report describes the postal service of the United States as "the largest business concern in the world, consisting of a central establishment with almost 60,000 branches, and employing 150,000 people." And there is nothing impracticable in the working of this vast machine by the Government. He recommends the division of the country into twenty-six postal districts according to population and territory, with an executive officer at the head to look after the work personally. And there is nothing impracticable about that. The Secretary of War, through agents, purchases supplies for the Army, including farm products, grain, flour, hay, horses, meat, cattle, manufactured goods, clothing, shoes, and camp and garrison equipage.

The Secretary of the Navy goes into the market for a great variety of articles which he procures through agents. * * * The Secretary of the Interior superintends schools and instructs Indians in the art of farming, and he has under his direction an army of agents and clerks, all operating under a system which works perfectly. The Secretary of Agriculture has charge of experiment stations in every State; he superintends the making of sugar, the raising of new varieties of grain and trees, and he has men out continually looking at the farm and stock interests. * * * The Secretary of the Treasury conducts a business amounting to thousands of millions of dollars annually. And all these things are practicable for the Government to do. * * * Taking the census requires an army of people—between 40,000 and 50,000—and every house in the country is visited by Government agents. Perfectly practicable. * * *

The Comptroller of the Currency, October 30, 1889, had charge of 3,262 national banks, with a circulation of $131,000,000, and doing a business amounting to a hundred times that much in the course of a year. The Comptroller's report for 1888 says: "The monetary transactions of the Government have been conducted through the offices of the Treasurer of the United States, nine assistant treasurers, and 297 national-bank depositories." The Treasurer's report for 1889 shows that of the 3,262 national banks doing business the Government had designated 270 of them as depositories through which the Treasury acts in distributing money direct from the Treasury, and they held public moneys amounting to $47,259,714. A year before the amount was $58,712,511.

The proposition that the Government shall lend money to the people on real estate security is in no respect like the method of land hypothecation practiced in the Argentine Republic, as many persons suppose. Mr. Consul Baker gave a clear statement of that practice in his report under date August 10, 1889, as it appears on pages 653 and 654 Consular Reports Nos. 108, 109, 110, and 111, 1889. It is as follows:

NATIONAL HYPOTHECARY BANK.

In addition to the usual legal facilities for borrowing money on mortgage, the Argentine Congress has by law established a great national mortgage bank, whose special functions are to make loans on the hypothecation of real estate. The law creating this bank was passed on the 14th of September, 1886. The President, in his last message to Congress, speaks of it as "an institution which will greatly multiply the elements of credit in the Republic;" and the minister of finance, in a speech he made in the House of Deputies a few days ago, declared that "the bank is a great boon to the people for the reason that land is the great patrimony, the immense capital of the country, and every facility should be given to mobilize that capital and increase its value."

By its franchises this bank can operate in all the provinces and territories of the Republic. Its functions are not to loan money on mortgage, but to issue transferable mortgage bonds (*cédulas*) on the execution of mortgages in its favor, which *cédulas* are put upon the market and sold for what they will fetch by the holders, and the nation guaranties to the holders the service of the interest and amortization. They are made payable to bearer, and they bear an annual fixed interest not to exceed 8 per cent and an annual accumulative sinking fund for their ultimate payment, the maximum of which shall not exceed 2 per cent. The bank is managed in the capital of the Republic by a board of control, consisting of a chairman and eight directors, appointed by the President, and in the different provinces and territories by means of administrative councils. The board can make no loan of less than $1,000 or more than $250,000 to any one person, nor can any provincial council grant loans of more than $5,000 unless specially authorized by the board. The face of the *cédulas* can not be less than $25 nor greater than $1,000. The responsibility for loans is not limited to the property mortgaged, but extends to all other property the mortgagee may possess, so far as the excess is concerned, in which case the order of preference to be followed is that laid down in the civil code.

The central bank is the only one that delivers the *cédulas* though the mortgage deeds be executed in the provinces; and no loan can be granted for more than half the value of the property mortgaged. A delay of over sixty days in the payment of the hypothecary obligation authorizes the bank to put up for sale by public auction the property or properties mortgaged without any

legal proceedings and to award them to the highest bidder. To provide for the expenses of the bank, and to guaranty punctuality in the service of the *cédulas*, a credit of $2,000,000 is kept open in the national bank in favor of the National Mortgage Bank. No loans can be made on mines and quarries nor on joint properties unless the mortgage be made on the whole of the property with the consent of all the joint owners declared by means of a public deed, nor on properties which may be rented for a term of more than five years at the date of the contract for the loan, nor on properties which may not be susceptible of producing an income.

It will be seen that the Mortgage Bank of Argentine was not established, and is not conducted for the purpose of assisting the people in the management of their daily business, nor is it intended to increase the supply of government money. It is a scheme to aid speculators in "mobilizing" their lands. The Argentine Government does not issue and lend money to the people on real-estate security. It only authorizes the bank to issue certificates showing that certain lands have been mortgaged at a certain valuation. The certificates may then be sold in the open market, just as we sell shares of mining stock, or railroad or bank stock, for money. The Government puts out no money on these mortgages. Its obligation begins and ends with securing the payment of the interest, and the money for that purpose is raised by sale of the land if need be.

The proposition in the Stanford bill is to lend money to the people, not to issue certificates of debt to them and then send them out among traders to realize money on the certificates at high rates of discount. This bill would supply the common need of money from the Government direct and as nearly as practicable at cost, avoiding the danger and risk attending the reliance on a few interested persons for what money may be needed in the people's business. This bill would place the financial interests of the country in the hands of the people, while the Argentine plan only strengthens the power of money lenders, as was plainly shown in the last two years' history of that country.

The need of more money and a more general and continual circulation of it is one of the necessities of modern conditions. It has been the common experience of all advanced nations that metallic money is a treacherous factor. At the time it is most needed it is not at hand. Men fail in business because they can not obtain money, because they can not realize on their paper, and from various other causes. But no men ever failed because of an abundance of money. Beginning with 1837, there are gentlemen in this Chamber who can remember half a dozen disastrous money crises in our own history. Not one of them was caused by reason of superabundance of money, nor because the Government had issued too many paper dollars.

When banks suspended specie payments, it was because they had not enough money. When our Government suspended specie payment, it was because we were short on money. When the panic of 1873 came with its flood of destruction, it was because money was scarce; there was not enough to be obtained by men who were in debt, though many thousands had good security to offer. When Barings failed, it was because they were short on money, and whenever and wherever we learn of financial disturbances, we know it is because there is not enough money to carry on the business of the people. Every great monetary crisis reveals the fact that money is scarce; but not one case in all history can be cited where any people ever suffered harm by reason of having too much money. Give the people an abundance of money and you give them energy; thrift follows, and the country grows. Take away money and you bring ruin to the doors. With plenty of money the people prosper; without enough, prices fall, labor is without reward, the poor grow poorer. Another thing. They who suffer most from money panics are they who can least afford to lose—the poor men and women whose living depends on their daily earnings. To the poor man, the loss of a day may bring him to want. To the woman whose wages barely sustain life, the loss of an hour tells in the next meal she eats. And the great fact grows more apparent as the cruel lash of the civilizer falls upon its victims.

As the young years come to us, and we welcome them with song and prayer, we do not stop to think how much the inventions and devices of the time will take from the earnings of the toilers. Once a woman received 50 cents for making a man's shirt; now she makes a dozen shirts for that amount, and lives in the border land of want. Once a shoemaker received $2 for making a pair of shoes; now he attends a machine which makes only a part of a shoe, a very small part indeed, and his employer sells the finished article at 35 cents to 75 cents a pair. We are diversifying our employments, we are dividing and subdividing work on particular things, we are multiplying devices to cheapen production, we are driving the worker on to smaller margins of profit every year, diminishing his resources continually, taking away from him his defenses, weakening his influence in society, in politics, and religion, narrowing the field of his effort, increasing wants while refusing to add to his means of satisfying them. The demand for money is the appeal of toil.

Men and women who work in the fields, in the shops and factories, on the highways and in the mines, these, who of all the world should first be paid—these nation-builders—they whose hands have fashioned all that we see of labor's work about us—they ask for money, more money, that the land may bloom again. And that vast and growing army of men and women to whom the sunshide is shadow, to whom the coming day throws gloom ahead, to them what gladness would come with the beginning of a reign of plenty. How many idle men and women in this, the city of Washington—men and women begging for employment! They walk the streets, they besiege Congressmen and Senators, they swarm about the Capitol and in the corridors, asking for something to do. Nine of every ten persons of these thousands are honestly seeking employment that they may earn a living.

A large part of the correspondence of the members of this body and of the other House is made up of appeals for assistance in one form or other. Fully two-thirds of the bills which have been introduced in the Senate during the present session are bills asking for special pecuniary relief. And this condition grows and spreads. These people join the popular clamor for more money. How much conditions would be improved by a large increase of circulating money, no man would be brave enough to state; but that progress and thrift have uniformly been contemporaneous with a large volume of money actually circulating among the people is a fact of history. No man doubts that with a large increase of money put into the channels of trade a revival of business would follow, and the labor of the country would be employed; farming would pay, and we should have "good times" again.

Let it be understood, however, that it is not only more money that is demanded. Two other things must be done as well. First, the money must be put in circulation; and second, it must be kept there. These things can be brought about in two ways: (1) Lend the money, with reasonable limitations, to needy persons who can offer good security against loss, and (2) reduce the rate of interest so that it will be below rather than above the average profits on labor when employed in farming and other industrial pursuits. This will insure the absorption of a large amount of money, and it will prevent its return to money centers; because in that case men can do as well in any of the ordinary vocations as they can in lending money. These desirable conditions would follow the adoption of the principle on which this bill is drawn. A large proportion of our farmers are in debt, as the census reports thus far published show. These people would gladly borrow money at a rate of interest which would allow them a margin of profit to apply on the principal, and thus in a few years they could redeem their lands with the difference saved between the old high rate and the new low rate. The average cost of borrowed money now to the borrower is about 10 per cent. Under the plan proposed in this bill, the cost would be 2 per cent, a difference of 8 per cent, which in twelve and a half years would pay the entire principal. This money would go at once into circulation.

And the amount of money needed to relieve the farmers would not be as large as many persons imagine. Assuming the farm debt of the country to be $2,500,000, an issue of $500,000,000, if judiciously handled, would be sufficient to begin the work, a yearly addition of $100,000,000 for ten years, would be sufficient to meet all the requirements; and by that time a yearly increase of $100,000,000 would not be too much for the business necessities of the people. A farmer borrows $1,000, say, to pay a pressing debt; that amount is immediately put into some productive industry in order to yield a return, and thus it gets into circulation. Or, in case the law should provide (and I think that would be an improvement on this bill) that private persons might lend money at 3 per cent or 4 per cent, during a period of, say, five years—long enough for all money lenders to adjust their business to the new conditions without loss, in which case much of the money paid to creditors would be reloaned to other farmers whose debts were not closely pressing, and who would be glad to reduce their interest payments.

In this way $1,000 would probably pay ten or twelve times that amount of farm debts in a year. The annual payments of principal and interest to the Government would amount to a large sum, and that would be at once reloaned, and thus kept in circulation. By the time the borrowing period had passed, the rate of interest would have become uniform in all parts of the country; the people would have control of their financial interests, and money panics would be known no more forever.

And what then, Mr. President? Remove from the vitals of the people the destroying virus of the usurer, lift from their homes the incubus of debt, dispel the clouds which hover about the farmer's horizon, put life into trade, carry bread and cheer to the toilers, let the sunshine pour into every household, and you will plant a new civilization here; you will bring God close to the people, you will raise the lowly and banish caste, you will drive despair away, you will empty prisons, destroy anarchy, cure drunkenness, Christianize the home, ennoble citizenship, nationalize the people, and perpetuate the Republic.

Mr. STANFORD. I ask that the bill may lie on the table for the present.

The VICE-PRESIDENT. The bill will lie on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills; in which the concurrence of the Senate was requested:

A bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians; and

A bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas.

UNIVERSITY OF THE STATE OF MISSOURI.

Mr. COCKRELL. The Senator from Oregon [Mr. DOLPH] is, I believe, entitled to the floor on the regular order which is now before the Senate. I ask unanimous consent that the regular order may be temporarily laid aside until I can submit a report and make a request of the Senate. It will only take a moment.

The VICE-PRESIDENT. Does the Senator from Oregon yield for that purpose?

Mr. DOLPH. I will consent to that if the measure to be reported by the Senator from Missouri does not lead to discussion, reserving the right to object if it does.

Mr. COCKRELL. I am instructed by the Committee on Military Affairs, to whom was referred the bill (S. 1762) for the relief of the University of the State of Missouri, to report it back favorably without amendment, and to recommend its passage, and to ask for the present consideration of the bill. It is a very short bill, and there is a very short report accompanying it, which will fully explain the situation and the necessity for urgent and prompt action upon the measure.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Missouri?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1762) for the relief of the University of the State of Missouri. It directs the Secretary of War to relieve the University of the State of Missouri, at Columbia, Mo., from all money responsibility for so much of the ordnance and ordnance stores issued to that university, under its bond, dated April 7, 1886, as was destroyed by fire on January 9, 1892.

Mr. COCKRELL. Now, let the report be read, with a letter from the Secretary of War, which explains the whole thing.

Mr. CHANDLER. Is the report long, I will ask the Senator?

Mr. COCKRELL. It is a very short report.

Mr. CHANDLER. Would it not be just as well for the Senator to make a brief statement?

Mr. COCKRELL. I think the report is about as short as I could make the statement. Let the report be read.

The VICE-PRESIDENT. Including the letter from the Secretary of War?

Mr. COCKRELL. Let the report be first read and then the letter from the Secretary of War. It is a very short statement of the case in brief.

The Secretary read as follows:

The Committee on Military Affairs, to which was referred the bill (S. 1762) for the relief of the University of Missouri, have duly considered the same and submit the following report:

This bill authorizes the Secretary of War to relieve the University of Missouri from the obligations of the bond given to the United States for the return of arms and equipments issued by the War Department to the university under existing laws, and which were totally destroyed by fire on January 9, 1892, together with the main building of said university, without any fault or neglect on the part of the officers of said university.

The board of curators of the University of Missouri applied to the Secretary of War for relief from liability on the bond and for an issue of arms and equipments in lieu of those destroyed. In behalf of this application Senator COCKRELL addressed the Secretary and received in reply the said bill and the accompanying letter:

WAR DEPARTMENT, *Washington, January 20, 1892.*

SIR: In reply to your letter of the 18th instant, in reference to the Government arms recently destroyed by fire in the Missouri State University, I have the honor to advise you that the Department has always held in such cases that, the return of these arms and equipments to the United States being secured by a bond given to the United States, it is beyond the power of the Secretary of War to relieve any person from the obligations of such a bond, and that only Congress can grant the relief asked for.

Congress has already passed acts relieving certain colleges from responsibility for losses sustained by them by fire. As requested, a form of an act relieving the University of Missouri in this case is herewith inclosed. When this is enacted into law, new arms and equipments will be issued in lieu of those destroyed.

Very respectfully,

S. B. ELKINS, *Secretary of War.*

Hon. F. M. COCKRELL,
United States Senate.

In pursuance of the recommendations of the Secretary of War and numerous precedents your committee report the bill back to the Senate and recommend its passage.

Mr. COCKRELL. I will simply state that the university building, the entire building, with a very large and valuable library, and all its contents, including the arms and accouterments, was totally destroyed by fire, and now the university can not get credit upon its bond for the arms and equipments so destroyed and can get no issue. This measure is simply presented at the instance of the Secretary of War, to relieve the university and enable him to issue new arms and accouterments.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT TO MONDAY.

Mr. STEWART. I desire to move that when the Senate adjourns to-day it adjourn to meet on Monday next.

Mr. DOLPH. I do not choose to yield for that motion, for I am opposed to an adjournment over.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Nevada.

Mr. DOLPH. I decline to yield the floor for that motion, for I am not in favor of adjourning over until Monday. We have a Calendar six pages in length, and I do not think the Senate should adjourn over for two days in the week.

The VICE-PRESIDENT. The Senator from Oregon declines to yield.

Mr. DOLPH subsequently said: Having had an opportunity to put in my objection to an adjournment over Friday and Saturday, I will yield to the Senator from Nevada with the hope that the Senate will vote the motion down.

Mr. STEWART. I now move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Nevada.

The motion was agreed to.

HOUSE BILLS REFERRED.

The bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians was read twice by its title, and referred to the Committee on Indian Affairs; and

The bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas was read twice by its title, and referred to the Committee on the Judiciary.

SMITHSONIAN INSTITUTION REGENTS.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution.

The amendment of the House of Representatives was to strike out all after the resolving clause and insert:

That the vacancies in the Board of Regents of the Smithsonian Institution of the class other than members of Congress shall be filled by the appointment of William Preston Johnston, of Louisiana, in place of Noah Porter, of Connecticut, resigned, and the appointment of John B. Henderson, a citizen of the District of Columbia, in place of Montgomery C. Meigs, deceased, and by the appointment of Henry Coppée, of Pennsylvania, whose term of office expired on December 26, 1891.

Mr. GIBSON of Louisiana. I move that the Senate concur in the amendment of the House of Representatives.

The amendment was concurred in.

FOOD AND DRUG ADULTERATION.

Mr. PADDOCK. Will the Senator from Oregon yield to me for one moment?

Mr. DOLPH. For what purpose?

Mr. PADDOCK. To give notice.

Mr. DOLPH. I yield to the Senator from Nebraska.

Mr. PADDOCK. I desire to give notice that when Order of Business 64, Senate bill No. 1, shall be reached on the Calendar, which will be, I suppose, on Monday, or Tuesday at the latest, I shall ask the Senate to proceed to the consideration of that measure, whatever else may be under consideration at the time, as a general or special order.

Mr. CHANDLER. Will the Senator state more distinctly what the bill is?

Mr. PADDOCK. It is a bill to prevent the adulteration and misbranding of food and drugs.

Mr. DOLPH. And what is the notice?

Mr. PADDOCK. The notice is that when the bill is reached on the Calendar, which is now No. 64, I shall ask that the bill be taken up and its consideration continued until it shall be disposed of.

MEXICAN COMMISSION AWARDS.

The VICE-PRESIDENT. The unfinished business will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distri-

bution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868."

Mr. DOLPH. Mr. President, no one regrets more than I do the amount of time I have already consumed and which it will be necessary for me to consume in order to present the bill now under consideration to the Senate intelligently. I only regret that the number of Senators who have listened to the discussion is not as great as it should be.

Yesterday I proceeded to examine to some extent the questions of law which had been raised by the Senator from Missouri [Mr. VEST], and to read from the reports of the Supreme Court of the United States an opinion which in my judgment disposed of them all. I had also proceeded to show from the testimony taken before the Senate Committee on Foreign Relations that certain letters written by the agents of the La Abra Mining Company at the mine in Mexico, and certain letters received by the agents at the mine from D. J. Garth, the treasurer of the company, and from Mr. Exall after his return to New York, were genuine letters. I then had proceeded to show that the receipt by the officers in New York of the letters written by the agents at the mine was admitted.

I had then read from the memorial of the claimant to show the character of its claim as to the value of their mines, the misconduct of the Mexicans, etc. I was then proposing to show from the testimony that, notwithstanding this large claim for damages against the Mexican Government, no officer or agent of the company, prior to filing its memorial before the Commission had ever made a claim to the United States Government, through our State Department, or against the Mexican Government, or even to the American consul at Mazatlan. I will proceed now upon that point. I will read from the memorial which was filed before the Mixed Commission, from page 329 of the report of the committee.

Mr. MORGAN. What is the date of the memorial?

Mr. DOLPH. The memorial was sworn and subscribed to on the 14th of June, 1870, but I do not see the date of the filing. It was presumably shortly after that. In the memorial it is stated:

That the claim was not presented prior to February 1, 1869, to the Department of State of either Government, or to the minister of the United States at Mexico.

That is a statement contained in the memorial itself. I also read from the testimony of Mr. Garth, on page 184 of the committee's report, as follows:

Q. Did you appeal to the Mexican Government in any way?
A. Not that I know of. I did not.
Q. Well, did your company?
A. Not to my knowledge.
Q. If they had done it would you have known it?
A. I think so.
Q. Then the case is that your agent came off and left $350,000 worth of property there, and that you neither made inquiry about it, or made any appeal to the Government of Mexico or appeal to the Government of the United States about it, and that you sent no agent there to look after it, but merely gave it up?
A. That was the condition of things.

That is the testimony of the treasurer of the company. I also read from Mr. Garth's testimony after being recalled and reëxamined, which is found on pages 832 and 833 of the report:

Q. Was any legal advice taken at that time?

That is, at the time the mine was to be abandoned.

A. I think not; not that I know.
Q. Was any communication made to the Government at Washington?
A. Not that I know of. The thing just fell dead.

Mr. MORGAN. Was not Garth the largest stockholder?

Mr. DOLPH. I think he was. He was one of the principal stockholders and one of the promoters of the company.

Q. Now, I desire to ask you whether Mr. Exall made any report upon his return to New York at that meeting of any protest that he had filed before any American authority at any place?
A. I don't recollect of any, sir. I don't recollect whether he made a verbal or whether he made—I don't think he made any written report.
Q. Yes, I am asking you not whether he made a verbal or written report, but whether he made any protest?
A. That he had filed any claim or made any protest or anything of that sort?

That is the witness.

Q. Before any American authority or any other authority?
A. I don't recollect it, sir.
Q. Do you remember whether he reported to you that when he came from Mazatlan on his return to New York he met the American consul, Mr. Sisson, there?
A. I have no recollection of it.
Q. Did he report to you whether he called at the consulate at Mazatlan?
A. I don't recollect it, sir.
Q. Or made any statement or protest before Mr. Sisson?
A. I don't remember of any.

And he did not as a matter of fact.

Now I proceed to another proposition, and read again from the report of the committee, which I propose to establish beyond all controversy in the same manner by the testimony:

The date fixed by Exall, in his deposition before the Commission, of his expulsion from the mines was on or about March 20, 1868. An original letter of Exall's was produced in evidence before the committee, dated at Mazatlan (the seaport, 150 miles from the mines), March 15, 1868, which shows that he had been at that place some days when the letter was written, and that he had left the property and mines in the quiet possession of Granger, his assistant; that he was on his way to San Francisco and New York, to obtain money from the company to pay the overdue salary of himself and his assistant, Granger, and that he expected to return. It was also proved before the committee that Exall met the United States consul when he passed through Mazatlan, and that he made no complaint to him and said nothing to him about any trouble with the authorities or people at the mines.

I will not stop to read what Exall says in his deposition before the Mixed Commission in regard to his flight, because I assert that that is all false, but I will read from his letter to Granger, from Mazatlan, on page 322 of the committee's report. This letser was written on the 15th of March, 1868, and five days before Exall, in his deposition, stated that he was driven from the mine and the Mexicans had interfered with his working it, so that he was compelled to abandon it.

Mr. GEORGE. That was copied from the letterpress books?

Mr. DOLPH. Yes.

Mr. GEORGE. Written by whom?

Mr. DOLPH. By Exall, the superintendent of the mine, from the seaport down at Mazatlan, when he started to New York and turned the mine over to Granger:

DEAR GRANGER: I wrote you by Rice, and said everything I thought necessary. Since writing something else has transpired, which I think it best to post you on. On yesterday Bartning and I had another conversation in reference to the draft matter, but I gave him no satisfaction in the affair. He seemed particularly anxious for me to acknowledge the debt, and that the money had been used for the benefit of the company. His object in this is plain. He wants to get some hold on the company, which he has not now. I told him I would consult with Ralston in the matter, but of course Mr. R. will get nothing more from me than Mr. B.

In reference to the La Abra affairs, I think we will have to look to this country. The property can not be sold without legal authority from the company. This I think I can get. Am induced to believe so by the company letters received. In fact, it would be difficult to get a purchaser without authority to sell. I am certain of being able to get some power from them, so as to enable us to secure ourselves.

The great effort was to get back salary for both of them, which, as I will show pretty soon, had not been paid, the company refusing to send funds, and now the whole thing was to be abandoned and they were simply looking after their salary.

I will communicate with company from San Francisco, and, if best, will go on immediately to New York and return as soon as possible. Please keep everything in the best possible shape and secure, and by no means let my books be seen or known. It is to the interest of us both to do so; therefore I know you will act as I advise in the matter.

I will say the idea of not showing the books was so as not to show that the mine was a failure, the poor quality of the ore, and the results of the assays from the workings of the mills.

I have been quite sick since being here, and at one time was afraid wouldn't be able to go up. Am now much better, and hope to be off to-morrow. The line is so arranged now that you can get from New York to Mazatlan in twenty days, so I will not be gone very long—

Coming back—

so I will not be gone very long. Please act prudently in this matter, and in a few months I think I will be able to put us both right. Be sure and write me by next steamer to San Francisco. I will make arrangements in San Francisco to receive them or elsewhere. Direct care of Weil & Co. You will get their number from the books. Hoping that you may get along all right, and that I will be soon again with you with means to satisfy ourselves,

I remain, your friend,

CHARLES H. EXALL.

That was five days before the time the mine was alleged to have been abandoned. This letter shows that this man was at a Mexican seaport, ready to take passage for San Francisco for the purpose of going to New York, to endeavor to get the company to make some arrangement by which he and Granger could get their pay even if the company abandoned the mine. They wanted to get something out of it, and the company would not put up money to pay the debts and run the mine.

I also quote from page 809 of the committee's report of the testimony to show that Exall met the United States consul and made no complaint. This is a witness who met Mr. Exall at Mazatlan. He says:

By Mr. LINES:

Q. Left home?
A. December, 1866. We will get at it after a while.

By Mr. FOSTER:

Q. Now, let us have it as nearly correct as you can fix it. You left home when?
A. December, 1866.
Q. And arrived at Mazatlan when?
A. February, 1867.
Q. You met Exall when?
A. I think in 1867.
Q. About what month?
A. Well, I should say in February.
Q. February, 1867?
A. Yes.
Q. Where was he going?
A. I think he was going home; going to take the steamer.
Q. Did you have any conversation with him?
A. Merely an introduction, I think, and that was all.
Q. Did he call at the consulate on any official business?
A. No, sir; not with me.
Q. He had no conversation with you about any official business?
A. No, sir.

Q. Had nothing to say to you that directed your attention to any business that would be required of you as consul?
A. No, sir.

This is the consul at Mazatlan at the time who is testifying. He testified that he met Exall, and Exall made no complaint. Now I read from the report of the committee:

Copies of other letters of Exall, found in the letterpress copy book, show that Granger was still in peaceable possession August 12, 1868—

That is, several months after it is alleged they were driven from the mines that Granger, the man who was left there by Exall by written authority in possession of the mine, was in possession August 12, 1868—

undisturbed by the authorities, and witnesses have testified before the committee that he continued to occupy the premises owned by La Abra Company for a considerable time thereafter, and that, receiving no aid or remittances of money from the company in New York—

That is Granger—

he proceeded to sell off such of the movable property as he could so dispose of, to pay his own claims against the company, and that he at last voluntarily abandoned the property.

The law of Mexico authorized the proceeding to sell off the property, the authority for which was obtained by application to a magistrate, something in the nature of a legal proceeding.

It is also shown that the Mexican authorities did not claim to exercise any control or authority over the property of the company after Exall's departure and that since Granger ceased to occupy the premises they have been taken possession of by individual miners, under the Mexican law of denouncement, as abandoned property.

That is to say, when the claimant discontinued working the mines and abandoned them any person had a right to go and denounce them and work them. Not only has one person done that, but they have been denounced by several persons in succession, who when they ascertained that the mines would not pay for working abandoned them.

Mr. MORGAN. Substantially the same mining statute that we have.

Mr. DOLPH. Now I read from pages 318, 512, and 535 of the report to show that the mine was in Granger's possession. I read from page 318 first. This is a letter written to Señor Don Remigio Rocha, and dated Tayoltita, August 12, 1868—the August after it was alleged these people were driven out. Now, see the character of the letter:

DEAR SIR: I have received the communication calling upon this company to pay $52.50 each month for taxes imposed by the legislature of the State, and presume it to be correct; but as I am only acting in the absence of the superintendent, and as there is no money nor effects to pay this tax, I beg you to wait until the month of November, at which time said superintendent is to come, and then the sums due by this company on account of this tax will be paid.

Your most humble servant,

SANTIAGO GRANGER.

That does not look very much as if the Mexican Government had turned these people out of possession. Here is their agent in possession and begging for an indulgence in regard to the payment of the taxes lawfully levied upon the property.

Mr. GEORGE. What was the date of the abandonment as proved?

Mr. DOLPH. It was stated by Exall to have been the 20th of March, 1868, the previous March, and this is the 12th of August.

Mr. MORGAN. The same year.

Mr. GEORGE. That was proved before the Commission?

Mr. MORGAN. Yes.

Mr. DOLPH. I also read from page 512 of the report. The name of this witness is Francisco Torres.

Francisco Torres; 61 years; San Dimas; miner and refiner of metals in his own property and in others.

By Mr. KENNEDY:

Q. At the little house near the principal hacienda when he saw Granger, who was it that was then superintendent of the company?

These interrogatories were propounded through an interpreter to be translated to the witness as he was examined through an interpreter.

By Mr. FOSTER:

Q. Yes; superintendent or representative of the company?
A. Don Santiago Granger was recognized as such there.
Q. As what?
A. He represented there the hacienda.
Q. Was El Mudo there?
A. He did not see him.
Q. Did he know or hear anything of his whereabouts; where he was?
A. He had left, but he did not know where he had gone.
Q. How long was it after the visit that he made in September or October—

That is 1868—

when Granger talked with him about the condition of the hacienda, that he made this next visit he speaks of?
A. He says about three or four months.

After September or October, 1868.

Q. Does he know who remained in charge of the hacienda after this last visit?
A. Don Santiago Granger remained at the head of the business until the end.
Q. What does he know of Granger's operations, or what disposition did Granger make of the property of the company?
A. He sold some things, as salt, quicksilver, and tools, and one wheel of the machinery was taken out and sold to Don Carlos Dahlgren, and tools were sold to Don Juan Cuevas.
Q. To whom was this salt, quicksilver, and other articles he mentions sold?
A. To Mr. Rice, superintendent of the Durango Mining Company, and to some other miners—people of El Baluarte.
Q. To any other owners of mines or workers of mines in that neighborhood?
A. He does not know exactly whether there were any others. He says that whenever opportunity offered a sale was made, but that he did not know particularly the names of the purchasers.

Here we have proof from a witness that this man Granger remained in possession for three or four months after September or October, 1868, and failing, as it will hereafter be seen, to get any remittance from New York, he proceeded, as the law authorized him to do, to dispose of some of the property to pay what was coming to him.

I read from page 535 upon the same branch of the subject:

Ask him if he knew—

This witness is Eugenio Somero. There were witnesses brought to testify to facts within their knowledge from the vicinity of the mines.

By Mr. DOLPH:

Q. Ask him what he was doing at Tayoltita in 1836 and 1867 when he was there.
A. He was engaged in commercial business on a small scale.
Q. Ask him if he then knew the representatives of La Abra Company there.
A. Yes.
Q. Ask him who they were.
A. A general man named Bartholow and another gentleman who was called the colonel, but he does not know the name.
Q. Ask him if he knows what mines of the company were working at that time and what they were doing there.
A. They were working El Cristo and La Luz mines.
Q. Ask him who was in possession of those mines, if any one, in 1872, after he returned to San Dimas, when he has visited Tayoltita.
A. He says that the mines were abandoned, and that the only one who exercised a certain kind of superintendency was Don Santiago Granger, and the mines were in complete abandonment.

That is as late as 1872, several years afterwards.

Q. Were there any mining operations going on then?
A. No.
Q. Any property there in the hacienda belonging to the company?
A. He says that the company had there the hacienda with what had been left of the machinery. No work was done.

Granger sold the property to pay his debts. I was about to read from pages 420, 421, 422, and 427 of the report. I think, however, that is sufficiently shown in the testimony of witnesses already given. There is an abundance of other testimony to show the fact that Granger did sell this property from the hacienda and testimony here showing how it was done. Here is the copy of the paper which he presented to the local judge, declaring the circumstances and alleging what the value of the property was, so that the value might be fixed in any future settlement with the company about the property.

I now read from page 657 of the report of the committee. This is in the testimony of Charles B. Dahlgren. He says his name is Charles B. Dahlgren; 49 years old last October; present residence, Battle Mountain, Nev.; occupation, miner.

He was either a son or a nephew, I think, of Admiral Dahlgren:

Q. Did Judge Quiroz ever make any claim to you of ownership of that property or the control of it by the Mexican authorities as the owner of it?
A. No, sir; he did not. He claimed the right of protecting the property against being pillaged.
Q. I now read from House Executive Document No. 274, Forty-ninth Congress, first session, page 112. I propose to read your application to the judge and his answer:

"Charles B. Dahlgren, resident of this mining district and general administrator of the American company entitled Durango Mining Company of New York, appears before you, making faithful and legal manifestation that, being in need of his machinery used in the reduction of ores, of an iron wheel belonging to the machinery of La Abra Mining Company, of Tayoltita"—

Not to the Mexican Government, but belonging to this mining company—

and which has been abandoned, he is going to dispose of said wheel, as also of its attachments. On making known to you what he intends to do, it is with the object that note of it be taken by the court in your worthy charge, so as to make it public, and that the value thereof be charged to him, to which effect he makes the necessary protestations to pay what he will be made responsible for either by a cash payment or by the return of said wheel.

He requests your honor to be pleased to keep this petition in your court for his responsibility at all times, and publish it, should you think necessary to do it.

CHARLES B. DAHLGREN,
Administrator of the Durango Mining Company of New York.

SAN DIMAS, *May 23, 1872.*

Here it is shown that the mine in 1872 was abandoned, and here is the superintendent of another mining company going to the judge of the court and, in accordance with the law, indicating his intention to take that wheel and fixing his responsibility to the owners for it, either to be returned to the owners or to be paid for. That is in 1872, four years after, long after this petition was filed and this award given. This is a public document. Now the mines were abandoned and denounced. I read from pages 512, 513, 514, and 535 of the report of the committee. I

first read from page 512. This is the witness I have already referred to, Francisco Torres:

Q. Is Granger now living?
A. He died in some place between Durango and El Porto.
Q. He has referred to the time when he worked La Luz mine as proprietor or associated with Granger.

Granger went on and tried to work the mine in connection with this man.

Ask him if he can fix approximately when he was so engaged?
A. He can not say exactly, but he thinks it was some time between 1868 and 1871.
Q. By whom was the mine denounced, if it was denounced?
The INTERPRETER. Which mine, La Luz?
Q. La Luz, or whatever the mine was called?
A. When he began to work in the mine the mine was not denounced, but afterwards Granger——
Q. Well, he says how he worked; with whose permission; he stated that he worked with the permission of some person?
A. Yes; with the permission of Granger, and then it was denounced by Granger.

The mine itself was denounced by the company's employé left there in charge, as the law permitted, and after it had been abandoned by the company.

Q. Does he remember what was the name of the mine denounced?
A. El Rosario mine.
Q. Under that denouncement he worked La Luz mine?
A. He says he worked in La Luz; he denounced the Rosario, and, with the Rosario, he took hold of La Luz.
Q. Ask him how far apart these two mines were?
A. A little over 100 yards.
Q. Under what arrangement did he work those mines with Granger?
A. The arrangement was to work in partnership, but Granger failed to contribute his share of the money, and he had to put out of his own pocket the money.
Q. How long did he work La Luz mine?
A. About two years.
Q. What was the result of the working of the mine?
A. Very bad result; he lost about $9,000.
Q. What was the character of the ore taken out of the mine at the time he worked?
A. Very poor; yielding 12 ounces per load.
Q. Was that sufficient to pay for extracting the ore?
A. It was not sufficient.
Q. After El Mudo left Tayoltita in what condition were the mines which belonged to La Abra Company left?
A. In very bad condition.
Q. Were they worked by any person?
A. He says that a man named Salazar did some little work there, but lost also.
Q. State whether the mines were open to denouncement during this time, or what condition they were in as to that.
Mr. KENNEDY. Pardon me one moment, Mr. Chairman. Would it not be better to see if the witness knows what the laws of Mexico are in regard to denouncement before that question is asked?
Mr. FOSTER. I should think, after he has testified that he had been engaged in the business from his youth, he would know,
Mr. KENNEDY. The question was, were the mines open to denouncement? My objection is that it ought to appear first whether the witness knows——
Mr. DOLPH. Is the question withdrawn?
Mr. FOSTER. Yes, I will withdraw it, and try to put it in such form as to obviate the objection.
Q. After El Mudo left were the mines abandoned, or what was their condition as to working?
A. After El Mudo left the mines were abandoned.
Q. Were they open to denouncement by the public?
A. They were open to denouncement and have been denounced since that.
Q. Have these different mines been worked by different parties since El Mudo left?
A. Several persons have worked there, the witness himself, Salazar, Eugenio Somera, Don Antonio Salazar.
Q. What has been the result of the working of the persons that he has named?

Then comes an interruption by counsel, which I will not read.

By Mr. FOSTER:

Q. Ask him if he knows what the result of the working of the mines by the persons named has been?
A. They all lost everything that they put in, invested there.

I now quote again from the report:

The history of the company, as disclosed by the testimony, inbrief, is as follows: The attention of certain gentlemen in New York was directed to La Abra mine, in the State of Durango, Mexico, which was claimed to have produced fabulous wealth in the time of the Spanish domination, and which, although in recent years abandoned, it was asserted would again produce great wealth if a projected tunnel was completed. A syndicate was formed in New York, and two of its members accompanied the "promoters" of La Abra sale to Mexico to inspect the mine. Neither of the two members of the syndicate possessed any knowledge of mining, and the experts who participated in the negotiation were all connected with the selling parties.

At the mines the representatives of the syndicate were shown very rich specimens of ores, assaying as high as $1,300 per ton, and as a result of their investigation they made a purchase on the spot of La Abra mine, paying for the same $22,000 in stock of the company. They also bought of a Spaniard and a Mexican a number of other mines at the same place, and paid for them $50,000 in gold. These mines were represented to be at that time producing very rich ores, and the syndicate were shown by the owners "stacks of silver. * * * some tons * * * of pure silver," the supposed recent product of these latter mines.

This statement probably will not be disputed by the opponents of this bill, and therefore I will not take time to refer to the testimony to support it. It shows how badly they were fooled and cheated in the purchase of these mines.

The representatives of the syndicate returned to New York, and La Abra Company was incorporated, and proceeded to make preparations to work the mines on a large scale with the improved American methods. The Mexican machinery and improvements were removed. New machinery was bought in California, and new buildings were erected for the enlarged operations of the company. Owing to the remoteness and mountainous character of the locality, and the disturbed condition of the country occasioned by the French war then in progress, this work was greatly delayed and unexpectedly expensive. While it was in progress, a large amount of ore was extracted from the mines; and when the mill was finished and the ores began to be reduced to silver, it was found that they were of a very low grade and would not pay for the cost of mining and reduction.

They had gone on to get out from the mines by the expensive and slow processes then employed, I think large quantities of ore being carried upon the backs of Mexicans, in anticipation of the time when they would be able to reduce it by mills, understanding that it was very rich. I read in support of this statement, from pages 125 and 126 of the report of the committee, from the testimony of Garth referring to his visit to Mexico and return to New York:

Q. Was that your last visit to Mexico?
A. That is the only one.
Q. How long after the company was organized——

Mr. MORGAN. On what page is that?

Mr. DOLPH. On page 126. It is the testimony of David J. Garth, who made a trip himself to Mexico.

Q. Was that your last visit to Mexico?
A. That is the only one.
Q. How long after the company was organized before you took charge of it as general financial manager in New York?
A. I don't remember. Mr. Hearn was the first president, and Sidney Shackelford was the treasurer and secretary, I think; I don't remember about it now. I had something to do with the advising, etc.
Q. This money for stock was paid in very soon after your return?
A. Yes, sir.
Q. Did you have a meeting of the stockholders, to explain to them the situation in Mexico?
A. Yes, sir; those who were there; just a meeting there. I explained it to them.
Q. Did you get any permit in Mexico from any of the authorities, civil or military, to open this mine or to conduct the business out there?
A. I don't remember any.
Q. Was the country much in agitation when you went there over the war that was progressing?
A. Well, I do not think much, in that particular section. It was a mighty out-of-the-way place; an ignorant kind of people out there. I don't think they cared much for government or anything else.
Q. They are not very loyal to any government, are they?
A. I don't know about that.
Q. Is the country infested with robbers—banditti?
A. I suppose, more or less.
Q. You heard of them out there?
A. I did hear of them occasionally.
Q. Were there any American companies in the vicinity of the hacienda that you bought, mining for silver or gold, when you got there?
A. There was; at San Dimas, I think, about 10 miles off.
Q. Do you know whether that company is still working there now?
A. I do not.

This does not seem to be as much to the point as I supposed it to be. I will read from Garth's testimony, on pages 127 and 128:

When we adjourned—

He was recalled—

Q. When we adjourned I believe I had asked you whether you took back with you from Mexico to New York any specimens of the ores of those mines?
A. I have been thinking about that since you asked that question. It has been brought to my mind, and I remember now that I did. I remember it, too, particularly, from having read over Col. De Lagnel's testimony, in which he says he saw a specimen in my office; and I now remember that we did probably bring back specimens from all the mines; at least I did.
Q. Were they rich specimens?
A. Yes; supposed to be.
Q. Who selected them?
A. Well, I don't know precisely; we all probably had a hand in it—Mr. Bartholow and myself and Mr. Griffith and Mr. Weidner and whoever were there. We were all together there, and while I was not an expert myself, I suppose that I may have suggested that such a piece was a rich piece. I do not remember that, though.
Q. Did you have any of these specimens analyzed at the mines?
A. I think we had; that is, pounded up and analyzed.
Q. Do you recollect what the yield was?
A. No, not particularly; but they were rich.
Q. Did you see those individual specimens collected yourself, or did you just rely upon their being selected by others?
A. Well, I saw them selected myself.
Q. How many of them came out of the La Abra opening?
A. Probably half a dozen of the old mine at least. We selected them at various places up and down.
Q. Out of these places where the columns had been robbed out of the mine?
A. Yes, sir.

It will be remembered the mine had been worked out once and these columns had been left standing, and now he says these specimens were taken out of the base of the columns, evidently the columns left when the orignal rich vein was worked out.

Q. Do you recollect how many came out of either of the other mines?
A. I do not. As to the exact number I don't remember.
Q. Well, your impression was that that was a very rich mine, was it not?
A. That was my impression. It was so stated to me, and I supposed so.
Q. Had you bought any machinery for the mines before you went to Mexico?
A. No, sir.
Q. Where did you buy that machinery?
A. It was bought in San Francisco.

I read now from De Lagnel's testimony on page 29 of the report:

Q. You were telling about the improvements that were being made; briefly, what was the character of those improvements, they had the mill you state?
A. The mill house and mining. They were putting up a new building, a long new building, as long as the old one, some 20 feet to the east of it, and one story adobe walls with a tiled roof. That was designed for offices and storehouses, as the place was very contracted.

Q. What was there previous to the erection of those works?
A. There had been the old Spanish machinery for the reduction of silver ore on the patio and the buildings adjacent.
Q. A full equipment for that character of reduction?
A. I presume it had been full; it was broken when I arrived.
Q. Had that been removed to give place to this machinery, or was it being removed; what was the fact as to that?
A. The old wall of the wheel pit had entirely disappeared, and the new wall, I presume, had replaced it, or nearly so. There may have been a slight change of location.
Q. Then do I understand they were substituting a new method of working for the old method?
A. When I arrived they were building a mill house and erecting machinery which had been brought from San Francisco—a new American mill—a ten-stamp mill.
Q. Would those improvements have for its object the old methods of the reduction of the ore, or upon the new American plan?
A. It was reducing the ore according to the American plan.
Q. Different from that which had heretofore been?
A. It was, as I understand it, the same thing only by different means. The American machinery was designed to work a greater quantity in a less time.

I also read from a letter from Gen. Bartholow, who was the first superintendent of the mines, to the parties in New York.

I read from page 240. I will not read much of this, but enough to show in a general way how expensive their operations were:

After I had gotten all our machinery completed in San Francisco, and the belting, bolts, extras, and tools shipped and paid for, I found that instead of having between 30 and 40 tons, which you had estimated the mill would weigh, I found I had nearly 80 tons, and instead of all costing $10,500, as you had estimated it, and me also in my report to the company, I found that—

The entire cost was	$15,500
The freight and duties	2,500
And the packing to Tayoltita, in consequence of the operations of Corona around Mazatlan, will average $16 to $18 a carga, or	9,000
The lumber and timbers will probably cost	4,000
Lime will also have to be increased to	1,200
Mechanics and laborers, I think, will be about former estimate	7,000
Corn, salt, quicksilver, and other supplies	10,000
Castillo, for balance of account	7,000
	56,200

This is a letter from Gen. Bartholow to D. J. Garth, dated February 6, 1866. I now desire to call attention to the result of the milling of the ores, and I refer to De Lagnel's testimony, pages 39, 40, 59, 60, 61, and 64, and Exall's, on page 309:

Testimony of Julius A. De Lagnel continued.

By Mr. FOSTER:

Q. You will please state the progress, during your superintendency, in mining ores, the character of the vein, and the value or quantity of ore extracted.

A. It is impossible for me to give specific distances or amounts; I have no means of knowing from my memory. I understood the ores were sulphurets of silver, containing a certain amount of gold. I speak now referring particularly to La Luz.

Q. You mention the La Luz, but there were a number of mines?

A. The question embraced a number of mines, but I now speak of La Luz particularly.

Q. Give the character of the veins you refer to, La Luz especially, as you found out by working the ores in extraction from time to time.

A. To the best of my recollection the quartz veins were about 6 feet wide; no fixed width, the width being irregular at times, but the general vein would be, I suppose, about 6 feet wide.

Q. What was the character of the veins; were they regular and uniform, or did they increase and decrease as the work progressed?

A. I can only say that at times it was decreasing, and it was increasing at other times. You are speaking now of the vein, or the appearance of the silver in the vein?

Q. Give us as to both. I want to get from you a general idea of the character of the veins.

A. The character of the vein was quartz; it was a quartz vein, as well as I recollect, between solid walls. The width of that vein varied at times, and the amount of ore observable differed greatly from time to time. I have seen it as much as 2 feet wide; it was a dark matter, but I took it for granted from what the head miner said that there was silver there. I have seen it at times pinch out or taper out to mere threads.

Q. When it tapered out to mere threads, as you say, are we to infer that you extracted very little silver?

A. Of course so, sir. There was nothing but the dead rock that came away from the blasting in endeavoring to reach the vein.

By Senator BROWN:

Q. Is not that very common in all sorts of mining?

A. I believe so, but I have not had experience enough to answer with certainty as to all kinds of mining; I have heard of it.

Q. You will find it in gold mining, what they call a fall, where it will squeeze out to almost nothing, and then get very much larger.

A. I will observe that in this very mine—I think it is in this mine—there is one point where it is nearly double the width of an ordinary vein; they call it a chimney, if I recollect; it took up some distance, where they scooped this out overhead.

By Mr. FOSTER:

Q. You speak of the La Luz mine especially; why do you do that?

A. Because my main work was in that, coupled with the Cristo, and it was the principal mine worked when I arrived there.

Q. And was so during your superintendency?

A. Yes, sir.

Q. When you arrived at the mine, state what quantity of ore, or whether there was any quantity of ore already extracted.

A. When Gen. Bartholow left and I took charge there was a large amount of ore, how much I can not say, piled up on the old patio, and there was another pile from another mine a short distance off, and placed by itself. The amount in these several piles I can not state positively, because I do not remember.

Q. What representations did you receive upon your arrival as to the value of that ore extracted?

A. The estimate placed upon it was high, undoubtedly.

Mr. WILSON. Does the committee allow that kind of testimony, representations that somebody made to him as to the quality of that ore?

Mr. FOSTER. I will confine the question more accurately to his predecessors or other employés of the company.

Mr. WILSON. I object to any such interrogatories.

That is not particular.

A previous question was repeated here, and there was a long discussion between counsel. I will only read the answer.

The WITNESS. My conclusions were, first, that the company had been unfortunate in the selection of myself; that it required a more practical and skilled man to take charge of their mine; next, that the prospects before me when I left were adverse to the interests of the company, from the best light in my possession; that the first need was to send skilled and experienced men, and I had previously asked, I think, in a private letter to Mr. Garth, to come himself or send some one directly interested in the work to look at the condition of affairs in general. That was long anterior.

Q. (By Mr. FOSTER.) Upon what did you base your conclusions?

A. Upon the information, if I may call it so, that had come to me in various ways, and the representations made by the minors from time to time, as to the condition of the mines. I also based it upon the assays, limited as they were, that were last made, the first ones having been satisfactory, and from the small yield that we got from the little, comparatively, that I had run through the mill, some 8 or 10 tons.

* * * * * * *

By Mr. FOSTER:

Q. What did you tell Mr. Collins?

Mr. Collins was the gentleman who came on to the hacienda while Col. De Lagnel was in charge.

A. I told Mr. Collins exactly what I had told Mr. Garth. He questioned me; he wanted to know what was there; about the building; how much there was; how much had been done; its condition; about the mines, etc. I told him everything I knew. He then asked me what I thought. I told him what I thought.

Q. What did you tell him?

A. I told him this: "Mr. Collins, while I have not succeeded, or success has not so far attended us in developing the mines, in bringing out wealth, and while the appearance of things is disastrous, I do not pretend to tell you, for I have not that knowledge that would justify me in telling you, that these mines are not good." I said, "I can not do that."

Q. What did you say as to the appearances? I understood you to say that the appearances were disastrous. Did you use such a term?

Mr. WILSON. Oh, no.

Mr. FOSTER. I beg pardon. Go on.

Now Mr. De Lagnel is questioned about what he told Mr. Garth on his return.

What did he say—

That is, Garth—

as to the financial condition of the company at that time?

A. He told me that he had made every effort; that my drafts upon him had embarrassed him excessively; that he had told me not to draw except seldom, as I have told you. I told him then that when the limit was reached which he had determined not to pass he should caution the Bank of California to not meet the drafts. But he said that believing that the call was honestly made, and that the necessity existed, he had made the effort to meet it, and that he believed that I had only drawn when I honestly believed that it was a question whether the thing should come to a standstill at once and end the affair for the company and break their reputation, or whether it was to be continued, hoping that future management and development might give them the evidence of a better state of things.

I quote on page 308 from one of Exall's letters. This letter is to Mr. Garth, and is dated August 5, 1867:

The mill is now running on the same ore as I last worked. This run will finish it, and what ore to work then I know not. There is, of course, some little good ore in the great heaps on the patio, but it will have to be closely assorted, and the greater portion requires roasting, which is a slow operation and costly. I will at any rate do my best. I am now working 23 men by cargo; pay them not over $1 per week in cash. I must give them some little money. These are working in the Arryan and on the dump of the Rosario. The Cristo is now idle; also La Luz and Abra. I can get no metal from them which will pay.

The Cristo and La Luz, which have been worked for over a year, I am privileged to stop for four months.

That is, under the Mexican law.

The Abra I must work; will put in some men; see what can be found. No further prorogues will be given, and although I have no fear of any one denouncing the mines—

That does not sound very much like they have been taking ore from them—

I must not leave them unprotected. The ore which is now being gotten out will average per assays about $75 per ton, but it comes in small quantities. The returns I brought from mint I brought down to E., P. & Co., to settle money borrowed from them to buy goods; their bills will be due next month, and most of returns from present run will have to be paid them. I hope to be able to settle up all the indebtedness of the co., both here and at the mines. E., P. & Co. are the only ones I am owing here. Col. De L.'s draft was presented me here on yesterday. I told them I could do nothing. My draft, which I spoke of in my last, was returned. Please inform me what can or will be done. I can't see very far ahead in money matters; can count on nothing positive from the ores now on hand. I leave to-morrow for the mines. All have been frequently quite sick. I manage to keep up better than the rest. Hoping that this and my last together will give you the information you require,

I remain, respectfully,

CHARLES H. EXALL,
Acting Superintendent La Abra S. M. Co.

Here follows a statement of the run of the mill from the 27th day of May to the 13th of July, inclusive, May, June, and July, nearly two months:

Statement of run of mill from 27th May to 13th July, inclusive.

Amount of rock crushed, 89 tons 1,676 pounds, producing 131 marcos 5 ounces refined silver, yielding at mint	$1,672.29	
Less mint expenses	146.47	
		$1,525.82
Cost of chemicals	665.81	
labor	380.54	
wood, 95 varas, 62½	59.38	
		1,105.73
		420.09

Leaving only, after deducting expenses, $420 for two months' work of the mill. Then he says in the same letter:

The yield from the 89 tons in statement is small and the time great, when we compare results, expenses, etc., but take into consideration that ore of ten times the value of this would require a no greater expenditure, no greater cost to work, etc. I am at present working same ore; will send a like statement at the end of the run, or when the ore is exhausted.

CHARLES H. EXALL.

Notwithstanding they have great piles of it on the patio, which will not pay for working.

I now quote again from the report:

The company in New York had assessed the stock to its full value and collected the assessments, and when the stockholders refused to pay further assessments it for a time resorted to loans. Finally its credit was exhausted, its drafts protested, a heavy judgment was obtained against it, and it became hopelessly bankrupt. All this occurred some months before the date of the alleged forced abandonment of the mines.

Mr. GEORGE. All that occurred when?

Mr. DOLPH. All this nonpayment of the draft, judgment against the company, failure to remit, and, as will be seen, urgent and repeated calls for money, had taken place before this alleged abandonment.

The treasurer of the company notified the last superintendent that the stockholders would pay no more assessments, that no more money could be borrowed, that the company could send no further aid, and that he (the superintendent) must depend entirely upon the mines for resources to pay the debts and expenses of the company and protect the property.

I read from Garth's testimony, pages 126 and 201. I will first read from page 201, thinking that that may be sufficient on the subject.

Q. Now, you said when the chairman asked you how much stock there was in the concern, you said about $150,000 or $160,000.
A. Yes, sir.
Q. Is that right?
A. Yes, sir; about that.
Q. And that was all paid up?
A. That was all paid up.
Q. Did you afterwards form a corporation, and if so, how—do you know now—an actual corporation under the laws of New York?
A. My recollection is that we had occasion to—we consulted Briton and Ely about it, and they looked at the paper and they said it was not a regular thing. "You will have to do differently: you will have to apply to New York and organize a regular corporation; this is nothing more than a kind of partnership affair," and this firm were employed to draw up the papers and get the company regularly incorporated under the State of New York, as I now remember.
Q. Now, did you see the articles of association or incorporation that were filed under the laws of New York; did you see that yourself so that you can tell what was in it?—A. Yes, I think so. It was under the ordinary act.

Passing over portions of the testimony, I read:

Q. How much was the capital stock in that concern?—A. In that concern at that time $300,000, according to my best recollection.
Q. Was that all paid up, or not?—A. I think not. I do not remember now of anything being paid up on the stock subscriptions than I have stated before.
Q. Do you think the stock subscriptions that were made to the corporation after it was organized were more or less than those we have gone over in detail that were subscribed before you made it a corporation?—A. I think it was the same. I do not think there was any increase. At that time it was not supposed that anything more was wanted.

The stockholders refused to pay any more loans and the drafts were protested. I read from page 318, 319, and 320 of the report. At page 318 I read from a letter of D. J. Garth, the treasurer, to Superintendent Exall, while at the mines:

DEAR SIR: Our last dates from Mexico, on the 5th February last, when we had a letter from Col. De Lagnel, at Mazatlan, informing us that some delay had been met with in getting the water on the wheel, and consequently in getting efficiently at work in washing the ore, but that it was not serious and he hoped in a few days to have everything all right, and gave us some ground to hope for good results now very soon. From a letter received by Mrs. De L. we expected that the colonel would have reached here before this time, as it was thought that he would leave Mazatlan about 10th March last, and we have been awaiting further advices with much anxiety and interest. We now expect by the next steamer, now nearly due, to see Col. De Lagnel or to hear something further from him or you. In our former letters we stated that in the event of his leaving Mexico we supposed that you would take charge of affairs, since when we have given no further instructions on this point.

Touching the management, we have so fully given our ideas in former communications that we now have nothing more to add. We trust the dead expenses of building and machinery and preparation for work have now been long since completed, and that a large amount of good ores accumulated ready for work, and that before this time have been beneficiated and the results proved to be satisfactory. I hope arrangements can be made to export the bullion, as it would be greatly to our interest to do so, instead of having to be compelled to have it coined, and so avoid loss and delay at the mints in Mexico. The affairs of the company here are much embarrassed; a few of the directors have advanced all the money to carry on the operations, and have been nearly ruined by it, and are not able to afford any further aid from here, and look anxiously to be reimbursed very soon from the products of the mines, and it is hoped that your best energies will be exerted to afford relief.

That shows the condition of the company May 10, 1867. There is another letter published on pages 318 and 319 relating to the former letter from which I have just quoted. Mr. Garth, the treasurer of the company, writing to Mr. Exall, says:

At that date we were advised that everything, after long delay, was about complete, and that we might soon look for good results from the enterprise, but that the supplies being exhausted, it was found absolutely necessary to draw on us for $7,500. This draft arrived on 2d April last, and was paid by one of the directors of the company, as it was considered that it was surely the last that would be needed, and we expected to return the money by an early remittance of bullion from Mexico. You can judge of our surprise and chagrin, when the last steamer arrived, instead of bringing Col. De L. with some fruits of our works, a draft for $5,000, gold, was presented for payment by Lees & Waller, drawn by De Langel, favor Bank California, and dated 10th April last, and of which we had not received any notice or advice whatever, and have not yet received any. As I had so often and fully advised the superintendent of the condition of affairs here and requested him not to draw further, I was much surprised that he did so, and that without giving any notice or reason for so doing. As it was found impossible to raise the means to pay this draft, it was protested and returned unpaid, and you must make some provision for its payment when it gets back.

This is from Garth to the superintendent.

Mr. GEORGE. What is the date?

Mr. DOLPH. It is a protested draft on the company which was sent back, and the treasurer writes to Mr. Exall at the mine that he must make provision to pay it there.

Mr. GEORGE. What is the date of the letter?

Mr. DOLPH. It is dated New York, May 20, 1867, nearly a year before this alleged interference by the Mexican authorities.

I do trust that before that date you will have plenty of means to do so. I would now again repeat that I have made every effort possible to raise money here and have failed, and I have advanced all I can possibly do, and the other directors have done the same; the stockholders will do nothing, and it is probable the company will have to be sold out and reorganized. I must again urge you to use all possible dispatch in remitting us bullion, and use the greatest possible economy in working. We wish you to give us very full and particular accounts of amount of ore on hand and amount you raise daily; the number of hands employed, cost, etc., and amount crushed, yield, etc., and the cost of beneficiating, and also a regular monthly statement of receipts and expenses.

Then there is another letter, dated May 30, 1867, to Charles H. Exall, at the mine:

DEAR SIR: We wrote you on 20th instant, informing you that we had nothing from you or Col. De Lagnel, but that a draft drawn by Col. De L. from Mazatlan, 10th April last, had been presented, and there being no funds on hand, and no means here of meeting it, that it was protested and returned not paid. It is hoped by the time it gets back you will be prepared to meet it. Since my last letter Col. De Lagnel has arrived and made known to us something of the state of things with you. I must confess that we are amazed at the results.

Mr. GEORGE. Whose letter is that?

Mr. DOLPH. This is Mr. Garth's letter to Mr. Exall, the superintendent of the company at the mine.

It seems to me incredible that every one should have been so deceived in regard to the value of the ore, and I can but still hope that the true process of extracting the silver has not been pursued, and that before this time better results have been attained. Mr. De Lagnel expected that Mr. Sundel, of St. Dimas, would come to your aid soon after he left, and as this gentleman was said to be a practical chemist and metallurgist he hoped some means would be discovered to get at the silver. If, however, the ores are indeed worthless I don't see that any process of working will be of avail, and have the worst fears that our enterprise will, after all, be fruitless of good.

Bear in mind that this letter was written on the 30th of May, 1867, by the treasurer of the company in New York to the superintendent of the company at the mine.

In regard to the working of the ore, I would advise that you don't waste it by running it through the mill when you find that the yield is not satisfactory. I would suggest that you run say 2 or 3 tons of metal through the mill and see what the results are by the pan process, and then take a like amount of same sort of metal and crush it and grind as fine as possible in the pans, and then take it to the "patio" and beneficiate it and carefully compare the results of the trials; this is what I urged long ago, and think it well to do at once. I would advise that very frequent assays be made of the ores as raised out of the mines, and take out nothing that will not certainly be rich enough to pay well for working.

All expenses must be cut down to the lowest point, and you and Mr. Cullins must try and bring this enterprise into paying condition if the thing is possible—at any rate, no further aid can be rendered from here, and what you need must come from the resources you now have. Neither must you run into debt; cut down expenses to amount you can realize from the mines. I can not yet say what can be done in the future; no meeting of the stockholders has been held, and nothing done to pay off the debts here, now pressing on the company. For the present, all I can say is that the whole matter is with you; take care of the interests and property of the company; don't get it involved in debt, and advise us fully of what you are doing.

Also on the same page is another letter, written July 10, 1867, to the superintendent of the mine.

Mr. GEORGE. From Garth?

Mr. DOLPH. From Garth. It is as follows:

DEAR SIR: I had this pleasure on 30th May and 10th June last, after the return of Col. De Lagnel, and we had learned something of the condition of affairs in Mexico. In these, as well as in preceding letters, you were fully advised of the condition of the company here: that there had been no funds in the treasury for a long time; that appeals had been made in vain for aid to the stockholders, and that the parties here who had made heavy advances to the company were anxious for its return, and refused to make any further payments; and that the draft for $5,000 drawn on me as treasurer by Col. De Lagnel, on 10th April last, had been protested and returned to California, and, we suppose, to parties in Mazatlan who advanced the money on it, and who would have to look to you for payment of same; and we expressed the hope that by that time you would have taken out sufficient money to meet it and all other expenses, and hoped soon to have a remittance of bullion from you to aid in payment of the large indebtedness here.

We have since received your letters of the 6th May, from the mines, and 17th May, from Mazatlan. We are also in receipt of the sample of bullion sent at same time by express, the value of which is not yet ascertained, having not yet been able to get it from the assay office, but hope to do so to-morrow. I fear, however, that it is worth but little more than what it cost to get it from the custom-house in Mazatlan and the expenses on it here. I am glad to hear that you are taking out rich metal and hope it will turn out valuable. It seems almost incredible that all parties should have been so mistaken in the value of the ore now on the "patio," and I don't see how it is that Mr. Cullins and Mr. Sloan, old and experienced miners as they are, as well as the old Mexican miners, should have been so deceived as to the value of the ore. If it so much resembles rich metal, I don't see how you can tell the good from the worthless except by actual fire assays.

You should make these very often, and not go on and get out large quantities of worthless ore at great expense, thinking all the time it was rich metal. You will see from all my letters that no further aid can be given you from here, and that you must rely upon the resources you now have, and which we think ought to be ample to pay off the debts and to sustain you in current expenses, which you should cut down to the lowest possible point. I can but think that in the vast quantities of ores now on the grounds of the hacienda there must be a considerable amount of rich metal, and which you should beneficiate as soon as possible, taking care not to throw away or waste any that would pay to work. Of course, you keep an accurate account of the cost, not only of raising and transporting of the ore to the mill, but of the cost of crushing it and converting into coin or bullion; and, as it is a matter of simple calculation, you can soon see if it will pay or if it is a losing business.

If it costs more than it comes to, the sooner we find it out the better, and the sooner we stop the better for all parties concerned. I have theretofore called your attention to this point, and wish you to give careful attention to it, and would request that you furnish us such full and detailed statements on this point that we can see for ourselves. Give us the full particulars of expenses, amount of ore raised and its value, and the results after beneficiating, etc. Be careful about leaks and expenses, cut off all that is possible, and watch very closely every department with that view.

Don't run into debt or get into difficulty with the authorities, if there are any such things existing, but at the same time be firm in maintaining your rights, and don't submit to imposition except by force, and then make a legal and formal protest as a citizen of the United States and as an American company duly organized and prosecuting a legitimate business under the protection of the law, and our rights will be protected by our Government.

That should be taken in connection with what I have shown here, that there was never any protest or any claim that the company had been interfered with at all by Mexico. Then there is another letter from D. J. Garth to Charles H. Exall, as follows:

DEAR SIR: The steamer is just starting, and I have only time to say that your letter of the 11th, by private hand, has been received, advising us that you had drawn on me for $3,000, gold. In former letters you will have learned the condition of things here, and that there is no money to pay same, and that former draft of De Lagnel has been returned unpaid, and that you were urged to try and get along with what resources you have. These letters, no doubt, reached you in time to prevent your drawing, as no draft has been presented, and we hope by this time there is no necessity for doing so. I have no time to-day to write more, but hope you are getting on well.

Then follows a letter dated August 10, 1867. Things grow worse and worse.

Mr. GEORGE. A letter from Garth?

Mr. DOLPH. A letter from Garth to Exall, dated August 10, 1867. I do not commence to read at the beginning of the letter:

We observe with deep regret and disappointment that you are making but little progress in beneficiating the ores now on the "patio," and that the yield had not improved. This is a severe blow to the enterprise, as we had expected long before this time that you would not only be in position to sustain yourself, but to remit us enough to pay off the large indebtedness here. We learn with deep regret that you are likely to become embarrassed in getting supplies for the rainy season. Long before this reaches you it will be seen that the draft of De Lagnel, drawn for $5,000, was protested and returned to Mexico, and that you must try and pay it, and it is well that you did succeed in negotiating the draft for $3,000 you proposed, as we could not have paid it, and you must manage to get along with what resources you have, as we can not give you any aid from here. I would advise you to try and beneficiate what ore you have on hand, etc.

Then here is a letter of October 10, 1867, from Garth to Exall:

DEAR SIR: Since ours of 30th September, we have yours of 5th August from Mazatlan, and note contents. We are deeply pained to find that you are not well, and that, and are still without favorable results in the enterprise from which we all had such high hopes of success. I am very sorry to say that it is not possible to aid you from here, and that you must rely entirely upon the resources of the mines and mill to keep you going and to relieve you of debts heretofore contracted. It is not possible for us to direct any particular course for you, but only to urge you to try and work along as wellas you can, cutting down expenses, and avoid embarrassing yourself with debts. The Bank of California has again sent Col. De Lagnel's draft here for collection, but it was not possible to pay same, and it will have to return to Mexico, and we do hope you will be able to make some satisfactory arrangement to pay it.

Here is a letter from Charles H. Exall, administrator of the La Abra, etc., Tayoltita, February 26, 1868, to Granger:

SIR: As circumstances are of such a nature as to compel me to leave for San Francisco, and probably for New York, to inquire into the intention of this company—

Mark! "to inquire into the intention of the company"—

I place in your hands the care and charge of the affairs of the La Abra S. M. Co., together with its property.

You are invested hereby with all power confided to me, of course acting in all your transactions with an eye to the interests of the company.

Mr. MORGAN. What is the date of that letter?

Mr. DOLPH. It is dated the 26th day of February, 1868.

This will to you, should occasion require it, be ample evidence of the right possessed by you to act in their behalf.

Very respectfully,

CHARLES H. EXALL.

Mr. GEORGE. That is from Exall?

Mr. DOLPH. That is from Exall when he left. He went down to Mazatlan and did not leave there until after the 15th day of March, because there was a letter which I have already read from him to Granger written there on that date. Then he sailed from there on the steamer on his way to New York, as he says in the communication to Mr. Granger, to ascertain what the intentions of the company were in regard to carrying on the mine and to money.

Mr. GEORGE. Has Granger testified in relation to the alleged trespass on the mines?

Mr. DOLPH. No; I do not think Granger's testimony is in the case. Granger is dead. Granger's testimony is not in the case, but there is proof here to show that Granger was in possession; that he was there exercising ownership at least four years afterwards, in 1872.

Mr. GEORGE. Is there any evidence that Granger made complaint to the company in New York of any trespass committed against him there?

Mr. DOLPH. No, there is no showing of that kind.

Mr. GEORGE. Are his letters copied in the letterpress book?

Mr. DOLPH. I do not think Granger communicated much with the company. There are some letters here from Exall to Granger, but I do not think we have any of Granger's letters. He did not communicate much with the company. I now read from the report:

Ten months before the final abandonment of the mines the company in New York had been informed by its agent at the mines of the poor quality of the ores—

This was apparent from the letters of Exall to Garth which I have read—

and that it had been greatly deceived as to the value of the mines. Before the abandonment of the mines the superintendent wrote several letters to the treasurer and managing agent in New York, informing him that the ores would not pay to reduce, and that, unless money was sent from New York, he would be compelled to abandon the property. And, finally, after his urgent appeals for money had been refused, being without means to meet expenses and greatly embarrassed by the debts of the company, he voluntarily left the mines in charge of his assistant and went without molestation to New York to endeavor to secure aid from the directors of the company. A meeting of the directors was called, at which Exall made his report, after which the whole enterprise was abandoned and came to an end. The treasurer and managing director testified before the committee that there was at that time no intention to present a claim against Mexico.

Mr. GEORGE. There was no intention to do what?

Mr. DOLPH. There was no intention at that time of the abandonment of the mine When Exall made his report to the board there was no intention on the part of the company to make any claim against Mexico. I read from the testimony of De Lagnel, page 64 of the report. The following question was put to Mr. De Lagnel:

I want to know whether there was at any time a refusal on the part of the Mexican authorities, while you were there or before you went there, if it is within your knowledge, to extend the time of the working of this mine because they were not actually worked by the four men?

A. I do not recollect any occurrence of that sort.

By Mr. FOSTER:

Q. Now, returning to your interviews with Mr. Garth, what effect did your report have upon him?

A. I do not know what effect it had.

Q. How did he receive the report?

A. Mr. Garth appeared to me to be cast down; overwhelmed, I may say; disappointed.

Mr. WILSON. I do not think that is competent.

The CHAIRMAN. That is not competent.

Q. What did Mr. Garth say to you in his reply to you?

The CHAIRMAN. That will do.

A. He expressed the greatest regret and disappointment. He had evidently had the greatest faith in the presence of great wealth in the mines.

By the CHAIRMAN:

Q. You stated the effect in your deposition, I suppose.

A. Yes, sir; whether, taking all the circumstances into consideration, he thought that it was due to the unfortunate combination of circumstances, lack of proper management, or what, I do not know. He did not express himself to me on that point. He was very kind, but he seemed to be staggered, and could not understand how it was that everybody could have been wrong after he had been told this and that, and only found it out at the last moment.

By Mr. FOSTER:

Q. What did he say as to the financial condition of the company at that time?

That is, what did Garth say to De Lagnel after his return to New York.

A. He told me that he had made every effort; that my drafts upon him had embarrassed him excessively; that he had told me not to draw except seldom, as I have told you. I told him then that when the limit was reached which he had determined not to pass he should caution the Bank of California to not meet the drafts. But he said that believing that the call was honestly made, and that the necessity existed, he had made the effort to meet it, and that he believed that I had only drawn when I honestly believed that it was a question whether the thing should come to a standstill at once and end the affair for the company and break their reputation, or whether it was to be continued, hoping that future management and development might give them the evidence of a better state of things.

I was about to quote from page 319 of the report, but I have already read that. It is a letter from Garth to Exall and I shall not reread it. On page 308 there is a letter from Exall to the company which I have already read. I quote now from the letter of Charles H. Exall to D. J. Garth, treasurer of the company, dated October 6, 1867.

Mr. GEORGE. Written from Mexico?

Mr. DOLPH. Written from Mexico. He says:

The $5,000 draft of De Lagnel's was sent to a house in this place to be collected, with instructions to seize the property in case it was not paid. It troubled me a great deal, and I had much difficulty in warding it off. The concern to whom the draft was sent showed me his instructions and also the original draft. Fortunately for the company there was a flaw in the draft; De Lagnel failed to sign his position as supt. La A. S. M. Co.; simply signed his name, making it an individual affair. This was the only thing that kept them from seizing the property. I told them they could do nothing with the

property here, as the company were not obligated on the draft. I have exhausted all the ore that I had on hand that was worth working. That which I worked was very poor and the yield small. The La Luz, on the patio, won't pay to throw it in the river. I have had numerous assays made from all parts of each pile; the returns won't pay. Amparas are not now granted, and mines are to be held only by working.

I am compelled to keep men in mines which yield nothing, merely to hold them. This I can do no longer—

This is dated October 6, 1867, the fall previous to the time when Exall actually went to New York—

as I have nothing to give the men for their labor, and must now take the chances and leave the mines unprotected.

You ask for boundaries of mines, hacienda, etc. On this point I can give you no information, as these matters are, of course, to be found in the original titles, and I have no papers in reference to it. Recently the Government has ordered that all holders and workers of mines must present to the authorities the title deeds of said mines. The prefect in San Dimas sent for the titles of the La Abra Company's mines. I informed him that they were in New York. He gave me four months to procure them.

Mexico was a very lenient Government toward this American company. He was given four months to get the title deeds from New York, to show their title in accordance with law.

One month of the time has passed. So you will please send immediately all the titles to the mines, or certified copies of them. They must be here in the specified time. By last steamer I sent you full statement of business of hacienda; the runnings, returns, and expenses of the mill, account of ores, etc. I neglected to add 40 tons of tierras, which were run through and have been in statement sent, but was overlooked. I am sorry not to be able to send you statements of the months since. On my return from Durango I stopped at the hacienda so short a time before starting for this point—

This letter was written at Mazatlan—

that it was impossible for me to make it up in time for this mail.

By next steamer will send you full statements of past months. The returns from Durango were small. I turned it over to E. P. & Co., as I was owing them.

Now—

There are no difficulties about authorities, boundaries, or anything else concerning the mines and hacienda, provided there is money in hand, and *money must* be sent.

The words "money must" are underscored.

I hope I have urged this point sufficiently so that you may see fit to send me something to hold the mines. I should be sorry to see them lost on this account. Please telegraph me if you intend sending money. I fear that before I can get a reply to this that something may have occurred. Of course, Col. De Lagnel informed you the conditions and terms on which I took charge of affairs here, which was the same that he was getting, and if I had known at the time what difficulties I was going to have in procuring means to keep the concern in motion, I would have refused on any terms.

I am much in need of money, as I wish to use it here. I will, in a month or so, draw on you through Wells, Fargo & Co., San Francisco, for $1,500—please inform me by earliest opportunity that you will meet the draft.

My health is very bad, etc.

That, recollect, was on the 6th day of October, 1867. I have already read the letter from the treasurer, saying that nothing would be sent, and he must depend on his own resources. I call attention to this letter again, and I will reread that part of it:

There are no difficulties about authorities, boundaries, or anything else concerning the mines and hacienda, provided there is money in hand, and money must be sent.

Then here is a letter from Exall to the president of the mining deputation of the district of San Ignacio:

[Translation.]

Mr. ANTONIO ARMIENTO,
President of the Mining Deputation of the District of San Ignacio:

The undersigned, in charge of the American negotiation, entitled La Abra Silver Mining Company, being obliged to stop the works in some of the mines belonging to said negotiation till he can receive instructions from the company concerning the way of resuming the works and the necessary funds therefor. For these reasons I ask you, with all due respect, to be pleased to grant me an *amparo* for six months on the mines Anyan, including those of the Sauz and Talpa, all belonging to the said company, and located in the district of San Ignacio, in order that they may not be denounced as abandoned. And I protest to make that request justly and not in bad faith.

Not having the necessary stamped paper, this petition was written in common paper, but I protest to replace it whenever I can.

Your attentive and sincere servant,

CHARLES H. EXALL,
Acting Superintendent of La Abra S. M. Co.

TAYOLTITA, *October 14, 1867.*

That was written on the 14th of October, 1867.

Mr. GEORGE. Written to the Mexican authorities?

Mr. DOLPH. Yes, asking the authorities to allow him to cease to work the mines for six months, in order that he could hear from the company and get funds. I read that in connection with the statement that there was no trouble on the part of the authorities. I also read from a letter written at Mazatlan, November 17, 1867, by this man Exall to D. J. Garth, the treasurer of the company.

DEAR SIR: Yours of the 30th September is just in hand, and, contrary to my expectations, contains nothing of an encouraging nature. I expected, after having previously written so positively on reference to the critical state of affairs with me, that you would have sent me by this mail some means to relieve me from my embarrassing position. I have in former letters laid before you the difficulties under which I was laboring and begged that you would send me means, and was relying much on the present mail, expecting that some notice would have been taken of my urgent demands for assistance to protect the property belonging to the company. To add to my further embarrassment, Mr. Cullins, whose time expired on the 16th instant—since my leaving Tayolitta (I left there on the 10th for this point)—intends to commence suit in the courts here for his year's salary. I am endeavoring to get him to delay proceedings until the arrival of the next steamer (don't know as yet if I will succeed in getting him to delay), when I hope you will have seen the necessity of acting decidedly, and sending means to prosecute the works and pay off the debts of the company, or abandoning the enterprise at once.

Nothing can be done without a further expenditure of money. I am now doing little or nothing in the mines, and will, when I return, discharge the few men which are now at work in them. This I am compelled to do, as I have no money, and my stock is almost entirely exhausted, and I fear if money isn't very soon sent some of the mines will become open to denouncement.

In my last letter I mentioned the amount required for immediate demands, $3,000, which must be sent out. By next steamer Mr. Elder, Slone, and Cullins, if paid off, will sail for San Francisco; if not paid off, suit will be commenced, and as I have no means to defend the case, fear it will go against me. When these parties leave, the hacienda will be left almost entirely alone, there being only myself, Mr. Granger, who I am also owing, and I away much of the time.

That shows what became of the mine. He says when he goes home he will discharge the men he has employed for want of means to pay them, and there will be nobody left at the mine but himself and Granger. That was the case; and then he came away and left Granger in charge.

Mr. GEORGE. Was any remittance ever made after that time?

Mr. DOLPH. Not a dollar.

What you intend doing must be done promptly. Please send me Mr. Cullins's contract with you.

I also read a letter written December 18, 1867, by Exall to Garth.

Mr. Cullins, who I informed you in a former letter would leave, insisted upon doing so by this steamer. He demands a settlement, otherwise he will immediately commence suit, and had made preparations to do so. To keep the matter from the courts I was compelled to borrow money to pay him off. The balance due him, and the amount I had to borrow here was $1,492. He has troubled me a great deal—has been exceedingly unreasonable. On yesterday the agent of the Bank of California informed me that he received the draft by the last steamer (which arrived a few days ago), and would immediately commence legal proceedings, and sent the draft on to the courts here.

I am utterly unable to oppose them; first, I have no means, and, again, I am not your agent here, never having received a power of attorney from you, which will be necessary, for I can not act in these courts without it.

The mine had been turned over to him by De Lagnel when De Lagnel left.

The Bank of California—

Then follow some words which can not be made out—

The Bank of California —— and will do something to recover the amount of the draft before the amount is doubled by the expenses. For God's sake telegraph to and pay them. Matters of this nature once getting into the courts it takes large sums to oppose them. The first steps taken by the courts will be to send some one to the hacienda to see to and secure everything there. This will, of course, stop everything and make it impossible for me to protect your interest. For your own sake in the matter pay them before things go further.

That is, the Bank of California.

My position is extremely embarrassing, and I know not what to do, and will have to be guided entirely by circumstances. I will, of course, do everything in my power, and may have to act in a very cautious manner, and will probably act in a manner which may occasion censure. Now, all I ask of you is to judge my actions justly and consider my circumstances, and believe I am doing the best for your interests.

I am doing nothing at the mines, and have only one person left with me.

That must have been Granger.

Please attend to this matter promptly. I am writing very hurriedly as there is a war steamer just leaving for San Francisco which will arrive there some days prior to the regular mail. I leave for the mines in a few hours. Attend to this at once and telegraph me.

I remain, your obedient servant,

CHARLES H. EXALL.

I do not think it is necessary to pursue this branch of the case any further. I do not know that I have yet read the letter from Exall turning the mine over to Granger. I have now read enough to show that the claimants stopped work on these mines; that the ore they extracted failed to pay; that they could not get enough out of it to carry on the work; that the men had to be discharged; that the drafts were protested; that the company was bankrupt and refused to furnish any more money; and that everybody had been discharged and no one was left there but Exall and Granger, and afterwards Exall left and turned the mine over to Granger.

Granger stayed there several years nominally in charge of the mine even after the award had been obtained from the Mexican Government for turning these parties out of possession and robbing them of the mine, and he sold a part of the machinery to pay the amount owing him from the company. The mines were frequently denounced by Mexicans and worked and then abandoned and again denounced, and if anybody wants them at the present time he can go there and denounce them.

Mr. FRYE. And all the ore got out was unused and utterly worthless.

Mr. DOLPH. Yes, all the ore got out at great expense was utterly worthless although this same company claimed before the Mixed Commission that the mines would yield $1,000,000 a year and that the ore on the patio at the time was worth a million dollars in cash.

Mr. SAWYER. Will the Senator from Oregon yield to me to move an executive session?

Mr. DOLPH. I will yield. I shall have the floor when the bill is resumed again, but I wish to state now that if the senior Senator from Indiana [Mr. VOORHEES] or the senior Senator from New York [Mr. HISCOCK] should be here on Monday and desire to discuss the bill I shall be glad to give way and conclude my remarks after they have spoken.

EXECUTIVE SESSION.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, January 25, 1892, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 21, 1892.

COLLECTOR OF INTERNAL REVENUE.

Adam B. Bowman, of Tennessee, to be collector of internal revenue for the second district of Tennessee.

APPOINTMENTS IN THE NAVY.

Joseph Alfred Guthrie, a resident of Virginia; Charles Moore De Valin, a resident of the District of Columbia, and Henry La Motte, a resident of New York, to be assistant surgeons in the Navy.

PROMOTIONS IN THE ARMY.

Medical Department.

Capt. Edward B. Moseley, assistant surgeon, to be surgeon.

Cavalry arm.

Lieut. Col. John J. Upham, Third Cavalry, to be colonel.

Maj. Eugene B. Beaumont, Fourth Cavalry, to be lieutenant-colonel.

Capt. Sanford C. Kellogg, Fifth Cavalry, to be major.

First Lieut. Robert London, Fifth Cavalry, to be captain.

Second Lieut. Robert E. L. Michie, Second Cavalry, to be first lieutenant.

Artillery arm.

Second Lieut. Arthur T. Curtis, Second Artillery, to be first lieutenant.

Infantry arm.

First Lieut. John G. Ballance, regimental adjutant, Twenty-second Infantry, to be captain.

Ordnance Department.

Second Lieut. William M. Pierce, Second Artillery, to be first lieutenant.

Cavalry arm.

Second Lieut. Lewis M. Koehler, Sixth Cavalry, to be first lieutenant.

Infantry arm.

First Lieut. John Murphy, regimental quartermaster, Fourteenth Infantry, to be captain.

Second Lieut. André W. Brewster, Tenth Infantry, to be first lieutenant.

Second Lieut. Michael J. O'Brien, Thirteenth Infantry, to be first lieutenant.

Second Lieut. Charles H. Muir, Seventeenth Infantry, to be first lieutenant.

Cavalry arm.

Second Lieut. Willard A. Holbrook, First Cavalry, to be first lieutenant.

Infantry arm.

Second Lieut. William M. Wright, Second Infantry, to be first lieutenant.

SECOND LIEUTENANT OF CAVALRY.

Powell Clayton, jr., of Arkansas, to be second lieutenant of cavalry.

POSTMASTERS.

William B. Woolverton, to be postmaster at Norwalk, in the county of Huron and State of Ohio.

Frank M. Ritezel, to be postmaster at Warren, in the county of Trumbull and State of Ohio.

Thomas M. Kirkland, to be postmaster at Chapel Hill, in the county of Orange and State of North Carolina.

Benjamin B. Henderson, to be postmaster at Fayetteville, in the county of Cumberland and State of North Carolina.

Edwin Farley, to be postmaster at Paducah, in the county of McCracken and State of Kentucky.

Joseph K. Moore, to be postmaster at Conshohocken, in the county of Montgomery and State of Pennsylvania.

Daniel M. Morrison, to be postmaster at Rockingham, in the county of Richmond and State of North Carolina.

Allen L. Sparger, to be postmaster at Mount Airy, in the county of Surrey and State of North Carolina.

Kittredge C. Gray, to be postmaster at Madison, in the county of Somerset and State of Maine.

Forrest Goodwin, to be postmaster at Skowhegan, in the county of Somerset and State of Maine.

Joseph Dunnell, to be postmaster at Cumberland Mills, in the county of Cumberland and State of Maine.

Martin G. Sanger, to be postmaster at Basic City, in the county of Augusta and State of Virginia.

George Richardson, to be postmaster at Farmville, in the county of Prince Edward and State of Virginia.

George T. McClintic, to be postmaster at Covington, in the county of Alleghany and State of Virginia.

Thomas B. Mahone, to be postmaster at Williamsburg, in the county of James City and State of Virginia.

Robert A. Fulwiler, to be postmaster at Buchanan, in the county of Botetourt and State of Virginia.

James H. Rector, to be postmaster at Cumberland Gap, in the county of Claiborne and State of Tennessee.

Eugene G. Webb, to be postmaster at Elkland, in the county of Tioga and State of Pennsylvania.

Allen L. Shomo, to be postmaster at Hamburg, in the county of Berks and State of Pennsylvania.

Frank J. Over, to be postmaster at Hollidaysburg, in the county of Blair and State of Pennsylvania.

Mrs. Sarah E. Henry, to be postmaster at Lindsborg, in the county of McPherson and State of Kansas.

Morrell M. Fuller, to be postmaster at Ellis, in the county of Ellis and State of Kansas.

Edward Colbert, to be postmaster at National Military Home, in the county of Leavenworth and State of Kansas.

William W. Sprague, to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont.

Charles F. Wilde, to be postmaster at Wollaston, in the county of Norfolk and State of Massachusetts.

Albert B. Dresser, to be postmaster at Needham, in the county of Norfolk and State of Massachusetts.

Harry M. Leach, to be postmaster at Hiram, in the county of Portage and State of Ohio.

John Lehmann, to be postmaster at Halstead, in the county of Harvey and State of Kansas.

William A. McGinety, to be postmaster at Falmouth, in the county of Pendleton and State of Kentucky.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 21, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WHITING for this day, and to Mr. WEADOCK for one week, on account of important business.

LIGHT SALEM CREEK, NEW JERSEY.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of the Treasury, recommending that a light be established at the mouth of Salem Creek, New Jersey; which was referred to the Committee on Interstate and Foreign Commerce.

STEAM FOG SIGNAL, SOUTHWEST LEDGE, CONNECTICUT.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, recommending that the light and fog signal station at Southwest Ledge, Connecticut, be replaced by a steam fog signal similar to that at Execution Rocks, New York; which was referred to the Committee on Interstate and Foreign Commerce.

L. B. HEARRELL.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of L. B. Hearrell *vs.* The United States; which was referred to the Committee on War Claims.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore* also laid before the House bills of the following titles; which were read twice, and referred as indicated, viz:

A bill (S. 81) to relinquish the interest of the United States in

a certain parcel of land in the city of Pensacola, Fla., to Escambia Lodge, No. 15, Free and Accepted Masons—to the Committee on Public Buildings and Grounds.

A bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.—to the Committee on Commerce.

A bill (S. 435) to aid the State of South Dakota to support a school of mines—to the Committee on Education.

A bill (S. 444) granting to the State of South Dakota section numbered 36 in township numbered 56 west, in the county of Yankton, in said State, for the purpose of an asylum for the insane, to correct an act approved June 16, 1880, attempting to make such grant to the Territory of Dakota, and for other purposes—to the Committee on the Public Lands.

A bill (S. 418) to change the times for holding the circuit and district courts of the United States for the western district of Missouri—to the Committee on the Judiciary.

A bill (S. 1095) for the relief of Thomas Chambers—to the Committee on Claims.

A bill (S. 79) for the erection of a public building at Tampa, Fla.—to the Committee on Public Buildings and Grounds.

A bill (S. 94) to provide for the purchase of a site and the erection of a public building thereon at Jacksonville, in the State of Illinois—to the Committee on Public Buildings and Grounds.

A bill (S. 197) providing for the eretion of a public building at the city of Norfolk, Nebr.—to the Committee on Public Buildings and Grounds.

A bill (S. 237) for the erection of a public building at Waterbury, Conn.—to the Committee on Public Buildings and Grounds.

A bill (S. 303) to provide for the erection of a public building in the city of Mansfield, Ohio—to the Committee on Public Buildings and Grounds.

A bill (S. 304) to provide for the erection of a public building in the city of Zanesville, Ohio—to the Committee on Public Buildings and Grounds.

A bill (S. 339) for the erection of a public building at Fergus Falls, Minn.—to the Committee on Public Buildings and Grounds.

A bill (S. 367) to provide for the purchase of a site and the erection of a public building thereon at Nashua, in the State of New Hampshire—to the Committee on Public Buildings and Grounds.

A bill (S. 426) to provide for the erection of a public building for the use and accommodation of the post-office at Mammoth Hot Springs, in the Yellowstone National Park—to the Committee on Public Buildings and Grounds.

A bill (S. 1054) to provide for the construction of a public building at Hastings, Nebr.—to the Committee on Public Buildings and Grounds.

MONTGOMERY COUNTY, ARK.

Mr. TERRY. Mr. Speaker, with the consent of the Committee on the Judiciary, I desire to ask unanimous consent that that committee be discharged from the further consideration of the bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas, and that the bill be taken up for present consideration.

The SPEAKER *pro tempore*. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That so much of section 533 of the Revised Statutes as provide that Montgomery County shall be embraced in the western judicial district of Arkansas be, and the same is hereby, repealed, and the said county is hereby added to and placed in the eastern judicial district of said State, and all process issued against defendants residing therein shall be returned to Little Rock until otherwise provided, and all causes of action which have accrued or may hereafter accrue in said county, of which the courts of the United States have jurisdiction, shall be cognizable in the courts of Little Rock until otherwise provided by law.

SEC. 2. That all actions or proceedings now pending against parties residing in said Montgomery County in the court of said western district may, upon the application of either, be transferred to the court for the eastern district at Little Rock, and in case of such transfer all papers and files therein, with copies of all record entries, shall be transferred to the office of the clerk of such court, and proceed in all respects as though originally commenced in said court at Little Rock.

SEC. 3. That all crimes and offenses heretofore committed within said western district shall be prosecuted, tried, and determined in the same manner and with the same effect as if this act had not been passed.

SEC. 4. That all laws and part of laws in conflict with this act are hereby repealed.

Mr. CULBERSON. Mr. Speaker, I desire to state that the Committee on the Judiciary make no objection to that request, and I feel authorized to say that the committee would unanimously recommend the passage of the bill.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. TERRY, the motion to reconsider the last vote was laid on the table.

MESSENGER TO THE COMMITTEE ON RIVERS AND HARBORS.

Mr. COOPER. Mr. Speaker, I present a report from the Committee on Accounts, which I ask the Clerk to read.

The Clerk read as follows:

Resolved, That the Doorkeeper of the House is hereby authorized to appoint, for a period of five months, a messenger to the Committee on Rivers and Harbors, at a salary of $75 per month, to be paid out of the contingent fund of the House.

REPORT.

The Committee on Accounts, to whom was referred the accompanying resolution, submitted by Mr. BLANCHARD on January 11, 1892, respectfully report:

That the public business intrusted to the consideration of the Committee on Rivers and Harbors embraces numerous and important matters, and, owing to the fact that the House has given the above-named committee power to sit during the sessions of the House, it is absolutely impossible to carry on the work of that committee without the assistance of a messenger. Your committee therefore report said resolution, with the recommendation that the same be amended by striking out the word "five" and inserting in lieu thereof the word "three," and that as amended the resolution be adopted.

Mr. BLANCHARD. Mr. Speaker, the Committee on Rivers and Harbors has the permission of the House to sit during the sessions of the House. The committee meets every day at 10:30, and holds steadily on, even while the House is in session. We have a most important and arduous duty to perform. The labors of the committee are simply enormous. There is no committee in this House that has more to do. River and harbor bills usually aggregate about $20,000,000 for expenditure during two years, and it requires a vast deal of time and work to properly prepare the bill, examine voluminous reports, give hearings, etc. We have no assistant clerk for the committee, and we want none; but we do need a young man to sit at the door of the committee room while we are in executive session.

The committee room is just across the corridor from the Hall of the House. Its convenience to the Hall of the House is so great that members, without knowing the committee is in session, come to the door with friends who have sent for them, seeking to use the room as a convenient place for conference. Besides, the hall between the committee room and the House, while the latter is in session, is always full of people, not members, who attend upon the sessions of the House. Unless the door is guarded they frequently attempt entrance to the great annoyance of the members of the committee and the disturbance of the work. The Doorkeeper details a messenger to sit at the door of the room until a quarter before 12 o'clock. At that hour it is his duty to go to that one of the main doors of the House to which he is assigned when the House is in session. Therefore, at the time when we most need a man at the door (when the House is about to meet and when the House is in session) we have none.

In view of that, the Committee on Rivers and Harbors passed a resolution requesting the House to grant the committee a messenger for the period of three months. By that time the river and harbor bill will be completed. We will not need his services any longer, and do not ask for the messenger beyond that period. For the three months we require the messenger the salary proposed is $75 per month, or an aggregate expenditure of $225. That is the resolution which has been reported favorably from the Committee on Accounts. I ask the House to agree to its passage.

The amendment reported by the committee was agreed to.

The resolution as amended was then agreed to.

On motion of Mr. COOPER, a motion to reconsider the last vote was laid on the table.

ASSISTANT CLERK TO THE COMMITTEE ON MILITARY AFFAIRS.

Mr. COOPER. I also present the following report from the Committee on Accounts.

The Clerk read as follows:

"*Resolved*, That an assistant clerk be allowed to the Committee on Military Affairs during the present session of Congress, at a compensation of $6 per day, to be paid out of the contingent fund of the House."

REPORT.

The Committee on Accounts, to whom was referred the accompanying resolution, submitted by Mr. OUTHWAITE on January 15, 1892, respectfully report that they have given the matter careful consideration, and find that the large amount of public business requiring the attention of the Committee on Military Affairs is of such a nature as to imperatively require, during the present session of Congress (as the committee had during the last), the services of an assistant clerk. They therefore report said resolution favorably and recommend its passage.

The resolution was agreed to.

On motion of Mr. COOPER, a motion to reconsider the last vote was laid on the table.

ASSISTANT CLERK TO THE COMMITTEE ON CLAIMS.

Mr. COOPER. I also submit another report from the Committee on Accounts:

"*Resolved*, That the Committee on Claims be authorized during the sessions, until further ordered by the House, to employ an assistant clerk, to be paid out of the contingent fund of the House, at the rate of $6 per day."

The Committee on Accounts, to whom was referred the accompanying resolution, submitted by Mr. BUNN on January 11, 1892, respectfully report that the business of the Committee on Claims requires, as it has in previous Congresses, the employment of an assistant clerk.

They therefore report said resolution, with the recommendation that the same be amended by striking therefrom the word "sessions" and inserting in place thereof the word "session;" and that as amended the resolution be adopted.

The resolution was agreed to.

On motion of Mr. COOPER, a motion to reconsider the last vote was laid on the table.

INTRODUCTION OF BILLS.

By unanimous consent, bills of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred to the several committees named below:

PUBLIC BUILDING, COLUMBUS, IND.

By Mr. COOPER: A bill (H. R. 4417) to provide for the erection of a public building for the use of the post-office and other Government offices at the city of Columbus, in the State of Indiana—to the Committee on Public Buildings and Grounds.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT NEW ORLEANS, LA.

By Mr. LAGAN: A bill (H. R. 4418) for the construction of a bridge across the Mississippi River at or above New Orleans, La.—to the Committee on Interstate and Foreign Commerce.

MINE DISASTER AT KREBS, IND. T.

Mr. DAVIS. Mr. Speaker, I desire to introduce a joint resolution, and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

Joint resolution (H. Res. 67) to authorize the investigation of the cause or causes of the recent disastrous explosion and loss of life in a coal mine at the town of Krebs, Ind. T.

Whereas the people of the United States have reason for deep and abiding grief in view of the sad disaster which occurred on January 7 last past in a coal mine at Krebs, Ind. T., causing the death or maiming of from one hundred to two hundred men and the destruction of valuable property: Therefore,

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and directed to appoint a commission of three competent men to proceed to the locality of the disaster for the purpose of thoroughly investigating and reporting the cause or causes and results of the sad calamity, with practical suggestions for the prevention of similar explosions in the future. The said commission shall be composed of one member from the Department of Labor, one member from the Geological Survey, and one civilian not in the employ of the Government; the same to have power to send for persons and papers and to administer oaths. For the purpose herein set forth there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $5,000.

During the reading of the joint resolution

The SPEAKER *pro tempore* said: The Chair will ask the gentleman if he desires to introduce this joint resolution for reference.

Mr. DAVIS. No, sir; I would like to have it considered immediately.

The SPEAKER *pro tempore*. The Chair recognized the gentleman under the impression that he asked to introduce it for reference; but the Clerk will report the joint resolution, and the House can do as it chooses with it.

The Clerk resumed and concluded the reading of the joint resolution.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this resolution?

Mr. BYNUM and others objected.

Mr. DINGLEY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DINGLEY. I desire to inquire if a single objection is sufficient to prevent the immediate consideration of the joint resolution which has just been read in view of the ruling made the other day by the present occupant of the Chair in regard to the Holman resolution?

The SPEAKER *pro tempore*. The Chair stated to the gentleman that he had recognized him under the impression that it was for the purpose of introducing this joint resolution for reference only.

Mr. DINGLEY. But the joint resolution has been received and read.

The SPEAKER *pro tempore*. The Chair at least intimated to the House that opportunity would be given to the House for objection.

Mr. DINGLEY. I desire to state——

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Maine—and be candid enough to state to the gentleman from Kansas—that the Chair would not have recognized the gentleman if he had understood that it was to ask for immediate consideration. The Chair had declined to so recognize other members at this time to give an opportunity for the introduction and reference of bills which is not yet completed.

Mr. REED. But having recognized him?

The SPEAKER *pro tempore*. As soon as the Chair ascertained that it was the wish of the gentleman to have the resolution considered he then stated that having been misled, not intentionally, by the gentleman from Kansas, he would give the House an opportunity to do as it chose with the resolution after the reading was finished.

Mr. DAVIS. I would like to be heard for one word.

The SPEAKER *pro tempore*. The Chair thinks the gentleman, under the circumstances, will not insist on the consideration of the resolution.

Mr. REED. The Chair rules, then, that the purpose being disclosed, on this information the Chair can retract recognition.

The SPEAKER *pro tempore*. The present occupant of the Chair has seen former occupants of the Chair withdraw recognition when it had been given on a statement which misled the Chair.

Mr. REED. And did it have the approval of the present occupant of the Chair? [Laughter on the Republican side.]

The SPEAKER *pro tempore*. Upon that the Chair has felt that no member could properly get recognition indirectly by misleading the Chair. The Chair thinks Mr. Speaker CARLISLE so held.

Mr. REED. I simply wanted to see how the matter stood.

The SPEAKER *pro tempore*. The Chair wishes to give the fullest liberty on all questions, and will recognize the gentleman for the purpose of asking unanimous consent for immediate consideration if it is insisted upon, but does not intended thereby to rule that any gentleman can get the floor for consideration of measures by simply rising when the Chair is led to suppose that he seeks recognition only for the purpose of reference.

Mr. DAVIS. I should like to read a paper in connection with the joint resolution which I sent up when I asked for its consideration. I do not wish to push or embarrass anybody; and I think that, on one minute's reflection, after the paper I have here is read, there will be no objection to the passage of the resolution. Can I have that time?

The SPEAKER *pro tempore*. The question is with the House.

Mr. DAVIS. I wish to say, that I hold in my hand dispatches dated January 8 and 9, setting forth that within territory of the United States, not within State lines, there was a terrible mine disaster by an explosion in which one hundred to two hundred men were killed and wounded. I brought this matter before the attention of the Commissioner of Labor, and he said that it ought to be investigated, but that he had no means to have it investigated. I went then to the Director of the Geological Survey, and he made the same reply.

The SPEAKER *pro tempore*. The gentleman will suspend for a moment in order to receive a message from the Senate.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed the following resolution, in which concurrence was requested:

Resolved by the Senate (the House of Representatives concurring therein), That there be printed 15,000 additional copies of the report and appendices, No. 1944, of the Senate Committee on Foreign Relations, to accompany Senate bill 4827, to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889, made to the Fifty-first Congress, of which 5,000 copies shall be for use of the Senate and 10,000 copies for use of the House of Representatives.

It also announced that the Senate had passed bills of the following titles; in which concurrence was requested:

A bill (S. 368) to provide for the purchase of a site and the erection of a public building thereon at Dover, in the State of New Hampshire;

A bill (S. 377) to provide for the purchase of a site and the erection of public building thereon at Grand Haven, in the State of Michigan;

A bill (S. 436) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota;

A bill (S. 534) to provide for the construction of a public building at Salem, Oregon;

A bill (S. 580) to provide a suitable site for a post-office in the city of Providence, R. I.;

A bill (S. 601) for the erection of a public building for a post-office and United States land office at the city of The Dalles, Oregon;

A bill (S. 687) for the erection of a public building at Stillwater, Minn.; and

A bill (S. 1206) to provide for the purchase of a site and the erection of a public building thereon at Fresno, in the State of California.

MINE DISASTER AT KREBS.

Mr. McCREARY. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. McCREARY. I understood the gentleman now occupying the floor to send up a resolution, and after it was read the Chair asked if there was objection to the present consideration of that resolution, and objections were made. Now, I do not understand how it is before the House, as objections were made. If the resolution is held to be before the House, I wish to say that as a commission is authorized by the resolution, and as it seeks to appro-

priate $5,000, I think there are sufficient grounds for its being referred to a committee for consideration and for report to this House.

The SPEAKER *pro tempore*. That would be in order if the gentleman from Kansas has finished his remarks.

Mr. MCCREARY. I therefore move its reference to the Committee on Rules.

Mr. DAVIS. I will accept that course if I can submit with it this testimony in regard to it.

Mr. BUCHANAN of New Jersey (to Mr. DAVIS). The gentleman from Kentucky can not take you off the floor to make that motion.

Mr. DAVIS. If I can have this testimony go with the resolution I will accept that course.

The SPEAKER *pro tempore*. The question is on referring the resolution to the Committee on Rules.

Mr. DAVIS. Can I have the testimony go with the resolution?

The SPEAKER *pro tempore*. The gentleman can file the testimony without any order of the House or reading it here either. The gentleman from Kansas consents to its taking that course.

Mr. BUCHANAN of New Jersey. He said he did, provided it take in the record.

Mr. DAVIS. Provided I can get the testimony put in. I would like to have the resolution and testimony go together when it is referred.

Mr. DINGLEY. The gentleman couples his assent to its reference with the stipulation that he shall be allowed to put the evidence on record.

The SPEAKER *pro tempore*. The gentleman can not get the evidence on record.

Mr. BUCHANAN of New Jersey. He can read it here in his own time.

The SPEAKER *pro tempore*. The gentleman has stated that he is willing that it should take that course. The Chair stated that it could be referred to a committee, and had recognized the gentleman from Kentucky to move its reference.

Mr. BUCHANAN of New Jersey. But he also stated upon that provision.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Kentucky.

The question was taken; and the resolution was referred to the Committee on Rules.

INTRODUCTION OF BILLS.

By unanimous consent, bills of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred as below:

REVENUE CUTTERS FOR THE GREAT LAKES.

By Mr. STEPHENSON: A bill (H. R. 4419) making an appropriation and providing for the construction of two United States revenue cutters for service on the Great Lakes—to the Committee on Appropriations.

PUBLIC BUILDING, JAMESTOWN, N. Y.

By Mr. HOOKER of New York: A bill (H. R. 4420) for the erection of a public building at the city of Jamestown, N. Y.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, DUNKIRK, N. Y.

By Mr. HOOKER of New York: A bill (H. R. 4421) for the erection of a public building at the city of Dunkirk, N. Y.—to the Committee on Public Buildings and Grounds.

RELIEF OF CERTAIN ENLISTED MEN.

By Mr. CLANCY: A bill (H. R. 4422) for the relief of certain enlisted men in the regular Army, Navy, or Marine Corps of the United States—to the Committee on War Claims.

PUBLIC BUILDING, STERLING, ILL.

By Mr. HENDERSON of Illinois: A bill (H. R. 4423) to provide for the construction of a public building at Sterling, Ill.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, DIXON, ILL.

By Mr. HENDERSON of Illinois: A bill (H. R. 4424) for the erection of a public building at the city of Dixon, Ill.—to the Committee on Public Buildings and Grounds.

LIGHT-HOUSE, WILSON HARBOR, NEW YORK.

By Mr. BUNTING: A bill (H. R. 4425) authorizing the erection of a light-house at Wilson Harbor, in Niagara County, N. Y.—to the Committee on Interstate and Foreign Commerce.

FREE COINAGE AND COIN NOTES.

By Mr. BLAND: A bill (H. R. 4426) for the free coinage of gold and silver, for the issue of coin notes, and for other purposes—to the Committee on Coinage, Weights, and Measures.

PUBLIC BUILDING, CARBONDALE, PA.

By Mr. AMERMAN: A bill (H. R. 4427) for the erection of a public building in the city of Carbondale, Pa.—to the Committee on Public Buildings and Grounds.

ARTESIAN WELL, PIERRE, S. DAK.

By Mr. PICKLER: A bill (H. R. 4428) to provide for the sinking of an artesian well at the Indian boarding school at Pierre, S. Dak.—to the Committee on Indian Affairs.

CHANGE OF REFERENCE.

On motion of Mr. MCKINNEY, the Committee on Invalid Pensions was discharged from the further consideration of the bills (H. R. 1004) "to remove the charge of desertion standing against Oscar Cram" and (H. R. 1861) "for the relief of Robert Carrick, late first lieutenant Eighth United States Cavalry," and they were severally referred to the Committee on Military Affairs.

DRAWBACKS AND REMITTED DUTIES.

Mr. OUTHWAITE. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The resolution was read, as follows:

Resolved, That the Secretary of the Treasury be requested to send to the House of Representatives a full statement of all drawbacks paid by the Government on imported tin plate under paragraph 328 of the act of October 1, 1891, entitled "An act to reduce the revenue and equalize duties on imports and for other purposes," giving the names of the trusts, corporations, firms and persons to whom the drawbacks have been paid, and the total amount paid to each of them; also a similar statement of all duties remitted upon imported salt used in curing fish under the first provision of paragraph 322 of said act, and a similar statement of all duties upon imported salt which have been refunded to the exporters of meats cured in the United States under the second proviso of said paragraph 322 of said act of October 1, 1891.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this resolution?

There was no objection.

The resolution was adopted.

Mr. OUTHWAITE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INTRODUCTION OF BILLS.

By unanimous consent, bills were introduced, read a first and second time, ordered to be printed, and referred as follows:

ADDITIONAL POWERS FOR COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

By Mr. HEMPHILL: A bill (H. R. 4429) to empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases—to the Committee on the District of Columbia.

SUBPORTS OF ENTRY IN THE COLLECTION DISTRICT OF WILMINGTON, N. C.

By Mr. ALEXANDER: A bill (H. R. 4430) to establish Southport a subport of entry in the collection district of Wilmington, N. C.—to the Committee on Interstate and Foreign Commerce.

By Mr. GRADY: A bill (H. R. 4431) to constitute Swansboro, N. C., a subport of entry in the collection district of Wilmington, N. C.—to the Committee on Interstate and Foreign Commerce.

STEAM FOG SIGNAL, LUDINGTON, MICH.

By Mr. WHEELER of Michigan: A bill (H. R. 4432) for the construction of a steam fog signal and pier headlight, and steam fog signal station at Ludington, Mich.—to the Committee on Interstate and Foreign Commerce.

MILITARY ROAD, ATLANTA TO M'PHERSON BARRACKS.

By Mr. LIVINGSTON: A bill (H. R. 4433) to construct a military road from Atlanta to McPherson Barracks, in Georgia—to the Committee on Military Affairs.

ALLOTMENT OF LANDS TO INDIANS IN OKLAHOMA.

The SPEAKER *pro tempore*. The gentleman from Oklahoma [Mr. HARVEY] asks unanimous consent to make a report from the Committee on Indian Affairs for present consideration.

Mr. HARVEY. I ask that the resolution reported by the Committee on Indian Affairs be read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives, etc., That the sum of $15,000, or so much thereof as may be necessary, is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of completing the allotments provided for in the agreement with the Cheyenne and Arapaho Indians in Oklahoma, ratified by act of March 3, 1891, including the pay and expenses of the necessary special agents and the necessary resurveys; which sum shall be immediately available and be expended under the direction of the Secretary of the Interior for the purpose herein expressed.

Mr. HARVEY. I ask that the letter of the Secretary of the Interior which accompanies this report be read.

Mr. SAYERS. Of course, Mr. Speaker, we shall have an opportunity of objecting to the consideration of the bill?

The SPEAKER *pro tempore*. The gentleman can raise the question of consideration at the proper time.

Mr. SAYERS. I simply desire to call the attention of the Chair to the point, so that the reading of the accompanying papers may not be considered as a waiver of any rights on our part.

The SPEAKER *pro tempore*. The Chair, after the reading, will recognize the right of the gentleman to make any proper point.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR, *Washington, December 15, 1891.*

SIR: The Indian appropriation act approved March 3, 1891, ratifying the agreement with the Cheyennes and Arapahos in Oklahoma Territory, provided $15,000 for the expenses of allotments in severalty to them and for the necessary resurveys.

In accordance with this provision a corps of allotting agents were sent to the field in the summer, but the Indians refused to act until they received the per capita appropriated by the act, saying "they would travel but one road at a time;" thus much valuable time was lost and the appropriation expended in part without results. Of the 3,372 Indians of this reservation 1,808 have received allotments, leaving 1,564 yet to be provided for.

I have this day addressed a communication to the Speaker of the House of Representatives and the President of the Senate, asking the passage of a bill or joint resolution appropriating $15,000 to complete this work.

By the opening of this reservation some 3,000,000 acres of valuable land will be added to the public domain, equal to 18,750 homesteads of 160 acres each.

This matter is presented with request for favorable consideration, in order if possible to complete the work and open the lands to settlement in the early spring.

There are many families awaiting the opening of these additional lands and the people already settled in Oklahoma are greatly interested in this work being accomplished.

It would, in my judgment, greatly advance the public interest to have this appropriation made at an early day.

You will observe that it is recommended in the President's message.

Most respectfully,

JOHN W. NOBLE, *Secretary.*

Hon. S. W. PEEL,
House of Representatives.

The SPEAKER *pro tempore*. The question is on agreeing to the resolution.

Mr. SAYERS. Mr. Speaker, I do not rise for the purpose of objecting to the resolution, but simply to request that the gentleman in charge of it may give the House some information regarding the expenditure of the $15,000 already appropriated. According to my recollection it was estimated that $15,000 would be sufficient for this purpose. But now, as I understand, the $15,000 has been expended, and application is made for $15,000 more, coupled with the right to expend as much or as little of this sum as may be thought proper for the payment of the commissioners, employés, etc. I should like to hear from the gentleman in charge of this resolution an explanation as to why the $15,000 already appropriated was not sufficient and what has become of the money.

Mr. HOLMAN. I hope the gentleman from Oklahoma will also state the number of agents and whether they have been receiving their pay since the $15,000 was expended, or whether it is expected they will receive it out of this appropriation.

Mr. HARVEY. Mr. Speaker, the last Congress provided an appropriation of $15,000 to allot these lands to these Indians in accordance with the agreement made with them, and provision was made for a survey of the lands. At that time the fact was overlooked that the agreement providing that the Indians should have half their land as grazing land and half as agricultural land would necessitate double work on the part of the surveyors. The selections of agricultural land were made in the valleys of the rivers; the grazing lands were selected on the hills remote from the valleys. This double work consumed the appropriation more rapidly than was expected.

Another thing which operated against the speedy completion of this work was the fact that the Indians were for awhile obdurate and refused to take their allotments. They said they would travel one road at a time. The influence of the chiefs of the various bands was exerted to prevent their followers from accepting these allotments. I have on two occasions visited the allotting agents, and have seen them at their work. I believe they have been working as efficiently and industriously as it was possible for men to work.

Mr. SAYERS. How many agents have been employed for this purpose?

Mr. HARVEY. Seven agents were employed and each agent had a surveyor.

Mr. SAYERS. Then there were seven agents and seven surveyors?

Mr. HARVEY. Yes, sir.

Mr. SAYERS. How many other employés were connected with this work?

Mr. HARVEY. The necessary employés in each surveying corps were employed; that is all.

Mr. SAYERS. Has the gentleman received any statement from the Interior Department as to the manner in which these expenditures have been made?

Mr. HARVEY. I have received no statement officially, but I know what they are, having examined them myself. The expenditures were for the pay of the allotting agents and surveyors and other necessary employés. In fact, this statement covers all of the expenditures that have been made, and $15,000 was manifestly insufficient to complete the work.

Mr. SAYERS. Was not that the estimate?

Mr. HARVEY. That was the estimate on former allotments, where no distinction had been made between the agricultural and the grazing lands. Since that distinction has been made the work has necessarily been doubled; and as a consequence the expenditure is larger than the original estimate.

Mr. HENDERSON of Iowa. Let me ask the gentleman if this is unanimously reported from the committee?

Mr. HARVEY. Unanimously.

Mr. DOCKERY. I understand this report is from the Committee on Indian Affairs?

Mr. HARVEY. Yes, sir; and made unanimously.

I will further say that, anticipating the opening of these lands, a very large number of people congregated along the border in the early fall, having no expectation that the appropriation would suddenly become exhausted, and believing the surveys would be completed in from four to six weeks. These people have been settled there and have been waiting all winter. They come from all of the States of the Union, from Texas, Kansas, and almost all of the States, and it is important that work should be resumed speedily in order to allow these people to go on the lands in the early spring—and it should be remembered that spring comes early in that latitude—and make their homes, so as to avail themselves of the planting season.

Mr. MILLER. What is the extent of the land?

Mr. HARVEY. About 4,000,000 of acres.

Mr. PEEL. If the gentleman will yield to me for a moment, I desire to state to the House that I think it very important this resolution should pass at this time. As to whether the original $15,000 has been spent as it should have been spent, wisely and judiciously, or not, or as it might have been spent under other circumstances, is something that we can not now control. It is evident that the work is not completed; only about one-half of the allotments have been made, and the remainder of the work is necessarily suspended while waiting for funds. It can not go on until the money is appropriated to enable the Secretary of the Interior to meet the necessary expenditures required to continue and complete the work.

Mr. HOLMAN. Why has not the work been completed?

Mr. PEEL. I know of no reason other than that which has been stated by the gentleman from Oklahoma why the $15,000 appropriation of the last Congress did not complete the work; that is, that the allottees took one-half of their allotment in agricultural lands and one-half in grazing lands; and the work of making the allotment under the circumstances was considerably increased, augmenting the expense. It also required, necessarily, a longer time to do the work in that way.

This letter and the resolution accompanying it were sent to me at the first meeting of Congress by the Secretary, but as we had no committees then I thought it improper to press the matter at that time. It has been before the Committee on Indian Affairs, is unanimously reported, and I hope the House will take it up and pass it at this time and enable the work to be done promptly.

Mr. HOLMAN. Let me ask the gentleman from Arkansas, before he takes his seat, why it is necessary to employ seven men to make the allotments instead of a smaller number? It is very obvious that the original appropriation of $15,000 was sufficient, and nothing has been said to-day to disclose to the contrary.

Mr. HENDERSON of Iowa. That would not prove it.

Mr. HOLMAN. This money has been spent by somebody, that I can see; but I want to know how it becomes necessary to employ that number of men?

Mr. PEEL. It is discretionary, I suppose, with the Secretary of the Interior. He is authorized to make the allotments, and if in his judgment seven could complete it more readily than three I suppose he felt authorized to employ that number.

Mr. HOLMAN. But why would it not be prudent on the part of the Committee on Indian Affairs to limit the number of persons to be employed? Why would not three be more profitably employed in the allotment than seven?

Mr. PEEL. We thought that the Secretary was a better judge of the work to be done and the mode of accomplishing it than the committee; and as all these things are referred to the Secretary of the Interior, the committee thought it better not to limit his discretion.

Mr. HARVEY. I can answer the question of the gentleman from Indiana. In reply to the inquiry, I would say that the reason it was necessary to employ so many agents was this: That these Indians live in detached bands, situated in different parts of this large area—quite remote from each other. It was neces-

sary to divide the employés making these allotments, so that they could go to the different bands. It should be remembered that the lands were not taken in a body, but they were taken at distances of 40 or 50 miles apart. That is to say, that distance would intervene between one band and another; and it was necessary to employ an additional number of persons to enable the allotments to be made.

Mr. HOLMAN. But as a matter of fact most of them are located in two parts of that reservation.

Mr. HARVEY. No, sir; they are located in four parts.

Mr. HOLMAN. Mostly in two.

Mr. HARVEY. Perhaps the greater number in two; but they are located in four colonies.

I will yield five minutes to the gentleman from Missouri [Mr. MANSUR].

Mr. MANSUR. Mr. Speaker, this is a very important matter to a large number of people in the Southwest, more important, perhaps, than many members may realize. The opening of these lands has been looked forward to in that region with the greatest interest for long years, and unless this resolution is passed to-day and the money given to the Department for the purpose of finishing the allotments to these Indians, it will put back the settlement for one crop season. The members of the House will remember that when the Creek country purchase, known as Oklahoma, was thrown open on April 22, 1889, it was then so late that in that climate the opportunity for making necessary improvements by breaking up the ground was almost precluded, and, as a result, little or no crop was raised that year. Hence, as to these lands lying still farther south, if anything, and farther west and in a drier climate, there is a greater necessity for their earlier opening.

It was the Committee on Territories that reported the bill opening Oklahoma, and we reported $15,000 in that bill for the opening of 1,800,000 acres. This tract of land has 4,000,000 acres, and in it are a vastly larger number of Indians to settle with and to allot. The Secretary of the Interior, in his communication which has just been read, tells us what the main reason was why this money has been exhausted. He states that for a full month, when all these allotting agents with their equipments were on hand, the Indians stood silent, stubborn, and obstinate, and would not have anything to do with the matter, would not come in and take their allotments or make any selections, and this reluctance on their part had to be overcome before anything could be done.

Mr. PICKLER. I will suggest that these Indians are distinctly "blanket Indians," and very little civilized.

Mr. MANSUR. By the way, I desire to say to the House that I visited this reservation during this last summer, and our soldiers at Fort Reno told me that the Cheyennes are the most distinctly warrior Indians left on the continent to-day; that they keep themselves farther away from white people, and have less to do with them than any others; that they are only to be seen when they come to the agencies for the purpose of drawing their annuities, and hence they are wholly wild and savage; and when it comes to allotment, you can not bring the same influences to bear upon them that you can bring to bear upon other Indians more civilized.

In this reservation of 4,000,000 acres there is twice as much land to be allotted for $15,000 as was allotted for the same amount in the case of the Creek lands in Oklahoma, namely, 1,800,000 acres; and I appeal to the House in behalf of the people of the Southwest who are looking for homes to allow this small appropriation to be made, and to allow this work to be done, so that the people there can have a chance to enter upon these lands in time to make a crop for this year. If that is not done by the first of April it will be too late.

Mr. DOCKERY. I desire to say, in addition to what my colleague has said, that this seems to be a very necessary and proper expenditure in view of the existing circumstances, and I hope the House will authorize it.

Mr. SIMPSON. Mr. Speaker, I wish to say that I live on the southern border of Kansas, and it comes within my knowledge that there are a great many people who are very anxious for the opening of these Indian lands. I am getting letters every day from people in regard to it, and they are exceedingly desirous to have the lands opened. There is no doubt in my mind but that the committee whose business it was to allot that land have squandered the public money uselessly; but we are met with this difficulty: We have to finish the allotment, and there is no doubt in my mind that these gentlemen now realize that this great Democratic House, with its big majority and with its resolution passed in the interest of economy, will watch the proceedings hereafter; and that they will conduct the remainder of the business connected with the alloting of this land in the careful and prudent manner they should have pursued before. I am therefore in favor of the passage of the resolution to appropriate this amount of money. I will say further, Mr. Speaker——

Mr. PICKLER. Will the gentleman allow me to ask a question?

The SPEAKER *pro tempore*. Does the gentleman from Kansas yield to the gentleman from South Dakota?

Mr. SIMPSON. Not at this time, but I will yield later. I will say further, in explanation of the number of people who are seeking homes on the southern border of Kansas, that after having lived in Kansas under Republican rule in that State, under the "prosperity" that that rule has brought, they find that they have lost possession of their homes. [Laughter on the Democratic side.] They find that the protective-tariff policy, as pursued by the Republican party in this country, instead of bringing prosperity to them, has brought disaster [applause on the Democratic side]; and now they want to seek homes in a new land, so that they can commence life again under this Democratic administration, which I hope will repeal the McKinley bill and all kindred tariff bills and bring prosperity to the country. [Applause on the Democratic side.] Now I am willing to yield to my friend for a question.

Mr. HENDERSON of Iowa. The gentleman has entirely forgotten about the third party watchdog. [Laughter.]

Mr. PICKLER. I wanted to ask the gentleman from what fact or circumstance does he make the statement that this $15,000 previously appropriated has been squandered?

Mr. SIMPSON. I have this information from a committee who came up from that country and so reported to me.

Mr. PICKLER. What committee?

Mr. SIMPSON. A self-constituted committee of gentlemen——

Mr. PICKLER. Yes, I thought so.

Mr. SIMPSON. Nearly all of them Republicans. [Laughter on the Democratic side.]

Mr. HENDERSON of Iowa. That is very easily gotten around when the gentleman does not give names.

Mr. PEEL. Mr. Speaker, I only desire to say to the House that it strikes me, in the interest of the public service, that the proper course to take, if this first $15,000 has been improperly used, is for the Committee on Expenditures in the Interior Department to investigate it and make report to the House. I would like to see that done if there is anything wrong about it. I only know from the official sources whence we get our information that the $15,000 is exhausted and the work is not completed.

Mr. SAYERS. That is a deficiency——

Mr. PEEL. That is a deficiency.

Mr. SAYERS. Brought over from the last Congress?

Mr. PEEL. Yes; and presented to us; in other words, in the language of Grover Cleveland, "it is not a theory but a condition that confronts us." Here we are in the middle of the stream, having part of the lands allotted and the remainder unallotted. A large surplus that we bought can not be opened for settlement until this allotment has been completed. It is now for the House to say whether this allotment ought to go on, in order to enable the Administration to open the remainder to settlement. That is all I care to say or can say about the matter.

Mr. HOLMAN. Mr. Speaker——

The SPEAKER *pro tempore*. Does the gentleman from Arkansas yield to the gentleman from Indiana?

Mr. PEEL. I do.

Mr. HOLMAN. Mr. Speaker, I do not rise for the purpose of opposing this measure; but it should be in the form of a bill, and not in that of a joint resolution. I think it should accordingly be amended in that respect.

Mr. DOCKERY. What is the suggestion of the gentleman from Indiana?

Mr. HOLMAN. That this ought to be a bill instead of a joint resolution, The rules have heretofore been imperative that no appropriation of money shall be made except by a bill, although a joint resolution in other matters is equally effective with a bill. But the joint resolution can be amended in that way and made a bill.

Mr. PEEL. Certainly.

Mr. HOLMAN. I wish to add, however, that this measure does not belong to the Committee on Indian Affairs. This is a common deficit in appropriations. If it was not for the fact stated by the Secretary of the Interior, from which it seems to be urgent that this appropriation ought to be made, I think the original bill appropriation ought to have been sufficient; but the statement made by the Secretary of the Interior indicates that it is important that this appropriation shall be made. I apprehend, however, that the effect of this—not with the knowledge or consent of the Secretary of the Interior—will simply be in the interest of land speculators, who are there over the border. They will take possession, and the only effect of this prompt action, I apprehend, will be—not to put my judgment against that of the Secretary of the Interior—to benefit the men upon the border, who are largely speculators.

I say further, that it was found that the extraordinary haste in

which the Oklahoma bill was carried through the House made it a measure for the benefit of speculators.

Mr. MANSUR. Will the gentleman permit me to make a suggestion at that point?

Mr. HOLMAN. Certainly.

Mr. MANSUR. It took part of two terms—the whole of one term—to effect the passage of that bill.

Mr. HOLMAN. But it was forced through with extraordinary activity and energy, as my friend remembers.

Mr. MANSUR. In three years?

Mr. HOLMAN. Well, it was forced through with extraordinary energy from the beginning, and the effect was, as is very well known now all over the country, that the measure inured largely to the benefit of land speculators, and not for the benefit of bona fide settlers. I shall not object to this measure if it is made a bill, as it should be.

Mr. PEEL. I have no objection to its being made a bill, and the gentleman from Oklahoma has none. The resolution can be made as effective in the form of a bill.

Mr. HARVEY. I have no objection to its being made a bill.

Mr. DOCKERY. Put it in the usual form of a bill.

The SPEAKER *pro tempore*. Has the gentleman prepared his amendment?

Mr. HOLMAN. The Clerk can put it in the form of a bill instead of that of a joint resolution, inserting the regular enacting clause of a bill.

Mr. PEEL. Insert the enacting clause of a bill; that is all that is needed.

The SPEAKER *pro tempore*. Will the gentleman from Oklahoma state the change he desires to make?

Mr. HARVEY. I desire to make no change except to put in the usual enacting clause at the head of that joint resolution and make it a bill instead of a joint resolution.

The SPEAKER *pro tempore*. The gentleman can forward to the desk the change he desires made.

Mr. HOLMAN. That is a mere formal matter.

The SPEAKER *pro tempore*. The Chair is informed by the Clerk that this purports to be a joint resolution, which is offered as a substitute or instead of a bill that was introduced.

Mr. PEEL. That is true.

The SPEAKER *pro tempore*. The bill has not been sent forward, and it is that which should be considered. The Clerk will report the bill, and then such action can be taken as the House desires.

The Clerk read as follows:

A bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians.

Be it enacted, etc., That the sum of $15,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of completing the allotment of lands to the Cheyenne and Arapahoe Indians in Oklahoma Territory, as authorized by an act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1892, and for other purposes," approved March 3, 1891: *Provided*, That the special agents to complete such allotments shall be citizens of said Territory.

Mr. PEEL. Mr. Speaker, the joint resolution was submitted instead of the bill in order to avoid that latter clause in reference to agents being citizens of the Territory.

Mr. HARVEY. Mr. Speaker, I now move that all after the enacting clause of the bill be struck out and that the language of the joint resolution be inserted as an amendment.

The SPEAKER *pro tempore*. The Clerk will report the amendment.

The amendment was read, as follows:

Strike out all after the enacting clause and insert:

"That the sum of $15,000, or so much thereof as may be necessary, is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of completing the allotment provided for in the agreement with the Cheyenne and Arapahoe Indians in Oklahoma, ratified by act approved March 3, 1891, including the pay and expenses of the necessary special agents and the necessary resurveys; which sum shall be immediately available, and be expended under the direction of the Secretary of the Interior for the purpose herein expressed."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HARVEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LOAN OF FLAGS, ETC., FOR DECORATION.

Mr. SPRINGER, by unanimous consent, introduced a joint resolution (H. Res. 66) to authorize the loan of certain ensigns, flags, and signal numbers for the purpose of decorating the streets and buildings of Washington on the occasion of the Grand Army Encampment, in September, 1892—to the Committee on Military Affairs.

PURCHASE OF STURGEON BAY AND LAKE MICHIGAN SHIP CANAL.

By Mr. LYNCH: A bill (H. R. 4434) to provide for the purchase of the Sturgeon Bay and Lake Michigan Ship Canal—to the Committee on Rivers and Harbors.

RULES.

Mr. CATCHINGS. Mr. Speaker, on behalf of the majority of the Committee on Rules I present the report which I send to the desk, and which the committee recommend be adopted as the rules for the government of this House. I ask unanimous consent that the report be printed in the RECORD. I will state for the information of the House that those portions of the report which embody amendments to the rules will be printed in italics, so that they can be easily distinguished. I may state further that the rules here reported are, in the main, the rules which prevailed in this House in the Fiftieth Congress, and that not more than two or three changes of any sort have been made. I think we had better pretermit all discussion of the report until it comes formally before the House, as it is the intention of the committee to ask the House to consider the rules on Monday next.

The SPEAKER *pro tempore*. Is there objection to the request that the report of the committee be printed in the RECORD?

Mr. BURROWS. Mr. Speaker——

Mr. McCREARY. Mr. Speaker——

The SPEAKER *pro tempore*. The gentleman from Kentucky.

Mr. McCREARY. I rise, Mr. Speaker, to ask the Chair to state the request of the gentleman from Mississippi.

The SPEAKER *pro tempore*. The request of the gentleman was that the rules as reported be printed in the RECORD of to-day's proceedings.

Mr. McCREARY. I thought there was another request, namely, that the report be considered on Monday next.

The SPEAKER *pro tempore*. The Chair understood the gentleman from Mississippi to intimate that the committee desired to have the report considered on Monday next, but did not understand him to make such a request. Did the gentleman couple a request to that effect with his other request?

Mr. CATCHINGS. No, sir; I made no request on the subject.

Mr. BURROWS. I suggest to the gentleman from Mississippi [Mr. CATCHINGS] whether it would not be well to have these rules as reported printed in the shape of a document rather than in the RECORD, so that they could go to each member in a form convenient for reference.

Mr. CATCHINGS. The rules will necessarily be printed in document form also. All reports from committees, as I understand, are printed in that form, but I desire that this one shall be printed also in the RECORD, so that members may have an opportunity to examine the rules to-morrow morning.

Mr. BURROWS. If my friend will allow me, I suggest that there is no rule requiring the report to be printed in document form, and it seems to me that that form would be more convenient for members.

Mr. MILLS. Let it be printed in the RECORD and also in document form.

Mr. CATCHINGS. It was my understanding, Mr. Speaker, that the report would be printed in document form also; but in the mean time it was the desire of the committee that its rules should be printed in the RECORD, so that members might have an opportunity to examine them to-morrow.

Mr. MILLS. The gentleman from Mississippi had better ask an order of the House to have the report printed in document form.

Mr. BURROWS. There is no rule authorizing the printing in document form.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Michigan that leave was given to the Committee on Rules to have this matter printed.

Mr. BURROWS. If the committee intend to have the report printed in document form, that is all right.

Mr. CATCHINGS. To avoid all question, Mr. Speaker, I ask unanimous consent that 500 copies of the report be printed in the usual document form for the use of members.

There was no objection, and it was so ordered.

The SPEAKER *pro tempore*. The gentleman from Mississippi [Mr. CATCHINGS] also requests that the rules be printed in the RECORD of to-day's proceedings. Is there objection?

There was no objection, and it was so ordered.

The report is as follows:

RULES OF THE HOUSE OF REPRESENTATIVES.

RULE I.

DUTIES OF THE SPEAKER.

1. The Speaker shall take the chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting, immediately call the members to order, and on the appearance of a quorum, cause the Journal of the proceedings of the last day's sitting to be read, having previously examined and approved the same.

2. He shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries or in the lobby, may cause the same to be cleared.

3. He shall have general control, except as provided by rule or law, of the Hall of the House, and the disposal of the unappropriated rooms in that part of the Capitol assigned to the use of the House until further order.

4. He shall sign all acts, addresses, joint resolutions, writs, warrants, and subpœnas of, or issued by order of, the House, and decide all questions of order subject to an appeal by any member, on which appeal no member shall speak more than once, unless by permission of the House.

5. He shall rise to put a question, but may state it sitting; and shall put questions in this form, to wit: "As many as are in favor (as the question may be) say *ay*;" and after the affirmative voice is expressed, "As many as are opposed say *no*;" if he doubts, or a division is called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and then those in the negative; if he still doubts, or a count is required by at least one-fifth of a quorum, he shall name one from each side of the question, to tell the members in the affirmative and negative; which being reported, he shall rise and state the decision.

6. He shall not be required to vote in ordinary legislative proceedings, except where his vote would be decisive, or where the House is engaged in voting by ballot; and in all cases of a tie vote the question shall be lost.

7. He shall have the right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment: *Provided, however*, That in case of his illness, he may make such appointment for a period not exceeding ten days, with the approval of the House at the time the same is made; and in his absence and omission to make such appointment, the House shall proceed to elect a Speaker *pro tempore*, to act during his absence.

RULE II.

ELECTION OF OFFICERS.

There shall be elected by a *viva voce* vote at the commencement of each Congress, to continue in office until their successors are chosen and qualified, a Clerk, Sergeant-at-Arms, Doorkeeper, Postmaster, and Chaplain, each of whom shall take an oath to support the Constitution of the United States, and for the true and faithful discharge of the duties of his office, to the best of his knowledge and ability, and to keep the secrets of the House, and each shall appoint all of the employés of his department provided for by law.

RULE III.

DUTIES OF THE CLERK.

1. The Clerk shall, at the commencement of the first session of each Congress, call the members to order, proceed to call the roll of members by States in alphabetical order, and, pending the election of a Speaker or Speaker *pro tempore*, preserve order and decorum, and decide all questions of order, subject to appeal by any member.

2. He shall make, and cause to be printed and delivered to each member, or mailed to his address, at the commencement of every regular session of Congress, a list of the reports which it is the duty of any officer or Department to make to Congress, referring to the act or resolution and page of the volume of the laws or Journal in which it may be contained, and placing under the name of each officer the list of reports required of him to be made; also make a weekly statement of the resolutions and bills upon the Speaker's table, accompanied with a brief reference to the orders and proceedings of the House upon each, and the dates of such orders and proceedings, which statement shall be printed.

3. He shall note all questions of order, with the decisions thereon, the record of which shall be printed as an appendix to the Journal of each session; and complete, as soon after the close of the session as possible, the printing and distribution to Members and Delegates of the Journal of the House, together with an accurate and complete index; retain in the library at his office, for the use of the members and the officers of the House, and not to be withdrawn therefrom, two copies of all the books and printed documents deposited there; send, at the end of each session, a printed copy of the Journal thereof to the executive and to each branch of the Legislature of every State and Territory; preserve for and deliver or mail to each Member and Delegate an extra copy, in good binding, of all documents printed by order of either House of the Congress to which he belonged; attest and affix the seal of the House to all writs, warrants, and subpœnas issued by order of the House, certify to the passage of all bills and joint resolutions, make or approve all contracts, bargains, or agreements relative to furnishing any matter or thing, or for the performance of any labor for the House of Representatives, in pursuance of law or order of the House, to keep full and accurate accounts of the disbursements out of the contingent fund of the House, keep the stationery accounts of Members and Delegates, and pay them as provided by law.

RULE IV.

DUTIES OF THE SERGEANT-AT-ARMS.

1. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings, to maintain order under the direction of the Speaker, and, pending the election of a Speaker or Speaker *pro tempore*, under the direction of the Clerk, execute the commands of the House, and all processes issued by authority thereof, directed to him by the Speaker; keep the accounts for the pay and mileage of Members and Delegates, and pay them as provided by law.

2. The symbol of his office shall be the mace, which shall be borne by him while enforcing order on the floor.

RULE V.

DUTIES OF OTHER OFFICERS.

1. The Doorkeeper shall enforce strictly the rules relating to the privileges of the Hall and be responsible to the House for the official conduct of his employés.

2. At the commencement and close of each session of Congress he shall take an inventory of all the furniture, books, and other public property in the several committee and other rooms under his charge, and report the same to the House, which report shall be referred to the Committee on Accounts to ascertain and determine the amount for which he shall be held liable for missing articles.

3. He shall allow no person to enter the room over the Hall of the House during its sittings; and fifteen minutes before the hour for the meeting of the House each day he shall see that the floor is cleared of all persons except those privileged to remain.

RULE VI.

The Postmaster shall superintend the post-office kept in the Capitol for the accommodation of Representatives, Delegates, and officers of the House, and be held responsible for the prompt and safe delivery of their mail.

RULE VII.

The Chaplain shall attend at the commencement of each day's sitting of the House and open the same with prayer.

RULE VIII.

OF THE MEMBERS.

1. Every member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless, on motion made before division or the commencement of the roll call and decided without debate, he shall be excused, or unless he has a direct personal or pecuniary interest in the event of such question.

2. Pairs shall be announced by the Clerk, after the completion of the second roll call, from a written list furnished him, and signed by the member making the statement to the Clerk, which list shall be published in the RECORD as a part of the proceedings, immediately following the names of those not voting: *Provided*, Pairs shall be announced but once during the same legislative day.

RULE IX.

QUESTIONS OF PRIVILEGE.

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only; and shall have precedence of all other questions, except motions to fix the day to which the House shall adjourn, to adjourn, and for a recess.

RULE X.

OF COMMITTEES.

1. Unless otherwise specially ordered by the House, the Speaker shall appoint, at the commencement of each Congress, the following standing committees, viz:

On Elections, to consist of fifteen members.
On Ways and Means, to consist of fifteen members.
On Appropriations, to consist of fifteen members.
On Judiciary, to consist of fifteen members.
On Banking and Currency, to consist of fifteen members.
On Coinage, Weights, and Measures, to consist of thirteen members.
On Interstate and Foreign Commerce, to consist of sixteen members.
On Rivers and Harbors, to consist of fifteen members.
On the Merchant Marine and Fisheries, to consist of thirteen members.
On Agriculture, to consist of fifteen members.
On Foreign Affairs, to consist of thirteen members.
On Military Affairs, to consist of thirteen members.
On Naval Affairs, to consist of thirteen members.
On the Post-Office and Post-Roads, to consist of fifteen members.
On the Public Lands, to consist of thirteen members.
On Indian Affairs, to consist of thirteen members.
On the Territories, to consist of thirteen members.
On Railways and Canals, to consist of thirteen members.
On Manufactures, to consist of eleven members.
On Mines and Mining, to consist of thirteen members.
On Public Buildings and Grounds, to consist of thirteen members.
On Pacific Railroads, to consist of thirteen members.
On Levees and Improvement of the Mississippi River, to consist of thirteen members.
On Education, to consist of thirteen members.
On Labor, to consist of thirteen members.
On the Militia, to consist of thirteen members.
On Patents, to consist of thirteen members.
On Invalid Pensions, to consist of fifteen members.
On Pensions, to consist of thirteen members.
On Claims, to consist of fifteen members.
On War Claims, to consist of thirteen members.
On Private Land Claims, to consist of thirteen members.
On the District of Columbia, to consist of fifteen members.
On Revision of the Laws, to consist of thirteen members.
On Expenditures in the State Department, to consist of seven members.
On Expenditures in the Treasury Department, to consist of seven members.
On Expenditures in the War Department, to consist of seven members.
On Expenditures in the Navy Department, to consist of seven members.
On Expenditures in the Post-Office Department, to consist of seven members.
On Expenditures in the Interior Department, to consist of seven members.
On Expenditures in the Department of Justice, to consist of seven members.
On Expenditures in the Department of Agriculture, to consist of seven members.
On Expenditures on Public Buildings, to consist of seven members.
On Rules, to consist of five members.
An Accounts, to consist of nine members.
On Mileage, to consist of five members.
Also the following joint standing committees, viz:
On the Library, to consist of three members.
On Printing, to consist of three members.
On Enrolled Bills, to consist of seven members.

2. He shall also appoint all select committees which shall be ordered by the House from time to time.

3. The first-named member of each committee shall be the chairman; and in his absence, or being excused by the House, the next-named member, and so on, as often as the case shall happen, unless the committee by a majority of its number elect a chairman; and in case of the death of a chairman, it shall be the duty of the Speaker to appoint another.

4. The chairman shall appoint the clerk of his committee, subject to its approval, who shall be paid at the public expense, the House having first provided therefor.

RULE XI.

POWERS AND DUTIES OF COMMITTEES.

All proposed legislation shall be referred to the committees named in the preceding rule, as follows, viz: Subjects relating—

1. to the election of members: to the Committee on Elections;
2. to the revenue and the bonded debt of the United States: to the Committee on Ways and Means;
3. to appropriation of the revenue for the support of the Government as herein provided, viz: for legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications and coast defenses; for the District of Columbia; for pensions, and for all deficiencies: to the Committee on Appropriations;
4. to judicial proceedings, civil and criminal law: to the Committee on the Judiciary;
5. to banking and currency: to the Committee on Banking and Currency;
6. to coinage, weights, and measures: to the Committee on Coinage, Weights, and Measures;
7. to commerce, Life-Saving Service, and light-houses, other than appropriations for Life-Saving Service and light-houses: to the Committee on Commerce;

8. to the improvement of rivers and harbors: to the Committee on Rivers and Harbors.
9. to the merchant marine and fisheries: to the Committee on the Merchant Marine and Fisheries;
10. to agriculture and forestry: to the Committee on Agriculture, who shall receive the estimate and report the appropriations for the Agricultural Department;
11. to the relations of the United States with foreign nations, including appropriations therefor: to the Committee on Foreign Affairs;
12. to the military establishment and the public defense, including the appropriations for its support and for that of the Military Academy: to the Committee on Military Affairs;
13. to the naval establishment, including the appropriations for its support: to the Committee on Naval Affairs;
14. to the Post-Office and post-roads, including appropriations for their support: to the Committee on the Post-Office and Post-Roads;
15. to the lands of the United States: to the Committee on the Public Lands;
16. to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor: to the Committee on Indian Affairs.
17. to Territorial legislation, the revision thereof, and affecting Territories or the admission of States: to the Committee on the Territories;
18. to railways and canals, other than Pacific railroads: to the Committee on Railways and Canals.
19. to the manufacturing industries: to the Committee on Manufactures;
20. to the mining interests; to the Committee on Mines and Mining;
21. to the public buildings and occupied or improved grounds of the United States, other than appropriations therefor: to the Committee on Public Buildings and Grounds;
22. to the railroads and telegraphic lines between the Mississippi River and the Pacific coast: to the Committee on Pacific Railroads;
23. to the levees of the Mississippi River: to the Committee on Levees and Improvements of the Mississippi River;
24. to education: to the Committee on Education;
25. to and affecting labor: to the Committee on Labor;
26. to the militia of the several States: to the Committee on the Militia;
27. to patents, copyrights, and trade-marks: to the Committee on Patents;
28. to the pensions of the civil war: to the Committee on Invalid Pensions;
29. to the pensions of all the wars of the United States, other than the civil war: to the Committee on Pensions;
30. to private and domestic claims and demands, other than war claims, against the United States: to the Committee on Claims;
31. to claims arising from any war in which the United States has been engaged: to the Committee on War Claims;
32. to private claims to lands: to the Committee on Private Land Claims;
33. to the District of Columbia, other than appropriations therefor: to the Committee for the District of Columbia;
34. to the revision and modification of the statutes of the United States: to the Committee on the Revision of the Laws;
35. The examination of the accounts and expenditures of the several Departments of the Government and the manner of keeping the same; the economy, justness, and correctness of such expenditures; their conformity with appropriation laws; the proper application of public moneys; the security of the Government against unjust and extravagant demands; retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices; the reduction or increase of the pay of officers, shall all be subjects within the jurisdiction of the eight standing committees on the public expenditures, in the several Departments, as follows:
36. In the Department of State: to the Committee on Expenditures in the State Department;
37. In the Treasury Department: to the Committee on Expenditures in the Treasury Department;
38. In the War Department: to the Committee on Expenditures in the War Department;
39. In the Navy Department: to the Committee on Expenditures in the Navy Department;
40. In the Post-Office Department: to the Committee on Expenditures in the Post-Office Department;
41. In the Interior Department: to the Committee on Expenditures in the Interior Department;
42. In the Department of Justice: to the Committee on Expenditures in the Department of Justice;
43. In the Department of Agriculture: to the Committee on Expenditures in the Department of Agriculture;
44. On public buildings: to the Committee on Expenditures on Public Buildings;
45. All proposed action touching the rules and joint rules, and order of business, shall be referred to the Committee on Rules;
46. Touching the expenditures of the contingent fund of the House, the auditing and settling of all accounts which may be charged therein by order of the House: to the Committee on Accounts;
47. The ascertainment of the travel of members of the House shall be made by the Committee on Mileage and reported to the Sergeant-at-Arms;
48. Touching the Library of Congress, statuary, and pictures: to the Joint Committee on the Library;
49. All proposed legislation or orders touching printing shall be referred to the Joint Committee on Printing on the part of the House;
50. The enrollment of engrossed bills: to the Joint Committee on Enrolled Bills;
51. The following-named committees shall have leave to report at any time on the matters herein stated, viz: The Committee on Rules, on rules, joint rules, and order of business; the Committee on Elections, on the right of a member to his seat; the Committee on Ways and Means, on bills raising revenue; the committees having jurisdiction of appropriations, the general appropriation bills; the Committee on Rivers and Harbors, bills for the improvement of rivers and harbors; the Committee on the Public Lands, bills for forfeiture of land grants to railroads and other corporations, bills preventing speculation in the public lands, and bills for the reservation of the public lands for the benefit of actual and *bona fide* settlers; the Committee on Enrolled Bills, enrolled bills; the Committee on Printing, on all matters referred to them of printing for the use of the House or two Houses; the Committee on Accounts, on all matters of expenditure of the contingent fund of the House.

It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration the Speaker may entertain one motion that the House adjourn; but after the result is announced, he shall not entertain any other dilatory motion until the said report shall have been fully disposed of. Any commission authorized by law to report by bill to the House shall have leave to report such bill at any time, and may call the same up for consideration as provided in the fifth clause of Rule XXIV.

52. No committee shall sit during the sitting of the House without special leave.

RULE XII.

DELEGATES.

The Speaker shall appoint from among the Delegates one additional member on each of the following committees, viz: Coinage, Weights, and Measures; Agriculture; Military Affairs; Post-Office and Post-Roads; Public Lands; Indian Affairs; Territories; Private Land Claims; and Mines and Mining; and they shall possess in their respective committees the same powers and privileges as in the House, and may make any motion except to reconsider.

RULE XIII.

CALENDARS.

1. There shall be three calendars of business reported from committees, viz:

First. A Calendar of the Committee of the Whole House on the state of the Union; to which shall be referred bills raising revenue, general appropriation bills, and bills of a public character, directly or indirectly appropriating money or property;

Second. A House Calender, to which shall be referred all bills of a public character not raising revenue nor directly or indirectly appropriating money or property; and

Third. A Calendar of the Committee of the Whole House, to which shall be referred all bills of a private character.

2. The question of reference of any proposition, other than that reported from a committee, shall be decided without debate, in the following order, viz: a standing committee, a select committee; but the reference of a proposition reported by a committee, when demanded, shall be decided according to its character, without debate, in the following order, viz: House Calendar, Committee of the Whole House on the state of the Union, Committee of the Whole House, a standing committee, a select committee.

RULE XIV.

OF DECORUM AND DEBATE.

1. When any member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personality.

2. When two or more members rise at once, the Speaker shall name the member who is first to speak; and no member shall occupy more than one hour in debate on any question in the House or in the committee, except as further provided in this rule.

3. The member reporting the measure under consideration from a committee may open and close, where general debate has been had thereon; and if it shall extend beyond one day, he shall be entitled to one hour to close, notwithstanding he may have used an hour in opening.

4. If any member, in speaking or otherwise, trangress the rules of the House, the Speaker shall, or any member may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another member, to explain, and the House shall, if appealed to, decide on the case, without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and, if the case require it, he shall be liable to censure or such punishment as the House may deem proper.

5. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the House; but he shall not be held to answer, nor be subject to the censure of the House therefor, if further debate or other business has intervened.

6. No member shall speak more than once to the same question without leave of the House, unless he be the mover, proposer, or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

7. While the Speaker is putting a question or addressing the House no member shall walk out of or across the Hall, nor, when a member is speaking, pass between him and the Chair; and during the session of the House no member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots, or smoke upon the floor of the House; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause.

RULE XV.

ON CALLS OF THE ROLL AND HOUSE.

1. Upon every roll call the names of the members shall be called alphabetically by surname, except when two or more have the same surname, in which case the name of the State shall be added; and if there be two such members from the same State the whole name shall be called; and after the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting; and thereafter the Speaker shall not entertain a request to record a vote or announce a pair.

2. In the absence of a quorum, fifteen members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent members, and in all calls of the House the names of the members shall be called by the Clerk, and the absentees noted; the doors shall then be closed, and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured; and the House shall determine upon what condition they shall be discharged.

Members who voluntarily appear shall, unless the House otherwise direct, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present.

RULE XVI.

ON MOTIONS, THEIR PRECEDENCE, ETC.

1. Every motion made to the House and entertained by the Speaker shall be reduced to writing on the demand of any member, and shall be entered on the Journal, with the name of the member making it, unless it is withdrawn the same day.

2. When a motion has been made, the Speaker shall state it, or (if it be in writing) cause it to be read aloud by the Clerk before being debated, and it shall then be in possession of the House, but may be withdrawn at any time before a decision or amendment.

3. When any motion or proposition is made, the question, Will the House now consider it? shall not be put unless demanded by a member.

4. When a question is under debate, no motion shall be received but to fix the day to which the House shall adjourn, to adjourn, to take a recess, to lay on the table, for the previous question (which motion shall be decided without debate), to postpone to a day certain, to refer or amend, or to postpone indefinitely, which several motions shall have precedence in the foregoing order; and no motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question.

5. A motion to fix the day to which the House shall adjourn, a motion to adjourn, and to take a recess shall always be in order, and the hour at which the House adjourns shall be entered on the Journal.

6. On the demand of any member, before the question is put, a question shall be divided if it include propositions so distinct in substance that one being taken away a substantive proposition shall remain.

7. A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor motion to strike out and insert; and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

8. Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other dilatory motion till the vote is taken on suspension.

9. At any time after the expiration of the morning hour it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue or general appropriation bills.

PREVIOUS QUESTION.

1. There shall be a motion for the previous question, which, being ordered by a majority of members present, if a quorum, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its engrossment and third reading, and then, on renewal and second of said motion, to its passage or rejection. It shall be in order, pending the motion for or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee; and a motion to lay upon the table shall be in order on the second and third reading of a bill.

2. A call of the House shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the Speaker that a quorum is not present.

3. All incidental questions of order arising after a motion is made for the previous question and pending such motion shall be decided, whether on appeal or otherwise, without debate.

RULE XVIII.

RECONSIDERATION.

1. When a motion has been made and carried or lost it shall be in order for any member of the majority, on the same or succeeding day, to move for the reconsideration thereof, and such motion shall take precedence of all other questions except the consideration of a conference report, a motion to fix the day to which the House shall adjourn, to adjourn, or to take a recess, and shall not be withdrawn after the said succeeding day without the consent of the House, and thereafter any member may call it up for consideration; *Provided*, That such motion, if made during the last six days of a session, shall be disposed of when made.

2. No bill, petition, memorial, or resolution referred to a committee, or reported therefrom for printing and recommitment, shall be brought back into the House on a motion to reconsider; and all bills, petitions, memorials, or resolutions reported from a committee shall be accompanied by reports in writing, which shall be printed.

RULE XIX.

OF AMENDMENTS.

When a motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon.

RULE XX.

OF AMENDMENTS OF THE SENATE.

Any amendment of the Senate to any House bill shall be subject to the point of order that it shall first be considered in the Committee of the Whole House on the state of the Union if, originating in the House, it would be subject to that point.

RULE XXI.

ON BILLS.

1. Every bill and joint resolution shall receive three readings before its passage, which shall be as follows: The first and second readings by title on introduction for reference, or, being original bills, on reports from committees for commitment, except when the second reading in full shall be demanded by a member: *Provided*, That original bills on being reported by unanimous consent for present consideration, shall be read the first time in full; the second and third time by title, unless the third reading in full shall be demanded by a member.

2. Bills and joint resolutions on their passage shall be read the first time by title and the second time in full, when, if the previous question is ordered, the Speaker shall state the question to be: Shall the bill be engrossed and read a third time? And if decided in the affirmative, it shall be read the third time by title, unless the reading in full is demanded by a member, and the question shall then be put upon its passage.

3. *No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill: Provided, That it shall be in order further to amend such bill upon the report of the committee having jurisdiction of the subject-matter of such amendment, which amendment, being germane to the subject-matter of the bill, shall retrench expenditures.*

4. All bills for improvement of rivers and harbors, for the establishment or change of post-routes, and all bills of a private nature, shall be delivered to the Clerk, as in the case of memorials and petitions, for reference to appropriate committees.

5. No bill for the payment or adjudication of any private claim against the Government shall be referred, except by unanimous consent, to any other than the following-named committees, viz: To the Committee on Invalid Pensions, to the Committee on Pensions, to the Committee on Claims, to the Committee on War Claims, to the Committee on Private Land Claims, and to the Committee on Accounts.

RULE XXII.

OF PETITIONS AND MEMORIALS.

1. Members having petitions or memorials or bills of a private nature to present may deliver them to the Clerk, indorsing their names and the reference or disposition to be made thereof; and said petitions and memorials and bills of a private nature, except such as, in the judgment of the Speaker, are of an obscene or insulting character, shall be entered on the Journal with the names of the members presenting them, and the Clerk shall furnish a transcript of such entry to the Official Reporters of Debates for publication in the RECORD.

2. Any petition or memorial or private bill excluded under this rule shall be returned to the member from whom it was received; and petitions and private bills which have been inappropriately referred may, by direction of the committee having possession of the same, be properly referred in the manner originally presented; and an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same.

RULE XXIII.

OF COMMITTEES OF THE WHOLE HOUSE.

1. In all cases, in forming a Committee of the Whole House, the Speaker shall leave his chair after appointing a Chairman to preside, who shall, in case of disturbance or disorderly conduct in the galleries or lobby, have power to cause the same to be cleared.

2. Whenever a Committee of the Whole House finds itself without a quorum, the Chairman shall cause the roll to be called, and thereupon the committee shall rise, and the Chairman shall report the names of the absentees to the House, which shall be entered on the Journal; but if on such call a quorum shall appear, the committee shall thereupon resume its sitting without further order of the House.

3. All motions or propositions involving a tax or charge upon the people; all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriation to be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

4. In Committees of the Whole House, business on their calendars shall be taken up in regular order, except bills for raising revenue, general appropriation bills, and bills for the improvement of rivers and harbors, which shall have precedence, and when objection is made to passing over any bill or proposition, the committee shall thereupon rise and report such objection to the House, which shall decide, without debate, whether such bill or proposition shall be considered or laid aside for the present; whereupon the committee shall resume its sitting without further order of the House.

5. When general debate is closed by order of the House, any member shall be allowed five minutes to explain any amendment he may offer, after which the member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate thereon; but the same privilege of debate shall be allowed in favor of and against any amendment that may be offered to an amendment; and neither an amendment nor an amendment to an amendment shall be withdrawn by the mover thereof unless by the unanimous consent of the committee.

6. The House may, by the vote of a majority of the members present, at any time after the five minutes' debate has begun upon proposed amendments to any section or paragraph to a bill, close all debate upon such section or paragraph, or, at its election, upon the pending amendments only (which motion shall be decided without debate); but this shall not preclude further amendment, to be decided without debate.

7. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend; and, if carried, shall be considered equivalent to its rejection. Whenever a bill is reported from a Committee of the Whole with an adverse recommendation, and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House. But before the question of concurrence is submitted, it is in order to entertain a motion to refer the bill to any committee, with or without instructions, and when the same is again reported to the House it shall be referred to the Committee of the Whole without debate.

8. The rules of proceeding in the House shall be observed in Committees of the Whole House so far as they may be applicable.

RULE XXIV.

ORDER OF BUSINESS.

1. Each Monday morning during a session of Congress, immediately after the Journal of the proceedings of the last day's sitting has been read and approved, the Speaker shall call all the States and Territories in alphabetical order for bills and resolutions for printing and reference without debate, on which call joint and concurrent resolutions and memorials of State and Territorial Legislatures may be presented and appropriately referred, and on this call only resolutions of inquiry directed to the heads of the Executive Departments shall be in order for reference to appropriate committees, which resolutions shall be reported to the House within one week thereafter.

2. After the Journal is read and approved each day, other than Monday, the Speaker shall lay before the House, for reference, messages from the President, reports and communications from the heads of Departments, and other communications addressed to the House, and also such bills, resolutions, and other messages from the Senate as may have been received on previous days.

3. On all days other than Monday as soon as the business on the Speaker's table has been disposed of, and on all Mondays (except the first and third in each month) after the call of States and Territories, there shall be a morning hour for reports from committees, which shall be appropriately referred and printed, and a copy thereof mailed by the Public Printer to each Member and Delegate, if requested in writing by the Member or Delegate; and the Speaker shall call upon each standing committee in regular order and then upon the select committees; and if the whole of the hour is not consumed by this call, then it shall be in order to proceed to the consideration of other business hereinafter provided; but if he shall not complete the call within the hour, he shall resume it in the succeeding morning hour where he left off.

4. The morning hour for the call of committees shall not be dispensed with except by a vote of two-thirds of those present and voting thereon.

5. After the morning hour shall have been devoted to reports from committees (or the call completed), the Speaker shall again call the committees in regular order for one hour, upon which call each committee, on being named, shall have the right to call up for consideration any bill reported by it on a previous day, on either the House or Union Calendar. And whenever any committee shall have occupied the said hour for one day, it shall not be in order for such committee to designate any other proposition for consideration until all the other committees shall have been called in their turn; and when any proposition shall have occupied two hours on this call it shall thereafter remain on the Calendar as unfinished business and be taken up in its order: *Provided*, That when the hour herein prescribed shall expire while the Committee of the Whole House on the state of the Union is considering a bill, the said committee shall rise without motion therefor.

6. After the hour under the preceding clause shall have been occupied, it shall be in order to proceed to the consideration of the unfinished business in which the House may have been engaged at an adjournment, and at the same time each day thereafter, other than the first and third Mondays, until disposed of; and it shall be in order to proceed to the consideration of all other

unfinished business whenever the class of business to which it belongs shall be in order.

7. Unfinished business, if any, having been disposed of, motions shall be in order as follows:

First. That the House resolve itself into the Committee of the Whole House on the state of the Union to consider, first, bills raising revenue and general appropriation bills, and then other business on its Calendar.

Second. To proceed to the consideration of business on the House Calendar.

Third. On Friday of each week, after the morning hour, it shall be in order to entertain a motion that the House resolve itself into the Committee of the Whole House to consider business on the Private Calendar; and if this motion fail, then public business shall be in order as on other days.

RULE XXV.

PRIORITY OF BUSINESS.

All questions relating to the priority of business shall be decided by a majority without debate.

RULE XXVI.

PRIVATE AND DISTRICT OF COLUMBIA BUSINESS.

1. Friday in every week shall be set apart for the consideration of private business, unless otherwise determined by the House.

2. The second and fourth Mondays in each month, after the call of States and Territories, shall, when claimed by the Committee on the District of Columbia, be set apart for the consideration of such business as may be presented by said committee.

RULE XXVII.

UNFINISHED BUSINESS OF THE SESSION.

After six days from the commencement of a second or a subsequent session of any Congress, all bills, resolutions, and reports which originated in the House, and remained undetermined at the close of the last preceding session, shall be in order for action, and all business before committees of the House at the end of one session shall be resumed at the commencement of the next session of the same Congress in the same manner as if no adjournment had taken place.

RULE XXVIII.

CHANGE OR SUSPENSION OF RULES.

1. No standing rule or order of the House shall be rescinded or changed without one day's notice of the motion therefor, and no rule shall be suspended except by a vote of two-thirds of the members present, nor shall the Speaker entertain a motion to suspend the rules except on the first and third Mondays of each month after the call of States and Territories shall have been completed, *or one hour shall have been devoted thereto*, preference being given on the first Monday to individuals and on the third Monday to committees, and during the last six days of a session.

2. All motions to suspend the rules shall, before being submitted to the House, be seconded by a majority by tellers, if demanded.

3. When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition, and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

RULE XXIX.

CONFERENCE REPORTS.

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read, while the roll is being called, or the House is dividing on any proposition. And there shall accompany every such report a detailed statement sufficiently explicit to inform the House what effect such amendments or propositions will have upon the measures to which they relate.

RULE XXX.

SECRET SESSION.

Whenever confidential communications are received from the President of the United States, or whenever the Speaker or any member shall inform the House that he has communications which he believes ought to be kept secret for the present, the House shall be cleared of all persons except the members and officers thereof, and so continue during the reading of such communications, the debates and proceedings thereon, unless otherwise ordered by the House.

RULE XXXI.

READING OF PAPERS.

When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any member, it shall be determined without debate by a vote of the House.

RULE XXXII.

DRAWING OF SEATS.

1. At the commencement of each Congress, immediately after the Members and Delegates are sworn in, the Clerk shall place in a box, prepared for that purpose, a number of small balls of marble or other material equal to the number of Members and Delegates, which balls shall be consecutively numbered and thoroughly intermingled, and at such hour as shall be fixed by the House for that purpose, by the hands of a page, draw said balls one by one from the box and announce the number as it is drawn, upon which announcement the Member or Delegate whose name on a numbered alphabetical list shall correspond with the number on the ball, shall advance and choose his seat for the term for which he is elected.

2. Before said drawing shall commence, each seat shall be vacated and so remain until selected under this rule, and any seat having been selected shall be deemed forfeited if left unoccupied before the call of the roll is finished, and whenever the seats of Members and Delegates shall have been drawn, no proposition for a second drawing shall be in order during that Congress.

RULE XXXIII.

HALL OF THE HOUSE.

The Hall of the House shall be used only for the legislative business of the House, and for the caucus meetings of its members, except upon occasions where the House by resolution agree to take part in any ceremonies to be observed therein; and the Speaker shall not entertain a motion for the suspension of this rule.

RULE XXXIV.

OF ADMISSION TO THE FLOOR.

The persons hereinafter named, and none other, shall be admitted to the Hall of the House or rooms leading thereto, viz: The President and Vice-President of the United States and their private secretaries, judges of the Supreme Court, members of Congress and members elect, contestants in election cases during the pendancy of their cases in the House, the Secretary and Sergeant-at-Arms of the Senate, heads of Departments, foreign ministers, governors of States, the Architect of the Capitol, the Librarian of Congress and his assistant in charge of the law library, such persons as have, by name, received the thanks of Congress, ex-members of the House of Representatives who are not interested in any claim or directly in any bill pending before Congress, and clerks of committees, when business from their committee is under consideration; and it shall not be in order for the Speaker to entertain a request for the suspension of this rule or to present from the Chair the request of any member for unanimous consent.

RULE XXV.

OF ADMISSION TO THE GALLERIES.

The Speaker shall set aside a portion of the west gallery for the use of the President of the United States, the members of his Cabinet, justices of the Supreme Court, foreign ministers and suites, and the members of their respective families, and shall also set aside another portion of the same gallery for the accommodation of persons to be admitted on the card of members. The southerly half of the east gallery shall be assigned exclusively for the use of the families of members of Congress, in which the Speaker shall control one bench, and on request of a member the Speaker shall issue a card of admission to his family, which shall include their visitors, and no other person shall be admitted to this section.

RULE XXXVI.

OFFICIAL AND OTHER REPORTERS.

1. The appointment and removal, for cause, of the official reporters of the House, including stenographers of committees, and the manner of the execution of their duties, shall be vested in the Speaker.

2. Stenographers and reporters, other than the official reporters of the House, wishing to take down the debates and proceedings, may be admitted by the Speaker to the reporters' gallery over the Speaker's chair, under such regulations as he may, from time to time, prescribe; and he may assign two seats on the floor to Associated Press reporters, and regulate the occupation of the same.

RULE XXXVII.

PAY OF WITNESSES.

The rule for paying witnesses subpœnaed to appear before the House, or either of its committees, shall be as follows: For each day a witness shall attend, the sum of $2; for each mile he shall travel in coming to or going from the place of examination, the sum of 5 cents each way; but nothing shall be paid for traveling when the witness has been summoned at the place of trial.

RULE XXXVIII.

PAPERS.

1. The clerks of the several committees of the House shall, within three days after the final adjournment of a Congress, deliver to the Clerk of the House all bills, joint resolutions, petitions, and other papers referred to the committee, together with all evidence taken by such committee under the order of the House during the said Congress, and not reported to the House; and in the event of the failure or neglect of any clerk of a committee to comply with this rule, the Clerk of the House shall, within three days thereafter, take into his keeping all such papers and testimony.

RULE XXXIX.

WITHDRAWAL OF PAPERS.

No memorial or other paper presented to the House shall be withdrawn from its files without its leave, and if withdrawn therefrom, certified copies thereof shall be left in the office of the Clerk; but when an act may pass for the settlement of a claim, the Clerk is authorized to transmit to the officer charged with the settlement thereof the papers on file in his office relating to such claim, or may loan temporarily to any officer or bureau of the Executive Departments any papers on file in his office relating to any matter pending before such officer or bureau, taking proper receipt therefor.

RULE XL.

BALLOT.

In all other cases of ballot than for committees, a majority of votes given shall be necessary to an election, and where there shall not be such a majority on the first ballot, the ballots shall be repeated until a majority be obtained; and in all balloting blanks shall be rejected and not taken into the count in enumeration of votes or reported by the tellers.

RULE XLI.

MESSAGES.

Messages received from the Senate and the President of the United States, giving notice of bills passed or approved, shall be entered in the Journal and published in the RECORD of that day's proceedings.

RULE XLII.

EXECUTIVE COMMUNICATIONS.

Estimates of appropriations, and all other communications from the Executive Departments, intended for the consideration of any committees of the House, shall be addressed to the Speaker and by him submitted to the House for reference.

RULE XLIII.

QUALIFICATIONS OF OFFICERS AND EMPLOYÉS.

No person shall be an officer of the House, or continue in its employment, who shall be an agent for the prosecution of any claim against the Government, or be interested in such claim otherwise than as an original claimant; and it shall be the duty of the Committee on Accounts to inquire into and report to the House any violation of this rule.

RULE XLIV.

JEFFERSON'S MANUAL.

The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House and joint rules of the Senate and House of Representatives.

RULE XLV.

RULES OF THE HOUSE.

These rules shall be the rules of the House of Representatives of the present and succeeding Congresses unless otherwise ordered.

RULE XLVI.

AS TO PRINTING BILLS.

There shall be printed 500 copies of each bill of a public nature, of which 25 shall be deposited in the office of the Clerk of the House and the remainder shall be deposited in the document room of the House for the use of members; and there shall be printed 100 copies of each private bill, which shall be deposited in the document room of the House for the use of members. Motions to print additional numbers of any bill, report, or resolution, or other

public document, shall be referred to the Committee on Printing; and the report of the committee thereon shall be accompanied by an estimate of the probable cost thereof. Unless ordered by the House no bill, resolution, or other proposition reported by a committee shall be reprinted unless the same be placed upon the Calendar.

RULE XLVII.

PROPOSITIONS INTRODUCED "BY REQUEST."

When a bill, resolution, or memorial is introduced "by request" these words shall be entered upon the Journal.

By unanimous consent, bills were introduced and referred as follows:

FORFEITURE OF RAILROAD LAND GRANTS.

By Mr. McRAE: A bill (H. R. 4435) for the judicial forfeiture of certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes—to the Committee on the Public lands.

ST. FRANCIS BARRACKS, FLORIDA.

By Mr. BULLOCK: A bill (H. R. 4436) to authorize the sale of the site of St. Francis Barracks, Florida, the sale or removal of the improvements thereof, and to provide for a new site and the construction of suitable buildings thereon—to the Committee on Military Affairs.

SOCIETY OF AMERICAN FLORISTS.

By Mr. HATCH: A bill (H. R. 4437) incorporating the Society of American Florists—to the Committee on Agriculture.

ADULTERATION OF BAKING POWDERS.

By Mr. SMITH of Illinois (by request): A bill (H. R. 4438) to prevent the adulteration of baking powders with ammonia or alum—to the Committee on Manufactures.

RECESS.

Mr. HOLMAN. I move that the House take a recess until 2 o'clock, for which hour a special order has been assigned.

The motion was agreed to.

The House accordingly (at 1 o'clock and 25 minutes p. m.) took a recess.

PRESENTATION OF PORTRAITS OF EX-SPEAKERS GROW AND RANDALL.

The recess having expired, the House was again called to order.

The SPEAKER *pro tempore*. The Clerk will read the resolution which directs the order of proceedings for this hour.

The Clerk read as follows:

Resolved, That January 21, at 2 o'clock p. m., be set apart for the presentation to the House of Representatives of the portraits of ex-Speakers Grow and Randall by the Commonwealth of Pennsylvania, and that upon the occasion the committees of the senate and house of representatives of that State be admitted to the floor.

[The portraits of the ex-Speakers named in the resolution (painted, under the direction of the Legislature of Pennsylvania, by W. A. Greaves, of Warren, Pa.) were placed in the area in front of the Clerk's desk.]

Hon. Galusha A. Grow, of Pennsylvania, ex-Speaker, occupied a seat on the floor of the House.

The SPEAKER *pro tempore*. The officers of the House will admit the gentlemen who are entitled to the privileges of the floor under the resolution which has been read.

In pursuance of the resolution, the following-named officers and members of the Pennsylvania Legislature entered and took the seats assigned them:

Hon. J. P. S. Gobin, president *pro tempore* of the senate; Hon. C. C. Thompson, speaker of the house of representatives; Hon. D. B. McCreary, member of the senate; Hon. F. W. Hayes and Hon. J. H. Fow, members of the house of representatives.

Mr. CHARLES W. STONE. Mr. Speaker, three citizens of Pennsylvania at different periods in our history have presided over the deliberations of this House.

Frederick A. Muhlenberg was Speaker of the First and Third Congresses.

Galusha A. Grow was elected Speaker of the Thirty-seventh Congress at its meeting in extra session on the 4th day of July, 1861, and presided over the subsequent sessions of that memorable Congress.

Samuel J. Randall came to the chair to fill a vacancy at the commencement of the second session of the Forty-fourth Congress and was reëlected Speaker of the Forty-fifth and Forty-sixth Congresses.

The portrait of Speaker Muhlenberg, from an authentic painting in the possession of his descendants, was executed by an eminent artist and presented to this House several years ago by members of the Muhlenberg family and now adorns the walls of the corridor of this Hall, an acceptable and worthy memento of the distinguished Speaker of the First Congress. The more recent presentation to this House by the Commonwealth of Massachusetts of portraits of her illustrious sons, Speakers Varnum, Sedgwick, and Banks, served to attract attention to the fact that the other Speakers from Pennsylvania were inadequately and unworthily represented by inferior likenesses upon your walls; and at the meeting of the Legislature of Pennsylvania in January, 1891, Governor Beaver called attention to this matter in the following language:

The attention of the executive has lately been called to the fact, by persons deeply interested in the subject, that whilst the Speakers of the House of Representatives of the United States Congress from Massachusetts are represented in the corridors of its Hall by oil paintings presented to Congress by that ancient Commonwealth, the services of men equally worthy and distinguished who occupied the same place from Pennsylvania are perpetuated by cheap crayon portraits. We are too little disposed in Pennsylvania to recognize the merits and perpetuate the memory of men who have served with distinguished zeal and conspicuous ability in public place.

Two Representatives in Congress from Pennsylvania have in late years occupied the Speaker's chair—Galusha A. Grow and Samuel J. Randall. Their place in history, the distinguished part which they took in the councils of the nation, the conspicuous service rendered by them in the exalted position to which they were respectively called would seem to demand at our hands some special recognition. I respectfully recommend, therefore, that a reasonable appropriation be made for painting the portraits of these two gentlemen, to be presented to the House of Representatives of the Congress of the United States in a public manner, as a token of the pride and appreciation which the people of our Commonwealth have in the memory and the services of these distinguished men.

The Legislature of the State responded promptly to the governor's suggestion, and by act of April 29, 1891, provided as follows:

Be it enacted, etc., That a committee, consisting of the president *pro tempore* of the senate, the speaker of the house of representatives, and two members of the house of representatives and one member of the senate, shall be appointed by the speaker and president *pro tempore* thereof respectively, whose duty it shall be to select an artist who shall paint the portraits of Samuel J. Randall and Galusha A. Grow, formerly Speakers of the House of Representatives of the United States Congress, and cause said portraits to be presented to the House of Representatives of the United States Congress in a public manner, as a token of the pride and appreciation which the people of this Commonwealth have in the memory and the services of these distinguished men.

The committee appointed under the provisions of this act consists of Hon. J. P. S. Gobin, president *pro tempore* of the senate; Hon. C. C. Thompson, speaker of the house of representatives; Gen. D. B. McCreary, from the senate, and Messrs. F. W. Hays and John H. Fow, of the house of representatives. This committee secured the services of W. A. Greaves, of Warren, Pa., and intrusted to him the work of painting the portraits of Messrs. Grow and Randall. Mr. Greaves was fortunate in securing the personal attendance in his studio of ex-Speaker Grow, and has thus been able to present from life a faithful portrait of him, but softened and silvered somewhat by the lapse of time since he occupied the chair of this House.

For the portrait of Mr. Randall the artist had as a guide only a photograph furnished by the family and the crayon portrait upon the wall of the corridor of the House, but he has sought to produce, and I believe with great success, a faithful portrait of Speaker Randall as he was when he occupied the chair of this House.

The committee of the Legislature of Pennsylvania are now present, and, upon your courtesy, upon the floor of the House. It is also a pleasant feature of this occasion that we have with us Mr. Grow, erect, alert, and vigorous, in the full enjoyment of the talents and powers which gave him eminence in this House.

And now, sir, for the Commonwealth of Pennsylvania, and speaking in behalf of the committee of her Legislature here present, I present to the House of Representatives of the United States Congress these portraits of its former Speakers, Galusha A. Grow and Samuel J. Randall. They are tendered to you, in the apt language of the governor of Pennsylvania, "as a token of the pride and appreciation which the people of that Commonwealth have in the memory and services of these distinguished men," and in the hope that they will prove a fitting memorial of eminent services in the past, and an inspiration to patriotic efforts in the future.

Sir, the successful Speaker of this House must be recognized as a great man. Our peculiar parlimentary system concentrates in his hands vast powers and imposes great responsibilities. To execute the one justly and impartially and to meet the other efficiently and successfully requires talents and qualities, mental, moral, and physical, of no common grade. This is especially so in periods of general unrest, when the passions and prejudices of men are highly excited and their feelings and convictions are deeply aroused. It was at such periods that the sons of Pennsylvania occupied the chair of this House.

When the First Congress assembled the Government had hardly been formed. The Constitution had been but recently established. The chaos which succeeded the close of the Revolution was but slowly giving place to more orderly methods and more systematic government. That "more perfect union," which was a primary purpose of the formation of the Constitution, rested as yet but uneasily and insecurely upon the various elements united. The great question of the extent of the delegated powers of the General Government and the reserved rights of the States

was a practical problem commanding attention of the best minds in the new Republic. To satisfactorily adjust its relations with the people and to put in practical running order this new Government for a new nation was the onerous task which confronted the First Congress. Among its members were many of the fathers of the Republic, and to be called upon to preside over that body and direct its deliberations, and so to discharge the duties of his office as to secure a subsequent reëlection, was a high tribute to the talents, abilities, and character of Pennsylvania's distinguished son, Frederick A. Muhlenberg.

Nearly three-quarters of a century later, when reason and argument had failed to settle the great question of the relative powers and rights of the General Government and of the individual States and the dread arbitrament of war had been invoked; when clouds hung dark and portentous over the nation's horizon, and men were asking themselves and asking each other, with fear and trembling, whether this nation must indeed go down in blood and ruin, President Lincoln summoned the Thirty-seventh Congress to meet in extraordinary session on the anniversary of the nation's birth. The men who answered that call came fresh from the people. They voiced the patriotic purpose and the firm determination that the Union should be preserved and the nation saved.

Among them was the great commoner Thaddeus Stevens, the venerable statesman John J. Crittenden, the dashing Logan and the stately Conkling, Washburne, Colfax, Lovejoy, VOORHEES, HOLMAN, Wilson, Windom, DAWES, MORRILL, Fenton, Kelley, Hickman, McPherson, Blair, Wheeler, Pendleton, Wickliffe, Cox, Maynard, and others no less able and distinguished; but of all that remarkable body of men who gathered in this Hall on that July morning not one remains still a member of this House except the venerable and distinguished gentleman from Indiana, Judge HOLMAN.

The House organized promptly. Without the formality of a caucus, and with no persistent opposition, Galusha A. Grow was elected Speaker on the first ballot. He had entered Congress ten years before, its youngest member. His persistent and unyielding championship of the homestead bill, his careful study of the great questions then agitating the country, his readiness of speech, his fertility of resource, his parliamentary knowledge, his courageous, and, I might say almost aggressive, defense of his personal rights and dignity, and of the deep convictions of the great, loyal North, specially designated him as the man to take the helm, and bravely and well he held it.

Samuel J. Randall entered the House when Grow left it. During the closing years of the war and the turbulent period of reconstruction he served with constantly increasing efficiency and prominence as a member of this body, and when the death of Speaker Kerr, in the fall of 1876, rendered a new election necessary, he naturally succeeded to the Speakership.

When he took the chair partisan feeling ran high. The result of the recent national election was still in dispute, and the contest continued during the entire winter, taking shape in the closing hours of the session in an effort to prevent the conclusion of the counting of the electoral vote. As descriptive of the conduct and bearing of Speaker Randall in that critical juncture I can not do better than quote from his own words when he offered the resolution in this House accepting the portraits of Sedgwick, Varnum, and Banks. Said he:

> Soon after I entered this House, now more than a quarter of a century ago, I came to consider that that office which you, sir, now temporarily hold was the highest office within the reach of an American citizen; that it was a grand official station, great in the honors which it conferred and still greater in the ability it gave to impress upon our history and legislation the stamp of truth, fairness, justice, and right. * * * When it fell to my fortune to occupy the Speaker's chair, I realized how true was my idea of the position and its possibilities; and I do not believe there is anyone worthy of being mentioned in connection with it who, the very instant he takes it, will not become so broad and generous in the scope of his political vision as to act regardless of individual and personal consequences and only for the best interests of the American people as his judgment shall dictate.

The Speaker of the House rose grandly above the fettering entanglements of partisan allegiance, and demonstrated that he had indeed "become so broad and generous in the scope of his political vision as to act regardless of individual and personal consequences and only for the best interests of the American people." The count proceeded to a close. The danger of violence, bloodshed, and anarchy passed by, and the country recognized the strong will and the stern virtue of Samuel J. Randall as a potent factor in preserving the nation's peace.

It has been my purpose, Mr. Speaker, thus briefly to simply call attention to the fact that the Speakers of this House from Pennsylvania have occupied the chair at turbulent and memorable epochs in our history, and have so carried themselves in their high office as to give that grand old Commonwealth just cause to cherish with pride the fact that they were her sons; and I leave to my colleagues, their successors on this floor, now representing the districts which honored them and which they more greatly honored, the grateful task of detailing more fully their services and delineating more completely their characters.

But, sir, I can not forbear from paying my tribute of reverent homage to one marked characteristic common to both. They were singularly pure, honest, and earnest in their convictions and conduct, and of unflinching courage in their allegiance to those convictions. Where the path of duty led, or where they thought it led, they trod, utterly regardless of difficulties or dangers.

And now, sir, the Commonwealth of Pennsylvania tenders to you these faithful reproductions of the physical lineaments of her distinguished sons. Their services, their time, and their strength, their best qualities, and most earnest efforts of mind and heart she has freely given to the nation in the years that are past. The record of their services and achievements has gone into their country's history. Their examples and their characters, for emulation and inspiration, are and must remain a part of the nation's treasures. [Applause.]

Mr. WRIGHT. Mr. Speaker, it is always less embarrassing to eulogize men who have passed away than those who are still among us, for the kindly veil that Death draws leaves visible only the bright spots in the lives of the departed.

We are too often called upon with saddened minds and hearts filled with grief to bear testimony to the virtues and graces of those who have left vacant places, and all angularities and asperities are softened and forgotten by the knowledge that they will walk among us no more.

But of those who are still living, who are still fighting the battle of life, and whose names may still be heard in the political arena, it requires a full measure of faith and confidence in their manhood, ability, and patriotism to proclaim them as worthy of the bright chaplet of fame without fear of its luster becoming dimmed.

Galusha A. Grow, whom we are here to-day to honor, was born in Ashford, Windham County, Conn., from which place he removed to Susquehanna County, Pa., in May, 1834, being at that time about ten years of age. In the spring of 1838 he entered Franklin Academy, at Harford, Pa., leaving there in 1840 to enter Amherst College, from which he graduated with high honors in 1844. In 1845 he began studying law with Hon. F. B. Streeter, of Montrose, Pa., and on April 19, 1847, was admitted to the bar of Susquehanna County.

In 1848 he became a law partner of Hon. David Wilmot, of Bradford County, Pa., and when, in 1850, Mr. Wilmot, the candidate of the Free-Soil branch, and James Lowery, the candidate of the Proslavery branch of the Democratic party, withdrew as candidates for Congress, Mr. Grow received the nomination from both branches of the party and was elected.

Thus Mr. Grow, over forty years ago, became a member of the Thirty-second Congress, and at once became prominent in its deliberations; and after ten years of honorable service on the floor of the House, the best proof of the high estimation in which he was held by his colleagues is the fact that they elected him to the third position in the land—Speaker of the House of Representatives.

In the ten years preceding his election as Speaker he served with distinction on the Committees on Indian Affairs, Agriculture, and Territories, being a member of the latter for six years and its chairman for four years.

In this decade many stirring questions disturbed the public mind. The repeal of the Missouri compromise, which caused Mr. Grow's withdrawal from the Democratic party, which had elected him; the Kansas troubles; the Lecompton bill; the homestead bill, and the Pacific railroad bills all agitated the political sea, and the experience of time has demonstrated the wisdom of the stand taken by him on all these important measures.

Early in his Congressional career he became an earnest advocate of the homestead bill, and as the name of Galusha A. Grow has been so indissolubly connected with that politic and excellent measure, it may not be out of place to give it a proper prominence in this connection.

Though the exact origin of the idea, afterwards exemplified in the homestead law, is somewhat obscure, it certainly was one of those measures which evolved itself from the will of the people, gathering in force slowly but surely until it overcame all opposition.

It was doubtless an outgrowth of that series of laws known as donation acts, a course of sporadic legislation extending from the year 1842 to 1850, the first bearing on donations of lands in Florida and the last referring to the new Territory of Oregon, the lands being given to induce settlers in distant and dangerous localities.

The enactment of these laws fostered the sentiment growing so rapidly in the public mind that "the public lands are a heritage of the people," that the question became a burning one, and was agitated at every political gathering and was the all-engross-

ing topic, until it assumed national importance as the great issue to be determined at the polls, by the action of the national convention of the Free Soil Democracy at Pittsburg in 1852, when the popular sentiment assumed definite shape in the declaration of principles adopted, the twelfth resolution of which reads as follows:

That the public lands of the United States belong to the people and should not be sold to individuals nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted in limited quantities, free of cost, to landless settlers.

I believe the first bill presented to Congress granting small tracts of Government lands free to actual settlers was introduced in the Thirty-first Congress by Horace Greeley, and although no action was taken on his bill, yet he continued advocating the measure in the editorial columns of the New York Tribune until the proposition became enacted into a law of the land.

From the time he entered the Thirty-second Congress until the final passage of the law and signature by President Lincoln on May 20, 1862, Mr. Grow was an earnest advocate of a free homestead law, and his voice was often heard, and his energies always directed, in favor of its success.

His speeches upon this measure, delivered at different times during the many years it was under discussion, were, I believe, the most forcible and convincing of any made in its favor before Congress, and the following quotations therefrom will show the broad scope of his argument, and at the same time call to mind sentiments the beauty and wisdom whereof is only emphasized by experiences of time. In the Thirty-second Congress he says:

The fundamental rights of man may be summed up in two words—life and happiness. The first is the gift of the Creator, and may be bestowed at His pleasure; but it is not consistent with His character for benevolence that it should be bestowed for any other purpose than to be enjoyed, and that we call happiness. Therefore, whatever nature has provided for preserving the one or promoting the other belongs alike to the whole race. And as the means for sustaining life are derived almost entirely from the soil, every person has a right to so much of the earth's surface as is necessary for his support.

Again, in a speech on the homestead bill in the Thirty-third Congress, he says:

The prosperity of States depends not on the mass of wealth, but in its distribution. That country is greatest and most glorious in which there is the greatest number of happy firesides.

And still again in a speech delivered in the Thirty-sixth Congress, in favor of the homestead bill, introduced by himself, he says:

National disasters are not the growth of a day, but the fruit of long years of injustice and wrong. The seeds planted by false, pernicious legislation often require ages to germinate and ripen into their harvests of ruin and death. The most pernicious of all the baneful seeds of national existence is a policy that degrades labor.

This bill, introduced by Mr. Grow in the Thirty-sixth Congress, was reported on March 6, 1860, by Mr. Lovejoy, of Illinois, from the Committee on Public Lands, and on March 12, 1860, it passed the House by a vote of 119 yeas to 95 nays, but was rejected by the Senate and a substitute offered by Mr. Johnson, of Tennessee, granting homesteads to actual settlers at 25 cents per acre, but, unlike, Mr. Grow's bill, not including preëmptions by those then occupying public lands. This substitute was in turn rejected by the House, but after long conferences an agreement was arrived at and the Senate bill, with slight amendments, accepted. Mr. Colfax, of Indiana, reported it and it passed both Houses, but was promptly vetoed by President Buchanan.

During all these years of agitation in Congress Mr. Grow was rightly regarded as the champion of the homestead-law principle, and to his untiring energy more than to any other individual effort is due the final success of the measure.

On July 4, 1861, at an extra session of the Thirty-seventh Congress, Galusha A. Grow was elected Speaker of the House, and while filling that exalted position had the felicity and gratification of affixing his name as Speaker to Mr. Aldrich's homestead bill, which was nearly identical with that introduced by himself in the preceding Congress.

As before said, much of the credit of that great and important measure, so conducive to the welfare and prosperity of our country, is due to our illustrious fellow-citizen, the presentation of whose protrait to this House by the Legislature of Pennsylvania is the cause of this special gathering to-day.

While I believe all Pennsylvanians are proud of the Congressional career of Mr. Grow and his record as Speaker of the House, I feel to an extraordinary degree the honor and privilege of this opportunity to pay a deserved tribute to the ability and tact with which he filled the Speaker's chair during the turbulent and exciting days from 1861 to 1863.

It required ability and courage of the very highest order to preside over the deliberations of the House of Representatives at a time when the nation was assaulted from within and threatened from without; when the greatest war of the century, threatening the very life of the Republic, was in progress, and the political passions of men aroused as never before since the formation of the Government; when millions of men were mustered and equipped for service in the field, and thousands of millions of treasure raised to carry on the war for the preservation of the Union.

How well Mr. Grow filled the chair during these years of unparalleled excitement and strife is best evidenced by the unanimous vote of thanks given him by the members of the House of Representatives at the close of his term.

As a citizen of the same State and county, and representing a constituency that largely helped to elect him in the days long gone by, I feel more than a passing joy at thus beholding the great honor once conferred on him perpetuated by the placing of this excellent portrait among those of the other illustrious men who have occupied the Speaker's chair during the first century of this great Republic. [Applause.]

Mr. McALEER. Mr. Speaker, the relation of the State of Pennsylvania to the past history of the House of Representatives has been distinguished and almost unique. At no time has she failed to have within these halls one or more Representatives of conspicuous ability and marked force in the deliberations of the body. In the Continental Congress the names of Benjamin Franklin and Robert Morris were alone sufficient to make their State famous. The Speaker of the First Federal Congress, Frederick A. Muhlenberg, was a Pennsylvanian, distinguished for lofty character, patriotism, learning, zeal, and efficiency in the public service. Since then a long list of great names has preserved the prominence of the commonwealth of Penn in national legislation. The name of David Wilmot is imperishably linked with the legislative history that preceded the rebellion, and during the exciting period of the civil war the confessed leader of the dominant party on this floor was that robust, practical, dexterous, and forceful genius, the great commoner of his time, Thaddeus Stevens, of Pennsylvania.

To-day we are engaged in proceedings intended to permanently honor two other Representatives of this State whom former Congresses exalted to preside over their deliberations—Galusha A. Grow and Samuel J. Randall. The former of these, who presided over the Thirty-seventh Congress, ex-Speaker Grow, still lives within the Commonwealth he so ably served a generation ago, secure in the honor and respect of her people and exemplifying in ripened years all the virtues of private life and all the cultured dignity of distinguished citizenship. It is the hope of his fellow-citizens that he may long be spared to his country and his friends. The other was but recently called from service here by the inexorable voice of death. The echoes of his dirge still seem to linger in these halls, so fresh is the mournful recollection of his untimely taking off. It is as but yesterday that Samuel J. Randall was so notable a presence, so potent a force in this Chamber.

Mr. Speaker, I could not justify so early an intrusion on the attention of this body but for the fact that I have the honor to represent the same constituency that for fourteen consecutive terms chose Samuel J. Randall for their Congressman. The presentation of his portrait by the State of Pennsylvania would seem to demand from his successor some tribute to his eminent public services and noble example.

The story of his career has already been ably told by his colleagues in this body and by Senator QUAY in the other House. I can add little of interest as to the main facts of his life. Born in the city of Philadelphia, he early became identified with its municipal government as a member of councils. Then engaged in mercantile pursuits, it is quite likely he did not at that time deliberately contemplate or desire a career of exclusively public activity. There is nothing in the record of his councilmanic experience to suggest the singular capacity he afterwards displayed as a parliamentarian, politician, and statesman. From city councils he was elevated to the senate of his State, and after one term of service he was elected by the Third Congressional district a Federal Representative in the year 1862. The relationship then formed between that constituency and Samuel J. Randall knew no severance until it was broken by death. Fourteen times was the public trust between Representative and people renewed, and in all that long term of continuous service there never was an hour when the constituency faltered, hesitated, doubted in its allegiance to its Representative.

Sir, there must have been some peculiar kinship that thus bound this people to their public servant. What was it? A relationship so honorable and long continued deserves more than passing allusion. It was not identity of social ties or extraction. Mr. Randall came of a stock that was conspicuous in the upper social walks. His constituency comprised the plainest of the "plain people," whom Mr. Lincoln so often referred to as his trust and staff. Stretching along the Delaware in a narrow line through the oldest part of Philadelphia the Third Congressional district comprised, as it still comprises, a people singularly homogeneous and singularly distinct from the rest of the city.

Rank has made no distinctions among them, for there are few rich and few pretentious in their number. Most of them live by daily toil in the humblest of human industries. The most arduous trades, stevedoring and shopkeeping employ the greater number, and in trite language, the Third Congressional district would be called a "poor constituency."

But, Mr. Speaker, Randall lived and died a poor man, too, and like him, they were too rich and too honest ever to permit another to own or buy their judgment or their vote. Then, too, they are a manly people. They hate shams, cant, and hypocrisy. Their Representative was conspicuous among public men for candor and directness. They are a brave people—strong in their convictions, aggressive in opposition, loyal to their political faith, and averse to shifty compromises—they have all the sterling masculine traits of a plain people, unseduced by power and unenervated by wealth. Mr. Randall was a model of manly courage, physically, morally, intellectually, and politically. His honesty was never drugged by ambition or daunted by numbers. It grew in intensity and assertiveness when wealth and power and respectability augmented and sheltered the forces of corruption. He was never more heroic than when leading the forlorn hope of honest government against the combined allies of spoilsmen and jobbers, placemen and favorites.

The lobby had no vocation when Randall was Speaker. He was intellectually brave. He never disguised his convictions to his friends, to his foes, or to himself. He might be wrong, but he never could be misunderstood. He followed the truth as his reason revealed it, regardless of the consequences to his own fortunes. The threat of a caucus was as powerless to intimidate him as a bribe was to tempt him. He was politically brave. He was a Democrat of the most pronounced type and most constant party loyalty. If, upon economic principles, he differed with the majority of his party as to the practicability of some legislative measures, he ever yielded the most earnest support to party candidates and party causes. His Democracy in essential matters was almost a religious conviction.

While preserving in a remarkable degree the respect and friendship of the leaders of the opposing party, he was yet their most tireless, resourceful, and implacable antagonist. Nevertheless, his opposition was without bitterness. He was too large-minded to attach resentments to mere difference of opinion. For open foes he had respect and admiration; he hated only a treacherous friend. For many years actively engaged in the political contentions in his State, yet the kindest and friendliest relations always existed between himself and the prominent men of his party. So true is this, that his most conspicuous rival for party supremacy—once an honored and valued Senator, and still the foremost leader of his party in the State, William A. Wallace—presented the name of Mr. Randall to the Democratic National Convention of 1880 for nomination for the Presidency.

I know it was Randall's purpose, had he lived, to have named Senator Wallace to the State convention of 1890 as his choice for governor of the Commonwealth. Such amenities sweeten active political life and redeem it from its most intolerable features. Yet his life was not entirely free from some of the bitterness that accompanies political activity. He, too, had known the Judas kiss and felt the stab in the back from the hand he had nourished. All other wrongs he could forget and forgive, but he was too great and too true and too honest himself not to despise and loathe a false and traitorous friend.

Mr. Speaker, I have tried to suggest some of the personal traits which bound Mr. Randall to the Democracy of the Third Congressional district. They are worthy of note since the attachment they caused was alike honorable to him and to his constituency.

And, sir, after all, were not these the same traits that gave Samuel J. Randall his national reputation, that made him a trusted adviser in his party, a heroic leader in legislative conflict, and an honored presiding officer of three Congresses? No man's public life in our history was a more perfect reflex of his private virtues and personal characteristics. Too often public men on the official stage act a part which does not disclose their true character. It was not so with Mr. Randall. The traits that endeared him to his family, to his friends, and to his constituency were the same traits that marked him when he stood in the view of the nation. He was real, and true, and unpretentious in every situation. He wrote no treatise and compiled no memoirs; he left no collection of speeches that will be handed down to the political student, and no enactment on the statute book bears his name. Yet he was a potential agency in legislation that has seldom been exceeded in any single Representative. He left his impress upon the political and legislative policy of his time, as Emerson says the hero conquers, by his presence. His force of character alone, unaided and unobtruded, raised him to the distinction and power that he achieved. I know of no finer illustration in our history of the irresistible force of honesty, integrity, and fidelity united to the homeliest capacity. Some such example was needed, and is still needed, if the youth of the land are not to be seduced by the too frequent success in public life of principles and methods that would be execrated if they were not successful.

Mr. Speaker, it is difficult in analyzing a life like Mr. Randall's to illustrate by many conspicuous incidents the qualities that exalted him. This is often true of many conspicuously useful lives. The most valuable characteristics are not always the most showy. Other speakers at other times have recounted the details of his public career. It is not my desire to repeat that story, instructive and interesting as it is. I shall content myself with briefly summarizing his most distinguishing public characteristics.

He was an undemonstrative man, and of simple habits and life. No great character since the foundation of the Republic lived a more unostentatious, sincere, and democratic life than he.

He was easy of access, and recognized the absolute equality of citizenship. This was a trait of his essential democracy. The lowliest voter in his district could see its Representative as freely and would be received as cordially and as respectfully as the richest and most potential.

He was absolutely sincere. No man could or did ever say that Randall misled him or that he was disappointed in Samuel J. Randall.

He was thoroughly honest. It ought to be a matter of no great distinction to say that a public man is honest. But Randall's honesty was of a kind and at a time when it necessarily became conspicious and memorable. It was as "a river of water in a dry place, and as the shadow of a great rock in a weary land." If when the Democracy regained power in this Chamber Mr. Randall or a man like him for honesty had not led his party, its return to power would have vanished as a dream. Will it be doubted that when in 1874 a political tidal wave gave the House of Representatives to the Democracy, the manly and defiant presence of Randall held the forces of corruption aloof? The champion of honesty conquered corruption by his presence.

His patriotism was above party, and comprehended his country as the supreme object of his affections and his labors. I can not better express his ideal of duty and devotion than by quoting his words when, upon an occasion similar to this, he stated his estimate of the obligations and powers of the Speaker of this House. Nothing could be clearer, more forcible, or more impressive than the following sentences:

> When it fell to my fortune to occupy the Speaker's chair I realized how true was my idea of the position and its possibilities; and I do not believe there is anyone worthy of being mentioned in connection with it who, the very instant he takes it, will not become so broad and generous in the scope of his political vision as to act regardless of individual and personal consequences, and only for the best interests of the American people as his judgment shall dictate.

These words are worthy of being graven over the door of this Chamber as an immutable law of the Republic. Patriotism has never reached a higher utterance. Country first and party after—this was the creed of Samuel J. Randall. And how well he exemplified it. It fell to his lot to be Speaker of the House at one of the most critical stages of our history. The peace of the nation hung in the balance. The Presidency was at stake, and the party of Mr. Randall unanimously believed that Samuel J. Tilden was of right entitled to the office. Mr. Randall, too, believed it most profoundly. But in the Speaker's chair he felt he owed to the laws and to the safety of the Republic a duty paramount to any mere party obligation. Therefore it was that with face steadfastly set toward the public weal he bent all the power of his office towards a peaceful and legal settlement of the controversy. One look, one word of doubt from him would have precipitated a conflict that would have wrapped the land in sorrow, bloodshed, and anarchy. The nation owes him an inestimable debt of gratitude that he then held the inflammable elements of party in check and saved the Union of States, though his party lost the Presidency. "Peace hath her victories no less renowned than war."

He was courageous. Who that saw Samuel J. Randall then presiding over the smoldering passions of party could doubt his courage? A weak and timid man in his place would have been the ruin of his country. A partisan or a coward would have betrayed constitutional government.

He was capable, instructed, and tireless in the public service. Need I recall the memorable struggle over the "force bill." The leader of a minority threatened with a measure that meant political destruction to his party, he so led his forces that he averted that result, and thus made possible every Democratic victory since. What an enviable fate was his to save by peaceful measures and by personal efforts, first his party, then his country.

Mr. Speaker, is his portrait not worthy to hang in these halls? May not every American, every lover of free institutions, every admirer of honesty, sincerity, and manhood do him reverence? The people of the Third Congressional district are proud of the

honor they enjoy in having contributed Samuel J. Randall to the nation. May the people of the entire country, may the Congress of the States, ever bear in grateful recollection his services, his life, and his name. May the youth of the Republic never cease to emulate his achievements, his principles, and his character. His memory will endure so long as the love of patriotism, purity, and public virtue shall endure. [Applause.]

Mr. BROSIUS. Mr. Speaker, I could not, if I would, add anything but my cordial approval to what has been so fitly and gracefully said of the distinguished Pennsylvanians whose features, durably preserved on canvas, will hereafter occupy conspicuous places in the tapestry of faces that will adorn the walls of the House. Nor can I, by placing upon the canvas of this occasion another figure, in any degree mar the pictures already there, nor dim the laurels that so fitly wreathe their brows.

But it has seemed to the Representatives of Pennsylvania in this House that this notable occasion would lack completeness if some allusion was not made to another distinguished Pennsylvanian who rose to equal eminence with those whose portraits have just been presented to the House. I have risen, therefore, at the suggestion of my colleagues, to perform in a feeble way the duty which they think the occasion imposes, to bring into more distinct view than heretofore and place upon record some observations on the character and public services of the first Pennsylvanian who presided over the deliberations of this body.

The Speaker of the first House of Representatives under the Constitution, Frederick Augustus Muhlenberg, was born in Montgomery County, Pa., on January 1, A. D. 1750. He died in the city of Lancaster, Pa., on the 4th day of June, A. D. 1811.

He came from a distinguished family of German Lutherans, a family which has filled with great credit many positions of eminence and honor both in church and state, five of whom have been members of this House—a family of scholars, divines, and statesmen, whose achievements include the honors of learning, ecclesiastical distinction, and civic renown.

His father was the founder and patriarch of the German Lutheran Church in America, and enjoyed a deserved preëminence in learning and piety.

His mother was the daughter of good Father Conrad Weiser, who became the pioneer of the Germans in the settlement of Pennsylvania, and through whom he is said to have derived a strain of aboriginal blood, and he did not quite conceal how proud he was of that drop of native-American blood, which was perhaps the only one that has figured in the parliamentary history of the country.

Born of pious parents, he was in his youth dedicated to the church; was educated at the University of Halle, and ordained as a minister in the year 1770. His employment in the ministry was of short duration. The time that was to try men's souls was at hand. His firm attachment to the American cause inclined him to more active exertions in its support.

It was thought by the Germans of Pennsylvania that they ought to have in the Continental Congress a representative of their particular interest. Mr. Muhlenberg's ardent patriotism and liberal acquirements fitted him in an exceptional degree for such a station, and he was elected a member of that body in March, 1779. He served, however, for a single year, when he was transferred to the General Assembly of Pennsylvania, and was the speaker of that body in the years 1781–'82. He was also a member of the council of censors of Pennsylvania in 1783–'84 and presided over that body.

Upon the organization of the county of Montgomery he was commissioned as a justice of the court, register of wills, and recorder of deeds. He was a delegate to the Pennsylvania convention to ratify the Federal Constitution in 1787, and presided over that body. At the first election for members of Congress under the Constitution he was a candidate on the anti-Federal ticket and was elected. On the organization of the House on the first day of April, 1789, he was elected to preside over its deliberations. He had a recognized genius for presiding. He remained in Congress four consecutive terms, and was reëlected Speaker of the Third Congress.

It is recorded that when he was nominated for the Third Congress the address to the people contained these words:

> The contest by which he was placed in a situation to be Speaker of the first House of Representatives in Congress will be commemorated for the honor of America as long as the Union lasts; and for Mr. Muhlenberg's honor the conduct which he observed in that arduous and important office ought never to be forgotten.

At the close of each Congress over which he presided he received a unanimous vote of thanks for the ability and courtesy with which he discharged the duties of the office, to which he replied in a few remarks of rare grace and felicity, which seemed to have set the fashion for a hundred years.

To intense patriotism Mr. Muhlenberg added a rare amplitude of understanding, a wide experience, a firm will, and great courage. To say that he possessed in a high degree that quickness and clearness of intellectual perception, that power of swift and accurate generalization, the capacity to comprehend by a lightning flash not only the nearest link, but the entire chain of a difficult situation, or that he possessed that facility for lucid statement which could make a proposition, however intricate, as clear to others as to himself, qualities which have given us in recent years some masterful Speakers, would not be justified by any information that we possess.

But the assemblage of qualities which he is known to have possessed could not fail to qualify him in an eminent degree for the Speaker's chair at the time he occupied it. There is no record extant that raises any doubt that he filled that most difficult of positions under our Government with distinguished ability, conspicuous courtesy, and entire impartiality.

True, the House at that time consisted of but sixty-five members; a small assembly compared with the present House, and much easier controlled. Disorder and tumult had not then been invited by an unwieldy multitude. The first House was never suffocated in its own smoke. Dignity and decorum were among its conspicuous characteristics. It was the initial period in our legislative history. It was the point of embarkation on our new voyage in our new ship. Buoys could not be followed. New channels must needs be marked out. The strength of the noble ship would hardly have saved it from destruction but for the skill and wisdom of such trusty pilots as Speaker Muhlenberg and his contemporaries, whose experience, knowledge, and foresight were important agencies in the organization of the new Government.

Mr. Muhlenberg carried with him to every field of his country's service that heroic spirit which was a notable characteristic of his family, which animated his distinguished brother when, standing in his pulpit the last time in full military uniform, poorly concealed by the symbol of his holy office, thrown carelessly over him, he uttered those memorable words, "There is a time for all things—a time to preach, a time to pray, and there is a time to fight, and that time has come." As his brother put conscience into his fighting, so did he put conscience into every public undertaking.

Devotion to duty, fidelity to conviction, loyalty to conscience, the elevation of public obligations above private interests, and the subjection of conduct in all situations to the restraints of moral principle, gems of character fit for a setting in the "wrought gold" of the deep moral basis of his life, were the attributes which enabled the first Speaker of the American House of Representatives to adorn with distinguished probity every situation to which he was ever called.

The dignity of his character, the elevation of his mind, and his unflinching will united in summing up a strong personality, which left its impress with great distinctness upon his country, and are elements which can not be overlooked in assigning him appropriate rank among the stars of nobleness that glitter on Pennsylvania's fair brow.

It is the singular felicity of that State to have furnished the first of that succession of illustrious statesmen who have presided over the deliberations of this body for a hundred years, illustrating the principles of American parliamentary law, and shedding conspicuous luster on the history of parliamentary leadership in the New World. But the memory of Mr. Muhlenberg's great character, his shining virtues, his useful public services, is the exclusive possession of no district. It is the Commonwealth's, the nation's. It is a part of that immortal heritage of glory that has descended from illustrious sires upon their sons, that they, like Hector's boy, might catch heroic fire from the recollection of the great and good men of the past who earned and enjoyed the just applause of having deserved well of their country.

And now, Mr. Speaker, as we gaze upon these distinguished faces, radiant with the great qualities which were exemplified in their public careers, speaking pictures, which seem as if the painter, after putting upon them the last touch of his art, had breathed into them the breath of life, let me express the prayer of Pennsylvania, in which every other State will joyfully unite, that that seat of eminence, that Olympian chair which has been filled by illustrious statesmen, will never be compromised by an occupant who will dim the splendor of our parliamentary succession. [Applause.]

Mr. HOLMAN. Mr. Speaker, the State of Pennsylvania, through a committee of her citizens, appointed for that purpose, now present, by invitation of the House, in this Hall, presents to the national House of Representatives the portraits of Galusha A. Grow and Samuel J. Randall, former Speakers of the House, and gentlemen now representing in Congress districts formerly represented by those eminent citizens and other gentlemen from that State have, in touching and eloquent words, spoken of their public services and submitted to the House the wishes of their great Commonwealth that the House shall accept these portraits.

I rise, Mr. Speaker, to move that the House accept these portraits so gracefully presented by Pennsylvania, to become a part of the galaxy of portraits of illustrious men who have in the past presided over the national House of Representatives and of those who will in the coming ages fill that high post of honor—a galaxy that will be of ever-increasing interest, not only to those who will in the future occupy seats in this Hall, but to all the American people.

The legend "Republics are ungrateful" can not be applied to our Republic. The sentiment of public duty and honor has from the beginning been fortified and upheld by the generous applause which has followed the faithful fulfillment of a public trust. See in the halls of this Capitol how the States of the Union vie with each other in honoring the memory of their sons who have rendered valuable service to their country!

Galusha A. Grow was Speaker of the House during the Thirty-seventh Congress; Samuel J. Randall during the second session of the Forty-fourth Congress and during the Forty-fifth and Forty-sixth Congresses. The period of time between the 4th day of July, 1861, when Mr. Grow was elected Speaker, and the 4th day of March, 1877, when Mr. Randall completed his first term as Speaker, embraced events of such magnitude as to be without comparison with any other period in our history except that in which our Republic was formed—perhaps of greater importance—for in that period the appeal to arms and the statesmanship that followed, which involved the question of African slavery, which the cupidity of Europe had fastened upon us and which the wisdom and patriotism of the fathers of the Republic could not solve, which statesmanship, with fear and trembling could only hold in abeyance for three-quarters of a century was finally and forever decided. If the beneficent results to mankind which the influence and example of this great Republic seem to assure shall be realized, the events of that period will stand in history in importance without comparison with any other in the current history of the world.

At 12 o'clock on the 4th day of July, 1861, in response to the proclamation of President Lincoln, Congress assembled. This city was a military camp. The hurried movement of armed men, the ceaseless notes of the war drum all told the sad story, "war is upon us." The basement of this Capitol was a depot of military supplies, and the whole landscape was a tented field.

Entering this Hall at noon on that 4th day of July, 1861, was an event long to be remembered. The gallaries were packed with an anxious and excited multitude, but, alas, on this floor how many seats were vacant! Even the old statesmen who had long served in this House and were devoted to the Union, who passed down this aisle a few months before and passed up to the Speaker notice that they had resigned their seats in the Thirty-sixth Congress and left this Hall with bowed heads and cheeks bathed with tears, were not here.

Yet it was a remarkable and memorable assemblage. Most of those present were comparatively new members, but some of the greatest men of our country were present. Here in this seat now occupied by my distinguished colleague [Mr. BROWN] sat John J. Crittenden, grave and silent; there, on the first aisle to the left, Charles A. Wickliffe, of Kentucky; yonder, on the second aisle on the right, Thaddeus Stevens, his strong face expressing decision of purpose; further on, Elihu B. Washburn, of Illinois, then known as the father of the House. Men then known to the whole country, and who connected the past glories of the Republic with the hour of its deadly peril, a peril which patriots had seen from the beginning, but hoped to die before the dreaded issue would drench the land with the blood of intestine war.

Under circumstances like these there was little formality in organizing the House. John Hickman, of Pennsylvania, nominated Francis P. Blair jr., the young and ambitious member from Missouri, afterwards so distinguished as a general in the Union Army, for Speaker.

Thaddeus Stevens nominated Galusha A. Grow, who had served ten years in the House as the successor of David Wilmot, well known to the country as the author of the "Wilmot proviso" against the extension of slavery.

Fourteen members of the House were voted for as Speaker. Francis P. Blair, jr., in person withdrew his name and voted for Mr. Grow. One hundred and fifty-nine votes were cast, and John W. Forney, Clerk of the former House, a historical character, announced the election of Mr. Grow as Speaker of the House of the Thirty-seventh Congress by a very large majority. He had received nearly two-thirds of the votes cast.

Speaker Grow, with a resolute and earnest face, took the Speaker's stand and delivered his address. It was full of patriotic sentiment, well in harmony with the feeling of Republicans and Democrats alike who were members of the House. As he uttered the following words the silence of even the gallery was profound, and tears glistened in the eyes of many of the older members.

If the Republic is to be dismembered and the sun of its liberty must go down into endless night, let it set amid the roar of cannon and the din of battle, when there is no longer an arm to strike or a heart to bleed in its cause, so that coming generations may not reproach the present with being too imbecile to preserve the priceless legacy bequeathed by our fathers, so as to transmit it unimpaired to future times. [Applause.]

This was an auspicious beginning. The noble words I have quoted exactly expressed the spirit of the House. The period during which Mr. Grow presided as Speaker was full of anxiety, sometimes of alarm for the public safety; but Republicans and Democrats alike were confident that the cause of the Union would triumph. There was never a day or an hour even during the session of the 22d of July, the day after the battle of Bull Run, when either Republican or Democratic members felt apprehension of the final result. The anxiety was as to the basis on which the Union should be restored.

Speaker Grow filled his great office so well that I do not think a single appeal was taken from his decisions, and before he announced on the 4th day of March, 1863, the final adjournment of the Thirty-seventh Congress, he had received the cordial commendation of his course as Speaker from every member of the House.

I should add that while Mr. Grow was courteous and considerate as the presiding officer of the House and impartial and just in his decisions, he himself was treated by the members, Democrats and Republicans, with more consideration and kindness in that period of public danger than might have occurred under other conditions.

But Galusha A. Grow left the Speaker's chair with the sincere respect and kindly wishes of all the members of the Thirty-seventh Congress, with the universal feeling that he had filled the great office, at one of the most trying periods in our history, ably, impartially, and well.

Mr. Randall was first elected Speaker on the first Monday in December, 1876, at the opening of the second session of the Forty-fourth Congress, Michael C. Kerr, who was elected Speaker at the opening of that Congress, having died during the vacation, in early manhood. His death was sincerely regretted by every member of the House. Mr. Randall was reëlected Speaker of the Forty-fifth and Forty-sixth Congresses; one of the few instances where any member ever held the office for so long a period.

The interval between the 4th of March, 1863, when Speaker Grow laid down the gavel, to the first Monday in December, 1876, when Mr. Randall first called the House to order as Speaker, was full of great events.

The tremendous armies, the military resources, the terrific battles involved on this great theater in deciding the issue which successive generations of men had transmitted to that period, astonished all Europe, where for centuries the unsheathed sword was the only symbol of power.

To the statesmen of Europe one result was inevitable: the millions of men North and South, accustomed to the pursuit of arms, could never return to the self-restraint and peaceful industries of a Republic. Guerrilla warfare would in any event overthrow the voluntary obedience to law on which free institutions must rest; hence France, with the approval of other European powers, established imperialism in Mexico. But when the last decisive battle was fought the millions of men of the North and of the South in arms at once understood how the issue of the war was decided. The great armies melted away as if by magic, and at once these millions of men North and South, as if in gigantic rivalry, began to restore and build up peaceful industries on the smoldering ruins of war. The Union was restored.

This unexampled event changed the face of the whole political world. Only a note from the United States to the Emperor of France and every symbol of imperialism in Mexico turned to "dust and ashes," and that Republic entered upon a career of greatness not previously achieved!

How will the historians of the coming ages, ever seeking to discover a cause for a great event, point to the everliving force of a great example—Washington, when the last battle of the war of the Revolution was fought, with simple majesty, appearing before Congress and modestly delivering up the commission which Congress seven years before had given him to "Command the forces raised or to be raised in defense of American liberty," and gladly returning to his beautiful home on the banks of the Potomac. Who shall say that these great armies, without tumult or disorder, returning to their homes and to peaceful industries, were not animated by the spirit of that illustrious example!

When Samuel J. Randall first assumed the seat of the Speaker, and, with a face expressing manly self-reliance, called the House to order, how wonderful the contrast with the scene when his personal friend, Galusha A. Grow, assumed that office. Every seat in this great Hall was filled, and a more kindly and fraternal feeling existed among the members from the States North and South, a more lively interest in the general welfare, than had been known in Congress for more than two generations.

Mr. Randall had a larger experience in legislative procedure than Mr. Grow, and became a great master in parliamentary law. No man who was ever Speaker more largely or more beneficially influenced the general course of our legislation. But while the whole period of his Speakership was one of great Congressional activity, he encountered the greatest question of that period at the very threshold.

The Electoral Commission, which was in effect created to decide who were elected President and Vice-President in 1876 and the method of procedure, was provided for by an act of Congress when it was uncertain which party would have the advantage in organizing the Commission.

Mr. Randall was a Democrat, a positive partisan of the Jeffersonian school. He believed that Tilden and Hendricks had been respectively elected President and Vice-President of the United States in the Presidential election of 1876, and was a warm personal friend of both. When it became obvious that under the decisions of the Commission Mr. Hayes would be declared elected President, the political friends of Mr. Tilden and Mr. Hendricks were furious in their indignation at what they deemed partisan decisions of that great Commission, but Mr. Randall resolved at once to stand by the law. For this determination he was more fiercely assailed in the excitement of the hour by his political associates and friends than I have ever seen a Speaker of the House assailed by his political enemies. It was an hour of fiery passion and tumult, but he did not quail or "yield a tithe of a hair," but firmly breasted the storm. "It is the law," he exclaimed, "and must be executed." I know of no greater display of fortitude in all our history. All the centuries have delighted to honor illustrious examples of obedience to law and public duty in the old republics, but none exceed in the greatness of the occasion or in the unflinching fortitude displayed than that which occurred in this Hall on that memorable occasion.

The historian in the progress of time will explain how the disaster of civil war was averted by the fortitude of Samuel J. Randall in resisting the passions of the hour in obedience to law.

No man in public life suffers by performing his duty. After this memorable contest Mr. Randall was with general approval twice elected Speaker of the House.

I take from an elaborate article published at the time of Mr. Randall's death in the New York Sun, whose distinguished editor, Gen. Charles A. Dana, was a warm friend of Mr. Randall, the sentiments I at the time expressed, as published in that article, of the character of Mr. Randall after years of association with him in the affairs of this House:

> Mr. HOLMAN, who served with Mr. Randall on the Appropriations Committee for many years, said that Mr. Randall was one of the greatest men of his time, and that during the years he was in Congress he had done more to shape legislation and had impressed his views more clearly upon our statute books than any other man in either House. He was a man of unswerving integrity, and would never support any measure which involved any useless or extravagant expenditure, even if it was to be spent in his own district; but if, on the other hand, the bill was for the good of the country, it found in him a warm friend and earnest advocate. "Mr. Randall," added Mr. HOLMAN, "was by long odds the ablest member of the House, and was one of its most loved and respected members."

It is a pleasant memory to me that after intimate association with Mr. Randall for nearly a quarter of a century in the current business of the House we never differed in opinion on public questions except on one, the tariff, and as to that, as between ourselves, knowing each other's views, we never discussed it. That he was surrounded by a great body of personal and political friends who differed with him on that issue was natural; he was a born leader among men. His magnanimity and fidelity to duty secured him public esteem, and loyalty to his friends won to him their sincere love and affection.

Pennsylvania, with a history of great characters whom the whole world delights to honor—Penn and Franklin and their successors, who honored public life—can safely place in her list of eminent citizens the names of Galusha A. Grow and Samuel J. Randall, and this national House of Representatives will, I am sure, express the sentiments of the whole people by accepting their portraits.

There is no blemish on the record of either of their lives, and each in the high office they held rendered valuable service to their country. They were both young men when they became Speakers. Their manners in the Speaker's chair were different. Mr. Grow, with a countenance bright and cheerful, carefully noted the current of events. Mr. Randall, whose face was singularly elegant in the classical outline of its features, sat in his chair firm and sedate, and with a never-absent expression in his manners of self-reliance. Mr. Grow spoke fluently in deciding a question. Mr. Randall did not use a word more than was necessary to express his opinion and leave no doubt of his meaning. In times of turbulence Mr. Grow, by the pleasant courtesy of his appeal, brought the House to order; Mr. Randall rising from his seat, with every feature of his face and every rap of the gavel expressing the authority of the Speaker, quelled the tumult. Both were fair, just, and impartial, and always sustained by the House.

Mr. Grow as a legislator is most famous as one of the first, if not the first champion of the homestead policy of disposing of the public lands, the most beneficent measure ever enacted by Congress; Mr. Randall as the champion of the maxim "frugality in a republican government can alone secure honesty and purity in its administration."

While differing in characteristics as Speakers of the House—while one was a Republican the other a Democrat—both were alike devoted to the welfare, the honor, and prosperity of their country.

Samuel J. Randall, the work of his life completed, leaving a great record of beneficent public service, scarcely nineteen months ago passed on to that better country where the just and the good flourish in immortal youth. And his fellow-citizens have written his epitaph in imperishable words "Well done, good and faithful servant."

Galusha A. Grow, in the vigor of life, is still in our midst, respected and honored by his countrymen in all the States of the Union. He is now gracing, as of old, the Speaker's chair by the side of the now honored Speaker of the House, a pleasing incident of this hour. I feel that I will have the sympathy of every member of the House in expressing the hope that a beneficent Providence will prolong his life for many years, that he may behold, year after year, in the ever-growing prosperity of our country, the value of the Union of the States which he so manfully upheld. [Applause.]

I therefore, Mr. Speaker, submit the resolution which I send to the Clerk's desk:

The Clerk read as follows:

Resolved, That this House has received with great satisfaction the portraits of Hon. Galusha A. Grow, Speaker of the Thirty-seventh Congress, and Hon. Samuel J. Randall, Speaker of the Forty-fourth Congress at its second session and of the Forty-fifth and Forty-sixth Congresses, presented by the Commonwealth of Pennsylvania, and will cause them to be placed and preserved among those of the other distinguished men who in times past have presided over the House of Representatives.

Mr. HENDERSON of Iowa. Mr. Speaker, on the 29th of April, 1891, the governor of Pennsylvania approved "An act to provide for the presentation of the portraits of Samuel J. Randall and Galusha A. Grow to the House of Representatives of the United States Congress and making an appropriation for the painting of the same."

In pursuance of that act of the great Commonwealth of Pennsylvania, the paintings have been finished and this day tendered to the House of Representatives for its acceptance.

A resolution accepting the same has been offered and ably supported by the gentleman from Indiana [Mr. HOLMAN], and I find sincere pleasure in seconding that resolution.

Every member of this House will, I am sure, cordially support the resolution. All will welcome the faces of these distinguished public servants to the gallery where may be seen the men who have presided over the United States House of Representatives.

By this act of the State of Pennsylvania a high honor is conferred upon this body, and by that act Pennsylvania does but justice to herself.

These great men by their private and public lives won honors for their country and their State. Their country and State will to-day unite in bearing witness to the merits of these true sons of Pennsylvania—sons of the Republic.

GALUSHA A. GROW

was born at Ashford, Windham County, Conn., August 31, 1823, and still lives to enjoy the respect of his countrymen.

I believe that he is of Puritan extraction, and is a pure extract of that historic stock. At 10 years of age his mother with her six children moved to Pennsylvania, his father having died when he was 3 years of age.

At 21 years of age we find him graduated at Amherst College, and he was admitted to the bar in 1847. But this good work, accomplished while yet so young, left him with impaired health. Seeking to recover his health, he engaged in surveying wild lands and occasionally in rafting.

In these pursuits he rapidly gathered a knowledge of men, an insight into character, a keen knowledge of and sympathy for the poor and the workers, and these vigorous, manly pursuits quickly restored him to health and equipped him with the vigor so soon to be needed in a great public career during the most trying period of his country's life.

In 1850 he was elected to the Thirty-second Congress from the old Fourteenth Congressional district of Pennsylvania, and was successively reëlected to the Thirty-third, Thirty-fourth, Thirty-fifth, Thirty-sixth and Thirty-seventh Congresses. During the Thirty-seventh Congress he was Speaker of this House. In the Thirty-fifth Congress he was the Republican nominee for Speaker when James L. Orr, of South Carolina, was elected. He particularly distinguished himself as a member of the Committee on

Territories, of which committee he was chairman, in the Thirty-fourth Congress.

It will be remembered that during this period there was an unyielding struggle between those who believed in free and those who believed in slave territory. The Committee on Territories was the great committee of power on this vital question, a question deeply underlying the great rebellion.

In the desperate struggle before the war to push slavery into free territory Galusha A. Grow took a leading part and proved himself to be a far-seeing, broad-minded statesman, an able debater, and an uncompromising, true, warm-hearted friend of humanity and freedom.

A close student of history thus speaks of Mr. Grow's relation to that period and to the period itself:

This period of Mr. Grow's service, from 1851 to 1863, was one full of excitement and peril both to individuals and the country, and exacted of its principal free-soil actors, in efforts to honestly and independently perform their constitutional duties, the highest moral and physical courage. The pro-slavery leaders were arrogant, defiant, and aggressive. Their great ambition was to dominate in all the affairs of the nation, to subordinate all the forces of the Government and "freedom, free speech, and free men," in the maintenance of a tyrannical and demoralizing rule; to seize on our virgin Territories, to degrade them into slave communities, and to violently stamp out, in blood, all opposition to their arbitrary and unlawful edicts. Thus Kansas by the "border ruffians," supported by all the powers, military and civil, of the National Government, was degraded into an Aceldama—a field of blood; and even principal cities were dragooned into pursuit of hapless fugitive slaves.

The spirit that dominated the slave power in "bleeding Kansas" was as surely on the alert at the national capital. A Senator was murderously assailed in his seat and "the code" was flourished in the faces of free-soil members. These times must be recalled and understood in order to comprehend the character and services of Galusha A. Grow.

Amid all these trying scenes and events he was calm, independent, fearless, and resolutely coolly fought the battle of freedom on this floor. No danger or threat drove him from the performance of his constitutional duties. Hesitation in the face of duty and danger was no part of the character of this calm, iron-made man.

To measure character take it not in life's sunshine, but when the clouds and storms of life envelop it in trials and in sorrows. This test applied to Mr. Grow marks him as one of the calm, heroic characters in our country's history.

THE FATHER OF FREE HOMES.

Mr. Grow has also heavy claims upon the gratitude of the people of this country for having been the father of free homes.

In the first session of the Thirty-fifth Congress, on January 4, 1858, he introduced his famous bill "to secure homesteads to actual settlers on the public domain." His maiden speech in Congress was made on this question in May, 1852.

Although it failed at that session, it became the law of the land in 1863, and brought blessings that can not be estimated to toiling millions of his countrymen.

It was Mr. Grow's bill that became the homestead law, and he had the satisfaction of signing it as Speaker.

But while the champion of the actual home-seeker, he was the tireless enemy of the "land-grabber," and was ever on the alert to keep the public domain from passing into the hands of "syndicates" and "land barons," and during the Thirty-Fifth Congress he made repeated, though fruitless, efforts to secure legislation to keep that class from feeding and fattening on the public lands.

ON ALL GREAT QUESTIONS

he was brave and outspoken, and made a record showing great scope of intelligence and never-halting patriotism.

He was for "free speech, free soil, and free men;" he was for protection and against free trade. On the admission of Oregon, on the Lecompton and the English bill, and on the Crittenden-Montgomery compromise, on the proposition to appropriate millions for the purchase of Cuba, and on all great public questions he demonstrated his high character, his broad statesmanship, his devotion to his country, and his tender love for humanity.

AS SPEAKER

of this House he was fair, firm, and fearless, showing a keen regard for the laws of his country, the laws of this body, and the higher law which touches every heart from the divine source of all law.

SAMUEL J. RANDALL.

In speaking of Samuel J. Randall I feel as if speaking of one who is yet a part of us. The rapid step, the tireless energy, the cordial hand, the cheerful voice, and the friendly face are yet with us, and it is hard and unnatural to speak of him as being no longer here.

But the proceedings had in this House on April 14, 1890, and in the Senate on September 13, 1890, bear sad and eloquent evidence that this great son of Pennsylvania is dead.

When he fell, who was left that could wear his mantle?

When he fell, this country was startled and pained, knowing that it had lost a leader of such strong composite powers that the vacancy could not easily be filled.

He died April 13, 1890, at his post of duty, in the vigor of manhood, being but 61 years 6 months and 3 days old.

On both his father's and mother's side he came of stock that had been trusted by the people, and Mr. Randall was the improved product of that stock, and from early manhood commanded confidence among men and assumed leadership as his birthright. I say, assumed leadership. I should say accepted.

He was liberally educated, but had no ambition for a learned profession.

It has been said that "he was not a student." I do not agree to this. I knew him well, and pronounce him an ardent student—an untiring student.

Preachers are found outside of pulpits and churches. Teachers there are who never saw college or university. Students there are of government, of heart-beats, and of human actions who never read the classics, held diploma, or dreamed of *alma mater*.

To this class Mr. Randall belonged, and with restless, tireless mind he studied the great lessons of life and of government.

Serving for years with him on the Committee on Appropriations, I always found him armed with that knowledge that comes from hard work and careful study. Whatever was assigned to him to do was done—done well, and no needed preparation was ever neglected.

Whatever presented itself to be done by him was met more than halfway. He knew his duty by instinct, and was only happy when doing it and doing it well. He was called early into active public life, and grew stronger at every step.

His country in danger, and we find him in the ranks as a volunteer private soldier May 13, 1861. His fighting qualities quickly advanced him.

While fighting under Col. George H. Thomas his keen insight into character quickly detected the genius of Thomas, and we see him writing on a drumhead an earnest appeal that Col. Thomas be made a general. The splendid career of this officer attested the keen insight and sweep of vision of Mr. Randall as a student of character.

He was sent to the Thirty-eighth Congress, and served for twenty-eight years consecutively.

This House was his school, this country his university. Few ranked above him in his class.

A TRUE ECONOMIST

was Samuel J. Randall. He did not neglect any party advantage, but was slow to gain such advantage by crippling or starving his country.

AS SPEAKER

he was clear, and firmer than clear. He was kind but quick. In the chair and in debate he often won by rapidity of thought and action.

Let me give his own idea of the Speakership and in his own words. He regarded it as one of the highest honors that could be conferred upon an American citizen, and spoke of it as an office giving opportunity "to impress upon our history and legislation the stamp of truth, fairness, justice, and right."

Few portraits of ex-Speakers of this House will be hung in yonder gallery that will attract and hold more of our people or command more their affection and respect.

AS A FRIEND

he was as true and open as he was when a foe. Like all strong, intense natures, he loved and hated cordially; but like all truly great men, his loves predominated.

Once brought within the circle of his friendship, few could escape or ever wished to.

He was respectful to those in office, but more so to the simple citizen, untutored in the conventionalities of life, who approached him for aid or counsel. His respect for, and kind, gentle treatment of, the poor was the crowning glory of his life as a public man. The call or correspondence of the humblest citizen always met with the prompt and respectful attention due from the servant to the sovereign in the Republic.

A STRONG DEBATER.

Mr. Randall was a great power in debate, made all the more so because a thorough student in public affairs, gifted with a strong memory, quick of thought, and destitute of fear.

HE LOVED HIS COUNTRY

and made the interests of all other nations secondary to those of the land of his birth.

Neither foreign blandishments, foreign sophistries, or foreign gold could tempt him.

He was true to labor and all home sources from which labor drew its food and its supplies. It can be truly said that "he was a tribune of the people."

HE WAS HONEST,

as is attested by the fact that after being in the public service as private, sergeant, captain, provost marshal, State senator, and member of Congress for nearly thirty-five years, and living modestly and economically, he died poor in pocket, though rich, very rich, in the love of his home, his State, and his country.

The question being taken, the resolution of Mr. HOLMAN was unanimously adopted.

Mr. POWERS. Mr. Speaker, I desire to submit a resolution and ask for its present consideration.

The SPEAKER *pro tempore*. The gentleman submits the resolution which will be read, and asks unanimous consent for its consideration now.

The Clerk read as follows:

Resolved, That 5,000 copies of the proceedings of the House attending the presentation to the House by the Commonwealth of Pennsylvania of the portraits of Hon. Galusha A. Grow and Hon. Samuel J. Randall be printed for the use of the members of the House under the direction of the Committee on Printing.

The SPEAKER *pro tempore*. It there objection to the present consideration of this resolution?

Mr. RICHARDSON. The law provides that neither House of Congress shall, without the concurrence of the other, order any printing the expense of which shall exceed $500. Hence the action which the gentleman from Pennsylvania [Mr. POWERS] proposes requires a concurrent resolution. I therefore object to the present consideration of this resolution, and ask its reference to the Committee on Printing, in order that a concurrent resolution may be reported by that committee.

Mr. POWERS. I am entirely content to have the resolution go to the Committee on Printing, and trust that they will report such amendment as may be deemed proper.

Mr. RICHARDSON. I think that will be the better course. The committee will report promptly.

The SPEAKER *pro tempore*. In the absence of objection, the resolution will be referred to the Committee on Printing.

The resolution was referred accordingly.

ADJOURNMENT UNTIL MONDAY.

Mr. CATCHINGS. I move that when the House adjourns today it adjourn to meet on Monday next.

The motion was agreed to.

Mr. CATCHINGS. I move that the House adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 15 minutes p. m.) the House adjourned until Monday next.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. ARNOLD (by request): A bill (H. R. 4439) for the relief of Henry W. Martin—to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 4440) for the relief of Mrs. Marie Jane Romine—to the Committee on War Claims.

Also, a bill (H. R. 4441) for the relief of Mrs. Elizabeth Knight, of Townley, Walker County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4442) for the relief of Malinda Alexander, of Beech Grove, Walker County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4443) for the relief of Thomas J. King, of Townley, Walker County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4444) for the relief of Mrs. Nancy Jane Norris—to the Committee on War Claims.

Also, a bill (H. R. 4445) for the relief of Mrs. Mary A. Cooner—to the Committee on War Claims.

Also, a bill (H. R. 4446) for the relief of William Butt—to the Committee on War Claims.

Also, a bill (H. R. 4447) for the relief of Mrs. Rachel M. Cunningham—to the Committee on War Claims.

By Mr. BELKNAP: A bill (H. R. 4448) granting a pension to Joanna Judd—to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 4449) for the relief of John R. Blankenship—to the Committee on the Public Lands.

Also, a bill (H. R. 4450) for the relief of Levi W. Knight, administrator of the estate of Nathan H. Knight, deceased—to the Committee on War Claims.

By Mr. COBB of Missouri: A bill (H. R. 4451) for the relief of John Schenk—to the Committee on Military Affairs.

By Mr. COOPER: A bill (H. R. 4452) to pension John Brisben—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4453) to pension Jasper R. Pitzer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4454) for the relief of James N. Robinson and Sallie McComb—to the Committee on War Claims.

By Mr. DANIELL: A bill (H. R. 4455) granting a pension to James T. Minard—to the Committee on Invalid Pensions.

By Mr. DICKERSON: A bill (H. R. 4456) for the relief of John M. Curry—to the Committee on Claims.

By Mr. DUNGAN: A bill (H. R. 4457) granting a pension to William E. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4458) for the relief of Stephen McNamara—to the Committee on War Claims.

By Mr. ELLIS: A bill (H. R. 4459) for the relief of W. H. Jackson—to the Committee on War Claims.

Also, a bill (H. R. 4460) for the relief of John Rudy—to the Committee on War Claims.

Also, a bill (H. R. 4461) for the relief of A. T. Sands—to the Committee on War Claims.

Also, a bill (H. R. 4462) for the relief of Francis Millet—to the Committee on War Claims.

Also, a bill (H. R. 4463) for the relief of Samuel Drabelle—to the Committee on War Claims.

Also, a bill (H. R. 4464) for the benefit of J. C. Rudd—to the Committee on War Claims.

Also, a bill (H. R. 4465) for the relief of Francis M. Nisbet—to the Committee on War Claims.

Also, a bill (H. R. 4466) for the relief of John G. Bailey—to the Committee on War Claims.

Also, a bill (H. R. 4467) granting arrearage of pension to Campbell H. Johnson, late second lieutenant Company D, Twenty-fifth Regiment Kentucky Infantry—to the Committe on Invalid Pensions.

Also, a bill (H. R. 4468) granting an increase of pension to John W. McClanahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4469) to remove the charge of desertion against William Turner—to the Committee on Military Affairs.

Also, a bill (H. R. 4470) for the relief of Robert C. Speed—to the Committee on the Post-Office and Post-Roads.

By Mr. ENLOE (by request): A bill (H. R. 4471) for the relief of William W. Kerby—to the Committee on Military Affairs.

By Mr. FELLOWS: A bill (H. R. 4472) granting an honorable discharge to Jacob Cooper—to the Committee on Military Affairs.

By Mr. GILLESPIE: A bill (H. R. 4473) for the relief of Sarah A. McFatrich—to the Committee on Military Affairs.

By Mr. GOODNIGHT: A bill (H. R. 4474) to restore to Simpson County court, of Kentucky, a certain amount of money illegally collected as an income tax—to the Committee on Claims.

Also, a bill (H. R. 4475) for the relief of the board of commissioners of the sinking fund or the county court of Simpson County, Ky.—to the Committee on Claims.

By Mr. HAYES: A bill (H. R. 4476) to authorize the construction of a pontoon bridge across the Mississippi River at or near Davenport, Iowa—to the Committee on Interstate and Foreign Commerce.

By Mr. HOOKER of New York: A bill (H. R. 4477) for the relief of Charles S. Baker—to the Committee on Invalid Pensions.

By Mr. HOUK of Ohio: A bill (H. R. 4478) for the relief of Charles B. Stivers—to the Committee on Military Affairs.

By Mr. HOUK of Tennessee: A bill (H. R. 4479) for the relief of Thomas L. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4480) for the relief of Elizabeth Melton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4481) for the relief of James McKamey—to the Committee on War Claims.

Also, A bill (H. R. 4482) for the relief of Sarena E. Cardwell—to the Committee on War Claims.

By Mr. JOHNSON of Ohio: A bill (H. R. 4483) for the relief of Gustavus A. Balzer—to the Committee on War Claims.

By Mr. LESTER of Virginia: A bill (H. R. 4484) to increase the pension of Calvin McDaniel—to the Committee on Pensions.

Also, a bill (H. R. 4485) for the relief of the estate of A. L. Burwell, deceased—to the Committee on Claims.

Also, a bill (H. R. 4486) for the relief of Robert Huff—to the Committee on Claims.

Also, a bill (H. R. 4487) increasing the pension of Nancy Cloud, a Revolutionary pensioner, certificate numbered 3255—to the Committee on Pensions.

By Mr. LODGE: A bill (H. R. 4488) granting a pension to James A. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4489) for the relief of John Warren—to the Committee on Military Affairs.

By Mr. LIVINGSTON: A bill (H. R. 4490) for the relief of the trustees of St. Phillip's Church of Atlanta, Ga.—to the Committee on War Claims.

By Mr. McCLELLAN: A bill (H. R. 4491) granting an honorable discharge to Benawell Schwartz—to the Committee on Military Affairs.

By Mr. McCREARY (by request): A bill (H. R. 4492) for the re-

lief of George Trapnall, of Harrodsburg, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 4493) for the relief of S. J. Brown, of Garrard County, Ky.—to the Committee on War Claims.

By Mr. MAGNER: A bill (H. R. 4494) to remove the charge of desertion from the military record of Luke O'Brien, late of Company G, Eighty-second New York Volunteers, and of the United States Navy—to the Committee on Military Affairs.

Also, a bill (H. R. 4495) for the relief of Thomas Stack—to the Committee on War Claims.

Also, a bill (H. R. 4496) to place upon the pension rolls of the United States the name of Thomas F. Sheldon, late captain Company A, One hundred and twenty-fifth New York Infantry—to the Committee on Invalid Pensions.

By Mr. MEREDITH: A bill (H. R. 4497) granting a pension to Caroline Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4498) for the relief of Samuel F. Engs, of Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4499) for the relief of Mary B. T., A. M., Beverly, B. M., Randolph, and E. C. Turner, of Fauquier County, Va., and W. F. Randolph, of Washington County, Miss.—to the Committee on War Claims.

By Mr. MILLIKEN: A bill (H. R. 4500) to remove the charge of desertion against John Curtin—to the Committee on Military Affairs.

Also, a bill (H. R. 4501) to remove record of desertion of James T. Carr—to the Committee on Military Affairs.

Also, a bill (H. R. 4502) granting a pension to George H. Rand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4503) granting increase of pension to Abbie A. Colson—to the Committee on Invalid Pensions.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 4504) to reimburse the officers and crew of the United States revenue cutter Gallatin—to the Committee on Claims.

By Mr. O'NEILL of Missouri: A bill (H. R. 4505) for the relief of the Cass Avenue Distilling Company—to the Committee on Claims.

Also, a bill (H. R. 4506) for the relief of the heirs of Joseph Kulage, deceased—to the Committee on War Claims.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 4507) for the relief of the owners of the schooner Walter B. Chester—to the Committee on Claims.

By Mr. OWENS: A bill (H. R. 4508) for the relief of Nathan Finnegan—to the Committee on War Claims.

By Mr. PATTERSON of Tennessee: A bill (H. R. 4509) for the lief of Sarah L. McLemore, administratrix of John C. McLemore, deceased, of Shelby County, Tenn.—to the Committee on War Claims.

By Mr. PAYNE: A joint resolution (H. Res. 68) for the relief of the children of John W. Judson, late agent of the United States at Oswego, N. Y., for public works on Lake Ontario—to the Committee on Claims.

By Mr. PEARSON: A bill (H. R. 4510) for the relief of Levi Henry Davis—to the Committee on Military Affairs.

Also, a bill (H. R. 4511) for the relief of John H. Willis—to the Committee on Military Affairs.

By Mr. REYBURN: A bill (H. R. 4512) for the relief of Amanda G. Walter, as executrix of Thomas U. Walter, deceased—to the Committee on Claims.

Also, a bill (H. R. 4513) to adjudicate the claim of Amanda G. Walter, executrix of Thomas U. Walter, deceased—to the Committee on Claims.

By Mr. RICHARDSON: A bill (H. R. 4514) for the relief of the estate of Claiborne De Loach, deceased—to the Committee on War Claims.

By Mr. SMITH of Illinois: A bill (H. R. 4515) to provide for the construction of a graveled road from the termination of graveled road and bridge on the north side of Cache River, in Pulaski County, Ill., to the national military cemetery near Mound City, in Pulaski County, Ill., and for other purposes—to the Committee on Military Affairs.

By Mr. SPERRY: A bill (H. R. 4516) for the relief of Lucy A. Welton, widow of Henry B. Welton—to the Committee on War Claims.

By Mr. VINCENT A. TAYLOR: A bill (H. R. 4517) for the relief of Carl F. Kolbe—to the Committee on War Claims.

By Mr. STONE of Kentucky (by request): A bill (H. R. 4518) for the relief of Warren Hall—to the Committee on War Claims.

Also, a bill (H. R. 4519) for the relief of William B. Ennis—to the Committee on War Claims.

Also, a bill (H. R. 4520) for the relief of the estate of Francis M. Murray, deceased—to the Committee on War Claims.

Also (by request), a bill (H. R. 4521) for the relief of Frank Della Torre and Susan F. Della Torre, heirs of Peter Della Torre, deceased—to the Committee on Private Land Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 4522) granting a pension to G. W. Oliver, of Washington County, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4523) for the relief of William Gange—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4524) granting a pension to Jesse P. Hartman—to the Committee on Invalid Pensions.

By Mr. TUCKER (by request): A bill (H. R. 4525) for the relief of James A. Snyder, executor of Jacob Snyder, deceased, of Augusta County, Va.—to the Committee on War Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 4526) to carry out the findings of the Court of Claims in the case of Samuel M. Weaver, administrator of the estate of George W. Yuckley, deceased—to the Committee on War Claims.

By Mr. WHITE: A bill (H. R. 4527) for the relief of the legal representatives of C. H. Stibolt, deceased—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 4528) for the relief of Stephen Williams—to the Committee on Military Affairs.

By Mr. WINN: A bill (H. R. 4529) for the relief of George W. Hansard—to the Committee on War Claims.

Also, a bill (H. R. 4530) for the relief of Margaret S. Fain—to the Committee on War Claims.

Also, a bill (H. R. 4531) for the relief of Dicy D. Fowler—to the Committee on War Claims.

Also, a bill (H. R. 4532) to correct the military record of Benny Atkins—to the Committee on Military Affairs.

PETITIONS, ETC.

Petitions and resolutions were, under the order adopted by the House January 5, delivered to the Clerk, and referred as follows:

By Mr. ALLEN: Papers in claim of Mrs. Ann C. Donelson, of Monroe County, Miss.; of Francis H. Stubbs, of Tippah County; of Elizabeth Whiteside, of ——— County; of Thomas B. Stubbs, of Prentiss County; of Archibald Morrison, of Tishomingo County, in the same State—to the Committee on War Claims.

By Mr. BANKHEAD: Papers in the claim of William D. Goggans, of Jefferson County, Ala.—to the Committee on War Claims.

By Mr. BEEMAN: Petition of Reuben Myers, for reference of his claim to the Court of Claims under the provisions of the Bowman act; of Robert T. Cheek of Madison County, Miss.; of Thomas H. Lee and Richard H. Lee, executors of Henry B. Lee, and of Josiah C. Denson, for the same purpose—to the Committee on War Claims.

By Mr. BLAND: Petition of Levi W. Knight, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

Also, petition for the relief of George McAldridge—to the Committee on Invalid Pensions.

Also, petition for the relief of Julius Koch—to the Committee on Pensions.

By Mr. BLOUNT: Papers in claim of John B. Cole, of Butts County, Ga.; of Hugh H. Heard, of the same county; of David Solomon's heirs, of Wilkinson County, Ga.—to the Committee on War Claims.

By Mr. BRODERICK: Petition to accompany House bill 4345 for the relief of Everard Bierer, late colonel One hundred and seventy-first Pennsylvania Volunteers—to the Committee on Invalid Pensions.

By Mr. BUNN: Papers in the claim of Alford Sneed, of Wake County, N. C.; of Jacob I. Sneed and Charles G. Sneed, of the same county; of Samuel J. Thornton, of Simpson County; of David Snipes, of Johnson County, in the same State—to the Committee on War Claims.

By Mr. BUNTING: Petition of Methodist Episcopal Church of East Aurora, N. Y.—to the Committee on ———.

By Mr. CADMUS: Petition of the First Reformed Church of Passaic, N. J., that the exposition at Chicago, Ill., be closed on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. CAPEHART: Papers and proof to accompany House bill for the relief of James Gooldin, pilot United States Marine or Silver Lake Transport Service—to the Committee on Invalid Pensions.

Also, petition of W. A. Wiall, to accompany House bill 4355, for his relief—to the Committee on Claims.

Also, petition of A. W. Rollins, to accompany House bill 4345, for his relief—to the Committee on Military Affairs.

By Mr. CARUTH: Papers to accompany House bill 4043, granting an increase of pension to William A. Birch—to the Committee on Pensions.

Also, papers to accompany House bill 4042, granting a pension to William C. Tulley—to the Committee on Pensions.

Also, petition of Henry S. Cohn for amendment of record, to accompany House bill 1105—to the Committee on Military Affairs.

By Mr. CATCHINGS: Papers in claim of John B. Brabston, of Warren County, Mississippi—to the Committee on War Claims.

By Mr. CHEATHAM: Papers in claim of Peter Andrews, of Jones County, North Carolina—to the Committee on War Claims.

By Mr. COOLIDGE: Petition of citizens representing the First Congregational Church, of Greenfield, Mass., against the opening of the Columbian Exposition on the Lord's Day—to the Select Committee on the Columbian Exposition.

By Mr. COVERT: Petition of H. W. Prince and others, for the improvement of Southold Harbor, New York—to the Committee on Interstate and Foreign Commerce.

By Mr. CROSBY: Report relating to House bill 1084, for the relief of Michael Keefe—to the Committee on Military Affairs.

By Mr. ELLIS: Affidavits and proof to accompany bill to remove charge of desertion against William ——— —to the Committee on Military Affairs.

By Mr. EVERETT: Papers in the claim of William M. James, Walker County, Ga.; of Martha A. E. Rice, widow of Fleming Rice, of Floyd County; of William P. Hackney, of Whitefield County, and of Lindsey Ashworth, of the same county and State—to the Committee on War Claims.

By Mr. GEARY: Memorial of the Chamber of Commerce of Eureka, Cal., for the improvement of Humboldt Bay—to the Committee on Rivers and Harbors.

By Mr. GILLESPIE: Petition of members of Baptist, Presbyterian, and Congregational Churches of Sharon, Pa., asking that the Columbian Exposition may be closed on the Sabbath day—to the Select Committee on the Columbian Exposition.

By Mr. GRADY: Papers in the claim of William Rose, of Wayne County, N. C.; of Benjamin J. Futerill, of the same county; of James Williams, of Matthew M. Jones, sr., and of Epsie Jackson, of the same county; of Flora I. Campbell, of Harnett County; of Daniel L. Smith, of Cumberland County, and of Malcom McAuthur, of the same county an State—to the Committee on War Claims.

By Mr. HAYES: Petition of Walter I. Hayes, for allowance of one year's salary to estate of Alexander Clark, deceased, late minister to Liberia—to the Committee on Appropriations.

Also, two petitions and other papers accompanying, to be filed with bill to increase the pension of George Shackelford—to the Committee on Invalid Pensions.

By Mr. HOAR: Papers including evidence, copies of documents to accompanying House bill 4111, to correct the record of E. E. Rankin—to the Committee on Military Affairs.

Also, petition, evidence, etc., to accompany House bill 1443, for the relief of Eliza J. Mead—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 1446, to correct the record of William F. Peck—to the Committee on Naval Affairs.

By Mr. HUFF: Petition of the Presbyterian Church Synod representing Pennsylvania and West Virginia, requesting that the Columbian Exposition be not opened on Sunday, and protesting against any appropriation of money for its encouragement if their request is not complied with—to the Select Committee on the Columbian Exposition.

By Mr. JOHNSON of Ohio: Petition of 25 citizens of Cleveland, Ohio, praying for the relief of the Kaweah colony—to the Committee on the Public Lands.

By Mr. LESTER of Virginia: Petition of citizens of Danville, Va., for amendment to the law governing the manufacture and sale of tobacco—to the Committee on Ways and Means.

By Mr. McRAE: Papers in the claim of Oliver P. Lister and Martha Harrison, of Garland County, Ark.—to the Committee on War Claims.

By Mr. MARTIN: Papers to accompany House bill 1690, for the relief of Lewis Deems—to the Committee on War Claims.

Also, papers to accompany House bill 1693, for the relief of Elias D. Pierce—to the Committee on Claims.

Also, papers to accompany House bill 1691, for the relief of Elias D. Pierce—to the Committee on Claims.

By Mr. MANSUR: Petition to accompany House bill 4371, for the relief of William J. Ford—to the Committee on Invalid Pensions.

By Mr. MEYER: Papers in claim of Charles T. Reeder, of Orleans Parish, La.; of William Hennessy, of Algiers, in the same State—to the Committee on War Claims.

By Mr. MILLIKEN: Petition of James T. Carr, for removal of record of desertion—to the Committee on Military Affairs.

Also, proofs in the case of Mathew A. Cullnan—to the Committee on Invalid Pensions.

Also, petition of H. M. Savage for relief—to the Committee on Claims.

By Mr. MORSE: Petition of Miss Agnes L. Sherman and other members of the Young People's Society of Christian Endeavor, of North Marshfield, Mass., praying for the suppression of the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. OATES: Papers in the claim of Henry C. Russell, of Barbour County, Ala.—to the Committee on War Claims.

By Mr. O'NEILL of Missouri: Petition of Labor Assembly 2389, Knights of Labor, of Washington, D. C., asking for passage of bill to have investigation in regard to slums of cities of over 200,000 inhabitants; of No. 3837, of same organization, in the same city; of No. 5549, of same organization, of the same city; of No. 1798, of the same organization, of the same cityf, or the same purpose—to the Committee on Labor.

By Mr. O'NEILL of Pennsylvania: Papers to accompany bill for the relief of the owners of schooner Walter B. Chester—to the Committee on Claims.

By Mr. PARRETT: Petition of P. H. Carroll, recording secretary of District Assembly No. 58, Evansville, Ind., requesting the passage of a bill authorizing the collection of statistics relative to the "slums" of cities containing over 200,000 inhabitants—to the Committee on Labor.

By Mr. PEEL: Papers in the claim of Gilbert Cohee, of Washington County, Ark.; of Obed C. Cate, of Harriet T. Simpson, and of Martha J. Pyeatt, of the same county and State—to the Committee on War Claims.

By Mr. RAYNER: Memorial of the East Baltimore Business Men's Association, to pass a bill for the transfer of the Revenue Cutter Service to the naval establishment—to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON: Papers in the claim of Giles Hudspeth, of Limestone County, Ala.—to the Committee on War Claims.

By Mr. SANFORD: Petition of Woman's Christian Temperance Union (Department of Sabbath Observance), signed by 80 citizens of Saratoga Springs, N. Y., asking that no exposition or exhibition for which appropriations are made by Congress shall be open on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. SPERRY: Petition of citizens of North Bloomfield, Conn., in favor of free delivery of mails in the country districts; also, three petitions from citizens of Tolland County; also, ten petitions from citizens of Hartford County, in the same State, for the same purpose—to the Committee on the Post-Office and Post-Roads.

By Mr. STOCKDALE: Papers in the claim of Gotleib Lindermyer—to the Committee on War Claims.

By Mr. TERRY: Papers in the claim of William Barnes, of Sebastian County, Ark.; of Rebecca McCraw, of the same State; of Christian Roesch, of Pulaski County; of W. W. Adams and others, administrators of Henry Keatts; of F. T. Gibson, administrator of Maria E. Thebault, of the same county and State—to the Committee on War Claims.

By Mr. TURPIN: Papers in the claim of William H. Linam, of Wilcox County, Ala.—to the Committee on War Claims.

By Mr. WAUGH: Papers to accompany House bill 1262, to correct the military record of George A. Marks—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: Affidavit for the relief of James K. Rainey—to the Committee on Military Affairs.

By Mr. WILSON of Missouri: Petition of the president and secretary of the National Association of Veterans of the Mexican War, praying for an amendment to the general pension law (approved June 27, 1890), extending the provisions of said law to the survivors and widows of the Mexican war veterans in all respects from date of its passage—to the Committee on Pensions.

SENATE.

MONDAY, *January 25, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a report of Maj. E. M. Coates, Nineteenth Infantry, on the condition of the Mackinac National Park, in Michigan, for the year ending December 31, 1891; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, stating that in response to directions contained in the second paragraph of chapter 549, second session, Fifty-first Congress, page 1083, United States Statutes at Large, volume 26, referring to amendments to sections 4488 and 4489, Revised Statutes, relating to "line-carrying projectiles and the means of propelling them," he had issued, in writing, directions to convene the Board of Supervising Inspectors in extra session in this city, to aid the Secretary in carrying out the act of Congress; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

REPORT OF BRIGHTWOOD RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Brightwood Railway Company of the District of Columbia for 1891; which was referred to the Committee on the District of Columbia, and order to be printed.

GEORGETOWN BARGE, DOCK, ELEVATOR, AND RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator, and Railway Company of the District of Columbia; which was referred to the Committee on the District of Columbia, and ordered to be printed.

GEORGETOWN AND ARLINGTON RAILROAD COMPANY.

The VICE-PRESIDENT laid before the Senate a statement of the receipts and expenditures of the Georgetown and Arlington Railroad Company of the District of Columbia; which was referred to the Committee on the District of Columbia, and ordered to be printed.

GEORGETOWN AND TENNALLYTOWN RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate a communication from the Georgetown and Tennallytown Railway Company of the District of Columbia, inclosing a list of the stockholders of that corporation; which was referred to the Committee on the District of Columbia, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a communication from H. O. Shepard, secretary, transmitting a petition of the Muscogee (Ind. T.) Bar Association, praying for the passage of a bill fixing the salary of the judge of the United States court in the Indian Territory at $5,000 per annum; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Clayton County, Iowa, praying for the passage of the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of Clayton County, Iowa, praying for the passage of the so-called "option bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Sixteenth Legislative Assembly of the Territory of Arizona, praying for legislation to confine the numerous bands of Navajo Indians within the limits of their reservation; which was referred to the Committee on Indian Affairs.

Mr. SHERMAN presented a petition of the Central Labor Union of Cleveland, Ohio, praying for the passage of an amendment to the Constitution of the United States providing for the election of President and Vice-President by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of twenty tobacco firms of Cincinnati, Ohio, praying for an amendment to the tariff and tax law in reference to the internal-revenue tax on tobacco-dealers; which was referred to the Committee on Finance.

He also presented a petition of Summit Council, No. 19, Order of United American Mechanics, of Akron, Ohio, praying for the prohibition of foreign immigration except under certain conditions set forth in the petition; which was referred to the Committee on Immigration.

He also presented a petition of 36 citizens of Union County, Ohio, praying for the passage of the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of certain letter-carriers of Pittsburg, Pa., praying that an increase of salary be allowed to persons in that service under certain conditions; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the United Presbyterian Congregation of Martins Ferry, Ohio; a petition of the United Presbyterian Church of Richmond, Ohio; a petition of the United Presbyterian Church of Clearport, Ohio; a petition of the United Presbyterian Church of East Liverpool, Ohio; a petition of the United Presbyterian Church of Carrolltown, Ohio; a petition of the United Presbyterian Church of Pleasant Hill, Ohio; a petition of the United Presbyterian Church of East Union, Ohio; and a petition of the United Presbyterian Church of Morganville, Ohio, praying for the passage of legislation looking to the closing of the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. CASEY presented a petition of 37 citizens of Fargo, N. Dak., praying that the public land law of March 3, 1891, so far as it relates to timber culture, be amended so as to extend its benefits to nonresident widows and orphans; which was referred to the Committee on Public Lands.

Mr. DIXON presented a petition of the World's and National Woman's Christian Temperance Union, adopted at their conventions held in Faneuil Hall and Tremont Temple, Boston, Mass., praying that boards of arbitration may be provided for the settlement of all difficulties within our borders or with other nations; which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented a petition of the Gulf and Chicago Railway Company of Alabama, praying for an examination and investigation of the act of Congress approved September 4, 1841, providing for the disposition of the 2 per cent of net proceeds of lands sold by the United States in Alabama since December 1, 1819, etc.; which was referred to the Committee on the Judiciary.

He also presented a petition of the Prayer Union Assembly of the Methodist Episcopal, Cumberland Presbyterian, and Christian Churches of Girard, Ill., praying that an appropriation of $5,000,000 be made in aid of the World's Columbian Fair on condition that the exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HOAR presented the petition of S. F. Sprague and other members of the First Congregational Church of Greenfield, Mass., praying that a loan to the World's Columbian Fair be made on condition that the exposition shall be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. FAULKNER presented the petition of Henry Fisher and 47 other citizens of Mason County, W. Va., praying for the passage of what is known as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of J. McMillin and 47 other citizens of Mason County, W. Va., praying for the passage of the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. TURPIE presented the petition of Catharine Dillow, of Logansport, Ind., praying to be allowed a widow's pension; which was referred to the Committee on Pensions.

He also presented the petition of John Frets, of Auburn, Ind., praying to be granted a pension; which was referred to the Committee on Pensions.

He also presented a memorial of sundry churches of Princeton, Ind., comprising 975 members, remonstrating against the opening of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. VILAS presented a petition of the Board of Trade of Arcadia, Wis., praying for a reduction of letter postage; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of A. J. Kinney and other citizens of St. Croix County, Wis., and the petition of M. A. Fulton and 30 other citizens of St. Croix County, Wis., praying for the free bimetallic coinage of gold and silver; which was referred to the Committee on Finance.

Mr. VEST presented the petition of J. W. Draffen and other citizens of Boonville, Mo., praying for the passage of an amendment to section 26 of the tariff and tax law approved by the President October 1, 1890, in regard to leaf tobacco; which was referred to the Committee on Finance.

He also presented a petition of the Synod of the Southern Presbyterian Church of Missouri, convened at Fulton October 16, 1891, praying that the Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MANDERSON. I present a memorial signed by the trustees of the estate of the late W. W. Corcoran, the trustees of the estate of the late Lucius Tuckerman, and representatives of the estate of Mr. Riggs, Mr. Justice Gray, and numerous other property-owners on I street, protesting against the passage of the bill proposing to construct a street railway along I street and out Seventeenth street, known, I believe, as the "Zoo" Street Railway scheme.

The memorial sets forth in proper language reasons for the protest, and calls attention to the fact that this is another of the numerous efforts which have been made to advance the purposes of outside lot speculators to the ruin of inside property, and I earnestly hope that the present efficient Committee on the District of Columbia will see that none of these schemes is carried out to improper success.

The VICE-PRESIDENT. The memorial will be referred to the Committee on the District of Columbia.

Mr. CAMERON presented a memorial of the Synod of Pennsylvania, comprising the Presbyterian churches of Pennsylvania and West Virginia, remonstrating against Government aid for the World's Columbian Fair unless it is closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WILSON presented the petition of 13 citizens of Emmet County, Iowa, praying for the passage of the bill known in the Fifty-first Congress as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. WILSON. I present a petition of 19 citizens of Warren County, Iowa, and a petition of 13 citizens of Emmet County, Iowa, praying for the passage of a bill similar to the one known

in the Fifty-first Congress as the Butterworth option bill. I move the reference of the petitions to the Committee on Agriculture and Forestry.

Mr. WASHBURN. I wish to suggest to the Senator from Iowa that the petition in regard to the option bill so called had better go to the Judiciary Committee, as the bill on that subject has already been referred to the Committee on the Judiciary.

Mr. WILSON. I have no objection to that reference.

Mr. PADDOCK. In regard to the suggestion of the Senator from Minnesota, I wish to say that I understood that the petitions presented by the Senator from Iowa related also to the Conger lard bill.

Mr. WILSON. That was a separate petition.

Mr. PADDOCK. All right.

The VICE-PRESIDENT. The petitions will be referred to the Committee on the Judiciary.

Mr. PADDOCK presented a petition of subordinate Alliance No. 806, of Saunders County, Nebr., officially signed, praying for the passage of the antioption bill and the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. HALE presented the petition of Ann G. Blackington, of Rockland, Me., praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. ALLISON presented the petition of F. L. Dow and other citizens of Clarion, Iowa; the petition of W. H. Merry and other citizens of Woodbury County, Iowa; the petition of A. T. Dille and other citizens of Allamakee County, Iowa; the petition of H. Hoartz and other citizens of Iowa; the petition of Jacob Doll and other citizens of Black Hawk County, Iowa; the petition of John Borman and other citizens of Sac County, Iowa; the petition of Henry Kaehn and other citizens of Clayton County, Iowa; and the petition of J. F. Sanders and other citizens of Benton County, Iowa, praying for the passage of what is known as the antioption bill; which were referred to the Committee on the Judiciary.

He also presented the petition Alex. Galbraith and other citizens of Sac County, Iowa, praying for the passage of what is commonly known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry

He also presented the petition of J. A Farrington and other citizens of Mills County, Iowa, praying for the enactment of the law to restore the free bimetallic coinage of silver and gold coins, the same as was the law from 1792 to 1873; which was referred to the Committee on Finance.

He also presented a petition of the Young People's Society of First Street Church of Boone, Iowa, representing 50 persons, praying that the World's Columbian Fair be closed on Sunday, also that the sale of liquors be prohibited thereat, and that the art department be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. VANCE presented a petition of the Deep River Monthly Meeting of Friends, of Guilford County, N. C., praying for the ratification of the so-called Brussels treaty for suppressing the African slave trade; which was ordered to lie on the table.

Mr. DANIEL presented a petition of the Chamber of Commerce of Norfolk, Va., praying for the transfer of the Revenue Marine to the Navy Department; which was referred to the Committee on Naval Affairs.

He also presented the petition of Daniel Ruggles, late captain Fifth Regiment Infantry and brevet lieutenant-colonel United States Army, praying for payment of commutation for subsistence allowance; which was referred to the Committee on Military Affairs.

Mr. DOLPH presented a petition of citizens of Wasco County, Oregon, praying for the passage of what is known as the antioption bill; which was referred to the Committee on the Judiciary.

Mr. ALLEN presented a petition of the Chamber of Commerce of Port Townsend, Wash., praying for the transfer of the United States Revenue Marine Service from the Treasury to the Navy Department; which was referred to the Committee on Naval Affairs.

Mr. HISCOCK presented a petition of citizens of the State of New York, praying for the free delivery of mails in country districts; which was referred to the Committtee on Post-Offices and Post-Roads.

He also presented a memorial adopted by the advisory committee of the Citizens' Bridge Association of Brooklyn, N. Y., remonstrating against the passage of Senate bill 846, to authorize and regulate the construction of bridges, etc.; which was referred to the Committee on Commerce.

Mr. COCKRELL presented a memorial of the Missouri Synod of the Presbyterian Church (Southern), convened in Fulton, Mo., October 16, 1891, signed by T. C. Smith, stated clerk, remonstrating against the opening of the Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

REPORTS OF COMMITTEES.

Mr. FAULKNER, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 268) for the relief of C. M. Shaffer;

A bill (S. 657) for the relief of the estate of A. H. Herr, deceased, late of the District of Columbia;

A bill (S. 284) for the relief of William F. Wilson;

A bill (S. 276) for the relief of the trustees of the Methodist Episcopal Church of Martinsburg, W. Va.;

A bill (S. 1061) for the relief of the legal representatives of Lewis W. Washington, deceased;

A bill (S. 1062) to refund to the State of West Virginia the money paid to officers of the One hundred and thirty-third Regiment West Virginia Militia for services rendered during the rebellion; and,

A bill (S. 273) for the relief of the trustees of St. Joseph's Catholic Church at Martinsburg, W. Va.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (H. R. 9) to define and punish blackmailing, reported it without amendment.

He also, from the same committee, to whom was referred the joint resolution (S. R. 27) providing that the statute of limitations shall not be interposed as a defense by the United States in the Court of Claims in suits wherein laborers, workmen, and mechanics are seeking to recover for wages due, asked to be discharged from its further consideration and that it be referred to the Committee on Education and Labor; which was agreed to.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S 661) for the regulation of the practice of dentistry in the District of Columbia and for the protection of the people from empiricism in relation thereto, reported it with amendments, and submitted a report thereon.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 460) for the relief of the legal representatives of George K. Otis, deceased, reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on the Judiciary, to whom was referred the bill (H. R. 435) to provide an additional mode of taking depositions of witnesses in causes pending in the courts of the United States, reported it without amendment.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 1023) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company to construct and operate a railroad, telegraph and telephone line from the city of Anthony, in the State of Kansas, through the Indian Territory, to some point in the county of Grayson, in the State of Texas," approved September 26, 1890, reported it without amendment.

Mr. CAREY, from the Committee on Education and Labor, to whom was referred the bill (S. 749) to provide for a commission on the subject of the alcoholic liquor traffic, reported it with amendments, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 1233) to establish a military post on the line of railway between Burlington and Highgate, Vt., reported it without amendment, and submitted a report thereon.

Mr. PADDOCK. From the Committee on Agriculture and Forestry I report an amendment, in the nature of a substitute, intended to be proposed to the bill (S. 1) for preventing the adulteration and misbranding of food and drugs, and for other purposes.

The VICE-PRESIDENT. The proposed amendment will be printed.

SENATOR FROM TEXAS.

Mr. HOAR. I am directed by the Committee on Privileges and Elections, who were instructed by a resolution of December 12, 1891, to inquire into and report upon the circumstances and validity of the appointment of Mr. CHILTON of Texas to a seat in the Senate from that State, to submit a report. I desire that the resolution with which the report concludes may be read.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read as follows:

Resolved, That Mr. HORACE CHILTON, appointed by the executive of the State of Texas on the 25th day of April, 1891, to fill the vacancy occasioned by the resignation of Hon. John H. Reagan, which had previously been made to take effect on the 10th day of June, 1891, is entitled to retain his seat.

Mr. HOAR. I will not ask for action on the resolution at this time; but I think the report, which is brief, should be printed in the RECORD, and I shall call up the resolution in the course of a few days.

The VICE-PRESIDENT. The report will be printed in the RECORD, if there be no objection.

Mr. HOAR. And also printed as a document.

The VICE-PRESIDENT. It will also be printed as a document. The resolution will lie on the table.

The report is as follows:

The Committee on Privileges and Elections, who were directed by resolution of December 12, 1891, to inquire into and report upon the circumstances and validity of the appointment of Mr. CHILTON to a seat in the Senate from the State of Texas, have complied with said resolution, and respectfully report:

Mr. Reagan, elected Senator from the State of Texas for the term of six years from the 4th of March, 1887, resigned his office, the resignation to take effect on the 10th day of June, 1891. The executive of the State of Texas on the 25th day of April, 1891, and after the receipt of the resignation of Mr. Reagan, appointed Mr. CHILTON to fill the vacancy occasioned by said resignation. Mr. CHILTON'S credentials set forth the resignation of Mr. Reagan, and further declare—

"Now, therefore, I, J. S. Hogg, governor of the State of Texas, by virtue of the authority vested in me by the Constitution and laws of the United States and of the State of Texas, do hereby appoint HORACE CHILTON, of Smith County, Tex., Senator in the Congress of the United States from the State of Texas to fill the vacancy occasioned by the resignation of the Hon. John H. Reagan. This appointment to take effect the 10th day of June, A. D. 1891."

The certificate bears date April 25, 1891.

Mr. CHILTON is in all other respects duly qualified to be a Senator from the State of Texas. The only question is whether the governor might lawfully make this appointment before the resignation of Mr. Reagan actually took effect.

The provision of the Constitution affecting the question is as follows:

"ART. I, Sec. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six years, * * * and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies."

A similar state of facts has arisen in a number of instances since the Constitution went into operation.

The term of Uriah Tracy, Senator from Connecticut, expired March 3, 1801; he was appointed by the governor of Connecticut, February 20, 1801; "from the 3d of March next until the next meeting of the Legislature of said State," the Legislature of the State not being in session at the time of said appointment or thereafter until after said 4th of March. Exception being taken to his credentials, he was admitted to the seat by a vote of 13 yeas to 10 nays, and held the seat during the special session of the Senate, March 4 and 5.

Joseph Anderson, of Tennessee, was appointed by the executive February 6, 1809, to fill the vacancy which would result from the expiration of his term, March 3, 1809. He held the seat under these credentials during the special session of the Senate, March 4 to March 7, 1809.

John Williams, of Tennessee, was appointed by the executive to fill the vacancy which would result from the expiration of his own term, March 3, 1817. Under these credentials he held his seat from March 4 to 6, 1817.

John McPherson Berrien, of Georgia, resigned by letter dated Washington, May 28, 1852, addressed to the President *pro tempore*, and read in Senate same date. (Globe, first session, Thirty-second Congress, p. 1493.)

Robert M. Charlton, his successor, appeared June 11, 1852, with credentials signed by the governor of Georgia, and dated May 18, 1852, to take effect from and after May 31, 1852. He was sworn and took his seat without objection. (Senate Journal, first session, Thirty-second Congress, p. 468.)

March 4, 1825, James Lanman, of Connecticut, presented credentials showing an appointment made February 8, 1825, by the governor of the State, to fill the vacancy about to result from the expiration of his term, March 3, 1825. Objection being made, Mr. Lanman was refused a seat by a vote of 23 to 13. There is no historical evidence from which we can determine on what ground the Senate rejected Mr. Lanman, whether it was on the ground that the governor could not fill a vacancy happening at the beginning of a term, or on the ground that the governor could not lawfully make the appointment in anticipation and before a vacancy occurred, and before he could possibly know whether the Legislature might not be called together before that time. Judge Story (Const., sec. 727, n. 2) says:

"In the case of Mr. Lanman, a Senator from Connecticut, a question occurred whether the State executive could make an appointment in the recess of the State Legislature in anticipation of the expiration of the term of office of an existing Senator. It was decided by the Senate that he could not make such an appointment. The facts were that Mr. Lanman's term as Senator expired on the 3d of March, 1825. The President had convoked the Senate to meet on the 4th of March. The governor of Connecticut, in the recess of the Legislature (whose session would be in May), on the 9th of the preceding February appointed Mr. Lanman as Senator, to sit in the Senate after the 3d of March. The Senate by a vote of 23 to 18 decided that the appointment could not be constitutionally made until after the vacancy had actually occurred."

The following statement appears in the National Intelligencer for Tuesday, March 8, 1825:

"An important constitutional question was yesterday decided in the Senate, by the refusal to admit Mr. Lanman to a seat in the Senate under a commission from the governor, granted before the expiration of Mr. Lanman's late term of service. This is the first time this question has been adjudicated under such circumstances as to form a precedent; and we presume it may now be considered a settled construction of the constitutional provision that a vacancy must have literally 'happened' or come to pass before an appointment can be made to fill it. The case has once been questioned and decided differently, but it was in strong party times, all the Federal members voting for the member's taking his seat, and all the Democratic members against it, under which circumstances the decision has not been much respected as a precedent. So far as it was a precedent it is now reversed."

Gorden's Digest of the Laws of the United States, 1827, appendix, note 1 B, states the ground of the decision in the same way, but manifestly bases the statement on the authority of the National Intelligencer.

On the other hand, Mr. Grundy, in his report from the Committee on the Judiciary in the case of Mr. Sevier, Senator from the State of Arkansas, who was appointed by the governor of Arkansas, January 17, 1837, to fill the vacancy which would occur on the 3d of March following, by the expiration of Mr. Sevier's previous term, declared that the decision in the Lanman case was on the ground "that the Legislature must provide for all vacancies, which must occur at stated and known periods, and that the expiration of a regular term of service is not such a contingency as is embraced in the second section of the first article of the Constitution." He distinguished Mr. Sevier's case from the Lanman case by the fact that the time that Mr. Sevier was to go out of office was decided by lot, he having been one of the Senators appointed by the State on its admission.

Niles' Register of Friday, March 12, states the question in regard to the Lanman case:

"The question was whether the failure by the Legislature to make a choice of Senator constitutes the contingency in which the governor may appoint a Senator."

Mr. Benton, in his Thirty Years' View, states that the principal argument against the admission of Mr. Lanman was made by Mr. Tazewell, that argument being that the word "happen" in the Constitution could not apply to a foreseen event, bound to occur at a fixed period, and that therefore it was the right of the Legislature only to fill a vacancy which was foreseen, regular, and certain, and that there was no right in the governor to supply that omission.

Mr. Lanman was not admitted to the seat. There is nothing in the contemporary record of the debates or in the resolution which enables us to determine whether the majority of the Senate based its action on the ground stated by Mr. Benton to have been maintained by Mr. Tazewell, or on the ground stated by Judge Story and by the National Intelligencer. The case, therefore, is not an authority on either side of the question. So that it is impossible to determine whether the Senate meant to overrule the Tracy case on one ground or the other.

On the other hand, an examination of the very numerous cases where the executives of States have made appointments when the Legislature was not in session shows that in a great many of them the executive has postponed action, where the resignations were made to take effect at a future time or where the previous term had expired by its own limitation, until after the vacancy existed. In all probability this postponement was caused by a belief on the part of the executive that he had no authority to provide for filling a vacancy until it actually occurred, or at any rate, that the question was so far in doubt that it would be unsafe to make the appointment in anticipation.

So far, then, as the precedents are concerned it appears that in three cases persons so appointed have been admitted to their seats without question; that Mr. Tracy was admitted and Mr. Lanman rejected where the executive made the appointment in anticipation of a vacancy, there being a discussion in the Senate, but no satisfactory evidence of the grounds of the judgment; that in one case, that of Mr. Sevier, a person so appointed has been admitted, when the validity of the appointment was questioned upon other grounds, without raising this question specifically; and that in modern times the practice has been uniform for the State executive to delay appointment until the actual happening of the vacancy.

Under these circumstances it seems to us that the Senate may now determine the question unhampered by any precedents of its own.

We suppose that where the power is given to fill vacancies in public offices it has been the uniform practice to permit resignations of such offices to be made to take effect at a future day, and to hold that the appointing power is entitled to make the appointment in advance to fill the vacancy, to take effect when the resignation becomes operative, unless the language of the constitutional or statute provision under which the authority is exercised forbids such construction.

The Constitution of the United States, Article II, section 2, in providing for the appointing power, enacts:

"The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session."

We believe it has been the uniform practice of the Executive from the beginning to accept resignations which are to take effect in the future, and to make appointments, also to take effect in the future, to fill them. We suppose that a like practice also prevails in regard to the heads of Departments in the exercise of the appointing power conferred by law upon them. The language of the provision of the Constitution under consideration, that "if vacancies happen by resignation or otherwise during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature," seems to us to admit easily of a like construction. We do not suppose that it was the intention of the framers of the Constitution to establish different rules for these two cases.

The Senate has recently, after full consideration, determined that the constitutional provision that the Senate shall choose a President *pro tempore* in the absence of the Vice-President permits the choice of an officer in advance of the actual occurrence of the contingency referred to, who may take the chair whenever the Vice-President may be absent, until the Senate otherwise order. In all these cases, including that which we are now considering, the important consideration is that it must have been the purpose of the framers of the Constitution, as it is clearly for the public interest, that the office as far as possible should always be filled. This consideration applies with peculiar force to the office of Senator. We should be very unwilling to establish a construction of the Constitution which would make it certain that in no case of the resignation of a Senator, however necessary that resignation might be, there should be a succession without a considerable interval.

This would bear with peculiar hardship upon States remote from the seat of Government, and might determine the policy of the country in great emergencies and in matters peculiarly affecting particular States, when such States were but partially represented or possibly not represented at all. The tendency of the opinion in the Senate, as evidenced by its more recent decisions, has been more and more to lead to a construction which, as far as possible, secures that the seats in the Senate should be filled without any interruption in the representation of the State. Thus, in the case of Mr. Bell and Mr. Blair, Senators from the State of New Hampshire, it has been held that the executive might fill the vacancy occurring at the beginning of the constitutional term in consequence of the failure or the inability of the Legislature to elect a Senator for that term, in compliance with the statute of 1866 (Revised Statutes, sections 14 and 19), in spite of very weighty and influential opinions to the contrary.

So it has been held and is now the settled construction, that if a vacancy occur during the recess of the Senate, and a person be regularly nominated to the Senate at its next session to fill it, and be rejected, and the Senate adjourn without the office being filled, the President is entitled to make a new appointment in the next vacation. So, if the officer died during the session, and if his death be not known until after the adjournment, as is said by Attorney-General Taney, in his able report (Opinions of Attorneys-General, volume 2, page 523):

"It is admitted by every one that the President may appoint in such cases, and the practice of the Government has continually conformed to that construction."

"It was the intention of the Constitution," Mr. Taney further says, "that the offices created by law and necessary to carry out the operations of the Government should always be full, or, at all events, that the vacancy should not be a protracted one." (See also, to the same effect, the opinion of William Wirt, 1 Op. Atty'ys Gen., 631.)

It has been suggested that if this construction be established it will be in the power of the governor of the State to provide by appointment for the filling of future vacancies long before they occur, and, therefore, the will of the people of the State, as it exists at or near the time of filling the vacancy, fail of being carried into effect. But the instances must necessarily be very rare indeed where the vacancy can be anticipated beforehand under circumstances which will create such a temptation to the executive. Against that, as against many other evils which are possible under a popular government, as under other governments, the protection in general must be in the character and integrity of the persons clothed with high public office.

We, therefore, are of the opinion that Mr. CHILTON was lawfully appointed by the executive of the State of Texas to the seat which he now holds, and recommend the adoption of the following resolution:

Resolved, That Mr. HORACE CHILTON, appointed by the executive of the State of Texas on the 25th day of April, 1891, to fill the vacancy occasioned by the resignation of Hon. John H. Reagan, which had previously been made to take effect on the 10th day of June, 1891, is entitled to retain his seat.

SENATOR FROM FLORIDA.

Mr. TURPIE. The Committee on Privileges and Elections, to whom were referred the papers, evidence, and certificates in the case of WILKINSON CALL and of the contestant, R. H. M. Davidson, respecting the question of a title to a seat in this body from the State of Florida, have had the same under consideration, and have instructed me to report the following resolution:

Resolved, That the Hon. WILKINSON CALL, of Florida, was duly elected by the Legislature of said State on the 26th day of May, 1891, a Senator of the United States from said State for the term of six years, commencing on the 4th day of March, 1891, and that he is lawfully entitled to a seat in the Senate.

The VICE-PRESIDENT. The resolution will be placed on the Calendar.

BILLS INTRODUCED.

Mr. SHERMAN (by request) introduced a bill (S. 1778) to reorganize the line of the Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1779) for the relief of Robert S. Forbes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1780) for the relief of Fred W. Snell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1781) increasing the pension of Andrew J. Konkle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1782) for the relief of James Roberts; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1783) granting an increase of pension to Albert A. Morey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON introduced a bill (S. 1784) to idemnify the settlers upon the so-called Des Moines River lands in the State of Iowa; which was read twice by its title.

Mr. WILSON. I ask that the bill be referred to the Committee on Public Lands, and in this connection I wish to state that I hope the committee will give the bill early consideration, inasmuch as it affects the interests of a large number of people who settled upon what were always believed to be public lands of the United States. But a recent decision of the Supreme Court of the United States seems to be adverse to that almost or quite universal belief in the State of Iowa, and in order that the settlers may be provided for by indemnity by the United States, I hope that the committee will give early consideration to the bill.

The VICE-PRESIDENT. The bill will be referred to the Committee on Public Lands.

Mr. WILSON introduced a bill (S. 1785) granting a pension to Mrs. M. M. R. Stafford; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 1786) granting a pension to Mrs. Jennie Gray; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 1787) granting a pension to Austin Rockwell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 1788) to incorporate the Church Orphanage Association of St. John's parish, of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1789) to extend to Marquette, Mich., the privilege of immediate transportation of unappraised merchandise; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1790) for the relief of Thomas Antisell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1791) for a public building for a marine hospital at Cheboygan, Mich.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. CAMERON introduced a bill (S. 1792) removirg the charge of desetion against Philip Schrout; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 1793) to legalize the deed and other records of the office of Indian Affairs, and to provide and authorize the use of a seal by said office; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1794) to ratify and confirm an agreement with the Pah-Ute tribe or band of Indians on the Pyramid Lake Indian Reservation in Nevada, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1795) to ratify and confirm an agreement with the Indians residing on the Shoshone Indian Reservation in the State of Wyoming, with certain changes and modifications, and to make appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1796) to ratify and confirm an agreement with the Tonkawa tribe of Indians in Oklahoma Territory, and to make appropriation to carry the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1797) to ratify and confirm an agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1798) to ratify and confirm an agreement with the Indians residing on the Colville Reservation in the State of Washington, with certain modfications, and to make aprpopriations for the carrying into effect of the same; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1799) to ratify and confirm an agreement with the Wichita and affiliated bands of Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1800) to ratify and confirm certain agreements with the Upper and Middle bands of Spokane Indians, the Lower Pend d'Oreille or Calispel Indians, and the confederated bands of Flatheads, Pend d'Oreille, and Kootenai Indians in Washington, Idaho, and Montana, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SQUIRE introduced a bill (S. 1801) making an appropriation for the construction of a ship canal connecting Lakes Union and Washington with Puget Sound; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HISCOCK introduced a bill (S. 1802) to establish the Grant Memorial Home at Mount McGregor, N. Y.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1803) for the relief of Francis Irsch; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1804) for the relief of Benjamin F. Wells, sr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 1805) to limit the operation of certain acts relating to structures over navigable waters; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 1806) to amend sections 2774 and 2807 of the Revised Statutes; which was read twice by its title.

Mr. HISCOCK. I desire to say in respect to this bill that the argument presented to me would seem to be very strong in favor of the amendment to the statute proposed, but it is a measure which, as a matter of course, will require close examination. I move that the bill be referred to the Committee on Commerce.

The motion was agreed to.

Mr. STOCKBRIDGE introduced a bill (S. 1807) making an appropriation for the improvement of the St. Joseph Harbor, Michigan; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PROCTOR introduced a bill (S. 1808) for the recognition of Henry C. Hill as captain and aid-de-camp on the staff of Maj. Gen. B. F. Butler, United States Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 1809) to authorize the Secretary of War to amend the military record of commissioned officers of the late war under certain circumstances, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1810) for the relief of the officers and crew of the United States steamers Forest Rose and Argosy, late of the Red River expedition; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1811) for the relief of Peter M. V. Underwood; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1812) granting a pension to James R. Edwards; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1813) granting a pension to Sarah W. Hamm; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1814) granting a pension to Emanuel Klauser; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1815) for the relief of Ephraim H. Marsh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1816) for the relief of William D. Matthews; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1817) for the relief of J. A. McCreary, late of the United States Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1818) granting a pension to Charles W. Pool; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1819) authorizing the issuing and loaning o. the ensigns, flags, signal numbers, etc., of the United States for the purpose of decorating the streets of the city of Washington on the occasion of the meeting of the encampment of the Grand Army of the Republic in the month of September, 1892; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1820) granting a pension to Lizzie Lena Pollock; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1821) granting a pension to Isaac Miller; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1822) granting a pension to Kezia C. Woods; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1823) granting a pension to Ward S. Hoaglin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1824) granting an increase of pension to Hugh McHugh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1825) granting an increase of pension to David C. Canfield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1826) granting a pension to Harrison H. Dodd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1827) granting an increase of pension to Everard Bierer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 1828) to establish postal savings depositories and subdepositories, and for other purposes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. CULLOM introduced a bill (S. 1829) for the relief of Risdon Moore, for his services as gunner and blacksmith under the command of Col. J. C. Frémont, Mounted Riflemen, First California Volunteers, from May, 1845, to October 1, 1847; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1830) for the relief of Neil Fisher; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 1831) to admit free of duty the wreckage of the ships Trenton and Vandalia, presented by the United States to the King of Samoa; which was read twice by its title.

Mr. FRYE. I move that the bill, with the accompanying paper, be referred to the Committee on Finance, and I desire to call the attention of the Senator from Ohio [Mr. SHERMAN] to the measure. The United States gave the wreckage of our two United States ships wrecked in Samoa to the people there in consideration of their heroic efforts to save life. The wreckage has been provided for and sent to San Francisco, the only port in which it could be sold, and the duties demanded and collected took the entire profits of the operation, so that our friends the Samoans received actually nothing. The duties were paid under protest. This is a bill providing that the duties may be refunded. I hope the Senator from Ohio will call it up early in the committee.

The VICE-PRESIDENT. The bill, with the accompanying paper, will be referred to the Committee on Finance.

Mr. PEFFER introduced a bill (S. 1832) for the relief of Peter M. V. Underwood; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1833) for the relief of Patrick Montgomery; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. HARRIS introduced a bill (S. 1834) for the relief of the First Methodist Church in the city of Jackson, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1835) for the relief of Samuel Howard; which was read twice by its title, and referred to the Committee on Claims.

Mr. COKE introduced a bill (S. 1836) for the relief of A. M. Shannon & Co.; which was read twice by its title, and referred to the Committee on Claims.

Mr. VANCE introduced a bill (S. 1837) for the relief of the heirs of Thomas C. Tatham, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1838) for the relief of Thomas S. Lutterloh; which was read twice by its title, and referred to the Committee on Claims.

Mr. TURPIE (by request) introduced a bill (S. 1839) to increase the pension rate in certain cases of deafness; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1840) for the relief of the estate of David B. Sanders, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1841) for the relief of Daniel McClure; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. WARREN introduced a bill (S. 1842) to fix the fees of jurors and witnesses in United States courts in the State of Wyoming; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CAREY introduced a bill (S. 1843) to provide for the punishment of offenses committed in the Yellowstone National Park; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 1844) to provide for the erection of a public building in the city of Laramie, Wyo.; which was read twice by its title, and referred to the Committee on Public Building and Grounds.

Mr. ALDRICH introduced a bill (S. 1845) granting a pension to the widow of the late Lieut. Boutelle Noyes, United States Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1846) for the relief of Lovina Minard; which was read twice by its title, and, with the acompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1847) to remove the charge of desertion from the military record of Edgar B. Wood; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1848) for the relief of Margaret M. Paine; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1849) for the relief of George Aldrich; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1850) granting arrears of pension to Mary F. Hopkins; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1851) granting a pension to A. M. Bliss; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HIGGINS introduced a bill (S. 1852) granting a pension to Elizabeth S. White; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 1853) for the construction and completion of suitable school buildings for Indian industrial school in Iowa; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1854) for the relief of Mrs. M. E. Haldeman, wife of Francis W. Haldeman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1855) granting an increase of pension to Wesley J. Banks; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1856) granting a pension to Henry O'Connor; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 1857) to further increase the naval establishment; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. TELLER introduced a bill (S. 1858) increasing the pension of Martin L. Shull; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 1859) for the relief of Brig. Gen. and Bvt. Maj. Gen. David S. Stanley, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DANIEL (by request) introduced a bill (S. 1860) for the relief of Benjamin F. Isherwood and Theodore Zeller, chief engineers in the United States Navy, retired, and others officers of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 1861) for the relief of certain graduates of the Naval Academy, who, having completed their four years' course at the Naval Academy prior to August 5, 1882, were discharged from the service under the act of August 5, 1882; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 1862) for the relief of Sarah L. Smith and Mary E. Smith, daughters and only heirs at law of Sarah G. Smith, deceased, late of Stafford County, Va., for stores and supplies taken by the military forces of the United States for their use; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1863) for the relief of John G. Williams, administrator *de bonis non* of Col. Francis Taylor, of the Virginia Line, Continental establishment, of the war of the Revolution; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1864) for the relief of Louisa S. Gutherie, widow and executrix of John J. Gutherie, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1865) for the relief of Loftin D. Allen, for the allowance of a certain claim for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the Bowman act; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1866) to incorporate the Georgetown, Arlington and Falls Church Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1867) to incorporate the Washington, Fairfax and Alexandria Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McPHERSON introduced a bill (S. 1868) for the removal of the charge of desertion from the record of John O'Grady; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 1869) to provide for allotment of lands in severalty to the Quapaw Indians in the Indian Territory, and for other purposes therein named; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. WILSON (by request) introduced a joint resolution (S. R. 34) to provide for a peace conference in the city of Chicago in 1893; which was read twice by its title, and referred to the Committee on Foreign Relations.

AMENDMENT TO A BILL.

Mr. PADDOCK submitted an amendment intended to be proposed by him to the bill (S. 782) to provide for the adjustment of certain sales of lands in the late reservation of the confederated Otoe and Missouria tribes of Indians in the States of Nebraska and Kansas; which was referred to the Committee on Public Lands, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. TOWLES, its Chief Clerk, announced that the House had passed a bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory;" in which it requested the concurrence of the Senate.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. VANCE, it was

Ordered, That the papers relating to the claim of John D. Throne be taken from the files of the Senate and referred to the Committee on Claims.

DISTRICT WATER SUPPLY.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War is hereby directed to report to the Senate upon the feasibility of completing the tunnel in process of construction between the two reservoirs in the District of Columbia and the estimated cost thereof; also the practicability of placing iron pipes in the tunnel sufficient to carry the necessary water supply to the new reservoir and the cost thereof.

SAFETY OF ROOMS IN THE PATENT OFFICE.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of the Interior be directed to communicate to the Senate any information in the Department upon the question whether any of the rooms occupied by the Patent Office have been rendered unsafe by the storage of heavy papers and other material over such rooms, and what means are necessary, if any, to be taken to render such rooms safe for occupation, and whether any improvement is necessary therein in the matter of heating, ventilation, or sanitary conditions.

FOX AND WISCONSIN RIVERS IMPROVEMENT.

Mr. SAWYER submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the Attorney-General be, and he is hereby, directed to furnish to the Senate a statement of the awards and judgments rendered by the commissioners or courts, on file in his office, against the United States, arising under an act of Congress entitled "An act to aid in the improvement of the Fox and Wisconsin Rivers in the State of Wisconsin," approved March 3, 1875, from which awards and judgments no appeal has been taken, and the time for such appeal having expired, which have not been heretofore reported to Congress, and if he knows of any reason why the same should not be paid.

PROPOSED CABLE BETWEEN SAN FRANCISCO AND HONOLULU.

Mr. MITCHELL submitted the following resolution; which was referred to the Committee on Naval Affairs:

Resolved, That the President be requested, if not incompatible with the public interests, to advise the Senate as to what action, if any, has been taken, and with what result, in pursuance of the clause contained in the act approved March 2, 1891, making appropriations for the naval service, appropriating $25,000, or so much thereof as might be necessary, to enable the President to cause careful soundings to be made between San Francisco, Cal., and Honolulu, in the Kingdom of the Hawaiian Islands, for the purpose of determining the practicability of laying a telegraphic cable between those two points.

MAJ. GREEN CLAY GOODLOE.

Mr. BLACKBURN. I ask that the Committee on Claims may be discharged from the further consideration of the bill (S. 205) to reimburse Maj. Green Clay Goodloe, paymaster United States Marine Corps, and that the bill be referred to the Committee on Naval Affairs. I will state that through an inadvertence of my own this misreference was made several weeks ago. A similar bill was referred at the last Congress to the Committee on Naval Affairs, reported, and passed by the Senate. I now ask that the Committee on Claims be discharged from the further consideration of the bill, and that it be referred to the Committee on Naval Affairs.

Mr. MITCHELL. I desire to state to the Senator from Kentucky that I was about to make that motion. I discovered that the bill had been considered by the Committee on Naval Affairs last year, and the reference suggested by the Senator from Kentucky is the appropriate one.

The VICE-PRESIDENT. The Committee on Claims will be discharged from the further consideration of the bill, and it will be referred to the Committee on Naval Affairs, if there be no objection. The Chair hears none, and it is so ordered.

RELATIONS WITH CHILE.

The VICE-PRESIDENT laid before the Senate a message from the President of the United States in reference to the controversy with Chile growing out of the attack on the "liberty" sailors of the United States ship Baltimore in the city of Valparaiso on the 16th of October, 1891. [See House proceedings.]

Mr. SHERMAN. Mr. President, I move that the message, with the accompanying documents, be printed and referred to the Committee on Foreign Relations. In view of the gravity and importance of the subject-matter, I do not think it expedient to make any remarks at this time.

Mr. MANDERSON. Before the motion is put, I suggest to the Senator from Ohio the advisability of ordering the printing of 500 additional copies of the message for the document room of the Senate. There will unquestionably be a great demand for the document.

Mr. SHERMAN. Very well, I will accept that as a modification of my motion.

Mr. DOLPH. Would it not be better to make the number 5,000?

Mr. MANDERSON. I think 500 additional copies will reach the immediate demand. We can order more when they are exhausted.

The VICE-PRESIDENT. The question is on the motion of the Senator from Ohio, as modified, that the message of the President of the United States, with accompanying documents, be printed and referred to the Committee on Foreign Relations, and that 500 additional copies be printed for the use of the Senate.

The motion was agreed to.

DEATH OF MR. JUSTICE BRADLEY.

The VICE-PRESIDENT. The Chair lays before the Senate a communication from the Chief Justice of the Supreme Court of the United States, which will be read.

The Chief Clerk read as follows:

SUPREME COURT OF THE UNITED STATES,
Chief Justice's Chamber, January 22, 1892.

To the VICE-PRESIDENT:

It becomes my painful duty to inform the Vice-President and the Senate of the death of Mr. Justice Bradley, which occurred at 6:15 o'clock this morning.

I have the honor to be, your obedient servant,

MELVILLE W. FULLER,
Chief Justice of the United States.

Mr. MCPHERSON. Mr. President, it is with feelings of deep and sincere sorrow that we hear of the death of Associate Justice Bradley, of the Supreme Court of the United States, which occurred in this city on Friday morning at half past 6 o'clock.

Associate Justice Bradley was appointed from the State of New Jersey to the Supreme Court bench, receiving his commission and taking his seat as a member of that great tribunal in the year 1870, and for a period of twenty-two years, partly in times of great excitement and difficulty, and through a career in that court and of it embracing questions of the widest importance to human rights, involving life, liberty, and property, the associate justice had been a conspicuous figure in the jurisprudence of this nation, and perhaps not less conspicuous in respect of the jurisprudence of the world.

His career for this life is ended. His mortal remains will lie buried on the banks of the Passaic, in the soil of that State by whose people he was loved so well. Full of years and full of honors, he will ever be remembered as the upright, conscientious, and learned judge; the generous, affectionate citizen; the gentle and loving husband and father.

In every walk of private life he has filled his career with honor—great honor to himself and infinite benefit to his country.

Mr. HOAR. Mr. President, I have no doubt every member of the Senate has heard with the profoundest sadness that the great career of this venerable and illustrious jurist has come to a close.

It was the fortune of Mr. Justice Bradley to take his seat on the bench of the Supreme Court in a stormy and eventful time. A great civil war was just over; the relations of the States to each other and to the Union, the relations of great classes of men to the country and to each other, great questions involving the rights of vast corporations and valuable property, civil rights of citizens, the condition of the humblest and poorest citizens, in their homes, awaited settlement from that great tribunal which alike keeps the forces of State and nation within their appointed bounds and secures to the poorest person under the protection of the flag adequate protection in all the rights of humanity and citizenship.

In the discharge of these great judicial duties, it is no exaggeration to say that the figure which we are now to miss has ever been foremost. Judge Bradley goes to his grave amid the benedictions and with the honor of the whole American people, without an exception of party, of section, or of interest. He has been spared to an advanced age, and, as was felicitously said by the clergyman at his funeral yesterday, he kept to the time of his death an ever-replenished mind.

There has been no person whom it has been my fortune to know whose mental stores were of so various and so extensive a character, or who dealt with them with greater vigor and strength of native intellect.

Judge Bradley was a simple, sincere, reverent, and earnest believer in the Christian faith, which was alike the inspiration of his pure and honored life and his solace and comfort in the hour of death. As was said of John Jay, "when the ermine rested upon his shoulders it rested upon nothing which was not as white and as pure as itself."

I move, in token of our respect for the memory of Judge Bradley, that the Senate do now adjourn.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts.

The motion was unanimously agreed to; and (at 1 o'clock and 42 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 26, 1892, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 25, 1892.*

The House met at 12 o'clock m., being called to order by Speaker CRISP, who resumed the chair amid loud applause on the floor.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Thursday was read and approved.

SINKING UNITED STATES STEAM LAUNCH NELL.

The SPEAKER laid before the House a letter from the Acting Secretary of War, transmitting a letter from the Chief of Engineers, with affidavits of nine employés, showing the loss of their personal property by the sinking of the United States steam launch Nell while engaged upon improving the Roanoke River, and recommending that they be reimbursed out of the appropriation for the improvement of said river; which was referred to the Committee on Rivers and Harbors.

EMPLOYÉS, NAVY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Navy, transmitting a list of the employés of the Navy Department during the year 1891, the time employed, and sum paid to each; which was referred to the Committee on Expenditures in the Navy Department.

GEORGE O. DICKSON VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of said court in the case of George O. Dickson *vs.* The United States; which was referred to the Committee on War Claims.

S. J. SUTTON ET AL. VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of the following-named persons *vs.* The United States: S. J. Sutton, deceased, Harvey Williams, deceased, and A. R. Thomas; which was referred to the Committee on War Claims.

METROPOLITAN RAILROAD COMPANY.

The SPEAKER also laid before the House a letter from the president of the Metropolitan Railroad Company, transmitting a statement of receipts and disbursements for the year ending June 30, 1891; which was referred to the Committee on the District of Columbia.

CAPITOL, NORTH O STREET AND SOUTH WASHINGTON RAILROAD.

The SPEAKER also laid before the House a letter from the president of the Capitol, North O Street and South Washington Railroad, submitting to Congress a statement of the operations of said company for the fiscal year ending April 30, 1891; which was referred to the Committee on the District of Columbia.

GEORGETOWN BARGE, DOCK, ELEVATOR, AND RAILWAY COMPANY.

The SPEAKER also laid before the House a letter from the president of the Georgetown Barge, Dock, Elevator, and Railway Company, transmitting the annual report of said company; which was referred to the Committee on the District of Columbia.

WASHINGTON AND GEORGETOWN RAILROAD COMPANY.

The SPEAKER also laid before the House a letter from the president of the Washington and Georgetown Railroad Company, transmitting the annual report of the treasurer, showing receipts and disbursements for the year ending December 31, 1891, and a statement covering expenditures on account of the construction of the cable line; which was referred to the Committee on the District of Columbia.

GEORGETOWN AND TENNALLYTOWN RAILWAY COMPANY.

The SPEAKER also laid before the House a letter from the secretary of the Georgetown and Tennallytown Railway Company, transmitting a list of stockholders of said company; which was referred to the Committee on the District of Columbia.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House the following Senate bills; which were severally read twice, and referred as follows:

A bill (S. 368) to provide for the purchase of a site and the erection of a public building thereon at Dover, in the State of New Hampshire—to the Committee on Public Buildings and Grounds.

A bill (S. 377) to provide for the purchase of a site and the erection of public building thereon at Grand Haven, in the State of Michigan—to the Committee on Public Buildings and Grounds.

A bill (S. 436) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

A bill (S. 534) to provide for the construction of a public building at Salem, Oregon—to the Committee on Public Buildings and Grounds.

A bill (S. 580) to provide a suitable site for a post-office in the city of Providence, R. I.—to the Committee on Public Buildings and Grounds.

A bill (S. 601) for the erection of a public building for a post-office and United States land office at the city of The Dalles, Oregon—to the Committee on Public Buildings and Grounds.

A bill (S. 687) for the erection of a public building at Stillwater, Minn.—to the Committee on Public Buildings and Grounds.

A bill (S. 1206) to provide for the purchase of a site and the erection of a public building thereon at Fresno, in the State of California—to the Committee on Public Buildings and Grounds.

The SPEAKER also laid before the House a resolution providing for the printing of 1,500 additional copies of the Senate report on Foreign Relations, to accompany Senate bill 4827, relating to the Maritime Canal Company of Nicaragua—to the Committee on Printing.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STONE of Kentucky, indefinitely, on account of illness in his family; and

To Mr. BUSEY, for one week, on account of sickness.

CHANGE OF REFERENCE.

On motion of Mr. BELTZHOOVER, the Committee on War Claims was discharged from the further consideration of the bill (H. R. 2840) to refund to the State of North Carolina certain moneys therein named; and the same was referred to the Committee on Claims.

WALTER F. HALLECK.

Mr. MEREDITH. Mr. Speaker, I ask unanimous consent to introduce a resolution for present consideration.

The SPEAKER. The resolution will be read, subject to objection.

The Clerk read as follows:

Resolved, That Walter F. Halleck, a wounded Union veteran, be authorized to act as an assistant doorkeeper of the House of Representatives from this date, under the direction of the Doorkeeper of the House, and that he receive compensation therefor at the rate of $1,500 per annum, the same to be paid from the contingent fund of the House until otherwise provided for.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. TILLMAN. Mr. Speaker, I think that matter ought to be referred to the Committee on Accounts.

Mr. MEREDITH. I hope my friend from South Carolina will withdraw his objection.

The SPEAKER. The question is on the motion to refer to the Committee on Accounts.

The motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its secretaries, announced that the Senate had passed the bill (S. 1762) for the relief of the University of the State of Missouri; in which concurrence was requested.

It also announced that the Senate had agreed to the amendment of the House to the joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution.

PRINTING OF REPORT, SOLDIERS' HOMES.

Mr. OUTHWAITE. I am directed by the Committee on Military Affairs to report back the resolution which I send to the Clerk's desk for immediate consideration.

The Clerk read as follows:

Resolved, That there be printed of the report of the Board of Managers of the National Homes for Disabled Volunteer Soldiers for the year ending June 30, 1891, as follows:

Five hundred copies of the full report of the Board.

Five hundred copies of the report proper.

Five hundred copies of the report of the inspector of national and State homes.

One hundred and fifty copies of the record of members.

Mr. OUTHWAITE. Mr. Speaker, I suppose there will be no objection to this resolution. At the time the report was communicated to the House the Speaker *pro tempore* stated that it would not be printed on account of the voluminous character of the accompanying papers, but that it would be referred to the Committee on Military Affairs, and if that committee desired its printing, or the House so ordered, it would be printed. We have obtained an estimate of the cost of printing the number specified in the resolution, and the estimate for the printing of the whole number of documents is $329.29. It is necessary to print these reports for the use of the boards of managers and for the use of the House, and the printing would have been ordered at the time the report was communicated to the House had it not been for the desire of the Speaker *pro tempore* that the discretion of the committee should be exercised as to the number to be printed. Unless there is some further objection I move the passage of the resolution.

Mr. BUSHNELL. Mr. Speaker, do I understand that that resolution has been reported by a committee of the House?

Mr. OUTHWAITE. It is reported by the Committee on Military Affairs.

Mr. BUSHNELL. What is the recommendation of the Committee?

Mr. OUTHWAITE. The recommendation of the committee is that the resolution do pass.

Mr. McMILLIN. Mr. Speaker, if the House will indulge me for a moment I will make a statement pertinent to the printing that is asked for by the chairman of the Committee on Military Affairs. A large number of communications were being received from the various Departments of the Government, the communications themselves being brief, but in many instances the accompanying documents being very voluminous. It was thought that some should be printed and others should not be. The Public Printer had complained that when these communications had been referred in past Congresses—and I am not referring to any particular Congress—frequently by one day's reference of these communications the business of the Public Printing Office would be blocked for days and weeks.

Therefore, occupying the chair, I took the liberty of stating to the House, in this and in many other instances of the same kind, that the Chair was unable to determine whether the voluminous documents accompanying the messages should be printed or not, and therefore would not order the printing, but would ask the reference of the documents to the appropriate committees, in order to allow the committees to report back whether or not the documents should be printed. The committee of which the gentleman from Ohio [Mr. OUTHWAITE] is a member, having performed that duty, report that these documents should be printed, and I have no doubt that the gentleman is strictly accurate in his statement of the matter. The action heretofore taken was in the line of economy in the public printing.

The resolution was agreed to.

CHANGES OF REFERENCE.

Mr. BUNN, from the Committee on Claims, reported back sundry bills, asking that said committee be discharged from the further consideration of them, and that they be referred to the committees named. Then, by unanimous consent, the several bills were referred to the committees named below:

A bill (H. R. 818) for the relief of Samuel S. Haynes—to the Committee on Military Affairs.

A bill (H. R. 2044) for the relief of W. H. Huson—to the Committee on War Claims.

A bill (H. R. 982) for the relief of Margaret Kennedy—to the Committee on War Claims.

A bill (H. R. 1524) for the relief of George C. Bucknam—to the Committee on Pensions.

A bill (H. R. 1224) granting an increase of pension to John J. Askew—to the Committee on Pensions.

A bill (H. R. 1062) for the relief of the heirs of the late Joseph R. Shannon—to the Committee on War Claims.

CHANGE OF REFERENCE.

Mr. BUTLER. Mr. Speaker, I am directed by the Committee on Invalid Pensions to report back the bills which I send to the Clerk's desk, with the request that it be discharged from their further consideration, and that they be referred as indicated:

A bill (H. R. 988) for the relief of Moses Bell—to the Committee on Military Affairs.

A bill (H. R. 993) for the relief of Thomas Carmody—to the Committee on Claims.

A bill (H. R. 2475) for the relief of John B. Hinks—to the Committee on Military Affairs.

B. L. ROAKS.

Mr. TAYLOR of Tennessee. I am directed by the Committee on Invalid Pensions to ask that that committee be discharged from the further consideration of the bill (H. R. 3023) for the relief of B. L. Roaks, and that it be referred to the Committee on War Claims.

The reference requested was ordered.

LEAVE TO PRINT.

Mr. McRAE. Mr. Speaker, I am directed by the Committee on Public Lands to report the following resolution and to ask for its present consideration.

The Clerk read as follows:

Resolved, That the Committee on Public Lands be, and hereby is, authorized to have printed and bound such documents and papers for the use of said committee as it may deem necessary in connection with subjects considered or to be considered by the committee during the Fifty-second Congress.

Mr. McRAE. I move the adoption of the resolution.

The question was put and the resolution was adopted.

CHANGE OF REFERENCE.

Mr. COX of Tennessee. Mr. Speaker, I am requested by the Committee on Banking and Currency to report back the bill (H. R. 469) relating to the postal money-order system, and to recommend that it be referred to the Committee on the Post-Office and Post-Roads.

The change of reference was ordered.

INTRODUCTION OF BILLS.

By unanimous consent, bills of the following titles were introduced, read a first and second time, ordered to be printed, and referred to the several committees named below:

IMMEDIATE TRANSPORTATION OF UNAPPRAISED MERCHANDISE AT MARQUETTE, MICH.

By Mr. STEPHENSON: A bill (H. R. 4534) to extend to Marquette, Mich., the privilege of immediate transportation of unappraised merchandise—to the Committee on Interstate and Foreign Commerce.

PENSIONS TO WIDOWS.

By Mr. McCLELLAN: A bill (H. R. 4535) providing that if any widow drawing a pension shall remarry and her subsequent marriage be terminated by the death of her husband, she shall be entitled to a restoration of her pension, to commence at the date of such death—to the Committee on Invalid Pensions.

EXEMPTION FROM TAXATION OF GOVERNMENT BONDS, ETC.

By Mr. McCLELLAN: A bill (H. R. 4536) repealing section 3701 of the Revised Statutes, which provides that "all stocks, bonds, Treasury notes, and other obligations of the United States shall be exempt from taxation by State or municipal authority"—to the Committee on Ways and Means.

BUREAU OF ENGRAVING AND PRINTING.

By Mr. CARUTH: A bill (H. R. 4537) to allow thirty days' leave of absence to employés in the Bureau of Engraving and Printing—to the Committee on Labor.

PUBLIC BUILDING AT ANNISTON, ALA.

By Mr. FORNEY: A bill (H. R. 4538) to provide for the construction of a public building at Anniston, Ala.—to the Committee on Public Buildings and Grounds.

PROMOTIONS IN THE ARMY.

By Mr. WHEELER of Alabama: A bill (H. R. 4539) to amend an act entitled "An act to provide for the examination of certain officers of the Army and to regulate promotions therein," approved October 1, 1890—to the Committee on Military Affairs.

SUPERVISING ARCHITECT OF THE TREASURY.

By Mr. HOPKINS of Illinois: A bill (H. R. 4540) to provide for the increase of the salary of the Supervising Architect of the Treasury Department—to the Committee on Expenditures in the Treasury Department.

FRAUDULENT TRANSACTIONS OF COMMISSION MERCHANTS, ETC., IN THE DISTRICT OF COLUMBIA.

By Mr. O'FERRALL: A bill (H. R. 4541) to prevent fraudulent transactions on the part of commission merchants and other consignees of goods and other property in the District of Columbia—to the Committee on the District of Columbia.

SIGNAL STATION AT TYBEE ISLAND, GEORGIA.

By Mr. LESTER of Georgia: A joint resolution (H. Res. 69) authorizing the use of the "martello tower," on Tybee Island, Georgia, for a signal station—to the Committee on Interstate and Foreign Commerce.

COMMODORES ACTING AS REAR-ADMIRALS.

By Mr. LODGE: A bill (H. R. 4542) allowing the pay of rear-admirals to commodores while acting as rear-admirals—to the Committee on Naval Affairs.

PUBLIC BUILDING AT LYNN, MASS.

By Mr. LODGE: A bill (H. R. 4543) for additional appropriation for the erection of a public building at Lynn, Mass.—to the Committee on Public Buildings and Grounds.

PURCHASE AND REGISTRY OF FOREIGN-BUILT SHIPS.

By Mr. ANDREW: A bill (H. R. 4544) to amend the Revised Statutes of the United States so as to allow the purchase and registry of foreign-built ships by citizens of the United States for employment in the foreign carrying trade—to the Committee on Merchant Marine and Fisheries.

RIGHT OF WAY THROUGH YELLOWSTONE PARK.

By Mr. STOCKDALE: A bill (H. R. 4545) to grant right of way through the Yellowstone National Park to the Montana Mineral Railway Company.

Mr. STOCKDALE. I ask that this bill be referred to the Committee on Railways and Canals.

The SPEAKER. That bill ought to go to the Committee on Public Lands.

Mr. STOCKDALE. I ask that it be sent to the Committee on Railways and Canals.

The SPEAKER. The bill submitted by the gentleman from Mississippi, in the opinion of the Chair, should go to the Committee on Public Lands. The gentleman asks unanimous consent that it be referred to the Committee on Railways and Canals. Is there objection?

Mr. BUCHANAN of New Jersey. What does the bill seek to do?

The SPEAKER. To grant a right of way.

Mr. BUCHANAN of New Jersey. Through Yellowstone Park? It had better take the regular course.

The SPEAKER. Objection is made; and the bill will go to the Committee on the Public Lands.

INVESTIGATION OF CITY SLUMS.

By Mr. BUTLER: A joint resolution (H. Res. 70) providing for an investigation relative to the slums of cities—to the Committee on Labor.

IMPROVEMENT OF THE OHIO.

By Mr. ENOCHS: A bill (H. R. 4546) for the improvement of the Ohio River between Ironton, Ohio, and the mouth of the Guyan River, in the State of West Virginia, and to appropriate $500,000 therefor—to the Committee on Rivers and Harbors.

CALL OF STATES AND TERRITORIES.

Mr. HATCH. Mr. Speaker, in view of the fact that so large a number of gentlemen desire to introduce bills and joint resolutions this morning I ask unanimous consent that there be a call of the States and Territories in the usual manner.

There was no objection, and it was so ordered.

The Clerk proceeded to call the States and Territories. Under the call bills, joint resolutions, etc., were severally introduced, read a first and second time, ordered to be printed, and referred as follows:

FREE COINAGE OF SILVER.

By Mr. BANKHEAD: A bill (H. R. 4547) for the free and unlimited coinage of silver—to the Committee on Coinage, Weights, and Measures.

ELECTRICAL VOTING MACHINE.

By Mr. OATES: A resolution instructing the Committee on Rules to inquire into and report as to the practicability of adopting the electrical voting machine for taking and recording the yeas and nays, and the probable cost thereof—to the Committee on Rules.

SECTIONS 3480 AND 4716, REVISED STATUTES.

By Mr. OATES: A bill (H. R. 4548) to repeal in part and to limit sections 3480 and 4716 of the Revised Statutes of the United States—to the Committee on the Judiciary.

WRITTEN INSTRUCTIONS TO JURORS IN UNITED STATES COURTS.

By Mr. OATES: A bill (H. R. 4549) to require the United States circuit and district judges to instruct the jury in writing in certain cases—to the Committee on the Judiciary.

CRUELTY TO DOMESTIC ANIMALS.

By Mr. OATES: A bill (H. R. 4550) to prevent cruelty to domestic animals—to the Committee on the Judiciary.

ADDITIONAL OATH FOR CADETS.

By Mr. OATES: A bill (H. R. 4551) to require an additional oath of cadets to the United States military and naval academies—to the Committee on Military Affairs.

PUBLIC BUILDING, MODESTO, CAL.

By Mr. CAMINETTI: A bill (H. R. 4552) for a public building at Modesto, Cal.—to the Committee on Public Buildings and Grounds.

IMPROVEMENT OF SAN JOAQUIN RIVER.

By Mr. CAMINETTI: A bill (H. R. 4553) making an appropriation for the improvement of the San Joaquin River system in the State of Colorado—to the Committee on Rivers and Harbors.

HARBOR OF WILMINGTON, CAL.

By Mr. BOWERS: A bill (H. R. 4554) authorizing the Secretary of War to appoint a board of engineers to survey and make a "project" for improving the harbor at Wilmington, Cal.—to the Committee on Rivers and Harbors.

IMMEDIATE TRANSPORTATION OF DUTIABLE GOODS.

By Mr. BULLOCK: A bill (H. R. 4555) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the port of St. Augustine, Fla.—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4556) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the port of Fernandina, Fla.—to the Committee on Interstate and Foreign Commerce.

MESSAGE FROM THE PRESIDENT.

The SPEAKER. The Chair will suspend the call to receive a message from the President.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

The SPEAKER laid before the House the message just received; which was read, as follows:

To the Senate and House of Representatives:

In my annual message, delivered to Congress at the beginning of the present session, after a brief statement of the facts then in the possession of this

Government touching the assault, in the streets of Valparaiso, Chile, upon the sailors of the United States steamship Baltimore, on the evening of the 16th of October last, I said:

"This Government is now awaiting the result of an investigation which has been conducted by the criminal court at Valparaiso. It is reported unofficially that the investigation is about completed, and it is expected that the result will soon be communicated to this Government, together with some adequate and satisfactory response to the note by which the attention of Chile was called to this incident. If these just expectations should be disappointed or further needless delay intervene, I will, by a special message, bring this matter again to the attention of Congress for such action as may be necessary."

In my opinion the time has now come when I should lay before the Congress and the country the correspondence between this Government and the Government of Chile from the time of the breaking out of the revolution against Balmaceda, together with all other facts in the possession of the executive department relating to this matter. The diplomatic correspondence is herewith transmitted, together with some correspondence between the naval officers for the time in command in Chilean waters and the Secretary of the Navy, and also the evidence taken at the Mare Island navy-yard since the arrival of the Baltimore at San Francisco. I do not deem it necessary in this communication to attempt any full analysis of the correspondence or of the evidence. A brief restatement of the international questions involved and of the reasons why the responses of the Chilean Government are unsatisfactory is all that I deem necessary.

It may be well at the outset to say that, whatever may have been said in this country or in Chile in criticism of Mr. Egan, our minister at Santiago, the true history of this exciting period in Chilean affairs, from the outbreak of the revolution until this time, discloses no act on the part of Mr. Egan unworthy of his position or that could justly be the occasion of serious animadversion or criticism. He has, I think, on the whole, borne himself, in very trying circumstances, with dignity, discretion, and courage, and has conducted the correspondence with ability, courtesy, and fairness.

It is worth while also at the beginning to say that the right of Mr. Egan to give shelter in the legation to certain adherents of the Balmaceda Government who applied to him for asylum has not been denied by the Chilean authorities, nor has any demand been made for the surrender of these refugees. That there was urgent need of asylum is shown by Mr. Egan's note of August 24, 1891, describing the disorders that prevailed in Santiago, and by the evidence of Capt. Schley as to the pillage and violence that prevailed at Valparaiso. The correspondence discloses, however, that the request of Mr. Egan for a safe conduct from the country, in behalf of these refugees, was denied. The precedents cited by him in the correspondence, particularly the case of the revolution in Peru in 1865, did not leave the Chilean Government in a position to deny the right of asylum to political refugees, and seemed very clearly to support Mr. Egan's contention that a safe conduct to neutral territory was a necessary and acknowledged incident of the asylum.

These refugees have very recently, without formal safe conduct, but by the acquiescence of the Chilean authorities, been placed on board the Yorktown and are now being conveyed to Callao, Peru. This incident might be considered wholly closed but for the disrespect manifested toward this Government by the close and offensive police surveillance of the legation premises which was maintained during most of the period of the stay of the refugees therein. After the date of my annual message and up to the time of the transfer of the refugees to the Yorktown the legation premises seem to have been surrounded by police, in uniform, and police agents or detectives, in citizen's dress, who offensively scrutinized persons entering or leaving the legation and, on one or more occasions, arrested members of the minister's family. Commander Evans, who, by my direction, recently visited Mr. Egan at Santiago, in his telegram to the Navy Department described the legation as "a veritable prison," and states that the police agents or detectives were, after his arrival, withdrawn during his stay. It appears further, from the note of Mr. Egan of November 30, 1891, that on one occasion at least these police agents, whom he declares to be known to him, invaded the legation premises, pounding upon its windows and using insulting and threatening language toward persons therein.

This breach of the right of a minister to freedom from police espionage and restraint seems to have been so flagrant, that the Argentine minister, who was dean of the diplomatic corps, having observed it, felt called upon to protest against it to the Chilean minister of foreign affairs. The Chilean authorities have, as will be observed from the correspondence, charged the refugees and the inmates of the legation with insulting the police; but it seems to me incredible that men whose lives were in jeopardy, and whose safety could only be secured by retirement and quietness, should have sought to provoke a collision which could only end in their destruction, or to aggravate their condition by intensifying a popular feeling that, at one time, so threatened the legation as to require Mr. Egan to appeal to the minister of foreign affairs.

But the most serious incident disclosed by the correspondence is that of the attack upon the sailors of the Baltimore in the streets of Valparaiso on the 16th of October last. In my annual message, speaking upon the information then in my possession, I said:

"So far as I have yet been able to learn, no other explanation of this bloody work has been suggested than that it had its origin in hostility to these men as sailors of the United States, wearing the uniform of their Government, and not in any individual act or personal animosity."

We have now received from the Chilean Government an abstract of the conclusions of the fiscal general upon the testimony taken by the judge of crimes in an investigation which was made to extend over nearly three months. I very much regret to be compelled to say that this report does not enable me to modify the conclusion announced in my annual message. I am still of the opinion that our sailors were assaulted, beaten, stabbed, and killed, not for anything they or any one of them had done, but for what the Government of the United States had done, or was charged with having done, by its civil officers and naval commanders. If that be the true aspect of the case, the injury was to the Government of the United States, not to these poor sailors who were assaulted in a manner so brutal and so cowardly.

Before attempting to give an outline of the facts upon which this conclusion rests, I think it right to say a word or two upon the legal aspect of the case.

The Baltimore was in the harbor of Valparaiso by virtue of that general invitation which nations are held to extend to the war vessels of other powers with which they have friendly relations. This invitation, I think, must be held ordinarily to embrace the privilege of such communication with the shore as is reasonable, necessary, and proper for the comfort and convenience of the officers and men of such vessels. Capt. Schley testifies that when his vessel returned to Valparaiso, on September 14, the city officers, as is customary, extended the hospitalities of the city to his officers and crew. It is not claimed that every personal collision or injury in which a sailor or officer of such naval vessel visiting the shore may be involved raises an international question; but I am clearly of the opinion that where such sailors or officers are assaulted by a resident populace animated by hostility to the Government whose uniform these sailors and officers wear and in resentment of acts done by their Government, not by them, their nation must take notice of the event as one involving an infraction of its rights and dignity; not in a secondary way, as where a citizen is injured and presents his claim through his own government, but in a primary way, precisely as if its minister or consul or the flag itself had been the object of the same character of assault.

The officers and sailors of the Baltimore were in the harbor of Valparaiso under the orders of their Government, not by their own choice. They were upon the shore by the implied invitation of the Government of Chile and with the approval of their commanding officer; and it does not distinguish their case from that of a consul that his stay is more permanent or that he holds the express invitation of the local government to justify his longer residence. Nor does it affect the question that the injury was the act of a mob. If there had been no participation by the police or military in this cruel work and no neglect on their part to extend protection the case would still be one, in my opinion, when its extent and character are considered, involving international rights.

The incidents of the affair are, briefly, as follows:

On the 16th of October last Capt. Schley, commanding the U. S. S. Baltimore, gave shore leave to one hundred and seventeen petty officers and sailors of his ship. These men left the ship about 1:30 p. m. No incident of violence occurred; none of our men were arrested; no complaint was lodged against them; nor did any collision or outbreak occur until about 6 o'clock p. m. Capt. Schley states that he was himself on shore and about the streets of the city until 5:30 p. m.; that he met very many of his men who were upon leave; that they were sober, and were conducting themselves with propriety, saluting Chilean and other officers as they met them. Other officers of the ship and Capt. Jenkins, of the merchant ship Keweenaw, corroborate Capt. Schley as to the general sobriety and good behavior of our men. The Sisters of Charity at the hospital to which our wounded men were taken, when inquired of, stated that they were sober when received. If the situation had been otherwise, we must believe that the Chilean police authorities would have made arrests. About 6 p. m. the assault began, and it is remarkable that the investigation by the judge of crimes, though so protracted, does not enable him to give any more satisfactory account of its origin than is found in the statement that it began between drunken sailors. Repeatedly in the correspondence it is asserted that it was impossible to learn the precise cause of the riot. The minister of foreign affairs, Matta, in his telegram to Mr. Montt, under date December 31, states that the quarrel began between two sailors in a tavern and was continued in the street, persons who were passing joining in it.

The testimony of Talbot, an apprentice, who was with Riggin, is that the outbreak in which they were involved began by a Chilean sailor spitting in the face of Talbot, which was resented by a knock-down. It appears that Riggin and Talbot were at the time unaccompanied by any others of their shipmates. These two men were immediately beset by a crowd of Chilean citizens and sailors, through which they broke their way to a street car and entered it for safety. They were pursued, driven from the car, and Riggin was so seriously beaten that he fell in the street apparently dead. There is nothing in the report of the Chilean investigation made to us that seriously impeaches this testimony. It appears from Chilean sources that almost instantly, with a suddenness that strongly implies meditation and preparation, a mob, stated by the police authorities at one time to number 2,000 and at another 1,000, was engaged in the assault upon our sailors, who are represented as resisting "with stones, clubs, and bright arms." The report of the intendente of October 30 states that the fight began at 6 p. m. in three streets, which are named; that information was received at the intendencia at 6:15, and that the police arrived on the scene at 6:30, a full half hour after the assault began. At that time he says that a mob of 2,000 men had collected, and that for several squares there was the appearance of a "real battlefield."

The scene at this point is very graphically set before us by the Chilean testimony. The American sailors, who, after so long an examination, have not been found guilty of any breach of the peace, so far as the Chilean authorities are able to discover, unarmed and defenseless, are fleeing for their lives, pursued by overwhelming numbers, and fighting only to aid their own escape from death or to succor some mate whose life is in greater peril. Eighteen of them are brutally stabbed and beaten, while one Chilean seems, from the report, to have suffered some injury; but how serious or with what character of weapon, or whether by a missile thrown by our men or by some of his fellow rioters, is unascertained.

The pretense that our men were fighting "with stones, clubs, and bright arms" is, in view of these facts, incredible. It is further refuted by the fact that our prisoners, when searched, were absolutely without arms, only seven penknives being found in the possession of the men arrested, while there were received by our men more than thirty stab wounds, every one of which was inflicted in the back, and almost every contused wound was in the back or back of the head. The evidence of the ship's officer of the day is that even the jackknives of the men were taken from them before leaving the ship.

As to the brutal nature of the treatment received by our men, the following extract from the account given of the affair by the La Patria newspaper, of Valparaiso, of October 17, can not be regarded as too friendly:

"The Yankees, as soon as their pursuers gave chase, went by way of the Calle del Arsenal towards the city car station. In the presence of an ordinary number of citizens, among whom were some sailors, the North Americans took seats in the street car to escape from the stones which the Chileans threw at them. It was believed for an instant that the North Americans had saved themselves from popular fury, but such was not the case. Scarcely had the car begun to move, when a crowd gathered around and stopped its progress. Under these circumstances and without any cessation of the howling and throwing of stones at the North Americans, the conductor entered the car, and, seeing the risk of the situation to the vehicle, ordered them to get out. At the instant the sailors left the car, in the midst of a hail of stones, the said conductor received a stone blow on the head. One of the Yankee sailors managed to escape in the direction of the Plaza Wheelright, but the other was felled to the ground by a stone. Managing to raise himself from the ground where he lay, he staggered in an opposite direction from the station. In front of the house of Señor Mazzini he was again wounded, falling then senseless and breathless."

No amount of evasion or subterfuge is able to cloud our clear vision of this brutal work. It should be noticed in this connection that the American sailors arrested, after an examination, were, during the four days following the arrest, every one discharged, no charge of any breach of the peace or other criminal conduct having been sustained against a single one of them. The judge of crimes, Foster, in a note to the intendente, under date of October 22—before the dispatch from this Government of the following day, which aroused the authorities of Chile to a better sense of the gravity of the affair—says: "Having presided temporarily over this court in regard to the seamen of the United States cruiser Baltimore, who have been tried on account of the deplorable conduct which took place," etc. The noticeable point here is that our sailors had been tried before the 22d of October and that the trial resulted in their acquittal and return to their vessel. It is quite remarkable and quite characteristic of the management of this affair by the Chilean police authorities that we should now be advised that Seaman Davidson, of the Baltimore, has been included in the indictment, his offense being, so far as I have been able to ascertain, that he attempted to defend a shipmate against an assailant who was striking at him with a knife. The perfect vindication of our men is furnished by this report; one only is found to have been guilty of criminal fault, and that for an act clearly justifiable.

As to the part taken by the police in the affair, the case made by Chile is also far from satisfactory. The point where Riggin was killed is only three minutes' walk from the police station, and not more than twice that distance from the intendencia; and yet, according to their official report, a full half hour elapsed after the assault began before the police were upon the ground. It has been stated that all but two of our men have said that the police did their duty. The evidence taken at Mare Island shows that if such a statement was procured from our men it was accomplished by requiring them to sign a writing in a language they did not understand, and by the representation that it was a mere declaration that they had taken no part in the disturbance. Lieut. McCrea, who acted as interpreter, says in his evidence that when our sailors were examined before the court the subject of the conduct of the police was so carefully avoided that he reported the fact to Capt. Schley on his return to the vessel.

The evidences of the existence of animosity towards our sailors in the minds of the sailors of the Chilean navy and of the populace of Valparaiso are so abundant and various as to leave no doubt in the mind of anyone who will examine the papers submitted. It manifested itself in threatening and insulting gestures towards our men as they passed the Chilean men-of-war in their boats and in the derisive and abusive epithets with which they greeted every appearance of an American sailor on the evening of the riot. Capt. Schley reports that boats from the Chilean war ships several times went out of their course to cross the bows of his boats, compelling them to back water. He complained of the discourtesy and it was corrected. That this feeling was shared by men of higher rank is shown by an incident related by Surg. Stitt, of the Baltimore.

After the battle of Placilla he, with other medical officers of the war vessels in the harbor, was giving voluntary assistance to the wounded in the hospitals. The son of a Chilean army officer of high rank was under his care, and, when the father discovered it, he flew into a passion, and said he would rather have his son die than have Americans touch him, and at once had him removed from the ward. This feeling is not well concealed in the dispatches of the foreign office and had quite open expression in the disrespectful treatment of the American legation. The Chilean boatmen in the bay refused, even for large offers of money, to return our sailors, who crowded the mole, to their ship when they were endeavoring to escape from the city on the night of the assault. The market boats of the Baltimore were threatened, and even quite recently the gig of Commander Evans, of the Yorktown, was stoned while waiting for him at the Mole.

The evidence of our sailors clearly shows that the attack was expected by the Chilean people, that threats had been made against our men, and that in one case, somewhat early in the afternoon, the keeper of one house, into which some of our men had gone, closed his establishment in anticipation of the attack which he advised them would be made upon them as darkness came on.

In a report of Capt. Schley to the Navy Department he says:

"In the only interview that I had with Judge Foster, who is investigating the case relative to the disturbance, before he was aware of the entire gravity of the matter, he informed me that the assault upon my men was the outcome of hatred for our people among the lower classes, because they thought we had sympathized with the Balmaceda government on account of the Itata matter, whether with reason or without he could, of course, not admit; but such he thought was the explanation of the assault at that time."

Several of our men sought security from the mob by such complete or partial changes in their dress as would conceal the fact of their being seamen of the Baltimore, and found it then possible to walk the streets without molestation. These incidents conclusively establish that the attack was upon the uniform—the nationality—and not upon the men.

The origin of this feeling is probably found in the refusal of this Government to give recognition to the Congressional party before it had established itself, in the seizure of the Itata for an alleged violation of the neutrality law, in the cable incident, and in the charge that Admiral Brown conveyed information to Valparaiso of the landing at Quinteros. It is not my purpose to enter here any defense of the action of this Government in these matters. It is enough for the present purpose to say that if there was any breach of international comity or duty on our part it should have been made the subject of official complaint through diplomatic channels or of reprisals for which a full responsibility was assumed.

We can not consent that these incidents and these perversions of the truth shall be used to excite a murderous attack upon our unoffending sailors and the Government of Chile go acquit of responsibility. In fact, the conduct of this Government during the war in Chile pursued those lines of international duty which we had so strongly insisted upon on the part of other nations when this country was in the throes of a civil conflict. We continued the established diplomatic relations with the government in power until it was overthrown, and promptly and cordially recognized the new government when it was established. The good offices of this Government were offered to bring about a peaceful adjustment, and the interposition of Mr. Egan to mitigate severities and to shelter adherents of the Congressional party were effective and frequent. The charge against Admiral Brown is too base to gain credence with anyone who knows his high personal and professional character.

Recurring to the evidence of our sailors, I think it is shown that there were several distinct assaults and so nearly simultaneous as to show that they did not spread from one point. A press summary of the report of the fiscal shows that the evidence of the Chilean officials and others was in conflict as to the place of origin, several places being named by different witnesses as the locality where the first outbreak occurred. This, if correctly reported, shows that there were several distinct outbreaks, and so nearly at the same time as to cause this confusion.

The La Patria, in the same issue from which I have already quoted, after describing the killing of Riggin and the fight which from that point extended to the mole, says:

"At the same time in other streets of the port the Yankee sailors fought fiercely with the people of the town, who believed to see in them incarnate enemies of the Chilean navy."

The testimony of Capt. Jenkins, of the American merchant ship Keweenaw, which had gone to Valparaiso for repairs, and who was a witness of some part of the assault upon the crew of the Baltimore, is strongly corroborative of the testimony of our own sailors when he says that he saw Chilean sentries drive back a seaman, seeking shelter, upon a mob that was pursuing him. The officers and men of Capt. Jenkins's ship furnish the most conclusive testimony as to the indignities which were practiced toward Americans in Valparaiso. When American sailors, even of merchant ships, can only secure their safety by denying their nationality, it must be time to readjust our relations with a Government that permits such demonstrations.

As to the participation of the police, the evidence of our sailors shows that our men were struck and beaten by police officers before and after arrest, and that one, at least, was dragged with a lasso about his neck by a mounted policeman. That the death of Riggin was the result of a rifle shot fired by a policeman or soldier on duty is shown directly by the testimony of Johnson, in whose arms he was at the time, and by the evidence of Charles Langen, an American sailor not then a member of the Baltimore's crew, who stood close by and saw the transaction. The Chilean authorities do not pretend to fix the responsibility of this shot upon any particular person, but avow their inability to ascertain who fired it, further than that it was fired from a crowd. The character of the wound, as described by one of the surgeons of the Baltimore, clearly supports his opinion that it was made by a rifle ball, the orifice of exit being as much as an inch or an inch and a quarter in width. When shot the poor fellow was unconscious and in the arms of a comrade, who was endeavoring to carry him to a neighboring drug store for treatment. The story of the police that, in coming up the street they passed these men and left them behind them, is inconsistent with their own statement as to the direction of their approach and with their duty to protect them, and is clearly disproved. In fact, Riggin was not behind, but in front of the advancing force, and was not standing in the crowd, but was unconscious and supported in the arms of Johnson when he was shot.

The communications of the Chilean Government in relation to this cruel and disastrous attack upon our men, as will appear from the correspondence, have not in any degree taken the form of a manly and satisfactory expression of regret, much less of apology. The event was of so serious a character that, if the injuries suffered by our men had been wholly the result of an accident in a Chilean port, the incident was grave enough to have called for some public expression of sympathy and regret from the local authorities. It is not enough to say that the affair was lamentable, for humanity would require that expression, even if the beating and killing of our men had been justifiable. It is not enough to say that the incident is regretted, coupled with the statement that the affair was not of an unusual character in ports where foreign sailors are accustomed to meet. It is not for a generous and sincere Government to seek for words of small or equivocal meaning in which to convey to a friendly power an apology for an offense so atrocious as this.

In the case of the assault by a mob in New Orleans upon the Spanish consulate in 1851, Mr. Webster wrote to the Spanish minister, Mr. Calderon, that the acts complained of were "a disgraceful and flagrant breach of duty and propriety," and that his Government "regrets them as deeply as Minister Calderon or his Government could possibly do;" that "these acts have caused the President great pain and he thinks a proper acknowledgment is due to Her Majesty's Government." He invited the Spanish consul to return to his post, guaranteeing protection, and offered to salute the Spanish flag if the consul should come in a Spanish vessel. Such a treatment by the Government of Chile of this assault would have been more creditable to the Chilean authorities; and much less can hardly be satisfactory to a Government that values its dignity and honor.

In our note of October 23 last, which appears in the correspondence, after receiving the report of the board of officers appointed by Capt. Schley to investigate the affair, the Chilean Government was advised of the aspect which it then assumed and called upon for any facts in its possession that might tend to modify the unfavorable impressions which our report had created. It is very clear from the correspondence that, before the receipt of this note, the examination was regarded by the police authorities as practically closed. It was, however, reopened and protracted through a period of neary three months. We might justly have complained of this unreasonable delay, but, in view of the fact that the Government of Chile was still provisional, and with a disposition to be forbearing and hopeful of a friendly termination, I have awaited the report which has but recently been made.

On the 21st instant I caused to be communicated to the Government of Chile, by the American minister at Santiago, the conclusions of this Government, after a full consideration of all the evidence and of every suggestion affecting this matter, and to these conclusions I adhere. They were stated as follows:

"First. That the assault is not relieved of the aspect which the early information of the event gave to it, viz: That of an attack upon the uniform of the United States Navy, having its origin and motive in a feeling of hostility to this Government, and not in any act of the sailors or of any of them.

"Second. That the public authorities of Valparaiso flagrantly failed in their duty to protect our men and that some of the police and of the Chilean soldiers and sailors were themselves guilty of unprovoked assaults upon our sailors before and after arrest. He [the President] thinks the preponderance of the evidence and the inherent probabilities lead to the conclusion that Riggin was killed by the police or soldiers.

"Third. That he [the President] is therefore compelled to bring the case back to the position taken by this Government in the note of Mr. Wharton, of October 23 last * * *, and to ask for a suitable apology and for some adequate reparation for the injury done to this Government.

In the same note the attention of the Chilean Government was called to the offensive character of a note addressed by Mr. Matta, its minister of foreign affairs, to Mr. Montt, its minister at this capital, on the 11th ultimo. This dispatch was not officially communicated to this Government; but, as Mr. Montt was directed to translate it and to give it to the press of this country, it seemed to me that it could not pass without official notice. It was not only undiplomatic, but grossly insulting to our naval officers and to the executive department, as it directly imputed untruth and insincerity to the reports of the naval officers and to the official communications made by the executive department to Congress. It will be observed that I have notified the Chilean Government that, unless this note is at once withdrawn and an apology as public as the offense made, I will terminate diplomatic relations.

The request for the recall of Mr. Egan, upon the ground that he was not *persona grata*, was unaccompanied by any suggestion that could properly be used in support of it, and I infer that the request is based upon official acts of Mr. Egan which have received the approval of this Government. But, however that may be, I could not consent to consider such a question until it had first been settled whether our correspondence with Chile could be conducted upon a basis of mutual respect.

In submitting these papers to Congress for that grave and patriotic consideration which the questions involved demand, I desire to say that I am of the opinion that the demands made of Chile by this Government should be adhered to and enforced. If the dignity as well as the prestige and influence of the United States are not to be wholly sacrificed, we must protect those who in foreign ports display the flag or wear the colors of this Government against insult, brutality, and death, inflicted in resentment of the acts of their Government, and not for any fault of their own. It has been my desire in every way to cultivate friendly and intimate relations with all the governments of this hemisphere. We do not covet their territory; we desire their peace and prosperity. We look for no advantage in our relations with them, except the increased exchanges of commerce upon a basis of mutual benefit. We regret every civil contest that disturbs their peace and paralyzes their development, and are always ready to give our good offices for the restoration of peace. It must, however, be understood that this Government, while exercising the utmost forbearance towards weaker powers, will extend its strong and adequate protection to its citizens, to its officers, and to its humblest sailor when made the victims of wantonness and cruelty in resentment, not of their personal misconduct, but of the official acts of their Government.

Upon information received that Patrick Shields, an Irishman and probably a British subject, but at the time a fireman of the American steamer Keweenaw, in the harbor of Valparaiso for repairs, had been subjected to personal injuries in that city—largely by the police—I directed the Attorney-General to cause the evidence of the officers and crew of that vessel to be taken upon its arrival in San Francisco; and that testimony is also herewith transmitted. The brutality and even savagery of the treatment of this poor

man by the Chilean police would be incredible if the evidence of Shields was not supported by other direct testimony and by the distressing condition of the man himself when he was finally able to reach his vessel. The captain of the vessel says:

"He came back a wreck; black from his neck to his hips, from beating; weak and stupid, and is still in a kind of paralyzed condition, and has never been able to do duty since."

A claim for reparation has been made in behalf of this man; for, while he was not a citizen of the United States, the doctrine long held by us, as expressed in the consular regulations, is: "The principles which are maintained by this Government in regard to the protection, as distinguished from the relief, of seamen are well settled. It is held that the circumstance that the vessel is American is evidence that the seamen on board are such; and in every regularly documented merchant vessel the crew will find their protection in the flag that covers them."

I have as yet received no reply to our note of the 21st instant, but in my opinion I ought not to delay longer to bring these matters to the attention of Congress for such action as may be deemed appropriate.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 25, 1892.*

[Applause on the floor and in the galleries.]

During the reading, the following took place:

Mr. COGSWELL. Mr. Speaker, I rise to a question of privilege. Evidently the reader has omitted or skipped a page. The part of the message that he is now reading comments upon a note communicated to Chile by our Government, and assumes that we are in possession of that note, but in fact it has not yet been read to the House.

The reading clerk turned back and read the omitted portion of the message.

Mr. BLOUNT. Mr. Speaker, I move that the message of the President of the United States just read, and the accompanying documents, be referred to the Committee on Foreign Affairs, and ordered to be printed; and upon that I ask for the previous question.

The previous question was ordered.

The motion of Mr. BLOUNT was then agreed to.

UNITED STATES COURTS, NORTHERN DISTRICT OF IOWA.

A message from the President informed the House that he had approved an act (H. R. 123) fixing the times for holding the district and circuit courts of the United States in the northern district of Iowa.

ENROLLED BILL SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a joint resolution of the following title:

Joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution.

ORDER OF BUSINESS.

The SPEAKER. The Chair will resume the call of States for the introduction of bills.

The call proceeded; and bills and resolutions were severally introduced, read a first and second time, and referred as stated:

PENSIONS.

By Mr. MALLORY: A bill (H. R. 4557) to restore to the pension rolls of the United States the names of all persons who were drawing pensions at the beginning of the late rebellion by reason of their services in the Indian wars of Florida, and whose names were stricken from the pension rolls by reason of their participation in or sympathy with said rebellion—to the Committee on Pensions.

BOUNTIES TO EX-SOLDIERS.

By Mr. FITHIAN: A bill (H. R. 4558) to provide for the payment of a bounty of $100 to soldiers who enlisted in the military service of the United States under the act of July 22, 1861, and who were discharged by reason of surgeon's certificate of disability or for promotion before the expiration of two years, and who have not received $100 bounty—to the Committee on War Claims.

IMPROVEMENT OF HARBOR OF EVANSVILLE, IND.

By Mr. PARRETT: A bill (H. R. 4559) for the improvement of the harbor at the city of Evansville, Ind., and appropriating $50,000 therefor—to the Committee on Rivers and Harbors.

DUTIES ON GLASS, ETC.

By Mr. PARRETT: A bill (H. R. 4560) to reduce the duty on glass chimneys, common window glass, and other articles of glass and glassware—to the Committee on Ways and Means.

PENSIONS.

By Mr. PARRETT: A bill (H. R. 4561) to increase the pensions of those who have lost a limb, two limbs, or both eyes, and for other purposes—to the Committee on Invalid Pensions.

GRAIN BAGS, ETC., ON FREE LIST.

By Mr. PARRETT: A bill (H. R. 4562) to exempt from duty bags for grain, bagging for covering cotton, cotton ties, fence wire, spool thread made of cotton, binding-twine, horseshoe nails, horse, mule, or ox shoes, needles, knitting needles, needles for knitting or sewing machines, all implements of husbandry and blacksmith tools—to the Committee on Ways and Means.

AGRICULTURAL IMPLEMENTS, ETC., ON THE FREE LIST.

By Mr. BRETZ: A bill (H. R. 4563) to place agricultural implements and other articles on the free list—to the Committee on Ways and Means.

DUTY ON CARPETS, DIAMONDS, ETC.

By Mr. BRETZ: A bill (H. R. 4564) to increase the duty on certain carpets, diamonds, jewelry, and other articles—to the Committee on Ways and Means.

GOVERNMENT ACCOUNTS WITH STATES.

By Mr. SHIVELY: A bill (H. R. 4565) explanatory of an act entitled "An act to settle certain accounts between the United States and the State of Mississippi and other States," and for other purposes—to the Committee on the Public Lands.

REIMBURSEMENT OF STATES FOR WAR EXPENSES.

By Mr. HENDERSON of Iowa: A bill (H. R. 4566) to reimburse the several States for interest on moneys expended by them on account of raising troops employed in aiding the United States in suppressing the late rebellion—to the Committee on Claims.

ACCOUNTS UNDER EIGHT-HOUR LAW.

By Mr. BRODERICK: A bill (H. R. 4567) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law—to the Committee on Labor.

REPORT ON WAGES.

By Mr. DICKERSON (by request): A joint resolution (H. Res. 71) to authorize the Superintendent of Census to continue the report on wages, by Joseph D. Weeks—to the Select Committee on the Eleventh Census.

COLUMBIAN EXPOSITION.

By Mr. McCREARY: Resolution relating to the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

PUBLIC BUILDING, CYNTHIANA, KY.

By Mr. PAYNTER: A bill (H. R. 4568) for the erection of a public building at Cynthiana, Ky.—to the Committee on Public Buildings and Grounds.

LIFE-SAVING STATION, CAPE PORPOISE, ME.

By Mr. REED: A bill (H. R. 4569) to establish a life-saving station at Cape Porpoise, in the town of York, Me.—to the Committee on Interstate and Foreign Commerce.

REIMBURSEMENT OF WAR EXPENSES.

By Mr. McKAIG: A bill (H. R. 4570) to reimburse Hagerstown, Md.—to the Committee on War Claims.

Also, a bill (H. R. 4571) to refund to corporate authorities of Frederick City, Md., the sum of $200,000, exacted of them by the Confederate army under Gen. Jubal Early, 1864, under penalty of burning said city—to the Committee on War Claims.

Also, a bill (H. R. 4572) to reimburse Middletown, Frederick County, Md.—to the Committee on War Claims.

WAR CLAIMS.

By Mr. McKAIG: A bill (H. R. 4573) authorizing the Secretary of War to cause to be reëxamined claims against the United States, and for extending the time for filing such claims, and for other purposes—to the Committee on War Claims.

Also, a bill bill (H. R. 4574) to afford further relief to loyal citizens of States not in rebellion for property taken by the Army of the United States—to the Committee on War Claims.

CHINESE LABORERS.

By Mr. STUMP: A bill (H. R. 4575) to absolutely prohibit the coming of Chinese laborers into the United States, whether subjects of the Chinese Empire or of any other foreign government, and for other purposes—to the Committee on Immigration and Naturalization.

HOURS OF LABOR, EXECUTIVE DEPARTMENTS.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 4576) fixing the hours of labor in the Executive Departments—to the Committee on Appropriations.

UNITED STATES MINERAL LANDS.

By Mr. STOUT: A bill (H. R. 4577) to secure the reservation of all mineral rights in lands hereafter conveyed by the United States—to the Committee on the Public Lands.

ST. JOSEPH RIVER, MICHIGAN.

By Mr. BURROWS: A bill (H. R. 4578) making an appropriation for the improvement of St. Joseph River, in the State of Michigan—to the Committee on Rivers and Harbors.

CINCINNATI, WABASH AND MICHIGAN RAILROAD COMPANY.

By Mr. BURROWS: A bill (H. R. 4579) granting to the Cincinnati, Wabash and Michigan Railroad Company the right to load and unload freight over the Government works in the har-

bor of St. Joseph, Mich.—to the Committee on Interstate and Foreign Commerce.

REGISTER OF WILLS, DISTRICT OF COLUMBIA.

By Mr. MANSUR: A bill (H. R. 4580) relative to the office of the register of wills of the District of Columbia and to create three associate judges of the supreme court of the District.

The SPEAKER. This bill will be referred to the Committee on the District of Columbia.

Mr. MANSUR. I ask the reference of that bill, Mr. Speaker, to the Committee on the Judiciary.

The SPEAKER. The proper reference, in the judgment of the Chair, would be to the Committee on the District of Columbia.

Mr. HEMPHILL. Let it go to the District Committee.

Mr. MANSUR. The Bar Association request this reference. There is nothing in it, I will state, but legal matters.

Mr. HEMPHILL. What is the character of the bill?

Mr. MANSUR. It relates to cutting down the fees of the register and applying the money to the creation of three additional justices.

I move its reference to the Committee on the Judiciary.

The SPEAKER. The bill, the title of which has just been read, in the judgment of the Chair, should be referred to the Committee on the District of Columbia. The gentleman from Missouri moves that it be referred to the Committee on the Judiciary.

The motion was agreed to.

IMPROVEMENT OF MISSISSIPPI RIVER.

By Mr. BYRNS: A bill (H. R. 4581) to enable the Secretary of War to complete the improvement of the Mississippi River from the mouth of the Illinois River to the mouth of the Ohio River—to the Committee on Rivers and Harbors.

ANNUAL ASSEMBLING OF CONGRESS.

By Mr. DE ARMOND: A bill (H. R. 4582) to appoint a different day, namely, March 4, for the annual assembling of Congress in the year A. D. 1893 and thereafter—to the Committee on the Judiciary.

WATER REVENUES, DISTRICT OF COLUMBIA.

By Mr. HEARD (by request): A bill (H. R. 4583) to prevent fraud upon the water revenues of the District of Columbia—to the Committee on the District of Columbia.

LIGHTING OF PUBLIC BUILDINGS, WASHINGTON.

By Mr. KEM: A bill (H. R. 4584) to provide for lighting the public buildings in Washington and to furnish means of lighting to the citizens of said city—to the Committee on the District of Columbia.

BOUNTY LAWS.

By Mr. RAY: A bill (H. R. 4585) extending the benefits of the veteran bounty laws to minors discharged as such, but who subsequently enlisted and served one year or more—to the Committee on War Claims.

NIAGARA RIVER AND PORT DAY HARBOR.

By Mr. BUNTING: A bill (H. R. 4586) for the improvement of navigation in the Niagara River and Port Day Harbor—to the Committee on Rivers and Harbors.

INTERNAL REVENUE ON DISTILLED SPIRITS.

By Mr. COWLES: A bill (H. R. 4587) to repeal internal-revenue license taxes for sale of distilled spirits and to prevent frivolous prosecutions in Federal courts—to the Committee on Ways and Means.

FREE DISTILLATION OF BRANDY.

By Mr. COWLES: A bill (H. R. 4588) to allow the free distillation of brandy from fruit—to the Committee on Ways and Means.

COMPENSATION, UNITED STATES DISTRICT ATTORNEYS, ETC.

By Mr. COWLES: A bill (H. R. 4589) relating to the compensation of United States district attorneys, marshals, deputy marshals, circuit and district court clerks, and commissioners—to the Committee on Expenditures in the Department of Justice.

TAX ON TOBACCO.

By Mr. COWLES: A bill (H. R. 4590) to repeal the tax on tobacco in all its forms—to the Committee on Ways and Means.

DESTRUCTION OF STILLS, ETC.

By Mr. COWLES: A bill (H. R. 4591) to prevent the destruction of stills, tubs, furnaces, etc., used in the distillation of grain or fruit, and to make the same a misdemeanor—to the Committee on Ways and Means.

PENSIONS TO CERTAIN SOLDIERS.

By Mr. COWLES: A bill (H. R. 4592) granting a pension to the soldiers engaged in the removal of the Cherokee Indians—to the Committee on Pensions.

MODIFICATION OF SYSTEM OF INTERNAL REVENUE.

By Mr. COWLES: A bill (H. R. 4593) to repeal tax on tobacco and fruit brandy and modify system of internal revenue—to the Committee on Ways and Means.

REPEAL OF THE INTERNAL-REVENUE SYSTEM.

By Mr. COWLES: A bill (H. R. 4594) to abolish the internal-revenue system and repeal the tax on distilled spirits—to the Committee on Ways and Means.

MONUMENT TO BRIG. GEN. WILLIAM LEE DAVIDSON.

By Mr. ALEXANDER: A bill (H. R. 4595) to provide for the erection of a monument to the memory of Brig. Gen. William Lee Davidson—to the Joint Committee on the Library.

NATIONAL CEMETERY, WILMINGTON, N. C.

By Mr. ALEXANDER: A bill (H. R. 4596) to provide for the construction of a macadamized road to the national cemetery near Wilmington, N. C., and for other purposes—to the Committee on Military Affairs.

TOWN CREEK RIVER, BRUNSWICK COUNTY, N. C.

By Mr. ALEXANDER: A bill (H. R. 4597) to continue the improvement of Town Creek River in Brunswick County, N. C.—to the Committee on Rivers and Harbors.

RESTRICTIONS ON SALE OF LEAF TOBACCO.

By Mr. CRAWFORD: A bill (H. R. 4598) to amend section 27, chapter 1244, of supplement to the Revised Statutes of the United States, imposing restrictions on the sale of leaf tobacco by the farmer—to the Committee on Ways and Means.

PAY CLERKS IN THE NAVY.

By Mr. CRAWFORD: A bill (H. R. 4599) for the relief of pay clerks in the naval service of the United States—to the Committee on Naval Affairs.

TRUSTS.

By Mr. WILLIAMS of North Carolina: A bill (H. R. 4600) to define trusts and prevent the same—to the Committee on Manufactures.

INCOME TAX.

By Mr. WILLIAMS of North Carolina: A bill (H. R. 4601) to impose a graduated income tax—to the Committee on Ways and Means.

METRIC SYSTEM OF WEIGHTS AND MEASURES.

By Mr. STORER: A bill (H. R. 4602) providing for the exclusive use of the metric system of weights and measures in the customs service—to the Committee on Coinage, Weights, and Measures.

SECTION 4702, TITLE LVII, REVISED STATUTES.

By Mr. DOAN: A bill (H. R. 4603) to amend section 4702, Title LVII, Revised Statutes of the United States, and for other purposes—to the Committee on Invalid Pensions.

REGULATING THE PAYMENT OF PENSIONS IN CERTAIN CASES.

By Mr. DOAN: A bill (H. R. 4604) prescribing regulations for the payment of pensions to soldiers who from intemperance or other causes receive no benefit from the same, and for other purposes—to the Committee on Invalid Pensions.

FILTERING MEDIUM ON THE FREE LIST.

By Mr. HOUK of Ohio: A bill (H. R. 4605) to put upon the free list a filtering medium manufactured from certain earth products—to the Committee on Ways and Means.

PROTECTION OF LABOR.

By Mr. DUNGAN: A bill (H. R. 4606) for the further protection of labor, and to amend section 1 of an act approved May 6, 1882—to the Committee on Labor.

ENTRY OF STANDARDS, PATENT OFFICE.

By Mr. CALDWELL (by request): A bill (H. R. 4607) to authorize the entry of standards in the Patent Office—to the Committee on Patents.

LIFE-SAVING STATION, ROGUE RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 4608) providing for a life-saving station at the entrance to Rogue River, in Oregon, and for life-saving crews, etc.—to the Committee on Commerce.

LIFE-SAVING STATION, NEHALEM RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 4609) to provide a life-saving station at or near the mouth of the Nehalem River, in the State of Oregon and for a life-saving crew, etc.—to the Committee on Commerce.

CHETCO RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 4610) providing for the examination and survey, with a view to the improvement of navigation, of the Chetco River and its entrance, in Oregon—to the Committee on Rivers and Harbors.

PENSIONS FOR SOLDIERS, INDIAN WARS.

By Mr. HERMANN: A bill (H. R. 4611) pensioning soldiers who served in Indian wars—to the Committee on Pensions.

ROGUE RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 4612) to provide for the examination and survey of Rogue River and its entrance from the town of Grants Pass to the Pacific Ocean, in Oregon—to the Committee on Rivers and Harbors.

CANAL AND LOCKS AT THE CASCADES OF THE COLUMBIA RIVER, OREGON.

By Mr. HERMANN: A bill (H. R. 4613) providing for the completion by contract of the canal and locks at the Cascades of the Columbia River, in Oregon—to the Committee on Rivers and Harbors.

UMATILLA INDIAN RESERVATION, OREGON.

By Mr. HERMANN (by request): A bill (H. R. 4614) amendatory of an act approved March 3, 1885, providing for allotment of lands in severalty to the Indians residing upon the Umatilla Indian Reservation in the State of Oregon, and granting patents therefor, and for other purposes—to the Committee on Indian Affairs.

PENSIONS TO OFFICERS AND PRIVATES OF THE MILITIA.

By Mr. ATKINSON: A bill (H. R. 4615) granting pensions to officers and privates of the militia who were disabled in the military service and to the widows and orphans of soldiers of the militia who died of disease or wounds contracted in said service—to the Committee on Invalid Pensions.

PAY OF COMMODORES OF THE NAVY.

By Mr. ELLIOTT (by request): A bill (H. R. 4616) allowing the pay of rear-admirals to commodores while acting as rear-admirals—to the Committee on Naval Affairs.

IMPROVEMENT OF SEQUATCHEE RIVER, TENN.

By Mr. SNODGRASS: A bill (H. R. 4617) for the improvement of Sequatchee River, in Tennessee—to the Committee on Rivers and Harbors.

RECORDS OF THE WAR OF THE REBELLION.

By Mr. PATTERSON of Tennessee: A bill (H. R. 4618) to increase the number of the Records of the War of the Rebellion to be published and distributed—to the Committee on Printing.

LAW-SUBJECT CATALOGUE OF BOOKS IN SUPREME COURT LAW LIBRARY.

By Mr. RICHARDSON: A joint resolution (H. Res. 72) providing for the preparation, printing, and distribution of a law-subject catalogue of the books in the United States Supreme Court law library—to the Committee on Printing.

DREDGING THE BAY AT NORTH HERO, VT.

By Mr. POWERS: A bill (H. R. 4619) making an appropriation for dredging in the bay at North Hero, in the State of Vermont—to the Committee on Rivers and Harbors.

PUBLIC STREET, ABINGDON, VA.

By Mr. BUCHANAN of Virginia: A bill (H. R. 4620) to authorize the Secretary of the Treasury to consent to the use of a portion of the public grounds of the United States in the town of Abingdon Va., for a public street—to the Committee on Public Buildings and Grounds.

PURCHASE OF LAND OPPOSITE GOSPORT NAVY-YARD, VA.

By Mr. JONES: A bill (H. R. 4621) authorizing and directing the Secretary of the Navy to contract for the purchase of a lot of land opposite to the Gosport navy-yard—to the Committee on Naval Affairs.

ADDITIONAL COINAGE.

By Mr. TUCKER (by request): A bill (H. R. 4622) to authorize the coinage of the metric dollar and fractions of a dollar; and also the coinage of the double metric gold eagle, eagle, and stella, all of standard value, as gold and silver bimetallic money—to the Committee on Coinage, Weights, and Measures.

RELIEF TO WEST VIRGINIA TROOPS.

By Mr. CAPEHART: A bill (H. R. 4623) granting relief to West Virginia State troops—to the Committee on War Claims.

COMPANY A, ELEVENTH WEST VIRGINIA MILITIA.

By Mr. CAPEHART: A bill (H. R. 4624) recognizing Company A, of the Eleventh West Virginia Militia, as United States soldiers—to the Committee on Military Affairs.

COMPANY B, ELEVENTH WEST VIRGINIA MILITIA.

By Mr. CAPEHART: A bill (H. R. 4625) recognizing Company B, of the Eleventh West Virginia Militia, as United States soldiers—to the Committee on Military Affairs.

DEPARTMENTAL BENEFICIAL ASSOCIATION.

By Mr. ALDERSON (by request): A bill (H. R. 4626) authorizing the organization of a departmental beneficial association, and for other purposes—to the Committee on the Revision of the Laws.

THIRTY-SEVENTH PARALLEL, BETWEEN UTAH AND ARIZONA.

By Mr. SMITH of Arizona: A bill (H. R. 4627) authorizing the Secretary of the Interior to survey and mark the thirty-seventh parallel, between Utah and Arizona—to the Committee on the Territories.

CIRCUIT COURTS OF APPEALS.

By Mr. JOSEPH: A bill (H. R. 4628) to amend an act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes, approved March 3, 1891—to the Committee on the Judiciary.

ADMISSION OF OKLAHOMA AS A STATE.

By Mr. HARVEY: A bill (H. R. 4629) to enable the people of the Territory of Oklahoma to form a constitution and State government and to be admitted into the Union on an equal footing with the original States, and for other purposes—to the Committee on the Territories.

Also, a memorial of statehood convention of Oklahoma Territory, asking for the passage of an enabling act providing for the admission of Oklahoma as a State—to the Committee on the Territories.

GRANT MEMORIAL HOME AT MOUNT M'GREGOR, N. Y.

By Mr. ROCKWELL: A bill (H. R. 4630) to establish the Grant Memorial Home at Mount McGregor, N. Y.—to the Committee on Military Affairs.

BRIDGE AT BURLINGTON, IOWA.

By Mr. SEERLEY: A bill (H. R. 4631) to amend an act entitled "An act to authorize the construction of a railroad, wagon, and foot-passenger bridge at Burlington, Iowa, approved August 6, 1888, as amended by act approved February 21, 1890"—to the Committee on Interstate and Foreign Commerce.

ROAD TO NATIONAL MILITARY CEMETERY AT KEOKUK, IOWA.

By Mr. SEERLEY: A bill (H. R. 4632) to open and construct a road to the national military cemetery at Keokuk, Iowa—to the Committee on Military Affairs.

JURIES IN UNITED STATES COURTS.

By Mr. TERRY: A bill (H. R. 4633) to regulate the practice of charging juries in United States courts—to the Committee on the Judiciary.

FLOODS ON THE MISSISSIPPI.

By Mr. NORTON: A bill (H. R. 4634) to prevent destructive floods on the Mississippi River by building levees, etc., and making an appropriation therefor—to the Committee on Levees and Improvements of the Mississippi River.

RECKONING OF TIME.

By Mr. LITTLE: A bill (H. R. 4635) respecting the reckoning of time throughout the United States—to the Committee on the Revision of the Laws.

CHANGE OF REFERENCE.

On motion of Mr. OUTHWAITE, the Committee on Military Affairs was discharged from further consideration of the bills named below, and they were severally referred as indicated:

A bill (H. R. 3489) for the improvement of the Tennessee River—to the Committee on Rivers and Harbors.

A bill (H. R. 2857) authorizing the Secretary of the Treasury of the United States to refund certain duties to James J. Haynes—to the Committee on Claims.

A bill (H. R. 2854) for the relief of John Friery—to the Committee on Claims.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. WHEELER of Alabama, from the Committee on Military Affairs, reported a bill (H. R. 4636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1893; which was read a first and second time, and ordered to be printed.

Mr. WHEELER of Alabama. Mr. Speaker, I ask unanimous consent that that bill be printed and placed on the Calendar.

The SPEAKER *pro tempore* (Mr. DOCKERY). The Chair will state to the gentleman that there is as yet no Calendar. Of course, under the rules, the bill would be printed and referred to the Committee of the Whole House on the state of the Union, but the rules not having yet been adopted, no Calendar exists.

Mr. WHEELER of Alabama. But there will be a Calendar by the time this bill is printed.

Mr. McMILLIN. Mr. Speaker, I suggest that the gentleman

from Alabama ask unanimous consent for the printing of the bill and its reference to the Committee of the Whole House when that committee is organized under the rules.

Mr. WHEELER of Alabama. I make that request.

Mr. DINGLEY. I desire to reserve all points of order, Mr. Speaker.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Alabama?

There was no objection, and it was so ordered.

DUTY ON BARLEY.

Mr. LOCKWOOD. Mr. Speaker, I ask unanimous consent to have the resolution which I send to the desk, a resolution of the Buffalo Merchants' Exchange in relation to the reduction of the duty on barley, read and printed in the RECORD.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from New York?

Mr. BUTLER. Mr. Speaker, I rise to a parliamentary inquiry. I do not quite understand what that document is. Is it a resolution presented directly by the gentleman from New York himself, or is it a communication from some outside organization.

Mr. LOCKWOOD. It is a resolution of the Merchants' Exchange of Buffalo.

The SPEAKER *pro tempore*. Is there objection?

Mr. BUTLER. I object.

Mr. McMILLIN. Does the gentleman from Iowa object to the reading of the memorial?

Mr. BUTLER. I object to its reading if that will spread it upon the RECORD.

Mr. DINGLEY. I object to the reading, Mr. Speaker. The time of the House ought not to be taken up with the reading of papers.

The SPEAKER *pro tempore*. The Chair is of opinion that the gentleman from New York [Mr. LOCKWOOD] has the right to have the memorial read.

Mr. DINGLEY. Does the Chair rule that memorials and petitions may be read when presented to the House? If so, I have one that I desire to offer.

The SPEAKER *pro tempore*. The Chair is of opinion that if they are received at all they can be read upon request.

Mr. DINGLEY. I take it for granted that we are acting under unanimous consent.

The SPEAKER *pro tempore*. The Chair was not present when the order was made under which the House is now proceeding, but is informed that unanimous consent was given for the introduction of bills and joint resolutions.

Mr. DINGLEY. With the understanding that private bills and petitions were to go to the petition box.

The SPEAKER *pro tempore*. If that be true——

Mr. DINGLEY. Therefore this paper can not be read except by unanimous consent.

The SPEAKER *pro tempore*. The Chair is advised that the gentleman from Maine is correct as to the terms of the order, and that the understanding was that private bills and memorials were to go to the petition box. The gentleman from New York [Mr. LOCKWOOD] must therefore ask unanimous consent if he desires to have this memorial read and printed in the RECORD.

Mr. LOCKWOOD. Then I ask unanimous consent to that effect.

Mr. DINGLEY. I object, unless the same is to be done with other memorials.

The SPEAKER *pro tempore*. The gentleman from Maine [Mr. DINGLEY] objects, and the memorial will take the usual course and go to the petition box.

REPORT ON DISEASES OF THE HORSE.

By Mr. ALDERSON: A joint resolution (H. Res. 73) providing for the printing of additional copies of the special Report on Diseases of the Horse—to the Committee on Printing.

IMPROVEMENTS ON SAN JOAQUIN RIVER, CALIFORNIA.

Mr. CAMINETTI submitted the following resolution; which was read, and, being considered by unanimous consent, was adopted:

Resolved, That the Secretary of War be, and he is hereby, instructed to transmit to the House of Representatives any additional reports, estimates, and maps concerning proposed improvements on the San Joaquin River, in the State of California, now on file with the Chief of Engineers, not included in the annual report of the Department of War recently submitted.

CORRECTION OF A BILL.

Mr. YOUMANS. I ask unanimous consent to amend the title of a bill, there having been a clerical error in the printing of it.

The SPEAKER *pro tempore*. The gentleman from Michigan [Mr. YOUMANS] asks unanimous consent to amend the title of a bill. The Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 2590) granting a pension to Mary J. Imhoff.

Mr. YOUMANS. There is a misprint in the body of the bill as well as in the title.

The SPEAKER *pro tempore*. The Chair is advised that this bill is now in the possession of the Committee on Invalid Pensions, and would suggest to the gentleman from Michigan that the committee in reporting it can recommend any change which may seem proper.

Mr. BUTLER. The Committee on Invalid Pensions has had this bill referred to it. The title of the bill does not correspond with the body; and therefore the bill was handed to the gentleman from Michigan [Mr. YOUMANS] that he might obtain from the House the privilege of amending it so as to obviate the necessity of a formal amendment by the committee. The name in the title is not the name in the body of the bill.

The SPEAKER *pro tempore*. The Chair thinks that the orderly method of proceeding would be for the committee to report the bill back with whatever recommendation in the way of amendment they may think proper.

Mr. ENLOE. I suggest that the gentleman from Michigan can accomplish his object by reintroducing the bill in corrected form through the petition box.

The SPEAKER *pro tempore*. Certainly, the object can be accomplished in that way.

UNIFORM SPELLING OF GEOGRAPHIC NAMES.

Mr. RICHARDSON. I desire to report back a concurrent resolution from the Committee on Printing, and ask its consideration now.

The SPEAKER *pro tempore*. The Clerk will report the concurrent resolution.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 10,000 extra copies of the report of the United States Board of Geographic Names, transmitted to Congress by the President, December 23, 1891: 1,000 copies of which shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 7,000 copies for distribution by said board among the Government Departments, public libraries, and other suitable depositories.

The report of the Committee on Printing, which was read, states that the committee, after consideration, recommend the adoption of the resolution, and that the estimated cost of the proposed printing is $254.

The House proceeded to the consideration of the resolution.

Mr. RICHARDSON. I move the previous question on the adoption of the resolution.

Mr. McMILLIN. Before the previous question is ordered, will my colleague [Mr. RICHARDSON] state what is the object of this publication?

Mr. RICHARDSON. I withdraw the demand for the previous question in order to answer the inquiry of my colleague [Mr. MCMILLIN].

Early in the session the President of the United States transmitted to Congress a message informing us that he had appointed a commission on geographic names, the object being that this commission might pass upon and settle difficulties which have arisen in connection with such names. He also stated that the commission had submitted a report. This resolution simply provides for printing 10,000 extra copies of that report, at a cost of $254. It seems that there has existed considerable confusion in regard to certain geographical names, and the object of appointing the commission which has submitted this report was to obviate difficulties of that character. I ask that the message of the President of the United States upon this subject be read.

The Clerk read as follows:

To the Senate and House of Representatives:

My attention having been called to the necessity of bringing about a uniform usage and spelling of geographic names in the publications of the Government, the following executive order was issued on the 4th day of September, 1890:

"As it is desirable that uniform usage in regard to geographic nomenclature and orthography obtain throughout the Executive Departments of the Government, and particularly upon the maps and charts issued by the various Departments and Bureaus, I hereby constitute a Board on Geographic Names, and designate the following persons, who have heretofore cooperated for a similar purpose under the authority of the several Departments, Bureaus, and institutions with which they are connected, as members of said Board:

"Prof. Thomas C. Mendenhall, United States Coast and Geodetic Survey, chairman.
"Andrew H. Allen, Department of State.
"Capt. Henry L. Howison, Light-House Board, Treasury Department.
"Capt. Thomas Turtle, Engineer Corps, War Department.
"Lieut. Richardson Clover, Hydrographic Office, Navy Department.
"Pierson H. Bristow, Post-Office Department.
"Otis T. Mason, Smithsonian Institution.
"Herbert G. Ogden, United States Coast and Geodetic Survey.
"Henry Gannett, United States Geological Survey.
"Marcus Baker, United States Geological Survey.

"To this Board shall be referred all unsettled questions concerning geographic names which arise in the Departments, and the decisions of the Board are to be accepted by these Departments as the standard authority in such matters.

"Department officers are instructed to afford such assistance as may be proper to carry on the work of this Board.

"The members of this Board shall serve without additional compensation, and its organization shall entail no expense on the Government."

The report of the Board thus constituted has been submitted to me and is herewith transmitted for the information of Congress, and with a view to its publication in suitable form, if such action is deemed by Congress to be desirable.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1891.*

Mr. RICHARDSON. I now demand the previous question on the adoption of the resolution.

The previous question was ordered; and, under the operation thereof, the resolution was adopted.

On motion of Mr. RICHARDSON, a motion to reconsider the last vote was laid on the table.

DUTY ON BARLEY.

Mr. LOCKWOOD. Mr. Speaker, I ask unanimous consent to introduce at this time resolutions of the Buffalo Exchange in relation to the duty on barley for reference. I ask that the resolutions be read.

The SPEAKER *pro tempore*. The Clerk will report the title of the resolutions.

The Clerk read as follows:

Resolutions to reduce the duty on barley.

The SPEAKER *pro tempore*. The resolutions will be referred to the Committee on Ways and Means.

Mr. LOCKWOOD. I desire that the resolutions be read, Mr. Speaker.

The SPEAKER *pro tempore*. In the absence of objection, the resolutions of the gentleman from New York will be read.

There being no objection, the resolutions were read at length and referred as above indicated.

THE RULES.

Mr. McMILLIN. Mr. Speaker, it was the purpose of the Committee on Rules to call up for consideration the report of that committee on the rules for the government of the House to-day; but so many members have expressed a desire that the matter shall go over until to-morrow, especially as a considerable portion of the day has been already taken up with other matters, that the committee is disposed to accede to that request; and if no other gentleman desired to introduce a bill or bring something forward for the attention of the House, I move that the House do now adjourn.

Mr. BRECKINRIDGE of Kentucky. I ask the gentleman from Tennessee to suspend the motion for a few moments so that I may make a suggestion in regard to proposed amendments to the rules,

Mr. McMILLIN. I withdraw the motion at the request of the gentleman from Kentucky.

Mr. BRECKINRIDGE of Kentucky. I would suggest to the House that those members who have amendments to offer to the text of the code of rules proposed by the committee may be authorized to insert them in the RECORD, so that they may be examined by the House before we come to the discussion of the rules themselves. I think it would aid us to have these amendments published in the RECORD of to-morrow morning, and by that means turn attention to the various provisions and matters upon which there may be some discussion.

Mr. LANHAM. Do I understand the gentleman's suggestion to imply that these amendments shall be considered as pending?

Mr. BRECKINRIDGE of Kentucky. I would not like to go so far as that, for it might involve some parliamentary difficulties which I have no right to ask the Committee on Rules to assume.

Mr. McMILLIN. I think the gentleman's proposition is entirely reasonable and proper, and we will probably not lose time in going forward with the work if his request is complied with, allowing amendments to be printed in the RECORD, when gentlemen desire to offer them.

Mr. McCREARY. I agree with the suggestion of the gentleman from Kentucky and the gentleman from Tennessee, believing that it would facilitate the business to have such amendments as will be proposed offered now and printed in the RECORD. I have an amendment I desire to present and would like to have it printed in the RECORD. I hope, therefore, the request of the gentleman from Kentucky will be granted.

Mr. McMILLIN. I think there should be no misunderstanding as to the request of the gentleman from Kentucky. It is properly restricted to the mere printing of these amendments for information.

Mr. BRECKINRIDGE of Kentucky. That was all.

Mr. McMILLIN. Because if they were permitted to be considered as pending, before the rules are discussed in general debate or the different clauses of the rules to which they apply are reached, it would cause confusion and delay, rather than expedition.

Mr. BRECKINRIDGE of Kentucky. I would not think it courtesy to the committee to ask that the amendments might be considered as pending. I only asked that they be printed.

Mr. McMILLIN. I have no objection to the request of the gentleman from Kentucky.

Mr. REED. I desire to say to the gentleman from Tennessee that I am informed by the document room that the rules have not yet been printed, and will not be, so as to be accessible to members, for a number of days.

Mr. BRECKINRIDGE of Kentucky. That is a mistake. They have been printed already.

Mr. McCREARY. It is a mistake, for I have a copy of the rules in my hand.

Mr. REED. Then I have been misinformed.

Mr. McMILLIN. I am informed that they have been distributed in the members' mail and will reach them this evening.

Mr. REED. Has a copy been printed with a comparison of the changes?

Mr. McMILLIN. There has been no copy ordered to be printed in that way. The request of the gentleman from Mississippi was for printing only, but did not embrace an order for a comparison of the changes made, and no authority was given to any one to have such printing done.

The SPEAKER *pro tempore*. The gentleman from Kentucky asks unanimous consent that members who desire to submit amendments may present them now and have them printed in the RECORD for information. Is there objection?

There was no objection, and it was so ordered.

Mr. BRECKINRIDGE of Kentucky. I offer the amendments which I send to the desk.

The proposed amendments of Mr. BRECKINRIDGE of Kentucky are as follows:

Amend subsection 5 of Rule IX by adding, after the seventh line thereof, the words "or the accuracy of his count is challenged."

Amend subsection 12 of Rule XI by striking out of the first line of said subsection the words, "and the public defense."

Strike out so much of subsection 51, Rule XI, as is in italics, and insert in lieu thereof—

"It shall always be in order to call up for consideration a report from the Committee on Rules, changing the rules or proposing action touching the order of business, and pending the consideration of such report but one motion that the House adjourn shall be in order, and such report shall not be adopted except by a vote of two-thirds of the members present."

Amend section 1 of Rule XV by striking out the following words, viz: "And thereafter the Speaker shall not entertain a request to record a vote or announce a pair."

Amend subsections 4 and 5 of Rule XVI by striking out of each the words "to fix the day to which the House shall adjourn" and the words "to take a recess."

Amend subsection 3 of Rule XXI by adding: "*And provided further*, That whenever any general appropriation bill is under consideration it shall be in order to move as an amendment any amendment reducing taxation or providing out of what fund or taxes such appropriation shall be paid."

Mr. McCREARY. I offer the following amendment, which I ask to have read.

The Clerk read as follows:

Amend by adding, as Rule XI, to be inserted next after the rule defining the duties and powers of committees, the following:

"It shall be the duty of the several committees having jurisdiction of the general appropriation bills to report said appropriation bills (except the general deficiency bill) within eighty days after the committees are announced in a long session and within forty days after the commencement of a short session; and if any committee fail to so report, the reasons of such failure shall be privileged for consideration when called for by any member of the House."

Mr. BRECKINRIDGE of Kentucky. I would suggest that the amendments need not be read.

The SPEAKER *pro tempore*. The Chair stated that the order permitted the amendments to be printed. The gentleman from Kentucky [Mr. McCREARY] asked to have his amendment read.

Mr. LANHAM. I desire to offer the amendment which I have just sent up to the Clerk's desk, and I ask that it be printed in the RECORD.

The SPEAKER *pro tempore*. It will be printed in the RECORD under the order heretofore made.

Mr. LANHAM. I want to have the amendment read.

Mr. CATCHINGS. I think all of these amendments ought to be read.

The Clerk read as follows:

By Mr. LANHAM:

Amend paragraph 51, Rule XI, by adding:

"The Committee on Coinage, Weights, and Measures shall have leave to report at any time on bills relating to the coinage of silver."

Mr. OTIS. Mr. Speaker, I wish to offer a substitute for Rule X.

The SPEAKER *pro tempore*. It will be printed in the RECORD under the order.

Mr. CATCHINGS. I prefer that all these amendments sent up be read.

The SPEAKER *pro tempore*. The Chair will state that an order was made a few moments since, by unanimous consent, that gentlemen having amendments to offer to the rules should have the privilege of printing them in the RECORD.

Mr. CATCHINGS. I do not object to that, but I think they should be read.

The SPEAKER *pro tempore*. Subsequent to that order, the gentleman from Texas [Mr. LANHAM] and the gentleman from Kentucky [Mr. MCCREARY] offered amendments which they asked to have read.

Mr. CATCHINGS. I understand; but there has been no decision by this House against the reading of amendments which are offered to be printed in the RECORD.

The SPEAKER *pro tempore*. The Chair is unable to hear the gentleman from Mississippi.

Mr. CATCHINGS. I say that the proposition which was accepted by this House by unanimous consent does not preclude any member from having amendments read when they are sent up.

The SPEAKER *pro tempore*. Certainly, but the gentleman from Kansas [Mr. OTIS] does not ask to have his amendment read.

Mr. CATCHINGS. But I do ask to have it read.

Mr. OTIS. I have no objection to the amendment being read.

The Clerk read as follows:

By Mr. OTIS:
Substitute for Rule X:

"RULE X.

"SECTION 1. At the commencement of each Congress, and immediately after the same is organized and ready for business, the House shall appoint a time for placing in nomination, and also a time at which it will proceed to elect, members of the following standing committees, namely:
"1. On Elections, to consist of fifteen members.
"2. On Order of Business, to consist of one member from each State and Territory within the United States.
"3. On Ways and Means, to consist of fifteen members.
"4. On Appropriations, to consist of fifteen members.
"5. On Judiciary, to consist of fifteen members.
"6. On Banking and Currency, to consist of fifteen members.
"7. On Coinage, Weights, and Measures, to consist of thirteen members.
"8. On Interstate and Foreign Commerce, to consist of fifteen members.
"9. On Rivers and Harbors, to consist of fifteen members.
"10. On Merchant Marine and Fisheries, to consist of thirteen members.
"11. On Agriculture, to consist of fifteen members.
"12. On Foreign Affairs, to consist of thirteen members.
"13. On Military Affairs, to consist of thirteen members.
"14. On Naval Affairs, to consist of thirteen members.
"15. On the Post-Office and Post-Roads, to consist of fifteen members.
"16. On the Public Lands, to consist of thirteen members.
"17. On Indian Affairs, to consist of thirteen members.
"18. On the Territories, to consist of thirteen members.
"19. On Railways and Canals, to consist of thirteen members.
"20. On Manufactures, to consist of eleven members.
"21. On Mines and Mining, to consist of thirteen members.
"22. On Public Buildings and Grounds, to consist of thirteen members.
"23. On Pacific Railroads, to consist of thirteen members.
"24. On Levees and Improvements of the Mississippi River, to consist of thirteen members.
"25. On Education, to consist of fifteen members.
"26. On Labor, to consist of thirteen members.
"27. On Militia, to consist of thirteen members.
"28. On Patents, to consist of thirteen members.
"29. On Invalid Pensions, to consist of fifteen members.
"30. On Pensions, to consist of thirteen members.
"31. On Claims, to consist of fifteen members.
"32. On War Claims, to consist of thirteen members.
"33. On Private Land Claims, to consist of thirteen members.
"34. On the District of Columbia, to consist of fifteen members.
"35. On Revision of the Laws, to consist of thirteen members.
"36. On Rules, to consist of eleven members.
"37. On Accounts, to consist of eleven members.
"38. On Mileage, to consist of seven members.
"39. On Expenditures in the State Department, to consist of seven members.
"40. On Expenditures in the Treasury Department, to consist of seven members.
"41. On Expenditures in the War Department, to consist of seven members.
"42. On Expenditures in the Navy Department, to consist of seven members.
"43. On Expenditures in the Post-Office Department, to consist of seven members.
"44. On Expenditures in the Interior Department, to consist of seven members.
"45. On Expenditures in the Department of Justice, to consist of seven members.
"46. On Expenditures in the Department of Agriculture, to consist of seven members.
"47. On Expenditures on Public Buildings, to consist of seven members."
"And also the following joint standing committees, viz:
"On Library, to consist of three members;
"On Printing, to consist of three members; and
"On Enrolled Bills, to consist of seven members.
"SEC. 2. In the election of standing committees under this rule no member shall be placed upon more than two committees; and no State shall have more than two members upon the same committee. In making nominations for members of the committees, as contemplated in section 1 of this rule, each State delegation shall present the name of its own member on the Committee of 'Order of Business,' and each State shall also present the nominating list of its own members for other committees. And these nominating lists from the different States shall be referred to a special committee of seven—to be named by the Speaker—from among members who have served longest upon the floor of the House.
"This committee of seven shall consider, revise, and adjust these nominating lists in such manner as to fill all the standing committees with the proper quota of members, and report their action to the House prior to the election of standing committees, as provided in section 1 of this rule.
"And after the committees have been duly elected by the House, each committee shall perfect its organization by electing one of its own members as chairman, and at once report their action to the House. Any standing committee desiring the aid of a clerk shall nominate some suitable person for that position and report their action to the House, and if approved, the clerk shall be paid from the fund appropriated for such purposes. That in case of a vacancy in any standing committee, the same shall be filled by the Speaker; and he shall appoint all select committees of the House, unless otherwise ordered.
"SEC. 3. The standing committee on 'Order of Business' shall revise all the House Calendars, when Congress is in session, as often as once in ten days, and determine from time to time, subject to the approval of the House, what business shall take precedence in the deliberations of the House.
"SEC. 4. All standing and special committees shall be required to report back to the House all matters referred to them at as early date as possible, and without any protracted or unnecessary delay, and make their final report thirty days prior to the expiration of each Congress upon all original matter duly referred to them."

Mr. DINGLEY. Mr. Speaker, I have certain proposed amendments which I desire to have printed in the RECORD.

Mr. MCMILLIN. Does the gentleman desire them read?

Mr. DINGLEY. No; I simply desire to have them printed in the RECORD.

Mr. MCMILLIN. If no other gentleman desires to have them read I will renew my motion that the House do now adjourn.

The SPEAKER *pro tempore*. The gentleman from Maine [Mr. DINGLEY] does not ask that they be read, but they will be printed in the RECORD under the order. The Chair will again state that gentlemen who have propositions in the nature of amendments to the proposed rules can have them printed in the RECORD by handing them to the Clerk.

Under the order above referred to the following proposed amendments to the report of the Committee on Rules were handed to the Clerk to be printed in the RECORD:

By Mr. DINGLEY:
Amend paragraph 6 of Rule XXIII by striking out the word "House" and inserting instead the word "committee."
Amend paragraph 7, first division, Rule XXIV, by striking out the words "and then other business on its Calendar" and inserting instead as follows: "; and then to go into Committee of the Whole House on the state of the Union, or, when authorized by a committee, to go into the Committee of the Whole House on the state of the Union to consider a particular bill, to which motion one amendment only, designating another bill, may be made; and if either motion be determined in the negative, it shall not be in order to make either motion again until the disposal of the matter under consideration or discussion."
Amend by adding at the end of paragraph 2 of Rule XXIV as follows: "; but House bills with Senate amendments which do not require consideration in Committee of the Whole may be at once disposed of as the House may determine."
By Mr. COBB of Alabama:
Amend section 3, Rule III, by striking out present provision and inserting the following: "preserve for and deliver or mail to each Member and Delegate an extra copy in good binding of all such documents printed by order of either House of the Congress of which he was a member which he may request in writing to be bound for him."
By Mr. BYNUM:
Amend section 6 of Rule IV by striking out and inserting as follows: In line 1 strike out the word "House" and insert the word "committee."
Amend section 3 of Rule V by adding the following: "and kept so until ten minutes after adjournment."
Amend section 5 of Rule XVI by inserting the following: After the word "order," in line 3, "except as above provided."
Amend section 4 of Rule XVI by striking out and inserting as follows: In line 1 strike out the word "debate" and insert the word "consideration." And by striking out as follows: In line 2, "to fix the day to which the House shall adjourn;" and in line 3, "to take a recess."
Amend section 3 of Rule XXI by striking out the following: "by the reduction of the compensation of any person paid out of the Treasury of the United States or by the reduction of amounts of money covered by the bills: *Provided*, That it shall be in order further to amend such bill upon the report of a committee having jurisdiction of the subject-matter of such amendment, which amendment, being germane to the subject-matter of the bill, shall retrench expenditures."
Amend section 4 of Rule XXIII by striking out and inserting as follows:
Strike out the word "shall," in line 2, and insert the word "may."
Strike out all after the word "order," in line 2, and insert the following: "or in such order as the committee may determine, unless the bill to be considered was determined by the House at the time of going into committee, but bills for raising revenue, general appropriation bills, and bills for the improvement of rivers and harbors shall have precedence."
Amend section 2 of Rule XXIV by adding thereto the following: "but House bills with Senate amendments, which do not require consideration in a Committee of the Whole, may be at once disposed of as the House may determine, as may also Senate bills substantially the same as House bills already favorably reported by a committee of the House and not required to be considered in Committee of the Whole, may also be disposed of in the same manner, on motion."
Amend clause 3 of section 7 of Rule XXIV by adding the following proviso: "*Provided*, That on the first Friday hereafter, when bills on the Private Calendar shall be under consideration, bills reported by the Committee on War Claims shall be passed over and other bills be considered in their order; and on the second Friday thereafter, when bills on the Private Calendar are being considered, bills reported by the Committee on Claims shall be passed over and other bills considered in their order, and on each Friday thereafter, when bills on the Private Calendar are being considered, said committees shall alternate in the same manner in the consideration of the bills respectively reported by them."
By Mr. ENLOE.
Amend Rule XIII by adding the following:
"All reports of committees on private bills, together with the views of the minority, shall be delivered to the clerk for printing and reference to the proper Calendar, under the direction of the Speaker, in accordance with the foregoing clause, and the titles or subjects thereof shall be entered on the Journal and printed in the RECORD."
Amend Rule XXII by adding the following additional clause:
"3. All private bills introduced under clause 1 of this rule and all private bills introduced at the present session under the previous order of the House shall be considered as having passed the first and second reading."
Amend Rule XXI, clause 1, line 1, by adding, after the word "bill," the words "except private bills, which shall take the course prescribed in Rule XXII." After the word "and," in the same line, insert the word "every."
Amend clause 2 of Rule XXIV so that it will read as follows:
"After the Journal is read and approved each day, except Monday, the business on the Speaker's table shall be disposed of as follows:

"Messages from the President shall be referred to the appropriate committees without debate.

"Reports and communications from the heads of Departments, and other communications addressed to the House, and bills, resolutions, and messages from the Senate may be referred to the appropriate committees in the same manner, and with the same right of correction, as public bills presented by members; but House bills with Senate amendments, which do not require consideration in a Committee of the Whole, may lie on the Speaker's table to be disposed of as the House may determine, as may also Senate bills substantially the same as House bills already favorably reported by a committee of the House, and not required to be considered in Committee of the Whole, on motion directed to be made by the proper committee, when said committee is called in the morning hour."

Amend Rule XXIV, clause 3, line 4, by adding, after the word "committee," the words "on bills and resolutions of a public nature."

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The gentleman from Tennessee [Mr. MCMILLIN] renews his motion that the House do now adjourn.

Mr. HOOKER of Mississippi. I hope the gentleman will withdraw that for a moment.

Mr. MCMILLIN. I will withdraw it if the gentleman from Mississippi [Mr. HOOKER] has anything to offer.

Mr. HOOKER of Mississippi. I simply desire to have a petition upon an important subject printed in the RECORD. I offer a petition of certain citizens of Mississippi, which I desire to have printed in the RECORD to-morrow morning for the information of members, and I desire further that it be referred to the Committee on the Post-Office and Post-Roads. It refers to the important subject of granting to authors certain privileges through the mails which are now granted to publishers.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Mississippi that the petition which he offers be printed in the RECORD?

Mr. HOOKER of Mississippi. I do not desire to have the names printed, but simply the text of the petition.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Mississippi that the petition be printed in the RECORD and referred to the Committee on the Post-Office and Post-Roads.

Mr. BUTLER. I object. I want it to take its regular course through the petition box.

Mr. HOOKER of Mississippi. I hope the gentleman will not object. It is a very important matter, and the members of the House can not be informed of it except by the publication of it in the RECORD. It will occupy a very small space.

The SPEAKER *pro tempore*. The gentleman from Iowa [Mr. BUTLER] objects.

Mr. HOOKER of Mississippi. Then I will reproduce it in a speech I am going to make on the subject. I am going to get it into the RECORD in some way.

PRINTING OF THE REPORT OF THE BOARD OF ORDNANCE AND FORTIFICATION.

By unanimous consent, the following resolution was introduced, read a first and second time, ordered to be printed, and referred to the Committee on Printing:

By Mr. RICHARDSON: A resolution to print 500 copies of the Report of the Board of Ordnance and Fortification.

CHANGES OF REFERENCE.

By Mr. WAUGH: Mr. Speaker, the bill (H. R. 2455) granting a pension to Prudence J. Mulvaney, and the bill (H. R. 4320) granting a pension to Thomas Kennedy, were referred to the Committee on Invalid Pensions. I ask that that committee be discharged from the further consideration of those bills, and that they be referred to the Committee on Pensions. They grow out of matters entirely pertaining to the Mexican war.

The SPEAKER *pro tempore*. The gentleman from Indiana [Mr. WAUGH] asks the discharge of the Committee on Invalid Pensions from the further consideration of House bills 2455 and 4320 and the reference of the same to the Committee on Pensions. In the absence of objection that order will be made.

There was no objection.

Mr. BRYAN. Mr. Speaker, the bill (H. R. 728) authorizing and directing the Secretary of the Treasury to pay to the city of Lincoln, Nebr., one-half the cost of constructing pavements in front of the public square owned by the United States Government in said city was erroneously referred to the Committee on Public Buildings and Grounds. That committee ask that the bill be referred to the Committee on Appropriations.

The SPEAKER *pro tempore*. The gentleman from Nebraska [Mr. BRYAN] asks the discharge of the Committee on Public Buildings and Grounds from the further consideration of the bill H. R. 728, and that the bill be referred to the Committee on Appropriations. If there be no objection that order will be made.

There was no objection.

The motion of Mr. MCMILLIN was then agreed to; and accordingly (at 3 o'clock p. m.) the House adjourned until to-morrow at 12 o'clock m.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. KETCHAM: A bill (H. R. 4533) for the relief of holders of drawback certificates issued under an act of Congress approved June 2, 1890—to the Committee on the District of Columbia.

By Mr. ALEXANDER: A bill (H. R. 4637) for the relief of M. J. Edwards—to the Committee on Claims.

By Mr. ATKINSON: A bill (H. R. 4638) to incorporate the Washington Electric Company—to the Committee on the District of Columbia.

By Mr. BELKNAP (by request): A bill (H. R. 4639) to remove the charge of desertion from the military record of Romantus Lake—to the Committee on Military Affairs.

By Mr. BELTZHOOVER: A bill (H. R. 4640) for the relief of Elijah N. Hoffman and others—to the Committee on Military Affairs.

Also, a bill (H. R. 4641) for the relief of Hugh M. Kilgore—to the Committee on Claims.

Also, a bill (H. R. 4642) granting an increase of pension to Isaac N. Durborow—to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 4643) to carry out the findings of the Court of Claims in the case of John T. Lynch, administrator of David Lynch, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4644) to carry out the findings of the Court of Claims in the case of John T. Lynch—to the Committee on War Claims.

By Mr. BOWERS: A bill (H. R. 4645) for the relief of Refugio M. Bowler, administratrix of the estate of Thomas F. Bowler, deceased—to the Committee on Claims.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 4646) for the relief of Lucy Ann Lee and Allen G. Lee—to the Committee on War Claims.

Also, a bill (H. R. 4647) to reimburse Maj. G. C. Goodloe, United States Marine Corps—to the Committee on Naval Affairs.

By Mr. BRODERICK: A bill (H. R. 4648) granting an increase of pension to James W. McMillan, late brevet major-general of volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4649) for the relief of Abram Tewilliger—to the Committee on Military Affairs.

Also, a bill (H. R. 4650) to authorize the proper accounting officers of the Treasury Department to examine and audit, according to equity, the claim of Grubb & Robinson, a firm consisting of Alfred B. Grubb and William H. Robinson, for building material sold and delivered to members of the Prairie band of Pottawatomie Indians in Kansas—to the Committee on Indian Affairs.

By Mr. BRYAN: A bill (H. R. 4651) authorizing and directing the Secretary of the Treasury to pay to Robert W. Furnas the sum of $400 for trees furnished and planted on the public square owned by the Government of the United States at Lincoln, Nebr.—to the Committee on Claims.

Also, a bill (H. R. 4652) granting a pension to Gust Spitznagle—to the Committee on Invalid Pensions.

By Mr. BULLOCK: A bill (H. R. 4653) for the relief of A. L. Collins, of Orange Spring, Fla.—to the Committee on War Claims.

Also, a bill (H. R. 4654) for the construction of a breakwater and harbor of refuge at or near Cape Canaveral, State of Florida—to the Committee on Rivers and Harbors.

By Mr. BURROWS: A bill (H. R. 4655) for the relief of James Judkins—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 4656) granting a pension to Eliza Korn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4666) for the relief of legal representatives or heirs of the estate of Henry P. Russell, deceased—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 4657) for the relief of Francis Irsch—to the Committee on Military Affairs.

By Mr. CARUTH: A bill (H. R. 4658) granting an increase of pension to A. Loomis—to the Committee on Invalid Pensions.

By Mr. CATE: A bill (H. R. 4659) for the relief of Thomas Y. Huddleston—to the Committee on Pensions.

Also, a bill (H. R. 4660) to place name of Little Berry Sullivan on the pension roll—to the Committee on Pensions.

Also, a bill (H. R. 4661) for the relief of Dr. J. H. Seegraves, surgeon United States Army—to the Committee on War Claims.

Also (by request), a bill (H. R. 4662) for the relief of Thomas Wallace, of Phillips County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 4663) for the relief of James Downey—to the Committee on Military Affairs.

By Mr. CHIPMAN: A bill (H. R. 4664) for the relief of James

Cullen, late captain Company E, Twenty-fourth Michigan Infantry—to the Committee on Pensions.

Also (by request), a bill (H. R. 4665) for the relief of Thomas Antisell—to the Committee on War Claims.

By Mr. COMPTON: A bill (H. R. 4667) to incorporate the Maryland and Washington Railway Company—to the Committee on the District of Columbia.

Also, a bill (H. R. 4668) to provide for the settlement of claims of officers and crews of the Navy to certain moieties, and conferring jurisdiction on the Court of Claims to hear and determine the same—to the Committee on War Claims.

By Mr. COOPER (by request): A bill (H. R. 4669) to pension William H. Pierre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4670) for the relief of Patrick Carroll—to the Committee on Claims.

By Mr. COWLES: A bill (H. R. 4671) granting relief to H. K. Boyer, postmaster at Sparta, N. C.—to the Committee on the Post-Office and Post-Roads.

By Mr. CRAWFORD: A bill (H. R. 4672) for the relief of C. R. Garland—to the Committee on War Claims.

By Mr. CALDWELL: A bill (H. R. 4673) granting a pension to Mary Gregan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4674) for the relief of Minnie Hamman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4675) for the allowance of certain claims for stores and supplies taken and used by the Army of the United States, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act—to the Committee on War Claims.

Also, a bill (H. R. 4676) for the relief of the legal representatives of Edward A. Smith—to the Committee on War Claims.

By Mr. DALZELL: A bill (H. R. 4677) to remove the charge of desertion from the record of Allen S. Thatcher—to the Committee on Military Affairs.

Also, a bill (H. R. 4678) for the relief of Nancy G. Miller—to the Committee on War Claims.

By Mr. DOLLIVER: A bill (H. R. 4679) for the relief of John Riley—to the Committee on Military Affairs.

By Mr. ELLIS: A bill (H. R. 4680) for the relief of R. C. Jameson—to the Committee on War Claims.

By Mr. ENLOE: A bill (H. R. 4681) for the relief of Mrs. Betsey Hinson—to the Committee on Invalid Pensions.

By Mr. ENOCHS: A bill (H. R. 4682) to remove charges of desertion against Henry King—to the Committee on Military Affairs.

Also, a bill (H. R. 4683) for the relief of Frederick Ford—to the Committee on War Claims.

Also, a bill (H. R. 4684) granting a pension to Leah Farley—to the Committee on Invalid Pensions.

By Mr. FITHIAN: A bill (H. R. 4685) for the relief of Charles M. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 4686) for relief of James W. Ayers, of Mount Carmel, Ill.—to the Committee on Military Affairs.

Also, a bill (H. R. 4687) for the relief of William H. Pursley—to the Committee on Military Affairs.

Also, a bill (H. R. 4688) for the relief of Carroll L. Comstock—to the Committee on Military Affairs.

Also, a bill (H. R. 4689) for the relief of Francis M. Perkins—to the Committee on Military Affairs.

Also, a bill (H. R. 4690) for the relief of Dr. James Madison—to the Committee on Military Affairs.

Also, a bill (H. R. 4691) for the relief of James Hoover—to the Committee on Military Affairs.

By Mr. FYAN: A bill (H. R. 4692) for the relief of Floyd M. Todd—to the Committee on Military Affairs.

Also, a bill (H. R. 4693) to carry out the findings of the Court of Claims in the case of L. B. Hearrell—to the Committee on War Claims.

Also, a bill (H. R. 4694) to carry out the findings of the Court of Claims in the case of William A. Carr—to the Committee on War Claims.

Also, a bill (H. R. 4695) for the relief of William M. Pleas and F. S. Jones—to the Committee on Claims.

By Mr. GANTZ: A bill (H. R. 4696) for the relief of Dietrick Glander—to the Committee on Claims.

By Mr. GORMAN: A bill (H. R. 4697) granting a pension to Annie E. Warden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4698) to place the name of Isaac Jones on the pension list—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4699) to place the name of Calvin F. Ashley on the pension list—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4700) for the relief of Anna B. Schneider—to the Committee on Invalid Pensions.

By Mr. GREENLEAF: A bill (H. R. 4701) for the relief of John A. Field—to the Committee on War Claims.

By Mr. HARTER: A bill (H. R. 4702) granting an honorable discharge to William Metzger—to the Committee on Military Affairs.

By Mr. HATCH: A bill (H. R. 4703) granting a pension to Mary E. Panebaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4704) for the relief of the Methodist Episcopal Church at Macon City, Mo.—to the Committee on Claims.

By Mr. HEARD: A bill (H. R. 4705) to increase the pension of Richard G. Mabry—to the Committee on Pensions.

By Mr. HENDERSON of North Carolina: A bill (H. R. 4706) granting a pension to Dr. E. M. Littlejohn—to the Committee on Pensions.

By Mr. HERMANN: A bill (H. R. 4707) to provide increase of pension to Felix Burton, of the war with Mexico—to the Committee on Pensions.

Also, a bill (H. R. 4708) to increase the pension of John T. Porter, late of Company C, Seventy-sixth Regiment Illinois Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. HOOKER of Mississippi: A bill (H. R. 4709) for the relief of J. R. Eggleston, of Hinds County, Miss.—to the Committee on Claims.

By Mr. HOUK, of Tennessee: A bill (H. R. 4710) for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee—to the Committee on Claims.

By Mr. JOHNSON of Indiana: A bill (H. R. 4711) granting a pension to Caroline A. Sheeley—to the Committee on Invalid Pensions.

By Mr. JOSEPH: A bill (H. R. 4712) for the relief of Juan Pacheco, of New Mexico—to the Committee on Invalid Pensions.

By Mr. LESTER of Georgia (by request): A bill (H. R. 4713) for the relief of Arthur W. Sweeny—to the Committee on Claims.

Also (by request), a bill (H. R. 4714) for the relief of Jacob Cohen—to the Committee on War Claims.

By Mr. McKAIG: A bill (H. R. 4715) for the relief of Charles R. Remsberg—to the Committee on War Claims.

Also, a bill (H. R. 4716) for the relief of Luther M. Creasap—to the Committee on War Claims.

Also, a bill (H. R. 4717) for the relief of the estate of James R. Wilson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4718) for the relief of Daniel S. Loy—to the Committee on War Claims.

Also, a bill (H. R. 4719) granting an increase of pension to Jeremiah Everly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4720) for the relief of Mrs. Lucretia Davis, late a volunteer hospital nurse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4721) granting a pension to William H. Koch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4722) to grant a pension to Mary Dunt, widow of Jeremiah Dunt—to the Committee on Military Affairs.

By Mr. McKENNA: A bill (H. R. 4723) granting a pension to Benjamin F. Howland—to the Committee on Pensions.

Also, a bill (H. R. 4724) to extend the patent of De Witt C. Haskin—to the Committee on Patents.

By Mr. MANSUR: A bill (H. R. 4725) for the relief of Benjamin F. Meyers—to the Committee on Invalid Pensions.

By Mr. MEREDITH: A bill (H. R. 4726) for the relief of Virginia E. Ficklin and her minor son, James W. Ficklin—to the Committee on War Claims.

By Mr. MORSE: A bill (H. R. 4727) to remove the charge of desertion from the name of Thomas E. Brady and give him an honorable discharge—to the Committee on Military Affairs.

By Mr. OUTHWAITE: A bill (H. R. 4728) to restore Mary E. Trickey and children of Hartwell M. Trickey to pension rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4729) to remove the charge of desertion against William D. Groves—to the Committee on Military Affairs.

Also, a bill (H. R. 4730) to remove the charge of desertion against Frederick Ottstotts—to the Committee on Military Affairs.

Also, a bill (H. R. 4731) to remove the charge of desertion against John H. Sanders—to the Committee on Military Affairs.

By Mr. PAGE of Maryland: A bill (H. R. 4732) for the relief of William T. Sterling and 57 other enlisted men in Company K, First Regiment Eastern Shore, Maryland, Volunteers—to the Committee on Military Affairs.

By Mr. PARRETT: A bill (H. R. 4733) for the relief of Andrew J. Ricketts—to the Committee on Military Affairs.

By Mr. PATTON: A bill (H. R. 4734) to correct the military record of Samuel Horner—to the Committee on Military Affairs.

By Mr. PEEL: A bill (H. R. 4735) to correct the military record of George W. Glenn, Company E, First Arkansas Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 4736) to correct military record of Bennet B. Bailey, Company I, First Arkansas Cavalry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 4737) for the relief of John M. Boen, Com-

pany —, Second Arkansas Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 4738) for the relief of John S. Hunter, of Conway, Ark.—to the Committee on Military Affairs.

Also, a bill (H. R. 4739) to grant pension to Joseph N. Anderson, of Benton County, Ark.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4740) to grant a pension to John F. Jackson, late private in Capt. J. G. Walker's Company, Arkansas Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4741) to grant a pension to Capt. A. H. Alfrey, late captain Company A, Benton County, Ark., Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4742) for the relief of the Citizen band of Pottowatomie Indians—to the Committee on Indian Affairs.

By Mr. RANDALL: A bill (H. R. 4743) for increase of pension of Mrs. Elizabeth Russell Thornton—to the Committee on Invalid Pensions.

By Mr. RAY: A bill (H. R. 4744) for the relief of Bradford B. Tanner—to the Committee on Military Affairs.

By Mr. RAYNER: A bill (H. R. 4745) to increase the pension of Mary E. Brotherton—to the Committee on Pensions.

By Mr. REED: A bill (H. R. 4746) for the relief of the Grand Trunk Railway Company of Canada—to the Committee on Claims.

By Mr. ROCKWELL: A bill (H. R. 4747) granting a pension to Jane A. Sherman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4748) granting a pension to Lydia M. Kennedy, sister of Abram Kennedy—to the Committee on Invalid Pensions.

By Mr. RUSK: A bill (H. R. 4749) granting arrears of pension to Nathan G. Gurney—to the Committee on Pensions.

By Mr. ROBERTSON: A bill (H. R. 4750) for the relief of Henrietta Bloom, of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 4751) granting a pension to David Siess—to the Committee on Invalid Pensions.

By Mr. SEERLEY: A bill (H. R. 4752) granting an increase of pension to Reuel Noyes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4753) granting a pension to Sarah L. Ronaldson—to the Committee on Invalid Pensions.

By Mr. SHIVELY: A bill (H. R. 4754) granting a pension to William Shulmire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4755) for the relief of William Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 4756) for the relief of Charles E. Campbell—to the Committee on Military Affairs.

By Mr. CHARLES W. STONE: A bill (H. R. 4758) for the relief of Charles E. Henston—to the Committee on Military Affairs.

By Mr. STOUT: A bill (H. R. 4759) to correct the military record of Charles Murray—to the Committee on Military Affairs.

By Mr. TUCKER (by request): A bill (H. R. 4760) for the relief of William Wheeler Hubbell and to pay just compensation for certain armament made for the Army and Navy service—to the Committee on Claims.

By Mr. TURPIN: A bill (H. R. 4761) for the relief of Mrs. L. J. Harville, of Dallas County, Ala.—to the Committee on War Claims,

Also, a bill (H. R. 4762) for the relief of Adele L. Du Bose, of Hale County, Ala.—to the Committee on War Claims.

By Mr. WADSWORTH: A bill (H. R. 4757) granting a pension to Mrs. Dorcas M. Willis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4763) removing the charge of desertion from the military record of John Redmond—to the Committee on Military Affairs.

By Mr. WASHINGTON: A bill (H. R. 4764) for the relief of Elizabeth J. Cleveland, of Davidson County, Va.—to the Committee on War Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 4765) for the relief of B. F. Andrews—to the Committee on War Claims.

Also, a bill (H. R. 4766) for the relief of Sarah Brewer—to the Committee on Pensions.

Also (by request), a bill (H. R. 4767) for the relief of Mrs. Fanny N. Belger—to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 4768) for the relief of Sarah Shafer, widow of William F. Shafer, late of Company F, Forty-sixth Indiana Volunteers—to the Committee on Invalid Pensions.

By Mr. WHITING: A bill (H. R. 4769) for the relief of William Percival—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: A bill (H. R. 4770) granting a pension to Amy Nelson—to the Committee on Pensions,

Also, a bill (H. R. 4771) for the relief of James C. Finn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4772) for the relief of Edward Chastain—to the Committee on Military Affairs.

PETITIONS, ETC.

Under Clause 1 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk and referred as follows:

By Mr. BACON: Petition of Augustus Lent, for pension—to the Committee on Invalid Pensions.

By Mr. BELTZHOOVER: Petition for the relief of Thomas J. King; of Mrs. Malinda Alexander; of Mrs. Elizabeth Knight; of Mary Jane Romine; of Mrs. Rachel M. Cunningham; of William Butt; of Mary A. Cooner; of Mrs. Nancy Norris—to the Committee on War Claims.

Also, petition for the relief of Hugh M. Kilgore—to the Committee on Claims.

Also, petition of Jacob R. Plank, for return of money compulsorily paid—to the Committee on Claims.

Also, petition of Elijah N. Hoffman, Adam K. Bollinger, David Conover, and W. N. Flahaty, praying for the removal of the charge of desertion—to the Committee on Military Affairs.

Also, petition of the Women's Christian Temperance Union of Littlestown, Pa., asking that the Columbian Exposition be closed on Sunday, and of the synods of the Presbyterian Church in Pennsylvania and West Virginia, for the same purpose—to the Select Committee on the Columbian Exposition.

Also, medical evidence in claim for pension of Charles W. Griest—to the Committee on Invalid Pensions.

By Mr. BERGEN: Petition of Stokes Union, Women's Christian Temperance Union, of Millville, N. J., that no exposition where appropriations of the United States are expended be open on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. BLAND: Petition of Henry Hake, for the reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BOWMAN: Petition of 17 citizens of Guthrie County, Iowa, urging the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of citizens of Guthrie County, Iowa, in behalf of the Butterworth bill defining options—to the Committee on Agriculture.

By Mr. BOWERS: Petition of 35 citizens of California, protesting against the opening of the Columbian Exposition on Sundays—to the Select Committee on the Columbian Exposition.

Also, petition of 48 citizens of Fallbrook, Cal., against the opening of the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, memorial of the Chamber of Commerce of Los Angeles, Cal., and petition for new project for Government work at Wilmington, Cal.—to the Committee on Rivers and Harbors.

By Mr. BUCHANAN of New Jersey; Petition of Columbus Grange, Patrons of Husbandry, in favor of pure-lard bill—to the Committee on Agriculture.

Also, petition of Columbus (N. J.) Grange, Patrons of Husbandry, in favor of antioption bill—to the Committee on Agriculture.

Also, petition of St. Paul's Methodist Episcopal Church, of New Jersey, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Morristown Grange, No. 8, Patrons of Husbandry, in favor of pure-lard bill—to the Committee on Agriculture.

Also, petition of Grange No. 8, Patrons of Husbandry, in favor of antioption bill—to the Committee on Agriculture.

By Mr. BULLOCK: Petition of board of county commissioners of Brevard County, Fla., asking for an appropriation for constructing a breakwater and harbor of refuge at Cape Canaveral, Fla.—to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of Florida, for the same purpose—to the Committee on Rivers and Harbors.

By Mr. BUTLER: Petition of Local Assembly No. 3456, Knights of Labor, of Washington, D. C., praying the passage of an act to authorize the collection of statistics in relation to the slums of cities of the United States having a population of 200,000 or more—to the Committee on Labor.

Also, petition of Local Assembly No. 1748, of Washington, D. C., upon the same subject—to the Committee on Labor.

Also, petitions of citizens of Clayton County, Iowa, praying the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

Also, petition of citizens of Clayton County, Iowa, praying for the passage of the so-called Conger lard bill—to the Committee on Agriculture.

Also, petition of citizens of Clayton County, Iowa, for the so-called Butterworth option bill—to the Committee on Agriculture.

By Mr. BYRNS: Petition of Mary S. Bisch, for a pension—to the Committee on Pensions.

By Mr. CAINE: Memorial of the mayor and city council of Ephraim City, Utah, asking for the favorable consideration of

the resolutions adopted by the irrigation congress held at Salt Lake City September 17, 1891—to the Committee on Irrigation of Arid Lands in the United States.

By Mr. CATE: Petition of Deshaet and others of Independence County, Ark., for passage of the Butterworth option bill—to the Committee on Agriculture.

Also, petition of estate of J. M. Griggs, of St. Francis County, Ark., for reference of claim to Court of Claims, under provisions of the Bowman and Tucker acts—to the Committee on War Claims.

By Mr. COBB of Missouri: Paper to accompany a bill for the relief of John Schenk—to the Committee on Military Affairs.

By Mr. CURTIS: Petition of Rev. George R. Torry and others upon settling international disputes—to the Select Committee on the Columbian Exposition.

By Mr. DALZELL: Petition of sundry letter-carriers for law to increase salaries of letter-carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition for the relief of Nancy G. Miller—to the Committee on War Claims.

By Mr. DAVIS: Resolution of citizens of Kansas in favor of the repeal of tariff on binding-twine—to the Committee on Ways and Means.

Also, petition of Knights of Labor in the District of Columbia asking for a law authorizing the investigation of the slums of cities of 200,000 inhabitants and over—to the Committee on Labor.

By Mr. DICKERSON: Petition of sundry citizens praying for an increase of salary to postmaster at the town of Mines, Pendleton County, Ky.—to the Committee on the Post-Office and Post-Roads.

Also, a petition of sundry citizens of Boone County, Ky., praying for the passage of a bill (the form of which they recommend) to prevent the dealing in futures and options—to the Committee on Agriculture.

Also, petition of sundry citizens of Boone County, Ky., praying for the passage of an act imposing a tax on compound lard—to the Committee on Agriculture.

By Mr. DOLLIVER: Petition of J. Peterson and others, of Iowa, for the passage of the bill commonly known as the option bill—to the Committee on Agriculture.

By Mr. ELLIOTT (by request): Petition of Isaac Louis and others and of Rev. Newton Hanna in behalf of emigration to Liberia—to the Committee on Appropriations.

By Mr. ENLOE: Papers in the case of John J. Askew—to the Committee on Pensions.

Also, papers in the case of John F. Stansell—to the Committee on Military Affairs.

By Mr. EVERETT: Papers in the claim of James W. Hill, of Floyd County, Ga.—to the Committee on War Claims.

By Mr. FITHIAN: Evidence to accompany House bill for the relief of James M. Hughes—to the Committee on Invalid Pensions.

Also, papers and evidence to accompany House bill for the relief of Charles M. Brown—to the Committee on Military Affairs.

Also, papers to accompany House bill for the relief of James Hoover—to the Committee on Military Affairs.

Also, papers and evidence to accompany House bill for the relief of James W. Ayes—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Carroll L. Comstock—to the Committee on Invalid Pensions.

Also, papers and evidence to accompany House bill for the relief of Francis M. Perkins—to the Committee on Invalid Pensions.

By Mr. FUNSTON: Petition to pension Mrs. Keziah Wood—to the Committee on Invalid Pensions.

By Mr. GROUT: Affidavit of Adelline Alexander, to accompany House bill 1276—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Petition of citizens of Geneseo Township, Tama County, Iowa, asking the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of citizens of same county and State, asking the passage of the Butterworth option bill—to the Committee on Agriculture.

By Mr. HAUGEN: Petition of Clinton Fulton and 11 other citizens of St. Croix, Wis.; of W. H. Foley and 12 others; of James P. Balsom and 11 others; of C. T. Merkle and 12 others; and of Henry Hodgins and 12 others, in favor of free bimetallic coinage—to the Committee on Coinage, Weights, and Measures.

By Mr. HATCH: Petition of citizens of Adair County, Mo., asking for the passage of a bill granting a pension to Mrs. Mary A. Pannataker, widow of William E. Pannataker—to the Committee on Invalid Pensions.

By Mr. HEARD: Affidavits and petition to accompany House bill 1310, to increase pension of Riley Rains—to the Committee on Pensions.

By Mr. HENDERSON of Iowa: Petition of 27 citizens of Clarion, Iowa, urging the passage of the Butterworth option bill—to the Committee on Agriculture.

Also, petition of 25 citizen of Clarion, Iowa, urging the passage of the pure-lard bill—to the Committee on Agriculture.

Also, paper from Mr. A. Holzer, Waterloo, Iowa, favoring 1-cent postage—to the Committee on the Post-Office and Post-Roads.

Also, petition of 49 citizens of New Hartford, Butler County, Iowa, urging the passage of the Butterworth option bill—to the Committee on Agriculture.

By Mr. HOUK of Ohio: Petition of Farmers' Alliance and citizens of Ohio, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. JOHNSON of North Dakota: Memorial of the Grand Forks Chamber of Commerce, in favor of improving the Red River by means of locks and dams—to the Committee on Rivers and Harbors.

By Mr. LEWIS: Petition of National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. MANSUR: Petition of 1,213 miners of the Indian Territory, asking that the mining laws of the State of Missouri be enacted and made operative in said Indian Territory—to the Committee on the Territories.

By Mr. McCLELLAN: Papers from Benewell Schwartz, to accompany House bill 4491, for the removal of the charge of desertion and for an honorable discharge—to the Committee on Military Affairs.

By Mr. McCREARY: Papers to be filed with bill to increase the pension of George Shackelford—to the Committee on Invalid Pensions.

Also, papers with the claim of George Trapnall, of Harrodsburg, Ky., to accompany House bill 4414—to the Committee on War Claims.

By Mr. MEREDETH: Petition for the relief of Abram Lydecker—to the Committee on War Claims.

By Mr. MILLIKEN: Petition for a pension to Abbie A. Colson—to the Committee on Invalid Pesions.

By Mr. MITCHELL: Petition of the keeper and surfmen of Milwaukee life-saving station, for the passage of a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. O'FERRALL: Petition of R. S. Cousins and 9 other citizens of Amelia County, Va.; of J. O. Brewer and 23 others, of Grayson County, Va.; of Eli Baker and 22 others, of Grayson County, Va.; of N. N. Witcher and 13 others, of Franklin County, Va.; of William R. Cash and 23 others, of Caroline County, Va.; of O. C. Sneed and 17 others, of Lunenburg County, Va.; of F. W. Scott and 21 others, of Mathews County, Va.; of A. F. Belcher and 25 others, of Nottoway County, Va.; of W. W. Spangler and 4 others, of Patrick County, Va.; of James Land and 56 others, of Pittsylvania County; of R. T. Robertson and 23 others, of same county; of George W. Salling and 23 others, of Scott County; of William McQueen and 52 others, of Surry County, Va.; of A. N. Perkins and 26 others, of Virginia; of H. L. Lazenby and 51 others, of Bedford County, Va., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. O'FERRALL: Petition of William M. Thornton, University of Virginia, in reference to the metric system of weights and measures in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. OTIS: Petition of the Free Methodist Church of Topeka, Kans., asking for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. OWENS: Petition of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PAGE of Rhode Island: Petition of A. G. Wilbur and 2 others, of Hopkinton, R. I., for free delivery of the mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. PEEL: Petition of M. B. Presley and others, for more adequate compensation for service of postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of Samuel P. Smith, Company A, First Kentucky Battalion, for pension—to the Committee on Invalid Pensions.

By Mr. PERKINS: Petition of 11 citizens of Lyon County, Iowa, in behalf of the Butterworth bill defining options—to the Committee on Agriculture.

By Mr. REED: Petition of John Tuomey and others, in favor of increase of salary of keepers and crews of life-saving stations—to the Committee on Expenditures in the Treasury Department.

By Mr. ROBERTSON: Petition of David Seiss, for pension—to the Committee on Invalid Pensions.

By Mr. RUSK: Petition to accompany House bill 10421, Fifty-first Congress, second session, granting arrears of pension to Nathan G. Gurney, late United States steamer Vixen—to the Committee on Pensions.

By Mr. SNODGRASS: Petition of Thomas H. Hill and citizens of Tennessee, Alabama, and Georgia, for the improvement of Sequatchie River, Tennessee—to the Committee on Rivers and Harbors.

By Mr. SPERRY: Petition of Lucy A. Welton, widow of Henry B. Welton, for relief for loss sustained in the late war of the rebellion—to the Committee on War Claims.

By Mr. STAHLNECKER: Petition of Ward B. Burnett Post, Grand Army of the Republic, Tarrytown, N. Y., favoring a special pension for Thomas Laws, "the unknown hero"—to the Committee on Pensions.

Also, petition in relation to Buffalo Merchants' Exchange, to reduce the duty on barley to 10 cents per bushel—to the Committee on Ways and Means.

Also, petition of Mount Kisco Church, New York, favoring financial aid and Sunday closing of Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, petition of District Assembly No. 66, Knights of Labor, favoring free text-books for pupils of the public schools in the District of Columbia—to the Commitee on the District of Columbia.

By Mr. WILLIAM A. STONE: Petition of synod of Presbyterian Church of States of Pennsylvania and West Virginia, asking that the Columbian Exposition be closed on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Allegheny Township, State of Pennsylvania, for the closing of the World's Fair on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. VINCENT A. TAYLOR: Petition for an increase of postal facilities in country districts—to the Committee on the Post-Office and Post-Roads.

Also, resolutions adopted by Bellamy Nationalist Club, favoring postal telegraph, etc.—to the Committee on the Post-Office and Post-Roads.

Also, resolutions on immigration from Summit Council, No. 19, Order United American Mechanics, Ohio—to the Select Committee on Immigration and Naturalization.

Also, petition favoring the closing of World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petitions of business men of Buffalo, N. Y.; of Ashtabula, Ohio; of Escanaba, Mich.; of Cleveland, Ohio; of Chicago, Ill.; of Sault St. Marie, Mich.; of Detroit, Mich.; of Milwaukee, Wis.; of Marquette, Mich., and of the Board of Trade and business men of Cleveland, Ohio—to the Committee on Interstate and Foreign Commerce.

By Mr. TERRY: Three petitions of citizens of Pulaski County, Ark., for improvement of Arkansas River—to the Committee on Rivers and Harbors.

By Mr. TOWNSEND: Resolutions indorsed by the city council of Pueblo, Colo., and adopted at the Irrigation Congress held at Salt Lake, Utah, September 17, 1891, in favor of granting arid lands to the States—to the Select Committee on Irrigation of Arid Lands in the United States.

Also, petition of District Assembly No. 82 of the Knights of Labor of Denver, Colo., in favor of a bill to collect certain statistics in cities of 200,000 inhabitants or over—to the Select Committee on the Eleventh Census.

By Mr. TUCKER: Papers in the claim of Peter McNair, of Buckingham County, Va.; of Mary L. Homan, of the same county; of Jonas Wampler, of Staunton, Va.; of Henry Sniteman, of the same city; of Isaac Coffman, of New Hope, Va.; of John F. Fix, of Augusta County, Va.; of Samuel Driver, of Kilbourn H. Rowdy, of Franklin H. Myers, of James T. Quick, of William A. Houff, of Erasmus L. Houff, of William D. Hemp, of John Wine, jr., of Benjamin T. Bagley, of William T. Fauber, of William Bossman, of John V. Weiser, of A. Lavell, of John Price, of David Sanscbough, of John D. Price, of William L. Masincup, of John A. Mann, of Mary Baker, of Joseph Wenger, of Milton H. Shaver, of John W. Landes, of David Guthrie, of Joseph F. Nisevandre, of George L. Anhart, of James F. Davis, of Samuel Garber, of Thomas J. Gilbert, of Henry Mish, of J. B. Fanver, all of the same county and State—to the Committee on War Claims.

By Mr. WALLACE: Papers to accompany bill for the relief of Warren V. Howard—to the Committee on Military Affairs.

By Mr. WASHINGTON: Petition of Daniel A. Birchett, late private of Capt. C. R. Wheatt's company Mexican Rangers, Mexican war—to the Committee on Pensions.

Also, petition of the widow of Benjamine Nail, regarding war claim—to the Committee on War Claims.

By Mr. WHEELER of Alabama: Papers in the claim of Simpson A. Burnum, of Morgan County, Ala.—to the Committee on War Claims.

Also, petition of Jacob Halznecht, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. WHITE: Petition of citizens of Monroe County, Iowa, praying the passage of what is commonly known as the Conger lard bill—to the Committee on Agriculture.

By Mr. WHITING: Petition of the Presbyterian Society of Bruce, Lapeer County, Mich., against opening the World's Fair on the Lord's Day—to the Select Committee on the Columbian Exposition.

Also, petition of 48 farmers, citizens of the Seventh district of Michigan, not to permit bankers and capitalists longer to control the volume of the people's money—to the Committee on Banking and Currency.

Also, petitions of 20 citizens of Huron County, Mich., asking for the passage of the bill for increase of pay to life-saving crews—to the Committee on Interstate and Foreign Commerce.

Also, petition of 10 citizens of Huron County, Mich., for the same purpose—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of North Carolina: Petition for a mail route from Greensboro, N. C., to Glenona, N. C.—to the Committee on the Post-Office and Post-Roads.

SENATE.

TUESDAY, *January 26, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

DUPLICATION OF EXECUTIVE MESSAGES.

Mr. HOAR. Mr. President, I desire to call attention, and this time seems to be as good as any, to a usage which had been discontinued for some time, but which seems to be reviving again, and that is, printing in the proceedings of both Houses any executive message or other document sent from the executive department, which is entirely unnecessary, a waste of time and space, and a needless expense. I move that the Senate direct that when any message from the President of the United States or other document of length is printed in the proceedings of the House of Representatives it be not printed in the proceedings of the Senate on the same day.

Mr. COCKRELL. That is, when it is printed in the proceedings of the other House it need not be reprinted in our record of the Senate proceedings?

Mr. HOAR. Yes, on the same day.

Mr. COCKRELL. I think that is right.

Mr. CULLOM. Certainly, that ought to be the rule.

The VICE-PRESIDENT. The motion will be considered as agreed to, if there be no objection. The Chair hears none, and it is so ordered.

Mr. HOAR. I move the Senate proceed to the consideration of executive business, which will take but a minute or two.

The VICE-PRESIDENT. Will the Senator withdraw the motion for the present?

Mr. HOAR. I will defer the motion.

MISSION INDIANS IN CALIFORNIA.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication of 23d instant from the Secretary of the Interior, submitting an extract from the report of the Commission appointed under the act of January 12, 1891, entitled "An act for the relief of the Mission Indians in the State of California," and other papers relating to the exchange of lands with private individuals and the purchase of certain lands and improvements for the use and benefit of the Mission Indians, with draft of a bill to carry into effect the recommendations of said Mission Commission.

I have approved the report of the Mission Commission, except as much as relates to the purchase of lands from an exchange of lands with private individuals, which is also approved subject to the condition that Congress shall authorize the same.

The matter is presented with the recommendation for the early and favorable action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 25, 1892.*

WILLIAM WEBSTER.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, refered to the Committee on Foreign Relations, and ordered to be printed:

To the Senate of the United States:

Referring to a communication of June 11, 1890, concerning the adoption by the Committee on Foreign Relations of a resolution respecting the claim of William Webster against the Government of Great Britain, I herewith trans-

mit a report of the Secretary of State, with accompanying documents, showing the action taken under that resolution.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 25, 1892.

JAMES CROOKS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State, with accompaniments, in relation to the claim of the representatives of the late Hon. James Crooks, a British subject, against the Government of the United States, for the seizure of the steamer Lord Nelson in 1812.

The favorable action of the Fiftieth and Fifty-first Congresses upon the bills heretofore introduced for the relief of the claimants makes it proper that I should recommend it anew for the consideration and final disposition of the present Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 25, 1892.

HOUSE BILL.

The bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchinson and Southern Railroad Company through the Indian Territory" was read twice by its title, and ordered to lie on the table.

CAPITOL, NORTH O STREET AND SOUTH WASHINGTON RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate a statement of the operations of the Capitol, North O Street and South Washington Railway Company for the year ended April 30, 1891; which was referred to the Committee on the District of Columbia, and ordered to be printed.

EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT. Petitions and memorials are in order.

Mr. SHERMAN presented a petition of the Universal Peace Union, praying Congress to stand firmly by the principles of peace and arbitration in regard to Chile; which was referred to the Committee on Foreign Relations.

He also presented a petition of 171 citizens of Ohio, praying for the passage of legislation looking to the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 10 citizens of Logan County, Ohio, praying for the passage of what is known as the Butterworth option bill; which was referred to the Committee on the Judiciary

He also presented a petition of 13 citizens of Marion County, Ohio, and a petition of 9 citizens of Logan County, Ohio, praying for the passage of a bill to impose a revenue tax on compound lard; which were referred to the Committee on Agriculture and Forestry.

Mr. DAVIS. I present a petition of the Farmers' Alliance of Polk County, Minn., dated December 29, 1891, praying for the passage of bills to prevent dealing in futures or options and declaring that the Alliance of that county believes that the memorials now pending in Congress with a view to establishing a national park in Minnesota do not represent the sentiments of the people of that State, etc. I move that the petition be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. DAVIS presented a memorial of the Chamber of Commerce of Minneapolis, Minn.; a memorial of Minneapolis (Minn.) bankers, and the memorial of the Minneapolis (Minn.) Business Men's Union, remonstrating against the passage of what is known as the option bill; which were referred to the Committee on the Judiciary.

Mr. ALLISON presented a petition of District Assembly No. 66, Knights of Labor, praying for the passage of a bill to authorize the collection of statistics relative to the "slums of cities containing 200,000 inhabitants and over;" which was referred to the Committee on Education and Labor.

He also presented a petition of I. E. Bertch and other citizens of Washburn, Black Hawk County, Iowa; the petition of John W. Bremner and other citizens of Lyon County, Iowa, and the petition of John Hossack and other citizens of Warren County, Iowa, praying for the passage of the Conger lard bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Neil Morrison and other citizens of Warren County, Iowa, and the petition of Thomas D. Rood and other citizens of Lyon County, Iowa, praying for the passage of the Butterworth option bill; which were referred to the Committee on the Judiciary.

Mr. PADDOCK. I present a petition of the Young People's Society of Christian Endeavor of Pilgrim Church, Santee Agency, Nebr., composed of Indian children, earnestly requesting that all appropriations to be made by the National Government towards the expenses of the Columbian Exposition be conditioned upon a strict observance at the World's Fair of our American Sabbath, and upon the prohibition of the sale of all alcoholic liquors upon the Exposition grounds. I move that the petition be referred to the Select Committee on the Quadro-Centennial.

The motion was agreed to.

Mr. WOLCOTT presented a petition of the board of county commissioners of Arapahoe County, Colo., praying for the passage of Senate bill 212, providing for the establishment of a coinage mint at Denver, Colo.; which was referred to the Committee on Finance.

Mr. WASHBURN presented a resolution of the State Farmers' Alliance of Minnesota, sympathizing with the citizens of North Dakota and Minnesota who have been ordered from their homes by the Great Northern Railroad Company; which was referred to the Committee on Public Lands.

He also presented a memorial of the State Farmers' Alliance of Minnesota, remonstrating against the setting aside of a large portion of the northeastern part of the State for a national park; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the board of trustees of the Universalist General Convention of New York, praying for the ratification of the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. KYLE presented a petition of Sanctuary Local Assembly No. 1644, Knights of Labor, of Washington, D. C.; a petition of Sanctuary Local Assembly No. 4308, Knights of Labor, Washington, D. C.; a petition of Sanctuary Local Assembly No. 3837, Knights of Labor, Washington, D. C., and a petition of Sanctuary Local Assembly No. 3991, Knights of Labor, of Washington, D. C., praying for the passage of a bill to authorize the collection of statistics relative to the slums of cities; which were referred to the Committee on Education and Labor.

Mr. PEFFER presented petitions of the local assemblies, Knights of Labor, of the District of Columbia, and a petition of District Assembly No. 117, Knights of Labor, of Lebanon, Kans., praying for a compilation of statistics relating to the slums of cities having a population of 200,000 on more; which were referred to the Committee on Education and Labor.

Mr. CALL presented additional papers, to accompany the bill for the relief of William Mickler; which were referred to the Committee on Claims.

Mr. COCKRELL presented resolutions adopted by the Western Retail Implement Dealers' Association of Kansas City, Mo., on the 19th of January, 1892, concurring in the resolutions of the Missouri River Improvement Convention, held in Kansas City, Mo., December 15 and 16, 1891; which were referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. MORRILL, from the Committee on Finance, to whom was referred the joint resolution (S. R. 24) to provide for an international bimetallic agreement, reported it with an amendment.

Mr. FRYE. I am instructed by the Committee on Commerce, to whom was referred the joint resolution (S. R. 23) relative to the improvement of the harbor at Philadelphia, Pa., to report it with amendments. There is a brief written report. I ask that the accompanying papers may be printed and annexed to the report.

The VICE-PRESIDENT. It will be so ordered in the absence of objection. The joint resolution will be placed on the Calendar.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 1106) for the relief of John W. Lewis, of Oregon, reported it without amendment, and submitted a report thereon.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the bill (S. 438) to prohibit the sale of firearms and ammunition to the Indians residing upon reservations, reported it without amendment.

Mr. FAULKNER, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 115) for the relief of William W. Burns; and

A bill (S. 114) making an appropriation for the benefit of the estate of William Moss, deceased.

Mr. WHITE, from the Committee on Public Lands, to whom

was referred the bill (S. 1610) to increase the endowment of the Louisiana State University and Agricultural Mechanical College and for the Southern University of Louisiana, reported it without amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 8) for the relief of Moses Pendergrass, of Missouri;

A bill (S. 9) for the relief of E. R. Shipley; and

A bill (S. 852) for the relief of Mary L. Ross.

CHEYENNE AND ARAPAHOE INDIAN LANDS.

Mr. DAWES. I am instructed by the Committee on Indian Affairs, to whom was referred the bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians, to report it without amendment, and to ask for its present consideration.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill as follows:

Be it enacted, etc., That the sum of $15,000, or so much thereof as may be necessary, is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of completing the allotment, provided for in the agreement with the Cheyenne and Arapahoe Indians in Oklahoma, ratified by act approved March 3, 1891, including the pay and expenses of the necessary special agents and necessary resurveys, which sum shall be immediately available and be expended under the direction of the Secretary of the Interior for the purposes herein expressed.

Mr. DAWES. I will state to the Senate, if any one desires it, the reason for asking present action upon this bill.

At the last session it will be recollected Congress ratified an agreement with the Cheyenne and Arapahoe Indians by which the Government purchased 3,000,000 acres of land to be added to the public domain. It was stipulated in that agreement that the residue of their reservations should be allotted to the Indians in severalty before the 3,000,000 acres should be opened to settlement, giving them the opportunity to select. In the agreement it was provided that $15,000 should be appropriated for the expense of the allotment. This was an estimate made by the commissioners who made the agreement without much knowledge of the necessary expenses. It involved the allotment of lands to more than 3,000 Indians, and on an investigation of the agreement it was found that the work was substantially a double allotment—it was an allotment of agricultural lands and also of grazing lands to each individual Indian. It was provided in the agreement that there should be distributed of the consideration money $250,000 to the Indians per capita.

The Indians insisted upon having that money before they took their allotment, which caused considerable delay. When the allotment was proceeded with and it was found to be a double work, the $15,000 was seen to be insufficient, not more than enough to do half the work. Under it 1,800 Indians have been allotted lands, leaving 1,500 still unallotted. The anxiety of the Department is to complete those allotments this winter as early as possible so that the 3,000,000 acres can be opened to settlement in the early spring for the benefit of the settlers; and therefore it is that there is anxiety to have this bill passed, if at all, immediately. It passed the House of Representatives last Thursday. I ask for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 1870) for the relief of Carl F. Kolbe; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1871) granting a pension to Augustus W. Sattig; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1872) to provide for the increase of the salary of the Supervising Architect of the Treasury Department; which was read twice by its title, and referred to the Committee on Appropriations.

He also introduced a bill (S. 1873) granting an increase of pension to Franklin Baldwin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COLQUITT introduced a bill (S. 1874) to provide for the improvement of the harbor at Savannah, in the State of Georgia; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1875) for the improvement of the harbor at Savannah, in the State of Georgia; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HARRIS (by request) introduced a bill (S. 1876) to incorporate the East Washington Crosstown Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1877) for the relief of William H. Nave; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TURPIE introduced a bill (S. 1878) to increase the pension of Ambrose B. Carlton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 1879) for the relief of the La Grange Synodical College of Tennessee; which was read twice by its title, and referred to the Committee on Claims.

Mr. HAWLEY introduced a bill (S. 1880) to remove the charge of desertion against Joseph E. Sisson; which was read twice by its title, and with the accompanying papers, referred to the Committee on Military Affairs.

He also introduded a bill (S. 1881) to establish a military post near the city of Helena, in Lewis and Clarke County, in the State of Montana; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 1882) granting an increase of pension to Mary Chamberlain; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1883) granting a pension to Clara R. Rodgers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 1884) to prevent fraud upon the water revenues of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1885) to amend an act entitled "An act relating to tax sales and taxes in the District of Columbia;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1886) to authorize the Commissioners of the District of Columbia to grant pardons and respites in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. SAWYER introduced a bill (S. 1887) for the relief of Catharine Brennan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. GEORGE introduced a bill (S. 1888) for the relief of John C. Bailey, of Marshall County, Miss., for stores and supplies taken from him by the military forces of the United States during the war for the suppression of the rebellion, as found by the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1889) for the relief of John C. Bailey, administrator of Andrew Nichols, deceased, late of Marshall County, Miss., for stores and supplies taken and used by the United States Army, as reported by the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1890) for the relief of Henry C. Nichols, of Marshall County Miss., for a claim for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the Bowman act; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1891) for the relief of Samuel Collins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1892) for the relief of the legal representatives of William D. Wilson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1893) for the relief of Audley C. Britton; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1894) for the relief of Josaphine Harris; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1895) for the relief of Louisa Q. Lovell and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. JONES of Arkansas introduced a bill (S. 1896) to repeal an act entitled "An act to authorize the Denison and Washita Valley Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," approved July 1, 1886; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1897) to repeal an act entitled "An act granting the right of way to the Sherman and Northwestern Railway Company through the Indian Territory, and for other

purposes," approved October 1, 1890; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. COCKRELL introduced a bill (S. 1898) for the relief of William M. Pleas; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALDRICH introduced a bill (S. 1899) to regulate the fisheries, and for other purposes; which was read twice by its title, and referred to the Committee on Fisheries.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. DOLPH, it was

Ordered, That the papers and documents on file with the Secretary of the Senate in the matter of the claim of B. F. Dowell be withdrawn from the files and referred to the Committee on Claims.

DEPRESSED PRICE OF COTTON.

Mr. GEORGE submitted the following resolutions; which were referred to the Committee on Agriculture and Forestry:

Resolved, That a select committee of five Senators be appointed by ——, with power to send for persons and papers, who shall inquire into the causes of the present low price of cotton and the depressed condition of agriculture in the States raising cotton; and also into the remedies, and report by bill or otherwise.

Resolved, second, That the said committee may act in making said inquiries by one or more subcommittees, and that each of the members of the committee be authorized to administer oaths to witnesses examined by the committee or the subcommittees, and that said committee be authorized to employ such stenographers as may be necessary, and that the necessary expenses of said committee and subcommittees be paid out of the contingent fund of the Senate.

CHANGE OF REFERENCE.

Mr. McPHERSON. I ask for a change of reference of the bill (S. 1776) to constitute Newark, in the State of New Jersey, a port of immediate transportation. By an error of mine the bill was referred to the Committee on Finance. I find that the Committee on Commerce usually have charge of such matters, and I desire to have the reference changed.

The VICE-PRESIDENT. The Committee on Finance will be discharged from the further consideration of the bill, and it will be referred to the Committee on Commerce, if there be no objection. The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a concurrent resolution to print 10,000 extra copies of the report of the United States Board on Geographic Names, transmitted to Congress by the President December 23, 1891; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution; and it was thereupon signed by the Vice-President.

PERSONAL EXPLANATION—PROHIBITION IN ALASKA.

The VICE-PRESIDENT. If there is no further morning business that order is closed, and the Calendar is in order.

Mr. DOLPH. Before proceeding to the Calendar I beg the indulgence of the Senate for a few moments to refer to a matter that I think perhaps calls upon me for some remarks.

I received last evening a marked copy of The Voice, a newspaper published, I believe, in New York City, which is the acknowledged organ of the temperance people of this country, at least of the Prohibitionists. The article so marked is as follows:

SHALL WE DO THIS CRIME?—SENATOR DOLPH'S PLAN TO DEBAUCH AND ANNIHILATE THE NATIVE RACES OF ALASKA—THE GOVERNMENT ASKED TO LEGALIZE THE LIQUOR TRAFFIC IN ALASKA AND WIPE OUT AT ONE STROKE THE EFFECTS OF ALL THE CIVILIZING AND UPLIFTING AGENCIES THAT HAVE BEEN PUT INTO OPERATION IN THE TERRITORY—HOW THE PRESIDENT HAS POWER TO STRENGTHEN THE PRESENT PROHIBITORY LAW INSTEAD OF CONSENTING TO ITS REPEAL—A VIGOROUS PROTEST FROM A MISSIONARY AMONG THE ESKIMO AGAINST INTRODUCING LEGALIZED LIQUOR INTO HIS PART OF THE TERRITORY.

Senator JOSEPH N. DOLPH, the senior Republican Senator of Oregon, has introduced a bill in the United States Senate to legalize saloons in the Territory of Alaska. Alaska is now under a law prohibiting the importation, manufacture, and sale of intoxicating liquors. Senator DOLPH'S excuse for introducing the legalized liquor traffic is that the prohibition is violated, and that it is better to repeal it and enact laws that will be enforced. It has been hinted, however, that there are personal and business reasons lying back of the one given by Senator DOLPH for this attempt to fasten the legalized saloon upon the rapidly developing Territory of Alaska. According to the report of United States Attorney C. S. Johnson, recently submitted to Governor Knapp, of Alaska, there are already in existence two or three breweries manufacturing and selling beer in the Territory for other purposes than those prescribed by the statutes, "while many persons are openly engaged in selling liquors contrary to law."

The license law proposed by Senator DOLPH provides that upon the application to the governor of any white resident of Alaska over 21 years of age and "of good character," and on filing a bond for $1,000 with the treasurer that the applicant will keep an orderly house and not sell liquor to Indians or minors under 18 years of age, and on paying $250, the governor shall issue to him a saloon license. It must also be made to appear to the governor that the applicant for license is a proper person to sell intoxicating liquors at the place mentioned in the application. License authorizes the sale of all kinds of intoxicating liquors on week days and between 6 a. m. and midnight, to be drunk on the premises, and their sale in quantities of less than 1 quart to persons other than Indians or minors under 18 years of age.

THE PRESENT LAW.

Prohibition has been heretofore the policy of our Government in its dealings with Alaska. In the act of May 17, 1884, "providing for a civil government for Alaska," section 14 reads:

"The importation, manufacture, and sale of intoxicating liquors in said district, except for medicinal, mechanical, and scientific purposes, is hereby prohibited under the penalties which are provided in section 1955 of the Revised Statutes for the wrongful importation of distilled spirits. And the President of the United States shall make such regulations as are necessary to carry out the provisions of this section."

Section 1955 of the Revised Statutes of the United States, which under the above law prescribes the penalties for violating the prohibitory law, calls for the seizure and confiscation of "firearms, ammunition, and distilled spirits landed or attempted to be landed or used in any port or place in the Territory" in violation of law. And if the value of the same exceeds $400 the vessel upon which they may be found or from which they have been landed shall be forfeited, and any person willfully violating this law shall be liable to a fine not exceeding $500 or imprisonment for not more than six months. Bonds may also be required from vessels departing from any port of the United States that they will not land liquors for unlawful purposes in Alaska.

Violations of the law are prosecuted in any United States district court of California, Oregon, Washington, or Alaska, and the collector and deputy collector of Alaska have the power to authorize any person to arrest persons violating the law and to seize vessels and articles liable to forfeiture.

There is, however, no injunction clause and no provision for abating saloons and breweries as nuisances, a feature found to be so essential to the successful working of prohibitory laws. But, as will be seen by the provision of the general prohibitory law above quoted, there is nothing to hinder President Harrison adding it or any other feature necessary to make the prohibition effective.

WHY PROHIBITION WAS ESTABLISHED IN ALASKA.

The Territory of Alaska covers an area of some 580,000 square miles, nearly one-sixth the size of the whole United States, and it has a coast line of many hundreds of miles. It also embraces some 1,100 islands and contains a population estimated at 33,000, including large numbers of native Aleut Indians and Eskimos. The difficulties of enforcing a merely paper prohibition over such a vast area will be readily appreciated, especially when it is further taken into consideration that the revenue officers appointed to guard the coast are only too willing to enter into collusion with wealthy parties interested in smuggling liquor into the Territory.

The principal object in the enactment of the original prohibition of firearms and intoxicating liquors in Alaska was to preserve the thousands of native Aleuts and Eskimos from annihilation by the rum traffic and to successfully preclude the dangerous element of intoxication in any native uprising. It has since been found that these natives, when kept away from intoxicating liquors, are of a remarkably mild and intelligent disposition, and are, under the uplifting agencies of schools and missions, making rapid strides toward adopting a civilized form of life. Governor Knapp, in his report, October 1, 1891, to the Secretary of the Interior, says of the condition of the natives:

"The change of conditions from year to year is not so marked as to call for special comment, but in the settled portions of the country, that is, along the coast and upon the islands, there is constant progress in civilization and improved conditions of life. The agencies at work for the uplifting of these peoples are effective and doing much good, while business enterprises, employing them as laborers and coming in contact with them in a business way, infuse them with civilized ideas. It is unfortunately true that bad ideas are also inculcated and immorality go hand in hand with civilization to such an extent that many good people become disheartened and incline to surrender to the discouragement.

"But there should be no such impatience. Their progress out of darkness and degradation towards the light of a higher civilization compares most favorably with the darker ages of the early history of Germany and England. They are surely coming, and only patience and perseverance and the coöperation of good people everywhere, and especially the aiding hand of Government extended as heretofore, but more liberally, in facilities for enlightened government and their education in good things, will tell upon them in the near future more effectually than before. * * * The people are peaceably and kindly disposed, reasonably honest, and have great respect for the Government. If spirituous liquors can be kept away from them lawlessness need not be feared and crime will be reduced to a minimum."

Here comes, then, in the face of these recommendations of Governor Knapp for still more Government aid and the coöperation of good people everywhere for the civilizing of the native Alaskans, Senator DOLPH'S bill to establish by law among them the destructive and barbarizing saloon.

Mr. President, I have given the editor of the Voice or the author of this article the benefit of the whole of it, and now I propose to examine it, alleging that it is the product of the densest ignorance in regard to affairs in Alaska, and is, in its reference to myself and to the customs officers in Alaska, scarcely less than malicious.

I will say in regard to Alaska that, as stated in the article, it contains an area of some 580,000 square miles. It has, including indentations, bays, and the shores of its islands, it is said, 25,000 miles of seacoast. The southern part of Alaska is composed almost entirely of islands. It is stated in this article that there are in Alaska over 1,100 islands. The line between Alaska and British Columbia is not well defined. The population of Alaska is stated in this article to be some 33,000. I think it is nearer 25,000 or 36,000, there being two or three thousand white and mixed people and some 33,000 Indians.

There are no roads in Alaska. The government of the district, as everybody knows, is the least complex and most efficient one that could be devised for the district. Owing to the great extent of seacoast, the great number of islands, and our long, poorly defined boundary line between Alaska and British Columbia, it has been found impossible to enforce the law to prohibit the introduction into the Territory and the sale and use there of intoxicating liquors.

I speak of what I know. Six years ago last summer I made a trip to Alaska. Again last summer I spent three weeks of my

time in going to Alaska partly for the purpose of ascertaining the condition of the people of Alaska and the wants of the district. I have conversed with at least three governors, three collectors of customs, and two judges of the district and with other officials and many intelligent men from the district, and I now state that there is not perhaps under the sun among any civilized or savage people a country with the same population where there are so many saloons, and where so much liquor is disposed of, and where the disposition of it so demoralizes the inhabitants of a country as in Alaska.

Last summer when I was in Juneau, in Alaska, I was told by those who knew that there were twenty-two saloons in full blast in that little town, where all kinds of liquors were disposed of publicly, not to the whites alone, not to half-breeds alone, but to Indians and to minors. Anyone can buy there any sort of intoxicating liquor who has the money to pay for it.

The situation in Sitka, the capital of the district, was but little better. I was told that there were in operation right under the eyes of this governor, to whom I shall give my attention directly, under the eyes of the judge and the prosecuting attorney of the district, the collector of customs, and the marshal of the district——

Mr. PLATT. And the missionaries.

Mr. DOLPH. Yes, under the eyes of the missionaries and the superintendent of education in Alaska there were fifteen saloons in full blast. I ascertained also that there was at Sitka a brewery in operation, another at Juneau, and another at Fort Wrangel. I believe Fort Wrangel was the place; at least there were three breweries in operation in the district of Alaska.

As is well known to members of the Senate, for some years, considering the fact that the district of Alaska was, until the admission of Washington, nearer to the State of Oregon than any other State in the Union, I have given some attention to affairs in Alaska. In the Senate, whenever a question has come up concerning the appropriation of money for the purpose of enforcing the laws in Alaska, I have been found advocating the appropriation. I have on several occasions called the attention of Senators to the condition of Alaska, to the necessities of the government there, and of the officers of the government, to enable them to enforce the law; and always, when it has been proposed to make or to increase an appropriation for the education of the Indians or the children of Alaska, my voice has been raised here in the interest of the largest appropriations and the most liberal treatment of the people of Alaska, and the rigorous enforcement of the laws.

But I ascertained from actual observation as well as information received from every officer in the Territory that the prohibitory law now on the statute book is a nullity, and the only effect of it is to prevent the importation into Alaska of intoxicating liquors through the custom-house, and the payment of duties. The utmost that can be done by the officers of customs there, is to seize, occasionally, a few bottles or a cask of liquor and confiscate it, while vessel loads are constantly smuggled into the Territory and cached in the woods and brought out in small quantities to furnish the saloons. Although there is upon the statute book a law prohibiting the importation, manufacture, and sale of intoxicating liquors, and penalties provided for a violation of it, it has been found impossible to convict a person of selling liquor to Indians or to minors, or of smuggling liquor into the Territory or disposing of it there.

The people who compose the white population of Alaska are the class of people who find their way to the frontier, who live among the Indians, who go there to work in mines or to work in the fisheries. There are few temperance men among them, and they are opposed to enforcing this law. The result is, as I shall presently show, that it is impossible there to secure the conviction of any man who violates the law.

Now, this model governor of Alaska, who has been referred to in this article, and the district judge of Alaska, and the district attorney of Alaska, undertook last year to devise a plan to get some public sentiment back of them.

Mr. ALLEN. Before the Senator proceeds to the other phase of his subject, I should like to ask him a question, with his permission.

Mr. DOLPH. Certainly.

Mr. ALLEN. I should like to ask the Senator if it is his belief that the white population of Alaska is of such a character that juries can not be found within the Territory to enforce criminal laws generally?

Mr. DOLPH. I think I might answer that, without doing any violence to anybody, in the affirmative; but I wish to have it understood that there is to be a distinction taken between enforcing the criminal laws generally, such as relate to murder and arson and that class of offenses, and enforcing a prohibitory liquor law and enforcing penalties for a violation of the customs laws and regulations applying to the district. But I will say that it is impracticable. The white population of Alaska is scattered along the coast and is found in several small towns.

It is impossible to secure a jury which will convict, because under the law a jury can only be drawn from the particular locality where the trial is had for want of roads and transportation. It would not be possible to have a trial at Sitka of an offense committed at Juneau or a trial at Juneau for an offense committed at Sitka.

Considering the present character of the population there, there is no law on the statute books, nor can there be any law framed, which can be put into practical operation which will secure a jury in either one of these places that will convict any man for a violation of the law in relation to the importation into Alaska or the sale there of intoxicating liquors.

Recognizing this fact, as I said before, this model governor, according to the article in the Voice, and the judge and the district attorney undertook to devise a plan which would check the evils of intemperance. They assumed legislative power and authority to put in force a plan in that district, last year, by which they could obtain some backing, some influence that would enable them at least to prevent the sale of intoxicating liquors to Indians or to minors. A public meeting of the citizens was called in Juneau, at which the governor was present, as I understand, and the judge and the district attorney. The result was that the governor of the Territory received applications for license in that district, and granted licenses to various parties to sell intoxicating liquors; but the license was no benefit to the licensees unless they could obtain some favorable action by the collector of customs.

The collector of customs is authorized to issue permits for the sale of intoxicating liquors for legitimate purposes, for medicinal and mechanical purposes in the district. They prevailed on the collector to so far commit himself to their plans as to issue licenses or permits to these men, licensed by the Government, to import intoxicating liquors for legitimate purposes, and he did so, but the amount imported under these permits was so large as to indicate the true purpose of the licenses and permits and the Treasury Department removed Mr. Procht promptly, although the district attorney and the governor still hold their offices.

Now I desire, as I think this matter deserves a little attention, not only on account of the article which I have quoted, but because the bill is before a proper committee of the Senate, to send up to the desk to be read a letter addressed to me by a very intelligent gentleman from Juneau giving an account of the arrangement made between the citizens of the district and the officers of the Territory during the last year.

I will first state that when I introduced the bill in question I made a brief statement. I gave the reasons which induced me to introduce the bill. I stated that I expected to be criticised, and that I was quite willing to take my share of responsibility in dealing with a matter with which I was perfectly familiar.

I should not ask to have this letter read, and I should not have said as much as I have said in regard to the officers of Alaska in relation to this matter, if the necessity for it had not become in my judgment apparent by the article to which I have referred.

The VICE-PRESIDENT. The letter will be read.

The Secretary read as follows:

JUNEAU, ALASKA, *August 15, 1891.*

Senator DOLPH,
Portland, Oregon:

DEAR SIR: In accordance with your request that I write you with respect to the matter of "liquor license and collector's permits" in Alaska, issued by Governor Lyman E. Knapp and Collector Max. Procht, respectively, and in order that Mr. Procht, the late collector, should not stand in an unfair light as compared with the governor, I desire to say that Mr. Procht was the last one to agree to the issuance of the liquor licenses and permits in question.

The proposition of the issuance of the liquor license first came from the officials; that is, it was generally understood that at the time the question arose, they were all in favor of it; however, I wish to state again that this was the general impression among the people here, for upon the very heels of this proposition, and while the United States district court was in session (during the month of January, 1890) at Juneau, Alaska, a written request was circulated at Juneau, and received many indorsers, inviting Governor Knapp to come to Juneau, there to meet the people and discuss this liquor license question.

* * * * * * *

The outcome of this invitation to Governor Knapp was the "citizens' meeting" held on or about January 24, 1890, at which meeting the governor (Knapp), Judge Bugbee, and United States district attorney were present. The substance of what transpired at this meeting was reported in the Alaska Free Press, a newspaper then published at Juneau, Alaska, a copy of which newspaper report is herewith inclosed.

Thereafter, it was understood that liquor licenses would be issued by the governor, providing Mr. Procht, the collector, approved of the arrangements, but Mr. Procht insisted upon a $500 license, and Governor Knapp favored a lower license since the parties interested thought $500 too high.

The governor and Mr. Procht, the collector, misled the people by intimating that they had the sanction of their respective Departments at Washington for this act, since the agitation of this question originated with the officials.

I will state that Mr. Peckinpaugh, the clerk of the court, positively refused to have anything to do with the matter, and earnestly protested against it.

* * * * * * *

While on a trip to Sitka I called upon the governor to see if the arrange-

ments could be carried out as planned by the citizens' committee and the governor, but Mr. Procht remained until then obstinate and insisted upon a $500 license; when I then left the governor and called upon Mr. Procht with respect to this matter, and while Mr. Procht and I were engaged in conversation on the subject of what the amount of the license should be, Governor Knapp came into Mr. Procht's office, when I called him up to where we were and he then took part in the conversation, which was to the effect that he (Procht) should come down from $500 to $250 as a sufficient sum upon which these licenses should be issued and "permits" granted; but Mr. Procht would not then agree to it, but said "I'll see you at 9 o'clock this evening at my house, and in the mean time the governor and I will discuss the matter further," adding "I'm not favorably impressed with a $250 proposition."

I called at Mr. Procht's at 9 o'clock on that evening, when he told me that the governor had been so persistent that he felt disposed to give in, and that I might state to the Juneau people that the amount to be paid for the license should be $250.

The governor certainly understood the entire arrangement, and the fact that he would not issue the license unless Mr. Procht agreed to the amount is certainly conclusive.

The governor sent a copy of the application and the bond which he exacted from each applicant to keep an orderly house, etc., and requested that many copies be printed, which was done.

Inclosed find copies of "application" and "bond."

Mr. DOLPH. I send now to the desk to be read a copy of the account of this meeting of the citizens and the governor and the judge and the district attorney, as published in the local papers.

The Secretary read as follows:

CITIZENS' MEETING.

Pursuant to call, many of the citizens of Juneau met with the Territorial officials at the court-house on Friday evening last to discuss matters of public interest.

W. F. Reed was placed in the chair; John C. Heid, secretary.

Mr. Lewis stated the object of the meeting was to meet Governor Knapp and other Territorial officials relative to the question of regulating the liquor traffic in Alaska. Heretofore a license had been granted to persons to carry on the business of selling liquor, and the people wished to know what the new administration thought of the question.

Judge Bugbee was called upon to give his opinion on the question, and in substance stated that public sentiment was against forcing the prohibition clause——

Mr. DOLPH. Let Senators note what Judge Bugbee said about the enforcement of the act.

The SECRETARY—

and in substance stated that public sentiment was against forcing the prohibition clause of the organic act relative to the importation, manufacture, and sale of liquor in Alaska, and that the action of both the grand and petit juries of this term of court in the trial of such cases, involving the right to land and sell liquor, clearly pointed in that direction.

C. S. Johnson, district attorney, in giving his opinion of the liquor question, comparing the sentiments of the people of Alaska with those of the people of Iowa, stated: In Iowa it was difficult to enforce the law, since a large portion of the people were opposed to it; but here in Alaska it was practically impossible, since public sentiment was wholly opposed to that law. He did not believe that a license from the governor would under the law protect any one when selling intoxicants.

Governor Knapp, in his address, said that he had two views on the subject. First, What is to the best interest of Alaska? Second, To do what was right in a moral and legal sense respecting the question.

The only questions with him were what was best, what was right, or what could be legally done in the matter. He did not know how far his right went to issue a license to sell liquor. He would submit the matter to the officers of the law, and would be judged by their opinion. He would like to hear from the members of the meeting as to what would be a reasonable fee for a license. If a license could be granted, it would be his plan to exact a bond, etc. It was his wish to conform to the wishes of the people, as long as the proposed plan was legal and just, and expressed a wish to hear from the citizens on the matter.

Opinions were advanced by many present, following which Mr. Meyer offered a motion, which was carried, to the effect that a committee of five be appointed to present the question in a memorial addressed to the governor and signed by citizens.

The Chair appointed as this committee J. C. Heid, J. F. Maloney, S. Lewis, M. C. Orton, and F. M. Berry.

Motion made by J. C. Howard that Mr. Gee, timber agent, be requested to stop the cutting of timber on the hillside to the east of town was carried. Mr. Gee stated that he would do what he could in the matter.—*The Alaska Free Press, January 25, 1890.*

Mr. DOLPH. As I stated, Mr. President, the result of this meeting was that a license system was established by the officers of the district and that without any authority of law a license fee was required to be paid in and was received by the district authorities. A regular printed application and form of a bond were prepared and licenses issued. I send up to the desk the form of application required by Governor Knapp and the bond required upon the application for license to sell liquor, a printed blank.

The Secretary read as follows:

LIQUOR LICENSE BOND.

Know all men by these presents, That we, —— ——, of ——, as principal, and —— ——, of ——, as surety, are bound and firmly held unto the treasurer of the district of Alaska in the sum of $1,000, to the payment of which we jointly and severally bind ourselves, our heirs, executors, and administrators firmly by these presents.

Dated at ——, this ——, day of ——, A. D. 189–.

The condition of this obligation is such that if, under the license given said —— —— to sell intoxicating liquors, the said licensee shall at all times abstain from selling or furnishing the same to Indians and minors under the age of 18 years, and shall keep an orderly house, then this obligation to be void; otherwise of force.

Witness: —— —— [SEAL.]
—— —— [SEAL.]

APPLICATION.

To his excellency the governor of Alaska:

The undersigned hereby applies for license to sell intoxicating liquors in the city of ——, district of Alaska, under the regulations of the Government of the United States, for the term of one year. If this petition is granted I will deposit with the treasurer of the Territory a bond in the sum of $1,000 conditioned to keep an orderly house and refrain from furnishing such intoxicating liquors to Indians or minors under the age of 18 years; and will also deposit with said treasurer the sum of $250, the remainder of which, after defraying expenses, to be expended under direction of three street commissioners, to be appointed by the governor, in making and improving the streets and sidewalks in the city or town where my place of business is, the said money to be paid out by said treasurer on the order of said street commissioners duly approved by the governor. It is understood that the license will be revokable for cause without refunding the money paid therefor.

Dated at ——, this —— day of ——, A. D. 189–.

—— ——, Applicant.

Mr. DOLPH. Mr. President, as I have already stated, this attempt to legislate for the district by Governor Knapp, Judge Bugbee, the district attorney, and the collector of customs, resulted in the removal of the collector of customs for his share in it; the governor and the district attorney are still retained, the judge has been removed, but not for that reason.

There is not a man of intelligence who lives in Alaska, and who favors the enforcement of the laws, who would like to see prohibition of the introduction into Alaska, the manufacture in Alaska, and the sale of intoxicating liquors in Alaska, enforced but who will agree that if that plan could have been adopted it would have been a great advance in the way of limiting the sale of intoxicating liquors in the district of Alaska.

The white people who will have liquor there would have been able to obtain it, and the penalties of the bonds and the fear of the revocation of the license would have been sufficient to prevent the sale by them of liquors to Indians and minors, and to have secured orderly houses where the sale of intoxicating liquors was authorized. The liquors used by these establishments would have been regularly brought into the district and have paid duty in the district of Alaska; the people who were licensed, if I may use that expression, could have become a sort of aristocracy among the liquor-dealers, and their interest would have been to enforce the law in regard to those who might undertake to sell liquor without license to help the authorities to prevent the smuggling of liquors into Alaska and the unlawful sale of them. At least, it would have been an experiment well worth trying, but these officers of the district were assuming powers that they did not have, doing that which was illegal in the face of the statutes of the United States.

I do not care to prolong this discussion, but I desire to have read without stating the name of the writer a letter from a Government officer who has been recently in that district which will explain itself and will throw some light upon the question of the importation of liquors into Alaska.

The Secretary read as follows:

JANUARY 9, 1891.

Hon. J. N. DOLPH,
United States Senator:

DEAR SIR: I write you to-day to inform you of my safe arrival here, and of the condition of affairs in this distant country.

I find things in a very unsatisfactory shape, and I see no way at present to improve them. Smuggling has been carried on to such an extent that there is no longer any question as to obtaining liquor. The only trouble with dealers is how to find a market for the large surplus on hand. The operators have carried on their business so successfully that liquor can be bought for very nearly the same price as in Portland.

At first view this would appear to be the fault of the customs officers, but a plain statement of their methods will convince you that under existing circumstances our officers are entirely blameless. To begin with transportation.

We have no boat to cruise with, and it is impossible to secure one here, as there are none to be had except the frail canoes of the Indians, and, laying aside all danger from drowning, they can not be propelled with sufficient speed to capture a large-sized sloop or schooner.

After the liquor is landed and cached in different places the consumers are supplied in small quantities of from 5 to 10 gallons, which is immediately bottled and stored away in the different receptacles about the building. So any seizure by the officers of the law must and does appear insignificant when compared to the amount received and sold in the various towns of the district.

When I left British Columbia en route for this country I learned that a schooner was on her way up with 70 barrels of whisky. I notified the officers to keep a lookout for her, and after going to Sitka I returned here and awaited her appearance. On the evening of December 31 I learned that she was about 14 miles below town and would only wait until the next morning before leaving for the westward. Upon learning this fact I communicated with Mr. Ward, the deputy collector at this port, and we began our hunt for a boat to convey us down the bay to her anchorage. The weather was of such severe character that an open boat was out of the question, and the captain of the steam ferry between here and Douglas Island would not venture to the head of the island, and the only other boat had bursted pipes.

Thus you can see that after all my pains to gain information, and after we had tried until 4 o'clock in the morning, we were compelled to stand idly by and know that at least 2,500 gallons of liquor had escaped us and gone to a market that should be closed.

After meeting a few disappointments, can you wonder that we grow discouraged and feel that the importation of liquor can not be prevented by any individual effort of the officers here?

I share the belief of the officers here when I say that I think your bill for the admission of liquor to the Territory is the wisest course to pursue. But I have not yet seen a copy of the bill, but if it is in the shape I have seen in newspapers I would suggest that the bond be increased to a larger sum and that the permit system be continued to the extent of preventing all but licensed dealers from handling liquors, and these permits should be issued with a view to only allowing such dealers to have such quantity as would appear to the officer issuing the permit to be sufficient to supply the legitimate demand of his trade. This feature would prevent such loads going to the people of the westward as I have described in the body of this letter. In conclusion I will say that I believe the liquor business can be better controlled by the course

you have adopted by your bill for the licensing the sale of it under certain restrictions than by any other method which can be adopted by our Government.

Mr. DOLPH. Now, Mr. President, here is a statement from an official source that shows how impossible it is for the officers of Alaska to prevent the smuggling of liquor into Alaska. There is a collector of customs at Sitka, many miles distant from the other settlements, without any roads or any means of communication with them, and no Government vessel at the command of the officers. There is a deputy collector stationed at Juneau and a deputy United States marshal, and there are deputy collectors or inspectors stationed at different points. The only Government officers at these points where most of the liquor is sold are a deputy collector, a deputy marshal, and a United States commissioner. Opposed to them is the entire community of whites and half-breeds and the Indians; and, as I say, liquor is publicly sold in all these places, and not only that, but the Indian women are brought into the saloons where liquor is sold, and dance houses are established, where they engage in dancing with the miners all night long, and quite possibly in worse practices.

All this is done under the eyes of the officers of the Government, and they are powerless to prevent it. A man is arrested and tried and the jury acquits him. A man is arrested occasionally and held to appear before the grand jury and a bill is ignored. If an officer of the Government undertakes to make it unpleasant for any of these liquor dealers he finds himself unable to secure the means of performing his official duties; he can not even hire a boat or a skiff in the town on account of the public sentiment.

The author of the article in the Voice which I have read is entirely mistaken in regard to the legal power of the officers to prevent maintenance of saloons and breweries in the district of Alaska. The law is sufficient. The establishment of breweries and the making of beer is directly in violation of the acts of Congress. If the law could be enforced any officer of the Government could suppress a brewery or a saloon. The sale of intoxicating liquors is a violation of law, and as the liquors have been smuggled into the district they might be seized by the collector or deputy collector; but if he should seize the few bottles which are kept on exhibition in a few hours they would be replaced, and if he persisted in making seizures he would never get out alive. That is the actual condition of affairs.

Now what shall we do? As I say, I have been twice to Alaska and I have looked over this ground. I saw that the prohibitory provisions in the laws relating to Alaska did not prohibit. I saw that liquor was smuggled in almost under the eyes of the officials in the Territory and that they were entirely unable to suppress the importation or the traffic in intoxicating liquors in Alaska. It would require that there should be placed at their disposal numerous swift-going vessels, that the number of Federal officials in the customs house in Alaska should be largely increased, that there should be at least a company of soldiers stationed continually in each one of these larger places where liquor is sold, before the law could be enforced, and then it would be evaded. I came to the conclusion that the only thing to do was to build up some sort of public sentiment against the evils growing out of this traffic in Alaska. I learned that the officials did undertake to put this plan of licensing the sale of liquors in Alaska into effect. I believe if we should license a certain number of the most respectable men engaged in the business and see that they imported regularly into the Territory liquors to be disposed of, giving them an opportunity to supply the demand which comes from the white population of the country, we should build up such an influence around the Federal officers of Alaska that we could prohibit the smuggling of liquors and their sale to minors and to Indians.

The measure I have offered I believe is the only thing that promises any good result in that district. I do not make this statement as a personal explanation on my part, not for the purpose of defending myself against anything said in the article I have read, because I am in the habit of doing what I think is for the best and taking the responsibility for it. But I thought some explanation of this matter was due to the temperance people of the United States.

Mr. President, I have had an interview with Rev. Sheldon Jackson, who is the agent of the Educational Bureau of the Interior Department in Alaska and who has charge of Indian education in that district. I do not know what he thought about it, but he made no suggestion that my bill proposing to license the sale of intoxicating liquors in Alaska was not in the interest of the enforcement of the law and would curtail the sale of liquor there and protect the minors and Indians. If he thought it would not, he failed to say so. The only suggestion he made to me, and he sent me a letter in that regard, was that the provisions of the proposed law should be confined to Southern Alaska; there is where the main white population is; a suggestion which I readily acceded to because I saw the propriety of it, and in fact I have only visited Southern Alaska. The condition of things I was proposing to legislate about was confined entirely to Southern Alaska. I immediately transmitted it to Senator PLATT, saying to him:

I repeat now what I said to you then, that the bill introduced by me was introduced to remedy evils which I saw, and if they are confined to Southern Alaska I have no objection to my bill being made applicable to that portion only of the Territory.

I have no personal interest in the matter. My only desire is to accomplish something of benefit to the people of that Territory.

Now, Mr. President, what have I proposed? The bill introduced by me has been grossly misrepresented in this article. In the first place I propose to do away with jury trials for the trial of these offenses, and before doing that I interviewed the Attorney-General and received a letter from him upon the legal questions involved.

Section 3 of my bill proposes:

That all violations, after the passage of this act, of chapter 3, Title XXIII, of the Revised Statutes, and of section 14 of an act entitled "An act providing a civil government for Alaska," for which the penalty provided by law is, or under any act of Congress passed hereafter shall be, not exceeding $500 fine, or six months' imprisonment, or both such fine and imprisonment, shall be tried by the court without the intervention of a jury.

Does that look much as if I was interested in the saloons and breweries of Alaska, and was trying to repeal existing legislation to prohibit the traffic in intoxicating liquors within that district? Then I propose to cure another evil which is more a matter of administration than of legislation.

SEC. 4. That hereafter no special tax shall be collected by the United States from any wholesale or retail liquor dealer, or any wholesale or retail dealer in malt liquors, or license to retail spirituous or malt liquors granted to any such dealer within the district of Alaska, unless such dealer has been designated in the manner provided by law to sell such spirituous or malt liquor for medicinal, mechanical, scientific, and sacramental purposes.

The Internal-Revenue Bureau has been issuing licenses under the internal-revenue laws to all these people who are violating the law in Alaska, and the provisions of my bill propose to put a stop to that. What else does it do?

Section 5 provides:

That it shall be the duty of the marshal and deputy marshals of said district, of the collector of customs, and all deputy collectors of customs and customs officers to seize and destroy all spirituous and malt liquor found in process of manufacture in said district, or offered, exposed, or intended for sale therein by any person or persons who have not been lawfully designated to dispose of the same for medicinal, mechanical, scientific, or sacramental purposes, and to forthwith report the same, with a statement of the time, place, and circumstances, to the collector of customs, if the seizure is made by an officer other than the collector of customs, and the collector of customs shall at once report all seizures to the Secretary of the Treasury. It shall be the duty of the marshal and of all deputy marshals when called upon by any customs officer to aid him in making any such seizure, and the marshal and any deputy marshal whenever he is forcibly resisted in endeavoring to enforce or aid in enforcing this section, or is by violence, threats, or menace prevented from enforcing this section or aiding in its enforcement, is empowered to summon and call to his aid any bystanders or posse comitatus of his district. Spirituous or malt liquors displayed or found in a saloon, brewery, or other place where liquors are offered for sale, shall be conclusively presumed to be intended for sale.

Does that look very much as if this bill was in the interest of the liquor-sellers of Alaska?

Mr. SANDERS. I should like to ask the Senator a question in this connection.

Mr. DOLPH. Certainly.

Mr. SANDERS. I ask if it is impossible to get a jury upon their oaths to find according to the facts in the case upon testimony undisputed, what kind of a privilege is it to summon a posse comitatus from the same parties there from whom you would select a jury, and what aid would you be likely to get in the enforcement of the law?

Mr. DOLPH. I am glad the Senator has asked me that question. The Senator must understand that these provisions are to be considered in connection with another bill which has been criticised by the publication from which I have read. Those provisions are contained in a bill which is a counterpart of the bill which has been criticised. That bill provides:

That from and after the passage of this act, upon the written or printed application of any white resident of the district of Alaska over twenty-one years of age, of good character, to the governor of Alaska for a license to sell intoxicating liquors at some designated place in said district for a period of not exceeding one year, and upon the execution and presentation and filing with the treasurer of said district of the bond of the applicant, with sufficient sureties satisfactory to the governor, in the penal sum of $1,000, conditioned that the applicant shall keep an orderly house, and will not sell intoxicating liquors to Indians or minors under the age of 18 years, and upon the payment into the treasury of the said district of the sum of $250, to be disposed of as other moneys received for public dues in said district, the governor of said district, if it shall be made to appear to him that said applicant is a proper person to receive such license, and that a license should be issued to sell intoxicating liquors at the place mentioned in the petition, shall issue a license to said applicant, authorizing him to sell on week days and between 6 o'clock a. m. and 12 o'clock midnight only, distilled, malt, or fermented liquors, wines, or cordials, to be drunk on the premises, or in quantities of less than one quart, to persons other than Indians or minors under the age of 18 years.

SEC. 2. For any breach of the conditions of said bond, by keeping a disorderly house, by selling liquor to Indians or minors under the age of 18 years, for smuggling liquors into said district, or aiding or abetting such smuggling, for any violation of the provisions of chapter 3 of Title XXIII of the Revised Statutes of the United States, or of section 14 of an act entitled "An

act providing a civil government for Alaska," as modified by this act, such license shall be revoked by the governor of said district, who shall cause suit to be brought upon said bond, the penalty whereof shall be considered and treated as liquidated damages, and the licensee shall in addition be liable to all the pains and penalties provided by law for such violation of the statute.

My object in introducing the bill is not to make the laws more liberal for the benefit of the people who desire intoxicating liquors in Alaska; it is because I wish to get something practicable, I wish to get something that can be enforced in lieu of something that is not enforced. I wish, in other words, to prevent the sale of liquors to Indians in Alaska, to prevent the very debauchery which is mentioned in this article. Therefore I have provided that the license shall not be to sell liquor to Indians or to minors, and that for any breach of the condition of the bond, if liquor is sold to minors, or if liquor is sold to Indians, if these parties engage in smuggling or in any way violate any of the provisions of the law on this subject, their license shall be taken away and the penalty of their bond shall be considered stipulated damages and shall be sued for and recovered.

As the law now stands no recovery can be had on such a bond, and no punishment can be visited upon anyone who imports or sells liquor in Alaska, and, as I have already said, my hope is to build up a good influence through these licensed saloon-keepers in favor of enforcing the law, with this modification in favor of preventing the sale of liquors to minors and Indians.

Mr. FAULKNER. I desire to interrupt the Senator from Oregon for a moment. I should like him to explain why he desires to abolish the right of trial by jury in his bill. From what I have seen of some of the decisions made by the judiciary of Alaska I do not think it would be very safe to put the rights and liberties of the people there entirely in their hands.

Mr. DOLPH. I will say to the Senator that for the rights and liberties of the people—at least for the interests of the Government and of the people who desire the good order and repose of the district—it would be far safer to repose the power in the hands of the judges of the Territory than of any jury that could be impaneled. I have already said that it is impossible to find any grand jury that will indict or any petit jury that will convict for an offense against these laws.

Mr. FAULKNER. I should like to ask the Senator from Oregon whether it has ever been tried?

Mr. DOLPH. Yes, it has been tried; and I have read here the remarks made by the judge of the district in a meeting of citizens called for the purpose of adopting a license system, in which he says the result of the proceedings of the trials before grand juries and petit juries at the term of the courts then in session in the town of Juneau had demonstrated the fact that the law could not be enforced.

Mr. FAULKNER. That was the law of prohibition, was it not?

Mr. DOLPH. That was the law of prohibition.

Mr. FAULKNER. That public sentiment did not sustain. But as I understand the Senator, he is assuming that under the law of license the public sentiment will sustain it, and if his view is correct I can not see the reason for the abolition of jury trial in such cases.

Mr. DOLPH. I have not gone so far as to say that I have thought public sentiment would be such in the district as that the jury system could be relied upon to enforce the laws. I have said the license system I thought would create such a sentiment as would enable the officers of the Government to enforce the provision which I have just read for the seizure and destruction of liquors in the district, and also for the importation of liquors. But the provision I propose in regard to the trial of these cases by a court is not unusual. I suppose the Senator from West Virginia knows that there are a large number of misdemeanors now tried by United States courts without the intervention of a jury, and the condition of affairs in Alaska is such, the great extent of the Territory is such, the population is so scattered, the means of communication and of travel are so few and so inadequate, that it is impossible under any existing laws, and will be for years, to secure a jury in that Territory that will enforce the laws on this subject.

Mr. President, I regret having taken up so much time.

Mr. KYLE. I should like to ask the Senator from Oregon a question.

The VICE-PRESIDENT. Does the Senator from Oregon yield?

Mr. DOLPH. Yes; I shall be glad to yield to the Senator.

Mr. KYLE. If it is not possible for the United States officers to enforce the present laws in regard to smuggling, how will it be possible to enforce the provisions of his bill in regard to the same thing?

Mr. DOLPH. The bill does not deal with smuggling at all. I have tried to explain to the Senate the fact that the reason why the laws are not enforced in Alaska is owing to the great extent of the Territory, an area of 580,000 square miles; to the great extent of seacoast; to the fact that Southern Alaska is composed of numerous islands, probably a thousand islands; the fact that the line between Alaska and British Columbia is still an uncertain and almost indefinite line; the fact that we have only a collector of customs, two deputy collectors, and a marshal and a few deputy marshals stationed throughout the entire Territory of Alaska without any Government vessels, without any roads, without any means of communication or of travel between one point and another; to the fact that the people who have gone to Alaska are not the class of people that go to the frontier for the purpose of taking up farms, engaging in agriculture, and making themselves homes, but people who have gone up there to trade with the Indians, to live with the Indians, and to engage in mining and engage in fishing. They are not people of the character from which you can select good jurors. Then they are so few and so scattered that at present it is impossible to obtain a jury by which you can enforce the penalty for a violation of any of the laws upon this subject.

I repeat, what I propose to do is to limit the sale of intoxicating liquors in Alaska, to secure the legal and proper importation of the liquors that are sold, to prevent, if possible, the sale of liquors to minors and to Indians. That was the idea of the officers of the Government in undertaking, without authority of law, to establish such a license system. I hope such a system will bring to the officers of the Government such support there as will enable them to enforce the law. Of course, if a man has paid his license and has given his bond to keep a respectable and orderly house, not to smuggle liquor, and not to sell liquor to Indians, and not to sell liquor to minors, he will have an interest in preventing his neighbor from smuggling and selling liquor without license and without bond to Indians and to minors. If such a license could be put in force, respectable people—if we may use that term in regard to this traffic—could be licensed under it. I think it would be beneficial in its results.

Mr. KYLE. May I ask the Senator also what is the white population of Alaska?

Mr. DOLPH. I have not the returns.

Mr. PLATT. Four thousand one hundred.

Mr. DOLPH. Does that include half-breeds?

Mr. PLATT. I am not sure about that.

Mr. DOLPH. I think, including Russians, Americans, all foreigners, and half-breeds, and all but the Indians, it is 4,100 for the entire district.

Mr. KYLE. Do I understand the Senator to say that the United States Government is powerless in the presence of 4,100 people, half-breeds and whites?

Mr. DOLPH. The Senator must have misunderstood me very materially. No; the United States could appoint a thousand deputy collectors.

Mr. KYLE. I understood the Senator to use the word "impossible."

Mr. DOLPH. It could send up in those waters twenty revenue cutters; it could send up two or three regiments of soldiers to be stationed at different points, and the National Government could arbitrarily, by military force and by such force of Government officers, probably enforce the law; but it would take twenty vessels and a thousand deputy collectors to prevent the smuggling of liquors into that Territory and to keep whisky from the people of that Territory, and it would take a large military force as things now are to protect the officers of the Government if they attempted to enforce the law properly.

The Senator entirely misunderstood me. The Government is strong enough and wealthy enough to do it, but it does not do it and has not done it ever since 1868. This law has been in force, and this thing has been going on, and as I said when I opened my remarks, more liquor is sold to-day in the Territory of Alaska and the worst liquor, having a more demoralizing effect, than what is sold in any other place under the sun where there is no greater population than there is of Indians and white people counted together in the district of Alaska.

Mr. KYLE. Then, Mr. President, I understand the fault is not with the officers in Alaska.

Mr. DOLPH. No, sir.

Mr. KYLE. Or rather is the fault of the Government at home. The fact that we are not able to enforce the law——

Mr. DOLPH. If it be practicable to appoint a sufficient force to enforce the law there, it can be done, perhaps.

Mr. KYLE. I understand the object of the law at present in force with reference to Alaska, is the preservation of the natives of Alaska, which I think is a very wise provision indeed, considering the fact that the natives are to occupy that Territory and to develop its resources. I think that is a wise provision with reference to the preservation of those natives. If our present law is opposed with regard to the sale of intoxicating liquors to Indians in our own States and Territories south of Alaska, why should the same provision be made to apply to the Terri-

tory of Alaska? I understand that the amendment which has been referred to, and which has the sanction of Rev. Sheldon Jackson, will restrict the operation of the law to that particular portion of the Territory which is the southern spur, so to speak, of Alaska, and includes the white population of that territory. That is a wise provision if this bill is to go through in its present form. But I do say, Mr. President, that in case it should go through with that provision, it makes that small neck of territory merely a storehouse where liquors are to be stored in saloons and where breweries are to be operated, and that the law will be a hundredfold more difficult to enforce with reference to the sale of intoxicating liquors to those Indians than it is at the present time.

I do not charge the Senator from Oregon with one wrong motive in the introduction of this bill, and I would defend him from any malicious attack such as that which has been printed in The Voice, to which he has referred; but, at the same time, I do think it is a mistake for us to stand paralyzed, as it were, and say that it is impossible to enforce a law of the United States Government in the presence of 4,100 people.

A parallel case to this would be the existence of Mormonism in the Territory of Utah. Liquor is a curse to any Territory, and the Mormon sin is also a curse to the Territory of Utah. The white population of Alaska want whisky sold in the Territory of Alaska. The Mormons in the Territory of Utah want polygamy to be practiced in that Territory. Both wants are similar. We have enacted upon our statute books laws relative to the suppression of polygamy in the Territory of Utah, and we are willing to back our declaration upon this point with the bayonet, if necessary, in order to see that the law is carried out. I claim that the same spirit should be exercised with reference to the enforcement of the law in the Territory of Alaska, seeing that there is so great a principle at stake as the preservation of its native inhabitants.

Mr. DOLPH. Mr. President, I did not yield to the Senator from South Dakota to make a speech, but of course I am very glad to have heard what he has to say. I wish to say that the Senator who has just spoken has never made any greater effort than I have to ascertain the state of affairs in Alaska, nor has he the good of the natives of Alaska any more at heart than I have, and he does not place more importance upon the preservation of the native races in Alaska from contamination by the introduction and sale of liquor than I do. The object of my bill is for that express purpose. I have stated to him that since 1868 they have been more or less brought in contact with this thing. Liquor has been sold to them and they have been contaminated. I have repeatedly on this floor called the attention of Congress to the situation of the natives of Alaska, numbering from thirty-three to thirty-five thousand. They are at present no charge upon the Government; they are not upon any reservation: they do not receive rations. We make no appropriations for them except for the education of their children, and that is because there is no way of assessing the property of Alaska to establish schools. As I have said before I have always heartily advocated the appropriation of money for the education of Indian children in Alaska, and have offered amendments to increase the appropriations. If the Senator can point out any legislation by which we can enforce the law now upon the statute book in regard to the introduction and sale of liquor I will clasp hands with him and use my best efforts to secure such legislation.

After the Senator has been as long in the Senate as I have been he will understand the impossibility of securing such an appropriation as will be sufficient to supply the necessary number of Government officers in Alaska and the required number of troops there to enforce the law; and it is not going to be enforced otherwise. I will ask the Senator if you can not enforce such provisions in a thickly settled State of the Union satisfactorily how can it be enforced in a sparsely settled district like the district of Alaska, containing nearly 600,000 square miles and only a population of 4,100 of white and mixed blood? It is utterly impossible unless you maintain such a force in that district of customs officers and of military as is not likely to be sent there.

I do not care to prolong this discussion. I have talked already too long. I did not think when I arose that I would occupy so much time. But inasmuch as my motives have been attacked in this matter, inasmuch as misstatements had been made in regard to the provisions of my bill and the present governor of Alaska had been referred to as an authority as to what was required in Alaska, I desired to show what he had done and what he thought was the best plan to bring about some good results in Alaska by showing that he had endeavored, without authority of law, to put in force there the same system that I propose to legalize, only with better security against the smuggling of liquors and the sale of them to minors and Indians.

My position in regard to the temperance question is too well known for me to need to defend myself in this body. I have always believed, however, when you can not secure the best thing in theory because it is impracticable, you should aim to secure that which is practicable and can be enforced, and which will produce good results. With that statement I do not care to take up longer the time of the Senate.

Mr. KYLE. Mr. President, just one word I wish to say in passing, and that is this: There is but one institution, I believe, in the United States at the present time that knows no law. If the question be smuggling, there is force enough in the United States Government to suppress smuggling; if the question be Mormonism, there is force enough in the United States Government to suppress that; if the question be larceny or almost anything else, regardless of whether it may be backed up by moral sentiment or not, there is force enough in the United States Government to supress it; but there is one institution—and I wish to repeat it—that knows no law, and that is the liquor interest of the United States, which rides over State laws and Territorial laws, and which will ride over the law with respect to the sale of intoxicating liquors to the Indians in Alaska.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1762) for the relief of the University of the State of Missouri.

The message also announced that the House had passed a bill (H. R. 1487) to remove the political disabilities of John R. F. Tatnall; in which it requested the concurrence of the Senate.

HUTCHISON AND SOUTHERN RAILROAD COMPANY.

Mr. JONES of Arkansas. I ask unanimous consent that the Senate take up House bill No. 28, which is on the table.

Mr. COCKRELL. Let it be reported for information.

The Chief Clerk read the bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory."

The PRESIDING OFFICER (Mr. PLATT in the chair). Is there objection to the consideration of the bill at this time?

Mr. WOLCOTT. Is the bill on the Calendar?

Mr. JONES of Arkansas. A Senate bill on the same subject was reported yesterday and is on the Calendar. This bill has passed the House of Representatives, and it is of some considerable importance to the company desiring to build the road that it shall be passed at once. It will not occupy the time of the Senate longer than has already been taken up with the consideration of the question.

The PRESIDING OFFICER. The Chair understands that a similar bill has been reported in the Senate.

Mr. JONES of Arkansas. A bill in the same words exactly has been reported in the Senate. I desire in the room of the Senate bill to take up the House bill, so that it may be passed.

The PRESIDING OFFICER. The Senate bill is No. 148 on the Calendar of the Senate. Is there objection to taking up the House bill at this time?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory." It proposes to amend the act approved September 26, 1890, by adding:

That said railroad company be, and they are hereby, authorized to extend and operate said road, telegraph, and telephone line with like powers and privileges and under like limitations and conditions as are provided in said original act, in a southeasterly or southerly direction from the terminus of said road under said original act, to wit: From its connection with the Santa Fé Railroad at or near the city of Guthrie, in the Territory of Oklahoma, or some point north of there within a distance of 20 miles to the southern boundary of said Indian Territory, at or near a point north of the city of Denison, in the State of Texas.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. The Senate bill on the same subject, being the bill (S. 1023) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company to construct and operate a railroad, telegraph, and telephone line from the city of Anthony, in the State of Kansas, through the Indian Territory, to some point in the county of Grayson, in the State of Texas," approved September 26, 1890, will be indefinitely postponed, if there be no objection. The Chair hears none.

BOARD ON GEOGRAPHIC NAMES.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution of the House of Representatives; which, on motion of Mr. MANDERSON, was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring). That there be printed 10,000 extra copies of the report of the United States Board on Geographic Names, transmitted to Congress by the President on December

23, 1891; 1,000 copies of which shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 7,000 copies for distribution by said Board among the Government Departments, public libraries, and other suitable depositories.

PUBLIC BUILDING AT LEADVILLE, COLO.

Mr. WOLCOTT. I ask unanimous consent that the Senate proceed to the consideration of Order of Business 56, being Senate bill 1045, providing for the erection of a public building at Leadville. I desire to call the bill up out of order, because I expect to be called out of the city in the next day or two, and I very much fear that it may not be reached in its regular order and acted upon while I am here.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1045) to provide for the purchase of a site and the erection of a public building thereon at Leadville, in the State of Colorado.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 12, after the words "one hundred," to strike out "and fifty;" and in line 13, after the words "one hundred," to strike out the words "and fifty;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Leadville and State of Colorado, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $100,000, which said sum of $100,000 is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated.

The amendment was agreed to.

Mr. COCKRELL. I should like to have some information in regard to Leadville, its population, and the business transacted there.

Mr. WOLCOTT. I shall be very glad to furnish the Senator with the information. The gross post-office receipts of Leadville from 1879 to 1891 were $419,000; the net post-office receipts from 1879 to 1891 were upwards of $217,000; money orders issued from 1879 to 1891, $6,045,000; money orders paid from 1879 to 1891, $1,562,000.

Leadville has a population of some 16,000. It has produced in the aggregate something over $170,000,000 of the precious metals since 1879, and its average output was never so great as now.

There is a bill pending for the holding of the United States courts at Leadville, which I believe will pass. The need of a public building at Leadville is very great, and the income which it has brought to the Post-Office Department amply warrants and justifies the expense.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STENOGRAPHER FOR INTERSTATE COMMERCE COMMITTEE.

Mr. PADDOCK. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Illinois [Mr. CULLOM] January 20, 1892, to report it with an amendment in the nature of a substitute. I ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read as follows:

Resolved, That the Committee on Interstate Commerce be, and it is hereby, authorized to employ a stenographer to report hearings before said committee, the expenses thereof to be paid out of the contingent fund of the Senate.

By unanimous consent, the Senate proceeded to consider the resolution.

The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate was to strike out all of the original resolution and insert:

Resolved, That the Committee on Interstate Commerce be, and it is hereby, authorized to employ a stenographer to report such hearings as may be had before said committee in relation to bills proposing amendments to the "Act to regulate commerce," and bills providing for the adoption of automatic couplers and power brakes by railroads, and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

MEXICAN COMMISSION AWARDS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868.

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Massachusetts [Mr. HOAR], on which the Senator from Oregon [Mr. DOLPH] is entitled to the floor.

Mr. DOLPH. Mr. President, I regret the apparent necessity of taking the time of the Senate any longer upon this bill, but I was in the midst of what I tried to make as orderly a presentation of the matter as possible, and I gave notice that I would give way for the senior Senator from New York [Mr. HISCOCK] or the senior Senator from Indiana [Mr. VOORHEES] to-day if they desired to speak, but neither of them being present, I shall conclude my speech.

Mr. MANDERSON. I should like to ask the Senator from Oregon if he can give me any information as to whether this matter will probably occupy the remainder of to-day's session?

Mr. DOLPH. I am unable to state. I am informed that the Senator from Alabama [Mr. MORGAN] intends to make a speech on the bill. I had supposed that probably the senior Senator from New York [Mr. HISCOCK] might desire to say something upon it or the senior Senator from Indiana [Mr. VOORHEES], but I judge that neither one cares to speak upon it. I shall therefore conclude what I have to say in at least three-quarters of an hour and I shall condense as much as possible.

Mr. MANDERSON. I do not desire that the special order set for 2 o'clock shall loose its place by reason of any abandonment of the bill during the session——

Mr. PADDOCK. I should like to inquire of my colleague as to the nature of the special order set for 2 o'clock.

The PRESIDING OFFICER. The Chair understands, if the Senator will permit, that the special order will be the next business in order after the disposition of the unfinished business, by the rules of the Senate.

Mr. MANDERSON. Whether that shall be a conclusion by reason of the action of the Senate upon this bill or whether it shall be simply a temporary abandonment.

Mr. DOLPH. There will be no temporary abandonment of this bill. I intend to press its consideration until it is concluded.

Mr. PADDOCK. May I inquire of my colleague what is the special order to which he has referred?

Mr. MANDERSON. The printing bill.

Mr. DOLPH. If no one wishes to speak after I have concluded I shall ask for a vote, but, as I have already informed the Senator from Nebraska, I understand the Senator from Alabama [Mr. MORGAN] desires to speak. I am not informed that any other Senator desires to speak upon the bill.

The PRESIDING OFFICER. The Senator from Oregon is entitled to the floor.

Mr. DOLPH. Mr. President, when I closed on last Thursday I had been reading from press copies of the letters written by the agents of the La Abra Silver Mining Company at the mines in Mexico to the officers in New York and from Mr. Garth, the treasurer of the company in New York, and had shown by those letters conclusively that for a year before the alleged abandonment of the mine, the officers in New York had refused to furnish any money to work the mines, had refused to pay drafts that were drawn upon them, had constantly instructed their agents at the mines not to draw upon them, and told them they must rely upon the proceeds of the mines in order to pay expenses, that the agents had been constantly asking for money, had been drawing drafts upon the officers of the company in New York, and had more than once notified the officers of the company in New York that unless money was sent the mines must be abandoned, and finally all the employés at the mines had been discharged; that is, no one was left at the mines but Exall and Granger, and Granger had left the mine and gone to New York.

I said that was sufficient under discussion, but upon reflection I think perhaps I ought to quote from some letters of Exall to Granger, written after he had arrived in New York and while Granger was at the mines, because Senators will recollect it was alleged in the petition, and stated in the testimony of the claimant before the Mixed Commission, that the Mexican Government had driven this mining company from their property about the 20th of March, 1868. Now, if I read letters from Exall subsequent to that time, written in New York to Granger, who was at the mines, that will show conclusively that Exall's testimony before the Mixed Commission in regard to this matter was willfully false. I have already read from a letter written by Exall to Granger from Mazatlan on the 15th day of March, before Exall left that seaport. I now read a short extract from a letter written by Exall to Granger at San Francisco on April 7, 1868, nearly a month after it was alleged that they had been compelled to abandon the mines. He says:

Since being here I have seen Ralston of Bank of California; he and I had long consultation, which resulted, in his opinion, that the affair had best be prosecuted in New York. I wrote you from M.—

That is Mazatlan—

in reference to my conversation with the German house in that place. Elder I have not seen, he and Belshaw having gone in the mining region to look after some mines. Cullins I saw once passing through the reading room of the

hotel where I stop, American Exchange. I did not speak to him; don't think he saw me. I have determined to go on East; think it best I should do so, as the affairs of the company can and must be decided at once, and I can, from New York, get to M. in twenty days; so you see this is the speediest way to settle the thing. For God's sake keep everything in as good shape as possible, and in event we have to fall back on the property, it will be in such condition that we may be able to realize something from it.

That is, in payment of his salary and Granger's salary, which were unpaid for a year.

It is hardly necessary to give any further instructions, as I have previously written all that I could on the subject, and you, knowing as well as myself, must be guided by your judgment.

After he reached New York, and on May 8, 1868, two months after it was alleged the company were driven out, he wrote:

"MY DEAR GRANGER: * * *

Of course on the first day of my arrival here I saw nothing of the company. The day after I went down and saw Garth. Had a long talk concerning affairs, and, contrary to our expectations, gave me no satisfaction; didn't seem to intend to do anything more. I have seen him several times, but have got nothing from him of an encouraging nature. He seems disgusted with the enterprise, and, so far as regards himself, intends to do nothing more, or have nothing more to do with it. Well, I then went to see one of the stockholders and directors, who talked a little better. It seems there is a party here who has been after Garth and this stockholder mentioned, to sell the mines to a wealthy party who are now successfully mining in California. This party have been after these gentlemen repeatedly, endeavoring to get them to sell the mines, etc., they bearing all expense and giving the present company so much stock.

This party are not now in New York. One of them has gone to hunt up De Lagnel to get all possible information concerning Tayoltita, etc. In addition the party will pay up all debts against the company. From what this director tells me, they seem in earnest. They are not aware of my arrival; have been written to informing them of the fact, and I will probably be brought in contact with them before long. Now, as you and I are the principal creditors—I haven't been able to get a cent from them—"the company"—and the thing being in my hands, if this party intend buying, we can and will make a good thing out of it. Those of the company I have seen have turned the affairs over to me; so, in case anything can be done with this party, don't be afraid of your interests—all accounts at the mines are under my control—as yours will be looked to in conjunction with mine. All now depends on what can be done with this party, and more information concerning it I am unable to give until seeing them. I have informed the company that they shall do nothing until you and I were paid, which seemed satisfactory.

Telling him what he shall do with the mines, he says:

You can extend Ariza's "Guarismey" privilege "if he wants it" another 3, 4, or 6 months; don't extend Guadalupe's more than a month at a time; do the best you can under the circumstances, using your own judgment, being guided to an extent by what I have written.

I wish I could send you some means to get along with, knowing you must be having quite a rough time, but am unable. I expected to be paid up here; its not having been done plays the devil with my arrangements. Since my arrival here the weather has been exceedingly unpleasant; raining nearly all the time. New York is exceedingly dull; business much depressed; the political state of affairs of course has everything to do with it. Johnson is not yet impeached, and heavy odds are bet in Washington against the impeachment. Many changes have taken place since I was here last. Old friends I left, bookkeepers, clerks, etc., many are now doing business on their own accounts, but have a hard time of it on account of the state of affairs here. To-morrow I intend to take a run down to old Virginia, to see my folks. My mother and a sister are in exceedingly ill health; expect to be gone from here only a few days. I have now written all that bears on the important subject with us. Would write more definite, but, as you see, I am now unable to do so.

Then, on the 15th of June, Granger, still at the mine in possession, Exall, in New York, wrote him again:

DEAR GRANGER: In my letter written in May I informed you of the possibility of my being able to do something with the Abra affairs through other parties. (The old company manifest the utmost indifference regarding or in reference to everything belonging to or connected with their affairs in Mexico, and have virtually given everything into my hands.) I also informed you I would communicate with you by mail of the 1st of June, giving you something definite. This I was unable to do, which will show to you by reasons which I will give. After my arrival here I was informed that some parties had been here consulting with one of the stockholders in reference to purchasing their affairs in Tayoltita. This party, on my arrival, were in Philadelphia; so I was unable to see them. After remaining here some eight or ten days, awaiting them, I went to Virginia; remained there some days, when I was informed of the arrival in New York of the parties above mentioned. I hurried on immediately; it was then too late to write by 1st of June mail. Since being here I have seen these people daily, and have given them every information which would tend to make them think favorably of the property—given statements, accounts, inventories, indebtedness, etc., besides speaking as favorably of the property as possible.

Now, this was written on the 15th day of June, after they say they were turned out of the mine, when Exall was trying to get a company organized to buy the property and proposing to turn it over to them. He says:

The proposition of this company that is to be formed is to pay off you and I to start with, and give a certain interest to the old company. (The old *company refuse to pay us our dues*—

Underscored—

(The old company refuse to pay our dues, and we are totally unable to recover anything from them.)

Bankrupt, and Granger in charge of the mine!

I have given these parties a condensed summary of accounts of La Abra S. M. Co. I inclose a copy. You will see it *does not*—

Underscored—

does not accord with the books—

His account with these parties—

but I gave it this way, as requested by the party who is endeavoring to start the co. An inventory of stock, as nearly as I could recollect, endeavoring not to go over the amount which I supposed on hand.

Then he says:

To be a greater inducement to these parties to purchase, and let them see I had confidence in the mines, at their request I have agreed to take in stock to the amount of $2,000, and have taken upon myself to act for you to the extent in stock of $850. This, I hope, will meet with your approval. Should anything occur, let your statements accord with mine. These parties leave for Philadelphia in a day or two, and will be able to report definitely in a week or two, when I will write you immediately, giving you all points in detail. I should not like these parties to come in contact with Green, Martin, or any one who would prejudice them, etc. If we can succeed, as I have stated here, we will be doing well as things are situated. Send me, as soon as possible, power to act for you. I can imagine your feelings away out in that damned gloomy place, and truly sympathize with you, and doing all in my power to get you away as soon as possible. Affairs here are very dull, little business doing. My health has been very much shaken since coming on; suppose it results in change of climate. The weather here has been, since my arrival, so damp, rainy, and disagreeable. Please do, as far as in your power, as I have suggested. The books don't let anyone see, for reason which will occur to you.

He did not want anybody to inspect the mines and find out what a bad condition the affairs of the company were in. Also, in the letter of July 18, Granger still at the mine, Exall still in New York, says:

Since writing my last I have seen the parties frequently, and have had long conversations with them in reference to raising this company and the payment of its indebtedness. The indebtedness to you and me they seemed willing to liquidate and take their chances with the rest. In my previous letter I instructed you in reference to the figures representing your and my amount; keep it as it is, but make no entry. This party have gone to work, and I believe will succeed in raising a company in a month or two. I have not been with them for the last week. My time has been spent partly in New York and partly in Virginia. Was in New York during Democratic conventions; an immense concourse of people assembled there to take part and see what was going on. The weather during the time was oppressively hot, almost unindurable. I arrived here on the 14th, and as I have nothing to do will remain here awhile. New York and in fact in all the States it is excessively dull, a complete stagnation of business. There is one other thing I did some weeks ago, as I thought I had best make as sure as possible about getting my pay. It was this: I entered suit against the company, not with the expectation of recovery just yet, but something to fall back on in case this company was not formed. Recently there has been a better show for raising the company than ever before. So I just let the suit remain over in a manner in which it can be revived at any moment. I want you to send me your statement and your power of attorney to act for you in case I found it necessary to continue the suit; if I succeed in recovering for self—

It seems he sued the company in New York—

could probably recover for you. The amount to be sued for is the just amount due me at $3,500 up to time of my demand on them in person for a payment and for my traveling expenses, etc. I will inform you in time to make proper entries, sending a list of expenses, etc. If I have to deal with a new company I want to get out of them all I can; if with the old one I must deal with them strictly. I will in time write you as things develop. By all means keep the mines secure, particularly the Abra—don't allow any one to touch the books or don't give any statements—these affairs are in our hands, and without satisfaction we must not do ourselves injustice.

Remember that this letter was written in Richmond, July 18, to Granger in possession of the mine, while Mr. Exall swore that they were turned out of the mine about the 20th of March of the same year.

As to the alleged hostile acts of the Mexican authorities and people: The claimant's memorial, besides charging various specific acts, contains general charges of acts of violence, persecutions, and outrages by the Mexican authorities and people, which are alleged to have so alarmed the employés of the company and to have so interfered with the working of the mines that it became necessary to abandon them. If these allegations had any foundation in fact, some statements would undoubtedly be found in the letter-book and letters constituting the correspondence between the superintendent at the mines and the company's agents in New York to sustain them; on the contrary, this correspondence—

What I have read from it shows that this is a correct statement—

shows that from the very beginning of the company's operations it was specially favored by the authorities. Bartholow, the first superintendent, reported to the New York office in a letter, a copy of which is found in the press-copy book, that owing to the war between the Mexican Republicans and the French, and the consequent interruption of business, he would not have been able to secure the transportation of the machinery and supplies except for the military protection and permits granted him by the Republican authorities.

That is from Mr. Bartholow, one of the witnesses who was examined to sustain this claim before the Mexican Commission.

He also, as it appears, resorted to the expedient of placing the hired mule trains in charge of Americans to secure their exemption from impressment.

That is to say, these mule trains hired from Mexicans were safer placed in charge of Americans than they were in charge of the Mexican owners. That is all it amounts to. I read from Bartholow's letter, page 239, a letter written from Hacienda, La Abra Silver Mining Company, Tayoltita, February 6, 1866, to D. J. Garth, of New York. He says:

I have succeeded in getting our business pretty well systematized, as follows: As above stated, Mr. Cullins has charge of mines and mining, and works his hands according to his own judgement, discharges any that do not suit, and no one has a right to instruct or interfere with him but myself, he being responsible to me alone. J. V. Hardy has charge of the store on pretty much the same principle; Mr. Griffith, William Grove (a new man from Saline County, Mo.)—

He was the man who was killed—

and Dr. Hardy has charge of all the pack trains; each manages and controls a train; this is necessary for the reason that if some American in the employ of the company is not constantly with the trains there is great danger, if not a certainty, that the animals would be taken by the military authorities, and besides I could not get the Mexicans to pack for us unless I agreed to do this; besides, with this arrangement I have a guaranty that my men, animals, and effects will not be interfered with.

He says he has a guaranty that if he puts an American in charge of these hired packing trains they will not be interfered with. This is Mr. Bartholow. I was going to read on the same subject from page 240, but I will not stop to read that quotation. I read from the statement by De Lagnel, passing rapidly over it, found on page 108 of this report. Mr. Foster says to Mr. De Lagnel, who the Senator from Missouri says is worthy of all credence:

Q. I understand that your company was able to carry on your enterprise during the time of your superintendency without serious interruption?
A. Never had any from the Government.

That is Mr. De Lagnel, who is a truthful witness.

By the CHAIRMAN:

Q. At the time you left those mines did you see anything in the conduct of the Mexican people or Mexican Government to indicate that it was unsafe to continue operations there?
A. No, sir; when I left down through the country I could have come alone just as lief as with twenty men.

Now I read from the report of the committee:

Prorogues or special privileges and waivers of forfeitures, as to the working of the mines, were several times granted to the company by the authorities during the period covered by its operations. Suits instituted in the courts to protect the company's titles and rights were decided in its favor. Special indulgence was shown to the company respecting the exhibition and record of its title. The letters of the superintendents found in the letter book show conclusively that whatever difficulties occurred with the officials arose mainly from the inability of the company to meet its financial obligations. The superintendent wrote to the New York office October 6, 1867—

That was Mr. Exall himself whom I have quoted—

"There is no difficulty about the authorities, boundaries, or anything else concerning the mines or hacienda, provided there is money on hand, and money must be sent."

In the matter of prorogues I refer to page 280, a letter from De Lagnel to Garth, in which he says—now mark:

This—

Speaking of the Guaripamey mine—

This, as all other mines we hold, is secured by prorogues newly obtained.

That is, he has secured new prorogues, exemptions from working the mines for a definite time. All the mines, including the one under discussion, had special favors on the part of the Mexican Government. I also read from page 284:

The Guaripamey property I have secured until next January by prorogue, but I doubt whether I will be able to cover it after that date, as I suspect certain parties of being on the watch to denounce it, desiring to work it; therefore they will operate to prevent the grant to me of further indulgence.

But he had already obtained an indulgence from the Government in regard to that particular mine. I also read from page 288:

As I have already stated to you, all the mining property has been covered by prorogues up to January next.

All their property. They had received special indulgence from the Mexican Government and permits to keep their mines without working till the first of January.

I have already quoted from Exall's letter in regard to title papers, where he says they must be sent; that there will be no difficulty about the title; and also from a letter showing that there would be no difficulty about it provided they have money to work the mines and pay their employés.

I have a reference here to the testimony upon this subject showing that they were specially favored by the Government, but I shall not follow it, as I desire to hasten to a conclusion. I read from the report of the committee:

One of the specific acts alleged to establish the charge of hostility on the part of the Mexican authorities is the imprisonment of the superintendent, Exall. In his deposition before the Commission Exall states that he was arrested by the local judge; that without any form of trial or knowledge of offense he was sentenced to two months' imprisonment, fined $50, and thrust into prison.

In a letter which Exall wrote to the prefect at San Dimas, the official superior of the local judge, a copy of which is found in the letter-book, all the details as to the causes of the arrest are set forth. His own account as there given contradicts his deposition, and shows that his detention must have been of a trivial character. The evidence does not show that he was actually imprisoned. It was an arrest under which he was detained for an hour or so, and was not of sufficient consequence to be mentioned in his correspondence with the New York office, and does not appear to have interfered with his duties as superintendent.

That is one of the main allegations of wrongful acts of the Government, and I propose to read from Exall's own letter an account of it in contrast with his testimony. It is found on page 317 of the report of the committee. I will ask the Chief Clerk to read that letter, beginning on page 316.

The PRESIDING OFFICE (Mr. PLATT in the chair). The letter will be read by the Chief Clerk.

The Chief Clerk read as follows:

C. JEFE POLÍTICO, *San Dimas, Durango:*

DEAR SIR: This morning about 11 o'clock Sr. D. Gicanor Perez came into the store belonging to the hacienda, looked around, saluted us, and then walked into the storeroom adjoining the store, the time I was behind the counter, and seeing him in there where no one was ever allowed without permission, I, in as polite Spanish as I was master of, requested him to come out, and after he came out I shut the storeroom door. He then asked me if I thought he was a rogue and wanted to steal. I told him, as well as I could, certainly not, and that the reason of my asking him out was that no one was ever allowed in there without permission. He then stated that he was there on official business, and wanted to see Matias (our ——), who was at the time working in the storeroom. I immediately called Matias out and he and the —— then went outside of the store. A few minutes afterwards he returned and talked in a very excited manner, feeling himself much insulted. I told him nothing was meant by what I had said, and he left and returned to ——.

At about 12½ o'clock, just as our dinner bell had rung, a mozo brought an order from the judge, which I inclose. After we had eaten, Mr. Slone went up to see the judge. He had collected around his house a number of men, and in the house preparations had been made as if resistance was expected and force might be required. After getting into his room I requested Mr. Slone to ask him, as I was unable to ask him myself, what was the business he wanted to see me on. He replied he had been grossly insulted, and pushed out of the store, when he was on official business. This I of course denied in a most emphatic manner, having acted only as before stated. I then told him that in requesting him to come out of the storeroom I had no intention of insulting him or hurting his feelings, but was simply enforcing the rules of the hacienda in not permitting anyone to go in the storeroom without permission. This he would not listen to, and persisted in saying I intended to insult him. I of course did not, and, from my ignorance of the language, could not argue the point.

After some time spent in talking to this effect, I asked him if he had gotten through with me, as I desired to return to the hacienda. He replied, yes; he had finished. Mr. Sloan and I then left, and bid him good-by. As we reached the corridor he said he never wanted to see me in his house except on official business. To this I replied, "Very well, sir," and turned to leave. He called me back, saying not to go; if I did he would send a force after me, and they would shoot, and insisted on my return into the house. I did so, without any remark. He then said I was his prisoner. I then requested him to know what was to be done. He said he would put me in jail until he could receive instructions from San Dimas. I remained passive, and he then gave full license to his tongue, abusing me in the most violent language. Then and several times I repeated my statement of the occurrence in the store. To this he paid no attention, and treated me with utter contempt, and persisted in his intention of putting me in jail until he could hear from San Dimas, and would listen to nothing that I might say. After being his prisoner for an hour, not being allowed to speak to anyone, and being guarded, I asked if he intended putting me in jail please to do so, as I had a headache and wished to lie down. He then gave me permission to go to the hacienda, but to consider myself still his prisoner, and at his house whenever ordered.

My dear sir, I have before given you as minute a state of events exactly as they occurred as 'tis possible to write, and from which you will see that if I have given any cause to Dn. Nicanor to imagine himself insulted, it was done ignorantly, as nothing was further from my thoughts than insulting him or hurting his feelings in any manner, and I submit it to your judgment whether I deserved the treatment which I have been subjected to, abused and insulted without any provocation and have no redress left me. But for being a prisoner I would come and see you in reference to the matter, but unfortunately necessity compels me to write.

Dn. Nicanor intends writing to San Dimas, and will of course give his version of the affair. Please act on this immediately, as I don't care to be any longer under restraint than possible.

Yours, most respectfully.

CHARLES H. EXALL,
Administrator La Abra Silver Mining Company.

TAYOLTITA, *January 7, 1868.*

Mr. DOLPH. It will be seen by this letter that Mr. Exall was requested to appear before the local judge; that he went and remained there an hour, and then inquired of the local judge if he proposed to imprison him. The local judge told him he could go to the hacienda, but to consider himself a prisoner; that he proposed to detain him until he could write to his superior officer in regard to the matter, and that appears to have been all there was of it; Exall was not confined, and he did not consider the matter of sufficient importance to communicate the fact even to the officers of the company in New York. I have read his own statement of the whole affair. I read further from the report of the committee:

The action of the local officials, Mora and Soto, is relied upon by the claimants to establish interference by the authorities in the working of the mines, and their orders to the superintendent were produced before the Commission. These orders show upon their face that they were occasioned by an alleged failure of the superintendent to observe his contract with the miners, by which they were to be paid two-thirds of their wages in goods from the company's store and one-third in cash. The failure to make the cash payment led to the interefence of the local magistrate, which was authorized by the Mexican mining laws.

The last of the orders or letters of the judge to the superintendent is dated July 10, 1867. In the letter book is found the answer of Superintendent Exall, dated July 11, showing that he was at fault in the matter in controvery, and that he had made a peaceable and satisfactory arrangement with the workmen. He closed his letter by expressing the hope "that with this there may be the most friendly understanding about this affair." The matter was reported to the treasurer in New York in a letter by Exall, dated July 13, in which he describes it as "a little spat with the officials which was gotten through without much trouble," adding, referring to the workmen, "we can do better with them when they are a little hungry." Subsequent letters, from Exall to the New York office, show that the company remained in quiet possession of the mines for at least one year after these orders, and that they had no influence in bringing about the abandonment of the property.

The orders may be found on page 360 of this report. This is an order issued from a court of justice in accordance with the mineral laws of the district, it is the order which has been relied upon to show that they were prevented from working the mine:

"2D COURT-CONCILIADOR,
"TAYOLTITA."

"*To the Superintendent of the Abra Reducing Works:*

"By the communication of yesterday, dated the 3d, received from the gefe politico of San Dimas, I notify you that if you do not intend to work the Abra mines as they were formerly worked, upon the system of "thirds," that you immediately vacate the mines, to allow the operators to work them on their own account, without further loss of time."

"Liberty and reform. Tayoltita, July 4, 1867.

"GUADALUPE SOTO."

Here is another:

"2D COURT-CONCILIADOR,
"TAYOLTITA."

"*To the Superintendent of the Abra Reducing Works:*

"The court notices, with the greatest displeasure, that twenty-four hours have elapsed since it addressed you a communication, to which you have made no reply You are ordered to arrange your work with the operatives within two hours; and if you come to no arrangement, you will vacate the mines, so that they may lose no more time."

The letters of the superintendent and the testimony taken show what the method of payment of these men was and that this was a mere interference of a court of justice to secure the rights of the laborers under their contract with the company.

I read from the testimony of De Lagnel, found on page 71 of this report:

By the CHAIRMAN:

* * * * * * *

Q. Before you proceed, what was your method of paying; what proportion of goods and what of money?

A. I think at that time I was paying them one-third of their weekly earnings in money; we did not pay them entirely in money.

Q. Before that time what was it?

A. It was half and half when I first arrived. But afterwards, on account of the reduction of the amount of ready money on hand, they agreed to take two-thirds of their pay in goods and one-third in money.

By Mr. FOSTER:

Q. And the goods were furnished by the store owned by the company?

A. Yes, sir.

I now read from Exall's letter to the public functionary found on page 303 of the report concerning this same matter:

TAYOLTITA, *July 11, 1867.*

To the Political Chief of San Dimas:

DEAR SIR: Your letter of the 10th instant was received last evening, and from its contents I thought that no answer was expected, and I had no intention to reply to it. This morning I was advised that the answer was expected by you. In respect to the compromise of which you spoke, it was made while I was in Mazatlan, to last until I should return, and then I was to arrange with you as best I could. And if you had known the circumstances and causes which led to the paralyzation of the works it would have been apparent to you that it was not possible to do otherwise. I have offered to the operatives all the mines, to be worked on shares by the carga, and some are already at work, and desiring that with this there may be the most friendly understanding about the affair, I am, your most humble servant.

CHARLES H. EXALL.
Supt. La Abra S. M. Co.

That is the way that matter was disposed of, and in writing to the company, in the letter found on page 307, he says:

When I received your letter by Sr. M. I was working the Abra, Cristo, Luz, and Arryan, a small force in each. Seeing the decided manner in which all further aid for the present was refused and the injunction to cut down all expenses necessitated my stopping off the whole force from the mines. As I had only a short time previous reduced the cash payment from one-third to ——— (which occasioned a stop for eight or ten days, which I was glad of, as it was so much clear gain, and a little spat with the officials which was gotten through without much trouble), I thought it best not to stop off immediately, but prepare the miners for the change.

Then there is another allegation which I will not stop to read. They alleged a large amount of valuable ore was carried off. It will only be necessary in regard to that allegation to read from page 311 of the report:

There is no difficulty about authorities, boundaries, or anything else concerning the mines and hacienda, provided there is money in hand, and money must be sent.

And also from De Lagnel's testimony, on page 73:

By the CHAIRMAN:

* * * * * * *

Q. Did those Mexicans work faithfully?

A. Always, to my knowledge, so far as I know.

Q. They are a good set of laborers?

A. They were a quiet, good set of men. They are easily influenced, and when animated by evil-disposed persons or by some supposed grievance they are very bad fellows to deal with. On the other hand, if treated fairly and rightly they are amiable.

The same witness details in a long answer found on pages 72 and 73 that there was no robbery at the mines and that there was no ore carried off. The report says:

Another specification in the claimants' memorial is that "the authorities repeatedly seized mule trains of the company loaded with provisions and appropriated the same to their use." The superintendents—Bartholow and Exall—in their depositions before the Commission swore that the company owned large trains of mules engaged in transporting its machinery and supplies from Mazatlan, the seaport, to the mines, and that these trains were repeatedly seized and confiscated by the Mexican troops. One witness estimates the company's losses on this account at from $75,000 to $100,000 and another at $25,000. But there are only two seizures which are specified with any certainty by the witnesses before the Joint Commission—the one when George Scott, an employé, was robbed of $1,200, and the other when William Grove was murdered.

It appears from the letters, copies of which are found in the testimony of witnesses taken before the committee, that the company never owned any mule trains, but that all its transportation was conducted by hiring mule trains owned by Mexicans. When Bartholow, the first superintendent, turned over the mines and property to his successor the company only possessed twelve mules.

Those they used around the mine. This fact is shown by the evidences of the property on hand, the inventory of the property on hand at the time the mine was turned over from Bartholow to De Lagnel, or by the receipts given for it at the time.

It is also apparent from letters—

Those I will not stop to read. It is shown that they never owned a mule used in packing; that they hired all their packing done by Mexican trains, and as I have already stated, they put an American in charge of the train to prevent the seizure of the mules by the Mexican authorities, which might have been seized if they had been found in the hands of their own citizens.

Then comes a minute account of the robbery of Scott and the murder of Grove. I have already interrupted the Senator from Missouri to read the account of the murder of Grove as given in the letters, and in De Lagnel's letter as superintendent of the company written from the mine to the treasurer of the company in New York, from which it appears that Grove was murdered for his money by a person in the employ of the company, who followed him up for that purpose, and the Mexican authorities had him speedily arrested and tried, and while he was not convicted for that he was convicted for killing a woman and was shot. I will not take up the time of the Senate to read the testimony on that point, as I have already read all that is necessary upon it. The report says:

Prominence was given by the claimants before the Commission to a forced loan of $1,200, alleged to have been collected by a Mexican, Col. Valdespino, from Col. De Lagnel when he was superintendent, and it was also charged that $3,000 or $4,000 of illegal taxes were exacted while Bartholow was superintendent. The full correspondence of Bartholow with the Mexican tax collector and Gen. Corona is found in the letter book, and in inclosing copies to the treasurer in New York he says:

"The result was, instead of paying the amount of $3,000 or $4,000 as was demanded, we only paid about $30."

That is what Gen. Bartholow said in his letter to the company in New York. That is, on the taxes upon their property they got a reduction from $3,000 or $4,000 to $30.

The facts as to the forced loan of $1,200 are also fully set forth in the copies found in the letter book. Col. De Lagnel, the superintendent, wrote the day after he received the notice, July 28, 1866, to the military commander, Valdespino, and also to the prefect of the town, remonstrating against the levy, and informed them that he had no money with which to pay it, and sent, for the use of the soldiers, four pieces of cotton cloth as a token of good will; and that was the end of the affair.

They never pressed the assessment against them nor attempted to collect the tax. They received the four pieces of cotton cloth which were sent, and that ended the affair.

Col. De Lagnel was examined as a witness before the committee upon this subject and confirmed the statement concerning the matter appearing in the correspondence in the letter book.

Again I read from the report:

The assertion of the claimants that the letter book and original letters of the officers and agents of La Abra Company were in possession of Mexico, and might have been produced at the trial before the Commission, is not proved. Col. De Lagnel, one of the superintendents at the mines, testified before the committee that the letter book was left at the mines with the other books and papers of the company when he transferred the charge of affairs to Exall, the superintendent who succeeded him. Exall's letters, after he left the mines and went to New York, show that the books and papers were placed in charge of Granger, his assistant.

Two years after the abandonment Granger produced and delivered to the agent of the company sent out to Mexico to collect testimony to establish its claim, the only original records or papers of the company ever filed by it before the Claims Commission, and these papers Granger declared, in his deposition before the Commission, came into his possession as clerk of the company, and had not up to that date (May 14, 1870) passed out of his possession. The Mexican minister has stated to Secretary Bayard, in an official communication, that the letter book of La Abra Company and the original letters of the treasurer, Garth, and of the superintendent, Exall, were delivered by Granger to the Mexican Government in December, 1877, or two years after the award had been rendered.

It will be borne in mind not only that this testimony shows conclusively the falsity of every claim made before the Mixed Commission by the La Abra Company in regard to the interference with their working of the mine in Mexico or their being deprived of their property; shows that the claim originated in fraud; that all testimony that was pertinent to the inquiry filed before the Commission was fraudulent and false; and that our Government was imposed upon. There is another matter which should be considered. It appears that two hundred and forty thousand dollars and over has been collected of the Mexican Government and paid to these people. They have received now on this false and fraudulent claim as much money as they ever invested in the Mexican mines, paid in by the Mexican Government on this award.

By the bill now before the Senate for consideration it is not proposed to ask these people to refund that money. Probably it could not be collected. It is not proposed that our Government shall refund it to the Mexican Government. All that is proposed is that judicial inquiry shall be had to ascertain whether this claim is as fraudulent as it is claimed to be, and if it is, that our Governmeut shall return the money to Mexico which has not been distributed to the claimants, and if this award is found to have been properly made, that the money shall be distributed to the owners.

I do not think that I need to take up more time upon this bill. I have now made, I think, a sufficient statement to show every Senator who has followed me with any degree of attention that this is a fraudulent claim; that the United States was imposed upon, and that the honor of this country demands that some-

thing should be done looking towards the return of this money to the Mexican Government.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts [Mr. HOAR], which will be read.

The SECRETARY. It is proposed to strike out section three of the bill in the following words.

SEC. 3. That an appeal from any final decision in such cause to the Supreme Court of the United States may be taken by either party within ninety days from the rendition of such final decree, under the rules of practice which govern appeals from said court; and the Supreme Court of the United States is hereby authorized to take jurisdiction thereof and decide the same.

Mr. MORGAN. Mr. President, the absence of Senators from the Chamber during all the time of the discussion of this measure, involving more directly and more seriously the question of the honor and duty of the United States Government than any question that has occurred in the history of this Government for twenty years indicates, to my mind, either that there is a foregone conclusion in favor of our duty in the passage of this bill, or that there is a foregone conclusion against it; for after four Presidents of the United States and their Secretaries of State have earnestly recommended Congress to investigate this subject and to pass measures of the kind now pending before the Senate, and after the elaboration of this case through closely printed pages, amounting to more than 3,000 pages of printed matter, I can not conceive how there can be anything of indifference connected with the case, except that which results from a long consideration of it or from having heard for a long time that it was pending.

I should do myself a personal injustice and I certainly should not do the country or the Senate any service by attempting to go over even in a brief résumé all of the history attending upon the legislation in reference to these two awards or the evidence which it has been found necessary to consider in order to reach conclusions. I became connected with this matter by the reference of it to me as a member of the Committee on Foreign Relations some twelve years ago, and then after a due investigation of it, but following only what the Senate and House had previously determined, being satisfied that it was my duty to present this claim to the consideration of Congress in a proper way, and that that duty was due more to the United States Government and to its honor and reputation than it was to the foreign Government, I have gone on laboring amidst all kinds of difficulties and amidst great embarrassments; and it has been only recently that I have had the active assistance of the other members of the Committee on Foreign Relations. The Senator from Maine [Mr. FRYE], who is on my left, has always taken a prominent and earnest interest in this matter. The Senator from Oregon [Mr. DOLPH], who has just concluded his remarks, against what I think were his original convictions on the subject, has become its ablest and best expounder, its most forceful representative on this floor.

The argument which the Senator from Oregon has submitted on the La Abra case, its history, and the evidence upon which the present action of the Senate is sought to be founded, is really unanswerable. It is made unanswerable by the fact that the witnesses who were brought forward to sustain this case in the outset have impeached themselves and have also been impeached by their writings and by their acts, proven by other and independent persons; and they have been impeached in a circumstantial way, so as to show a picture here before the country of the most daring and least excusable outrage upon justice, law, propriety, honesty, and decency that has ever been perpetrated in this country except one, and that is the case which succeeds it upon the Calendar.

What ought to be done in this case and in the case of Weil, which is to follow this, is simply a joint resolution or an enactment on the part of the Congress of the United States that the money which remains in the office of the Secretary of State or in the depositary of the Government resulting from this fund and not heretofore distributed shall be repaid to the Government of Mexico. We have not realized any interest upon that fund because it has never been invested by the State Department. Hence it would probably be improper that we should undertake to make any payment of interest compensation, for after all the Government of the United States is not to be blamed for its inattention to the subject, as will appear, I think, from a little recital which I shall make of the circumstances that attended the presentation of claims before that Commission.

But we ought really in justice to our own reputation and in justice to Mexico to vote this money out of the place where it is deposited into the hands of Mexico. However, we can not do that without assuming to the Senate of the United States and to the House of Representatives the impossible attitude of really understanding and considering all the facts of this case in the light in which they would be understood by a court of justice upon a full and fair investigation. It is not expected that four hundred and odd legislators will be able to inform themselves of the facts of a case like this, comprising that vast mass of printed testimony as to all of the particulars, so as to be able conscientiously to vote their judgment upon the evidence as judges as to whether it ought to be repaid or not.

Congress saw this when the matter first came to its attention, and it resolved that certain tribunals of the country might be resorted to for the purpose of arriving at a final ascertainment of the facts of these transactions, so that justice might be done and the honor of the Government of the United States might be preserved. Three functions of the Government were in contemplation of Congress at the time the fund was first sought to be distributed: the treaty-making power between the Government of the United States and that of Mexico; the judicial power of the United States as a Government, and the legislative power, by which we would either vote the money back to Mexico or we would confer authority upon one of the other branches which we alone can confer to consider the question and to finally decide it.

When this award was made there were a vast number of claims against Mexico and against the United States that were presented to the Commission, and I have not a doubt that the Commission did all they could to further the ends of justice in making their awards, nor have I any doubt that the umpire, Sir Edward Thornton, did his whole duty in the examination of the cases. When the matter was submitted to him in consequence of a division of opinion between the American and Mexican commissioners for his final arbitrament, I have no doubt that he acted with the utmost good faith. At the same time I think it is quite evident that the learned minister did not comprehend the full legal situation and the full powers that the law entertained to take in review and pass upon the cause as it was presented to him and as it was sought to be presented to him in the motion for a rehearing which was submitted to him before his final award had been made, or at least before his award had been made final by his refusal to go into that matter.

I wish to read from Mr. Ashton's report, to show the Senate how it is that this matter was so embarrassed with difficulties while the Commission themselves were considering it. Before doing that, however, I wish to call the attention of the Senate very briefly to certain political situations at that moment of time that have now become historical in this country on the part of the Government of the United States and the Government of Mexico.

This convention was agreed upon on the 4th day of July, 1868. In 1865, in May, or June, we might say, our civil war had ended. We were trying as best we could to adjust the sad relations which had grown out of that great struggle amongst ourselves. The Austrian and French Governments had invaded Mexico about 1862, as I remember the time of the invasion, pending our struggle here, and their war continued about two years later than ours did, so that it was some time late in 1867 when Maximilian was captured near Queretaro, and was executed, and that war might be said to have come to a termination.

We all understand here the turbulence that existed in the United States among these well-established and ancient States of the American Union, and among the people who understand all about public and constitutional law and had every possible facility for readjusting their relations with each other, and where the conquering power in that struggle was so overwhelmingly triumphant as that all opposition to the Federal forces and Federal power of the United States was literally crushed out. And yet we had our struggles in courts and elsewhere of a most serious character in bringing back a proper readjustment of our political relations among these great States. Mexico, on the other hand, was shaken in every department. Her State governments had been more or less intermingled with the controversy between Maximilian and the Republic of Mexico; and I suppose that there was no country where a civil war could be said to obtain that was ever in a greater state of agitation and confusion than Mexico was at that time.

Mexico, forgetting the results and events of 1846 and the subsequent years, and feeling very grateful to the United States, as she ought to have felt, for the intervention of Gen. Grant and other distinguished men for the purpose of relieving Mexico against the pressure of a foreign power, readily entered into a convention with us for the settlement of all the claims of American and Mexican citizens reaching back to the treaty of Guadalupe Hidalgo. It covered all of that intermediate ground. Neither Government was in a condition to present those claims in that authentic form which our own law requires shall be done and which the diplomatic history of this country has proven so thoroughly should be adhered to and practiced in all such arrangements; that is to say, that each government in such conventions, always assuming to the other government its political responsibility to that government for whatever claims its people had against the foreign government—each assuming that obligation

to the other, comes forward and becomes the claimant, the demandant for a settlement in such a convention. It does this in its own name; it does it upon its own responsibility. The award when made goes to the government and not to the individual whose equitable rights may be involved or may be the predicate for this action on the part of either government.

It is therefore a very essential regulation that the claims which shall thus be presented shall be avouched in such form as that the government presenting them shall be reasonably satisfied of their justness and equity. A claim must be submitted to the authorities of the government presenting it; it must undergo scrutiny and investigation, and after it has been put into shape in this way and the government presenting it is satisfied that is an equitable and just claim under the laws of the nation or otherwise, presents the claim in its own name, backs it up with the dignity of its own character. It presents its own officers for the purpose of prosecuting it, pays the expenses of the witnesses, and does all things that are necessary for the prosecution of that claim. When the award is made the award is made to the demanding government, and that government assumes to itself in all cases where the convention does not otherwise provide that it will distribute the award.

Now, in the political confusion that I have mentioned in both countries, it was above all things essential to the administration of justice in cases of this kind that each of these governments should have instituted this preliminary investigation and scrutiny into the various claims, which would result in the conviction on the part of each government that each claim in its essential merits was one that ought to be presented and demanded of the other government as a political governmental demand. We shall see how that matter was from the report of our commissioner, Mr. Ashton. I think the gentleman belonged to the State of Kentucky—J. Hubley Ashton.

These schedules exhibit, in a condensed form of course, the general nature and character of the claims referred to the Commission by the respective Governments, and the results of its labors in the investigation and decision of those claims; and they will doubtless be found very useful to the Department as means of obtaining ready information, from time to time, in regard to the action of the Commission in particular cases. There is also transmitted an index to the schedule of American claims by docket numbers.

The convention of July 4, 1868—

That is the convention whose mandate we are trying now to execute—

was the second treaty concluded between the United States and the Mexican Republic, for the adjustment of private claims through the instrumentality of a joint or mixed commission.

The convention of April 11, 1839, provided for the submission of the claims of citizens of the United States upon the Mexican Government to a board composed of four commissioners, two appointed by the President of the United States and two by the President of the Mexican Republic, and, in case of their disagreement, to an arbiter or umpire appointed by and acting in behalf of His Majesty the King of Prussia.

Under that convention the Hon. William L. Marcy, and the Hon. John Rowan (the latter succeeded by the Hon. H. M. Brackenridge) were appointed the commissioners on the part of the United States, and Señors Pedro Fernandez del Castillo and Joaquin Valasquez de Leon the commissioners on the part of the Mexican Republic. His Majesty the King of Prussia appointed the Baron von Roenne to act as umpire in his behalf.

This Commission adjudged a number of the claims laid before it, but its time expired before the completion of its work, and the undecided cases remained unsettled until after the conclusion of the treaty of peace of February 2, 1848, known as the treaty of Guadalupe Hidalgo.

Then it goes on to describe what the Government of the United States did under that treaty. I come now, omitting part of this narrative, to the following:

The convention of July 4, 1868, under which the late Commission derived its authority, was entered into for the purpose of adjusting the claims of citizens of the United States against the Mexican Republic, and the claims of citizens of the Mexican Republic against the United States, arising out of transactions of a date subsequent to the 2d of February, 1848; and the object of the convention, as declared by its preamble, was to "maintain and increase the friendly feeling between the United States and the Mexican Republic, and so to strengthen the system and principles of republican government on the American continent."

It may be here remarked that no convention we have ever yet formed with any foreign government has contained a declaration of a political sort such as I have just read from this record; but the affectionate relation, if I may so term it, between Mexico and the Government of the United States and the coincidence of principle between these two Governments was so strong as that the framers of the convention found it necessary to put in this remarkable statement as one of the purposes of the convention "to maintain and increase the friendly feeling between the United States and the Mexican Republic, and so to strengthen the system and principles of republican government on the American continent."

The jurisdiction of the Commission extended to all claims on the part of corporations, companies, or private individuals, citizens of the United States, upon the Government of the Mexican Republic, arising from injuries to their persons or property by authorities of the Mexican Republic, and of all claims on the part of corporations, companies, or private individuals, citizens of the Mexican Republic, upon the Government of the United States, arising from injuries to their persons or property by authorities of the United States, which may have been presented to either Government for its interposition with the other since the signature of the treaty of Guadalupe Hidalgo of the 2d of February, 1848, and which remained unsettled, as well as to any other such claims which might be presented within eight months from the day of their first meeting.

It will be observed here that it is only on the action of Government authorities, which means action by Government agents in Government employ and under the express or implied instruction of the Government on either side, that compensation is to be made by the awards to be rendered under this convention. Private claims against individuals of either Government are not recognized at all in those matters; a private citizen of the United States must go to Mexico and sue the citizen there in his own courts, and so conversely.

The convention provided that every claim should be presented to the commissioners within eight months from the day of their first meeting, unless in cases where reasons for delay should be established, when the period for presenting the claims might be extended to a time not exceeding three months longer.

That of course was by the action of the Commission.

These claims were to be impartially and carefully examined by the commissioners, and decided "to the best of their judgment according to public law, justice, and equity."—

The Senate will find these words occurring in the bill in this case—

and the high contracting parties agreed to consider the result of the proceedings of the Commission "a just, perfect, and final settlement of every claim upon either Government, arising out of any transaction of a date prior to the exchange of the ratifications of the convention."

The jurisdiction of the Commission embraced, therefore, claims arising out of transactions subsequent to the 2d of February, 1848, and prior to the 1st of February, 1869, the date of the exchange of the ratifications of the convention.

The respective Governments agreed to give full effect to the decisions of the commissioners or umpire, "without any objection, evasion, or delay whatsoever;" and further engaged that all claims within the jurisdiction of the Commission, whether presented or not for its consideration, should, from and after the conclusion of its proceedings, "be considered and treated as finally settled, barred, and thenceforth inadmissible."

One commissioner was to be appointed by each Government, and the two were to name some third person to act as umpire in cases in which they might differ in opinion, and if they failed to agree upon such person, each commissioner was to name an umpire, and the umpire in every case in which the commissioners disagreed was to be selected by lot from these two.

The convention provided that each Government might name one person to attend the commissioners as agent on its behalf, to present and support claims in its behalf, and to answer claims made upon it, and to represent it generally in all matters connected with the investigation and decision of the claims.

The commissioners and the umpire were required to keep an accurate record and correct minutes of their proceedings, and for that purpose to appoint two secretaries versed in the language of both countries to assist them in the transaction of the business of the Commission.

Such were some of the more important provisions of the convention of July 4, 1868, which was apparently framed upon the general model of the British and American convention of February 8, 1852, for the adjustment of private claims between the United States and Great Britain.

The Hon. William Henry Wadsworth, of Kentucky, was appointed the commissioner on the part of the United States, and Señor Don Francisco Gomez Palacio was first appointed commissioner on the part of the Mexican Republic. He was succeeded by Gen. Leon Guzman, who was succeeded by Señor Don Manuel Maria de Zamacona.

Thus it appears that at different stages of this convention the Government of Mexico had three commissioners succeeding each other.

The commissioners, after various conferences, named Dr. Francis Lieber, of the State of New York, to act as umpire.

Dr. Lieber having died on the 2d of October, A. D. 1872, the commissioners agreed upon the Right Honorable Sir Edward Thornton, K. C. B., envoy extraordinary and minister plenipotentiary to the United States of Her Majesty the Queen of Great Britain, as umpire.

Joseph Hubley Ashton, esq., of Pennsylvania, was named by the President of the United States the agent of the United States before the Commission, and the Hon. Caleb Cushing, of Massachusetts, was named by the President of the Mexican Republic the agent to attend the Commission on behalf of that Government. Mr. Cushing was succeeded by Señor Don Manuel Aspiroz, and he, in turn, by Señor Don Eleuterio Avila, who continued in the performance of his duties to the termination of the Commission.

So Mexico had three assistants succeeding each other, and these successions were rendered necessary by acts over which the Mexican Government had no control.

The agent of the United States was assisted in the performance of his duties, at different times, by the Hon. William Marvin, of New York, and the Hon. Charles P. James, of Ohio.

Mr. George G. Gaither, of Kentucky, and Señor Don J. Carlos Mexia, of the City of Mexico, were appointed the secretaries of the Commission. Upon the resignation of Mr. Gaither, Mr. Randolph Coyle, of the city of Washington, was appointed one of the secretaries, and continued in the execution of his duties till the close of the Commission.

The first meeting of the commissioners occurred on the 31st of July, 1869.

That was more than a year after the treaty had been ratified or proclaimed.

At the expiration of eight months therefrom the commissioners, under the authority of the third article of the convention, extended the time for presenting claims to a further period of three months.

Mr. President, I will remark here as I go along that the complaint of the delay of five years' time occupied in the hearing of these various cases which came before that Commission is not justly lodged at the door of the Mexican Government any more than it is at the door of the United States Government, for the reason that Mexico seems to have suffered as the United States did in the loss and necessary replacement of her commissioners and her agents from time to time; and of course each succeeding man coming in had to familiarize himself with the whole of this vast docket, about which I am going to read now.

Soon after the organization of the Commission the claims and complaints lodged in the Department of State and in the American legation at the City of Mexico since the 2d of February, 1848, were transmitted by the Secretary of State to the Commission, and the cases were placed upon the docket of American claims. The greater number of American claims laid before the Commission were brought, for the first time, to the notice of the Government after the conclusion of the convention, and within the eleventh months allowed for the submission of claims to the Commission.

The American claims presented to the Department of State prior to the conclusion of the convention, and referred to the Commission at its organization, numbered 330, while the American claims brought to the attention of that Department after the organization of the Commission, and referred by the Secretary of State within the eleven months from the date of the first meeting of the commissioners, numbered 687.

The following is a statement of the number of claims against each Government laid before the Commission and the conventional period within which they were referred:

Period.	Against Mexico.	Against the United States.
Within the eight months from the first meeting, which expired March 31, 1870	894	908
Within the additional three months, which ended June 30, 1870	123	90
Total	1,017	998

In my letter of November 23, 1876, it is stated that the 1,017 claims on the part of citizens of the United States against Mexico aggregated, including damages and interest, $470,126,613.40; and that the 998 claims on the part of Mexican citizens against the United States aggregated the sum of $86,661,891.15.

It will be observed that neither the Weil claim nor the La Abra claim has as yet come in. They were filed without having been previously notified to either of the governments.

The convention of July 4, 1868, limited the period for the duration of the Commission to two years and six months from the day of the first meeting of the commissioners, which period expired on January 31, 1872.

By the subsequent conventions of April 19, 1871, November 27, 1872, and November 20, 1874, the time for the duration of the Commission was prolonged until the 31st day of January, 1876.

So that it took three additional conventions to cover, not merely the claims that had been presented under the original convention and in pursuance thereof, but to cover the enormous raft of claims that came in afterwards unindorsed and unavouched by either of the governments.

The convention of November 20, 1874, provided that, if the umpire should not have decided all the claims referred to him by the 31st day of January, 1876, when the functions of the commissioners would terminate under that convention, he should be allowed a further period of not more than six months for that purpose.

It appearing that the umpire would probably be unable to decide all the cases referred to him by the 31st of July, 1876, it was agreed by the convention of April 29, 1876, that he should be allowed a further period until the 20th day of November, 1876, for that purpose.

By the labors of the accomplished umpire, Sir Edward Thornton, all the claims laid before the Commission by the respective governments were finally disposed of within that period and the business brought to a close.

Though he did not decide all the cases by any means.

It is not surprising that the Commission required more than the time originally allowed for the completion of the task assigned to it. It was not until June 30, 1870, that its dockets were fully made up, and then they disclose the existence of over 2,000 cases to be investigated and decided. The area of time covered by these cases was over twenty years. The transactions involved in them had occurred principally in the territory of the Mexican Republic, where the evidence both for the claimants and the defendant Governments was chiefly to be obtained. The proofs were to be taken in two languages, those adduced by the Mexican Government being wholly in the Spanish language, and when presented they were to be translated into English for the use of the Commission

The documents accompanying the claims, when referred to the Commission, contained very meager information in regard either to the citizenship of the claimants or the merits in their cases. In very few instances had the claims undergone any examination previous to their reference to the Commission; and no case was ready for hearing, even on the part of the claimant, when it came before the Commission. It may be said that all the work of preparing the cases for hearing, as well on the part of the claimants as on the part of the Governments, was to be done after the cases were placed upon the dockets.

Justice to the governments defending against the claims required that they should be allowed time for investigating the facts and obtaining evidence in answer to the claimants' proofs; and after the presentation of the defensive evidence the same consideration rendered it proper that the claimants should be allowed some opportunity to file rebutting evidence.

It was unfortunate that no provision could be made for printing the records and the arguments in all the cases. The rules of the Commission required nothing to be printed except the memorials. The proofs and the arguments were in all cases, except the few instances when the claimants or the governments incurred the expense of printing, submitted in writing, and the commissioners, as well as the umpire and counsel, were obliged to study them in the original manuscripts.

The proof, if printed and bound, would no doubt have filled at least 300 octavo volumes of 600 or 800 pages each.

Now, think of that, 300 octavo volumes of 600 or 800 pages each would have been required to have printed and bound those cases and the testimony adduced in support and in opposition.

The Spanish proofs generally, and very often the English documents, were required to be translated before the cases were ready for submission.

As disagreement between the commissioners was the rule and agreement the exception, the decision of the umpire was invoked in a large proportion of the contested cases; and in all the cases referred to the umpire two separate and independent hearings occurred upon the proofs and arguments.

The commissioners deemed it proper, at the outset of their labors, to give reasons for their judgments and action in carefully prepared opinions, and this practice was followed by each of the gentlemen who acted as umpire. The opinions of the commissioners, and the umpire are recorded, and they will be found to contain valuable contributions to the law of international reclamations.

The functions of the Commission were suspended for a time by an occurrence which transpired shortly after Mr. Commissioner Guzman took his seat as a member of the Board.

Among the claims referred to the Commission by the Mexican Government were a large number of claims against the United States growing out of depredations alleged to have been committed in the territory of Mexico by Indians coming from the territory of the United States between the 2d of February, 1848, and the 30th of December, 1853, the date of what is known as the Gadsden treaty.

These claims were some 366 in number, and involved an aggregate sum of over thirty-one millions of dollars. They were founded upon the supposed obligations of the eleventh article of the treaty of Guadalupe Hidalgo, etc.

I need not go into particulars about those claims.

Mr. Commissioner Wadsworth and Mr. Commissioner Palacio, having failed to agree upon the questions involved in those cases, the commissioners, on the 8th of May, 1872, filed their disagreeing opinions, and referred the claims, upon the motion of the agent of the United States to dismiss them, to the umpire, Dr. Lieber, by an order duly entered of record, which also directed the Mexican secretary to deliver the papers to the umpire.

On the 24th of June following, Gen. Guzman took his seat as a member of the Commission, and the papers in these cases not having been delivered to the umpire, Gen. Guzman assumed the right, upon various pretenses, to interfere with the execution by the Mexican secretary of the order of the commissioners entered on the 8th of May.

After making every effort to maintain the authority of the Board and of the umpire, and to secure the objects of the convention, and finding Mr. Commissioner Guzman to be fixed in his determination to prevent the due execution of the order of the Board of May 8, and withhold the claims for Indian depredations from the umpire, and thus defeat the objects of the convention, Mr. Commissioner Wadsworth, on the 20th of July, 1782, filed his written protest against the action of his colleague, and referred the difficulty to the two governments, through their respective agents. The matter was adjusted by the withdrawal of Gen. Guzman, and the appointment of Señor Zamacona as commissioner on the part of Mexico.

Now we see at what time Mr. Zamacona came in there.

That gentleman took his seat as a member of the Board on August 19, 1873. Dr. Lieber having died before that time, the first duty devolving upon the Board, after Mr. Commissioner Zamacona became a member of it, was the selection of an umpire.

The selection was not made until October, 1873, when the commissioners agreed to name his excellency Sir Edward Thornton as their umpire.

It may be mentioned that, soon afterward, the leading test case in the class of so-called Indian depredation claims (that of Rafael Aguirre *et*. The United States) was submitted to the umpire, who rendered his decision, allowing the motion to dismiss the same filed by the agent of the United States; and, pursuant to that judgment, all the claims of that class were finally dismissed by the commissioners.

The following is a statement of the mode in which the cases upon the two dockets were disposed of by the action of the commissioners and the umpire and otherwise:

Action.	American docket.	Mexican docket.
Number of cases decided by concurrence of Commissioners Wadsworth and Palacio	227	314
Number of cases decided by concurrence of Commissioners Wadsworth and Guzman	0	0
Number of cases decided by concurrence of Commissioners Wadsworth and Zamacona	353	594
Number of cases decided by Dr. Lieber, as umpire	29	15
Number of cases decided by Sir Edward Thornton, as umpire	398	62
Number of cases consolidated with other cases	12	13
Number of cases withdrawn as arising too late, or for other reasons	7	0
Total	1,017	998

I need not go any further into the particulars about the manner of the disposal of these claims or the length of time that it required to dispose of them. The point I make is, that in the very nature of the practice before that Commission and of the circumstances by which the Commission was surrounded, no door of invitation to fraud and perjury was ever so widely thrown open as that, especially when these commissioners had no authority to act, except under rules of general international jurisprudence, I may call it, and international practice, under which no commission is issued to take depositions, and in respect of which no Government that I have as yet heard of has made a provision that the commission of perjury should be a punishable offense.

The case is taken upon *ex parte* testimony entirely, and in the situation that Mexico and the United States were in at that time it seemed as if this vast raft of claims that piled up there, a portion of them through the Departments but a very large mass of them without any prior investigation at all, were the mere fruits of an invitation to make a raid upon justice, and law, and equity, and honor, and duty, and propriety, for the purpose of getting out of either government, as the case might be, money that otherwise could never have been realized, and a great deal of which was never due.

But, Mr. President, under such conditions and circumstances, is the argument a sound one, is the reasoning just that Mexico should have been able to present her case before those commissioners in reply to the demand of the La Abra Company and of Weil in the same form and with the same guaranties for justice that she would in an American court or in a Mexican court conducted according to the principles of ordinary jurisprudence, either under the civil law, or the common law, or the statute law?

It is perfectly apparent that when, under such circumstances, a bona fide claim of injustice is brought forward to the consideration of the government in whose favor the judgment is rendered that government must scrutinize it to see whether, under all the circumstances, this broad and lax indulgence for the presentation of claims has been availed of by men who used the sacred name of the Government for the purpose of presenting an unjust demand against a sister government.

We have a great deal to say in our diplomatic correspondence and elsewhere about the sanctity of the action of these conventions. That is all right. The Government must abide by these conventions, whether they are right or whether they are wrong, until it is made to appear that through the instrumentality of the opposing Government, the demand of Mexico, we will say, for instance, against the United States is made apparently such a just demand that the Government should investigate to see whether fraud had intervened.

This principle is not at all new with us. We have had several cases. We had one with Brazil of a marked character. We had another with Venezuela of a little later date, I believe, of a still more marked character; in the latter case, the complaint being not merely that the evidence itself was false, but that the commissioners had been tinged, and that injustice had entered through bribery into the action of the Commission itself. We had a very hard effort to overcome the lobbyists in those cases, but we lost no time in ascertaining what justice required, and in the name of the honor and reputation of this great Government, at once asserting what was right and just to be done; and after so long a time, after very great effort, we finally succeeded in making restitution and in demanding restitution also in those cases so as to put the Government of this country and the Governments of Brazil and Venezuela in those cases to which I refer upon such ground as that thereafter they could not impeach the action of the Commission or the justice and propriety of their findings.

When the Gardiner case came up, that arose under the treaty of Guadalupe Hidalgo. That, as I have shown here, was a treaty for the adjustment of claims, in that part of it, which had existed prior to that time for a great many years between the Government of the United States and that of Mexico in behalf of their citizens respectively. The claims that the people of the United States had against Mexico amounted to the round sum, we will say, of three and a half million dollars. I have not the exact figures, but that is about the amount; and the Government would assume not exceeding that amount of money to be paid to its own citizens after an investigation by a joint commission between Mexico and the United States as to the merits of those claims.

That was rather a peculiar element to draw into the controversy, I may call it, for after the Government of the United States had assumed to pay all the demands of our citizens against the Government of Mexico, she still coöperated with the Government of Mexico in the organization and conduct of the Commission for deciding upon the merits and justice of these claims. So under the treaty of Guadalupe Hidalgo the Mexican commissioners had as much to do with deciding upon the justice, for instance, of the Gardiner claim as we had; and it might have been supposed that after that time the Mexican Government would continue to have an interest in the question whether the Gardiner claim was an honest one or whether it had been fraudulently presented and carried through. The Commission closed. Gardiner in pursuance of the award of the arbitrators drew his money.

It was a million dollars, I believe, a very large sum of money, that he got upon the ground that he had a mine in Mexico; that he had been badly treated about it; that he had been driven out; that his property had been confiscated; that he had sustained great damage through the instrumentality and intervention of the Mexican citizens in respect of his mine and thereby great losses had been incurred by him, which the Commission heard upon the testimony adduced by him, and they decided in his favor, and the Government of the United States paid over the money. Corcoran & Riggs got a large part of it, some hundreds of thousands of dollars, and other large portions of it were paid out into the hands of different American citizens to whom Gardiner was actually indebted. Some of it was paid to counsel, and so on.

The Government of the United States, however, became apprised of the fact that Gardiner had by false testimony obtained an award from the joint American and Mexican Commission, and thereupon the Government of the United States, without waiting for an act of Congress, upon its right to recover that money fraudulently obtained from it under any circumstances, brought its bill in equity in the courts of New York for the purpose of reaching not merely the fund that might be remaining in the hands of Gardiner, but also funds that had passed into the hands of his assignees, who claimed that they were innocent and bona fide assignees. A decree was rendered in favor of the Government of the United States in those cases. Corcoran & Riggs, finding the effect of the decree, and seeing the force of the evidence, came in voluntarily and returned their money to the Government. What they lost by it I do not know. They must have lost very largely. An indictment was preferred under the laws of the United States, not enacted specially for the case, for obtaining this money by fraud and perjury and false pretense from the Treasury of the United States, and pending that Gardiner went out and committed suicide to get rid of the proceeding, and that wound up the case.

There is a case in point. If it is not a case in point I fail to perceive the principle in that case which is at all in contrariety to or in disparagement of any principle that is insisted upon in the bill which is now before the Senate. Many arguments have been made about it; and no gentleman has ever as yet, here or elsewhere, undertaken to point out that there was any essential difference in the principle between the Gardiner case and this case, the only difference being that in the Gardiner case the money belonged to the United States by confession, and in this case it belongs to the United States by the decision of the Supreme Court; that is the only difference. The right of the United States to the money in the La Abra and Weil case is just as clear as it was in the Gardiner case, and fixed so absolutely by the recent decision of the Supreme Court in the case of Boynton *vs.* Blaine.

The Government of the United States in that case, represented by all its array of ability, by all of its authority, with all of the power that it possessed to gain the evidence in the time the case was being heard before the Commission (it was heard here in Washington), failed to discover the fraud that Gardiner had perpetrated. There was a search after that. That case was not loosely tried. The Government of the United States exerted itself to get a proper decree in the Gardiner case, surrounded with all of its powers. It failed to do it. The decree was given and the money was paid out, and then afterwards by an accident, just as it has been in this very case of La Abra and also in the case of Weil, the evidence came to light. Thereupon the Government of the United States, notwithstanding all the power it had possessed to have a fair trial, went to work and recovered the money back.

Now, contrast the situation of the Government of the United States in its dealings with the Gardiner case with the situation of Mexico under the circumstances which I have related to-day in its dealings with the La Abra case and the Weil case. Mr. President, out of the consideration of claims aggregating in their payment more than $500,000,000, in the torn and tattered condition of all Mexican authority in the State and in the courts, and also in consideration of our own disturbed condition, it is only a wonder that they got off as well as they did. It is only a wonder that the Mexican Government was entirely content to pay up the large awards that had been made against her in every case except those, and has paid the awards in these cases, only protesting that it was the duty of the Government of the United States to look into evidence which they subsequently discovered and to see whether that would not deprive the claimants of this fund of a right asserted by themselves, a right which is equitable if it is just and illegal if unjust, whether it was not the duty of the Government of the United States to look in and see whether they should pay this money to their citizens thus corruptly obtained. That is the simple case. That is the whole of it.

It has been stated by the Senator from Missouri [M. VEST] that the Government of Mexico is here making this demand. The Government of Mexico has never presented a petition to Congress or to any judicial tribunal in this country for the allowance to it of this claim or for the prevention of its being paid into the hands of the claimants. It has gone on and made its protest, as it had a perfect right to do, against the injustice of the Government of the United States paying money into the hands of men who had obtained a claim upon it through fraud and perjury. Common respect for the decencies of mankind all the way on this hemisphere from Patagonia to Greenland would justify a proceeding of that kind on the part of any government or any man whose property was being thus dealt with.

After Congress had acted upon this claim and had prescribed a method for its administration, to which I shall presently refer with a little more particularity, the Government of the United States, under the pressure of one influence and another—for it can be asserted with perfect security here that such a lobby never existed as existed in this case—the Government of the United States, under such pressure, went on and commenced paying out to these different claimants this fund as it was realized in the Treasury or in the hands of the Secretary of State. Protests were all the time being made. Congress was delaying about it, if not delinquent. Congress did not take the action upon it which the pressure of its own convictions as well as the opinion of mankind has forced upon it in later years.

The Government of Mexico came to Mr. Evarts, having employed Hon. Matt Carpenter to conduct the case. Mr. Carpenter looked through it, and under that provision of the Constitu-

tion which gives to a foreign government the right to sue in the courts of the United States, Mr. Carpenter advised that the claim could be maintained in the courts of equity of the Government. He made a brief of his authorities, which clearly showed that it could have been done. But Mr. Evarts, who is a wise, critical, sagacious, and patriotic statesman, and certainly one of the foremost men whom we have ever had in the State Department, concluded that there might be some implication of impeachment of the finality and force of the awards made if our local tribunals at the suit of the foreign government could be opened in the nature of a review to an investigation of facts upon which the award had proceeded.

Mr. Evarts was right about that. He took the ground in the very outset of this matter, where we have arrived to-day after trying various intermediate expedients—he took the ground that this award being final between the Governments, a proper respect for the sanctity of such awards and such conventions required that they should be final, as they were expressed to be in their terms as between the Governments. If citizens had against either Government claims of inattention or wrong the citizen could prefer it, as was done here in the case of the brig General Armstrong, where after years and years, almost three-quarters of a century, had expired, the Government of the United States voted about $80,000, or it may be $100,000, to the heirs at law of the owner of the brig General Armstrong, upon the ground that the Government of the United States, having cognizance of the claim of the captain of the brig against the Government of Portugal, and the whole subject of controversy between ourselves and Portugal in regard to other matters being referred to Louis Napoleon, as our Government had not taken the proper consideration of the case and had not referred it, consequently we became liable to that citizen for our inattention to his rights.

But with a view now of maintaining the absolute sanctity of these conventions, Mr. Evarts said to Mr. Carpenter and to the Mexican Government, "We can not permit you to bring suit in our courts in the name of the Mexican Government upon these claims, to set them aside or impeach them; Mexico is precluded; the convention has decided finally as to the award; Mexico has no longer any right that can be recognized in any way in the world except through the political department of this Government, and then it is to be recognized only as a question of morals and not as one of right on the part of Mexico; we can not permit you to bring this suit;" and so it was not tried.

Perhaps in the course of this argument I am trying to make I had better include a later event with that one for the purpose of showing in a consecutive way what has been done by Mexico and what has also been done by the United States to have this quarrel composed through existing judicial tribunals with the powers already conferred upon our judicial establishment and the respective complainants or claimants. While Mr. Bayard was Secretary of State it occurred to him that under the law organizing the Court of Claims, in a section which I shall read after a while, a provision was made that by the consent of the parties a controversy in which the United States was interested—not a case, but a controversy in which the United States was interested—might be referred for adjudication to the Court of Claims; and so he made this express overture to the claimants in the Weil case and in the La Abra case that they should consent to refer the controversy to the Court of Claims under an existing statute of the United States which provided that it could only be referred by the consent of both parties. Mr. Weil refused to accede to it. Here is the correspondence. A very elaborate brief is made out to show the reasons why they would not consent to that; and in the course of their brief they insisted that their controversy had become a case; that it was no longer a controversy; that the award settled the matter in their favor; that it was their property and their right; that they had the right and claimed it without respect to the justice of the demand at all; that the demand had grown into a judgment which was unimpeachable, and that they would not voluntarily consent to their case being heard before the Court of Claims.

That exhausted, you see, two of the supposed remedies, one in favor of Mexico that Mr. Matt Carpenter in his brief, and a very elegant and elaborate one it is, fully sustained upon authority; the other one presented by Mr. Bayard, in his letters which are here, showing that these parties would not consent to take this controversy before the Court of Claims and there have it adjudicated. That excluded as a matter of course both these tribunals, the equity courts of the United States as they at present exist, and the Court of Claims under the jurisdiction given to it by an act of Congress, in respect of which I will remark also that an appeal lies to the Supreme Court from the judgment, settling the controversy.

Then there was left to the Congress of the United States, and to the President, to these four Presidents all of whom concurred in saying that the honor of the Government of the United States required that these claims should be reheard—there was left to these agencies of the Government the alternative of trying to arrange this by a treaty with Mexico, or to arrange it by making a provision of law by which our domestic tribunals should, without the consent of the claimants, bring them within the reach of the power of justice and have this matter decided.

Now, you have got the case. We failed upon the treaty because we could not get a two-thirds majority. I have always doubted it. I have always been disposed to agree with Mr. Evarts as the Senate did agree with him on that occasion. The treaty-making power was not the proper power to pledge the United States to the return of this money, but it ought to be a governmental act, spread over all the powers of government of a legislative character, and not one confined merely to the treaty-making authority, which is special to the Senate and to the President.

Mr. GEORGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. MORGAN. Certainly.

Mr. GEORGE. May I ask the Senator from Alabama what was the necessity for us to make the contract, which is a treaty with Mexico, in order to enable us to redress a wrong which had been committed in Mexico?

Mr. MORGAN. That question brings back to my mind the same debate we had in the Senate over the treaty, where some of the ablest lawyers of this body maintained in a way that I think was almost unanswerable the very question the Senator from Mississippi has put now. What was the necessity or where was the power to make a new contract, to revive one that we had made heretofore with the Government of Mexico? The Senate answered that by failing to give a majority of two-thirds in favor of that treaty, and in doing so the Senate was perfectly conscious that its action on that occasion was a mere disavowal of the remedy that was sought through treaty, and not by any means an affirmation of the sincerity of these claims or of the honesty and integrity of the evidence upon which they were based when they were brought before the Commission. That is the situation as to the Senate.

Now, then, we have the case here of an effort on the part of the Committee on Foreign Relations—and I trust the Senate will approve it—to provide a domestic remedy which shall operate against the consent of the claimants, which shall not be dependent in any respect upon their assent to our legislation, but which shall be in the nature of the exercise on our part of our sovereignty, which stands for the protection of justice and equity and right. It is proposed that we shall enact a remedy here by which we shall confer upon one of our local jurisdictions the right to hear and determine what? Not the merits of the original claim so as to render a decree between the Government of the United States and the claimants upon the whole merits of the original claim, but to determine that specific point which the Government can not ignore and which always must be heard—so says the Supreme Court—when a convention is had, whether the honor of the Government of the United States requires that this award should be withheld because of the fact that the award itself was obtained by the claimants on account of fraud, perjury, or other false practices.

Here stands the award; the evidence between the United States and Mexico of an indebtedness paid. The money stands there now to represent the rights of whoever may be concerned. Then neither the La Abra Company nor Weil nor his representatives having a legal right to it, and the claim having been based upon certain rights which were supposed to exist in their behalf and certain wrongs which were supposed to have been done to them, it creates on the part of the United States Government a duty of an equitable recognition so far as the claim is just.

Then the question arises will the Government of the United States sustain this claim of equitable recognition on the part of these claimants against this fund when it is shown by the evidence brought before this committee, and will be shown before this court if this evidence is sustained there to its satisfaction, that the claims were founded in falsehood; that they were obtained and supported by perjury, and since that time they have been upheld even before the Senate in a way and by means that show the Government of the United States ought to spurn them and not to tolerate them in any sense.

Mr. FRYE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Maine?

Mr. MORGAN. I do.

Mr. FRYE. The Senator from Alabama is on a committee for another purpose, and it is somewhat important that he attend to the duties of that committee at this time. I therefore suggest, if it will not be any inconvenience to the Senator to stop in his argument at this point——

Mr. MORGAN. No; I should like to stop. I am not quite so well as I should like to be in order to discuss this matter.

Mr. FRYE. Then I move that the Senate do now adjourn.

The VICE-PRESIDENT. The question is on the motion of the Senator from Maine.

The motion was agreed to; and (at 4 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 27, 1892, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 26, 1892.

UNITED STATES MARSHAL.

William C. Haskell, of Ohio, to be United States marshal for the northern district of Ohio, vice Benjamin F. Wade, whose term will expire February 14, 1892.

REGISTER OF LAND OFFICE.

Luther S. Howlett, of North Yakima, Wash., to be register of the land office at North Yakima, Wash., vice Ira M. Krutz, to be removed.

PROMOTIONS IN THE ARMY.

Infantry arm.

Second Lieut. Austin H. Brown, Fourth Infantry, to be first lieutenent, January 16, 1892, vice Jones, Twenty-second Infantry, appointed regimental adjutant.

Second Lieut. Almon L. Parmerter, Twenty-first Infantry, to be first lieutenent, January 16, 1892, vice Cabell, Fourteenth Infantry, appointed regimental quartermaster.

PROMOTION IN THE NAVY.

Assistant Naval Constructor David W. Taylor, to be a naval constructor in the Navy, from the 5th of December, 1891, vice Naval Constructor William L. Mintonye, retired.

WITHDRAWALS.

Second Lieut. John Howard, Nineteenth Infantry, to be second lieutenant of calvary, etc.

Ralph K. Nichols, to be register of the land office at North Yakima, Wash., he having declined.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 26, 1892.

CONSUL.

Lewis Dexter, of Providence, R. I., to be consul of the United States at Fayal, Azores.

MARINE HOSPITAL SERVICE.

Charles H. Gardner, of Maryland, to be assistant surgeon in the Marine Hospital Service of the United States.

Passed Assistant Surg. Henry R. Carter, of Maryland, to be surgeon in the Marine Hospital Service of the United States.

REVENUE SERVICE.

Third Lieut. Staley M. Landrey, of Indiana, to be a second lieutenant in the Revenue Service of the United States.

Third Lieut. Andrew J. Henderson, of the District of Columbia, to be a second lieutenant in the Revenue Service of the United States.

POSTMASTERS.

James M. McLaughlin, to be postmaster at Lynchburg, in the county of Campbell and State of Virginia.

Harry Bradley, to be postmaster at Dobbs Ferry, in the county of Westchester and State of New York.

William H. Mosby, to be postmaster at Bedford City, in the county of Bedford and State of Virginia.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 26, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

MISSION INDIANS OF CALIFORNIA.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Indian Affairs, and, with accompanying papers, ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of 23d instant, from the Secretary of the Interior, submitting an extract from the report of the Commission appointed under the act of January 12, 1891, entitled "An act for the relief of the Mission Indians in the State of California," and other papers relating to the exchange of lands with private individuals and the purchase of certain lands and improvements for the use and benefit of the Mission Indians, with draft of a bill to carry into effect the recommendations of said Commission.

I have approved the report of the Mission Commission except so much as relates to the purchase of lands from and exchange of land with private individuals, which is also approved subject to the condition that Congress shall authorize the same.

The matter is presented with recommendation for the early and favorable action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 25, 1892.*

SEIZURE OF THE SCHOONER LORD NELSON IN 1812.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, referred to the Committee on Indian Affairs, and, with accompanying papers, ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State, with accompanying papers, in relation to the claim of the representatives of the late honorable James Crooks, a British subject, against the Government of the United States, for the seizure of the schooner Lord Nelson in 1812.

The favorable action of the Fiftieth and Fifty-first Congresses upon the bills heretofore introduced for the relief of the claimants makes it proper that I should recommend it anew for the consideration and final disposition of the present Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 25, 1892.

DEFICIENCIES.

The SPEAKER also laid before the House a communication from the Acting Secretary of the Treasury, transmitting estimates of appropriations required for the various Departments to complete the service of the fiscal year ending June 30, 1892, and for prior years; which, with accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

MISSION INDIANS OF SOUTHERN CALIFORNIA.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Attorney-General and its inclosures, submitting an estimate for an appropriation to continue the employment of a special attorney for the Mission Indians of Southern California; which, with accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

LINE-CARRYING PROJECTILES.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting copies of the report of various inspectors relating to "line-carrying projectiles and the means of propelling them," and recommending that the Treasury suspend its action until the War Department can test the safety and efficiency of the same; which was referred to the Committee on Interstate and Foreign Commerce, and, with the accompanying papers, ordered to be printed.

AMENDMENT TO ARMY APPROPRIATION BILL.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a letter from the Surgeon-General recommending an amendment to the Army appropriation bill for the year ending June 30, 1893; which was referred to the Committee on Military Affairs, and, with the accompanying papers, ordered to be printed.

NATIONAL SOLDIERS' HOME AT WASHINGTON, D. C.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a letter from the president of the Board of Commissioners of the United States Soldiers' Home in this city recommending that the proviso which has heretofore appeared in the legislative, executive, and judicial appropriation bill in connection with the appropriation for salaries of the officers of the Second Auditor and Second Comptroller of the Treasury, limiting the work of settling accounts in favor of the Home to those originating since March 3, 1881, be omitted from the appropriation bill for the fiscal year ending June 30, 1893; which was referred to the Committee on Appropriations, and, with the accompanying papers, ordered to be printed.

ADJUDICATION OF LAND ENTRIES.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting a list of entries of public lands adjudicated by the Commissioner of the General Land Office and confirmed by the board of equitable adjudication for the year ending June 30, 1891; which was referred to the Committee on the Public Lands, and, with the accompanying papers, ordered to be printed.

UNIVERSITY OF MISSOURI.

The SPEAKER also laid before the House the bill (S. 1762) for the relief of the University of the State of Missouri.

Mr. HEARD. Mr. Speaker, I desire to ask unanimous consent to take from the Speaker's table, for immediate consideration, the bill the title of which has just been read. I desire to say, Mr. Speaker——

The SPEAKER. The Chair will cause the bill to be read, and will then ask if there be objection to its present consideration.

Mr. BRECKINRIDGE of Kentucky. I rose to what I think is a question of privilege, but will wait.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

A bill (S. 1762) for the relief of the University of the State of Missouri.

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to relieve the University of the State of Missouri, at Columbia, Mo., from all money responsibility for so much of the ordnance and ordnance stores issued to said university, under its bond, dated April 7, 1886, as was destroyed by fire on January 9, 1892.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of the Senate bill. Is there objection? [After a pause.] The Chair hears none. The question is on ordering the bill to a third reading.

The bill was ordered to be read a third time, read the third time, and passed.

Mr. HEARD moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, Mr. LANE obtained leave of absence for ten days, on account of important business.

SUBTREASURIES.

Mr. LIVINGSTON, by unanimous consent, introduced a bill (H. R. 4773) to establish a system of subtreasuries, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

JOHN R. F. TATNALL.

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent to report back from the Committee on the Judiciary the bill which I send to the Clerk's desk, and ask for its immediate consideration.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 1487) to remove the political disabilities of John R. F. Tatnall.

Be it enacted, etc., That the political disabilities of John R. F. Tatnall, late an officer of marines in the Marine Corps of the United States Navy, arising under the fourteenth amendment to the Constitution of the United States, be, and the same are hereby, removed.

Mr. CULBERSON. I desire to state that this proposition or request is accompanied by a petition from the person who desires the political disabilities removed.

The SPEAKER. Subject to objection, this will be considered to be the second reading of the bill, and the question will be on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

GENERAL INCORPORATION LAW, DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I am instructed by the Committee on the District of Columbia to report back favorably the bill which I send to the desk, being a bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882, and to ask for its immediate consideration.

The bill was read, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882, be, and the same is hereby, amended by adding, after the words "or for the purpose of insuring title to real estate," the words "or for the purpose of carrying on fire insurance;" so as to read:

"That the five hundred and fifty-third section of the Revised Statues of the United States relating to the District of Columbia be, and the same is hereby, amended by adding, after the words "life insurance," the words "or for the purpose of insuring titles to real estate or for the purpose of carrying on fire insurance."

SEC. 2. That section 2 of said act be, and the same is hereby, amended by adding, after the words "or for the purpose of insuring title to real estate," the words "or for the purpose of carrying on fire insurance;" so as to read:

"SEC. 3. That any company heretofore formed, agreeably to the aforesaid section of the said Revised Statutes, for the purpose of insuring titles to real estate or for the purpose of carrying on fire insurance may become perpetual on filing in the office of the recorder of deeds of the District of Columbia a certificate to that effect, in like manner as is provided by law for the filing of the original certificate of incorporation."

Mr. HEMPHILL. I desire to say but a word in explanation of the necessity for the early passage of this bill. Under the general incorporation law of the District of Columbia certain insurance companies were duly organized, but that general law provides no means by which they may continue their existence after a period of twenty years. The purpose of this bill is to permit those companies, upon filing proper certificates with the recorder of deeds of the District of Columbia, to continue in existence. That is its only object. The term of one of these corporations will expire on the 23d of next month; therefore it is important that the bill should be passed at an early day.

Mr. BUTLER. Mr. Speaker, does this bill come as a report from the Committee on the District of Columbia?

Mr. HEMPHILL. I will say to the gentleman that the bill is reported unanimously.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HEMPHILL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN R. F. TATNALL.

The SPEAKER. The Chair desires to call attention to an informality which occurred in the consideration of the bill passed this morning for the relief of John R. F. Tatnall. When the bill was before the House the Chair failed to notice that it was one which required a two-thirds vote; but it was in fact passed by a two-thirds vote, and the Chair brings the matter to the attention of the House now simply to say that he will have the Journal state that the bill was passed by such a vote.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed, without amendment, bills of the following titles:

A bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory;"

A bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians.

It also announced that the Senate had passed

A bill (S. 1045) to provide for the purchase of a site and the erection of a public building thereon at Leadville, in the State of Colorado; in which concurrence was requested.

INTRODUCTION OF BILLS.

By unanimous consent, bills of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred as below:

CHARGE OF DESERTION.

By Mr. HOAR: A bill (H. R. 4774) to amend section 3 of the act of August 14, 1888, entitled "An act to relieve certain appointed or enlisted men of the Navy or Marine Corps from the charge of desertion"—to the Committee on Naval Affairs.

REFUND OF DUTIES ON WRECKAGE.

By Mr. HOAR: A bill (H. R. 4775) to refund certain duties on wreckage collected at San Francisco—to the Committee on Ways and Means.

THE CONTROVERSY WITH CHILE.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I offer the resolution which I send to the desk, and ask for its immediate consideration.

The resolution was read as follows:

Resolved, That the President of the United States be respectfully requested to inform the House whether any answer has been received, either from our minister to Chile, Patrick Egan, esq., or from the Government of Chile, to the dispatch sent by the Government of the United States to the Republic of Chile on January 21, and if so, from whom such answer was received and at what time; and that he will communicate to the House all the correspondence between the Government of the United States, its minister to Chile, and the Chilean Government, not communicated to Congress with the message heretofore sent in.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MCCREARY. Mr. Speaker, I was out when the Clerk began reading the resolution, and I ask that it be read again.

The resolution was again read.

Mr. HITT and Mr. BLOUNT addressed the Chair.

The SPEAKER. Does the gentleman from Kentucky [Mr. BRECKINRIDGE] yield?

Mr. BRECKINRIDGE of Kentucky. I desire to reserve the floor, but I am willing to yield if the gentleman desires to make a remark.

Mr. BLOUNT. Mr. Speaker, I wish to make a parliamentary inquiry.

Mr. HITT. Mr. Speaker——

The SPEAKER. The gentleman from Kentucky [Mr. BRECKINRIDGE] is entitled to the floor.

Mr. HITT. I thought the gentleman yielded to me.

Mr. BRECKINRIDGE of Kentucky. I shall be very glad to yield to the gentleman from Illinois.

Mr. HITT. And I will yield to the chairman of the Committee on Foreign Affairs.

The SPEAKER. The gentleman from Illinois knows very well that the gentleman from Kentucky [Mr. BRECKINRIDGE] who has introduced the resolution is entitled to the floor.

Mr. REED. Mr. Speaker, is this matter before the House now for discussion?

The SPEAKER. The Chair is not informed of any rule which prevents it from being so.

Mr. REED. I simply ask for information whether it is before the House for discussion.

The SPEAKER. There may have been some rule adopted by the House in the absence of the Chair which would affect the question. If not, the Chair knows no reason why the discussion of the resolution is not now in order.

Mr. REED. Do not the rules for reference cover it?

The SPEAKER. The Chair does not so understand. The gentleman from Kentucky is recognized.

Mr. BLOUNT. If the gentleman from Kentucky will indulge me a moment——

Mr. BRECKINRIDGE of Kentucky. Certainly. What time does the gentleman desire?

Mr. BLOUNT. It is not a matter of time. I have just come into the Hall, and I would like to hear the resolution read again.

The resolution was again read.

Mr. BLOUNT. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLOUNT. I wish to know whether it is in order at this time to move the reference of that resolution to the Committee on Foreign Affairs?

The SPEAKER. The Chair thinks so.

Mr. BLOUNT. Then I make that motion, and upon that I ask for the previous question.

Mr. BRECKINRIDGE of Kentucky. I suppose, Mr. Speaker, that the gentleman can not take me off the floor for the purpose of making that motion.

The SPEAKER. The Chair stated three times that the gentleman from Kentucky [Mr. BRECKINRIDGE] was entitled to the floor, but the gentleman did not proceed.

Mr. BRECKINRIDGE of Kentucky. I yielded for the gentleman from Georgia to make a remark.

Mr. BLOUNT. Mr. Speaker, before the gentleman from Kentucky proceeds, I understand——

Mr. BRECKINRIDGE of Kentucky. I wish it understood, Mr. Speaker, that the gentleman is proceeding in my time. I have not yielded the floor. [Laughter.]

Mr. BLOUNT. The gentleman from Kentucky is well able to take care of himself. I simply want to get at the parliamentary status.

The SPEAKER. The Chair will state that if, when the resolution was first submitted, a motion had been made to refer it to a committee, that motion would have been in order, but no such motion was made, and the Chair recognized the gentleman from Kentucky [Mr. BRECKINRIDGE]. The Chair therefore holds that the gentleman from Kentucky has the floor and has a right to debate his resolution, and that a motion can only come when some one gets the floor to make it.

Mr. BRECKINRIDGE of Kentucky. Does the gentleman from Georgia desire to make any remarks upon the resolution?

Mr. BLOUNT. I do not.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I desire to say but a few words, and then, if the chairman of the Committee on Foreign Affairs thinks this is a resolution that ought to go to that committee instead of being adopted at once and will make that motion upon his responsibility as chairman of the committee, I shall not object. We have received a message from the President of the United States concerning the question of peace or war with an American Republic under circumstances that must, in the nature of the case, be critical, otherwise the President would not have sent in the message. It may be possible that some officer of that Republic did send some response to the dispatch repeated in the message which the President has sent to us, or an intimation as to why delay was necessary or further time required. We know the fact to be that on January 21 a dispatch was sent by our Government to the Republic of Chile. I do not now criticise the President for not waiting until a final answer had been received, or until time for such an answer had elapsed, before sending that message to Congress. I do not now criticise either the haste with which the message followed the dispatch, or the language of the message, pending the consideration by that Republic of its action under the dispatch of January 21. It must be, however, remembered that the language of the message to the Congress of the United States could be communicated on the telegraph wire to the authorities of Chile, and might, if no answer had already been made to the dispatch of January 21, affect the nature of the answer that that Government would feel called upon to make

Is it too great a presumption to indulge in that the President of a great and free people, dealing with a free but feeble people, would not have used such language pending the consideration by it of its answer to that dispatch of his? It is not too great a presumption to indulge that a great emergency like that would have demanded from that President due consideration and ample time if he had not had some intimation of what the answer would be. It is scarcely credible that the language—I will not say so insulting, but so severe—used by him would have been used if he had believed it possible that a friendly and sufficient response would be made to his dispatch of January 21. It is therefore not impossible that he may have had some intimation of what the answer would be, and yet that it was in such unofficial, or informal, or secret manner received as to justify him in not putting it into his message. [Laughter on the Democratic side.]

This matter is now in the hands of Congress. Under the Constitution the power is granted to Congress alone to declare war. The President has put upon us the duty of determining that question. We must face it, and so decide it that the honor and the dignity of the American people shall be upheld. No man in this House, no matter what his party connections, no matter from what section of the country he may come, but will at all hazards protect the humblest seaman that wears the American uniform or guard at whatever expense the honor and the glory of the American people. [Applause.] This will be accepted without the saying as true by every honorable man in all the country. The honor, the glory, the dignity of the Republic, the safety, the security of its seamen, are safe in the hands of this Congress.

But war is the ultimate resort. It is only the last resort, especially so when the war must be with a republic like our own, anxious for liberty, desiring to maintain constitutional freedom, seeking progress by means of that freedom; and this consideration is greatly strengthened by the fact that that Republic is in the midst of great internal trouble (having just overthrown a dictator), seeking congressional liberty under constitutional guaranties. All brave men, all generous men, all who love liberty will desire to bear and forbear with such a people passing through such a strait in the midst of such desperate conditions, as long as our honor will allow us to bear and forbear with her. [Applause.]

Therefore it is our duty to know all the facts. Every fact that can bear any relation to this matter is part of our necessary information in arriving at the conclusion which we must reach upon a matter so important as this. And I confess it did not occur to me that my distinguished friend the chairman of the Committee on Foreign Affairs [Mr. BLOUNT], or any member of the House would hesitate one moment to submit this request to the President of the United States. Whether by reference, by postponement, or by delay of any other sort we weaken the attitude that we ought to bear to this question. It seems to me we should promptly say to the President: "At once give us all the information you have; immediately send to us all that has been communicated to you. Before our opinions crystallize into convictions, before we become biased by the reading of this correspondence in which are unkind and bitter things, before our tempers are aroused by the offensive expressions which in moments of heat, amid great troubles, have been uttered, before any conclusion has been reached, give us all the facts, so that we may keep our minds unbiased until we have all that is possible of truth and light to base our conclusions upon."

Mr. Speaker, I have omitted from the resolution the ordinary words, "If not incompatible with the interests of the public service," because that language does not apply to this case. When the House asks from the President information about matters on which he has not communicated, then it is but courteous to let him decide whether the information of which he is the custodian can be safely communicated to the public. But when he has taken the initiative; when he has sent correspondence on the subject to Congress; when he has felt that the question has passed beyond the reach of executive action and must now be decided by Congressional determination, then we are entitled to all the correspondence, to all the information. There is then no reserve that can properly be couched in the technical and formal language, "If not incompatible with the interests of the public service."

Mr. Speaker, this is a more important question than any other that will probably come before Congress during this session. We are now engaged, and have been for years, in seeing whether we can tie the nations of the American hemisphere closer together. The old desire of Bolivar, that in some way or other—by some sort of international agreement, some form of pact or contract—there could be a union of the American peoples so as to preserve this hemisphere from European interference, is now being attempted to be made practical by the statesmen of the present generation. Republican or Democrat, each is looking, by reciprocity or other agreement, by Pan-American congresses, by other associated meetings of representatives, to bring these countries closer together. Surely at the beginning of this adverse action communicated to Congress in this message of the President—action looking not to peace, but to war; looking not to communion, but to bloodshed—it seemed to me the House would not hesitate to take whatever steps might be offered to it

to obtain the necessary light, or if it be not necessary, the additional light, if there be any, that may be cast over the pathway which it has to tread.

That was all that was in my view in submitting the resolution. In that sense I have uttered what I have said, and if the gentleman from Georgia, the chairman of the Committee on Foreign Affairs, does not think that it ought to come to immediate consideration, and will make a motion to refer it to the committee, I will not make any opposition to it, although I think seriously that he has made a mistake. [Applause on the Democratic side.]

I reserve the remainder of my time, if I have any left.

Mr. BOATNER. Before the gentleman from Kentucky takes his seat will he permit me to ask a question?

Mr. BRECKINRIDGE of Kentucky. Certainly.

Mr. BOATNER. I wish to ask if the gentleman has any information that the Chilean Government has replied to the ultimatum of this Government?

Mr. BRECKINRIDGE of Kentucky. I have no information except that which has come to every member of this House. I have only such information as we see in the public prints, the various public prints that we are in the habit of reading, and I do not know whether the statement there appearing is accurate or not. I have only this information, that on the 21st day of January a dispatch was submitted by the Government of the United States, through the American minister at Chile, to the Republic of Chile; that on the 25th of January the President of the United States communicated a message to this House, and that it is not unfair to presume he had either received an intimation of what the answer would be of the Government of Chile or of the cause of the failure to answer, and that if he has had that information, we ought to know what it is. If he had despaired of it, and no answer has come since, we ought to know that. If anything has come we ought to know what it is. That is my frank answer to the gentleman from Louisiana, and I reserve the remainder of my time. [Applause on the Democratic side.]

Mr. BLOUNT. Mr. Speaker, I shall occupy the time and attention of the House but for a very brief space. Whether this House hereafter in its wisdom, and in view of the gravity of the situation in the matter of our relations with Chile, shall see fit to consider these matters in secret session or not, at least it seems to me that at this time, and before any course shall have been determined upon, there ought not to be thrust upon this House and the country by any mode of procedure a discussion of that situation. [Applause on the Republican side.]

I remember—and the history is familiar to you all—the course pursued by Congress in the war of 1812. A message was sent to the Congress of the United States, the Senate and House, and both bodies went immediately into executive session. The Committees on Foreign Affairs of both bodies resolved upon secrecy of procedure, and the report of the Committees on Foreign Affairs was made in the House, accompanied by a declaration of war, and other measures subsequently taken in relation to the regulation of privateering. Not one thing was given to the public. The injunction of secrecy was never removed until the signing of the bill declaring war by the President of the United States.

Is there anything in that procedure, directed by the eminent men of those times, to admonish us that neither by indirection nor by direction should we deviate from that deliberate, calm course in which the safety of the country rests?

Sir, there is a great responsibility upon this House at this time. I trust that this resolution will be referred to the Committee on Foreign Affairs, and that every matter touching this question will be so referred; because we have an illustration at this very instant how unexpectedly to everybody the situation has been brought to the consideration of the House and the country. I presume and trust that no gentleman on the floor of the House will undertake to discuss the matter pro or con. So far as any information is concerned in relation to dispatches received to-day or yesterday or to-morrow, for one, and speaking for the Committee on Foreign Affairs, I assure the gentleman from Kentucky and this House that that committee will not be willing to make any report to this body without exhausting all the information to be had from the correspondence. [Applause on the Republican side.]

I beg this House to remember that the line of safety is the line of deliberation. You can trust yourselves as well to-morrow or next week, after deliberation, as you can in the confusion provoked by instantaneous discussion. I only ask that we proceed seriously, earnestly, calmly, and manfully in all this matter. [Applause.]

I yield five minutes to the gentleman from Alabama.

Mr. HERBERT. Mr. Speaker, we are in the midst of a very grave crisis. No one can say with absolute certainty that the situation is less grave to-day than it was on yesterday. No one can say with absolute certainty that the news which appears this morning as an Associated Press dispatch from Santiago is true. There are features on the face of that telegram which, in my opinion, render it very doubtful whether the dispatch states the truth. Suppose the good news that an amicable settlement is at hand be untrue. Suppose while the grave questions between Chile and our country are still unsettled we pass now a resolution of the kind introduced by the gentleman from Kentucky. What will be its meaning? I do not say that the gentleman himself intends to cast any such imputation, but in my opinion the country will look at a resolution like that, passed now, as imputing to the Chief Executive in a matter of such grave concern as his message of yesterday bad faith to the country and bad faith to this House. [Applause on the Republican side.]

Shall we turn away from the grave questions at issue between us and Chille to enter into a wrangle with our President on an unsupported charge like that contained in this resolution? An attempt to press it to an immediate consideration carries with it also, Mr. Speaker, some sort of imputation upon the Committee on Foreign Affairs, to which this whole matter has been properly referred. Is not that committee competent to consider this whole question? It did not need the assurance of the distinguished chairman of that committee [Mr. BLOUNT] to convince this House that every means of information would be exhausted by that committee before it should make its report. I think we can trust that committee, and I think that if there be anything whatever in it the resolution will keep for a few days. In a matter as grave and important as this, at a time when the issues of peace or war are trembling in the balance, let us be deliberate; let us not now engage in a discussion such as that which such a resolution as this would provoke, a discussion in which the President might be attacked by some and defended by others, when all of us ought to bend our attention to Chile and the Chilean question.

Has the gentleman from Kentucky [Mr. BRECKINRIDGE] or anybody else any evidence on which to base this resolution; and what reason has he to give why, if a discussion of this kind shall be proper at any time, it ought to be precipitated now? I trust that the House will not do it, but that we will let the whole matter go to the Committee on Foreign Affairs. That resolution, according to the rules of the House, must be reported within fifteen days, adversely or otherwise. Why not let it go to the committee?

[Here the hammer fell.]

Mr. BLOUNT. I yield five minutes to my colleague on the Committee on Foreign Affairs [Mr. MCCREARY].

Mr. MCCREARY. Mr. Speaker, this House is confronted now with grave and important questions. These questions were of sufficient importance for the President of the United States to send to this House on yesterday a message, accompanied with documents and diplomatic correspondence. This morning the Committee on Foreign Affairs had a meeting. Therefore I have a right to assume that all proper dispatch has been made. I respect my friend from Kentucky [Mr. BRECKINRIDGE], who has offered this resolution; but I see no reason now for unreasonable haste in the consideration of a question so important as this.

If this resolution is referred to the Committee on Foreign Affairs, I have reason to believe that it will receive immediate and prompt consideration. We in this House have not, in the last few weeks, been acting upon what we have seen in the newspapers; but we have waited until the Chief Executive sent to this House a statement of the situation in Chile, accompanied by the correspondence. Is there any reason now why this House should, in great haste, when there is a Committee on Foreign Affairs, appointed to look into these matters, undertake to take charge of this matter, and call for the additional correspondence without referring the resolution to a committee? If there is other correspondence, it will come in due time, and it seems to me, sir, that the situation demands that gravity, that coolness, that deliberation, that care which will show that we are not acting as partisans, but as patriots. [Applause.] I agree, Mr. Speaker, with my friend from Georgia [Mr. BLOUNT], the chairman of the Committee on Foreign Affairs, that this resolution should be referred to that committee. An early report will be made. No one can be injured by reasonable delay. The country will not suffer and no member of this House will lose any of his rights by a reasonable delay, in order that the proper committee of this House may consider this grave question.

Mr. BLOUNT. I yield one minute to my colleague from Illinois [Mr. HITT].

Mr. HITT. Mr. Speaker, it has been the usage of this House, through different Administrations, in confiding questions that concern our relations with other countries to a Committee on Foreign Affairs, in which every shade of opinion in the House is represented, to have that committee, which has always been substantially nonpartisan and truly patriotic, as I have observed it since I was a member of this House, in such relations with the Executive that if information of the kind desired by the gentleman from Kentucky in his resolution was to be obtained at all,

it was accessible to your committee without resolutions. That committee represents the sentiment, the opinions, and the wishes of this House, and you can trust it.

[Here the hammer fell.]

Mr. BLOUNT. I move the reference of this resolution to the Committee on Foreign Affairs, and ask the previous question on the motion.

Mr. BRECKINRIDGE of Kentucky. Before the gentleman does that, for I suppose that is not debatable——

The SPEAKER. It is not.

Mr. BRECKINRIDGE of Kentucky. I would like to have five minutes of my own time, and then I will yield to the gentleman to make the motion.

Mr. BLOUNT. I prefer to insist upon the motion.

Mr. BRECKINRIDGE of Kentucky. I will state to the gentleman that if he cuts me off I shall make the fight against his motion, but if he allows me five minutes now I shall keep my word, and if he then makes the motion I shall not object to it.

Mr. BLOUNT. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. BRECKINRIDGE].

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, what I want to say is in a pleasant way. I have been criticised by the gentleman from Georgia [Mr. BLOUNT], by the gentleman from Alabama [Mr. HERBERT], and by my classmate, colleague, and friend from Kentucky [Mr. MCCREARY]; and I confess I am greatly surprised that a resolution, which is simply one of inquiry [cries of "Oh!" on the Republican side], that does not touch the merits of any question except to ask information, should have been received as this has been by those gentlemen.

I confess that it never occurred to me—and the Speaker will probably recollect that when he arose to put the question originally I asked no time for debate—that any one would object to a resolution simply asking for information—one that does not touch the merits of any controversy between Chile and the United States of America; one that does not criticise anybody, executive officer or our minister there, or anyone connected with this transaction, but simply asks for light.

Mr. BURROWS. Will the gentleman allow me to ask him a question?

Mr. BRECKINRIDGE of Kentucky. Certainly.

Mr. BURROWS. Have you the slightest question in your own mind but that when the President receives an answer to the dispatch of the 21st he will communicate it instantly to this House? Have you any question about it?

Mr. BRECKINRIDGE of Kentucky. I am not in the confidence of the present President of the United States [laughter and applause on the Democratic side], and if I were to answer the gentleman's question it might be in frankness that I might feel that it was my duty to say certain things about certain parts of his message that I do not consider proper to say now.

Mr. BOUTELLE. Why not speak frankly, if you speak at all? [Cries of "Oh!" on the Democratic side.]

Mr. BURROWS. But does my friend wish to intimate that the President of the United States, when he receives an answer to the dispatch of the 21st instant, will withhold it from the House?

Mr. BRECKINRIDGE of Kentucky. I think that if the President of the United States receives this resolution of the House he will not decline to give any information he has. [Laughter on the Democratic side.]

Mr. BURROWS. That is not an answer to my question.

Mr. BRECKINRIDGE, of Kentucky. And that was precisely the object of it, Mr. Speaker. I admit, with the gentlemen who have spoken, a sense of the gravity of the crisis before us, and it is because I have feared that war might be forced upon us when it was not necessary for the honor of the American Republic that I have felt the gravity of the situation that probably other gentlemen did not feel. I only desire to add that when the time comes I hope that I may prove myself a patriot, even if a partisan—and I am a partisan. I believe what I believe so intensely that I never have any doubt as to what side I am on, or as to the difference between myself and gentlemen on the other side; and because I am a partisan, I am a patriot. It is the depth of the conviction of my belief as to party principles that makes me desire that those principles shall be crystallized into policy and into statute.

But, Mr. Speaker, if the gentleman who has been so long and distinguished a leader of his party in this House, and the other two gentlemen who are distinguished Democrats, and who are on that committee, desire to take this simple resolution of inquiry and discuss it with the gravity that becomes the deliberations of a great committee upon a matter of information, whether we shall have this information or not, I shall not object to the reference. [Applause on the Democratic side.]

Mr. BLOUNT. Mr. Speaker, I hope the House will pardon me for just a moment. Perhaps I could have no better answer to the gentleman from Kentucky than to say there is illustrated in this very scene how, by his simple, harmless resolution, the discussion of this whole situation shall be precipitated upon this House. There is no way for this House to guard itself, except by reference of every question to the Committee on Foreign Affairs, and I trust that they will keep within its control the power, always, as to how the subject shall be taken up and considered. The power lies in this body, not with the President of the United States, but in the Congress of the United States, to declare whether it will or will not make war. The Executive of the United States can not compel this body to do anything but what they deliberately will to do; and therefore I trust that we shall proceed with deliberation and with courage from the beginning to the end of this matter.

I now move the previous question on the motion to refer the resolution.

The SPEAKER. The motion is not debatable. The gentleman from Georgia moves the reference of the resolution to the Committee on Foreign Affairs.

The question was taken, and the motion was agreed to.

RULES.

Mr. CATCHINGS. Mr. Speaker, on behalf of the Committee on Rules, I desire to call up for consideration the report submitted from that committee on Thursday last. As the House knows, these proposed rules have been printed in the CONGRESSIONAL RECORD.

Mr. CHIPMAN. Mr. Speaker, I can not hear a word that the gentleman is saying.

The SPEAKER. The House will please be in order. The Sergeant-at-Arms will please aid the Speaker in obtaining order on the floor. Members who feel that they must converse will please retire to the cloakroom, as public business can not be transacted in such disorder.

Mr. CATCHINGS. The rules proposed, Mr. Speaker, have been published in the CONGRESSIONAL RECORD, and I presume gentlemen have read them, and therefore it will not be necessary, at least at this stage of our proceedings, to have them read formally at the Clerk's desk. I desire to take the sense of the House as to the best method by which we shall proceed—that is, whether we shall go along without any limitation as to the time for general debate for the present, or whether we shall endeavor to agree as to the time at which general debate shall close. I assume that later on it will be necessary that rules be read by paragraphs, in order that separate votes may be taken upon the amendments that may be offered to those paragraphs. I desire to ascertain what the sense of the House is as to general debate, whether it shall go on for the present without any limit, or that we shall agree upon some time at which general debate shall be closed; and I should be very glad to have some suggestions from my colleague on the committee [Mr. REED] and other gentlemen who may desire to speak on that proposition.

Mr. REED. Mr. Speaker, I understand that a number of gentlemen on this side desire to address the House in general debate upon the question of the rules. How long a time they will require it is a little difficult for me to say now; but I suggest to the gentleman from Mississippi [Mr. CATCHINGS] that the general debate be allowed to go on a reasonable time, and then, perhaps, some arrangement can be made. I am not particular, however, about that suggestion being followed. Whatever reasonable proposition he makes will be likely to be acceded to upon this side.

The SPEAKER. The Chair would state that unless some agreement is made as to the general debate, any gentlemen getting the floor can offer an amendment at any time. There is nothing in general parliamentary law, or even in the rules of the House, that would prevent that. Therefore, if it is desired that there shall be a period during which the question shall be open to general debate without the privilege of offering amendments, that must be arranged by agreement. Subsequently there might be a time when the rules should be read by the Clerk and considered by paragraphs for amendment, under the five-minute rule, or such other rule as the House might agree upon.

Mr. CATCHINGS. I suggest, then, Mr. Speaker, that general debate be allowed to go on during this day, and that after to-day we take up the report of the Committee on Rules by paragraphs and vote separately on the amendments.

Mr. BLOUNT. No amendments to be offered during the general debate?

Mr. CATCHINGS. No amendments to be offered during the general debate; but I suggest that gentlemen desiring to offer amendments shall have them printed in the CONGRESSIONAL RECORD for the information of the House.

Mr. BLOUNT. The amendments to be considered only when we come to discuss the matter under the five-minute rule?

Mr. CATCHINGS. Yes.

Mr. HOOKER of Mississippi. Mr. Speaker, there has been some confusion in this part of the Hall, and I desire to ascertain whether I understand my colleague's proposition clearly. I understand it to be that this day shall be devoted to general debate, and that thereafter the report of the Committee on Rules shall be taken up and considered by paragraphs, and that the paragraphs shall then be subject to amendment as read.

Mr. CATCHINGS. That was my proposition; and that the consideration of the report after the general debate be under the five-minute rule. I suggested also that all proposed amendments might be published in the RECORD, so that the House might be better advised of their purport; but I do not insist upon that.

Mr. BURROWS. You would not preclude the offering of amendments that had not been so printed?

Mr. CATCHINGS. Oh, no.

The SPEAKER. The gentleman from Mississippi [Mr. CATCHINGS] asks unanimous consent that the remainder of this day be devoted to general debate on the report of the Committee on Rules without the right of amendment; that on to-morrow the rules be taken up for consideration by paragraphs under what is known in debate as the five-minute rule; that the rules be then read by paragraphs; that as each paragraph is read it shall be open to amendment, and that, thus proceeding, we go through the report. The Chair desires to state also, in that connection, that it is desired that there shall be considered as pending the substitute offered by the minority, being, as the Chair understands, the rules of the Fifty-first Congress.

Mr. REED. With a single amendment.

The SPEAKER. With a single amendment. The pendency of that substitute in no wise interfering, of course, with the right to amend the original. Is there objection to the proposition of the gentleman from Mississippi [Mr. CATCHINGS]?

Mr. REED. I desire to suggest to the gentleman from Mississippi that perhaps a better way would be to allow three hours for general debate on either side, and then to begin the arrangement suggested by him.

Mr. CATCHINGS. I will agree to that, so far as I am concerned.

Mr. MCCREARY. Mr. Speaker, I desire to ask the gentleman from Maine to explain his proposition. Some of us have offered amendments to the report of the Committee on Rules. Now, under the arrangement proposed by the gentleman from Maine, would we have a part of the time? And, if so, on what side?

Mr. REED. If the occasion was of sufficient seriousness we would be very glad to welcome the gentleman from Kentucky to our side, and anybody else that was willing to come. [Laughter.]

Mr. MCCREARY. The gentleman from Maine misunderstands me. I have offered an amendment to the report of the Committee on Rules, and I hope that gentlemen on that side [the Republican side] will appreciate that amendment sufficiently to vote for it, because it is a good amendment. But what I desired to ascertain was how the time was to be divided. Did the gentleman from Maine mean three hours for his party and three hours for the other side?

Mr. REED. That is what I meant.

Mr. BRECKINRIDGE of Kentucky. I would like to make a similar suggestion, Mr. Speaker. This matter of the rules is not a two-sided question. It is rather a polygon or an octagon——

Mr. REED. Mr. Speaker, I wish to say that in suggesting three hours I had in mind only the number of Republicans who desired to address the House upon this question, and if it be desired that more time shall be given to those upon the other side of the House who are not in favor of the rules as reported, I shall not object to any reasonable arrangement of that kind. [Laughter.]

Mr. BRECKINRIDGE of Kentucky. It seems to me, Mr. Speaker, that as the House is not crowded with business——

Mr. REED. Perhaps a better way of phrasing it would be to say that the House is not crowded with a disposition to act upon business. [Laughter.]

Mr. BRECKINRIDGE of Kentucky. Possibly that would be better; but in fact the House has not been crowded with business, because the committees have not yet reported much business.

Mr. WATSON. I ask the gentleman from Mississippi to consider a request coming from those who favor the amendment (really in the nature of a substitute for the report of the Committee on Rules) offered by the gentleman from Kansas [Mr. OTIS]. I refer to the proposed substitute for Rule X. We ask that the gentleman from Mississippi modify his proposition so as to allow us a distinctive distribution or allotment of time—half an hour or an hour—whatever he thinks is fair, or whatever the House may think is fair—to discuss that proposition. There are some eight or ten of us who favor that——

The SPEAKER. The Chair will state that all amendments can be discussed under the five-minute rule. That is the object of the five-minute rule.

Mr. BRECKINRIDGE of Kentucky. I suggest that there is really no political division on the question of the rules as a whole. As to the great body of the rules there is no special disagreement on either side. The rules of the Fiftieth Congress and the rules of the Fifty-first Congress are, as to four-fifths if not nine-tenths of the matter embraced in them, precisely the same. The differences, while very radical, are comparatively few. Now the Committee on Rules have presented their report in the form of amendments to the rules of the Fiftieth Congress. The proposed rules which they submit are the rules of the Fiftieth Congress, with comparatively few amendments. As to those amendments there is no doubt division on both sides of the Chamber. Therefore it would not represent the proper condition or situation of the House with reference to this proposed code if we should have the time divided politically. Gentlemen on the Republican side probably agree with four-fifths of the matter embraced in this proposed code. They probably agree with the principal of the proposed amendments.

Mr. WATSON. I understood that I occupied the floor.

The SPEAKER. This discussion is all proceeding by unanimous consent. The Chair is indulging members to see whether an agreement can be reached. If any gentleman makes the point, this discussion must all stop. The gentleman from Mississippi [Mr. CATCHINGS] is entitled to the floor.

Mr. CATCHINGS. I trust that we may be able to come to some agreement. Anything in the world that suits the House will suit me.

Mr. MCMILLIN. I suggest to the gentleman from Georgia [Mr. WATSON] that on this question, as on other questions, there are two sides. The question is not how many different sentiments there may be in the House on general politics. On one side of the question the opinion is in favor of the rules of the Fiftieth Congress substantially; on the other it is in favor of the rules of the Fifty-first Congress substantially. I have no idea that the gentleman from Georgia or his friends will have any difficulty whatever in getting whatever recognition they may desire if the suggestion of the gentleman from Maine as to general debate for six hours be agreed to. Under that agreement I think we shall be able to accommodate all gentlemen who desire to speak on the subject. And wherein there may be any failure of any gentleman to be heard in the general debate, that debate will be supplemented by the discussion under the five-minute rule; so that I think no gentleman will have reason to complain of not obtaining a fair hearing.

Mr. WATSON. The gentleman from Tennessee [Mr. MCMILLIN] can not have read the substitute offered by the gentleman from Kansas, if he thinks it falls under the classification which he has made as to either proposed body of rules.

The proposition of the gentleman from Kansas is a departure from the rules of either the Fiftieth or the Fifty-first Congress. He proposes a different and distinct parliamentary principle in the organization of the House. Now, we do not claim that this proposition will be seriously considered by either of the two sides of the House represented by the gentleman from Mississippi and the gentleman from Maine, but it is seriously considered by us; and standing here a minority of eight or nine men, with equal rights to be heard on this floor, we do claim the right to express our opinions to the country and to have our reasons for this proposition go on the record.

Mr. MCMILLIN. I will say to the gentleman from Georgia [Mr. WATSON] that in the remarks I just made I forgot for the moment the substitute offered by the gentleman from Kansas. I suppose my colleague on the Committee on Rules [Mr. CATCHINGS] would not object to allowing a proper time for the advocacy of that proposition.

Mr. WATSON. Give us an hour.

Mr. MCMILLIN. I think it would be very proper to allow one hour in advocacy of the substitute of the gentleman from Kansas.

Mr. WATSON. That would be perfectly satisfactory.

Mr. CUMMINGS. I call for the regular order.

The SPEAKER. The gentleman from Mississippi is recognized, and the Chair hopes the regular order will proceed.

Mr. ENLOE. I would like to make a suggestion to the gentleman from Mississippi on this point. I suggest that we may possibly reach an agreement on this matter by first determining how much time shall be devoted to the general debate, and then proceeding, according to the rule of proportion, to divide the time among the political parties according to their relative strength in the House.

Mr. BLOUNT. I call for the regular order.

The SPEAKER. The regular order is the consideration of the report of the Committee on Rules. The gentleman from Mississippi is entitled to the floor.

Mr. CATCHINGS. Before proceeding with my remarks I desire to ask a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. CATCHINGS. I desire to know whether I am entitled now to one hour by virtue of the fact that I have the floor?

The SPEAKER. The gentleman is.

Mr. REED. Does the Chair decide that the gentleman from Misssissippi is limited to one hour?

The SPEAKER. The gentleman from Mississippi asked the Chair whether he was entitled to an hour. The Chair answered that he was. The Chair would be inclined to think, in the absence of any rules, that the one-hour rule—the general parliamentary law—would be applied to such proceedings as these.

Mr. CATCHINGS. I am inclined to think, Mr. Speaker, that we can come to an agreement now, and I will renew the suggestion that we limit the time to six hours, three hours to be given to the Republican side and three to our side, out of which we will give to the third party one hour of time.

Mr. LANHAM. I suggest to the gentleman from Mississippi that he so modify his request as to make the general debate seven hours, three to each side and one to the third party.

Mr. CATCHINGS. Very well, I will agree to that suggestion, and I ask consent of the House now that the general debate be limited to seven hours, three hours of which shall be used, if desired, by gentlemen on the other side of the Chamber, meaning the Republican side, three hours on this side of the Chamber, and one hour to gentlemen who compose the third party, and that at the expiration of the seven hours of general debate the rules be taken up under the five-minute rule for debate and amendment.

Mr. BRECKINRIDGE of Kentucky. The rules to be taken up and read *seriatim?*

Mr. CATCHINGS. Yes, sir; and each paragraph subject to amendment as reached and not after it is passed.

Mr. REED. And with the understanding that the amendment is pending to substitute the rules of the Fifty-first Congress with one amendment.

Mr. CATCHINGS. Certainly. That is the understanding.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi as stated.

Mr. CUMMINGS. I object.

The SPEAKER. The gentleman from Mississippi is recognized.

Mr. CATCHINGS. Mr. Speaker, I desire very briefly, while I now have the floor, to call the attention of the House to the amendments which have been proposed by the Committee on Rules to the rules which prevailed in the Fiftieth Congress.

Mr. ENLOE. Before the gentleman proceeds, I am requested by gentlemen around me to inquire whether or not the amendments which have been published in the RECORD will be considered as pending amendments to be voted upon?

The SPEAKER. The understanding was that no such amendments were to be considered as pending; nor is there any amendment pending except the substitute for the report of the committee presented by the minority.

Mr. ENLOE. I suppose it will be in order to offer them under the five-minute rule, and have a vote upon them in that way?

The SPEAKER. Undoubtedly, when the paragraphs to which they apply are reached.

Mr. CUMMINGS. At the suggestion of gentlemen around me I withdraw the objection I made to the request of the gentleman from Mississippi.

The SPEAKER. Then the Chair will ask if there be further objection.

There was no objection, and it was so ordered.

The SPEAKER. In accordance with the agreement seven hours will now be devoted to general debate on the rules. The Chair would ask before proceeding whether it be the desire of the House that the time shall be controlled by some gentleman representing the majority and the minority, or whether that shall be left to the Chair?

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. CATCHINGS] control the time on this side and the gentleman from Maine [Mr. REED] on the other, and the gentleman from Georgia [Mr. WATSON], representing the third party, the hour allotted to them.

The SPEAKER. Is there objection to that request?

There was no objection, and it was so ordered.

Mr. CATCHINGS. Mr. Speaker, the rules proposed by the committee are in the main those which prevailed in the Fiftieth Congress, there being not more than three or four amendments to that code suggested. I shall allude very briefly to those amendments, and then yield the floor to some gentleman who desires to be heard in the general discussion.

The first amendment, I will say to gentlemen, is borrowed from the rules of the Fifty-first Congress, and was designed to put an end to disputes which constantly grew up between the Committee on Appropriations and the Committee on Military Affairs as to which had jurisdiction over coast defenses. The words "and coast defenses" were added to section 3 of Rule XI, in defining the powers of the Committee on Appropriations in the Fifty-first Congress, for the purpose of making it clear and distinct that the Committee on Appropriations should have jurisdiction alone over that subject. We have incorporated these words in Rule XI as reported, the intention being that the Committee on Military Affairs should not have jurisdiction over that subject.

The next amendment, sir, is also in Rule XI. But first among the committees which are given leave to report at any time we include the Committee on Rules. We then provide as follows:

It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

The effect of that amendment, if it shall be adopted, will be to place the reports from the Committee on Rules in the same category with motions to suspend the rules; and we have also provided that—

pending a motion to suspend the rules, the Speaker may entertain one motion to adjourn; but after the result thereon is announced he shall not entertain any other dilatory motion until the vote is taken on suspension.

That rule has prevailed, so far as I can ascertain, always in Congress.

Mr. HOPKINS of Illinois. Will the gentleman permit me to ask him a question?

Mr. CATCHINGS. Certainly.

Mr. HOPKINS of Illinois. Under the proposed amendment, is it within the power of the Speaker to determine that any motion, after the question has once been taken on adjournment, is a dilatory motion?

Mr. CATCHINGS. No, sir.

Mr. HOPKINS of Illinois. How is it to be determined?

Mr. CATCHINGS. I will answer that proposition in this way: Every motion which postpones, even for a moment, the consideration of a question, is classed in parliamentary law as a dilatory motion. It is a dilatory motion, not because the person making it may desire to postpone the consideration of the pending question, but because it necessarily has that effect.

A motion to adjourn is a dilatory motion, whether the person making that motion makes it for the purpose of postponing consideration, in the way of obstruction of pending business, or not. That rule simply declares that all these motions which are understood in parliamentary law to be dilatory motions shall not be in order after one motion to adjourn had been made and acted upon.

Mr. HOPKINS of Illinois. Then, if I understand the gentleman, the object of that amendment is to give to the Committee on Rules absolute control of the House. Is that it?

Mr. CATCHINGS. Well, Mr. Speaker, my friend puts it a little too strongly. I was about to explain what the object of the rule is, and perhaps the gentleman will be satisfied when I have finished my explanation. It certainly was not the intention to give the Committee on Rules absolute control of the business of this House; but the true object of that rule was to lodge somewhere the power which would enable this House, when a majority desired seriously to have a vote upon important business, to have that vote. I have believed, as many gentlemen on this side have believed, always, that the House should at all times have power at some time, in some way, to come to a vote upon a proposition. It is not expected, however, that this power will be exercised daily, or weekly, or perhaps monthly, because the very fact that the power is lodged somewhere which will enable the House to come to a vote will have the effect of preventing filibustering, unless it is in accordance with the wish of members of the House in the majority that there shall be filibustering.

I mean by that that oftentimes it is more convenient and more desirable to the House that a measure shall be filibustered to death than that a formal proposition shall come in by which the House will be compelled to vote it down; so that I assume that the occasions will not be frequent when it will be necessary for the Committee on Rules to exercise this power if the House shall adopt this amendment.

It is understood by all gentlemen who are familiar with the practices of past Congresses that as the business of the House progresses, and as there becomes a great rush for consideration of this measure and that, the Committee on Rules have undertaken heretofore generally, it is true, by unanimous consent, to set apart certain days for the consideration of certain measures, making what we speak of as special orders.

Now, we assume that if this amendment shall be adopted the Committee on Rules will go on, as Committees on Rules of previous Congresses have gone on, and in perhaps ninety-nine cases

out of one hundred will content themselves with fixing a day for the consideration of a bill, leaving the House to dispose of the measures, when they come up, in its own way. But in the case of an important measure, which it was quite evident that the great bulk of this House desires to have a vote upon—I am not speaking now of partisan majorities, because fortunately partisanship manifests itself but in rare instances—I say that there are measures which gentlemen upon both sides of this House would be glad to have a vote upon, measures which ought to be passed, but which, under the old rules, were at the mercy of gentlemen who might choose to filibuster and prevent any consideration at all. I think nobody will deny that in a case of that sort the House will have the power to come to a vote. And in a case of that sort I have no question, if this amendment should be adopted and it should be manifestly the desire of this House, without reference to partisanship, that the House should have the right to vote upon the pending proposition, that the Committee on Rules would provide means under this power given them by which the House should have that vote. I hope, Mr. Speaker, I have made myself plain to my friend from Illinois [Mr. HOPKINS].

Mr. HOPKINS of Illinois. What I desire to know is, if this amendment should be adopted, does it not put it within the power of the Committee on Rules to absolutely control the House and regulate what legislation shall be had and what shall not be had?

Mr. CATCHINGS. It does not, Mr. Speaker. Ordinarily this House goes on and disposes of business which comes up in its own way.

Mr. HOPKINS of Illinois. But suppose some legislation should be before the House that did not meet with the approval of the Committee on Rules. If this amendment is adopted does it not put it within the power of that committee to bring immediately before the House some measure that does meet with the approval of that committee, and thus displace the obnoxious proposed legislation?

Mr. CATCHINGS. Oh, not at all, Mr. Speaker, because when the Committee on Rules makes a report the House must adopt that report; and if the House desires to go on in a different way, it has simply to decline to adopt the report of the Committee on Rules.

Mr. HOPKINS of Illinois. But does it not put it in the power of the committee to pit one class of legislation against another, and in that way defeat the will of the majority of the House on any particular legislation?

Mr. CATCHINGS. Not at all. The idea of my friend is very far-fetched, that the lodgment of this power with the Committee on Rules would enable that committee to say what should or should not be considered. He might argue with some degree of plausibility that under this power the Committee on Rules might perhaps favor certain measures against others, but when he undertakes to say that the Committee on Rules would or would not use this power to prevent the consideration of business, I say that he has placed a very far-fetched construction upon it, which I hope is original and I hope exclusive.

I believe, Mr. Speaker, I have said all that is necessary to be said in regard to that rule. Gentlemen who have had experience for years here understand that it becomes absolutely necessary that some committee or some portion of this House should have some power as to the arrangement of the order of business. There would be chaos without it. There is nothing new in that idea. Such power has always been given to some committee, and ever since I have been in Congress that power has been lodged in the Committee on Rules; but as every one who has had experience knows, it has required unanimous consent for the consideration of these special orders.

I do not believe myself, Mr. Speaker, that if the House shall agree to this amendment that the times will be very frequent when the power will be exercised to the extent of declaring the exact time, hour, and day when a vote shall be had.

The next amendment, Mr. Speaker, to which I desire to call the attention of the House is that to Rule XXI, which is commonly spoken of as the "Holman amendment," originating, as I am informed, with my distinguished friend from Indiana [Mr. HOLMAN] who sits upon my left, and which was a rule of this House, I believe, from the Forty-fourth Congress down to and including the Forty-eighth Congress. Certainly it was a rule of the House in the Forty-eighth Congress. In proposing it to the House I will state that we have used the exact language found in the rule in the Forty-eighth Congress. The effect of that rule, Mr. Speaker, as I understand it, and I gather my idea entirely from reading it, because I was not here when it was in force, is to give to a committee of appropriations—I do not mean the Committee on Appropriations, but any committee which has authority to report any appropriation bill—the right to change existing law where such change would be germane to the proposition before that committee, and at the same time would have the effect of retrenching expenses.

It was believed, Mr. Speaker, by the majority of the Committee on Rules that this House ought to have the power, if it in its judgment sees fit, to reduce expenses; and knowing how business is transacted here, we felt that unless that power was conferred upon these appropriation committees it could not be exercised at all substantially. I mean to say, Mr. Speaker, that if no salary could be reduced, if no retrenchment could be had except upon a special bill introduced and passed for that purpose under our mode of business and with the great rush of business here, it would be impossible to pass such bills at all. So it was believed by the Committee on Appropriations, who pressed this subject upon us, and to whom we must largely look for these measures of retrenchment wherever they can be made, that that power should be given them, and we concluded, after much consideration and after consultation with gentlemen, that we should go back to the rule of the Forty-eighth Congress and see if it would not work well.

There was some objection urged to it by gentlemen. For instance, it was said that it would surely be impossible to pass these reductions through the Senate. That it would simply lead to a deadlock between the two Houses; but we did not consider that that was any answer to the proposition that the House should have this power, because if the House undertakes faithfully to reduce the expenditures where they should be reduced and the Senate refuses to agree to that reduction, then the fault is with them, and we will be vindicated before the country. We can not predict what the Senate may or may not do. We can only do our duty as we understand it, and it is our duty to see that the expenditures of the Government are reduced in such a way that they do not interfere with the proper working of the various departments of the Government.

The next amendment, Mr. Speaker, and the only one that is to be found in Rule XXVIII, is that which is intended to allow the House to make use of suspension days. We all know, Mr. Speaker, that it was frequently the case that the whole day set apart—being the first and third Mondays of each month—for motions to be made to suspend the rule and pass measures, were taken up by filibustering, and that was done under the call of the States and Territories for the introduction of bills. A gentleman who desired to prevent the consideration of some motion to suspend the rules could send to the Clerk's desk the Revised Statutes and the whole day could be taken up in reading it, and of course, if demanded, all bills that were introduced here would have to be read.

We propose to cut that off, Mr. Speaker, by providing that on the first and third Mondays of the month, which are known as "suspension days," the call of the States for the introduction of bills shall not exceed one hour. As a matter of fact, after the first two or three Mondays of the session, one hour is ample for that purpose. I think I may safely say that not more than fifteen or twenty minutes would ordinarily be consumed, even at this early stage of the session, on those Mondays in the introduction of bills under the call. Therefore, the committee thought they could safely provide that on suspension days the call should not occupy more than one hour.

I believe, Mr. Speaker, that I have gone briefly over the three amendments which the committee propose, and now I will reserve the balance of my time and yield to any gentleman who desires to take the floor.

The SPEAKER *pro tempore* [Mr. HATCH]. To whom does the gentleman yield?

Mr. CATCHINGS. I reserve my time.

The SPEAKER *pro tempore*. The gentleman has two hours and forty-five minutes remaining.

Mr. CATCHINGS. I will yield to the gentleman from Maine [Mr. REED] if he desires to take the floor.

The SPEAKER *pro tempore*. The Chair will say to the gentleman from Mississippi [Mr. CATCHINGS] that under the agreement made in the House the gentleman is recognized as controlling the whole of the time on his side. He has occupied fifteen minutes.

Mr. CATCHINGS. I yield to the gentleman from Maine. Of course the gentleman speaks in his own time.

Mr. REED. Mr. Speaker, if the gentleman from Tennessee [Mr. MCMILLIN] does not desire to further explain the rules, I will address the House.

Mr. MCMILLIN. Not now.

Mr. REED. Mr. Speaker, I wish I were able, by some miracle or other display of power, to transfer to this audience at the commencement of the session the wisdom and the experience which they will have at the end of it. If I could do that I should not have before me what I know to be an impossible task, the preservation of the rules of the Fifty-first Congress. For the last ten years, as the records will show, I have uplifted my voice many times in favor of such modifications of the rules of the House as would give it the power to put into acts of Congress its wishes.

I have never failed, at the end of a session, to find many men, for whose judgment I had great respect, come to me and express their regret that their knowledge when the subject was up for discussion was not as great as it was after they had seen the rules in operation. If the members of the House could now have the knowledge that will come to them during the session there would be very little difficulty in establishing the proper principles and the proper practice.

I intend to state briefly to the House what the system was that was adopted in the Fifty-first Congress. It will not be necessary for me to go greatly into detail, because a general outline will, I think, show what the plan was sufficiently for the House fairly to judge of the matter.

The introduction of bills before the Fifty-first Congress had always been in the clumsy and unsatisfactory fashion which you have all witnessed, and which it is proposed to continue. In the Fifty-first Congress a system was adopted carrying out and applying to public bills the system which had already been adopted with regard to petitions and private bills. The bills were handed, at any time, to the Clerk, and, under the instruction of the Speaker, were referred in accordance with the will of the House as expressed in rules already framed. If any error was made in a reference, the committee who ought to have it had the right to demand the bill, or the committee who ought not to have it had the right to bring before the House the question whether the duty of considering it should be imposed upon them.

Some objection was made that that seemed to deprive the House of the right of controlling the reference of bills; but that objection was rather technical than real, for the reason that the House had already defined the directions in which it intended the bills to go, and in the early days, when bills were referred publicly and openly, the proposition to refer to another committee than the one deemed suitable by the Speaker was not only of rare occurrence, but of the very rarest. In fact, I may say that, according to my recollection, in the early years in which I was in Congress no such question of reference was ever raised except once or twice. But now, as gentlemen can see every day, there is growing up the very bad practice of referring bills by the House in defiance of its own rules, and I have myself witnessed the beautiful transaction of the reference of a bill on eduction, not to the Committee on Education, but to the Committee on Labor. And this, past experience shows, is sure to increase, and the inevitable result will be confusion and disorder. So that the total result of the proposed change backward is the consumption of the time of the House, the annoyance of the House, and an exceedingly irregular reference of bills.

I can conceive no reason why this rule, established by the Fifty-first Congress, was broken in upon, except that conservatism which preserves so much bad while it saves somewhat of good. When a bill went to a committee, that committee reported it for reference in a similar manner; and the bill was sent to the Calendar to which it belonged, and then was acted upon under the rules of the House. But the House found itself, as it will always find itself, with an amount of business which it was impossible for it to transact, and there must be, as the gentleman from Mississippi [Mr. CATCHINGS] has well said, some committee charged with the duty of selecting, in regard to the important matters, what questions shall be presented to the House. That part of the rules of the Fifty-first Congress was a source of great uproar, opposition, and confusion at one time. Gentlemen expressed themselves against it with great vehemence and multitudinous iteration. I do not speak of that in any reproachful way, but simply as a reminder, in order that the country may see what I am glad to be able to describe as satisfactory progress on the part of the Democratic party. [Laughter.]

I hail every advance of the Democratic party with very great satisfaction, because I am a sincere believer in the doctrine that in order to have an army take a new march the rear guard must be got up. I do not say this in any reproachful fashion; I simply say that the conservative element of the country must be reasonably convinced of the propriety of one advance before it is safe for the community to take another. Therefore, the amendment which has been presented by this committee in regard to the power of the Committee on Rules as to the control of business in the House I hail as a very great advance. I am glad to know that it has ceased to be "tyranny" for that committee to present bills for the consideration of the House, and that henceforth we shall have some governing and responsible power in the House, even if it is not all we could desire; for although some reform has taken place, and although the principle for which we contended has been practically admitted in this amendment from the Committee on Rules, yet I am sorry to say it has been presented in so one-sided a fashion, that I really entertain the hope that the House may see the propriety of extending the principle and giving it full course, that it may be glorified.

Gentlemen of the House will have observed that under the proposed system of rules reported by the gentleman from Mississippi the Committee on Rules has a right of way; everything else must be side-tracked when the Committee on Rules presents a proposition with regard to procedure in this House. That is right; that gives to the Committee on Rules a general direction of the business of the House; and it will be noticed that when that committee have their opportunity, then all dilatory motions, after one motion to adjourn, must be stopped and the House must be brought directly to a vote upon the subject. This is beyond what we did.

Now, mark you, the Committee on Rules, when they propose a procedure of business, have a right to dictate the terms on which that proceeding shall take place, and consequently they can by the very rule which they bring in stop filibustering proceedings against that particular measure. In other words, this committee, whenever they choose to present a proposition to the House, may enable the House to exercise what used to be called "tyranny" over the House and over the single member, but which is now regarded, justly, as good procedure. Now, my difficulty with this matter is this: Whenever the Committee on Rules choose to present a proposition they can cut off dilatory motions and strangle filibustering. So far as it goes that is good; but the majority of the House ought to have at all times the same right and the same privilege as to all bills, once up, which they are to have in the case of those bills which shall receive the sanction of the Committee on Rules.

Wherever the Committee on Rules choose to act in that repressive fashion, filibustering and every dilatory motion can be cut off; and what are so erroneously called "the rights of minorities" may be absolutely taken away. But when it comes to a matter which a mere majority of the House, without the concurrence of the Committee on Rules, desire to pass, all the means which can be in the hands of the filibusterer have been placed where he can use them to the best advantage. In other words, the minority may rule in every case except where the Committee on Rules have taken the initiative and demand that the majority shall rule. Under this newly proposed system the will of the majority is to be sacred when it has the Committee on Rules on its side; it is to be of no account when it is not thus supported. And yet I suppose it will be claimed that this system preserves the right of the individual member to an extent unknown for the past two years. Yet after all I shall be surprised if I do find any gentleman so far in the rear as to claim that.

According to this system, if it be carried out in its intent and purpose, the Speaker will be deprived, and through him the House will be deprived, of the right of suppressing that filibustering which uses dilatory motions, which I beg leave to define as meaning any motion presented for the purpose of stopping the business of the House. I say that the House has the right at any time to demand that obstructors of its progressive march in legislation shall be moved out of the way, and shall be moved out of the way by the proper officer of the House representing the House, whose organ he is, whose mouthpiece he is. When the report of the Committee on Rules was presented in the last Congress I ventured to say in that report that the right of the Speaker and his duty to stop dilatory motions would never be exercised until every man in the House knew and was satisfied that the motions were of that character.

I said that the difficulty would be that the Chair would forbear too long. I say so now. I say that the Speaker of this House, the organ of the majority and the organ of the House itself, should not only have the right, but should have the duty imposed upon him to suppress filibustering, just as any other disturbance which obstructs the business of the House should be suppressed. The object of a session of this House is that the people's Representatives may sit in judgment upon those matters which are presented to them by the people. There is no better title for such a body than one corresponding with that noble title given to the Legislature of Massachusetts—"the great and general court" of the nation. I care not whether a question is decided in the affirmative or the negative, the questions which the people present ought to be decided by their Representatives. But the whole system of business here for years and years has been to seek methods of shirking, not of meeting, the questions which the people present for the consideration of their Representatives.

Peculiar circumstances have caused this. For a long time one section of the country largely dominated the other. That section of the country was constantly apprehensive of danger which might happen at any time by reason of an institution which it was maintaining. Very naturally, all the rules of the House were bent for the obstruction of action on the part of Congress. They wanted to be "let alone." And when in the Forty-sixth Congress a revision of the rules was proposed, it found the Republican party in very much the same condition. They wanted what had been done during the war kept from repeal; and the consequence was that in the Forty-sixth Congress we agreed (I believe I was

one of those who took part in the agreement) to a set of rules which, for imbecility, for absolute protection against progress, never had their equal on printed white paper. So thoroughly embedded is the idea of obstruction in the rules as we have them here presented, that you can come across these obstructions in the most unexpected places.

Why, under the rules that it is proposed to adopt for this House you will be utterly powerless to call together the House, as the Constitution requires you should, when a quorum has been found not present and make the members act; and we were powerless in the Fifty-first Congress. What we needed then and what you need now is that amendment, that most admirable amendment proposed by that distinguished constitutional lawyer, Mr. Tucker of Virginia, in the Forty-sixth Congress, which I propose to offer as an amendment to the rules of the Fifty-first Congress when offered as a substitute for these proposed rules.

This Tucker amendment provides for the counting as a part of the quorum of all the members brought in under a call of the House whether they vote or not.

Now, one word upon another question, which I do not propose to debate or discuss in any exhaustive way, but simply to allude to briefly, and that is the question of what constitutes a quorum of the House of Representatives. It is not in the least necessary for me to discuss that question.

The Supreme Court of the United States will soon, I hope, pass upon it. I entertain the unfaltering faith that the Supreme Court of the United States will follow the decisions of every supreme court and of every justice of every supreme court of the States of the Union that has ever passed upon it in these United States. I repeat it: I have no doubt the Supreme Court of the United States will follow the universal and unanimous judgment of every supreme court of every State in the United States that has ever passed upon this subject, and that is, that a quorum of this body is constituted by the members who are here present; that if there be a majority of the members present, the body is constituted, and the body itself has no right to say that it shall not do business.

I see in his seat the gentleman from Illinois [Mr. SPRINGER], and I am quite sure that he agrees with me, as he did a dozen years ago in his presentation of the case to that effect. To have the support of such a gentleman as the Representative (now Senator) from Kentucky, Mr. BLACKBURN, the then Representative from Virginia, Mr. Tucker, and the present chairman of the Committee on Ways and Means, will overpower, with the assistance of the supreme courts that I have mentioned, even my own feeble opinion to the contrary delivered more than ten years ago. [Laughter.] I remember that opinion, which was quoted against me in the Fifty-first Congress, and to which quotation I never replied. Perhaps the indulgence of the House will permit me now to make a statement a moment long in regard to it.

I never replied to the quotation at the time, because I thought, notwithstanding the kindly words of praise which were ringing in all Democratic newspapers, and the exaltation to imperial heights which they were kind enough to give me [laughter], that a great constitutional question like that should not be degraded into the question whether I was consistent or not. [Laughter.] It really seemed to me, even under the lifting influences of these varied remarks and allusions, that that question of consistency was trivial as compared with the truth. But I had at that far distant time my own ideas about it, from not the slightest examination, and in the hurry and rush of debate I said "it would seem" to be a sufficient answer to speak as I did. I am quite sure when I make a personal statement I shall be believed by the members of this House. For in regard to that opinion I had already begun to have some doubts, and that that expression, "it would seem," was put in purposely and intentionally, and that I said I preferred to discuss it on another ground, because in my judgment other ground was more tenable. For while I had before thus carelessly held the doctrine, yet after the disaster which happened to us in Maine, arising from the so-called "State steal," I found that some people who had already maintained the doctrine of a quorum, which is occasionally sustained by the Democratic party, were not quite willing to try it on in a matter which would go to the courts, and not having had thereafter an opportunity to examine it, I put in the words "it would seem."

I also took occasion to defend filibustering. Now, it is the misfortune of language that the same word is used often to describe the animal in two different stages, one when a very pleasant and harmless kitten, and afterwards when it becomes a very ferocious animal, running wild. [Laughter.] The filibustering I then defended was quite defensible, but filibustering had grown in the time, and before the time of the Fifty-first Congress, to be utterly indefensible, and I hope you will see it is in this Congress.

Nevertheless, Mr. Speaker, if you adopt these rules you will find somebody in some minority, not necessary political, who, under circumstances of great passion, will avail themselves of all the weapons which God and nature have placed in their hands. I do not refer to the Democratic party by the first expression; perhaps the latter will cover them and make the quotation endurable [laughter], albeit it is not of savory memory.

There is one other proposition which is made here upon which I desire to make some comment. It is a proposition which is dear to the heart of what is called retrenchment and reform, about which the greatest thing, as my colleague intimated the other day, is usually the sign outside the tent. That is a proposition by which riders may be attached to appropriation bills, provided they diminish expenditures. That proposition was originally introduced into the rules in the first fervor of new Democratic control of the House in 1874, or the Congress which followed that election. It was tried, found wanting, and dismissed, by a Democratic House, I think. At any rate it was thoroughly tried and found wanting by two of these bodies, and is now resuscitated, after its features have become so sodden by death that it is hoped nobody will quite recognize them, and it is hoped they may be palmed off upon us as something useful and valuable.

Now, in the first place I have a great contempt for anything which lowers the dignity and power of this House, and I do not care whether it is something the House proposes to do itself or not. The power which you take away from yourselves of making your appropriations in either direction, up or down, is a power that you can not take away from the Senate. You propose to limit your right to amend the propositions of the chairman of a Committee on Appropriations only in the upward direction. If you think any more money ought to be appropriated, you can not appropriate it; but if you can hitch on a proposition to take off some money, it does not matter what performance you tack to it.

The result is that most obnoxious and unhallowed thing, legislative riders upon appropriation bills. They are provocative of contest, of difficulty with the other branch, and trouble from beginning to end. And you will find that the character and quality of the amendments that are to be offered by the ruling classes in this House can be determined by noticing who is put in the chair; for we do not have any permanent Chairman of the Committee of the Whole House, and the result is that the question of what is germane and what reduces expenditures is as interesting as any variegated landscape that you ever beheld. The rules of the Fifty-first Congress limited the Committee of the Whole. I always thought that was a mistake. I always felt that if we can not trust the majority of the House of Representatives we certainly can not trust anybody. The Constitution trusts them, the people trust them, and the only thing is that they do not trust themselves.

Let me remind you in concluding—for I have taken more time than I anticipated—that this is not entirely a partisan body; that on the great bulk of questions that are passed upon the lines of division do not run along party lines; that outside of politics there are many men in either party who are in favor of progress and of that record of it which is to be found in the legislation of a country; and if control is given, as under these rules it is given in all cases that do not have the sanction of the Committee on Rules, to the minority, it will be impossible for the majority of this House to effectually act.

I sincerely hope that this House will give to this subject a candid attention, free from partisanship, and with a willingness to follow in the line of those gentlemen who believe that the rules of the Fifty-first Congress were not only good for them when they were in the majority, but who believe that they are good for them now in the minority, and who are ready to follow them wherever they legitimately lead. Such a course, we having borne all the odium, we having borne all the disaster connected with it—such a course is for you perfectly easy.

You can give this country a House of Representatives free to transact its business, a House of Representatives with the power which the Constitution gives it, and of which no man has an honorable right to deprive it. [Applause on the Republican side.]

Mr. CATCHINGS. Mr. Speaker——

The SPEAKER *protempore*. The gentleman from Maine [Mr. REED] occupied thirty-two minutes. The gentleman from Mississippi [Mr. CATCHINGS] is recognized.

Mr. CATCHINGS. I will yield twenty minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, if there are other gentlemen of the Committee on Rules who would like to discuss the report generally I can wait until they shall conclude, inasmuch as I am disposed simply to speak to an amendment offered by myself on yesterday to section 51 of Rule XI, which is found in the RECORD of to-day, and is as follows:

The Committee on Coinage, Weights, and Measures shall have leave to report at any time on bills relating to the coinage of silver.

The amendment which I propose would be appropriate at that

place in paragraph 51, immediately preceding the italicised words.

Mr. Speaker, many of us shall be wiser after the rules are adopted than we are now concerning their practical operation, as was suggested by the gentleman from Maine [Mr. REED]. The committee which prefers bills for raising revenue and taxing the people has always been, and will continue to be, in parliamentary designation, a privileged committee. The same may be said of the various committees which formulate appropriation bills providing for the disbursement of tax money. Certain other committees are usually, and will again be, clothed with the authority to report the results of their deliberations at any time. The right of way is opened and the track of legislative consideration is cleared before them.

Now, should not a committee charged with the jurisdiction and responsibility of inaugurating and recommending legislation concerning the money supply, providing the means whereby taxes may be paid and appropriations discharged, be invested with similar power? In the present condition of financial disturbance, monetary stringency, industrial depression, and seething popular discontent, are not these committees equal in dignity and public importance; and does there exist any substantial reason why equal facility should not be afforded for the consideration of proposed legislation, coming from these respective committees? To practically apply these questions and to emphasize the situation which confronts the Congress and the country I have proposed the amendment which was submitted on yesterday, and which, if adopted, will make it possible to have prompt and timely action upon a question of the utmost importance in the public mind in the event a majority of the committee having the matter in charge shall report the same to the House.

Mr. Speaker, I am admonished by my former service here and my experience while once a member of the Committee on Coinage, Weights, and Measures that unless the power now suggested shall be conferred it may be rendered exceedingly difficult, if not absolutely impossible, to obtain appropriate legislation at this session of Congress concerning the question of silver coinage. Old members and parliamentary tacticians well understand how exceedingly easy it is to suppress and stifle the efforts of an unprivileged committee for recognition, and how various are the methods that can be resorted to in order to defeat consideration of its measures, and more especially so when there may exist in influential quarters strong antagonisms and sharp diversity of opinion concerning the propriety and policy of such measures. None know better than they that a caucus, if convened at all, does not always reflect the real sentiment of a majority of its members nor the desire of the masses of the people.

Mr. Speaker, the signs of the times are unwisely interpreted, the gravity of the situation is uncomprehended, and the movements on the chessboard of political activity are misunderstood by those who suppose that the forces for and against the free and unlimited coinage of silver have declared a truce; that the battlefield and the methods of the campaign are unselected and undetermined, or that any repose will come to an anxious and agitated public until the issue shall be fiercely joined, resolutely waged, and finally decided, and that, too, in the field of open warfare, where every Representative must stand uncovered before the gaze of a quickened American constituency. Overcautious calculations in expediency, hesitations as to policy, timid misgivings as to results, fears of exposure of party division, forebodings as to the consequences upon personal political ambition and the fortune and standing of any particular man or set of men, doubts and predictions as to the influence to be exerted on any especial locality, effects upon the coming Presidential campaign, probabilities of veto, suggestions of delay, all self-serving, time-serving, and tactical maneuvering, are silenced beneath the swelling voice and earnest demand of a wronged and resolute public who believe their cause is just and possess a determination equal to the emergency. They intend their plaint shall be heard.

Mr. Speaker, the power of taxing the people and their ability and means with which to pay taxes go hand in hand. They are correlated, and are to the enginery of government what water and fire are to the locomotive. The one is useless and inoperative without the other. The cruel, barbaric rule of making bricks without straw has no place in the polity of free government. That is a poor political party which has but one idea; it is but a temporary makeshift and can not long endure. Sixty-five millions of people, with vast elaborations of resources and possibilities, with untold and diversified industries, will not and ought not to be content with one single line of legislation nor satisfied with the policies of a few men.

There are questions and questions the solution of which is forced upon legislative attention; intense, aggressive, unyielding questions, which will break through every barrier that excludes them from the considerate notice of the true representatives of the people. I would not minify; on the contrary, I would magnify the necessity and importance of reducing taxation. I would even concede its primacy, but at the same time I would sacrifice no tenet of political faith and practice, the failure to observe which must inevitably work disaster to the cause of good government, sound economy, stable currency, and the success of my party. No commandment in the decalogue of patriotic fidelity and party devotion can be infracted or disregarded without peril. There can be no successful trifling with, nor evasion of, a great and vital question.

Retribution will surely follow. In any party the sin will be discovered and the sinner brought to judgment. If this Democratic House of Representatives, with its immense majority, shall fail to signalize its advent to power by the passage of a bill for the free and unlimited coinage of silver, popular condemnation, in my humble judgment, can not be escaped, and the responsibility for such failure can not be transferred nor avoided.

The people are better advised and more alert than erst they were, and no weather-beaten, threadbare excuses will be in order before the bar of public reason. Certain great, conspicuous, mountainous facts, conditions, and conclusions challenge the concern and awaken the profoundest solicitude of the American people. They believe that the demonetization of silver was surreptitiously and covertly, if not fraudulently, accomplished against their interest in 1873; that the time-honored and ancient law, sanctioned by the wisdom of the fathers and crystallized by the experience of more that eighty years, which opened the mints of the Government, in just equation, to the great money metals of the centuries, was ruthlessly trampled under foot: that the revival and restoration of this law is in keeping with the Constitution, and dictated by considerations of sound financial policy; that for nineteen years the statute books of the country have been blurred and blotted with little less than a condonation of the vice of demonetization, in which silver has been degraded to a mere article of traffic, and that Congress owes it to itself, to the country, and the integrity of legislation to reënact the law as it was aforetime.

The people know that the money supply is inadequate to the demands of business and the betterment of prices to those who deal in the plain and simple transactions of life. They know that they do not suitably profit in that wherein they labor. They realize the crushing, grinding force and truth of the postulate that "scarce money means scant pay." They believe that the free and unrestricted coinage of silver will restore the silver dollar to parity with the gold dollar; that, in homely phraseology, it will "make times easier;" that it will increase the volume of money in the United States; that it will discourage discriminations against silver; that it will call the country back to just conceptions of what money is, the traditional and constitutional methods of its issuance, and silence the visionary schemes of fiatism; that it will be the readoption of the great American policy of bimetallism, the influence of which will extend beyond our shores, and hasten the period of international monetary coöperation. More than all, sir, infinitely above and beyond all, it will be right.

When this amendment shall come to be voted upon I hope no friend of silver will hesitate as to his action. It is but fortifying for the conflict and equipping ourselves in the cause of the people. All our vigilance and all our courage are in demand, and their highest exhibition is earnestly invited. The sooner we know "how the audit stands," the better it will be. [Applause.]

The SPEAKER *pro tempore* (Mr. HATCH). The gentleman from Texas [Mr. LANHAM] has occupied fifteen minutes of his time.

Mr. LANHAM. I reserve the remainder of my time.

Mr. REED was recognized.

Mr. REED. I yield five minutes to the gentleman from California [Mr. BOWERS].

Mr. BOWERS. Mr. Speaker, I do not rise at this time to make a speech or much of an argument. I rise to gain, if I can, some information as to the meaning of one of these rules. I am in favor of retrenchment and reform, as much so as any member can be who has as many harbors in his district as I have to provide for, as much so as any gentleman from Texas or from Louisiana, from New York or from Florida. [Laughter.] I am in favor of reform—on their part. [Laughter.] But, Mr. Speaker, my people want some appropriations for their harbors. In that respect I suppose we differ from others. Now, then, if I understand this rule aright, unless I can get a "pull" on the Committee on Rivers and Harbors I ain't "in it," nor our harbors either. [Laughter.] Do I understand it aright?

Mr. HOPKINS of Illinois. Yes.

Mr. BOWERS. Then, if I understand it correctly, eight members of the Committee on Rivers and Harbors can, under this rule, control every appropriation for rivers and harbors. This House

is credited with having over three hundred members, but all the rest will have to sit here powerless. If I understand the English language as it appears in this rule, that is what it means. Does this body propose to bind itself in that way? Now my district demands that if its member can not get around and get into the Committee on Rivers and Harbors it shall at least have a show on the floor of the House to propose an amendment. As the rule stands to-day, the fifteen members of the Committee on Rivers and Harbors can get their heads together and shut us all out and parcel the whole business out among themselves. [Laughter]. Is that the rule you are going to adopt? Here is the last river and harbor bill, which made over four hundred different appropriations for rivers and harbors, and I tell you it is a study. [Laughter].

Now, I want some "show;" that is, my district wants some show. [Laughter.] The harbors that need improving in the district which I represent want to be considered here, and they want some show on the floor of the House, if the Committee on Rivers and Harbors won't give it to them. I believe that every member of this House should have an opportunity accorded him to represent the wishes of his district on this floor, but under this rule——

Mr. RAINES. And if the committee do let you in and don't give you enough you want to "raise" them.

Mr. BOWERS. Exactly. "That's what's the matter."

A MEMBER. To "call" them.

Mr. BOWERS. I will "call" them if it suits me, if I hold a good hand. [Laughter.] If I don't, I won't "put up." [Laughter.] Now, Mr. Speaker, I want to ask whether I am not right in my understanding of the rule, and if I am, it means that eight members of the Committee on Rivers and Harbors can control absolutely every appropriation for such purposes.

Mr. CATCHINGS was recognized and yielded twenty minutes to Mr. RAYNER.

Mr. RAYNER. Mr. Speaker, I want to say a few words in reply to what the gentleman from Texas [Mr. LANHAM] has said with reference to his proposed amendment, and in saying which he covered a good deal more ground than is included within his amendment. I realize the ominous fact that these bills looking to the free and unlimited coinage of silver will receive the support of a large number of my party colleagues, and however distasteful it may be to me to differ from them upon so vital an issue, I want thus early to announce my dissent with the most positive and unmistakable utterance that I can give it.

My convictions upon this subject are so decided, that I can not afford to maintain a silence which might be construed into an acquiescence in any part or portion of the doctrine that has swept down upon this House and linked its judgment to what, to my mind, is as unsound a heresy as any that ever made its appearance in any intelligent representative assembly. History has been read in vain, the cardinal doctrines of political economy have been entirely misapprehended, and the experience of every country on the globe that uses gold and silver as a circulating medium has been misconstrued, if there be any semblance of logic in the propositions advanced by the gentleman from Texas.

Now, what is proposed to be done? We contemplate, in response to what we conceive to be a public want, to increase the currency of the country and to supply the people with an additional volume of money. What sort of money do we propose to give them? A stable, standard coin that is actually worth the price that we impress upon it? Not at all. An uncertain fluctuating medium that we intend to artificially appreciate, against the coinage of which the doors of every European mint has been closed for a period of over thirteen years, and which is repudiated as a standard of value in every well-regulated commercial government of the world. How do we propose to distribute this luxury? As emergency may require it, so as to keep the metals at a corresponding value?

Not at all. It is to be unlimited in point of time and uncircumscribed in point of quantity; so that not only the entire output of the American market, the increasing product of the Mexican mines, but all the circulating silver of Europe that can possibly be spared, and all the silver from all the earth in every place and quarter where it can be found, as quickly as it can be gathered, is to be brought to the American mint and stamped with the ensign of the Republic. Standing here, not as the spokesman of any creditor class or moneyed interest, but as a Representative of the people, I deprecate and denounce this headlong scheme. If we were here, Mr. Speaker, legislating for some revolutionary republic of Central America, or if it was incumbent upon us to find a more profitable market for the mining camps of Colorado and Nevada, we might perhaps be justified in adopting a temporary expedient of this character.

But when you tell me that you propose to make this Republic the outlet and the asylum for the unlimited silver coinage of the world, then I say to you that when the people understand this matter and realize what you propose to do they will submerge your bills, with all their hollow hopes and pretexts, beneath the torrent of their disapproval.

Mr. DUNGAN. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DUNGAN. Is it proper that in a discussion on the rules we should be compelled to hear a discussion on the tariff and of free coinage?

Mr. RAYNER. I have not said anything about the tariff.

Mr. DUNGAN. You have discussed free coinage.

Mr. RAYNER. I am answering the gentleman from Texas [Mr. LANHAM].

The SPEAKER *pro tempore*. The Chair will state in response to the point of order that he thinks the gentleman from Maryland is proceeding in order. The gentleman will proceed without interruption.

Mr. RAYNER. Mr. Speaker, I am in favor of bimetallism in the true meaning and acceptation of the term. I am opposed to the monometallism of gold; I am opposed to the monometallism of silver. I am in favor of bimetallism, recognizing the two metals according to the Constitution as intended by the framers of that instrument.

But what does this new school of finance and philosophy teach us? Why, that this Government can arbitrarily fix the price of 129 cents an ounce as the value of bullion silver when in the markets of London, Frankfort, Vienna, and New York it is actually worth only a dollar an ounce, and that when we accomplish this wonderful feat the governments of Europe will retain at home all their silver, which is worth only a dollar an ounce, rather than coin it in the American mints at the enormous profit of 29 cents an ounce.

Mr. BOATNER. Will the gentleman yield for a question at this point?

Mr. RAYNER. Yes, sir.

Mr. BOATNER. Will the gentleman be kind enough to explain to us why it is that 70 cents' worth of silver coined into a dollar seems actually to be worth for the purposes of business 100 cents?

Mr. RAYNER. I will explain that before I am through if you will allow me to finish. Mr. Speaker——

Mr. LANHAM. May I ask the gentleman a question?

Mr. RAYNER. No; I must finish what I was about to say. Once, in the Fiftieth Congress, when I submitted to questions in this way, the debate resolved itself into nothing except a series of questions and answers. I will finish what I desire to say in ten or twelve minutes, and then, if the House will permit me, I will answer every question which gentlemen may desire to put to me on this subject; I will try to do so at any rate.

Now, Mr. Speaker, as the result of this illogical syllogism we are told that when we are exporting all of our own gold and importing everybody else's silver, the cheaper metal will not drive the dearer metal from circulation; that gold will not be demonetized or held at a premium; that we shall not be brought to a silver basis, but that the effect will be to keep the two metals close together at a parity in the American market. I regret to say that I can not become a follower of this faith or a proselyte to this sect. To accept it we would be compelled to unlearn everything we have ever learned on this subject, to repudiate the universal experience of centuries, and to apply the flames to that great library of learning and instruction that has been bequeathed to us by the ablest economists from the academies of France and the seminaries of Germany and Great Britain, as the torch was once applied by a Roman emperor to an ancient temple, consuming its untold treasures of knowledge and depriving the rising generation of the collected literature of the ancient world.

It has been lately said, however, by a distinguished gentleman upon the floor of Congress that it would be no detriment whatever to place this Government upon a financial status corresponding with that of the Government of China; that the balance of trade with China is against us, and that this is entirely due to the fact that silver is the circulating medium of that Empire. And with equal emphasis he proclaimed that the fall of prices is entirely due to the demonetization of silver; that what the people are clamoring for is a depreciated currency in which to pay their debts, regardless of the purchasing power which the currency possesses. To use his own language: "We need not go a bowshot from this Capitol to find human nature in all the walks of life suffering for the want of money." He might have added that you need not leave the Capitol at all to find human nature suffering from the want of money. And I would like to add by way of peroration that all the money you can flood the world with will never relieve human nature from the sufferings that it undergoes for the want of money.

If every silver mine on this earth were drained to the last vestige of its treasure and every vein and stratum exhausted, and the whole supply freely coined at the American mints, not one

substantial particle of wealth would be bestowed upon the citizens of this Kepublic; not by the slightest fraction would it increase the currency of the country, and no possible benefit would be conferred upon any class of people except the syndicates, who are deriving an enormous profit from the product of their mines, which, by usurping the right of eminent domain, they have monopolized and alienated from the people, to whom they belong by every law of nature and justice.

If I had the time, Mr. Speaker, and it were possible to change the conclusion that a majority of my political colleagues have reached on this subject, I would discuss it along the whole line of the controversy. I would call your attention to the fact that, pass whatever laws you may, enact such statutes as you choose, yet your balances must still be paid in gold, and if not actually paid in gold coin, that they must be adjusted and measured by the standard of gold; because, as has been said over and over again, there can be and will be but one standard, and gold is that standard with the consent of all civilized nations.

I would call your attention to the fact that while we require less money per capita for a circulating medium than any other country on the face of the globe, we have to-day a greater circulation than any European country, with the possible exception of France. I would remind you again of the fact that the articles of the Latin Union have expired by limitation, and that the terms of the treaty are only in force by the voluntary acquiescence and at the revocable will of the contracting parties, and that the time must speedily come when the accredited representatives of the gold and silver nations of the world will meet together in conference for the determination of this the greatest of all international questions which concerns the interests of their constituents.

But, Mr. Speaker, what is the use of argument when the verdict of this side of the House has been determined upon? There is one thing in conclusion, however, that I will say, for the time will come later on during the session when we will have an opportunity to discuss this question in full, and what I say now has been only brought about by what the gentleman from Texas [Mr. LANHAM] has said in the course of his discussion.

Pass whatever laws you may, there is one thing that will take place, and that is, that the laborer will never participate in any of the benefits arising from such measures. The laborer will be compelled to receive his compensation in a depreciated currency that has enhanced to him the price of every article of the commodities that he must purchase. When the Legislature of Wisconsin, in the resolution which was recently adopted, proclaimed that those who toil will be the last to receive the benefit and the first to feel the influence of the rise in the price of commodities, it simply announced a law as unchangeable and as inexorable as the laws of nature.

But, Mr. Speaker, it is said that these bills must be passed from a party standpoint. This I utterly deny. Viewed from a political standpoint it is a glaring blunder, for it will be impossible to rectify it. We dare not and we will not place in our party platform in the next national contest a resolution declaring for the free and unlimited coinage of silver. The colors that bore any such "strange device" as that would become the harbinger and signal of defeat.

Let me say to the gentleman from Texas, Mr. Speaker, that there is one quality of statesmanship that in this country attracts to itself respect and the confidence of the people. It is not diplomacy, it is not popularity, it is not even ability; it is courage—the courage of a man in public life to stand by his convictions. He might be wrong, but if with steadfast purpose he swerves neither to the right nor to the left, why the people prefer him to one who trims his sails with every passing wind and becomes the pliant slave of caprice and fortune. It does not require a great degree of moral courage to proclaim "I would rather be right than President," but it does require a high quality of heroism to declare that "if public opinion be the standard of right or wrong, then I would rather be wrong than be President."

In 1888 a Democratic President, upon the great issue of tariff reform, with more than Roman courage, cut the bridges down when he could easily have purchased victory at the sacrifice of honor. He was struck down facing the enemy. Far better is an honorable defeat in an honorable cause than a corrupt victory by dishonorable means. To-day he is stronger than all the political forces that are arrayed against him. He will rise above the machinery of our conventions, and with the abiding confidence that I have in the principles of my party, with the fervent hope that I cherish that the hour of our deliverence is approaching, let me counsel you and appeal to you to abandon this hazardous undertaking, which will only environ us with difficulties and which will imperil the leadership of him who after twenty-four years of exile led our hosts to triumph, and who shall again, by the intelligent suffrages of our countrymen, be called upon to shape and guide the destinies of the Republic. [Applause on the Democratic side.]

Mr. LANHAM. Mr. Speaker——

Mr. BLAND. Mr. Speaker, I have been out for a moment and happened to come in——

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Missouri [Mr. BLAND] that, under the agreement made, the gentlemen from Mississippi [Mr. CATCHINGS] controls the time on that side, and the Chair is compelled to recognize him.

Mr. BLAND. I beg the pardon of the gentleman from Mississippi.

Mr. CATCHINGS. That is entirely unnecessary. I would be willing to yield, but I think the gentlemen upon the other side ought to take some of their time.

Mr. HOPKINS of Illinois. I hope the gentleman from Mississippi [Mr. CATCHINGS] will allow the gentleman from Missouri [Mr. BLAND] to discuss this rule now under consideration. [Laughter on the Republican side.]

Mr. BLAND. I will not require over ten or fifteen minutes.

Mr. CATCHINGS. The gentleman from Mississippi will take care of his time; but I really think the gentlemen on the other side ought to discuss this question somewhat.

Mr. BURROWS. Mr. Speaker, can not the gentleman bring forward some one on that side who is in favor of this report? Seriously, we would be glad to hear something said upon the subject of the rules before we reply.

Mr. LANHAM. We have been discussing a very interesting question.

Mr. CATCHINGS. I think gentlemen on the other side ought in all fairness to consume some of their time before we proceed any further.

Mr. ENLOE. Can not the gentleman from Mississippi [Mr. CATCHINGS] set up a target for the gentleman from Michigan [Mr. BURROWS] to shoot at?

Mr. CATCHINGS. I hope gentlemen on the other side will proceed.

Mr. BLAND. Inasmuch as it seems I can not get the floor at this time, I will take some future occasion to reply.

Mr. BURROWS. Mr. Speaker, it is to be deeply deplored that at this time any other question should be dragged into this debate except the discussion of this code of rules. I shall not follow gentlemen in the discussion of any question outside of this report. The Committee on Rules, intrusted with the duty of framing a code of procedure for the Fifty-second Congress, have been unable to agree. A majority of that committee report to this House and recommend the adoption of the rules of the Fiftieth Congress.

The minority of the committee report and recommend the adoption of the rules of the Fifty-first Congress. These two systems of rules are before the House for examination and judgment, and it is essential to intelligent action upon either that we should come to a clear understanding of their provisions in detail. The members of the Fiftieth and Fifty-first Congresses who are now members of this Congress are perfectly familiar with the practical workings of the two systems; but gentlemen who honor us for the first time with their presence in the National House of Representatives can not be expected to understand the practical effect of these two codes on legislation. Let me say in the beginning that this question is one of vital importance to this body as a whole and to its individual membership, and upon the decision of this question hinges the legislative achievements of the Fifty-second Congress.

The dominant party in this House stands committed before the country to certain general legislation. Individual members are interested and pledged to the passage of measures in which their constituencies are particularly interested; but whether this body redeems those pledges or whether the individual membership of this House shall ever have a hearing on this floor on behalf of the measures in which their constituencies are interested depends entirely upon the vote you give upon the report now before you for consideration. The people have a right to demand and your constituencies have a right to insist that these pledges shall be redeemed; and any failure on the part of the dominant party or of the individual to perform and keep faith with the people will result in public condemnation.

I think it will be agreed upon all hands that a system of rules ought to be adopted under which the majority can transact business, and that no system of rules should be adopted, nor should this House fasten upon itself such fetters, that the minority can at will control legislation. To give the minority the power to control a legislative body nullifies the will of the people and destroys popular government. This thought was so well expressed by the distinguished gentleman from Texas [Mr. MILLS] that I can not refrain from quoting his exact words:

There are two points—

He said,

in reference to a revision of the rules of the House, one or the other of which must be observed. One is to make rules to obstruct legislation and

the other is to revise the rules so that a majority of this House can crystallize the will of the American people into law.

The gentleman from Texas [Mr. MILLS] further said very aptly:

The difficulty that the rules now throw—

and he is speaking of the same system of rules we are now considering—

The difficulty that the rules now throw in the way of a majority of the House—it makes no difference which party has it—of giving its views the force of law is almost insurmountable.

* * * * * * *

I hope, if the House grants permission to the committee to sit during recess, the committee will take that part of the subject into consideration, and endeavor so to simplify the rules that the majority can make their will the law, so far as the action of the House is concerned.

That is the language of the gentleman from Texas, and I cite it because it is directly in point upon this question. The majority of a legislative body must rule, and whenever the majority cease to rule there is but one step beyond it, and that is revolution. Now, as I have said, both these systems of rules are before the House. Both have been tried. It is not a matter of speculation as to the practical workings of these two systems. It is a matter susceptible of demonstration. Now, I affirm that the system of rules which you propose, if adopted, will impede business instead of advancing it, and under it a half dozen members of this House, nay, any two members, can take the majority by the throat and stop all legislation during the entire session of this Congress. I make the statement, without fear of contradiction, that under the system of rules proposed by the majority of the Committee on Rules no business can be transacted except by unanimous consent.

This system of rules was tried in the Fiftieth Congress, a Democratic body, presided over by that accomplished parliamentarian Mr. CARLISLE of Kentucky, who would have found a way to have executed these rules and advance the public business under them if it had been possible to do so. Let me give you a single instance of the practical workings of these rules, and I do this for those who are not familiar with it. The Democratic Committee on the Judiciary in the Fiftieth Congress reported to the House a bill to refund the direct tax. That bill, under the rules, was placed on the Calendar. Repeated efforts were made to reach the bill for consideration, and as often as the effort was made just so often it failed. Finally, the Committee on Rules, clothed with power to report to the House any modification of the rules or a special order, on the 2d day of April submitted a special order setting apart the 3d and 4th days of April for the consideration of what is known as the "direct-tax bill."

Bear in mind the majority of the House was Democratic, the House was presided over by a Democrat, a Democratic committee reporting the bill favorably to the House, the majority of the House anxious to pass it, and a special order passed for its consideration. On the 2d day of April the special order was offered, and after some filibustering was finally passed. The 3d day of April came for the consideration of the bill by virtue of the special order. All the 3d day of April was wasted in filibustering motions. On the 4th day of April the gentleman from Ohio [Mr. EZRA B. TAYLOR] moved that the House resolve itself into the Committee of the Whole House under the special order for the consideration of the direct-tax bill. Now, I want to read you a little scene from that farce which was enacted under these rules, and you will observe that there are some very conspicuous characters figuring in the drama:

Mr. EZRA B. TAYLOR moved that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering, under the special order of the 20th instant, the bill of the Senate (S. 139) to credit and pay to the several States and Territories and of the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861;
Pending which
Mr. EZRA B. TAYLOR moved that when the House, in the Committee of the Whole House on the state of the Union, resumed the consideration of said bill, all general debate thereon be limited to one hour;
Pending which
Mr. EZRA B. TAYLOR demanded the previous question.
And the question being put, namely, Shall the previous question be ordered? it was decided in the affirmative.

That was taken on a yea-and-nay vote. Then—

Mr. Turner moved to reconsider the vote by which the previous question was ordered.
Pending which
Mr. EZRA B. TAYLOR moved to lay the motion on the table; and the question being put, Will the House agree to it? it was decided in the affirmative.

That, too, on a yea-and-nay vote.

So the motion to reconsider was laid on the table.

* * * * * * * *

The question then recurring upon the motion to limit the debate;
Pending which
Mr. OATES moved the House adjourn; and the question being put, it was decided in the negative.

* * * * * * * *

So the House refused to adjourn.

Mind you, the yeas and nays were called on all these motions.

The question again recurring on the motion to limit debate, and being put, Will the House agree thereto? it was decided in the affirmative.

* * * * * * *

So the motion to limit the debate was agreed to.
Mr. BRECKINRIDGE of Arkansas moved to reconsider the vote last taken;
Pending which
Mr. EZRA B. TAYLOR moved to lay the motion to reconsider on the table.
And the question being put, namely, Will the House agree thereto? it was decided in the affirmative.

* * * * * * *

So the motion to reconsider was laid on the table.

* * * * * * *

The question then recurring upon the motion that the House resolve itself into the Committee of the Whole House on the state of the Union;
Pending which
Mr. OATES moved that the House take a recess until 5 o'clock p. m.;
Pending which
Mr. Weaver moved to amend the motion of Mr. OATES for a recess by striking out the word "five" and inserting in lieu thereof the word "four;"
Pending which,
Mr. BRECKINRIDGE of Arkansas moved to amend by striking out the word "four" and inserting in lieu thereof the words "half past four;"
Pending which,
Mr. Weaver moved that the House adjourn;
And the question being put, namely:
Will the House adjourn?
It was decided in the negative.

The yeas and nays were ordered upon all these motions, and the motion to adjourn was decided in the negative.

The question then recurring on the amendment of Mr. BRECKINRIDGE of Arkansas to the motion for a recess; and being put, viz:
Will the House agree thereto?
It was decided in the negative.

* * * * * * *

So the amendment was rejected.
The question recurring upon the amendment of Mr. Weaver to the motion for a recess;
Pending which,
Mr. EZRA B. TAYLOR moved to amend the motion for a recess by striking out the word "five" and inserting in lieu thereof the words "ten o'clock to-morrow morning;"
Pending which,
Mr. EZRA B. TAYLOR demanded the previous question;
Pending which,
Mr. BRECKINRIDGE of Arkansas moved that the House adjourn;
Pending which,
Mr. OATES moved that when the House adjourns to-day it be to meet on Friday next;
Pending which,
Mr. BRECKINRIDGE of Arkansas moved to amend the motion of Mr. OATES by striking out the word "Friday" and inserting in lieu thereof the word "Saturday."
And the question being put,
It was decided in the negative.

The yeas and nays were ordered on all these motions.

Mr. REED. Where did all this happen?

Mr. BURROWS. It happened in the Fiftieth Congress, in the House of Representatives, under this code of rules.

Mr. BLOUNT. I would like to ask the gentleman if that bill was not subsequently vetoed by the President?

Mr. BURROWS. Has that anything to do with the question I am now discussing?

Mr. BLOUNT. I think it has.

Mr. BURROWS. Not the remotest. I am demonstrating how a few members of the House are enabled under this proposed code of rules to resist legislation and defeat the majority.

Mr. BLOUNT. I wish, if the gentleman will allow me, to say that the question I asked was, if, in view of the action taken by the President, it does not often happen that the hostility and the obstruction that is interposed under the rules is oftentimes of great value?

Mr. BURROWS. Then the gentleman places himself in the attitude of maintaining that the minority shall control the House and all legislation.

Mr. BLOUNT. The gentleman can state his own views in his own way.

Mr. BURROWS. I will proceed with this scene in the drama.

So the motion to adjourn over was disagreed to.
The question then recurring upon the motion of Mr. OATES that when the House adjourns to-day it be to meet on Friday next;
And the question being put, viz:
Will the House agree thereto?
It was decided in the negative.

* * * * * * *

So the motion to adjourn over was disagreed to.
The question then recurring upon the motion of Mr. BRECKINRIDGE of Arkansas to amend the motion to adjourn over;
And being put,
It was decided in the negative.

And so from the beginning to the end these dilatory motions were repeated. The motions to adjourn, to adjourn over, to take a recess, to take a recess for fifteen minutes, to take a recess for five minutes or ten minutes, and calling the yeas and nays, and thus the minority absolutely arrested the consideration of business under the special order and thwarted the will of the majority.

And let me state that nine full days were consumed in this House under this special order reported from the Committee on

Rules, and the House was in actual session during that time for eighty hours. Therefore, if you allow five hours for each day's sitting, the House lost sixteen legislative days upon the simple motion that the House resolve itself into the Committee of the Whole House. There were seventy-five roll-calls upon the motion to go into Committee of the Whole to consider the business under the special order, and that process of filibustering could have been continued until the close of the session, as the majority of the Committee on Rules fully understand, and as every member of the Fiftieth Congress knows.

Mr. McMILLIN. Will the gentleman permit me to interrupt him with one remark?

Mr. BURROWS. Certainly.

Mr. McMILLIN. I would call his attention to the fact that by that filibustering a seventeen-million-dollar bill was defeated in that Congress which he and his friends passed in the Fifty-first Congress, and which helped to swell their appropriations to a billion dollars. [Laughter.]

Mr. REED. And which saved the State of Kentucky from bankruptcy. [Laughter.]

Mr. BURROWS. If the gentleman from Tennessee [Mr. McMILLIN] thinks I am discussing that question, then either he has not paid the slightest attention to what I have been saying, or else he can not comprehend my language. [Laughter.]

Now, Mr. Speaker, I have shown the practical working of these rules, and I want the new members to adopt them with their eyes wide open, if they adopt them at all. If you do it, gentlemen, I wish you to understand just what the result will be.

Mr. OATES. Will the gentleman permit a question?

Mr. BURROWS. Certainly.

Mr. OATES. The gentleman is a member of the Committee on Rules; has not that committee reported a proposition, which is new, that when any order or any proposition is submitted to the House in respect to its business by the Committee on Rules but one dilatory motion shall be entertained?

Mr. BURROWS. Oh, certainly. The Committee on Rules has taken care of itself.

Mr. OATES. Then I want to hear the gentleman state what effect that rule will have upon legislation, and whether filibustering can be successfully carried on under it.

Mr. BURROWS. Not against the Committee on Rules. I will reach the gentleman's point in a moment. This same order which gave two days to the consideration of the direct-tax bill also gave other days to the Committee on Military Affairs, the Committee on the Post-Office and Post-Roads, the Committee on Territories, the Committee on Public Lands, the Committee on Foreign Affairs, and the Committee on Agriculture, seven other committees; but by this filibustering the order was exhausted as to each and every one of those committees, and their opportunity for a hearing in the House was lost. Now, I want to say, in the face of this demonstration of the practical working of these rules which the majority propose, that any half dozen members of this House can prevent the passage of any bill reported from any committee, whatever may be the wishes of the majority of the body.

Mr. STOCKDALE. Will the gentleman permit me to ask a question for information?

Mr. BURROWS. Certainly.

Mr. STOCKDALE. How can five or six members do that?

Mr. BURROWS. By repeating these dilatory motions.

Mr. STOCKDALE. But it requires one-fifth of the last vote to order the yeas and nays.

Mr. BURROWS. Oh, it is not necessary to have the yeas and nays. It is a question of mere physical endurance. Half a dozen members can make these dilatory motions and have them put to the House, and it is a simple question of endurance.

Now, the Committee on Rules understand perfectly well that it is entirely safe to allow the members of this House to indulge the delusion that they are legislating; that it is perfectly safe to appoint committees and assign you gentlemen to duty upon those committees. Your employment there is entirely innocent and harmless. [Laughter.] You can consider any question referred to you in committee, but adopt these rules and you can never have your measures considered in the House except by unanimous consent or by a suspension of the rules. You will labor week in and week out, month in and month out, in committee, but I want to notify you in advance that that labor will all be wasted unless the Committee on Rules shall happen to signify their willingness that your measures shall be given a hearing on this floor.

Mr. CATCHINGS. Will the gentleman allow me a question?

Mr. BURROWS. Certainly.

Mr. CATCHINGS. How was it during the last Congress? Did every man who wanted to have a bill passed secure its consideration?

Mr. BURROWS. I will call attention to that matter in a few moments. The gentleman asks, as I understand, how we got rid of filibustering in the last Congress?

Mr. CATCHINGS. No, I did not ask that question, but whether every member succeeded in getting his bill considered?

Mr. BURROWS. Well, it amounts to the same thing.

Mr. CATCHINGS. Oh, no.

Mr. BURROWS. The Committee on Coinage can perfect its measure for the free coinage of silver, which the dominant party, I presume, believes in, and can report it to the House. But will you tell me how you will ever get a hearing for that bill in this House under these rules?

Mr. LANHAM. By adopting the amendment which I have introduced. [Laughter.]

Mr. BURROWS. I thank my friend for his suggestion. I did not hear his amendment. The Committee on Mississippi Levees have before them a bill proposing to make an appropriation to levee the Mississippi River and save the property and lives of the people of that great valley. How are you to get a hearing for that bill in this House unless the Committee on Rules in its wisdom——

Mr. CATCHINGS. Will my friend answer me why it was that the Committee on Levees and Improvements of the Mississippi River did not get a hearing in the last Congress on a similar bill which was at that time reported?

Mr. BURROWS. Because it was so far down on the Calendar that it could not be reached; that is the reason. Then, there is the World's Fair. How is the committee on that subject going to get an appropriation passed in this House, or even get a hearing on the question? That question can never be heard here, unless the Committee on Rules shall, as has been suggested by my colleague on the committee, adopt a rule setting aside a day for the consideration of the measure and prohibiting in the rule itself all filibustering. But if the Committee on Rules shall see fit in the order which it may report not to prohibit filibustering—if it simply reports a special order for the consideration of the measure—the bill must be exposed to assault all along the line, and its defeat by filibustering can easily be accomplished.

I was a little surprised when I read in the public prints that the gentleman from Illinois [Mr. SPRINGER] in a public speech in New York had said that there would be no legislation on the silver question in this Congress. He must have spoken with the spirit of prophecy or been advised in advance of the system of rules which the Committee on Rules would report. In one word, adopt this system of rules, and I warn you in advance that nothing can be passed except by unanimous consent, or by permission of those who are commonly known as the "leaders" of the majority.

Now, a simple rule in the Fifty-first Congress put an end to all this filibustering, and did it most effectively. This process of filibustering had been carried on under such a rule as that to which I desire to call attention—Rule XVI, clause 5, of this body of rules now reported. That clause provides that "a motion to fix a day to which the House shall adjourn, a motion to adjourn, and to take a recess, shall always be in order." Those are the motions which the majority propose shall always be in order. In the Fifty-first Congress we eliminated from our rules that language, and the rule simply read in this way:

The hour to which the House adjourns shall be entered on the Journal.

And then at the end of this rule, as clause 10, was added:

No dilatory motion shall be entertained by the Speaker.

By eliminating from the body of rules the right of any member at any time to move that the House adjourn, or to move a recess, or to move to fix a time to which the House shall adjourn, and by adding that when any subject is under discussion no dilatory motion shall be allowed, we ended the practice of filibustering.

Mr. HOOKER of Mississippi. Will the gentleman allow me a question?

Mr. BURROWS. Certainly,

Mr. HOOKER of Mississippi. How many men were engaged in filibustering against the passage of the bill known as the bill for the refund of the direct tax?

Mr. BURROWS. It is impossible for me now to state.

Mr. HOOKER of Mississippi. There were many more than six or seven?

Mr. BURROWS. Certainly.

Mr. HOOKER of Mississippi. Then how did it happen that the bill ever passed, if, as the gentleman says, six or seven men could have defeated it?

Mr. BURROWS. I did not catch the gentleman's question.

Mr. HOOKER of Mississippi. How did it ever happen that the bill was passed by Congress and vetoed by the President?

Mr. BURROWS. It did not pass at that session.

Mr. CATCHINGS. It passed at the short session of that Congress.

Mr. BURROWS. It did not pass at that session: it was defeated, and the gentleman from Ohio [Mr. EZRA B. TAYLOR] after nine days of filibustering——

Mr. BOUTELLE. It was passed at the next session, under an agreement which was made to allow it to come to a vote.

Mr. BURROWS. After nine days of filibustering by a minority of the majority, the gentleman from Ohio [Mr. EZRA B. TAYLOR], who made the motion to go into the Committee of the Whole, was just where he commenced, and the majority was forced to surrender.

Mr. HOOKER of Mississippi. But the bill did pass at the short session of that Congress.

Mr. BURROWS. It did not pass at the session to which I have referred and in which this filibustering was carried on.

Mr. HOOKER of Mississippi. It passed at the short session.

Mr. BOUTELLE. It passed under an arrangement made presumably after it was learned that the President was going to veto it.

Mr. HOOKER of Mississippi. Ah!

Mr. BURROWS. Now I want to call the attention of the House to the criticism which was made upon the rules of the Fifty-first Congress because of the provision that the Speaker should not entertain any dilatory motions. It was urged that to place in the hands of the presiding officer the power of determining whether or not a motion was dilatory was giving him too great power.

In these rules it is provided, in Rule XI, clause 51—and I desire to call your special attention to it—it is provided there, as reported by the committee:

> It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

When any committee of this House outside of the Committee on Rules, or any individual of this House, desires to get a hearing on a proposition in which he is interested, the whole battery of filibustering is opened on that committee or that individual.

It is reserved for the Committee on Rules alone when it makes a report that no dilatory motion shall be allowed to intervene. If it is unsafe to trust the Speaker with the power of determining when a motion is dilatory when committees or individuals are seeking a hearing, is it less dangerous to lodge with the Speaker, who is himself *ex officio* chairman of a committee, the power to determine when a motion is dilatory? Is that less dangerous? And yet in framing these rules the committee have taken particular pains to shield themselves and their reports and expose the House and its membership to this never-ending power of filibustering.

Mr. BYNUM. Will the gentleman permit me now to ask him a question?

Mr. BURROWS. Certainly.

Mr. BYNUM. Clause 4 of Rule XVI is the rule to which I wish to call the gentleman's attention. I am in sympathy with the gentleman's object, I think, but I want to ask him if in his judgment, by simply eliminating from this clause the right of making the motions to fix the time to which the House shall adjourn and take a recess, it will be possible under the rule so amended to filibuster?

Mr. BURROWS. The power to interpose any dilatory motions will accomplish the same end.

Mr. BYNUM. I do not think so, because the gentleman will see by examining the rule there would be no other motion to alternate with the motion to adjourn.

Mr. BURROWS. I have no doubt that that would aid very much.

Mr. REED. Any motion that obstructs business is dilatory.

Mr. BOUTELLE. May there not be other motions to be interposed instead of those which the gentleman seeks to strike out?

Mr. BYNUM. The rule provides what motions may be made.

Mr. BURROWS. As I have said, I have no doubt that that would aid materially in checking filibustering.

Now, Mr. Speaker, I think I have demonstrated that under this system of rules what I said in the beginning is literally true, that no business can be transacted except by unanimous consent or by suspending the operation of the rules. And so the committee has wisely provided in this code of rules that they may be suspended. Having provided for the transaction of business, under which nothing can be done, they then provide that the rules may be suspended, so that something may be done on two Mondays in a month—the first Monday by committees and the second by individuals. And if we remain in session for six months—and we shall probably be in session much longer—the three hundred and thirty members of this body in six months will have six opportunities to move a suspension of the rules, and each individual suspension followed by debate, which the rules permit, for thirty minutes, and then a yea-and-nay vote.

If you are very diligent and waste no time, and on such Mondays protract the session, about twenty-four members will have the opportunity to move a suspension of the rules, providing that they have an understanding with the Speaker, because you never will be recognized until the Speaker is advised what you propose to do, and then you must secure two-thirds of the membership of the House in order to pass your measure.

Mr. CATCHINGS. Let me ask the gentleman if that was not the case in the last Congress?

Mr. BURROWS. We had other methods of doing business and were not driven exclusively to suspension of the rules.

Mr. CATCHINGS. But I am talking now of the individual member. You are pointing out how impossible it is for individual members to succeed in getting measures through under a suspension. I ask if the same condition did not prevail in the last Congress?

Mr. BURROWS. I am simply claiming that under these rules you can do no business except by a suspension, and, as I have said, with diligence there may be twenty-four individuals who, by the consent of the Speaker, may secure recognition and thus obtain a hearing for their measures.

Mr. PAYNE. But dilatory motions are not cut off on suspension day.

Mr. BURROWS. I should say they were, to a certain extent at least. There is one motion to adjourn, and that is all.

Now, the majority of the committee in framing this code has provided one other escape, and but one, in addition to the right to suspend the rules on Monday, and that is that power to which I have just referred, in Rule XI, which exempts the reports of the Committee on Rules from all dilatory motions. Anyone familiar with that practice knows perfectly well that the Committee on Rules will report a special order upon measures which the committee think ought to be considered, and when the gentleman from Missouri [Mr. BLAND], unable to secure a hearing for his bill for free coinage, introduces a proposition or special order and refers it to the Committee on Rules, if in the judgment of that committee the measure ought not to come before the House the proposed order will be suppressed, and the Committee on Rules will take to itself the whole power of determining whether that request shall ever be submitted to the House for its judgment.

Mr. LANHAM. Does not the gentleman think it would be better——

The SPEAKER *pro tempore*. Does the gentleman from Michigan yield to the gentleman from Texas?

Mr. BURROWS. I would rather wait just a moment until I close on this point. If you will provide in that rule (Rule XI, clause 51) that a proposition coming from any committee of the House of Representatives asking consideration of a measure, when referred to the Committee on Rules, shall be reported back within ten days, then you will give the majority of this House or its committees an opportunity to be heard.

Mr. BYNUM. Did you have that in your rules in the last Congress?

Mr. BURROWS. No, sir. We had a good many good things in those rules, but we could not adopt every needed reform at once.

Mr. BYNUM. And a good many things were disapproved of by the people.

Mr. BURROWS. If the Committee on Rules desire to have any particular measure considered they bring in their report, and no dilatory motion can be allowed against that report; and when a day is fixed for the consideration of a measure they favor, then that measure can be passed by a majority vote; but when any member of the House or any committee of this House desires to suspend the rules, it must have a two-thirds vote in order to be successful.

Mr. HOPKINS of Illinois. Mr. Speaker, I would like to have the gentleman state to the House how it would be if, for example, the Committee on Coinage, Weights, and Measures should ask for a day to consider any legislation before that committee, and the Committee on Rules should report adversely upon the request.

Mr. BURROWS. But they would never report. If it was provided that the Committee on Rules should report within a given time, and if these rules were to be amended so that the Committee on Rules must report upon a proposition submitted to them, then the House would have the opportunity to pass upon such matters; but the committee are very careful not to impose upon themselves any such duty.

Mr. LANHAM. Will the gentleman yield for a question now?

Mr. BURROWS. Certainly.

Mr. LANHAM. Would not the whole trouble be obviated, with reference to the report of the Committee on Coinage, Weights, and Measures, if that committee should, by an amendment to Rule XI, paragraph 51, be made a privileged committee, with authority to report at any time?

Mr. BURROWS. Not at all. The authority to report at any time would not do away with the filibustering.

Mr. LANHAM. It might not prevent dilatory motions, but at the same time it would make that committee a privileged committee.

Mr. BURROWS. Now, Mr. Speaker, I desire to say, in conclusion upon this branch, that if this system of rules be adopted, with the power given to the Committee on Rules as suggested by this code of rules, and with no other power to suspend than that which is mentioned, on certain Mondays of each month, no business can be transacted in this House except by unanimous consent and by suspension, as I have indicated.

Mr. CATCHINGS. May I ask my friend one question before he passes that subject?

Mr. BURROWS. Certainly.

Mr. CATCHINGS. I want to ask the gentleman from Michigan if there was any provision in the rules which governed the Fifty-first Congress by which any gentleman having charge of a bill could bring it up for consideration, or even take the sense of the House as to whether it should be considered or not?

Mr. BURROWS. No, sir; except on suspension day.

Mr. CATCHINGS. Precisely, and we make no change in that regard, so your rules were exactly like ours in that particular.

Mr. BURROWS. If I understand your question—will you repeat your question again?

Mr. CATCHINGS. I want to know if there was any provision in the rules of the Fifty-first Congress by which any gentleman having charge of a given measure and desiring to have it considered by the House could by force of his own, as an individual Representative here present, obtain consideration of it, or even take the sense of the House upon the question as to whether it should be considered?

Mr. BURROWS. Oh, he could not take it out of its order, but the opportunities for reaching it were much greater under the rules of the Fifty-first Congress than under these rules; and then the moment it was reached and he had the floor and it was under consideration a minority was powerless to filibuster against it. The question could be brought to a vote.

Mr. CATCHINGS. I would like to ask the gentleman if he can recall a single measure that was taken up in the last Congress unless it was in pursuance of the Speaker's consent previously obtained or the consent of the Committee on Rules previously obtained, unless it was some little private measure on a private-bill day?

Mr. BURROWS. There were numerous ways under the rules of the Fifty-first Congress, which I will proceed to point out, by which bills could be reached, considered, and passed without special orders or motions to suspend the rules.

Mr. CATCHINGS. That does not answer my question.

Mr. BURROWS. If my friend will allow me to go on, for I am taking too much time and I want to close what I have to say——

Mr. REED. There were a lot of Senate bills, for one thing.

Mr. BURROWS. I desire to call attention now, Mr. Speaker, to other methods which the majority of the Committee on Rules have deliberately put into these rules for the purpose of accomplishing delay. Under these rules, when any bill comes up for consideration which involves the expenditure of money, the House must resolve itself into the Committee of the Whole House on the state of the Union for the consideration of that bill. Now, when you get into committee under these rules you take up the bills in their order on the Calendar, and any single member of this House, when the first bill is called and the majority of the committee want to pass over that bill to take up the next or the one following, any one member can interpose an objection and say, "I object to passing over the first bill on the Calendar."

The first bill on the Calendar may be one that the committee does not want to consider at all. They want to lay it aside and go to the consideration of another measure in which the committee is interested, and under the rules one member may stop laying aside the first bill, and the moment an objection is made the committee must rise, go back into the House (a senseless performance), and take the judgment of the House whether the first bill shall be laid aside or not upon the objection of a single member, thus giving an opportunity for the yeas and nays, a motion for delay, for filibustering, to adjourn, or take a recess, and to arrest all legislative work of that day.

Now, what did the rules of the Fifty-first Congress provide? The rules of that Congress simply provided, when the House was in committee and objection was made to passing over the first or any other bill, the committee itself determined by a majority vote whether it should proceed to the consideration of that measure or not; and in that way we were able to do business in the Committee of the Whole.

Mr. HOPKINS of Illinois. I would suggest to the gentleman from Michigan that in Committee of the Whole there is no opportunity to demand the yeas and nays.

Mr. BURROWS. And, as suggested by my friend from Illinois, in the Committee of the Whole the yeas and nays can not be taken on a motion to take a recess or to adjourn or on any other motion. In Committee of the Whole and by the rule of the Fifty-first Congress we were able to do business; but under these rules one single member can force a dissolution of that committee, take it back to the House, inaugurate filibustering motions, and arrest legislation. Why do you reinstate that provision of the rules unless it be the deliberate purpose of the majority to say that no business shall be done by this House except as your leaders may dictate?

Another proposition for delay: These rules provide that the Speaker every day shall lay before the House messages and documents—executive messages and messages from the Senate—for proper reference. If a bill has passed the House and gone to the Senate and comes back to the Speaker's table with an amendment simply in the name of the person mentioned in the bill, if a private bill, or any immaterial amendment, under these rules it must go from the Speaker's table to the committee of the House having jurisdiction of that subject, and after the committee has considered it, reported back to the House, and go to the Calendar, and possibly near the foot, to be buried forever.

Now, the rules of the Fifty-first Congress provided that when a Senate bill, or a House bill amended by the Senate, came back to the House and was on the Speaker's table, if it did not carry an appropriation, it was in order for the Speaker to lay that bill before the House for immediate consideration, so that the error of the House, or the amendment proposed by the Senate, could be agreed to at that time and the legislation perfected; yet under these rules if a mistake is made of the most trifling character it must go to a committee, be considered, and if reported back take its place on the Calendar.

But it was also provided in the rules of the Fifty-first Congress that an original bill coming from the Senate, if a House bill like it in substance had been acted upon by a House committee, and had been reported by such committee and placed on the Calendar, when the Senate bill came over and was on the Speaker's table, a gentleman could rise in his place and ask that the bill of the Senate, which was similar to one reported by a committee of the House, should be at once taken up and considered. Under these rules that can not be done. Another opportunity for delay. That Senate bill, although you have a bill precisely like it reported from a House committee, which has examined the subject, is referred to the committee, and when the committee reports it back favorably, as it did the House bill, the Senate bill takes its place, only further down, on the Calendar, where it will not be reached. Why is that done, except to obstruct and delay business by the use of every means known to parliamentary law? And what next?

We provided that a quorum of the Committee of the Whole House should consist of 100. You cut that out, and say that it shall consist of 167; and every member in this House knows by experience that it is utterly impossible, as a rule, to keep 167 members here in Committee of the Whole. The result is, the moment we are without a quorum all business is suspended. I should be glad to hear why that rule is changed so as to make a quorum of 167 instead of 100. Then, besides having all these obstructions, sending everything to the Calendar, you wipe out the session set apart Friday evenings for the consideration of pension legislation, and send all these bills to the Private Calendar, to be heard one day in the week, with all the war claims and all the other claims with which that Calender is loaded.

Mr. McMILLIN. Will the gentleman permit me to ask him a question right there?

Mr. BURROWS. Certainly.

Mr. McMILLIN. Does not the gentleman know that from the beginning of the war and through the war period, when the Republicans were in control of the House, down to the last Congress, that was not embraced in the rules, but was a matter of special order?

Mr. BURROWS. Does not my friend know that we embodied it in the rules of the last House?

Mr. McMILLIN. I know you did in the last Congress, but never before.

Mr. BURROWS. Well, we desire it should be retained.

Mr. McMILLIN. But if it is wrong to leave it out of the rules, why had you not put it into them previously during your long control here?

Mr. BURROWS. Because the necessity did not exist previously to such extent as in recent years.

Mr. McMILLIN. Does not my friend know——

Mr. BURROWS. I can not yield further. My time is being consumed. How much time have I remaining, Mr. Speaker?

The SPEAKER *pro tempore*. The gentleman has consumed fifty-three minutes. He is not limited except in so far as the House has limited his side to three hours.

Mr. BURROWS. A few words more and I shall be through. I would be glad to discuss that other rule which the gentleman from Indiana [Mr. HOLMAN] has had ingrafted upon this report, but I will say only a word about it. I refer to the rule which proposes legislation on appropriation bills, a provision that never saw the light of day until the Forty-fourth Congress, and under the operation of which the Army bill failed in the second session of that Congress, so that a special session of Congress, with all its burdens, had to be called in consequence of the House attempting under that rule to legislate touching the Army.

Gentlemen will remember that in the Forty-fifth Congress both the Army bill and the great legislative bill failed because legislation was attempted upon those bills under this rule, legislation offensive to the country, and that a special session was called to pass both of those measures and provide for the support of the Government. And gentlemen will remember also that the threat was made that under that rule the Government should be starved if the minority did not consent to certain legislation on appropriation bills, and that the appropriation bills which ought to be confined to appropriating money under the law were used as a leverage to force legislation upon the statute books of the United States.

Mr. MILLS. Will the gentleman state who it was that made the charge that we were going to starve the Government?

Mr. BURROWS. A gentleman who is not now in this House.

Mr. MILLS. A gentleman then in this House, Mr. Garfield, charged upon us that we were proposing to do that. He said to us: "You are trying to starve the Government." But nobody on our side ever said such a thing.

Mr. BURROWS. I think my friend will remember that a gentleman, then a member of the House, and now a distinguished Senator representing the State of Kentucky, when this question was under discussion, boldly declared that they did not intend to cease warfare by the instrumentality of this rule until every particle of the war legislation of the Republican party was wiped from the statute book.

Mr. MILLS. That is not the question.

Mr. BURROWS. That is what he said.

Mr. MILLS. But you have gone off from the question.

Mr. MCMILLIN. The record does not bear out the gentleman from Michigan.

Mr. BURROWS. I think the gentleman is in error, but that is neither here nor there. This provision was continued until the Forty-ninth Congress, and in the Forty-ninth Congress, a Democratic Congress, it was dropped. In the Forty-ninth Congress a Democratic House eliminated this rule, and Mr. Morrison reported a code of rules leaving out that provision.

The gentleman from Indiana [Mr. HOLMAN] proposed to put on the proposition in the House, and it was defeated by a vote of 205 nays against 69 in the affirmative. On that occasion such gentlemen as Mr. BLANCHARD, and Mr. BLAND, and Mr. BLOUNT, and both the BRECKINRIDGES, and Mr. BYNUM, and Mr. CATCHINGS, and Mr. CRAIN, and Mr. DOCKERY, and Mr. HEARD, and Mr. HERBERT, and Mr. MILLS, the distinguished gentleman from Texas, and Mr. O'FERRALL, and Mr. OUTHWAITE, and Mr. SAYERS, and Mr. STEWART, and Mr. STONE, and Mr. WHITING, my colleague from Michigan, and Mr. WISE, all voted against the proposition of the gentleman from Indiana, and, as I have said, there were only 69 votes for it and 205 votes against it.

It was left out in the Forty-ninth Congress, it was left out in the Fiftieth Congress and in the Fifty-first, but now it is proposed to put it into the rules again. I suppose it is to be done in obedience to the suggestion of the gentleman from Illinois, the chairman of the Committee on Ways and Means [Mr. SPRINGER], who in a speech the other night said:

> The question which most concerns the Democratic majority in the House of Representatives, and the solution of which is especially imposed upon the Democratic members of the Ways and Means Committee, is: "What can be done during this session which will improve our chances of success?"

[Laughter.]

So, in obedience to that declaration, it is proposed by the Committee on Rules and the majority to tie the majority hand and foot, so that it can not legislate. By this method, by the adoption of this code of rules, you propose, gentlemen, to escape responsibility. When questioned as to why this or that measure was not passed you will answer, "We could not do it under the rules. The rules prohibited it." The whole purpose of these rules is to protect yourselves from yourselves. Having relegated to the rear the statesmen of your party, who have fought your battles and won your victories, you propose now to abandon the field of your triumphs, and, adopting the policy of masterly inactivity, take refuge behind the impenetrable barriers of parliamentary obstruction, hoping to shield yourselves from the responsibilities of legislation and escape the storm of public indignation. Let me predict that you will do neither. [Applause on the Republican side.]

Mr. CATCHINGS. I yield ten minutes to the gentleman from Texas [Mr. MILLS].

Mr. MILLS. Mr. Speaker, it seems to be exceedingly difficult to get our friends on the other side of the House to understand what we on this side mean when we say that a majority should rule. The speech of mine which has been quoted to-day—a speech made in 1879—has been referred to frequently on the other side of the House, and it lays down, I think, a fundamental principle upon which the whole of our American political system is based. The power of a majority within the limits prescribed to it by the fundamental law is supreme. The power of a majority beyond the limits prescribed to it by our system of free government, instituted and created by written constitutions, becomes the power of a lawless mob. There is where we stand.

Majorities are supreme within the limitations of the power granted to them—within the limitations fixed by the people of the United States when they ordained and established our free system of government. Our fathers who framed that Government admonished us, their children, that power must be watched and jealously watched at all times; that limits must be thrown around it to prevent it from encroaching upon the natural and inalienable rights of the people. Upon any matter submitted to a legislative assembly or to the people within the distribution of powers as defined by our written Constitution a majority of the people is supreme.

But my friend from Michigan [Mr. BURROWS] and those who are associated with him believe that a majority can do anything, whether it is right or wrong; that the majority must determine for itself whether the thing proposed is right, and if decided to be right, that they have authority to do it. But our fathers did not so understand the sanctity of majority rule when they wrote down in the Federal Constitution and in every State constitution safeguards against the conduct of majorities. Will the gentleman pretend to say that a majority of all the people of the United States can deny to a citizen the right of trial by jury when he is called upon to answer a criminal accusation? I say that, so long as our Constitution is the supreme law of the land, one man can defy the whole sixty millions of our people when they undertake to do anything outside of that instrument, and can call upon the Government to stand by him. Can a majority of the people of the United States go into a State and invade its rights, confiscating the property or sacrificing the lives of its citizens? The Government of the United States is powerful; but the Constitution forbids it to enter that domain.

The gentleman tells us that we on this side consumed eight or ten valuable days in resisting in this House a certain measure that the majority wanted to pass. Yes, Mr. Speaker, he and I were here long years ago in the Forty-third Congress, when he on his side of the House and those who were following him wanted to pass a public law (and they did it) invading the rights of the States. We resisted it in this Hall for seventy-two hours continuously. We denounced it as an infraction of the constitutional rights of the States and of the people. Gentlemen on the other side of the House passed that measure; but the Supreme Court declared that our arguments against it were right, and that it was a nullity. Yet you think we had no right to filibuster in order to defeat an unconstitutional invasion of the rights of the States.

You say that we tried to place upon an appropriation bill a "rider" which deprived you of the power of putting soldiers around the ballot boxes of the country, and converting this from a free Government, founded upon the unrestrained consent of the people, to a military despotism. Yes, we fought that battle too, believing that you were exceeding the rightful bounds of the power of the majority, and we will fight every measure of that sort which you may bring before us; we will go back and appeal to the people of the United States at the ballot box, as we have done hitherto, to settle whether this Government shall be maintained and transmitted to our children as our sires framed it, or whether you shall be permitted to convert it into a military despotism. [Applause on the Democratic side.] Yes, Mr. Speaker, we bow to the will of a majority constitutionally expressed——

Mr. REED. Will the gentleman from Texas allow me a moment?

Mr. MILLS. Certainly.

Mr. REED. I simply want to remind the gentleman that the action taken for the purpose of "escaping from military despotism" was on the part of a majority of this House, not the minority, and that the "riders" were put on by the majority, not by a minority.

Mr. MILLS. But you had had a majority, and you were then playing the part of filibusters to maintain military despotism, which we were trying to throw off.

Mr. REED. Not at all; our effort was against putting "riders" on appropriation bills.

Mr. MILLS. The arguments of our friends on the other side

are very convenient for them. We have an old-fashioned way of sticking to the truth whether in prosperity or adversity. But they filibuster whenever it is profitable to them; and whenever it is not profitable to them they raise their hands in holy horror and talk about "the rights of majorities." [Applause on the Democratic side.]

Why, Mr. Speaker, this Government could not have existed for a hundred years and come down to us with all its blessings had it not been that the Constitution in so many of it provisions has fettered majorities—has recognized and warned the people of the dangerous lust of power that is characteristic of majorities. Sixty million people can not prevent the exporting of a bale of cotton if one man in one of the cotton States wants to export it. Sixty million people can not prescribe to you any form of religious worship or disturb any man in the free exercise of his pious convictions. Why? Because the Constitution has declared that no majority shall have any right to interfere with any man's religion. Sixty million people can not prevent a man from speaking his convictions—from publishing and printing them. The Government, with all the power of majorities behind it, can not invade this right so long as those controlling the Government recognize the integrity and justice and supremacy of our Constitution. [Applause on the Democratic side.]

Mr. REED. I yield to the gentleman from California [Mr. MCKENNA].

The SPEAKER. How much time does the gentleman yield?

Mr. REED. Twenty minutes, or so much as desired.

Mr. MCKENNA. Mr. Speaker, most of the rules that have been reported to the House are commonplace regulations of parliamentary procedure, over which and about which there will not be much partisan controversy or comment. There are, however, two provisions that are important, far-reaching, and in view of the attitude of the Democratic party in the last Congress, significant of the shams of politics. One of these provisions declares:

It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

It requires very little thought to discover how pervasive and rigorous this provision is, if the majority desire to take advantage of it; and the gentleman from Texas [Mr. MILLS] has just declared to us that political majorities as well as legislative majorities can seek wrong and do wrong. Quoting Democratic language, I can say this provision manacles and throttles and gags the minority as fully and as completely as though restraints of it were stamped on every line of the rules.

Mr. Speaker, in the Fifty-first Congress it was declared as a rule of this House that no dilatory motion should be entertained by the Speaker. On its suggestion and enactment a shriek of passionate protest went up from every Democratic throat. It was said, ay, it was shouted, that the precedents of a hundred years were shocked by it; that our legislative liberties were menaced as though gunpowder had been placed under the Capitol. The spasm is over; we are calmer now. A different set of fellows is on top. [Laughter.] A Republican Speaker could not be trusted; it seems that a Democratic Speaker can be trusted, and "without glass eyes, which might make him, like a scurvy politician, see the things he does not, to search the motives of members and distinguish what is and what is not a dilatory motion" without puncturing the Constitution or upsetting the liberties of the people. [Laughter and applause on the Republican side.]

Mr. BYNUM. Will the gentleman yield for an interruption?

Mr. MCKENNA. Not now. I prefer to conclude what I wish to say first.

Mr. BYNUM. I only desired to call attention to the fact that there is nothing in the rules that authorizes the Speaker now to declare what are dilatory motions.

Mr. MCKENNA. No, not more than in the rules of the Fifty-first Congress.

Mr. BYNUM. But I want to call your attention to the fact that you are not stating it accurately.

Mr. MCKENNA. This is real advancement and solid comfort too. We are glad, we Republicans, because our patriotism and our vanity have been vindicated and solaced. The "usurpers" and "tyrants" of the Fifty-first Congress have become patriotic examples to the Fifty-second Congress, and all by Democratic imitation. [Laughter.]

But, sir, I must marvel somewhat. Must dilatory tactics go, and by a Democratic decree, when the majority desires it? Must these holy things, sanctified by a hundred years of actual or of potential use, be forever driven from the House, if the majority so desires? It was proclaimed to us that the right to make dilatory motions was the sacredest right of Congressmen, emancipating us from obligations to the House and connecting us alone in responsibility to our constituents, who, in moments of exaltation we are pleased to call the "pure fountain of our power." And did not the gentleman from Indiana [Mr. HOLMAN] declare that the surest guaranty of good legislation was a "vigilant minority?" He meant, of course, an unfettered minority, unfettered against a political majority as well as against a legislative majority. And did he not with entertaining and instructive history tell us how filibustering had become an instrument in the hands of patriotic men to defeat corruption and check extravagances? How Mr. Washburne of Illinois had attempted to defeat the reduction of the Government mortgage on Pacific railroads to a second place; and how Mr. Randall had defeated the force bill and the subsidy to the Pacific Mail Steamship Line? How it had been used by Mr. Douglas, and how Mr. Fessenden had also prevented by it the degradation of a President, and did he not point out to us Mr. Anderson of Kansas in active virtue filibustering against the refunding the debt of the Pacific railroads?

Where, Oh where, is the gentleman from Indiana [Mr. HOLMAN] now? Has he, as he intimated the gentleman from Kansas had—has he "folded his tent, like the Arab, and silently stolen away?" I think I know where he is. I was once a filibustering patriot myself, and I know how virtuous men feel when they are in the minority. I know how virtuously they do not always act when they are in the majority. But, Mr. Speaker, such virtues can not be peddled around on all occasions, and as for me, since the gentleman from Indiana [Mr. HOLMAN] and the Democratic party are running away from virtue, I have a temptation to return to it. [Laughter on the Republican side.]

Mr. Speaker, it has been said that the Democratic party can always be relied on to make a mistake at the proper time. I inflict this chestnut on the weary world, because always a mistake of the Democratic party is the latest thing out. It seems that it can not even do right without making a mistake or accusing itself. It is always in need of new departures. The gentleman from Texas [Mr. LANHAM] is afraid it is going to make a flop on the silver question. The gentleman from Maryland [Mr. RAYNER] is sure it will do it in the national convention. Some other gentlemen are afraid it will flop on tariff reform. We know now, from the exhibition to-day, that it has flopped on the rights of minorities.

But it is an astonishing and curious fatuity that, after its clatter, its fuss, and fury in the last Congress, it should resolve and provide for the majority of the House to control and to enforce its will by rigid rules of procedure; the very thing it declaimed against as fatal to deliberation, fatal to legislative liberty, and destructive of the right of minorities. Does it not do that very thing, Mr. Speaker? The rule provides that the report of the Committee on Rules may be called up for consideration at any time. What is the Committee on Rules. It is the instrument of the will of a majority of this House. It can be the instrument of the despotism of the majority of this House. It is all-privileged, as the gentleman from Maine [Mr. REED] has told you. Its report, once called up, can not be defeated. It can only be delayed by one motion to adjourn.

Oh, gentlemen, you allow plenty of liberities in other directions; but you bind fast there. When I think of it, I am inclined to think we were blunderers to you. You are artists in the artful, and you do things with such a refinement and finesse that it makes us marvel, although we know it is characteristic. In five lines you assert and grasp an absolute power, a power all-pervasive and inexorable. Where, in your sacred storehouse of venerable and hoary precedents, do you find an example for it? And you do not stop there. You may want to speed things with extra hurry through the House.

Suspension day, the willingness of the Speaker, and your large majority furnish you opportunity and means. What is suspension day? It is also bill day. You have a bill day. That is one of the showy things with which you bedeck your actions, with which you amuse members, especially new members, by giving them, once a month or so, the Speaker's eye, and flatter them by enabling them to introduce bills in the sight of an admiring constituency. That is immense. But we know, as the gentleman from Mississippi [Mr. CATCHINGS] said, and we have seen the gentleman from Kansas [Mr. Anderson] often consume a whole day by demanding the reading of bills. You prevent this by providing that no more than one hour shall be consumed on suspension days by the introduction of bills. I repeat, when I think of it, we were blunderers to you; you do things so smoothly—with such a pious and patriotic air.

Mr. Speaker, I do not wish to be misunderstood. I have no objection to these rules, inasmuch as they execute the will of the majority. It may be the legislative right of a majority to have its way. It may be the legislative duty of the majority; but I do object to the condemnation of the Republican party for what you now propose yourselves. That is, bind and control the minority. You do it effectually, though you do it cunningly. It is the most cunning masquerade I think I have ever seen; but I do not know that I ought to object to it on that ground, because I believe that

the Democratic party appears best in masquerade; that when it puts its native semblance off and any other semblance on it appears to better advantage.

Sir, the gentleman from Michigan [Mr. BURROWS] has detailed carefully and eloquently the effect of the rules. When a partisan or political majority has no interest, he has shown you how feeble the individual is. I do not know that that can be prevented. I have thought very seriously about it, because every member who has been in the House for any length of time knows, and every new member will soon find out, that he is met everywhere by the obstruction of the institution and sometimes bullied by the institution. This may not be accidental; it may be inevitable. I am not fatalist enough to say that "whatever is is right," or with the Turk to say further, "Allah be praised," nor am I disposed to say this House be praised or the other thing. [Laughter.] I wish for greater freedom to the individual. It may not be possible to secure it. It is worth the trial, and I will take occasion, when the rules are considered under the five-minute debate, to suggest amendments and try to extend some of the utility and beneficence attempted to be absorbed by the Committee on Rules. [Applause on the Republican side).

Mr. CATCHINGS. I move that the House do now adjourn.

Mr. LAPHAM. Pending that, I ask unanimous consent to introduce a bill for reference.

The SPEAKER *pro tempore*. Unless the motion to adjourn shall be withdrawn the Chair can not entertain any other motion.

The question was put, the motion was agreed to; and accordingly (at 4 o'clock and 26 minutes p. m.) the House adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. ARNOLD: A bill (H. R. 4776) to correct the military record of Martin H. Tuckwell, late of Company F, Third Regiment Michigan Cavalry—to the Committee on Military Affairs.

By Mr. BELKNAP. A bill (H. R. 4777) for the relief of Augusta De Ahna—to the Committee on Claims.

By Mr. BEEMAN: A bill (H. R. 4778) for the relief of Robert Lay, administrator of the estate of Nancy Lay, deceased—to the Committee on War Claims.

By Mr. BINGHAM: A bill (H. R. 4779) for the relief of the legal representatives and devisees of James W. Schaumburg—to the Committee on Claims.

By Mr. BOATNER: A bill (H. R. 4780) for the relief of Mrs. Ann Sheely, of Concordia Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 4781) for the relief of the estate of Mrs. Mary Morgan, late of Carroll Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 4782) for the relief of Luke Madden, administrator of Patrick Madden, deceased, late of Madison Parish, La., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

By Mr. BRAWLEY: A bill (H. R. 4783) for the relief of Augustus Fitch, deceased, a doctor of medicine—to the Committee on Claims.

By Mr. BURROWS: A bill (H. R. 4784) for the relief of John P. Barker—to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 4785) for the relief of James Curran, late private in Company C, Sixth Illinois Cavalry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 4786) granting relief to R. C. Ambler, late captain Tenth Minnesota Volunteers—to the Committee on Military Affairs.

By Mr. BYRNS: A bill (H. R. 4787) for the relief of Capt. John Schwab's Provisional Company of Missouri—to the Committee on Military Affairs.

Also, a bill (H. R. 4788) granting a pension to Charles Maschmeyer—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 4789) for the relief of James Welch—to the Committee on Claims.

By Mr. CATCHINGS: A bill (H. R. 4790) for the relief of William Whittaker, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4791) for the relief of Mrs. A. Shirley—to the Committee on War Claims.

By Mr. CAUSEY: A bill (H. R. 4792) to pay the State of Delaware for advances of money in the war of 1812, reported to be due by the Secretary of the Treasury—to the Committee on War Claims.

By Mr. CHAPIN: A bill (H. R. 4793) restoring the name of Dorthea A. Wildt, now Anderson, to the pension roll—to the Committee on Military Affairs.

Also, a bill (H. R. 4794) for the removal of the charge of desertion from the record of John Cassidy—to the Committee on Military Affairs.

By Mr. CLARK of Wyoming: A bill (H. R. 4795) for the relief of William A. Richards, United States surveyor-general of Wyoming—to the Committee on the Public Lands.

By Mr. COMPTON: A bill (H. R. 4796) to correct the naval history of John C. Dull—to the Committee on Naval Affairs.

By Mr. COVERT: A bill (H. R. 4797) granting a pension to P. C. Langevin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4798) for the establishment of a light-house at Orient Point, on the coast of Long Island, New York—to the Committee on Interstate and Foreign Commerce.

By Mr. DALZELL: A bill (H. R. 4799) to pension Martha E. Berger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4800) to amend the military record of Capt. A. D. J. Heastings—to the Committee on Military Affairs.

By Mr. DOAN: A bill (H. R. 4801) granting a pension to Elizabeth J. Brown—to the Committee on Invalid Pensions.

By Mr. FELLOWS: A bill (H. R. 4802) granting an honorable discharge to Edward O'Rourke—to the Committee on Military Affairs.

By Mr. FUNSTON: A bill (H. R. 4803) to place the name of Mrs. Keziah Woods on the pension roll—to the Committee on Invalid Pensions.

By Mr. GORMAN: A bill (H. R. 4804) to place the name of Sarah L. Van Est on the pension list—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4805) to increase the pension of Jane S. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4806) for the relief of Nicholas White—to the Committee on War Claims.

By Mr. HENDERSON of North Carolina: A bill (H. R. 4807) for the relief of Henry Setzer—to the Committee on Claims.

By Mr. HOAR (by request): A bill (H. R. 4808) for the relief of James H. Willey—to the Committee on Invalid Pensions.

By Mr. HOLMAN: A bill (H. R. 4809) granting a pension to James Smith—to the Committee on Pensions.

By Mr. HOPKINS of Pennsylvania: A bill (H. R. 4810) granting a pension to Benjamin F. Taylor, late chaplain Fifty-eighth Regiment Pennsylvania Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4811) for the relief of Capt. McCurdy Tate, late captain of Company H, Fifty-third Pennsylvania Volunteers—to the Committee on Military Affairs.

By Mr. JOSEPH: A bill (H. R. 4812) for the relief of Capt. Ceron St. Vrain's company of New Mexico Mounted—to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 4813) for relief of Lucy A. Branham—to the Committee on Pensions.

Also, a bill (H. R. 4814) for the relief of Mrs. Mary Stoner, of Montgomery County, Ky.—to the Committee on War Claims.

By Mr. KRIBBS: A bill (H. R. 4815) granting an increase of pension to Walter Barrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4816) granting a pension to Mary Jane Blair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4817) granting a pension to Charles Merryman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4818) for the relief of Fannie Moseley Lorain—to the Committee on Pensions.

Also, a bill (H. R. 4819) to remove the charge of desertion from the military records of David W. Hile—to the Committee on Military Affairs.

Also, a bill (H. R. 4820) granting a pension to Philip Arner—to the Committee on Invalid Pensions.

By Mr. McALEER: A bill (H. R. 4821) removing the charge of desertion against John Connell—to the Committee on Military Affairs.

By Mr. MEREDITH (by request): A bill (H. R. 4822) to provide for the payment of the outstanding claim of the heirs of Richard B. Mason, deceased, late of Virginia, against the United States—to the Committee on Claims.

By Mr. MOORE (by request): A bill (H. R. 4823) for the relief of M. D. Putnam—to the Committee on Claims.

By Mr. REED: A bill (H. R. 4824) for the removal of the charge of desertion against George A. Emery, late private Company A, Seventeenth United States Infantry—to the Committee on Military Affairs.

By Mr. SCOTT: A bill (H. R. 4825) for the relief of James Houselman—to the Committee on Military Affairs.

By Mr. SMITH of Arizona: A bill (H. R. 4826) for the relief of Dr. Warren E. Day—to the Committee on Claims.

By Mr. SMITH of Illinois: A bill (H. R. 4827) to confer jurisdiction on the Court of Claims to hear and determine the claim of the heir of Hugh Worthington for his interest in the steamer Eastport—to the Committee on War Claims.

Also, a bill (H. R. 4828) to remove the charge of desertion from the military record of Joseph Craig—to the Committee on Military Affairs.

By Mr. SPERRY: A bill (H. R. 4829) granting a pension to Jane E. Anderson—to the Committee on Pensions.

By Mr. STEVENS: A bill (H. R. 4830) to remove the charge of desertion now standing against Henry H. Bailey—to the Committee on Military Affairs.

By Mr. VAN HORN: A bill (H. R. 4831) granting a pension to Elvira M. Marsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4832) to pension Peter Donnelly for services in the Indian war—to the Committee on Pensions.

By Mr. WEADOCK: A bill (H. R. 4833) to correct the military record of Joseph Wackerly—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: A bill (H. R. 4834) for the relief of Patrick Smith—to the Committee on War Claims.

Also, a bill (H. R. 4835) for the relief of Elias Cleveland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4837) to increase the pension of Solomon S. Brill—to the Committee on Invalid Pensions.

By Mr. WILSON of West Virginia: A bill (H. R. 4836) for the relief of the trustees of the Methodist Episcopal Church South of Boothsville, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 4838) granting a pension to Mary Clare Kelly, widow of Benjamin F. Kelly, brevet major-general of volunteers, United States Army—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4839) for the relief of Howard F. Smallwood, of Jefferson County, W. Va.—to the Committee on War Claims.

By Mr. WISE: A bill (H. R. 4840) for the relief of Robert F. Williams & Co.—to the Committee on Claims.

Also, a bill (H. R. 4841) to relieve Peter Tresnon from the charge of desertion—to the Committee on Military Affairs.

By Mr. YOUMANS: A bill (H. R. 4842) granting a pension to Phebe S. Hunt—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII the following petitions and resolutions were laid on the Clerk's desk and referred as follows:

By Mr. ANDREW: Petition of Webster Wells, asking for the adoption of an act to authorize the metric system of weights and measures be to used exclusively in the customs service after July 1, 1893—to the Committee on Coinage, Weights, and Measures.

Also, papers to accompany House bill 157, authorizing the wearing of the distinctive badge adopted by the Regular Army and Navy Union upon all occasions of ceremony—to the Committee on Military Affairs.

By Mr. BEEMAN: Petition of Margaret A. Collins, of Scott County, Miss., praying for the reference of her claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. BINGHAM: Petition of the First United Presbyterian Church, Philadelphia, Pa., against the opening of the World's Columbian Exposition on the Sabbath day—to the Select Committee on the Columbian Exposition.

By Mr. BOWMAN: Petition of 40 citizens of Guthrie County, Iowa, in behalf of the Butterworth bill defining options—to the Committee on Agriculture.

By Mr. BUCHANAN of New Jersey: Petition of C. G. Rockwood, praying that on and after July 1, 1893, the metric system of weights and measures, authorized by the act of Congress approved July 28, 1866, shall be exclusively used in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. BUTLER: Petition of citizens of Howard County and of citizens of Winneshiek County, Iowa, praying the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

By Mr. BROOKSHIRE: Petition of W. H. Kirchner, asking for the adoption of an act to authorize the metric system of weights and measures to be used exclusively in the customs service after July 1, 1893—to the Committee on Coinage, Weights, and Measures.

Also, papers to accompany House bill 4028, granting an increase of pension to Clifford W. Ross—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 4283, to pension Mary Venard, late hospital nurse—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 899, granting a pension to Ella Wolsey—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 901, to correct the military record of Hiram A. Benefiel—to the Committee on Military Affairs.

Also, papers to accompany House bill 902, to correct the military record of John H. Stearns—to the Committee on Military Affairs.

Also, papers to accompany House bill 894, to correct the military record of James M. Blankenship, alias Charles M. Smith—to the Committee on Military Affairs.

Also, papers accompanying House bill 896, to correct the military record of Elijah Watts—to the Committee on Military Affairs.

Also, papers to accompany House bill 897, granting a pension to Sarah A. Conover—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 903, granting a pension to Candes Baily—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 906, for relief of Henry Ayres—to the Committee on Claims.

Also, papers to accompany House bill 3639, to increase the pension of Nancy Ann Green—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 904, to increase the pension of Ambrose B. Carlton—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 3641, to increase pension of Scott Jewell—to the Committee on Invalid Pensions.

By Mr. CARUTH: Papers to accompany House bill 4043, granting an increase of pension to William A. Birch—to the Committee on Pensions.

Also, papers to accompany House bill 4658, granting an increase of pension to A. Loomis—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: Petition of ——— Alverson, administrator of John Alverson, late of Warren County, Miss., asking reference of claim to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. COBB of Missouri: Memorial of the St. Louis Merchants' Exchange, against the passage of House bill 2699—to the Committee on Agriculture.

By Mr. COVERT: Petition of William H. Reinhart and of P. N. Davenport and others, for the promotion of the efficiency of the Life Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. GORMAN: Petition of Anna B. Schneider, with affidavits, for relief in case of pension claimant, to accompany House bill 4700—to the Committee on Invalid Pensions.

Also, petition of Mrs. Anna E. Warden, for an increase of pension, to accompany House bill 4697—to the Committee on Invalid Pensions.

Also, petition of Isaac Jones, with affidavits, to accompany House bill 4698—to the Committee on Invalid Pensions.

Also, papers for a pension for Calvin F. Ashley, to accompany House bill 4699—to the Committee on Invalid Pensions.

By Mr. GROUT: Memorial of Henry L. Franklin, in support of House bill 4080—to the Committee on Military Affairs.

Also, memorial of Sedgwick Post, No. 8, Grand Army of the Republic, asking for relief for Henry L. Franklin—to the Committee on Military Affairs.

By Mr. HALLOWELL: Petition of 21 citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. HENDERSON of Iowa: Petition of 25 citizens of Washburn, Iowa, urging the passage of the Butterworth option bill—to the Committee on Agriculture.

Also, resolutions of the National Grange of the Patrons of Husbandry favoring free-delivery postal service in the rural districts—to the Committee on the Post-Office and Post-Roads.

By Mr. HERMANN: Petition of citizens of Alsea Bay, in Oregon, asking for improvement of Alsea River in Oregon—to the Committee on Rivers and Harbors.

Also, petition of citizens for improvement of the Alsea River and entrance—to the Committee on Rivers and Harbors.

By Mr. HITT: Memorial of John W. Glover and 19 others, citizens of Winnebago County, Ill., for the repeal of the duty on binding-twine—to the Committee on Ways and Means.

By Mr. HOOKER of Mississippi: Petition of Mrs. Ottelie Bertron and 100 citizens of Claiborne County, Miss.—to the Committee on the Post-Office and Post-Roads.

By Mr. HULL: Petition of W. J. Sarver and 12 others, of Marion County, Iowa, for the Conger lard bill—to the Committee on Agriculture.

Also, petition of J. C. Marsh and 12 others, of Marion County, Iowa, in favor of the Butterworth option bill—to the Committee on Agriculture.

Also, petition of John Christofer and 31 others, of Story County, Iowa, for the same bill—to the Committee on Agriculture.

Also, petition of John McCuddin and 11 others, of Warren County, Iowa, for same bill—to the Committee on Agriculture.

Also, petition of John Christopher and 31 others, of Story County, Iowa, for the same bill—to the Committee on Agriculture.

By Mr. JOHNSON of Ohio: Memorial of the Marine Engineers' Benevolent Association of Cleveland, Ohio, praying for the passage of House bill 320 to create a home for crippled, infirm, and aged seamen of the Merchant Marine Service—to the Committee on Merchant Marine and Fisheries.

By Mr. LEWIS: Claim of C. T. and C. D. R. Kirk for $5,000 for unlawful arrest by United States soldiers—to the Committee on Claims.

By Mr. LONG: Petition of Goshen Grange No. 800, for relief of settlers on Northern Pacific Railroad from Wallula, Wash., to Portland, Oregon—to the Committee on the Pacific Railroads.

By Mr. McKEIGHAN: Papers of Claude M. Johnson of Pinal County, Ark., to accompany House bill 8666—to the Committee on Indian Affairs.

By Mr. MARTIN: Petition for the relief of William H. Sutton with affidavit of P. H. Fitzgerald, to accompany House bill 1682—to the Committee on Invalid Pensions.

By Mr. MORSE: Memorial of the World's and National Woman's Christian Temperance Unions in favor of settling national disputes by arbitration—to the Committee on Foreign Affairs.

By Mr. OTIS: Petition of the Methodist Episcopal Church of Osage City, Kans., asking for the closing of the World's Fair on the Sabbath; that the sale of liquor be prohibited at the Columbian Exposition, and that the art department be managed according to the American standard of purity in art—to the Select Committee on the Columbian Exposition.

Also, affidavit of A. J. Longacre in support of claim of Lerena M. Clay for property destroyed in Union County, Mo., to accompany House bill 3691 for her relief—to the Committee on War Claims.

By Mr. PEEL: Petition signed by 580 persons, to give free postal delivery at Eureka Springs, Ark.—to the Committee on the Post-Office and Post-Roads.

By Mr. RAY: Petition of Bradford B. Tanner, for veteran bounty—to the Committee on Military Affairs.

By Mr. STAHLNECKER: Petition of Rufus W. Weeks, of Pocamtico Hills, N. Y., favoring the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. TERRY: Petition of citizens of Little Rock, Ark., and of certain other citizens of Little Rock, Ark., for improvement of Arkansas River—to the Committee on Rivers and Harbors.

By Mr. VAN HORN: Petition of citizens of Schoharie County, N. Y., and of citizens of Herkimer County, N. Y., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of T. H. Stoddard and others, of Herkimer County, N. Y., asking for the enactment of a law subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. WEVER: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WILSON of West Virginia: Resolution of West Virginia State Sabbath School Convention against opening the Columbian Exposition on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, resolution of Pomona Grange, Berkeley County, W. Va., against opening the Columbian Exposition on the Sabbath—to the Select Committee on the Columbian Exposition.

SENATE.

WEDNESDAY, *January 27, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, requesting that certain appropriations be made for the United States custom-house and post-office building at Eastport, Me., for paving the street in front of the site acquired for the post-office building at San José, Cal., and that an additional appropriation be made to provide an electric-light plant for the United States marine hospital at Portland, Me.; which was referred to the Committee on Appropriations, and ordered to be printed.

HOUSE BILL REFERRED.

The bill (H. R. 1487) to remove the political disabilities of John R. F. Tatnall was read twice by its title, and referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented sundry petitions collected by the National Woman's Christian Temperance Union, signed by 428 persons, on behalf of five churches and six societies of Illinois, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. GALLINGER presented sundry petitions of certain citizens and religious societies of New Hampshire, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. WILSON presented a petition of 10 citizens of Marion County, Iowa, praying for the passage of a bill similar to the one known in the Fifty-first Congress as the Butterworth option bill; which was referred to the Committee on the Judiciary.

Mr. FELTON presented a petition of the Humboldt (Cal.) Chamber of Commerce, praying for the passage of any judicious measure calculated to give national control and insure the speedy completion of the Nicaragua Canal; which was referred to the Committee on Foreign Relations.

Mr. QUAY presented a petition of citizens of McKeesport, Pa., and the petition of Elmer L. Soles, postmaster at McKeesport, Pa., praying for the passage of the bill to purchase a site and erect a public building thereon at that city; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of citizens of Pennsylvania, praying for the ratification of the so-called Brussels treaty; which was ordered to lie on the table.

He also presented a petition of the Presbyterian Synod of Pennsylvania; a petition of the Presbyterian Church of Tarentum, Pa., and a petition of citizens of Littlestown, Pa., praying for the closing of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the congregation of the Wharton Street Methodist Episcopal Church, of Philadelphia, Pa., and a petition of citizens of Greenville, Pa., praying for the granting of a loan by Congress to the World's Columbian Exposition on condition that it be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the congregation of the Presbyterian Church of Cannonsburg, Pa., praying for the passage of a bill to prohibit the opening of any exposition or exhibition on Sunday where appropriations of the United States are expended; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Reformed Presbyterian Congregation of Tarentum, Pa., and a petition of the congregation of the First United Presbyterian Church of Philadelphia, Pa., praying for the closing of the World's Columbian Fair on Sunday, the prevention of the sale of liquor within its gates, and the management of the art department according to the American standard of purity in art; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. STOCKBRIDGE presented a petition representing four churches and four societies of Michigan, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. BLODGETT presented a petition of citizens of Monmouth County, N. J., praying that a pension be granted to Margaret Henry, mother of James F. Henry, late first lieutenant Company H, Thirteenth New Jersey Volunteers; which was referred to the Committee on Pensions.

Mr. PADDOCK presented a petition of 48 members of Lodge No. 55, Independent Order of Good Templars, of Alexandria, Nebr.; a petition of the Woman's Christian Temperance Union of Alexandria, Nebr.; a petition of the Methodist Episcopal Church of Alexandria, Nebr., and a petition of the Baptist Church of Alexandria, Nebr., praying for the passage of a bill prohibiting the opening of any exhibition or exposition on Sunday for which appropriations by the United States are to be made; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. BRICE presented a petition of the Ohio Presbytery of the Reformed Presbyterian Church, praying for the passage of a law to prohibit the World's Columbian Exposition from being opened to the public on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Central Labor Union of Cleveland, Ohio, praying for the passage of a bill by which the President, Vice-President, and United States Senators may be elected by the direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Board of Trade of Cleve-

land, Ohio, praying for the passage of a law transferring to the Navy Department of the United States all officers and enlisted men of the United States Revenue Marine Service, and also to give to the members of the Life-Saving Service the benefit of marine hospital attendance; which was referred to the Committee on Naval Affairs.

He also presented the petition of J. D. Weaver and other citizens of Montgomery County, Ohio, praying for the enactment of a law subjecting oleomargarine to the laws of the States; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Sarah K. McLean, widow of Lieut. Col. Nathaniel H. McLean, of Ohio, late of the United States Army, praying Congress to give her such relief as is just and fair growing out of her husband's military service; which was referred to the Committee on Military Affairs.

Mr. DOLPH. I present a petition of members of the Blalock Wheat Growing Company of Gilliam County, Oregon, praying for legislation authorizing them to purchase of the Government at $1.25 an acre lands purchased by them of the Northern Pacific Railroad Company within the limits of its grant, and improved prior to the passage of the law of Congress forfeiting railroad lands. This is an important matter that will require careful attention by the committees of Congress, and I move that the petition be printed as a document and referred to the Committee on Public Lands.

The motion was agreed to.

Mr. DOLPH. I present resolutions adopted by the Federated Trades Assembly of Portland, Oregon, favoring the passage of a bill said to be now before Congress prohibiting any enlisted men in the Army or Navy from engaging in the performance of labor for pay when the same shall interfere with the customary employment and regular engagement of local civilians in their respective arts, trades, or professions. I move that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. BATE. I present a petition of the president and secretary of the National Association of the Veterans of the Mexican War, praying for an amendment to the general pension law approved June 27, 1890, extending the provisions of that law to survivors and widows of the Mexican war veterans in all respects from date of its passage. I present the petition by request, and move that it be referred to the Committee on Pensions.

The motion was agreed to.

Mr. HOAR presented a petition representing 185 associations and other organizations, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Frank W. Abbott and other letter-carriers of Fitchburg, Mass., praying for the passage of the letter-carriers' salary bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PALMER presented a petition of 151 citizens of Utica, Ill., and a petition of 8 churches and 5 societies of Illinois, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. MORRILL presented a petition of the Woman's Christian Temperance Union, of Woodstock, Vt., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CAMERON presented resolutions adopted by Local Assembly No. 6401, Knights of Labor, of Philadelphia, Pa., favoring the enactment of a Chinese exclusion law; which were referred to the Committee on Foreign Relations.

He also presented the following petitions, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States; which were referred to the Committee on Agriculture and Forestry:

Petition of J. C. McCollough and 17 other citizens of McCandless, Pa.

Petition of S. E. Todd and 27 other citizens of New Sheffield, Pa.

Petition of J. McGrath and 54 other citizens of New Hamburg, Pa.

Petition of J. E. Callahan and 28 other citizens of Kennard, Pa.

Petition of R. N. Bryan and 16 other citizens of Hookstown, Pa.

Petition of William M. Bean and 43 other citizens of Hadley Station, Pa.

Petition of J. Emmel and 26 other citizens of Ogle, Pa.

Petition of W. F. Barclay and 27 other citizens of Euclid, Pa.

Petition of T. M. Jackson and 27 other citizens of Hadley, Pa.

Petition of J. C. Wright and 26 other citizens of Clarks Mills, Pa.

Petition of R. M. Swaney and 24 other citizens of Hookstown, Pa.

Petition of J. W. Shafer and 24 other citizens of Prospect, Pa.

Petition of W. A. Donaldson and 26 other citizens of Hadley, Pa.

Petition of S. J. McBride and 28 other citizens of East Brook, Pa.

Petition of J. H. Humphrey and 28 other citizens of Clarks Mills, Pa.

Petition of T. A. Hamilton and 13 other citizens of Talley Cavey, Pa.

Petition of D. S. Dixon and 26 other citizens of Bakerstown, Pa.

Petition of R. M. Gibson and 31 other citizens of Tarentum, Pa.

Petition of J. E. Tidball and 15 other citizens of Remington, Pa.

Petition of A. Moore and 25 other citizens of Enon Valley, Pa.

Petition of J. T. Gillespie and 27 other citizens of Tarentum, Pa.

Petition of W. S. Henderson and 5 other citizens of Greenfield, Pa.

Petition of J. T. Smith and 15 other citizens of Shaws Landing, Pa.

Petition of J. J. Jolley and 17 other citizens of Camant, Pa.

Petition of T. L. Dowbin and 49 other citizens of Lincolnville, Pa.

Petition of J. C. McClintic and 77 other citizens of Meadville, Pa

Petition of J. R. Kingsley and 55 other citizens of Cambridgeboro, Pa.

Petition G. C. Robertson and 95 other citizens of Center Road Station, Pa.

Petition of C. L. Hall and 49 other citizens of Carry, Pa.

Petition of W. Marsh and 39 other citizens of Centerville, Pa.

Petition of G. L. Strong and 30 other citizens of Ferdinand, Pa.

Petition of W. F. Hadlock and 30 other citizens of Little Cooley, Pa.

Petition of U. H. Wade and 23 other citizens of Spartanburg, Pa.

Petition of D. O. Smith and 26 other citizens of Rundells, Pa.

Petition of J. A. Wilson and 27 other citizens of Espyville, Pa.

Petition of L. D. Saunders and 27 other citizens of Centerville, Pa.

Petition of J. L. Spaulding and 28 other citizens of Keepville, Pa.

Petition of H. V. Hall and 28 other citizens of Centerville, Pa.

Petition of B. Sherwood and 28 other citizens of Itley, Pa.

Petition of R. G. Fuller and 29 other citizens of Spartansburg, Pa.

Petition of W. Wagner and 50 other citizens of Cadaceny Corner, Pa.

Petition of E. H. Kline and 25 other citizens of Lock Haven, Pa.

Petition of R. Morton and 37 other citizens of Sabineville, Pa.

Petition of R. P. Schovans and 26 other citizens of Austinsburg, Pa.

Petition of R. J. Grover and 25 other citizens of Newfield, Pa.

Petition of G. W. Dickinson and 23 other citizens of Keeneyville, Pa.

Petition of E. M. Wheeler and 22 other citizens of Niles Valley, Pa.

Petition of G. W. Johnson and 20 other citizens of Covington, Pa.

Petition of W. H. Bryson and 28 other citizens of Lewis, Pa.

Petition of M. G. Finley and 11 other citizens of Belle Vernon, Pa.

Petition of J. R. Lyle and 34 other citizens of Hickory, Pa.

Petition of J. C. Bebont and 23 other citizens of Cannonsburg, Pa.

Petition of H. D. Care and 49 other citizens of High House, Pa.

Petition of T. McEwen and 31 other citizens of McConnells Mill, Pa.

Petition of W. McPeak and 27 other citizens of Venice, Pa.

Petition of H. C. Anderson and 26 other citizens of Cross Creek, Pa.

Petition of C. A. Kirkpatrick and 23 other citizens of Bower Hill, Pa.

Petition of J. T. Moore and 22 other citizens of Venice, Pa.

Petition of U. McPherson and 10 other citizens of Lawrence, Pa.

Petition of U. A. Schrainluy and 27 other citizens of Columbus, Pa.

Petition of G. H. Bates and 16 other citizens of Youngsville, Pa.

Petition of S. C. Sibley and 78 other citizens of Franklin, Pa.

Petition of J. Orr and 23 other citizens of Saltsburg, Pa.

Petition of A. B. Meanor and 51 other citizens of Congruity, Pa.

Petition of J. W. Riddley and 79 other citizens of Delmont, Pa.

Petition of R. N. Patterson and 28 other citizens of Spruce, Pa.

Petition of S. B. Williams and 26 other citizens of Oliveburg, Pa.
Petition of D. R. Kearney and 23 other citizens of Brockwayville, Pa.
Petition of J. L. Kennedy and 13 other citizens of Paulton, Pa.
Petition of S. F. Crate and 14 other citizens of Brookville, Pa.
Petition of F. Bullers and 18 other citizens of Brookville, Pa.
Petition of W. S. Clapp and 10 other citizens of Milton, Pa.
Petition of O. Serghon and 21 other citizens of Northumberland, Pa.
Petition of G. B. Patterson and 44 other citizens of Rohrersburg, Pa.
Petition of J. W. Detweiler and 27 other citizens of Curryville, Pa.
Petition of A. H. Brugh and 27 other citizens of Trent, Pa.
Petition of P. Miller and 21 other citizens of Somerset, Pa.
Petition of W. A. Weaver and 21 other citizens of Scalp Level, Pa.
Petition of S. A. Weaver and 28 other citizens of Scalp Level, Pa.
Petition of H. W. Cogan and 96 other citizens of Yellow Creek, Pa.
Petition of L. E. Nelson and 14 other citizens of Dubois, Pa.
Petition of J. Elgin and 18 other citizens of Limestone, Pa.
Petition of G. D. Hess and 26 other citizens of Kylertown, Pa.
Petition of J. C. Mitchell and 22 other citizens of Sabula, Pa.
Petition of D. S. Fellows and 12 other citizens of Newmansville, Pa.
Petition of A. Kline and 16 other citizens of Pralett, Pa.
Petition of D. C. Hall and 40 other citizens of Fleming, Pa.
Petition of A. Stahl and 57 other citizens of Mifflinburg, Pa.
Petition of W. B. Mussina and 77 other citizens of Cowan, Pa.
Petition of J. Sieber and 25 other citizens of East Salem, Pa.
Petition of J. Shaffer and 48 other citizens of Cowan, Pa.
Petition of J. K. Patterson and 90 other citizens of Walnut, Pa.
Petition of A. F. Seebold and 33 other citizens of Milton, Pa.
Petition of J. G. Wesehoupt and 29 other citizens of Portugal, Pa.
Petition of W. W. Brown and 27 other citizens of Lewisburg, Pa.
Petition of E. E. Hutchinson and 27 other citizens of Warriors Mark, Pa.
Petition of J. A. Finfrock and 27 other citizens of Green Castle, Pa.
Petition of A. C. Lathrop and 26 other citizens of Lewisburg, Pa.
Petition of U. H. Grove and 23 other citizens of Mazeppa, Pa.
Petition of J. F. Wright and 21 other citizens of Page, Pa.
Petition of B. Hummel and 55 other citizens of Shamokin, Pa.
Petition of H. H. Summers and 27 other citizens of Entriken, Pa.
Petition of W. Gossleman and 17 other citizens of Donnelly Mills, Pa.
Petition of D. A. Hollenbargh and 13 other citizens of Icksburg, Pa.
Petition of S. E. Buck and 6 other citizens of Mount Patrick, Pa.
Petition of C. L. Steele and 21 other citizens of Duncan, Pa.
Petition of T. E. Moore and 41 other citizens of Berwick, Pa.
Petition of J. B. Moss and 72 other citizens of Bloomingdale, Pa.
Petition of R. M. Stetler and 17 other citizens of Rockport, Pa.
Petition of E. H. Harris and 27 other citizens of Carverton, Pa.
Petition of J. J. Gable and 27 other citizens of Harpers, Pa.
Petition of F. H. Nicholson and 19 other citizens of La Anna, Pa.
Petition of W. Clewell and 16 other citizens of Potts Grove, Pa.
Petition of M. L. Deemer and 27 other citizens of Hellertown, Pa.
Petition of C. Rise and 25 other citizens of Aluta, Pa.
Petition of C. Singer and 48 other citizens of New Freedom, Pa.
Petition of N. Stine and 45 other citizens of Glen Rock, Pa.
Petition of C. A. Grote and 78 other citizens of Braddock, Pa.
Petition of I. Garrettson and 105 other citizens of Gettysburg, Pa.
Petition of J. Leren and 27 other citizens of Latimer, Pa.
Petition of A. D. Meyers and 27 other citizens of Hamilton, Pa.
Petition of H. S. Deveney and 26 other citizens of Glen Rock, Pa.
Petition of J. F. Cramer and 25 other citizens of Glen Rock, Pa.
Petition of E. Winters and 23 other citizens of Seitzland, Pa.
Petition of L. Stein and 15 other citizens of Loganville, Pa.
Petition of A. Gantz and 13 other citizens of Glen Rock, Pa.
Petition of C. H. Meyers and 8 other citizens of New Chester, Pa.
Petition of J. Brinton and 15 other citizens of Timicula, Pa.
Petition of J. H. Schrack and 27 other citizens of Wagontown, Pa.
Petition of H. B. Pugh and 51 other citizens of Oxford, Pa.
Petition of M. C. Brendlinger and 30 other citizens of Vincent, Pa.
Petition of J. I. Carter and 26 other citizens of Chatham, Pa.
Petition of W. H. Crossman and 23 other citizens of Landenburg, Pa.
Petition of D. Stoltzfus and 28 other citizens of Morgantown, Pa.
Petition of T. W. Bye and 4 other citizens of Lewisville, Pa.
Petition of J. F. Syphert and 53 other citizens of Glen Moore, Pa.
Petition of C. P. Darlington and 27 other citizens of Chadds Ford, Pa.
Petition of A. F. Meyers and 22 other citizens of Moorestown, Pa.
Petition of C. T. Downing and 18 other citizens of West Chester, Pa.
Petition of H. S. Boyd and 21 other citizens of Lenover, Pa.
Petition of William Hadfield and 28 other citizens of Roberts, Pa.
Petition of C. Baner and 14 other citizens of Moorestown, Pa.
Petition of D. McElses and 42 other citizens of Blue Rock, Pa.
Petition of Charles T. Starr and 16 other citizens of Avondale, Pa.
Petition of A. Heacock and 23 other citizens of Millville, Pa.
Petition of D. E. Layton and 38 other citizens of Auburn, Pa.
Petition of William B. Beaumont and 54 other citizens of West Auburn, Pa.
Petition of E. O. Beebe and 27 other citizens of Montrose, Pa.
Petition of William Gardner and 27 other citizens of Gilletts, Pa.
Petition of L. M. Gillette and 27 other citizens of Thompson, Pa.
Petition of D. O. Wells and 28 othar citizens of Springville, Pa.
Petition of C. A. Masters and 27 other citizens of Gravity, Pa.
Petition of M. A. Walton and 28 other citizens of Vernon, Pa.
Petition of T. Labarre and 57 other citizens of Starrucca, Pa.
Petition of H. L. Spencer and 36 other citizens of Franklindale, Pa.
Petition of C. F. Gregory and 55 other citizens of Mill City, Pa.
Petition of C. E. Webster and 53 other citizens of Sterling, Pa.
Petition of C. I. Stephens and 23 other citizens of West Nicholson, Pa.
Petition of Charles A. Kordman and 26 other citizens of Equimunk, Pa.
Petition of H. B. Neeff and 26 other citizens of Eriel, Pa.
Petition of B. Barnes and 21 other citizens of Gelatt, Pa.
Petition of E. C. Wells and 22 other citizens of South Montrose, Pa.
Petition of Charles Curran and 35 other citizens of New Milford, Pa.
Petition of David Carmaker and 15 other citizens of Bradford, Pa.
Petition of R. Turrell and 51 other citizens of Birchardville, Pa.
Petition of William P. Bailey and 73 other citizens of Brooklyn, Pa.
Petition of P. McGauveron and 42 other citizens of St. Joseph, Pa.
Petition of A. F. Lacy & Son and 32 other citizens of West Auburn, Pa.
Petition of D. Bradford and 152 other citizens of Bradford, Pa.
Petition of E. D. Snyder and 61 other citizens of Brooklyn, Pa.
Petition of William Pearson and 28 other citizens of Calcium, Pa.
Petition of Henry C. Shantz and 27 other citizens of Hosensack, Pa.
Petition of George A. Kauffman and 65 other citizens of Centerport, Pa.
Petition of J. E. Degler and 45 other citizens of Bernville, Pa.
Petition of A. Sell and 25 other citizens of Lanark, Pa.
Petition of J. B. Clemmer and 56 other citizens of Bally, Pa.
Petition of E. K. Schreltz and 54 other citizens of Niantic, Pa.
Petition of M. A. Tyner and 25 other citizens of Center Valley, Pa.
Petition of P. M. Landis and 9 other citizens of Center Valley, Pa.
Petition of A. S. Brabroker and 49 other citizens of Mastersonville, Pa.
Petition of Levi Hershey and 37 other citizens of Landisville, Pa.
Petition of John H. Young and 42 other citizens of Disston, Pa.
Petition of Davis A. Brown and 36 other citizens of Pleasant Grove, Pa.

Petition of S. B. Dupler and 27 other citizens of Cocalico, Pa.
Petition of A. B. Hirners and 27 other citizens of Clay, Pa.
Petition of Jacob Myers and 25 other citizens of Maytown, Pa.
Petition of Enis L. Gengrich and 2 other citizens of Bainbridge, Pa.
Petition of A. H. Hershey and 45 other citizens of Manheim, Pa.
Petition of Jonas Eby and 52 other citizens of Gap, Pa.
Petition of H. S. Eshleman and 19 other citizens of Milton Grove, Pa.
Petition of John Ruth and 64 other citizens of Clay, Pa.
Petition of A. Noble and 108 other citizens of Christiana, Pa.
Petition of James Vanhorne and 55 other citizens of Hatboro, Pa.
Petition of James L. Cassel and 103 other citizens of Iron Bridge, Pa.
Petition of J. H. Loucks and 110 other citizens of Phœnixville, Pa.
Petition of James K. Walton and 207 other citizens of Newtown, Pa.
Petition of M. Steely and 43 other citizens of Passer, Pa.
Petition of C. W. Markley and 50 other citizens of Frederick, Pa.
Petition of George H. Scott and 50 other citizens of Erwinna, Pa.
Petition of John R. Baines and 24 other citizens of Church Hill, Pa.
Petition of S. Kelly and 57 other citizens of New Hope, Pa.
Petition of H. C. Riegle and 23 other citizens of Fountainville, Pa.
Petition of John L. Atkinson and 7 other citizens of Buckmansville, Pa.
Petition of I. H. Moyer and 28 other citizens of Blooming Glen, Pa.
Petition of M. A. Landis and 28 other citizens of Lawndale, Pa.
Petition of C. W. Heaton and 20 other citizens of Fernwood, Pa.
Petition of D. S. Levergood and 45 other citizens of Fagleysville, Pa.
Petition of John W. Freed and 10 other citizens of Perkasie, Pa.
Petition of D. M. Clark and 22 other citizens of Richlandtown, Pa.
Petition of Eastburn Reeder and 21 other citizens of New Hope, Pa.
Petition of W. C. Link and 12 other citizens of Shelly, Pa.
Petition of E. Wismer and 84 other citizens of Plumsteadville, Pa.
Petition of A. L. Boner and 15 other citizens of Congo, Pa.
Petition of J. H. Shelly and 54 other citizens of Richlandtown, Pa.
Petition of John B. Beck and 53 other citizens of Wismer, Pa.
Petition of S. S. Biedler and 16 other citizens of Shellys, Pa.
Petition of W. H. Reading and 16 other citizens of Carversville (Pa.) Grange, No. 451.
Petition of H. H. Bower and 26 other citizens of Kulpsville, Pa.
Petition of B. J. Bauroughs and 27 other citizens of Darlington, Pa.
Petition of B. Schiele and 27 other citizens of Carversville, Pa.
Petition of Aaron Leatherman and 25 other citizens of Danboro, Pa.
Petition of E. Cornell and 27 other citizens of Newtown (Pa.) Farmers' Club.
Petition of C. Klausfelder and 19 other citizens of West Point, Pa.
Petition of J. L. Atkinson and 39 other citizens of Three Tons, Pa.
Petition of John A. Gross and 27 other citizens of Fountainville, Pa.
Petition of C. L. Guldin and 27 other citizens of Pottstown, Pa.
Petition of A. J. Heller and 13 other citizens of Bucksville, Pa.
Petition of W. Ahlum and 28 other citizens of Zion Hill, Pa.
Petition of D. M. Booz and 55 other citizens of Mainland, Pa.
Petition of H. C. Gerhart and 27 other citizens of Philadelphia, Pa.

Mr. HARRIS presented additional papers to accompany the bill (S. 1029) to amend the military record of certain enlisted men of the war of the rebellion named therein, and for other purposes; which were referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. BLACKBURN, from the Committee on Naval Affairs, to whom was referred the bill (S. 205) to reimburse Maj. Green Clay Goodloe, paymaster United States Marine Corps, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 16) for the relief of G. M. Hazen and others; and

A bill (S. 19) for the relief of Davidson Dickson and others.

Mr. VILAS, from the Committee on Claims, to whom was referred the bill (S.767) for the relief of the estate of the late Revere W. Gurley, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. GIBSON of Louisiana, from the Committee on Naval Affairs, to whom was referred the bill (S. 141) for the establishment of a dry dock on the Government reservation near Algiers, La., with an appropriation therefor, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, submitted a report, accompanied by a bill (S. 1900) for the establishment of a dry dock on the Government reservation near Algiers, La., with an appropriation therefor.

The bill was read twice by its title.

Mr. STEWART, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 236) for the relief of William Bond & Co. and others; and

A bill (S. 972) for the relief of the administrators of the estate of Isaac P. Tice, deceased.

Mr. WOLCOTT, from the Committee on Post-Offices and Post-Roads, to whom the following bills were referred, reported them severally without amendment, and submitted reports thereon:

A bill (S. 978) for the relief of William M. Keightley;

A bill (S. 975) for the relief of the legal representatives of Royal M. Hubbard;

A bill (S. 976) for the relief of Horace A. W. Tabor; and

A bill (S. 977) for the relief of B. F. Rockafellow.

Mr. STOCKBRIDGE, from the Committee on Naval Affairs, to whom was referred the bill (S. 838) for the relief of the estate of John Ericsson, reported it without amendment, and submitted a report thereon.

Mr. PEFFER, from the Committee on Claims, to whom was referred the bill (S. 21) for the relief of J. C. Irwin & Co. and C. A. Perry & Co., submitted an adverse report thereon.

Mr. COCKRELL. Let the bill be placed on the Calendar, please.

The VICE-PRESIDENT. The bill will be placed on the Calendar, with the adverse report of the committee.

Mr. PADDOCK, from the Committee on Agriculture and Forestry, to whom was referred the bill (S. 1674) incorporating the Society of American Florists, reported it with amendments.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 232) for the relief of Otto A. Risum, reported it without amendment, and submitted a report thereon.

PROPOSED CABLE BETWEEN SAN FRANCISCO AND HONOLULU.

Mr. HALE. From the Committee on Naval Affairs I report, with an amendment, a resolution referred to that committee, which I send to the desk to be read.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution submitted by Mr. MITCHELL on the 25th instant, as follows:

Resolved, That the President be requested, if not incompatible with the public interests, to advise the Senate as to what action, if any, has been taken, and with what result, in pursuance of the clause contained in the act approved March 2, 1891, making appropriations for the naval service, appropriating $25,000, or so much thereof as might be necessary, to enable the President to cause careful soundings to be made between San Francisco, Cal., and Honolulu, in the Kingdom of the Hawaiian Islands, for the purpose of determining the practicability of laying a telegraphic cable between those two points.

The VICE-PRESIDENT. The amendment of the committee will be stated.

The CHIEF CLERK. The Committee on Naval Affairs report to add to the resolution:

Or between any point on the Pacific coast and the Kingdom of the Hawaiian Islands.

Mr. HALE. As this is only a resolution of inquiry, I suppose it may as well be put on its passage now.

The Senate, by unanimous consent, proceeded to consider the resolution.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Committee on Naval Affairs.

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Mr. KENNA introduced a bill (S. 1901) to abolish the offices of register of wills and recorder of deeds for the District of Colum-

bia and to transfer their respective duties to the clerk of the supreme court for said District; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BLACKBURN introduced a bill (S. 1902) for the benefit of J. C. Rudd; which was read twice by its title, and referred to the Committee on Claims.

Mr. GEORGE (by request) introduced a bill (S. 1903) for the increase of pension of Mrs. Hannah Rogers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 1904) for the relief of Mrs. Clementine H. Holman; which was read twice by its title, and referred to the Committee on Claims.

Mr. CALL introduced a bill (S. 1905) for the relief of Mrs. Margaret T. Dugan; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 1906) granting an increase of pension to Esau Rice; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAVIS (by request) introduced a bill (S. 1907) to amend section 3 of the act approved June 27, 1890, granting pensions to soldiers and sailors; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1908) respecting pensions to soldiers who are or may become inmates of the Government hospital or hospitals for the insane in the District of Columbia; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1909) authorizing the Secretary of the Interior to secure reimbursement on account of fraudulent, illegal, or excessive payments of pension money; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1910) to amend an act entitled "An act to increase the pensions of certain soldiers and sailors who are totally helpless from injuries received or from diseases contracted in the service of the United States," approved March 4, 1890; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1911) to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the United States Navy and become disabled in the line of duty; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SANDERS introduced a bill (S. 1912) granting a right of way through the Fort Missoula military reservation in the State of Montana; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STOCKBRIDGE introduced a bill (S. 1913) to increase the salary of the assistant and chief clerk of the Supervising Architect, Treasury Department; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. PADDOCK (by request) introduced a bill (S. 1914) for the relief of Mrs. Clara Morris; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 1915) to provide for the purchase of a site and the erection of a public building thereon at McKeesport, in the State of Pennsylvania; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1916) to provide for the erection of a public building at Washington, Pa.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1917) for the relief of David T. Hayton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1918) granting an increase of pension to George Parker; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1919) granting an increase of pension to Jonas Doering; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 1920) for the relief of the legal representatives of Orsemus B. Boyd; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1921) respecting the reckoning of time throughout the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SAWYER introduced a bill (S. 1922) to promote the efficiency of the Revenue Cutter Service; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. STEWART introduced a bill (S. 1923) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. HAWLEY introduced a bill (S. 1924) granting a pension to Hetty A. Hasson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 1925) to provide for the erection of a post-office building at Fortress Monroe, Va.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. BLODGETT introduced a bill (S. 1926) to provide for the construction of a public building in Bridgeton, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1927) granting a pension to Margaret Henry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BRICE introduced a bill (S. 1928) for the relief of Charles B. Stivers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GIBSON of Maryland introduced a bill (S. 1929) to change the corporate name of the National Safe Deposit Company of Washington; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CAMERON introduced a bill (S. 1930) granting a pension to Anna Franklin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 1931) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1882, and for other purposes," approved March 3, 1881; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. HARRIS introduced a bill (S. 1932) for the relief of William H. Turley; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 1933) to amend section 860 of the Revised Statutes of the United States; which was read twice by its title.

Mr. CULLOM. Before the bill is referred I desire to say that the purpose of the bill—and I call the attention of the chairman of the Committee on the Judiciary to it—is to amend section 860 of the Revised Statutes, which I wish to have done because of a recent decision of the Supreme Court in what is known as the Counselman case, under the interstate-commerce act. That case went off the docket, or it was decided against the right to require a witness to testify, not on account of anything that was in the interstate-commerce law, but because, as the court stated, section 860 of the Revised Statutes, which has been on the statue books now for twenty or thirty years, is not as broad in its scope as the Constitution, giving immunity or security to the rights of a witness under the Constitution.

I ask the special attention of the committee to that provision, as it applies not only to prosecutions for violations of law under the interstate-commerce act, but in all criminal prosecutions under the laws of the United States; but as it has been especially decided in a case under the interstate-commerce law, it affects prosecutions under that law in the future. As it is a general provision that I think ought to be considered by the Judiciary Committee, I introduce the bill and move that it be referred to that committee instead of to the Committee on Interstate Commerce, of which I am chairman.

Mr. CHANDLER. I should like to ask the Senator from Illinois a question. I ask whether the decision that this witness was not bound to testify was made upon any clause of the interstate-commerce law or upon another and a different statute.

Mr. CULLOM. I have stated that the decision went off upon a construction of section 860 of the Revised Statutes, which has been upon the books now, I think, since 1868. It is not under any provision of the interstate-commerce act at all.

Mr. CHANDLER. So that the idea that has prevailed, that it was only found in the interstate-commerce law, is an incorrect one.

Mr. CULLOM. It is entirely incorrect if any such idea as that has prevailed.

I move that the bill be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. GORMAN introduced a joint resolution (S. R. 35) providing for the purchase of historical manuscripts relating to the District of Columbia; which was read twice by its title, and referred to the Committee on the Library.

SALARIES OF POSTMASTERS.

Mr. CARLISLE. I offer a resolution and ask that it may lie over; I shall call it up at some future time.

The resolution was read, and ordered to lie on the table, as follows:

Resolved, That the Postmaster-General be, and he hereby is, directed to report to the Senate at the earliest date practicable all deficiencies of not less than 10 per cent in amount in the paid salaries of third, fourth, and fifth class postmasters, in claims presented to the Postmaster-General within the time limited by the act of March 3, 1883 (22 Stat., 487), from the States of Alabama, Arkansas, Kansas, Kentucky, and Illinois. Such report to state, from existing entries on Department form 1224 A, as to each and every such deficiency within each and every biennial term between July 1, 1864, and July 1, 1874, in regular order, the name of the post-office, the name of the postmaster, the biennial or fractional biennial term within which the deficiency exists, the amount of the postmaster's salary ascertained by the act of June 22, 1854 (10 Stat., 298), upon the quarterly returns within the biennial term specified, the amount of the office salary received by such postmaster for the specified biennial or fractional biennial term, and the amount of the deficiency between the salary received and the salary thus ascertained within such biennial or fractional biennial term specified. The total amount of such deficiencies of salaries of postmasters in each of said States to be also stated, and a copy of Department letter, form 1223, published by the Postmaster-General in 1884 and the years following, declaratory of the title of such postmasters to payment of the deficiencies in salaries herein described by virtue of section 8 of the act of June 12, 1866 (14 Stat., 59), and the said act of March 3, 1883.

PURCHASE OF MADISON COLLECTION.

Mr. GORMAN submitted the following resolution; which was referred to the Committee on the Library:

Resolved, That the Committee on the Library be, and they are hereby, directed to inquire and report to the Senate whether it is advisable for the Government to purchase a certain collection of autographs and historical papers now in the possession of the executors of James C. McGuire, formerly of Washington City, D. C., and known as the Madison collection.

AFFAIRS IN ALASKA.

Mr. PLATT submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Territories, or any subcommittee thereof, is hereby authorized and instructed to institute and conduct an investigation and inquiry into the resources of the district of Alaska; the character, occupations, and social condition of its inhabitants, white, Indian, and of mixed blood; its form and system of government; whether the same is adapted to the present and prospective development of the district; its laws, and whether they are enforced or allowed to be violated; what other or further legislation is necessary for the better government and needs of the said district and for the protection and well-being of its people; and any and all matters relating to the civil administration and future welfare of the people of Alaska.

Such committee shall have power to send for persons and papers, and to employ a stenographer; and shall make report with recommendations as to future legislation.

The necessary expenses consequent upon such inquiry and investigation shall be paid out of the contingent fund of the Senate when certified by the chairman of the committee and audited and allowed by the Committee to Audit and Control the Contingent Expenses of the Senate.

DIPLOMATIC CORRESPONDENCE WITH CHINA.

Mr. HOAR. If no other resolutions are to be introduced this morning, I move that the Senate proceed to the consideration of the resolution reported from the Committee on Privileges and Elections on the 25th of January in regard to the seat held by Mr. CHILTON from the State of Texas.

Mr. MORGAN. I have a resolution that I desire to offer, and I ask for its immediate consideration.

Mr. HOAR. Very well.

The VICE-PRESIDENT. The resolution submitted by the Senator from Alabama will be read.

The resolution was read, as follows:

Resolved, That the Secretary of State is directed to send to the Senate copies of the correspondence had with the Chinese Government relating to the non-acceptance of Hon. Henry W. Blair as minister of the United States to China.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none, and the question is on agreeing to the same.

Mr. HOAR. I should like to inquire of the Senator from Alabama if it is usual to direct the Secretary of State absolutely to communicate correspondence with foreign governments. It seems to me the resolution should go to the President, and he should communicate the information, if not, in his judgment, incompatible with the public interest.

Mr. MORGAN. We have sent a great many such resolutions to the Secretary of State. The rule is that the correspondence of the State Department with any foreign government upon any subject is considered secret until that Department chooses to publish it or until Congress calls for it. There is no question here as to whether it is proper, in consideration of the public interests, that this information should come to the Senate, for the transaction is completed; it has passed some time ago.

My object in seeking the information is merely to find out what the action of our Government was when objection was interposed by China to the admission or acceptance of Mr. Blair as minister to that country. Mr. Blair did not go to that country. I am informed he did not go because China objected to his going. He was therefore not *persona grata* to the Chinese Government; and I want to know the reasons that Government asserted against him, and what action our Government took upon that suggestion on the part of the Chinese Government.

So far as Mr. Blair is concerned I think I am at liberty to say here that he was confirmed instantly upon his name being presented to the Senate by the unanimous vote of this body very cordially given, and so far as the Senate of the United States is concerned there could not have been a stronger affirmation of his fitness to represent this Government in China or anywhere else than we gave. So I think the Senate must have been greatly surprised to find that the foreign government interposed an objection. The matter lingered along for some time, and Mr. Blair, feeling that it was due to his own personal dignity, resigned the position, but not until China had declined peremptorily or positively to accept him.

Now, it becomes a matter of important inquiry, in view of questions that are presented for public consideration, as to what is the established line of procedure on the part of the Government of the United States when it is notified that a gentleman of such high reputation amongst us has been commissioned to China and that he has been rejected by that Government. I merely desire to get at the precedent and the practice of our Government upon that subject, which without the assistance of this resolution I can not get.

There is certainly no matter connected with the diplomatic service of the country or with any current question or any future question between ourselves and China that would make it necessary for us to appeal to the President and say to him that unless the public good otherwise requires he should send in the correspondence; but it has been the uniform practice of the Senate, as I think the Senator must remember, to call upon the Department of State for any information that appears in the records of that Department on any completed transaction.

Mr. HOAR. I do not yield to the Senator from Alabama or to any other Senator in the matter of kindliest feeling towards the late Senator from New Hampshire. I suppose what the Senator says may very likely be true, that the transaction to which he alludes is a completed one; but still it seems very clear to my mind that the uniform method of obtaining such information would be by request to the President to communicate it if in his judgment it be not inconsistent with the public interest.

The Senator thinks that the resolution merely calls for a correspondence completed. There may be, for aught we know, something in the correspondence affecting this question which our Government might desire to give an opportunity to China to withdraw or to reconsider before it shall be made public. Perhaps the attitude of China may yet be changed, and a publication of what has been already said by her representative would interfere with that possibility.

So it seems to me that always, where a matter not of domestic but of foreign concern has been the subject of a correspondence with a foreign government the Senate should pursue the course of making the request to the President. It would come undoubtedly to the same thing, if the Senator be right, as I presume he is, and I suggest to him to modify his resolution in that respect. Otherwise I shall be compelled to object to it and ask to have it go over.

Mr. MORGAN. I would very cheerfully accept the proposition of the Senator from Massachusetts but for the fact that it reverses in my recollection the entire action of the Senate. I dislike to oppose myself to such eminent authority upon a matter of this kind, but I am very clear in the statement that we are commonly in the habit in respect of closed transactions, of past transactions not now the subject of diplomatic intercourse, to call upon the Secretary of State and to direct him to send in the papers. I think that is the uniform practice as to closed transactions. I remember that when the great fisheries controversy was before the Senate we did not hesitate to demand of the Secretary of State the sending in of papers relating to that transaction, although the correspondence about it was then very recently closed.

I would modify the resolution merely to gratify the Senator from Massachusetts, but I do not think the objection is tenable. I would rather that it should go over and give me an opportunity to satisfy the Senator by a great many examples, some of which I dare say he is the author of himself, that we have acted uniformly upon the line of proceeding suggested in the resolution.

Mr. HOAR. I move to refer the resolution to the Committee on Foreign Relations, and then, if that committee find that it is in accordance with precedents, of which committee the Senator from Alabama is a member, they can report it back to the Senate, and it can be passed.

Mr. MORGAN. It is not a question to go to the Committee on Foreign Relations. It is a question as to how the Senate shall get the information by a formal resolution.

Mr. HOAR. I enter that motion, and shall insist on it.

Mr. MORGAN. I have not any doubt that the Committee on Foreign Relations would be just as anxious as I am to know what the precedent is in regard to the Chinese matter. It is some-

thing that we have to consider, and I offer the resolution really for the advantage of the committee, to put it in possession of the diplomatic correspondence upon that very delicate subject, which has become again a subject of delicate attention on the part of two Governments that are now somewhat embroiled.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts, that the resolution be referred to the Committee on Foreign Relations.

Mr. TELLER. It does not seem to me that there need be a great deal of difficulty about this matter. The subject has been thoroughly ventilated in the public press. Perhaps the public have not seen the exact correspondence and do not understand precisely the phraseology in which the objection of the Chinese Government was couched; but that the objection was made everybody understands just as well as it will be understood when we have received the papers, and therefore it does not seem to me that it is a matter which the State Department or the President can object to. It is a matter that we are entitled to receive, as I understand.

I understand that the Government of China had a right to make the objection which it did make. It is not an insult to us; it is no infringement of the courtesies which exist between nations when one objects to an ambassador or a minister who is sent to it any more than it is when it asks for the withdrawal of an objectionable minister. It is not a matter of friction between governments when these things occur, because every government is entitled to have the representative from a foreign government personally unobjectionable to itself. We ourselves have insisted upon that, and we have no right to complain that China insisted upon it, whether it was properly insisted upon or not.

I can see no reason why there should be any delay in calling for these papers if anybody thinks we ought to have them. I think perhaps we ought. I see no reason why the Committee on Foreign Relations of the Senate is not entitled to this information, or why we should decline to call for it if the Committee on Foreign Relations should so state.

I believe that the resolution is strictly in accordance with the precedents which have prevailed in the Senate for many years.

Mr. CHANDLER. I understood the Senator from Alabama [Mr. MORGAN] to speak of this correspondence as having been finished. I am not myself aware that it has been concluded. The Senator may know more about that subject than I do. We know nothing about it except——

Mr. MORGAN. I do not profess to know anything about it except what the papers say. I know Mr. Blair told me that he had sent in his resignation.

Mr. CHANDLER. Mr. President, there is no doubt that Senator Blair, finding that there was delay and also objection, tendered his resignation to the President. Whether it has been accepted or not I do not know, although I think it has been; but that the correspondence is completed I do not think the Senator from Alabama has the right to assume. If we are to get our information from the newspapers, as it seems we do gather all that we have on this subject, it may be remarked that within a week a statement has appeared that the Chinese Government had withdrawn their objection to Senator Blair as minister.

Now, although Senator Blair may very properly have tendered his resignation, and although it may have been accepted, the correspondence upon a matter of some delicacy may still be going on, and therefore I think that a peremptory order upon the State Department would be injudicious.

I will take occasion to say further that in view of this remark I do not think that anything would be disclosed which would redound otherwise than with credit to the honor of my late colleague. Whatever words he may have used in expressing his views on the question of the admission of subjects of China to this country, I do not understand that he entertains any views which are not entertained by nineteen-twentieths of the American people and are not entertained by all persons from whom the President would be likely to select a minister to China.

Then so far as I am concerned I shall be glad to see the correspondence, but I am not aware that it has been completed and that it is such a past and finished transaction of the State Department that the Senate ought to exercise its privilege of directing, instead of requesting, the publication. I therefore certainly hope that the Senator from Alabama will either allow the resolution to go to the committee, or will modify the language, in which case I shall have no objection to its immediate passage.

Mr. SHERMAN. Mr. President, the question of the propriety of the form of the pending resolution depends entirely upon the fact whether or not the transaction referred to is a completed one or is still an open one. As a matter of course, if this was a resolution calling upon the Secretary of State for the ordinary information in his Department in respect to a treaty which had been ratified by the Senate and was in process of execution, it would be perfectly proper to call on the Secretary of State or any other officer of the Government for the information. The usual courtesy that has applied to the President does not apply to the heads of Departments.

But the trouble, I think, is that this is not a completed transaction by any means. The fact that we have the nomination of no minister to China before us, the fact that the appointment to this place has not been filled since the nomination of Senator Blair——

Mr. TELLER. We have a minister there now.

Mr. SHERMAN. We may have a minister there; but this transaction involves the replacing of a minister and appointing a new minister; and we know that no nomination has been made by the President.

Mr. MORGAN. We have a minister to China. We have not recalled the other minister.

Mr. SHERMAN. I know that; but the question now pending is not whether we have a minister or not, but whether the process of appointing a minister has yet been completed, and we know it has not been completed; and we know, although there has been long delay in the case upon the subject-matter, yet no new minister has been appointed, and even the resignation of the minister appointed has not been accepted, so far as we know. Then the thing is still open, and I presume we must infer that the correspondence is still going on between the President of the United States, through the Secretary of State, and the Government of China, probably upon this very subject-matter.

Now, is it wise for us to call for a partial correspondence which is still going on upon a subject of some delicacy, especially with a nation like the Chinese, who are very sensitive upon any diplomatic question? I think, therefore, with all due deference to my colleague on the Committee on Foreign Relations, whose opinion I respect in all matters, that he had better either let the resolution go over for a while or let it be referred to the Committee on Foreign Relations where he will probably ascertain for himself the precise status of the question; I think then the resolution had better go over under objection or upon the motion made to refer it.

Mr. MORGAN. I should like to say a word before final action is taken upon the question. On suggestion of the chairman of the Committee on Foreign Relations [Mr. SHERMAN] and the Senator from New Hampshire [Mr. CHANDLER] that there is possibly some unfinished matter connected with this imbroglio or whatever it is between the United States and China, I am entirely willing to modify my resolution so as to let it read:

Resolved, That the President of the United States be requested, if not incompatible with the public service, etc.

Then the President can determine for himself two questions; first, whether it is incompatible with the public service to let a precedent so recently established by this Administration come into the view of the country at this moment of time, which I think is a very important reason; and he can further determine another question, which I confess has been one of very considerable debate in my own mind, about which I have had some feeling as an American Senator, and that is whether or not that feature of the Constitution of the United States which holds that a Senator shall not be accountable in any other place for utterances made in the Senate of the United States shall be permitted by the Government of the United States to be raised as a question and tried and determined by any foreign country to whom we accredit a minister.

My judgment is that when a foreign government, with a knowledge of our liberty of speech in this body, decides not to accept a minister whom we send because of utterances on this floor, that government asks us to participate with it in a conscious violation of the privileges and rights of public representatives, and I would break off relations with a government that would treat a Senator in that way.

It may be that the President of the United States has that subject in contemplation. I hope he has, and for the dignity and honor of this country it will not hereafter be asserted by any government in this world that a person is nonacceptable to a foreign government and is to be held accountable in a foreign court for utterances in the Senate of the United States. The freedom of debate, the freedom of statement upon questions concerning the welfare of the people of the United States is among the things that every custom and feature of this Government ought to preserve, whether in the diplomatic or the naval or the military or the judicial service.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Massachusetts [Mr. HOAR].

Mr. TELLER. In what I before said I proceeded upon the assumption that this was a closed matter. A newspaper stated to us a long time since that the nominee had sent in his resignation and that it had been accepted. We are still represented in China by the minister who was appointed by the Administration

preceding the present one, the minister who was to have been superseded by Mr. Blair if it had not been objected to by the Chinese Government. If it is an open question I shall not be in favor of asking the Department to send us the correspondence. If the Senator offering the resolution says it is an open question I should be governed by that of course, because the Department is entitled to close the matter, and we might greatly embarrass the Department by calling for information of that kind before the matter was closed. It seems to me, however, that there can be no question that it ought to be closed.

I do not agree with the Senator from Alabama that the constitutional provision that a Senator shall not be called in question for words uttered in debate is of such great force and of such wide extent that it reaches over to China, so that the Chinese can not object to words spoken here as well as words spoken on the rostrum or anywhere else in the country.

I understand it is one of the recognized rules of international law which have grown up from time immemorial that a minister must be acceptable to the country to which he is sent, and that if he is objectionable at any time they can ask for his recall, and that it is not a matter that the nation which is thus asked to recall its minister should find fault about. The nation to which he is sent are to be the judges and the matter is in their discretion. Therefore it is not a matter of offense, as I before stated. We have ourselves on more than one occasion taken advantage of this provision of international law, and we would not be willing that any other rule should exist.

Practically, Mr. President, there would be no use in sending a minister to China that China objected to, nor to any other country.

I agree with the Senator from New Hampshire [Mr. CHANDLER] that there was nothing in the character or in the words spoken by the Senator who was nominated for that position that would justify his rejection. He was in accord, I have no doubt, with 99 per cent of the people of the United States upon that subject. His words were couched in reasonable and appropriate language, and there could have been no real objection to him. But if it is a matter discretionary with the government to whom he is accredited to say whether he is objectionable or not, we can not discuss that question with them. When they say they do not want a minister, it is our business to say we do not send him. When they say if we have sent him they want him recalled, it is our business to recall him unless there are peculiar circumstances, such as might have existed in the case of Chile recently or some other country where we might decline to recall him, but the ordinary rule which exists between nations of the highest intelligence and the highest culture is that when a minister is objected to he is not sent and when he is sent and is subsequently objected to he is recalled.

Mr. HOAR. Mr. President, I do not wish to prolong this discussion and I will withdraw my motion on the intimation of the Senator from Alabama that under the peculiar circumstances of the case he proposes to modify his resolution. I think, however, I ought to express my dissent from the doctrine of the Senator from Colorado [Mr. TELLER] to the extent to which he has affirmed it.

Where a foreign nation objects to the continuance in our diplomatic service at its court of a minister, or objects to receiving a minister for any peculiar special act of his or special utterance of his in which he is distinguished from the ordinary——

Mr. TELLER. Or his general character.

Mr. HOAR. Or for anything in his personal character that may be in dispute or in debate, unquestionably that nation is to be the judge and we must comply with their inclination and abstain from sending an envoy, or refrain from continuing an envoy, in our service when they intimate he is not an agreeable person to them. But if a foreign government puts its refusal to receive a citizen of the United States on the fact of his holding opinions which substantially every citizen of the United States holds, or if it puts its objection to the continuance in office of a minister at its court solely on the ground that our minister has done his duty faithfully to his own Government, I am not prepared to agree that under those circumstances we would acquiesce. For instance, suppose the Government of Russia should say it objected to receiving an American minister because somewhere he had expressed his opinion in favor of republican institutions compared with despotic institutions, I think when that communication was made the Government of the United States must simply say, "We all of us entertain those opinions over here, and that means we can not have any further diplomatic intercourse with you."

Mr. TELLER. That is just what I wanted to ask the Senator, if that is not where it comes—we discontinue diplomatic intercourse; but if we maintain diplomatic intercourse we must observe the rule.

Mr. HOAR. Yes; but the inquiry of the Senator from Alabama [Mr. MORGAN], like every inquiry which he makes in his place in the Senate, is an exceedingly pertinent and wise one—that is, whether a minister has been refused at a foreign court because of his entertaining sentiments temperately expressed which are entertained substantially by the entire people of the United States. It may very well be that the refusal to receive Mr. Blair is put upon grounds which bind the United States, with a due regard to their own honor and with respect to their own citizens, to at once withdraw the minister over there now on the ground that he entertains the same opinions. So I am not to be understood as objecting to the inquiry, but only preferring another mode of making it, and I withdraw my motion.

Mr. MORGAN. While this matter is up I desire to make one further observation. I understand the correct doctrine about a matter of this kind to be that if a foreign government in making an objection to a minister accredited to it states an objection to the mere personal character of the gentleman, or states an objection which is inconsequential to us but sufficient to that government for excluding him, we grant the objection and we recall the minister, because it is not a personal reflection upon him perhaps, or if so he can answer to his own people for it. But when a foreign government states an objection which wars upon our institutions and wars upon our Constitution and our practice under it, and holds a man accountable for the exercise of his constitutional rights to voice and vote his judgment and his conscience upon questions concerning that government upon some specific measure which is pending here, then it is our duty in my judgment as a general rule to resent that and say to that government that they have no right to inquire into our domestic affairs and institutions at all. We control them in our way by our own laws and Constitution.

A result of that came up in the case of the minister sent to Vienna, who was rejected by the court of Vienna on the ground that he was a Jew. That objection being made specific and connected with it some social debasement, perhaps, of that tribe of people in the court of that government, brought Mr. Bayard to say, as I remember, that the objection warred upon our institutions or upon the freedom of religion in the United States and the recognition that we gave to that tribe of people in their religion in this country, where religion is free everywhere, and that he could not accept that as being a sufficient reason for the withdrawal, and he declined to send anybody back in place of that gentleman.

Now, as this matter has spread out far beyond my intention—because I wanted the information, the use of the papers, merely in respect of the question coming up in the case of our trouble with Chile—and as the form of the resolution is a request to the President to send in the information or otherwise, as he may see proper, I have taken occasion to call attention to the fact that I believe it is the duty of this Government, as I understand the question, to resent the action on the part of the Government of China in refusing to accept a minister because he uttered words in debate which his conscience and judgment required he should utter for the benefit of his country on this floor.

Mr. TELLER. I wish to ask the Senator a question before he sits down. Would the Senator resent that by insisting that the minister should go, or by suspending diplomatic relations?

Mr. MORGAN. I would suspend diplomatic relations.

Mr. TELLER. Yes; that is the remedy.

The VICE-PRESIDENT. The resolution as modified by the Senator from Alabama will be read.

The Chief Clerk read as follows:

Resolved, That the President of the United States be requested, if not incompatible with the public service, to send to the Senate copies of the correspondence had with the Chinese Government relating to the nonacceptance of Hon. Henry W. Blair as minister of the United States to China.

The VICE-PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

SENATOR FROM TEXAS.

Mr. HOAR. I now move that the Senate proceed to the consideration of the resolution in regard to the title of Mr. HORACE CHILTON to a seat in this body as a Senator from the State of Texas.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution, reported by Mr. HOAR from the Committee on Privileges and Elections, January 25, 1892, as follows:

Resolved, That Mr. HORACE CHILTON, appointed by the executive of the State of Texas on the 25th day of April, 1891, to fill the vacancy occasioned by the resignation of Hon. John H. Reagan, which had previously been made, to take effect on the 10th day of June, 1891, is entitled to retain his seat.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts to proceed to the consideration of the resolution.

The motion was agreed to.

Mr. COCKRELL. Is there a written report on the resolution?

Mr. HOAR. There is a written report, which is quite brief, and is on the tables of Senators, and can be read if Senators

choose. I am not sure but that I can save the Senate the time it would take even to read the report, by making a brief statement, which I think will be satisfactory to everybody.

The only question in the case of Mr. CHILTON grows out of the fact that his predecessor, Mr. Reagan, resigned his seat in the Senate, and communicated that fact to the governor of Texas by letter, the resignation to take effect, according to his statement in the letter, at a future time. Thereupon, before the expiration of that time, the executive of the State of Texas, the Legislature not having been in session in the interval, appointed Mr. CHILTON, the appointment to take effect at a future time, the time fixed for the resignation of Mr. Reagan, The single question is whether the executive of a State can fill a vacancy in the Senate before it has actually happened and gone into operation.

I was myself under the impression that the early precedents had settled the question, as far as precedents can settle such a question, against the power of the governor of a State to make such an appointment. Under that apprehension, when Mr. CHILTON was sworn in, I moved in the Senate that the matter be referred to the Committee on Privileges and Elections for its consideration. On examining the precedents, I am satisfied that there is nothing which prevents the Senate from dealing with the question as an original question or principle now. There are three cases where a Senator so appointed to fill a vacancy to take effect in the future has been admitted to his seat without objection and without raising the question. There are two or three other precedents where the governor has made an appointment under the circumstances which occurred in this case substantially where the Senator so appointed has been rejected, but it does not appear whether the rejection proceeded on the ground that the executive could not fill the vacancy before it occurred or upon the ground—the fact presenting that question also in all those cases—that the governor could not fill at all a vacancy happening at the beginning of a new term, because that was not a vacancy which "happened," within the phrase of the Constitution.

In regard to the principal case where that question might have occurred, the case of Mr. Lanman, of Connecticut, Judge Story, and the National Intelligencer of the next day (Judge Story being then a judge of the Supreme Court of the United States, and very familiar with what was going on here) say that the Senate rejected Mr. Lanman on the ground that the governor could not appoint until the vacancy had actually occurred. On the other hand, Mr. Benton and Mr. Felix Grundy in a subsequent report in the Sevier case, and Niles' Register of the next day, say it was put on the ground that the governor could not appoint until the vacancy had actually taken place. But there is nothing either in the vote of the Senate or in the report of the debates to show on which ground the Senate went.

That being the condition of the precedents we come simply to the matter as a question of principle, on which it seemed to me, and I believe finally to all the Committee of Privileges and Elections that the controlling purpose, the controlling consideration in determining such a matter should be the keeping of the seats of the Senate full. Very important public interests may be affected injuriously or favorably, great public questions may be decided by the vote of a single Senator, and if for any reason it becomes necessary where a Senator makes his resignation to take effect at a future time the executive has got to wait, there may be an interval of weeks or months before the seats can be full. In the case of States at a great distance from the seat of Government, like California, Oregon, and Washington, that would be a peculiar hardship on those people.

The whole tendency of the decisions in the Senate of recent years has been to give the construction to all these doubtful questions which tends to keep the seats in the Senate full. The Senate decided, after great debate, in the case of Mr. Bell of New Hampshire, and subsequently in the case of Mr. Blair, that the governor could appoint to a vacancy which occurred at the beginning of a constitutional term in order that the seat might be full, though in that case the governor of New Hampshire waited until the vacancy had actually taken place.

Then another very strong consideration or authority is that the Constitution uses precisely the same language in regard to the power of the President to fill vacancies in executive offices which occur during the recess of the Senate, and it has been invariably held in recent years that the President has the power to accept the resignation of an executive officer to take place in the future and to appoint an officer to fill the vacancy so occasioned by an appointment beforehand and also to take place in the future, an appointment before the vacancy happens.

So, if the Senate reject the rule which it is now proposed to lay down, you have got two clauses of the Constitution relating to filling vacancies in important public offices expressed in precisely or substantially the same language, which are to be expounded in two different ways. On the whole matter, therefore, I think the committee were quite clear that Mr. CHILTON is entitled to his seat.

Mr. MITCHELL. May I ask the Senator from Massachusetts a question?

Mr. HOAR. Certainly.

Mr. MITCHELL. The Senator from Massachusetts does not understand that anything in this report, or anything in the decision in the case of Mr. Bell of New Hampshire, decides a question like this in a case where the Legislature fails to elect and the governor afterwards makes an appointment?

Mr. HOAR. Perhaps I ought to have reminded Senators, what of course they all know as well as I do, that the question of the right of the governor after the Legislature has met after an interval and adjourned without making choice of a Senator after the vacancy has occurred to fill the vacancy depends on very different considerations, the Constitution saying that the executive has power to make an appointment to last until the next session of the Legislature. So this report and the action of the Senate, whatever it will take now, steers entirely clear of that question.

Mr. HALE. Mr. President, before the Senator sits down, I should like to ask him one question by putting a case which might well happen. As I understand from him, the report adopted commits the Senate to the proposition that where there has been a resignation on the part of a member of this body, with a future date fixed when it shall take effect, the Senator holding the office until that date, the executive of the State may make the appointment of a successor before that time arrives. Now, I should like to ask the Senator what, in his opinion, would be the condition in view of this decision of the Senate, if in such a case it occurred that between the date of the resignation and the time of its taking effect, the executive of the State should change and the Senate should meet with two appointments before it?

The old executive in office at the time when the resignation is dated or between that time and when it takes effect makes an appointment and his appointee appears before the Senate; but the new executive who comes into office between the two dates of the resignation and its taking effect has also filled the vacancy, claiming that until the arrival of the time fixed no vacancy existed, what would the Senator do in a case like that and what would the Senate do in a case like that? It seems to me that on the doctrine he has stated the position taken by the Senator from Massachusetts might lead to great embarrassment.

Mr. HOAR. Mr. President, it does not seem to me that the doctrine stated would lead at all to the result suggested by the Senator from Maine. In the first place the report in the case neither raises that question nor deals with it; and, in the next place, I suppose, speaking for one and without any purpose of committing any other member of the Senate, I suppose myself that when the executive of a State has made an appointment under the Constitution he has exhausted his power, which is neither revocable nor changeable by any subsequent authority either of himself or anybody else.

Suppose the State of Maine should elect a Senator to fill the seat of the honorable Senator from Maine when his term expires, and after that election should conclude for some reason, the Senator not having taken his seat, to make a new election or a new appointment. I do not suppose that either now or before the statute of 1866 anybody would for a moment agree that such an act was revocable. The power is completed, the exercise of it completed, the function is exhausted, and the title to the seat which takes effect in the future has vested in the person appointed.

Mr. HALE. That undoubtedly would be so if recognized as an existing power on the part of the governor; but suppose the ground is taken that it is a usurpation of power and the governor who succeeds appoints his man, then clearly the Senate would be confronted with the question whether a vacancy can be filled by the executive of a State before it actually exists.

Mr. HOAR. I do not see that that would change the attitude or aspect of this question at all, because if the governor had not the power to fill a vacancy until the seat was actually vacant, the action of the first governor would be null and void, of course.

Mr. PASCO. Will the Senator from Massachusetts allow me to interrupt him a moment?

Mr. HOAR. Certainly.

Mr. PASCO. I should like to suggest to the Senator with reference to his answer to the suggestion made by the Senator from Maine [Mr. HALE], that the Legislature which is to elect the successor of a Senator is prescribed by the statute, but there is no statute or rule prescribing which governor shall appoint and how long before the expected vacancy the power exists in the governor to appoint. For instance, a governor goes out of office in January, and he undertakes to fill a vacancy which does not occur until March.

Mr. HOAR. I do not think we get much assistance in deciding this question from that consideration, because the meaning of the Constitution was exactly the same before the statute of 1866, which for the first time controlled the Legislature as to the time of electing Senators, as it is now. I suppose it might happen possibly that a case would occur of a resignation to take effect a great while ahead and of a governor making an appointment a great while ahead, but practically that never has occurred and practically it never will occur, and the security against it must be like the security against almost every political evil in this world in the character of the persons whom the people trust with important legislative and executive power.

At any rate it seems to me that the fear that once in a thousand years it might happen that a Senator would resign his seat, the resignation to take effect in the remote future, and that a governor at the same time would make an appointment to take effect at that period in the remote future, and then there would be a change in the political power of the State, is so unlikely and rare a contingency that it ought not to be set against the certain and great inconvenience which would occur from the other construction, which is that whenever there is a resignation of a seat there must of course be an interregnum when a State is represented by one Senator or by none at all.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

PUBLIC BUILDINGS IN CALIFORNIA.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar under Rule VIII will be proceeded with.

The bill (S. 1207) to provide for the purchase of a site and the erection of a public building thereon at Alameda, in the State of California, was announced as first in order.

Mr. FELTON. My colleague [Mr. STANFORD], who is the chairman of the Committee on Public Buildings and Grounds, is absent, and I desire that the bill, the title of which has been stated, and also Senate bills 1212, 1214, and 1215 for the erection of public buildings at San Diego, Oakland, and Los Angeles, Cal., respectively, may be passed upon the Calendar without prejudice; in other words, that they may be laid over until my colleague returns.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The request of the Senator will be granted, if there be no objection.

Mr. COCKRELL and others. No objection.

The PRESIDING OFFICER. The Chair hears no objection, and that order will be made.

PUBLIC BUILDING AT VIRGINIA CITY, NEV.

The bill (S. 55) for the erection of a public building at Virginia City, State of Nevada, was announced as next in order.

Mr. STEWART. I ask that that may be passed over.

The PRESIDING OFFICER. Without objection the bill will be passed over.

PUBLIC BUILDING AT RENO, NEV.

The bill (S. 56) for the erection of a public building at Reno, State of Nevada, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 11, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, or acquire by condemnation, a site for, and cause to be erected thereon, a suitable building, with fireproof vaults therein, for the accommodation of the post-office and other Government offices, at the city of Reno, State of Nevada. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $75,000, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States.

Mr. COCKRELL. I should like to have some explanation in regard to the necessity of a public building at Reno.

Mr. STEWART. The town of Reno is at the junction of three railroads, one of which goes north and one south. It is a distributing point, and there is a great deal of business there. It would be a great convenience to have a public building there, because it is a growing town, and is going to be a large one. It will ultimately be one of the principal points on the east side of the mountain. The town contains now about 5,000 inhabitants. I observe that the census has omitted the number of inhabitants, and omits the town altogether, in connection with many small towns in the State. I do not know how the omission has occurred. Reno is the most growing business town outside of the mining camps in the State. It would be a great convenience to have a public building there, and it will soon be a public necessity.

Mr. McPHERSON. The Senator from Nevada states, I believe, that the census omits any mention of this town. I find that the census report gives the population as 3,500.

Mr. STEWART. What census report does the Senator refer to?

Mr. McPHERSON. The recent census report gives the population at 3,500.

Mr. STEWART. Reno?

Mr. McPHERSON. Reno, in the State of Nevada. This is a statement which has been prepared for me, and which I assume to be correct, though I have not verified it.

Mr. STEWART. I will send for the census report.

Mr. McPHERSON. That is the statement. I do not know it to be correct.

Mr. STEWART. I am certain that is an underestimate. That probably is taken from the census report of 1880. Reno is one of the towns which has grown considerably. It is a thriving, business town. The Senator's information is evidently derived from the census report of 1880.

Mr. McPHERSON. If it is proper to make such an inquiry at this particular time, I should like to inquire of the chairman of the Committee on Appropriations, considering, as I think, that that committee should consider the present admitted distressed condition of the Treasury and the uncertainty as regards future revenues, whether it is possible to go on in this indiscriminate way appropriating hundreds of thousands and millions of dollars for public buildings all over this country in unimportant places?

There are great predictions made as to all of these places and they will unquestionably in the future become great and prosperous cities and communities; but is it not quite right to ask that, in consideration of the condition of the Treasury at present, we should withhold some of these extravagant appropriations until such time as these small towns shall assume greater proportions than they now have?

I should like to know of the chairman of the Committee on Appropriations if he can give the Senate any kind of approximate estimate of how much money we have appropriated for public buildings all over the United States, not in one State only, but all over the country, at the last session of Congress, and how much is left for this session to bestow.

Mr. ALLISON. My attention was diverted for a moment from the inquiry of the Senator from New Jersey. If I understand him, he desires to know how much money has been expended by the Government of the United States for public buildings.

Mr. McPHERSON. How much money it would be safe to appropriate during this Congress for the erection of public buildings, considering the condition of the Treasury. I assume that, with the little money in the Treasury and with less probably coming in in the future, it behooves us to be somewhat careful and economical with respect to appropriations. That naturally follows.

Mr. ALLISON. I quite agree with the general view of the Senator from New Jersey that it is not wise to make extravagant appropriations for public buildings at this time or, indeed, at any other time. I should not like to undertake myself at this moment to discriminate between the flourishing and enterprising city of Reno, which I understand to be a prosperous city——

Mr. STEWART. Very.

Mr. ALLISON. That is the statement of the Senator from Nevada—and other prosperous cities and towns in other portions of the United States, Kansas City, Mo., for example, and in Nebraska, where we have recently, I see, appropriated $250,000 for a public building at Norfolk, and $150,000 for another public building at some other place in Nebraska—Beatrice, I think.

Mr. PADDOCK. No, sir. Hastings and Norfolk are both towns in which terms of the Federal court are held twice a year. They were bills reintroduced from the last session and which passed at the last session of Congress.

Mr. ALLISON. I am not criticising at this moment any of these appropriations, but if we are to appropriate $250,000 for public buildings in each of the growing and prosperous cities in our Western country, and particularly in my own State, I should have some fear that there might not be money enough in the Treasury to erect all these public buildings and at the same time provide for other necessary expenditures in carrying on the great work of the Government; but I should not like at this moment to give what might be termed a black eye to the bill for a public building at Reno by any statement of mine, because I notice that the appropriation is only $75,000, and that it is not to be a continuing appropriation.

Mr. STEWART. I will state here that I am prepared to reduce the amount to $60,000. We can erect a building there for $60,000, I think. I will agree to that.

Mr. ALLISON. Then we shall save $15,000 at least by this debate. I agree with the Senator from Nevada that $60,000 will probably erect a very good and a fairly fireproof building at Reno.

Now, I would admonish, as I understood the Senator from New Jersey to admonish by his observations, the Committee on Public Buildings and Grounds, composed as it is of the most experienced and able members in this body, and economical as well, that it is not wise to amplify and enlarge too rapidly the appropriations for public buildings.

Mr. MORGAN. The Senator from New Jersey got his bill through.

Mr. ALLISON. I am glad to hear that. I did not know that the Senator from New Jersey was able to secure the passage of his bill. I have no doubt it was a meritorious one. It passed during my absence from the Chamber.

Mr. McPHERSON. If the Senator will permit the interruption, that bill provided for the completion of a building that was halfway up. We did not ask for an appropriation for a new building in that case, but for one that was partially constructed. We merely wanted to put a roof on a building which was partially built.

Mr. ALLISON. I am glad to know that whatever the Senator desired to secure in that respect he has been able to secure. I have no doubt, I would say to the Senator from New Jersey, that there is money enough in the Treasury and will be money enough in the Treasury, through the operation of our revenue laws, to carry on prudently, carefully, and economically the expenditures of this Government for the next fiscal year, which is the one, I believe, we are now proposing to appropriate for.

At some later day and at some more opportune time, when the Senate is interested in this topic, I shall be glad to discuss the general question of appropriations which can be made usefully, and some which I think ought not to be made at all. I will also undertake in some sense to show the resources of the Treasury. I do not think at this moment, however, inasmuch as my friend from Nevada has agreed to reduce the amount of the appropriation in this case to $60,000, that it will be necessary for me to go into that subject to-day.

Mr. VEST. Mr. President, I simply wish to state, in defense of the Committee on Public Buildings and Grounds—if the word "defense" be preferred by anybody, "or if," as the Senator in front of me [Mr. MORGAN] says, "it be necessary"—that there has been a continual struggle between that committee and the remainder of the Senate, almost without a single exception, to prevent large appropriations and unnecessary appropriations for public buildings.

Of all the public duties I am called upon to discharge, my service upon the Committee on Public Buildings and Grounds is the most irksome, the most unpleasant, and the most ungrateful.

The bills which are now being considered here are bills that were deliberately passed by the Senate at the last session, sent over to the House of Representatives, and failed to become laws. All these objections are in the nature of motions for a new trial after a judgment was rendered by the Senate, without objection, at the last session, and after the bills had passed from us to the coördinate branch of Congress.

My opinions with regard to public buildings, if they are worth anything, have been expressed so often that it is simply iteration for me to repeat them again. I believe the Government of the United States should own the buildings necessary to carry on its business of every department of the Government. I believe that the Government is able, and that it is wise policy and good business management to erect for itself the necessary buildings for the Post-Office Department, for judicial purposes, and for internal-revenue purposes, and there is no excuse now for the Congress of the United States that in this city of Washington we are paying one hundred and eighty-odd thousand dollars or more rent annually when we have had, whatever is the case now, an overflowing Treasury and real estate was rapidly advancing in this city and in all the other cities of the country.

In regard to buildings for post-offices, if Senators will turn to Order of Business No. 18 they will see a bill which was carefully prepared after consultation with all the heads of Departments, providing for the erection of buildings at a cost not exceeding $25,000 for post-offices in every town and city in the United States where the revenues of the postal service for three years in that city or town have amounted to $3,000 annually. If the Senate and the House of Representatives would take up that bill and pass it, then this great abuse of which we have heard so much recently would be done away with, and yet that bill was reported here and stayed upon the Calendar all last session. I called it up, and the late Senator from Wisconsin [Mr. Spooner] and myself finally secured the consideration of it here for some two or three hours, when it was shoved out of the way for some private claim, and that was the last heard of it. The other day when it was reached upon the Calendar some Senator objected to its consideration, and it stands here now passed over in order that we may take up other public building bills and other proposed legislation far less important, and which has given rise to all this debate.

Mr. President, I admit that there have been extravagant expenditures, and it will be so until the world is wrapped in millenial glory, and somebody will get through a bill here for more money than he ought to have for a public building. It will always be so. Of all the expenditures that are made by this Government the most defensible are those for public buildings. You spend money on your rivers and harbors, you put in hundreds and thousands and millions of dollars, and in the spring a freshet comes and it all goes and there is nothing to show for it. You spend thousands of dollars here in paying claims which are doubtful at best, and they go into the hands of private individuals and the people at large receive no direct benefit from them. When you erect a public building you have there the insignia of your country's greatness, and even in the material and business aspects of the case, you get rid of paying rent, you own something, you have got an interest in a growing town or city, at any rate, upon the soil of our own country, it stands there, and it shows something for the money. It is by far the best expenditure we could make.

I know now it is exceedingly popular in the public prints and in other places to talk about the enormous expenditures for public buildings. Great as those expenditures are, I can point to some material and positive evidences of the fact that the Government and the people have received something in return for the money which has been paid out.

When our committee attempts to economize and to pass a general bill, against which there can be no real objection, the Senate refuses to take it up, and then we hear rounded sentences in regard to enormous expenditures!

My friend from New Jersey has never introduced a single public building bill that has not been passed—not one. I have reported for him myself every bill that he has ever sent to our committee, and the other day when he asked for an additional appropriation, caused by a mistake of his own of $10,000, I advocated that that amendment should be placed on the bill, but he indignantly rejected it. His course here is neither in accordance with fair legislation nor Christian usage, for he is returning evil for good, and has rejected an appropriation which one of the committee at least, and I believe all of them, agreed should have been made—an amendment to give him $10,000 more than the bill carried.

These facts, Mr. President, it seems to me, will answer a great many objections which are made here.

As to this particular appropriation recommended by the Supervising Architect, it was recommended to our committee by the Senators from Nevada, and all the evidence was concurrent to the effect that the Government was paying large rents in this town, and it needed this building, that the town was rapidly improving, that real estate was going up, and that to refuse to make this purchase and erect this edifice would be contrary to all the rules which any good business man would adopt. I voted for it in committee and shall vote for it here, and will take my portion of the responsibility before the country for supporting the bill.

Mr. McPHERSON. Mr. President, a single word in reply to the Senator from Missouri [Mr. VEST]. He speaks of the necessity for public buildings in the city of Washington, all of which I admit. He states that the Government is paying $180,000 a year rent for buildings in the city of Washington, where the Government should own them. That I admit. If the money appropriated in this bill and in many other bills which come before the Senate was for the purpose of constructing necessary public buildings in the city of Washington it should have my vote. I will vote for all necessary amounts of money to construct public buildings in the city of Washington and in every other place where they are really needed for the uses and purposes of the Government; but I should like to have the Senator from Missouri answer me this question: If the city of Washington is paying out to-day $180,000 a year rental for the use of public buildings, why is it that we take $100,000 of the money that might be appropriated profitably to Washington and put it in Salem, Oregon, where the census report shows it has a population of less than a thousand? Why should we put it in Reno, in the State of Nevada, where the census report shows a population of 3,500, which the Senator from that State himself admits that the necessity for a public building there is in the future?

Mr. STEWART. The figures given by the Senator are from the census report of 1880. There is no report of the population of Reno by the last census.

Mr. McPHERSON. Very well. While we are upon this subject, let us get right upon it. I did ask for an appropriation of $25,000 or $30,000 the other day to complete a public building at Hoboken, N. J., a place of about 50,000 people. All that we asked for was $100,000 until my attention was called to it by a member of the other House, who thought it was impossible to complete the sidewalks, furnish the necessary heating apparatus, and things of that kind about the building, and it had been stated to him by the Department that the amount would hardly be suffi-

cient to complete the building as it should be completed. Therefore, I proposed to the Senator from Missouri as a member of the committee, and he very kindly assented, that I might move an amendment to the bill asking for $10,000 additional, but it was very reluctantly granted, as I saw, by the Senate, and therefore I withdrew the amendment.

Now, let us compare that public building and that request with some other bills which appear on the Calendar. We have passed over this morning five or six bills in succession upon the Calendar for the State of California. I will call attention specially to one of them.

There is an appropriation of $350,000 for a public building in Los Angeles, Cal., and that is proposed to be a continuing appropriation. I have been informed that $150,000 has already been appropriated. Now, what is the size of that city? It has a population of 50,395, and the entire cost for a building at Los Angeles, Cal., is therefore $500,000, and the population is about the same as Hoboken, N. J.

In order that the Senate may understand exactly the policy which the Committee on Public Buildings and Grounds are pursuing, I will state the facts so far as the State of California is concerned. At the last session of Congress $1,360,000 was appropriated for public buildings in the State of California. In those appropriations was one for $450,000 for the purchase of a site for a public building at San Francisco.

I am now told that it will require $800,000 to purchase the site. To this sum of $1,360,000 we will add the item of $1,075,000 for five more public building bills for the State of California, all on the Calendar, all in a row, and all reported to the Senate with the recommendation that they pass.

This makes $2,435,000 for the State of California appropriated in two sessions of Congress; but this is not all. My attention has just been called to a bill now pending in the Committee on Public Grounds and Buildings, which appropriates $500,000 to begin a public building in the city of San Francisco, and then mortgages the future for $3,000,000 more to complete it.

In short, if all these bills favorably reported and others which seem sure to be are passed by Congress, California will have taken $6,000,000 out of the public Treasury for public buildings in eighteen months.

I have no doubt the Senator from Missouri can explain why it is that in one State in this Union, being now provided with a public building in every city in the State which has a population of 10,000, not one is omitted if the bills on the Calendar now before the Senate are passed. I hope the Senator will explain how one State can come here and take $2,400,000 out of the public Treasury for public buildings, appropriating $500,000 for a single building, where confessedly the population is only 50,000, while there are so many other places in the United States, notably the city of Washington, in which the Government is paying a rental of $180,000 a year for the use of its buildings. It seems to me that that is not exactly the proper way to legislate. I may be wrong about it, and my judgment may not be sound upon this question, but certainly I think some change is necessary with respect to the discrimination, or rather the want of discrimination, which is practiced with regard to the location of public buildings by the committee.

We run along down the Calendar, and what do we find? We find that bills have been reported with large sums for public buildings for one place with a population of 2,186, another with a population of 3,560, another with a population of 4,900, and so on. If it be necessary, in addition to the wants for post-office purposes, that we should have court buildings or for other public uses in that Western country, that the Government should erect a public building at a moderate cost, I will gladly vote for such appropriation of money, but I wish to say here and now that I will not permit by my vote the State of California to take in one year $6,000,000 out of the public Treasury and invest it in public buildings upon the soil of that State when other States that are seeking for small and modest appropriations have been unable to secure them, and this is the case in cities having populations of sixty, seventy, and eighty thousand, which have never had a public building. I will not vote for extravagant appropriations to fill one State with public buildings to the neglect of another. Mr. President, I have twice called attention to this careless insidious, inconsiderate legislation, and hereafter shall content myself with voting against these bills without further reminders.

Mr. STEWART. The Senator's allusion to California was unfortunate for him. The city of San Francisco contains a population, I think, of over 300,000. It has no public building, except a little old building that was put up away back about 1855 for a custom-house, and which is hardly fit for occupancy. Efforts have been made for the last twenty years to have a public building erected in San Francisco, but they have failed. An appropriate site could probably have been purchased ten or fifteen years ago for one hundred or two hundred thousand dollars.

The PRESIDING OFFICER. The Senator from Nevada will please suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868, on which the Senator from Alabama [Mr. MORGAN] is entitled to the floor.

Mr. STEWART. I hope the Senator from Alabama will give way until the pending bill can be disposed of.

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Nevada?

Mr. MORGAN. How long does the Senator from Nevada expect to occupy the floor?

Mr. STEWART. Five minutes.

Mr. MORGAN. I will yield for five minutes.

The PRESIDING OFFICER. The Senator from Nevada may proceed.

Mr. STEWART. At the request of the Senator from California [Mr. FELTON] I will let the bill go over, but I want this question in regard to San Francisco ventilated. I think the charge that California has been especially favored is so unfounded and so unjust that I desire the matter thoroughly discussed. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

MEXICAN COMMISSION AWARDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868.

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Massachusetts [Mr. HOAR] to strike out the third section of the bill.

Mr. MORGAN. Mr. President, in my effort yesterday to give a rather narrative form to the history of this transaction I had reached the point of stating that the United States Government, through its act of Congress, had provided for several methods for distributing this award and several conditions upon which that part of it which was made in favor of the La Abra Silver Mining Company and Weil should be distributed. I called the attention of the Senate to the fact that the Secretary of State, Mr. Evarts, had declined to permit the Government of Mexico to bring a suit in our courts of equity for the purpose of determining the rightfulness of those two awards to the fund then partly paid over. I suppose that Mr. Evarts, when we look at the diplomatic view of the question, was right in his denial of this remedy to Mexico; but it has since turned out that, whether he was right or wrong, Mexico could not have maintained its suit for the reason that it had yielded through the action of this convention all of its interest in the fund and had no right at its own suit to ask a court of chancery to direct how the money should be paid or that it should be returned to Mexico. So, in any view of the case, Mr. Evarts seems to have been correct in his indication of what the remedy was, that it was to be a judicial investigation according to an act of Congress, and in a domestic tribunal. I showed yesterday that it was necessary that it should be at the suit of the United States, because Mr. Bayard, while he was Secretary of State, had made the distinct offer to the claimants of the Weil fund and the claimants of the La Abra award that they would consent to go into the Court of Claims and have the controversy between the United States and these claimants there settled according to the provisions of our statute.

Then there remains but one thing to do, and that is for Congress to execute that part of the statute which requires that in the event of a failure to dispose of this fund by agreement with Mexico or otherwise it shall be disposed of as Congress shall direct.

Mr. FRYE. If the Senator will allow me——

Mr. MORGAN. Certainly.

Mr. FRYE. That proposition of Secretary Bayard, if I remember aright, was very promptly rejected by the claimants, was it not?

Mr. MORGAN. It was rejected by the claimants, and they put in quite a protest, quite a petition, to show they had a right to this fund, independent of its merits and its equities; that it was a fund that had been decreed to them by the convention; that it was supported by the inviolability of our treaties, and that it was a vested right which no one had authority to dispute, the Government of the United States or any other party.

Mr. FRYE. I simply wanted that to appear in connection with the Senator's argument.

Mr. MORGAN. Yes. The only remaining duty that is in

view for the Government of the United States to determine—that means Congress—is what disposition shall be made of this fund.

Now, I take the ground, Mr. President, and I have always taken it, and it has been supported by the action of four different Administrations which have acted upon these questions, that the Secretary of State has no right to pay out this money to anybody until Congress shall further direct.

The view of that statute which is taken in the concluding remarks of Chief Justice Fuller in the case of Boynton *vs.* Blaine I think is conclusive. For the present I will merely call attention to those observations to see whether I am not sustained in the proposition that no one can touch this fund for the purpose of distributing or paying it to any person unless by the further action of the Congress of the United States. The part of the opinion to which I now call attention is as follows:

> So long as the political branch of the Government had not lost its control over the subject-matter by final action, the claimant was not in a position, as between himself and his Government, to insist on the conclusiveness of the award as to him. And while it is true that for the disposition of the case of Frelinghuysen *vs.* Key it was sufficient that it appeared that diplomatic negotiations were pending which, as the court demonstrated, the act of 1878 in no manner circumscribed, it does not follow that the political department of the Government lost its control because those negotiations failed.
>
> On the contrary, that control was expressly reserved, for it was made the duty of the President, if of opinion that the cases named should be retried, to withhold payment until such retrial could be had in an international tribunal, if the two Governments so agreed, or in a domestic tribunal if Congress so directed, and, at all events, until Congress should otherwise direct. The fact that a difference of view as to whether the retrial should be international or domestic may have arisen and led to delay, or that such difference may have existed on the merits, does not affect the conclusion. The inaction of Congress is not equivalent to a direction by Congress. The political department has not parted with its power over the matter, and the intervention of the judicial department can not now be invoked.

It requires, of course, another act of Congress to invoke the intervention of the judicial department, and that is all it does require.

Mr. FRYE. I should like to ask the Senator a question just there. Certain amounts of money were paid out by the Secretary of State. I suppose the Senator does not contend but that the Secretary of State had authority to make those payments. What has changed the aspect of the case that has since those payments removed from him the power still to pay out if he is disposed to do so?

Mr. MORGAN. The President of the United States had not acted upon this matter conclusively, as I understand, until after some of the payments were made; and then there was some doubt in the mind of the Secretaries and of the Presidents, too, as to whether they had a right to make additional payments pending further negotiations with Mexico or pending a trial that might be provided for by act of Congress. At all events partial payments were made; the matter passed beyond the power of the Government in the fact of their payment, and the pending bill expressly excepts those payments from its operation. It would be entirely useless to undertake to recover the money paid, as could be done upon the precedent in the Gardiner case; but there was misunderstanding and misconception of the authority of the President over this subject until the Supreme Court in its investigation pronounced finally upon those questions.

I contend now, Mr. President, I repeat, as I have always contended that until the political power of this Government was exercised in a manner to authorize a distribution of these awards no one had the right to distribute them. Until it had been first ascertained by the President of the United States upon a full investigation that the honor of the United States and the principles of justice and equity required the payment, these awards should be withheld. That was the exercise of what we might term a special jurisdiction on the part of an agent of the Government, the President there acting as the agent of the Government and not in his capacity of President. That agent was to determine upon an investigation of all the facts connected with this transaction whether in his opinion the honor of the United States and the principles of public law of equity and justice, required that this money should be withheld until an agreement could be had with Mexico for its disbursement, or until some tribunal could be found that had jurisdiction of it, or until the Congress of the United States should otherwise direct. When after a full investigation, which was made upon all the evidence submitted to Mr. Evarts, and by very careful argument made, as found in the record of this case, on both sides of the question, and by great lawyers too, the President decided that the condition upon which the payment was to be suspended actually existed as provided in the act of Congress, then it was beyond his power or the power of anybody else, in my judgment, to go on and make these payments, and it is beyond his power to do it to-day.

I maintain that these awardees can not get anything out of these awards except by the assistance of Congress, and I think that the question was presented in such direct form in the decision of the case of Boynton *vs.* Blaine, as that Chief Justice Fuller was warranted in making that declaration of law in respect of it which I have just quoted, and which does debar these claimants from any legal right to this fund in any respect and which debars also the Secretary of State or the President from making a payment until that judgment is recalled and that fact wiped out.

The Congress of the United States might have contented itself with acting simply upon that declaration of Mr. Hayes. It could have done so in justice to the claimants and in justice to all concerned, to the Government of the United States, and to Mexico too, so far as its wounded sensibilities could be involved in this matter or so far as its right of ultimate reclamation upon the fund may be involved. We might have said, the President of the United States having investigated this subject upon the evidence produced by both parties, as he did, and having come to the conclusion that the condition provided in the act existed, that it was not in harmony with the principles of justice and honor, or the honor of the United States, or with public law, or with public morality that this money should be paid, therefore we would proceed upon that ascertainment to find some remedy which was sufficient to accomplish the purposes of the act of 1878. That subject was very much debated here at the time the treaty came up for ratification, and it has been debated before the committees of both Houses of Congress very thoroughly since that time.

The Foreign Relations Committee of this body concluded that it was their duty (in fact the resolution so instructed them in the La Abra case) to make a special investigation, to ascertain what? Whether the President had made a misjudgment in deciding under the authority of that act that the honor of the United States and public law and public morality did require that there should be a retrial of these causes in some form and by some tribunal. So the committee have gone on, and under the special requirement of the Senate by a resolution to that effect in the La Abra case, have summoned witnesses, and have brought in original papers, and have conducted, as far as such a committee could possibly conduct such an inquiry, a thorough judicial investigation, with counsel present, with the right to object and except, and all that, as far as the committee could possibly extend that right to them in the inquiry. And we have come back here with a report in these cases which has been reaffirmed by various committees of both Houses, to the effect that the President of the United States made a just decision, and that he arrived at a just conclusion; and that he laid the predicate by his decision and the report of it to the Congress of the United States, upon which it became our duty to provide some means of executing the original act of Congress.

As that matter is up now, I will call attention to the provisions of the act, which has been read time and again, but it will bear further reading, and to one little point in connection with the history of its enactment. When Mr. Fish, who was a very sagacious lawyer as well as a very able statesman, found the duty incumbent upon him to make a disposal of these awards in accordance with the finding of the commissioners, he saw that the convention had not provided the method of distribution, nor had it provided the agency through which the distribution was to be made, except that each Government was to have its decree against the other for whatever amount of money the commission might find to be due to that Government from the other.

Mr. Fish, therefore, in bringing the subject to the attention of Congress, recommended that an act of distribution be passed, thereby conceding, as every person is bound to concede, that the award itself did not carry to the executive department of this Government the right or the power to distribute, but that it must be supplemented and assisted by an act of Congress providing the manner in which the awards should be distributed. In the mean time the controversy had arisen, or rather it had existed all the time, but it had been presented by the Government of Mexico in such a form as to satisfy the Congress of the United States that there was merit in its objection to the validity of these claims and to the methods by which the claims had been established before the Commission. So the fifth section of the act contains a whereas:

> And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing, therefore be it enacted, that the President of the United [States] be, and he is hereby, requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law, or considerations of justice and equity require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, or either of them, until such case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree, or until Congress shall otherwise direct. And in case of such retrial and decision, any moneys paid or to be paid by the Republic of Mexico in respect of said awards, respectively, shall be held to abide the event, and shall be disposed of accordingly; and the said present awards shall be set aside, modified, or affirmed as may be determined on such retrial:

Provided, That nothing herein shall be construed as an expression of any opinion of Congress in respect to the character of said claims or either of them.

Following up that form of legislation and having some respect to our own character, and also not to the obligation but the attitude this act placed us in with respect to Mexico, it was very proper that the Congress of the United States should adopt some measure for the distribution of these awards which accorded with this act—not confined precisely to it, for the power was reserved in Congress to dispose of these awards hereafter in the event that the President should find that those conditions existed which obstructed the payment of the funds into the hands of the persons to whom they had been awarded.

It is said here that there is no expression of opinion one way or the other to be implied from this act. That should have been the situation of this case up to this moment of time. The matter should have gone to the courts of the United States without the necessity of any expression of opinion. But whenever a bill has been attempted to be passed here in any form (and several different kinds of bills have been presented), immediately the claimants to this fund would arise here, and arise at other places too, and make powerful demonstration against any action by Congress for the distribution of this money, except to pay it to them, upon the ground that the Mexican Government was a false claimant, had been negligent, derelict in the presentation of its claim; that a great length of time had transpired, and that new interests, vested rights upon consideration, had intervened; and in every way that is imaginable it has been insisted that Congress would act unjustly and inequitably and in violation of law and treaty obligation to make any disposal of this fund which would interrupt the claimants in their grasp upon it. So the matter has always run into that channel of debate whenever it has been here considered.

So desperate was the resistance made in respect of the La Abra claim that the Senate found it necessary to instruct its committee to do what? To revise the action of the President in effect, to find out whether the President in deciding that these conditions existed to prohibit the payment had acted judiciously or wisely, whether he had been deceived, and all that; whether a book of original correspondence which was kept at the mines that had been discovered was a forged document in part or in whole, or whether it was one gotten up surreptitiously for the purpose of enabling two of the agents of that company to rob the company of its rights, etc.

The clamor became so great, the demonstration was so strong, the urgency was so desperate in this body as to delay from time to time any action of the Senate whenever it could be done. Finally the Senate concluded that it would refer the La Abra claim again to its own committee and have them investigate the matter. Hence we are here with our report in obedience to that resolution, expressing our opinion upon this matter after long, laborious, careful, and, I trust, honest investigation, that the claim was founded in fraud, supported by perjury, unjust in every sense, and scandalous to any government that had been imposed upon to the extent of having it presented for the consideration of another friendly power against whom the demand was made. Therefore we are drawn into a discussion of the merits of these different claims by the action of the claimants themselves, who are not willing to take the judgment of the President of the United States in the matter.

It has turned out in the course of the progress of this affair that four Presidents have acted upon it deliberately, commencing with Mr. Hayes, then Mr. Arthur, then Mr. Cleveland, and then Mr. Harrison. Each one has affirmed, if possible, with more and more pronounced determination, the existence of the fact that these awards were procured by fraud and perjury, and that it would dishonor this Government to pay them. So we have been forced here to come forward and open this vast debate to the Senate of the United States. The subject has been virtually transferred from the jurisdiction where the act of 1878 vested it, in the President who should make the investigation and make the determination for the Government, to the hands of the committees of the different Houses of Congress. The longer we have gone into the investigation the more serious has become the difficulty of getting the proof; but still it seems almost providentially to have been preserved in such form as that the law, good conscience, equity, and justice stand here side by side with the committee to recommend what they have done and to indicate what the judgment of the Senate ought to be now.

What judgment can these 88 Senators form upon the mass of evidence in this cause? The Senator from Connecticut [Mr. HAWLEY] the other day pointed out in a few brief words the impossibility of the Senate understanding thoroughly all of this case unless they should do like some of us have been compelled to do, as I have been compelled to do very reluctantly for twelve years, to probe through this vast mass of testimony, compare fact with fact and witness with witness, and come to a conclusion which I suppose and the entire committee suppose, so far as I know now, is a just conclusion upon law, equity, justice, public conscience, public policy.

I had supposed early in this case that when a committee of this body came forward and said that a particular measure of legislation was necessary to enable the President of the United States to execute this act of Congress, and that the President had determined upon the necessity of such act because he had found, upon an investigation, that it was requisite, made so by the act itself, that would be enough to put Congress in motion, and that was really all that should have been done. Here, after years of labor, we are still challenged by an investigation of the facts for the purpose of doing what, now? Setting aside the judgment of the President and the judgment of three successive Presidents following upon that, embodied in long reports, in very accurate and painstaking statements that the first adjudication by Mr. Hayes, which was conducted by Mr. Evarts, as I have said, where able counsel were employed on both sides, was a correct and a just judgment upon the case.

Congress desired to withhold the expression of its opinion, which might prejudice the cause in the tribunal before which it might go, in order that when the tribunal was established we might have a full and fair trial on both sides without prejudice from opinion or intimations on the part of members of Congress. That would have been the proper way to have transacted this business, but I say we could not help ourselves.

When this subject was first being considered by the Government of the United States, when a remedy was being sought in a treaty which was negotiated between Mexico and the United States and the matter came into the Senate, there was quite a long period of delay by objections made of one sort and another, which I do not know that I am at liberty to refer to here now, the matter having been transacted in an executive session.

But great delay occurred. While that treaty was under consideration, it being apprehended by Weil that his claim would necessarily go by the board, that the treaty would be ratified as to him, and that he would have to go before a new tribunal, he went into the district court of the United States pending that treaty and filed his petition for a mandamus against Mr. Frelinghuysen, and required Mr. Frelinghuysen to go into court as Secretary of State and answer upon oath. He did so, and an answer was made by that venerable statesman, a man whose reputation will last many years in this country as a bright illustration of the honor of the American citizen and statesman. When that Secretary of State came into court and swore to the facts in that case as they appeared upon record, there was an immutable answer to Mr. Weil's case, and yet he had not as yet penetrated to the bottom of this fraud. But there was enough apparent upon the papers which had been lodged in the office of the Secretary of State to enable Mr. Frelinghuysen to swear that the claim was an unjust one, and was founded in fraud and perjury. Senators who choose to look at that affidavit will find a very strong statement from a very able and a good man upon his conscience in regard to this business. That delayed the action of the Senate.

After the supreme court of the District of Columbia had acted upon that mandamus and refused to grant it, Weil took his appeal to the Supreme Court of the United States, and further action upon that treaty and upon this case had to be deferred until that court could reach this case in the midst of its enormously clogged and encumbered docket and finally make a decision.

Then we took it up, and the question was raised as presented by the honorable Senator from Mississippi [Mr. GEORGE] yesterday, whether after all Congress had not made some mistake in providing that the treaty power should dispose of a question where it was pretty plain that the subject-matter was not within the treaty-making power as it is defined in the Constitution of the United States.

That question came up, and the Senate came to the conclusion that the remedy had after all been mistaken by the President in the negotiation of that treaty, and that Mr. Evarts's opinion was correct, that this matter should be heard in a judicial tribunal of domestic creation, and solely at the suit of the United States, Mexico not being admitted to be a party in any respect or at any time or under any circumstances.

Then it went back. The bill was introduced here and referred to the committee, and it came into the Senate of the United States with a report in favor of the bill. Various earnest efforts were made to get the bill up for consideration, and it never could be gotten up for consideration. Mr. Bayard, however, had in one of his communications, which I have before me now, but will not stop to read, at the present moment at least, in his anxiety to have this matter disposed of, intimated very strongly if he did not say that unless Congress disposed of this matter in some way the Department would free itself of this money by paying it out to these claimants.

Mr. Bayard did not live many months after that until he discovered that he made a mistake in that suggestion, but it was put in merely for the purpose of hastening action on our part. He found after a subsequent investigation, which appears in a subsequent letter of his on the same subject to a different session of Congress or a different Congress, that he did not have the right to pay the money out; that until Congress should have otherwise directed the fund was held in his hands subject to the decision which had been made by the President of the United States that the honor of this country and other considerations required that the money should not be paid to the claimants. He saw, then, as we all see now, that the President of the United States was not a political entity; that Mr. Hayes having made this decision, it was the decision also of each and all of his successors, and was final until Congress chose to dispense with it. The President of the United States who succeeds Mr. Harrison can not, under the provisions of that act of Congress, reverse the decision he has made that this money ought not to be paid out. That is a fact ascertained in a manner prescribed by Congress, and it stands irrevocable until the lawmaking power of this country has dispensed with it.

Mr. GEORGE. I should like to ask the Senator from Alabama a question.

The PRESIDING OFFICER (Mr. JONES of Arkansas in the chair). Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. MORGAN. Certainly.

Mr. GEORGE. Has not more than one Secretary of State, and if so, how many, held that this claim ought to be reinvestigated?

Mr. MORGAN. Four.

Mr. GEORGE. Who are they?

Mr. MORGAN. Mr. Evarts, Mr. Blaine, who during Garfield's Administration wrote a dispatch to that effect——

Mr. GEORGE. Mr. Frelinghuysen?

Mr. MORGAN. Mr. Evarts, Mr. Frelinghuysen, Mr. Bayard, and Mr. Blaine, the present Secretary of State.

Mr. GEORGE. All concur in the point that it is our duty to reëxamine this matter?

Mr. MORGAN. Yes; they not only concur in that view, but the present Secretary of State has had another opportunity to have this question decided in a court of justice, the Supreme Court of the United States.

When the bill came back from the committee again and a delay carried it down to a period in the session when it was impossible to consider it and an adjournment took place, a resolution was offered here and passed requesting the President of the United States to hold the matter in suspense because Congress had not had an opportunity to pass upon it. The resolution was unnecessary when a proper consideration of the measure enacted is had, but still it had its effect; Mr. Bayard would not pay the money, and pleaded that resolution as an excuse why he would not pay it until the matter could be considered by Congress.

Mr. GEORGE. Was that a resolution of the Senate or of both Houses?

Mr. MORGAN. It was a resolution of the Senate. I think probably the resolution went through both Houses, but it was not a concurrent resolution. At all events a statement went down from the chairman of the committee in the other House which corresponded exactly with the resolution of the Senate and made the same request. Then both bills went back again to the Committee on Foreign Relations. Then we made a report as soon as it was possible to make a report. We got into those times of great political turmoil and disturbance when it was impossible to consider anything that was not political and did not have relation to a political subject.

Fearing, however, that the Congress of the United States had studied the matter up and had come to a resolution really in the minds of members of both Houses, that this thing should be brought to a conclusion and that it should be brought to its close in a domestic tribunal which should be empowered to pass upon it finally and forever, another mandamus was sued out, this time by Mr. Boynton, who somebody has, impiously I suppose, called Poker Boynton. That is the only name I know him by. Mr. Boynton came in with his writ of mandamus against Mr. Blaine. He took the ground first, that Mexico had no right of action in any court to recover this money. That is conceded. He took the ground, secondly, that the real jurisdiction in the case, according to the act of Congress, if not according to the Constitution, was in the treaty-making power, and that inasmuch as the treaty that had been made was not ratified but rejected, there was a conclusive determination in his favor that this award was to stand. He made that point, and it was argued with such great ability that the district court of the United States here granted the mandamus and ordered Mr. Blaine to pay out the money.

Thereupon Mr. Blaine, in the name of the United States, took his appeal to the Supreme Court, and here was another delay of many months, years in fact, caused by the intervention or interposition of this new writ of mandamus. That led to the decision which I have been reading from here to-day of Chief Justice Fuller, which, in connection with the decision of Chief Justice Waite in the case of Weil *vs.* Frelinghuysen, disposes of every one of these celebrated law questions which have been mooted and argued and discussed here, and upon which the Senate has hung in doubt from year to year.

But in disposing of these law questions, making a final adjudication upon every point which has ever been raised in this case, great time has been consumed. Now, who has consumed it? With what grace does the complaint come from the mouths of these claimants that so much time has elapsed that it is almost impossible now to know exactly whether you are doing justice to them or not, if you get into the merits? Whenever it was found that the merits of these cases were about to be brought under the touch of judicial inquiry by act of Congress, then objection and obstruction of every kind was resorted to; mandamus after mandamus, appeal after appeal to the tardy action of the Supreme Court was had, and in the end, when they have exhausted all of their objections, and they have all been answered by the Supreme Court of the United States, they raise again the question whether Mr. Hayes decided correctly in finding that there was fraud and perjury in the obtaining of these awards in the first instance. That throws this question open here to-day. That is the situation.

Now, I maintain, Mr. President, and I will state it again, because I maintain it with great earnestness, that nobody can dispose of this fund until Congress shall otherwise direct than has been attempted to be directed heretofore. These claimants can not get a dollar of it until that action is taken by the Congress of the United States, and if that had been known or believed sufficiently, presented as it is in the opinion of Chief Justice Fuller, eight or ten years ago this thing would have been settled as far back as that.

The argument made by the Senator from Oregon [Mr. DOLPH] upon the La Abra case is based upon the original record which went before the Commission upon the testimony which was produced on a motion for a rehearing before the umpire in that case, and then upon the testimony produced before the Senate committee, the object of that last investigation being chiefly to wipe out, if it was proper to do so, certain objections which had been made to the validity or the integrity of the testimony which was set up here in opposition to the payment of these awards.

While the argument of the Senator from Oregon does not cover the whole case in every particular by any means, it has reached the salient points of controversy, and I think it can be safely left to that argument as a demonstration in a merely persuasive argument to support the previous adjudication and decision of the President of the United States, followed by three other Presidents and four Secretaries of State: but it is a demonstration upon the evidence in the cause that that award was obtained by fraud and perjury.

The Senator from Missouri [Mr. VEST], in attempting to make some excuse or criticism, or whatever he intended it should be, upon this matter, referred in very uncomplimentary terms to his main witness, Mr. Exall. Strike Exall's testimony out of the case and there never was a shred in it. The whole case centers right upon the question whether the facts related by Exall while he was there in possession of that property as the agent of the company were true or whether they were false. When this letter book was discovered, as the Senator from Missouri says, by a fraudulent combination between this witness of his, Exall, and Granger, the whole subject came out, because there was the daily history of the operations of this mining company, recording every incident of that history which was at all material in its effect upon their present and future operations. It was the daily history of the company.

The book had been kept with great care. Every letter that was written on the ground was copy-pressed, and every letter that was written elsewhere by Exall or any other agent of that company was taken and pasted into the book and with its proper reference by pages was made a part of it. It was found, upon evidence that is not pretended here to be questioned, the evidence of Mr. De Lagnel, who the Senator from Missouri says is a witness accredited by both parties absolutely, that that letter book was complete in all of its parts; nothing had been added to it; it was a true copy of the letters that had been written.

Now, take that history and compare it with Exall's deposition when he propounded this claim and supposed that the book was lost, and there can not be any doubt in the world that he swore falsehoods from the very beginning line to the ending line of that deposition; that his testimony before the Mixed Commission was a total falsehood, violating the facts that he himself had recorded with his own hand in this book that he supposed then would never come to light. It came to light, and it utterly destroyed the

whole of his testimony, and with the destruction of his testimony the case went all to pieces. There is nothing left in it out of which the most ingenious mind can build even a faint semblance of a claim against Mexico, after you have stricken out Exall's testimony.

The Senator from Missouri, with that ability for which he is so distinguished, attempted to escape the effect of this book upon Exall's testimony by saying that Exall and Granger had conspired together to do what? To rob the company out of its property; that while Exall was there managing it, finding that it was a very valuable piece of property, very rich, if he could break the company down by making continuous demands upon New York for the remittance of money, or if he could break it down by convincing the people in New York who were stockholders and managers of it that it was impossible, in the condition of public opinion and feeling in Mexico, to get along with the enterprise, finally he could cause them to abandon it, and once abandoned under the Spanish law, and it would be the same case under our laws, the next comer could take it as a forfeited or abandoned mine and pay nothing for it except to go and get authority from an alcalde to enter upon and possess himself of the mine. That is the theory the Senator from Missouri is now driven to advance in this case in order to convince the Senate that after all the President of the United States, aided by Mr. Evarts, his Secretary of State, came to an incorrect judgment when he announced that the honor of the United States and the principles of public law, and justice, and equity required that this award should be set aside.

Contrasting the two things together, contrasting this feeble attempt of the Senator from Missouri to patch up a case that is utterly destroyed by the testimony of his own witness, and the only witness who proves anything of value for him at all, with the action solemnly and deliberately taken by the President of the United States upon a full investigation of the whole transaction, what is the Senate left to do? Will it follow the Senator from Missouri in his imagination about this matter, or will it follow the declaration made by the President of the United States?

It has turned out that the Committee on Foreign Relations of this body, after a most thorough investigation, contained here in this volume, which has 971 pages, a great deal of it very closely printed matter, have investigated this subject to the bottom. We come here and we claim that if Senators can point out in the action of that committee any defect, or if they can show that the conclusions are not well founded that they have reached independently of the action of the Presidents and of the Secretaries of State, it shall be done. Otherwise, in intrusting matters of this kind, of very great importance, magnitude, intricacy, and difficulty, into the hands of your committee, they are burdened with the responsibility of coming in here and occupying perhaps the residue of their terms if not their lives in efforts to meet objections which on their face apparently are merely captious.

When your committee make this report, unless it can be assailed by some Senator on this floor in some substantial manner, there is no use to ask committees hereafter to investigate these intricate matters which require such elaboration, for they will decline very respectfully to bestow the labor that is requisite upon a case of this kind when their report when made is received scarcely as *prima facie* evidence that they have looked into the subject at all.

Mr. GEORGE. Is there any evidence to show a combination between Exall and Granger?

Mr. MORGAN. None in the world.

Mr. GEORGE. It is a mere surmise?

Mr. MORGAN. So far as I remember the testimony it is entirely a surmise; there is certainly no testimony to show a combination to injure the company in any way.

Now, Mr. President, after the committee has gotten through with this case, and the learned counsel and the numerous counsel, every one of whom has got part of the award in his pocket so far as assignment goes, in respect of every one of whom the payment of fees in the future depends entirely upon whether they can win this case before the Senate of the United States—after this great array of very eminent men had gotten through with this case, had surveyed the whole field, and had found that De Lagnel's testimony and other testimony in the case had utterly uprooted Exall's statement, they came forward with an affidavit which was prepared here at the time the treaty was pending in the Senate of the United States, which has such a curious history as expressed in itself and in some few facts stated in connection with it that I desire to read it, for this affidavit would of itself impeach Exall to such a degree that no just mind could attach the slightest importance to anything that he would swear to. He impeaches himself more thoroughly in this affidavit than I have ever known a witness to impeach himself by any transaction which has been differently purposed and executed.

Mr. GEORGE. Who made the affidavit—Exall?

Mr. MORGAN. Exall. That was while the treaty was pending here. It was sworn to May 1, 1878, or purports to have been sworn to then. Exall had gotten away from this mine. He had brought an action against the company for the services that he had rendered to them and recovered a judgment, and his main purpose at that time was to get money enough out of the company to pay his judgment. Other judgments also had been obtained against them that are yet unsatisfied. It is an insolvent corporation; and upon that feature of the case I shall make some observations after a little, I think. But the regular lawyer for this company got hold of him—the man who has kept his head just beneath the waves all the time, but has been the most operative man who has been conducting this business. Mr. Sumner Stow Ely got hold of Mr. Exall about that time and had him to make an affidavit which is one of the curiosities of jurisprudence and of literature also. It is in the form of a letter addressed to the La Abra Silver Mining Company.

TO LA ABRA SILVER MINING COMPANY:

My attention has been called by the attorney of your company to a statement that it is claimed by an agent of Mexico that certain letters written by and to me have been obtained by him which contain statements at variance with the depositions made by me in the matter of the claim of your company against Mexico, on which an award was made in your favor by Sir Edward Thornton, the umpire. I have not assented to the appropriation of my letters by any one, and if any of them are in the possession of such agent they have been improperly obtained. I have not seen those alleged letters, and can not say whether they are genuine, garbled, or wholly manufactured for some purpose.

But he had seen copies of them, for they had been printed by the Government of the United States; they were all through this committee; they were in the hands of every lawyer who had any connection with this case, and had been for a long time.

There were a number of letters written by me while in your employment and subsequently which, without explanation, may in part be considered as differing from my testimony. They were written between the early part of my administration of the affairs of your company in Mexico and a time some months after I ceased to be in your employ. The explanation of such parts of these letters as on their face seem to be inconsistent with my depositions will be found in the following facts:

I was sent from New York by the La Abra Silver Mining Company to Mexico to assist Col. J. A. De Lagnel, who was then superintendent of the works of the company in Tayoltita. When I reached Tayoltita I was accompanied by James Granger, an English subject. He was a fellow passenger on the steamers from New York to San Francisco. A few days after leaving the port of New York we became acquainted, and finally quite friendly and intimate, so much so that although his destination was California, much to my surprise when we arrived at San Francisco, he concluded to go down to Mexico with me, and did go with me to Tayoltita and remained at the company's hacienda as my guest until I (when I subsequently took charge of affairs and having found out that he was an expert man with books) gave him employment.

We had not been there many weeks before we concluded (for we frequently talked with each other on the subject) that the company, as a company, would not be tolerated long in Mexico; that it was a mere matter of time when they would be driven out and compelled to abandon and lose all their interests there (as other American enterprises there had been), and which would thus fall into the hands of some one who would get the benefit of all their works and a large amount of valuable ores which had cost the company large sums of money and much labor, and we conceived the idea of reaping the benefit ourselves.

We saw that if the company was actually expelled, as we were certain it ultimately would be, we might not, and most probably would not, be able to secure the property, as it would probably fall into other hands; but if the company could be induced voluntarily to abandon the property before matters culminated in an expulsion, or to part with it for a small consideration, we could probably retain the possession and secure the property to ourselves and due protection (Mr. Granger being an English subject).

The company was already somewhat disappointed because more rapid progress had not been made at the works and in reaching money results, and somewhat dissatisfied with being drawn on by the superintendent for more money. We thought that the state of affairs at the works could, from time to time, be so presented to the company as to induce the feeling we desired, and concluded to act accordingly. There was no purpose to wrong the company in any way; all we sought was to be enabled ourselves to get possession of the property and at the shortest possible time before the company would be driven out, which we believed was certain to be done, instead of permitting some one else, in that event, to obtain it.

Col. De Lagnel, the superintendent, was sick, and had become thoroughly disgusted with life at the mines; and the annoyance and obstructions to which he was subjected in Mexico worried him to such an extent that he felt, as he said, unfitted to properly attend to the business to be done, and he frequently asked me, during his administration, to take charge of affairs, which I did. And thus I indirectly had charge of the business of the company for some time before his departure, and I purposely made such reports to him as to the quantity and quality of the ores as would tend to give the color and tone to his letters written during the latter part of his administration to D. J. Garth, the treasurer of the company in New York.

When he left I became acting superintendent, and I retained Granger to assist me, as already stated. I conducted the business of the company the same as if I might be mistaken in my opinion that it would ultimately be driven out of Mexico, and did my utmost to improve and perfect its works, to get out ores and make its mines valuable. I obeyed the instructions of the company to my predecessor and myself and cut down all expenses, and to do so cut down the working force; but I endeavored to keep up production and the working of the mines by employing men to work by the carga.

That is, a sackful.

I expended every dollar of the company's money in its business, and notwithstanding its dissatisfaction at some drafts of my predecessor, I drew on the company for money for its business. Much of the bullion extracted by me was not minted, but was sent by me without the knowledge of any one at the hacienda but myself, some of it to New York, and some of it to San Francisco.

That is to say, he had stolen it; instead of mining it, he had stolen it and sent it off. He was a beautiful thief.

This secrecy was necessary because if it was known it would have been liable to seizure as contraband, and to avoid a possibility of a discovery of the facts no entry of it was ever made in the company's books, but the proceeds were put into the company's business as stated in my deposition.

In my letters to Mr. Garth, treasurer of the company, written from time to time, I purposely dwelt upon the exaggerated necessities and the exigencies of the situation, and belittled the value of the mines and ores, and gave to the letters a discouraging aspect. I also wrote to him about my arrest and the threats made to me, and the difficulties and obstructions generally which I met with from the Mexican authorities and people.

Mr. Garth wrote such answers to my letters as I assumed they would call forth, and from the answers it seemed evident that the company would not be unwilling to enter into some arrangement to part with their property; and in the latter part of February, 1868, I concluded to go on to New York and see what could be done to that end.

Preparatory to so going I drew a paper addressed to James Granger, which purported to invest him with my authority and to give him power to act for the company. I had no power to confer, being only an acting superintendent, nor authority to confer such power if I had any; but it was necessary for the purposes we had in view that he be in possession, and that he should seem to Mexicans to have the proper authority. Had I gone then I intended to return; but I reconsidered my decision to go at that time, and concluded I ought to remain longer before going, and await still more alarming indications from the people and authorities; and the paper I have referred to was never delivered to Granger. Whether I destroyed it or left it among the loose and discarded papers at the hacienda of the company I do not remember.

It was not necessary to show that Granger had any express authority from him to maintain the theory of this claim.

I remained there some time afterward, but I waited too long, and the explosion which I believed to be several months distant came unexpectedly, and the expulsion of the company, and my abrupt departure to save myself from personal harm, and the complete abandonment of everything belonging to the company, took place as I have stated in my deposition.

This expulsion satisfied me that the animosity of the authorities and people was not only against the company as an American company, but also against me as representative of an American company, and individually, and that even if I had got or could get possession of the property, I would not have been permitted to remain in the employment of it long, and I gave up all idea of returning for that purpose; but I hoped that Granger, instead of some Mexican, would get the possession of the property, and which I thought through his late affiliation with a Mexican family he might be enabled to do, and which he did as I learned, except that, as I am informed, Judge Soto, the father of his wife or mistress, took possession of and occupied the company's hacienda.

I returned to New York and informed the company of its expulsion, and of my forced abandonment of all its property and gave them a full history of the state of their affairs, and of the feeling in Mexico against them. The company seemed to think the case was hopeless.

A party who had heard of the company's mines proposed to get up a new company and buy out the La Abra Company; and believing that something might be saved to the company and made for myself, I exerted myself to bring it about, and even offered to accompany the party to Mexico to aid in completing the transaction, and I wrote several letters to Granger partly upon that subject, suggesting what course he should pursue, and endeavoring to prevent his throwing any obstacles in the way; but the party subsequently learned, through some channels, of the hostility of Mexicans to American companies and of the actual expulsion from the country of the La Abra Company, and he dropped all negotiations on the subject, and nothing ever after came of it.

I speak of my letters from general recollection of them only, but the foregoing is a correct history of the origin and purpose of all letters I have ever written which contain anything inconsistent with my depositions—they were written for the express purpose of enabling Granger and myself to obtain the possession of the company's works and mines in the contingency which I have mentioned, and were known to and largely prompted by Granger, and in fact partly drafted by him, and in so for as they conflict with my depositions, the letters are untrue, and every material statement in my depositions is true.

CHARLES H. EXALL.

NEW YORK, *April 23, 1878.*

I will not argue to this body upon that state of the case. Perhaps if I were arguing the case before a justice of the peace or a greenhorn jury, I might dwell a little upon these facts, but I take it for granted that every Senator here and every member of Congress who ever reads this portion of the case will perfectly understand that a case which rested upon testimony of a self-impeached witness like that can have no consideration in the estimate that an honest and sincere government would form of it when it has a duty to perform in respect of a sister country or in respect of one of its own citizens.

By Mr. KENNEDY:

The lawyer who offered this paper—

Q. Please state who it was that drew the statement which has just been read to the committee; the one sworn to by Exall?

Says Mr. Ely, the witness:

A. Mr. Exall himself. It was in his handwriting.

Q. If you had any part in the preparation of the statement will you please state fully to the committee just what that part was?

A. I drew the affidavit at the foot of it—

You observe it is a letter addressed to La Abra Mining Company—

and when he brought me the statement it was addressed to me as the attorney of the company. I suggested that he should address it to La Abra Company itself, which necessitated a change in some part of the phraseology of the first two or three lines, which he made, and also I suggested the transposition of some paragraphs. The order—it struck me as I read it—it struck me it would be more consecutive if he would change the location of some paragraphs, and I suggested that. That is the only part or lot I had with it.

Q. Please state in whose handwriting the original affidavit—the statement which you have described was written.

A. The statement signed by him was in his handwriting. The affidavit at the end was in mine.

Q. Well, I speak of the affidavit. I mean the statement that was sworn to, and my question is in whose handwriting the sworn statement was?

A. Mr. Exall's.

Q. How long was it after that that Exall died?

A. I do not know the exact date of his death, but I think it was in the fall or winter of the same year.

Mr. KENNEDY. If you have no questions to ask the witness, Mr. Chairman, I will pass to another point.

The CHAIRMAN. No; conclude the examination about this. Put it together, so that if it goes out on the record it must go out bodily, and if it goes in it can go in bodily. Gen. Foster, have you any questions to put about this matter?

Mr. FOSTER. None.

By the CHAIRMAN:

I wish to ask him a question or two now. How long after Exall's return to New York was it that this affidavit was written?

A. Well, sir, I should think it was ten years.

Ten years; written at the time when the treaty was pending in the Senate.

Q. Ten years after his return from Mexico?

A. I think he returned from Mexico in about 1868, and this was in 1878, which would be ten years.

Q. What had he been engaged in during that period of ten years?

A. I could not answer as to that; what he did quite a number of the years after he came back, I don't know. The latter part of the time he was clerk or cashier in one or more of the bankers' and brokers' houses there in the city.

Q. Was he during any part of that time conducting business on his own account?

A. Not that I am aware of. I never knew of it.

Q. Did you see him frequently during that interval of ten years?

A. No, sir; not the first part of it, and I doubt very much whether he was in the city of New York. The latter part of it I saw him occasionally; happened to run across him.

Q. Were you the agent and attorney of the company at the time he returned from Mexico?

A. I was the attorney of the company.

Q. Did you have any other official connection with it?

A. None whatever.

Q. Who was the secretary and treasurer of the company at the time of his return?

A. Well, I think Mr. Worthington was the secretary and Mr. D. J. Garth was the treasurer; that is my recollection about it. I have no official information about it.

Q. At what time was the business of the company passed into your hands as trustee?

A. It never passed into my hands except as only one of the trustees.

Q. Were you ever the treasurer and secretary?

A. Yes.

Q. When did that occur?

A. In 1876 I became secretary and then treasurer; not, however, at the same time. I became treasurer in 1877 or 1878.

Q. When did you receive the first installment of money on the award for this company?

A. I think it was in the fall of 1879.

Q. After Exall's return from Mexico did he have any dispute or controversy with the company about his salary out there?

A. Well, I have an impression that he and Mr. Garth had some disagreement about it.

Now, that lawyer prepared the defense in the case in which Exall brought the suit.

Q. Do you know whether it was paid?

A. No, I do not; but I knew, in a general way, that they had arranged their disagreement.

Q. How much did he receive?

A. I do not know, sir; know nothing about it; had nothing to do with the adjustment of it.

Q. Have you ever seen any record or paper of the company that showed the settlement with Exall?

A. No, sir; I have no recollection of any.

Q. Have you any papers of this company now in your possession?

A. I have some that came into my possession since I became secretary and treasurer myself, in the year 1876.

Q. What is the character of these papers?

A. Well, the records which I have kept, and the books which I have made.

Q. Do those records contain any evidence of a settlement with Exall?

A. No, sir; I am sure they do not.

Q. Did Exall sue the company for his salary?

A. I don't think he did, but I would not be positive about that. It is barely possible he might have caused a summons to be served on them, or something of that kind; but if there had been a litigated suit it would have fallen into my hands, and there was nothing of that kind.

Q. How much stock have you got in this company?

A. I have one share transferred to me nominally to qualify me to act.

Q. How much of the proceeds of this award has been assigned or transferred to you?

A. Not a dollar.

The Secretary of State says there are assignments there for $30,000, as I remember the figures.

Q. How much has been agreed to be assigned or transferred to you?

A. Not a dollar.

Q. Have you no contingent or conditional interest in the recovery of this award?

A. I have what I think you might call contingent interest in the affairs of the company, not directly contingent by virtue of any arrangement, but contingent by force of the situation.

Q. Your agreement with the company is not a conditional or contingent employment?

A. No, sir.

Q. For a sum certain?

A. No, sir; it is not for any sum certain. I have no agreement with the company, but any services I can render do not give me any interest in the award—are not dependent upon that at all. What my services in the affair are worth I expect they will pay.

Q. Mr. Baldwin has testified to some money having been paid you out of this award.

A. Yes.

Q. How much was that?

A. Paid to me out of this award? I think $10,000.

Q. When was that paid?

A. That was paid to me in 1879, I think.

Q. Did you have a conference with Mr. Exall before he wrote this affidavit that you say was in his handwriting originally?

A. Yes, sir.
Q. Was it an extended conference?
A. I went to his house in the evening. It lasted an hour or so.
Q. Did you have then any copies of the letters that he was said to have written to the company from Mexico?
A. I had made memoranda from the little phamphlet that I had put in my hands here, but which I left behind me here. I had jotted down the dates of some of the letters, and to and from whom, and some expressions in them. I told him the contents of those letters, as well as I could, and gave him the data I had.
Q. And it was upon your statement to him that he predicated this affidavit in explanation of these letters?
A. Yes, sir; my statement of the appearance of these letters here and what they contained, as nearly as I could state to him, and the memoranda I had made of the letters predicated that.
Q. At what place was this affidavit prepared?
A. I can not tell at what place he drew it. He may have drawn it at his place of business. My conference with him was at his room in East Twelfth street.
Q. How long was it after this that he appeared with this letter that he swears to?
A. This statement?
Q. Yes.
A. Well, I should think three or four days. It was not the next day, I know. A few days elapsed.
Q. Was anything pending before the Senate or House of Representatives at that time relating to this award.
A. Yes.
Q. What was it?
A. It was the bill which subsequently became the law of June 10, 1878, for the distribution of the moneys from this award.
Q. Now, was any committee of Congress in charge of that measure at that time?
A. I think it had been before the Committee on Foreign Affairs in the House.

I made one mistake about a date here. At the time the law we are now trying to execute was enacted the Houses of Congress took up this subject very vigorously and investigated it, and this same question was raised then about the authenticity of these letters, and it became necessary for Exall to get rid of them; and so it was at that time that the affidavit was prepared. It was prepared for use before the Houses of Congress on that occasion; but subsequently when the treaty came up for ratification in the Senate, Exall then being dead, a copy of this affidavit was presented to the Senate of the United States, and then finally brought before the committee of which I am a member.

Q. Who was then chairman of that committee?
A. I think it was a member from Maryland; I think Mr. Swann, I think, was chairman of the committee.
Q. Was any investigation being conducted by that committee in respect of this claim?
A. I think a subcommittee of that committee; yes, sir.

I will say right here, Mr. President, that with all the labor which has been bestowed upon this case there is scarcely as much of perspicuity or perspicacity now in the different statements and reports made as there was then, and no very great amount of addition to the facts known. That committee, in the passage of this law that we are trying to execute now, fully and completely understood the whole case, and Congress never acted more intelligently or more wisely or upon stronger proof than it did when it passed the law of 1878.

Q. Were they examining witnesses?
A. No; I don't think they took any examination of witnesses, but it was mainly arguments of counsel.
Q. Did you take this affidavit of Exall's before that committee?
A. No, sir.
Q. Why not?
A. Because it was drawn with a view to meeting Slaughter's petition, and that petition was never presented, and I think that the subcommittee had made its report; reported the bill and finished its business; reported it to the House.
Q. Is that petition anywhere in this record?
A. Of Slaughter's, no, sir; I think not.

It is, however, not a petition, but his affidavit, his statement.

Q. Are you certain that the petition never went before the committee or subcommittee of the House of Representatives?
A. I have never seen that it did; never saw any record that it did, and understood at the time from people who were conversant with the mode of proceeding that it never was presented. It was circulated rather privately among the members, and one of them fell into the hands of Mr. Bartholow, who showed it to me.
Q. At the time you had this consultation, or conference, with Exall about the letters that he had written from Tayoltita, was this double-column statement of the Mexican case in existence?
A. Not to my knowledge.
Q. You don't know whether it had then been presented to the State Department?
A. I don't know anything about that. It was not then known to me.
Q. Was the pamphlet of Slaughter the only allusion that you knew of to letters that purported to come from Exall?
A. The first and only one.
Q. Why did you make a copy of this affidavit?
A. This here?
Q. Yes.
A. Because I desired to keep a copy of it.
Q. When did you make it?
A. One or two days before it was filed here.
Q. In 1882?
A. In 1882.
Q. You stated, if I understood you, that you presented that affidavit at that time because you understood that a treaty with Mexico was then pending before the Senate Committee on Foreign Relations?
A. I understood so.
Q. And you handed it to Mr. Pendleton; Mr. Shellabarger handed it to Mr. Pendleton in your presence?
A. He went inside. I did not see to whom he handed it. I staid outside the door, and Mr. Shellabarger just stepped in. Mr. Shellabarger can speak on that point.
Q. Was Exall living at that time?
A. No, sir. He died, I think, in the latter part of 1878.
Q. But he was living at the time that this first investigation was going on in the House of Representatives?
A. He was living at that time; yes, sir. Before that committee reported the bill, and at the time that the committee reported the bill, he was living.
Q. Well, was there any reason why you did not present Mr. Exall to that committee, and have him examined?
A. We did not know anything about those letters until after that committee made its report and this bill was in the House of Representatives.
Q. That bill then came over to the Senate, did it not?
A. I think it originated in the House.
Q. And then came to the Senate?
A. I think that one was introduced in the Senate, too, at the same time.
Q. Was there any investigation in the Senate of the facts and circumstances?
A. Not that I ever knew.
Q. Well, did these letters of Exall, in printed form or in any form, come before the committee of either House prior to the passage of the act of Congress to which you refer, distributing this award?
A. Not to my knowledge. I should feel quite confident in saying they had not, but I have no knowledge of it, however.
Q. Now, I will get you to state your best recollection of what it was you told Mr. Exall those letters contained.
A. At the time when he made the statement? Well, sir, I can not give you the dates of the letters, but I told him in a general way that those letters contained statements that the ores were not valuable.
Q. Let me ask you, did you only make a statement to him in a general way or did you make specific statements?
A. No; I did not pretend to make specific statements.
Q. Well, awhile ago you said you copied out parts of the letters?
A. I copied out some expressions.
Q. Well, what I wish is a statement of your best recollection of all you said to Exall in respect to those letters—the whole of it. Just go right through now and state it in your own way.
A. I stated to him that there appeared to be certain letters from him written to Mr. Garth as treasurer of the company, and that those letters contained statements in them that the ores at the mines in Mexico were of little value; that there had been no trouble down there with the authorities; that he had been embarrassed for want of funds—well, I can not give you it in much more specific form than that. The general upshot of it was that the company was without valuable property down there, and that his letters tended to show it; and that they were without means down there, and that his letters tended to show that; and that there was no difficulty with the people about titles or anything else of that kind, or any abandonment; that he had written to Mr. Garth that if he did not intend to let the property go to the dogs down there he must send some money. I can not remember all I said, nor give you now anything nearer to it than that; that I certainly said to him the statements in those letters, if those letters were written by him and the statements were true, conflicted with the statements that he made in his depositions for the company, and that if those were his letters and the statements were true I wanted to know it, and that if they were not true I wanted him to tell me what his explanation of them was, if they were his letters. That is as near as I can now tell you, Mr. Senator, about this. I have no doubt that I gave him something more, particularly of the expressions in the letters, but I conveyed to him the impression as strongly as I could that those letters, in my opinion, went counter to his affidavits, and I wanted to know what the truth was about them."

That will give you a sample of this testimony; and they go on with it. In various forms he expresses that same statement, that he informed Exall if these letters were not wiped out by his affidavit they simply destroyed the case.

These claimants in their desperation to get the case through that committee came in there and undertook to impeach their own witness with a view of making his subsequent *ex parte* affidavit, evidently paid for by this counsel of the company for his wages, overturn the series of letters written at the time by him and Granger and others acting in concert, giving to this company in every material and particular respect that any person could possibly demand an exact history of the proceedings of the company.

Mr. GEORGE. Has Granger been examined?

Mr. MORGAN. Granger is dead. I am not so sure about his evidence having been obtained, but I will find out. The Senator from Oregon [Mr. DOLPH] prepared the report in the case. My recollection now is that Granger was not sworn. I think I can tell in a moment. I do not think he was sworn. Granger remained out in Mexico with his Mexican wife that he married there. He never came back to the United States. My recollection now is that they never got hold of him to swear him. It is probably a pity they did not.

Mr. GEORGE. He was not examined before the Commission?

Mr. MORGAN. No; he died long before the committee took testimony.

Mr. GEORGE. He was not examined before the Joint Commission?

Mr. MORGAN. That is what I was trying to find out. I do not think he was. He was not examined before the committee of the Senate. He was dead long before the committee investigated the matter.

Mr. COKE. It is stated in the testimony that he never returned to the United States.

Mr. MORGAN. Yes, he never returned to the United States; but I did not know but that his deposition or affidavit might have been taken in Mexico. However, I do not remember that it was, and I do not believe it was. I can find out from the record before I get through with my remarks.

That case is so awfully voluminous and there is so very much

of it that it is almost impossible to condense a statement of it in such a form as to satisfy the Senate as to what the real state of facts is through and through. If I were before a jury trying this cause upon the facts, in order to do justice to my clients I should have to spend fully a week in the investigation of the testimony. I can not do it here. I do not wish to do it. I do not think it is necessary; I do not think it is proper; I do not think it is required of the committee. I do not suppose you wanted us to come here prepared to satisfy every Senator who might ask a question about any feature of this case so as to convince him that we were right in our conclusions about it.

Now, Mr. President, so far as the facts of this case are concerned, what I have just stated to the Senate, what the Senator from Oregon has so elaborately argued, must stand as our statement in respect of the La Abra case. I have given a portion of the history of the case, with the proceedings before the Commission, which applies equally to the La Abra case and to the Weil case. The law that has been insisted and relied upon here applies equally to both cases, so that we can argue them conjointly until we come to the question as to whether the facts differ and whether the facts in each case are equally sufficient and conclusive to support the recommendations of the committee and to support also the action of the Presidents of the United States who have examined this subject and have reported their conclusions to Congress and the country.

A question was raised by the honorable Senator from Massachusetts [Mr. HOAR], the chairman of the Committee on the Judiciary, which, coming from a gentleman of so much eminence, and one holding so high a judicial position with relation to the Senate of the United States, would alarm me, in respect of the propriety of that section of the bill which he proposes to strike out, if it were not that I happen to be fortified by the decisions of the Supreme Court of the United States in such a way that it seems to me impossible to doubt that the committee is on safe ground in the recommendation of the third section of the bill.

The third section of the bill relates to the right of appeal from this decision, and while I concede that it is really not a matter of very material consequence, and never will be a matter of material consequence, probably to the claimants in this case, nevertheless I hold to the idea that when we have appellate tribunals and parties have cases that would, according to the amount, the principles, and questions involved, fall within the jurisdiction of those appellate tribunals, it is always the duty of the legislative power to give to any man concerned in a controversy or a litigation the benefit of an appeal. I regret that I feel impelled to ask the Senate to hold on to this right of appeal, for I do not wish that this case shall go out of the Congress of the United States with the slightest impeachment upon it.

I wish that none of these men may be able to say hereafter that we have violated any principle or usage of law in the disposal of this matter, but that it may be said that the Government of the United States has offered to these men, whom it has lately found itself compelled to bring into court, a full, fair, and impartial trial before a proper judicial tribunal of the country, and has given to the parties litigant all the full rights of appeal that would belong to a litigation between private individuals. So I prefer to hold on to that section of the bill.

The question is whether an appeal will lie in such a case. I did not comprehend the argument of the Senator from Massachusetts. He seemed to regard this bill not as the creation of a judicial authority in the Court of Claims, the conferring of a new jurisdiction to decide a matter in controversy as a matter of fact between parties, but to decide upon a principle, the principle which he characterizes, and it is so characterized in the legislation which we are trying to execute here, as a moral principle and also as an equitable principle. But when a moral principle or an equitable principle is placed within the jurisdiction of a court, upon the court's finding the existence of a certain state of facts, then jurisdiction is conferred, and the court may go on and pronounce judgment. That is the way we get jurisdiction. The political power, as it is called, confers upon the judicial power of the country the right to hear and determine certain questions.

The Senator seemed to suppose that it was necessary that such a case should be made as that one of the parties would in contemplation of law ordinarily be entitled to the assistance of a court as against the other. That is not the correct view of the law of this land or of our juridical system. In the clause of the Constitution of the United States which confers jurisdiction, the second section of the third article, we have the following:

The judicial power shall extend to all cases, in law and equity—

Now, a case in law and equity may be really framed and made by a statute as well as it may exist in contemplation of the common law and the rules of equity under the common-law practice independent of any statute—

arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority—

This case arises under a treaty. It involves the construction of a treaty. The Supreme Court of the United States have twice taken jurisdiction of this case on appeal upon motions for mandamus in an inferior court, and they have done it not merely in view of a right of supervision over inferior tribunals (for that is not the ground of their jurisdiction—it never was), but they have done it in virtue of the fact that it was a case that arose under the laws and treaties of the United States. So I might conclude that the two cases of Weil *vs.* Frelinghuysen and Boynton *vs.* Blaine were in themselves from the very necessity of the case decisions, and that the Supreme Court of the United States had a right to exercise appellate jurisdiction over questions which arise under this treaty and under the laws of the United States—

to all cases affecting ambassadors, * * * to controversies to which the United States shall be a party.

That means, of course, to controversies to which the United States by law shall become a party or in natural right and justice would be a party, as when the United States was claiming to hold a certain piece of property under a title or claiming damages against somebody for the breach of a bond or something like that, in such cases the jurisdiction and power would arise out of the law which relegated the controversy to which the United States could be made a party in consequence of the statute to the adjudication of the court.

This annotator—I read from Paschal's Annotated Constitution, and it is a very good book—says:

199. Judicial power, as contradistinguished from legislative power and executive power, is the power to hear and determine all the cases of law and fact which arise between the Government and parties or between parties under this Constitution, the law of nations, and the laws and treaties of the United States which shall be legally brought within the cognizance and jurisdiction of any of the courts or judicial tribunals established under the Constitution. It was intended to be a separate department of the Government, possessing all the "judicial power" of the National Government except upon the single jurisdiction of impeachment.

He goes on then to comment on cases arising under treaties and cites a number of authorities, which I will not burden the RECORD by putting in, but they are all apt. I have examined, I think, every one of them. This writer says:

A case arises, within the meaning of the Constitution, whenever any question respecting the Constitution, laws, or treaties of the United States has assumed such a form that the judicial power is capable of acting on it. Osborn *v.* U. S. Bank, 9 Wh., 819; Jones *v.* Seward, 41 Barb., 272; Curtis's Com., § 7; Ex parte Milligan, 4 Wallace, 112, 114.

204. "Controversies to which the United States shall be a party"—

1. The jurisdiction is not conferred upon any particular court; Congress must therefore designate the tribunal—

For the settlement of controversies.

2. Cognizance is not given of all controversies, but only of some.

3. "Controversies" seem to embrace only civil suits. Cohens *v.* Virginia, 6 Wheat., 264, 411, 412; Story's Const., § 1674-1681; Curtis's Com., § 56, 57.

The United States can only be sued in cases where it has consented to be sued by act of Congress—Curtis's Com., § 57; Story's Const., § 1677, 1678—as in suits for the confirmation of land grants and in the Court of Claims. Curtis's Com., § 100-102.

A suit against the President to prevent the enforcement of the reconstruction laws was held to be a suit against the Executive of the United States, and dismissed for want of jurisdiction. Mississippi *v.* Johnson, 4 Wall., 498; Georgia *v.* Stanton, 6 Wall., 100.

In the enactment of our laws establishing a Court of Claims, Congress had all of this law under its immediate examination, and made the provisions of the act of March 3, 1887, in conformity to the existing decisions of the Supreme Court of the United States and well-recognized principles of constitutional and other law. Section 12 provides:

That when any claim or matter may be pending in any of the Executive Departments which involves controverted questions of fact or law, the head of such Department, with the consent of the claimant, may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said Court of Claims, and the same shall be there proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall report its findings to the Department by which it was transmitted.

There is a case provided for where a controversy is pending before it becomes a case, a claim that is not a case and can not be made a case under any existing law, which can only become a case after we have passed a law giving a court jurisdiction and authorized the United States to sue or compel the other party to sue, or in default thereof to be debarred of his right. When a matter of that kind is depending in any of the Executive Departments of the Government, then by the consent of the parties that case can be transferred to the Court of Claims, together with all documents appertaining thereto, and the judgment that the Court of Claims is to render upon it is as follows:

When the facts and conclusions of law shall have been found, the court shall report its findings to the Department by which it was transmitted.

Now, under section 9—

That the plaintiff or the United States, in any suit brought under the provisions of this act shall have the same rights of appeal or writ of error as are now reserved in the statutes of the United States in that behalf made, and upon the conditions and limitations therein contained. The modes of procedure in claiming and perfecting an appeal or writ of error shall conform in all respects, and as near as may be, to the statutes and rules of court governing appeals and writs of error in like causes.

There is a controversy pending before an Executive Department referred by this statute, with the consent of the defendant, to the Court of Claims. That court finds the facts and the law, and returns its report to the Department. That report is made expressly appealable by the ninth section of the act which I have just read.

If the Supreme Court of the United States can take jurisdiction of an appeal under such a law as that, it certainly can under the law proposed in this bill; there can not be a question of it. In both these causes the defendant's consent has been sought, that they would comply with this statute and send the cause to the Court of Claims. They said: "No; we stand upon our rights—our technical rights. We stand upon rights that we think we can enforce by mandamus. We do not want to have the merits of this case investigated by any court. We likewise object to any law that approaches a consideration of the merits of this controversy; we will not consent."

The brief and argument and long protestation which Mr. Bayard sends in and his letter are in the books now, detailing the whole affair. Now, says this bill, inasmuch as you had twice tendered to you, and your course is one of continual delay and obstruction, and inasmuch as you will not bring a suit against the United States or consent to have the controversy relegated to the Court of Claims, we will compel the United States to sue you, make it the plaintiff in the action—to do what? To get rid of a false award which binds the United States in some sense; perhaps in conscience, perhaps in honor, perhaps in justice, perhaps in equity; but we will instruct the Attorney-General of the United States to bring a suit against you. If I had the title to a tract of land, or believed I had, and was in the occupancy of it, and I found a lot of people going around setting up a title to this land and making claims to it and embarrassing my title by the assertion of this claim and that and the other to it, although in my bill when I filed it, I would not assert that any one of those claims was valid; I would ask the investigation of a court of equity to remove the cloud from my title, to quiet my title, and by injunction to stop these people from setting up their fraudulent claim. That is the nature of the jurisdiction here.

These claimants come forward in every form that they can and worry and continue to insist upon these claims in the hope that after awhile the Congress of the United States and its authorities will get tired, and that some Secretary may do as some have done, really violate the statutes of the United States in order to pay the money into their hands Their chance for getting this money does not depend upon the validity of the claim when it was proven nor does it depend upon their ability to prove it now, but simply by exhausting the efforts of the Government to do justice in this matter and to prevent them from insisting upon an unlawful claim, stand by and let time elapse, the more the better. The money is there; it is in reach; the glittering hoard is a temptation to the hundreds and hundreds who in one way or another got themselves connected, as I will show after a little, with this matter. If they can all agree to delay and obstruct, after a while the authorities of the Government of the United States, forgetting the honor of the country, and the duty they owe to its protection, pretermit their efforts to have this money put in the right direction, and these men will stuff it in their corrupt pockets. There is the situation.

I propose, in behalf of the United States Government and in the execution of what Congress determined in the passage of that act of 1878, that the Congress of the United States shall otherwise provide, and I think that the other provision which is proposed here now is a valid one in every possible respect; certainly it is necessary unless the Congress of the United States makes up its mind that it will permit itself to be worried out of patience to such an extent as that these men shall finally triumph in their fraud by the lapse of time and through the assistance of obstruction reap the golden harvest that springs from the corrupt seed of their perjury.

Mr. GEORGE. Will it disturb the Senator from Alabama if I interrupt him for a moment?

Mr. MORGAN. No, sir.

Mr. GEORGE. I have listened with some attention to what the Senator has said with reference to the jurisdiction of the Supreme Court of the United States, and I am sorry to say whilst the argument of the Senator is able and clear, yet it does not reach the exact difficulty in my mind. Now, if it would not disturb the Senator I should like to state to him the difficulty which I have.

Mr. MORGAN. I shall be glad to hear it, because I can answer it now as well as any time if I can answer it at all.

Mr. GEORGE. In reference to the jurisdiction of the Supreme Court of the United States, this bill provides for a suit nominally between the United States and the La Abra Company and its assigns. The United States is the complainant; the company and its assigns are the defendants. That makes a case in court. But then it does not provide for a trial and final decision, and the rendition of a judgment in favor of the United States against the La Abra Company according to law.

The object of the bill seems to be to authorize the United States in a nominal suit, in which the United States are the complainants and this company and its assigns are the defendants, to ascertain whether a certain state of facts exists, no power being given to render a judgment against the La Abra Company or its assigns, but simply for the determination of the question as to whether these facts exist as stated. That is the nature of the suit. That is not, in my judgment, such a suit as the Supreme Court can take jurisdiction of.

Then, again, this very great difficulty arises in the case, treating it as a suit, as it professes to be, between the United States and the La Abra Company. In a suit of that sort we have no right to prescribe in the statute which authorizes the bringing of the suit a different rule of law to ascertain or fix the liability of the defendant other than that which existed when the transaction took place. This bill provides for the ascertainment of what may be just and equitable, what in good conscience and equity ought to be done.

As was stated by the Senator from Massachusetts [Mr. HOAR] the other day, the word "equity" or "equitable" as used in this statute, does not describe what we lawyers understand by the technical term "equity" as enforced in the chancery courts. You can not enforce in a suit any obligation unless it be a legal obligation or unless it be an equitable obligation; one which by the rules of equity, as expounded by the courts, the defendant owes.

As I understand the object of this bill, it is to give relief if a state of facts is ascertained to exist, which in equity in another sense, in the sense of good faith, and honor, and proper dealing between parties, in the sense in which a government ought in its dealings with other people to be bound by, would justify such relief.

Now, I would suggest to the Senator that there is another difficulty in the matter. If this court should find that according to the rules of morality, or that equity which is founded on morality and not on equitable obligations as enforced in the courts of equity—if this court should find that according to the rules of honor and morality the Government of the United States ought to pay, that does not authorize the rendition of a judgment against the defendants in this case, because that transaction having transpired fully, the obligations of the defendants and the rights of the United States, so far as a court can take cognizance of them, depend upon the rules of law and equity as contradistinguished from mere morality, as they existed at the time the transaction took place.

If we intend that this case shall be settled not according to the rules of equitable jurisprudence, but according to the rules of equity as we understand it as characterizing the relations and conduct between man and man; if it is to be decided upon that last ground, then the Supreme Court of the United States can not take jurisdiction, because we refer to the court not a legal, not an equitable obligation, but an obligation arising purely *in foro conscientiæ*, a matter of conscience and of honor, which can never be referred by an act of Congress to a judicial tribunal. That is the difficulty which I have.

The object of the bill is, in a suit to be brought between the United States and the La Abra Company, to ascertain a certain state of facts, which state of facts may exist without imposing upon the defendant an obligation which can be enforced by a court of law to make any restitution, but which in our judgment, if ascertained to exist, makes it obligatory upon the United States in honor and in justice to make restitution. That is the trouble I have. The Supreme Court will never decide that; it will never take jurisdiction, I fear, to decide any such question.

Mr. PALMER. Mr. President, with the permission of the Senator from Alabama, I merely desire to say that it is not possible for us to provide that the Supreme Court shall have any jurisdiction in this case which did not exist at the time it arose.

Mr. GEORGE. No, sir. I admit we can provide new remedies, but I deny that we can change the law so that the obligations of the parties at the time the transactions took place shall be increased.

Mr. HOAR. Will the Senator from Alabama allow me in a single sentence to give an illustration of the doctrine which I endeavered to make out the other day. The Senator from Mississippi has stated to-day——

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. MORGAN. How much time does the Senator desire to take?

Mr. HOAR. Very little; but if the Senator does not desire to be interrupted I shall wait.

Mr. MORGAN. I will yield.

Mr. HOAR. Suppose there were a case where there were very strong reasons why the Government of the United States ought to waive the statute of limitations in a cause pending in the Court of Claims, any cause which may be brought, and suppose we should enact that the case might be referred to the Court of Claims with an appeal to the Supreme Court of the United States to find the facts, and on those facts to determine whether the United States ought, in equity and good conscience, to waive the statute of limitations if they thought that would give a remedy. That would be an illustration of what I took occasion in substance to give of a case where we can not confer on the court that power.

Mr. MORGAN. I think the Senator from Massachusetts must have been on the Committee on the Judiciary in 1887.

Mr. HOAR. Yes.

Mr. MORGAN. Here is a law we passed at that time, and I want to know what the Senator meant by that law. We then had been in a controversy and I read it, and I now want to read it to the Senator so that he may explain it to me if I misunderstand it. I will read first section 9:

SEC. 9. That the plaintiff or the United States, in any suit brought under the provisions of this act shall have the same rights of appeal or writ of error as are now reserved in the statutes of the United States in that behalf made, and upon the conditions and limitations therein contained. The modes of procedure in claiming and perfecting an appeal or writ of error shall conform in all respects, and as near as may be, to the statutes and rules of court governing appeals and writs of error in like causes.

I will read, in section 12, one of those cases in which this right of appeal exists:

SEC. 12. That when any claim or matter may be pending in any of the Executive Departments which involves controverted questions of fact or law, the head of such Department, with the consent of the claimant, may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said Court of Claims, and the same shall be there proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall report its findings to the Department by which it was transmitted.

That is the only judgment in the case. Of course we can not confer jurisdiction on the Supreme Court of the United States by consent, but with the consent of the parties to this provision of section 12 we can get the parties in a case into which a controversy has resolved itself before the Court of Claims, one of our regular courts, and from that an appeal will lie.

Mr. HOAR. That is the very point. There is no appeal from that.

Mr. MORGAN. Section 9 says that in any suit brought under the provisions of this act the plaintiff "shall have the right of appeal."

Mr. HOAR. The Senator will pardon me. I have not had the opportunity of refreshing my recollection in regard to that act, although I had a good deal to do with that act, and drew one or more of its sections. What the Senator has just read refers to a suit brought under the act.

Mr. MORGAN. Yes; it is a suit brought under the provisions of the act.

Mr. GEORGE. I wish to ask the Senator from Alabama——

Mr. MORGAN. Just a moment. The Senator will not object if I decline to yield to him, as he did a few moments ago.

Mr. GEORGE. Of course, that is right. I do not want to interrupt the Senator, but I desire to get at the root of this thing.

Mr. MORGAN. The controversy may be pending in one of the Executive Departments, consisting of either law or fact. That question of law or that question of fact, whichever it may be, or it may be both, by the consent of the parties to the controversy may be placed within the jurisdiction of the Court of Claims, and that court shall render its decision both upon the law and the facts, or upon either, according to the nature of the case.

Mr. GEORGE. I am not disputing the jurisdiction of the Court of Claims.

Mr. MORGAN. Very good. Now, then, any suit under this act, says section 9——

Mr. GEORGE. I think that is all right.

Mr. MORGAN. Section 9 says that any suit under this act shall be appealable. So when the jurisdiction is conferred, although the judgment may not in itself be final in that sense in which judgments were compelled to be final at law or in equity in order to sustain the appellate jurisdiction of a court of appellate powers—although the judgment may not be final, the reason for introducing this into the statute is simply this: Our Constitution gives in express words to the Supreme Court of the United States jurisdiction by appeal of controversies which have not become cases—"controversies"—and it was necessary to so arrange and modify the statute laws of the United States that that appellate power given to the Supreme Court of the United States might be exercised in controversies where there was nothing decided except the question of law or the question of fact, and where no money demand was ascertained at all, and where afterwards it might become or might not become the duty of the chief of the Executive Department to respond in money according to the principles and facts there declared.

Senators have overlooked the fact that the higher appellate courts in Great Britain, from which we have derived a great deal of our appellate system, did not have jurisdiction of controversies at common law except under some special statute. I use the term "common law" in its application to equity courts and law courts. At common law to sustain an appeal there must be a final judgment. That is the old common-law rule. You do not see it in the Constitution of the United States. No mention is made of it there, and yet the Supreme Court in a suit between myself and any other person would say, whether it is a suit at law or a suit in equity, that according to the principles of the common law there must be a final decision of the case. But where the Supreme Court of the United States has jurisdiction of controversies, where the United States is a party, or where jurisdiction depends not upon the nature of the controversy, but the mere residence of the controverters, here is a new power conferred upon our courts under the Constitution of the United States, and we have a perfect right to make available to any litigant who, pursuant to the statute, has a controverted case in law. That is the law of this case.

Now, Mr. President, I propose, inasmuch as this case has brought up this new question here, to go a little into some authorities about it. I want to read now——

Mr. GEORGE. I hope the Senator from Alabama will understand that I am not disputing the jurisdiction of the Court of Claims. That is a legislative court, and we can give it any jurisdiction we see proper, but the Supreme Court, being a constitutional court, is without jurisdiction unless conferred by the Constitution.

Mr. MORGAN. The Constitution—I will read it again, and I am sure that I shall not offend the Senator from Mississippi by reading it, although I expect he has read it a thousand times, and spent sleepless nights in thinking it over——

Mr. GEORGE. It can not be read too often.

Mr. MORGAN. The Constitution says:

The judicial power shall extend to all cases in law and equity arising—

How?—

arising under this Constitution—

That is not a common-law jurisdiction—

the laws of the United States—

That is not the common law—

and treaties made, or which shall be made, under their authority—

It does not say to all cases that are finally decided or in which the court renders a money judgment, but it means cases arising under the Constitution for its exposition and under a treaty for its exposition and under a law of the United States for its exposition where you get the case in proper shape to make the United States Government a party to it. Now, then—

to controversies to which the United States shall be a party.

What kind of a controversy? Why, it is not even a case; it is not a suit in which money is involved or property is involved, but it is a "controversy" pending, to which the United States is a party, as if the United States holds in its hands a trust fund and some one proposes to set up an equitable or moral right, as, for instance, under the doctrine of *cy pres* if one eleemosynary demand be made by an institution not named in the will or the deed, it being almost exactly in conformity with the wishes of the testator and the purpose of his devise, sometimes you can go into a court of chancery not with the right, not with the declaration of admitted right, but you go in under the doctrine of *cy pres*, to have yourself substituted for the benefits of the trust in order that the testator's will may be executed. That would be more nearly like a controversy than any case which at present occurs to my mind respecting the rights of private individuals. But when we come to a Government organized like ours is, where questions arise between individuals and States, which ought to be determined, instead of leaving them to the prerogative of the crown or to some ancient precedents to be dug out of the records of obscurity, we provide in our free and liberal Constitution a jurisdiction for the decision of controversies to which the Government of the United States is a party, broad and plenary and undeniable.

Mr. GEORGE. In which no legal or equitable rights are involved?

Mr. MORGAN. It does not say so. If the Senator from Mississippi wishes to construe the Constitution so as to mean controversies involving a sum of $5,000, or more than that——

Mr. GEORGE. No.

Mr. MORGAN. If you do not you are gone up, if you will allow the expression. Or would the Senator confine it to controversies involving a money judgment, controversies involving a restoration of title to property? The committee, of which the Senator from Massachusetts was so long a distinguished member and is now chairman, found no difficulty at all in using the powers of legislation to give to the parties by their consent the right to

go into the Court of Claims and thence to the United States Supreme Court on this basis, that the Supreme Court, the judicial power of the United States, shall extend to controversies to which the United States shall be a party.

Mr. HOAR. Mr. President, I should like at some time when it is convenient to the Senator to call his attention to an error of his. I do not understand that this statute——

Mr. MORGAN. We shall see about that after awhile.

Mr. HOAR. Very well.

Mr. MORGAN. If I misunderstand that, there will not be any error in misunderstanding the decision of the Supreme Court.

Mr. HOAR. I think the same error will not occur again.

Mr. MORGAN. I do not think it would happen now. I think the error is in the Senator misconstruing or construing too narrowly his own wise provisions for the benefit of the people of the United States. But, sir, I deny the doctrine, I deny the proposition that it is necessary in order to give to the Supreme Court of the United States an appellate jurisdiction that there should be a judgment in dollars and cents, or a judgment of property in respect of the title of property, affirming or disaffirming it. It never was intended to limit the right of appeal to judgments that are simply called final at common law, either in equity or at law. It was intended to given a broader jurisdiction; otherwise you could not make that provision of the Constitution read.

A "controversy" is not "a case." We understand exactly what a "case" is. It is a suit between individuals, or, if you please, a suit between the Government and individuals, in which a demand is made for a certain specific remedy, which is given or refused according to the judgment of the court. When it gets into that shape and the parties litigatant are brought before the tribunal, then we have got a case. Prior to that time there is no case, but it is a controversy.

What sort of a nebulous thing have we here that no man can define in the law and give the court the power to try or decide? Are we unable by a statute of ours to exercise a power to which the Federal jurisdiction is extended over controversies to which the United States is a party? Now, I will show to the Senator how much has been done in this direction. I do not know that the Senate will follow me through this case; it is a very curious one and a very important one, and nobody has ever denied the authority of it that I have ever heard of. It was argued by some of the ablest lawyers that were ever in this country, Mr. Fulton and Mr. White, and the opinion was delivered by Mr. Justice Thompson when the court was about as able as it has ever been.

Mr. GEORGE. What is the case?

Mr. MORGAN. The case of Sampeyreac and Stewart *vs.* The United States, reported in 7 Peters. Taney was Attorney-General, Marshall was Chief Justice, and so on. It was an appeal from the supreme court of the Territory of Arkansas. That was called a supreme court in the Federal sense, a court whose jurisdiction was derived from an act of Congress.

The appellant, Sampeyreac, under the act of Congress of the 26th of May, 1824—

Which is on my desk—

entitled "An act enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims," exhibited the bill against the United States, which was filed in the clerk's office of the superior court, in the Territory of Arkansas, in chancery, sitting on the 21st day of November, 1827—

I will remark as I go along that this act of Congress is very much like that which constitutes the present Court of Private Land Claims in Arizona and New Mexico, whose jurisdiction is entirely unavailing, and no appeal can be taken from any of their decisions, unless I am right in this bill; but they do not require any final judgments there. You may take a case bodily into the Supreme Court of the United States, according to that act, and try it *de novo*. I made the point here before the Senate when that bill was under consideration, and after due deliberation, Mr. Edmunds leading in the argument in opposition to my views, he satisfied the Senate, and satisfied me, too, that he was right about it; that we could give the power to the court. If we break down this bill upon that subject, and the Supreme Court should ever have occasion to review our decision about it, they will destroy the jurisdiction of that Private Land Claims Court so far as appeal is concerned. The bill—

stating that, being an inhabitant of Louisiana, he did, on the 6th day of October, 1789, address a letter to the governor of the then Spanish province of Louisiana, asking for 10 arpens of land in front, with the usual depth, on Strawberry River, within the district of Arkansas, to be granted to him in full property; and that the said governor did, on the 11th day of October, 1789, make an order of survey upon said petition, which the appellant alleges is such a claim as might have been perfected into a complete title under and in conformity to the laws, usages, and customs of the Government of Spain under which the same originated, had not the sovereignty of the country been transferred to the United States, and is therefore provided for by the treaty between the United States and the French Republic, made the 30th April, 1803. The bill prays that this claim may be confirmed, according to the provisions of the act of Congress before mentioned. Upon this petition the clerk of the court issued a subpœna against the district attorney of the United States, which was executed on the 24th of November, 1827.

Now, here is a fact I want the Senate to give attention to. The district attorney was summoned in here, the suit being brought against the United States by authority of this act of Congress.

To this bill the district attorney of the United States filed an answer at the December term of said court, 1827, denying generally the facts and allegations in said bill, and alleging that Sampeyreac was a fictitious person, or was a foreigner, and then dead.

Bringing the subject right before the court by allegations in the answer.

On the 19th day of December, 1827, the district attorney of the United States moved to postpone the final adjudication of the case until the following term, for the following reasons:

1. The petition and subpœna in this case were served on the United States within one month of the present term of this court, but more than fifteen days allowed by law; and in consequence of this short notice the United States attorney has not answered this bill until the present term.

2. Has not had a sufficient length of time to take counter depositions, if counter evidence does exist.

3. There are many more cases pending in this court on the same principles, and similarly situated in all respects; and the attorney for the United States asks this continuance for the purpose of procuring such evidence as may exist on the part of the Government.

The court proceeded to hear the cause, and, upon the deposition of one John Heberard, entered on that day a decree against the United States, in favor of said Sampeyreac, for 400 arpens of land.

On the 14th day of February, 1828, a deed purporting to be a decree executed by Sampeyreac—

I suppose it meant a deed—

transferring his claim to the clerk's certificate of the existence of this decree, and of all his right, title, and interest in said decree to John J. Bowie, was proved and admitted to record on the 22d day of October, 1828, in the office of the circuit court of Hempstead County, in the Territory of Arkansas, and which title was transferred by Bowie to Joseph Stewart in December, 1828—

There are two conveyances—

by virtue of which transfer the said Stewart filed with the register of the land office at Little Rock an application for the NE. 17, 11 S., 26 W., and E. ½ SE. 17, 11 S., 26 W., and W. ½ NE. 13, 11 S., 27 W., and which application was admitted by the register on the 13th of December, 1828.

There it passed through the court, passed through two subsequent conveyances, passed through the land office, and a certificate was given and entered.

At the April term, 1830, of the court, the United States attorney, upon leave granted, filed a bill charging that the decree entered by the court at the December term, 1827, in the case of Sampeyreac, was obtained by fraud and surprise, and alleging that the court erred in proceeding to the trial of said cause, at the said December term, without having set said cause for hearing, and without affording the United States time to prove the injustice of the claim. The bill charges that the original petition to Governor Mero, and the order of survey are forgeries; which fact has come to the knowledge of the attorney since the decree was made; that Sampeyreac is a fictitious person—

He set that up in his answer—

or if he ever did exist, is dead;—

Putting it in the same form in this motion as he did in the original suit—

that Heberard and the other witnesses committed perjury in this case; and that the petition and order of survey were made since 1789; and that record evidence has been discovered since the decree, which will be produced upon the hearing to prove the forgery.

Sampeyreac was proceeded against as an absent defendant, after the return of the subpœna, that "he was not to be found in the Territory of Arkansas," and a decree *pro confesso* was entered as to him on the 28th day of October, 1830. Before this decree was entered Joseph Stewart was permitted to file his answer and was made a defendant in this case, which was excepted to on the part of the United States, and a bill of exceptions was signed by the court on the 28th October, 1830.

It was not charged or contended that Stewart purchased with a knowledge of the forgery either of the original grant or of the transfer from Sampeyreac to Bowie.

The final decree reversing—

Notice the character of the decree—

The final decree reversing and annulling the decree entered in favor of Sampeyreac at December term, 1827, was delivered by the court February 7, 1831.

From this decree this appeal was taken by Joseph Stewart for himself and Sampeyreac.

There was a court, the same court, reversing and annulling a former decree, not reviewing it and dismissing the bill, but letting the bill stand and the record remaining entirely untouched, and the former decree was reversed and set aside and held for naught, just as this bill proposes that this thing shall be done. Then it goes on to give the very elaborate arguments of counsel.

Mr. GRAY. How was that court created?

Mr. MORGAN. A court created just exactly like our court here. The jurisdiction was conferred upon the circuit court of Missouri in the first place, then that jurisdiction was afterwards extended to include the Territory of Arkansas, but the jurisdiction was to hear and determine claims that were filed in behalf of persons who claimed that they held land by grants from the Spanish Government before we acquired our title by treaty to the territory, and the court, the United States being a party defendant in the suit in the nature of a bill in equity, would go on and decree whether or not the claimant was entitled to the land and make a final disposal of it in that way. In the act creating the jurisdiction in the Missouri court an appeal was given expressly by statute. When we came to enact a law to extend jurisdiction to the Arkansas court nothing was said about the appeal, and it was contended, the provision having been omitted

and the jurisdiction of the supreme court on the other statute being entirely statutory, that there was no right of appeal.

This case comes up on appeal from the superior court in the Territory of Arkansas.

The decree of the court was founded upon proceedings instituted under an act of Congress entitled "An act for further extending the powers of the judges of the superior court of the Territory of Arkansas, under the act of the 26th May, 1824, and for other purposes," passed the 8th of May, 1830. (Pamph. Laws, ch. 90.)

This act declares that the act of 1824 (7 Laws U. S., 300) shall be continued in force, so far as the said act relates to the claims within the Territory of Arkansas, until the 1st day of July, 1831—

That is the point Senators should bear in mind—

for the purpose of enabling the court in Arkansas, having cognizance of claims under the said act, to proceed by bills of review filed or to be filed in the said court on the part of the United States for the purpose of revising all or any of the decrees of the said court, in cases wherein it shall appear to the said court, or be alleged in such bills of review, that the jurisdiction of the same was assumed in any case on any forged warrant, concession, grant, order of survey, or other evidence of title. And in every case wherein it shall appear to the said court, on the prosecution of any such bill of review, that such warrant, concession, grant, order of survey, or other evidence of title is a forgery, it shall be lawful, and the said court is hereby authorized to proceed, by further order and decree, to reverse and annul any prior decree or adjudication upon such claim; and, thereupon, such prior decree or adjudication shall be deemed and held in all places whatever to be null and void to all intents and purposes.

It just kills that decree and it stops there—not a bill of review under the ordinary practice, where the case in review, the whole case is opened, the decree is set aside, and the litigation renewed upon the basis of the proposition presented in the bill for review.

Upon the proceedings on the bill of review instituted under this act, the court pronounced the following decree: "It is therefore adjudged, ordered, and decreed that the former decree of this court, in favor of the defendant Bernardo Sampeyreac against the United States, for 400 acres of land, pronounced and recorded at the December term of this court in the year 1827, be, and the same is hereby, reversed, annulled, and held for naught."

Who ever heard of an appellate court reversing a case except in virtue of a statute conferring upon that court that peculiar jurisdiction? It is a solecism in the mind of any lawyer to imagine such a situation possible.

From this decree the present appeal was taken.

To a right understanding of the questions which have been made at the bar, it will be necessary briefly to state the proceedings which took place under the original bill.

That bill or petition was filed on the 21st of November, 1827, under the provisions of the act of the 26th of May, 1824 (7 Laws U. S., 300), setting forth that the complainant, Bernardo Sampeyreac, on the 6th of October, 1789, he then being an inhabitant of Louisiana, presented a petition to the then governor of the province, asking a grant for a tract of land in full property, containing 10 arpens in front, by the usual depth, on Strawberry River, etc. That afterwards on the 11th of October, 1789, the governor granted the petition. That at the time the grant was so made an order of survey was issued to the surveyor-general of the province. That by virtue of such grant and order of survey the petitioner acquired a claim to the land; which claim is secured to him by the treaty between the United States and the French Republic, of the 30th of April, 1803.

The district attorney put in an answer, denying the several facts and allegations in the bill; and alleging that grants could only be made legally to persons in existence and actually residing in Louisiana. That Sampeyreac, in whose name the bill is filed, is a fictitious person never having had any actual existence; or if such person ever had any existence he was a foreigner; or is now dead, and made no transfer or assignment of the claim in his lifetime. That he has no legal representative in existence; nor is there anyone now living who is authorized to file this bill or prosecute this suit; and prayed that the bill might be dismissed.

A witness by the name of John Heberard was examined and sworn to all the material facts necessary to establish the claim; and the court thereupon ordered, adjudged, and decreed that the said Bernardo Sampeyreac recover of the United States the said 400 arpens of land.

The bill of review is founded upon the allegation that the original decree was obtained by fraud and surprise.

Omitting now any allusion to the forgery at all—

The bill of review is founded upon the allegation that the original decree was obtained by fraud and surprise. That the original petition and order of survey exhibited in the case are forged.

But the surprise and fraud are the basis of the jurisdiction claimed in that bill—

That Heberard and the other witnesses in the cause committed the crime of perjury. That the order of survey was never signed by Mero, governor of Louisiana, as the same purports to have been, and that this fact has come to the knowledge of the district attorney since the decree was entered. And the bill further charges that the said Sampeyreac is a fictitious person.

At the October term, 1830, this bill was taken *pro confesso*, against Sampeyreac, at which term the appellant, Joseph Stewart, appeared in court and prayed to be made a defendant and have leave to file an answer to the bill. This was resisted by the district attorney; but an order was made by the court permitting Stewart to be made a defendant with leave to file an answer. To which the district attorney excepted.

The answer of Stewart denies the frauds and forgeries alleged in the bill, but avers that if there was any fraud, corruption, or forgery, he is ignorant of it; and that he was a bona fide purchaser of the claim for a valuable consideration from one John J. Bowie, who conveyed to him the claim of the said Bernardo Sampeyreac by deed bearing date about the 22d of October, 1828. Upon the final hearing the court reversed the original decree, as has been already stated.

The objections which have been taken at the bar to this decree may be considered under the following points:

1. Whether, under the act of 1824, the court had authority to entertain the bill of review; and if not, then,

2. Whether the act of 1830 is a constitutional law, and confers such authority.

3. Whether the proceedings on this bill of review can be sustained under the act of 1830.

That act was passed after the bill was filed.

"4. Whether admitting Stewart to be a bona fide purchaser of the claim of Sampeyreac he is protected against the title set up by the United States.

"1. We think it unnecessary to go into an examination of the questions which have been made under the first point. Although the act of 1824 directs that every petition which shall be presented under its provisions shall be conducted according to the rules of a court of equity, it may admit of doubt whether all the powers of a court of chancery in relation to bills of review are vested in that court. And as the view taken by this court upon the other points renders a decision upon this unnecessary we pass it over without expressing any opinion upon it.

"2. The ground upon which it has been argued that the act of 1830 is unconstitutional is that a right had become vested in Stewart before the act was passed"—

I commend that to the attention of the Senator from Mississippi as a full answer to one of his propositions—

and that the effect and operation of the law is to deprive him of a vested right To determine the force and application of this objection, it becomes necessary to look at the claim, as it now appears, before the court. It is founded by the decree of the court below, and is admitted at the bar, that Sampeyreac is a fictitious person. That the petition purporting to have been presented by him to Mero, governor of the province of Louisiana, and the order of survey alleged to have been made thereupon, are forgeries. These are the only evidence of title upon which the original claim rests. And it is proved and admitted that the deed purporting to have been given by Sampeyreac to Bowie, under whom Stewart claims, is also a forgery. The bill or petition filed in the original cause alleges that the claim is secured by the treaty between the United States and the French Republic, of the 30th of April, 1803. This, however, has not been insisted upon on the argument here; and there is certainly no color for pretending that a claim founded in fraud and forgery is sanctioned by the treaty."

That is a very good point.

The title to the land in question passed by the treaty, and became vested in the United States; and there has been no act on the part of the United States, by which they have parted with the title. It is contended, however, that this right or title has been taken away by the original decree in this case, under the act of 1824. By the fourteenth section of that act, all its provisions are extended to the Territory of Arkansas; and it is declared that the superior court of that Territory shall have, hold, and exercise jurisdiction in all cases, in the same manner and under the same restrictions and regulations in all respects, as is given by the same act to the district court of the State of Missouri. And by the second section of the act it is declared that in all cases the party, against whom the judgment or decree of the court may be finally given, shall be entitled to appeal within one year from its rendition to the Supreme Court of the United States, the decision of which court shall be final and conclusive between the parties; and should no appeal be taken, the judgment or decree of the district court shall in a like manner be final and conclusive.

No appeal was taken within the year, and the question is whether the United States, by neglecting to appeal, have lost their right; and if not, whether the remedy provided by the act of 1830 to assert that right is in violation of the Constitution. If Sampeyreac was a real person, and appeared here setting up this objection, it might present a different question, although it is not admitted even in that case that the United States would be concluded as to the right. But the original decree in this case was a mere nullity; it gave no right to anyone. The title still remained in the United States, and the most that can be said is that by omitting to appeal within the time limited by the act the remedy thereby provided was gone, and the decree became final and conclusive with respect to such remedy.

But the act of 1830 provides a new remedy; and it may be added that the act of 1824 declares the decree to be final and conclusive between the parties. And as Sampeyreac was a fictitious person, he was no party to the decree, and the act in strictness does not apply to the case. But, considering the act of 1830 as providing a remedy only, it is entirely unexceptionable. It has been repeatedly decided in this court that the retrospective operation of such a law forms no objection to it. Almost every law providing a new remedy affects and operates upon causes of action existing at the time the law is passed. The law of 1830 is in no respect the exercise of judicial powers. It only organizes a tribunal with powers to entertain judicial proceedings.

Will the Senate please notice that distinction?

The law of 1830 is in no respect the exercise of judicial powers—

Which, of course, means judicial powers as they were known at the common law—

It only organizes a tribunal with powers to entertain judicial proceedings. When the original decree was entered there was no person in existence whose claim could be ripened into a right against the United States by omitting to appeal. Stewart was not only no party to the decree, but his purchase from Bowie was nearly a year after the decree was entered.

Had Sampeyreac been a real person, having a decree in his favor, and Stewart had afterwards purchased of Bowie the right which that decree established, it might have given him some equitable claim; but it would have been subject to all prior equitable as well as legal rights. Nor would it be available in any respect in the present case, for Stewart in no manner whatever connects himself with Sampeyreac. As it is admitted that the deed purporting to have been given by Sampeyreac to Bowie is a forgery, Stewart is therefore a mere stranger to this decree, and can derive no benefit from it.

It is said that if this bill of review was filed under the act of 1830 the court had no jurisdiction, the bill having been filed in April and the law not passed until the May following. But the act in terms applies to bills filed or to be filed, and of course cures his defect, if any existed. Such retrospective effect is no unusual course in laws providing new remedies.

The act of 1803 amending the judicial system of the United States (3 Laws U. S. 560) declares that from all final judgments or decrees rendered or to be rendered in any circuit court, etc., an appeal shall be allowed to the Supreme Court, etc.

That statute is what has been troubling the Senator from Mississippi, instead of the Constitution of the United States.

It therefore forms no objection to the law that the cause of action existed antecedent to its passage so far as it applies to the remedy and does not affect the right.

3. But it is objected, in the next place, that this bill of review can not be sustained under the act of 1830; that it was not filed and prosecuted under the limitations and restrictions and according to the course and practice of a court of chancery in such a proceeding. We think it unnecessary to examine whether all the technical rules required in the ordinary course of chancery proceedings on a bill of review have been pursued in the present case. The act clearly does not require it.

And if the act does not require it, who does? That is the question.

It authorizes bills of review to be filed on the part of the United States for the purpose of revising all or any of the decrees of the said court in cases wherein it shall appear to the said court or be alleged in such bills of review that the jurisdiction of the same was assumed, in any case, on any forged warrant, concession, grant, order of survey, or other evidence of title.

This statute was passed for the Sampeyreac case.

If Congress had a right to provide a tribunal in which the remedy might be prosecuted they clearly had a right to prescribe the manner in which it should be pursued. The great and leading object was to provide for revising the original decree, or granting a new trial. The material allegation required is, that the original decree was founded upon some forged evidence of title; and this is very fully set out in the bill.

Not that the party had no title, but that there was forged evidence of title to it; a particular thing had been done, the effect of which must be gotten rid of.

That it was not the intention of the law that the court should be confined to the technical rules of a court of chancery on bills of review is evident from the provision in the last clause of the first section of the act, which directs the court to proceed on such bills of review by such rules of practice and regulations as they may adopt for the execution of the powers vested or confirmed in them by the act.

Special provisions to do so and so.

Mr. GRAY. Was any question made in that case, may I ask the Senator, as to the appellate jurisdiction of the Supreme Court?

Mr. MORGAN. Yes.

4. The next inquiry is, whether the appellant, Stewart, has acquired a right to the land by reason of his standing in the character of a bona fide purchaser. The record contains an admission on the part of the United States that he purchased the claims of John J. Bowie by deed, for a valuable consideration, in good faith, some time in November or December, 1828. But this gave him no right to be let in as a party in the bill of review. He was not a party to the original bill, nor could he connect himself with Sampeyreac, the only party to the bill, he being a fictitious person, and the interest of Stewart, whatever it might be, was acquired long after the original decree was entered.

He was an independent claimant—

He was, therefore, a perfect stranger to that decree. The deed purporting to have been given by Sampeyreac to Bowie is admitted to be a forgery. Bowie, of course, had no interest, legal or equitable, which he would convey to Stewart. But admitting Stewart to have been properly let in as a party in the bill of review, the only colorable equity which he showed was the certificate of entry given by the register of the land office, December 13, 1828; and this certificate, founded on a decree in favor of Sampeyreac, a fictitious person, obtained by fraud, and upon forged evidence of title. This certificate is entirely unavailable to Stewart. He can obtain no patent under it if the original decree should remain unreversed; for the act of 1830 forbids any patent thereafter to be issued except in the name of the original party to the decree; and on proof to the satisfaction of the officers, that the party applying is such original party, or is duly authorized by such original party, or his heirs, to receive such patent. The original party to the decree being a fictitious person, no title would pass under the patent, if issued. It would still remain in the United States. But Stewart acquired no right whatever under the deed from Bowie, the latter having no interest that he could convey.

Citing authorities.

In the case of Polk's Lessee *vs.* Wendall (5 Wheat., 308) it is said by this court that, on general principles, it is incontestable that a grantee can convey no more than he possesses. Hence, those who come in under the holder of a void grant can acquire nothing.

Upon the whole, we think Stewart was improperly admitted to become a party; but considering him a proper party, he has shown no ground upon which he can sustain a right to the land in question.

The decree of the court below is accordingly affirmed, with costs.

That could not be unless there was a valid appeal there, and the question was made whether these parties had a right to appeal, whether the court could entertain jurisdiction of it, although the act which extended the jurisdiction of the Missouri court over the Territory of Arkansas did not provide for an appeal—and I have the act here to show that it did not—and that point was made in the argument of counsel, and passed upon by the court when they assumed jurisdiction in this case by appeal.

Mr. President, this bill was really framed upon that authority. The Congress of the United States, in order to free the Government of this country from the effect of a decree obtained by fraud, authorized, long after that decree had been rendered and long after the period for an appeal upon that decree had expired, a bill to be filed in the name of the United States to do what? Not to reclaim the title to the land, not to expunge or cancel certain deeds of conveyance which the parties held, which might be reached under the doctrine to quiet title, to remove cloud from title—the act of Congress authorized the bill to be filed for the purpose of annulling and reversing and destroying a particular decree which had been obtained by fraud and forgery against the Government, and after the court that took jurisdiction had completed its examination of that particular question, whether there was fraud employed in the obtaining of that decree, and when the court found affirmatively that it had been, its decree was rendered, as I have read, to reverse, annul, and set aside that decree, and there it stopped; but it brushed that thing out of the way.

Now, here was a controversy with the United States, and that controversy was resolved through the assistance of an act of Congress by a proceeding instituted in the nature of proceedings in courts of equity in a court upon which the jurisdiction was then and there conferred.

I regret, Mr. President, that I have had to occupy so much time in this matter, but I have a few more authorities that I want to present. Inasmuch as my friend from Indiana [Mr. VOORHEES], who represents the Weil case, as I understand, has not appeared, I have abstained from saying anything about it until that Senator shall be present or some other Senator shall be present who feels an interest in that case and desires the Senate to take action contrary to what the committee recommends. So I shall have to devote a little time to-morrow to the amplification of the authorities. It is particularly requisite that I should do so because of the objection of Senators of great ability to my programme, and also because I have not as yet laid before the Senate all of the cases which I think bear upon this proposition of law.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882; and

A bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890.

EXECUTIVE SESSION.

Mr. PLATT. I was about, with the permission of the Senator from Alabama, to make a motion to adjourn, but I understand some Senators desire a brief executive session, and I will change the motion, and move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 28, 1892, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 27, 1892.

RECEIVER OF PUBLIC MONEYS.

Henry E. Kryger, of Neligh, Nebr., to be receiver of public moneys at Neligh, Nebr.

POSTMASTERS.

John T. Lobaugh, to be postmaster at Pullman, in the county of Whitman and State of Washington.

Joshua G. Harris, to be postmaster at Barnesville, in the county of Pike and State of Georgia.

Laura E. Bucknam, to be postmaster at Truckee, in the county of Nevada and State of California.

Marcus F. Whitman, to be postmaster at Montpelier, in the county of Bear Lake and State of Idaho.

William H. Crosley, to be postmaster at Forest Grove, in the county of Washington and State of Oregon.

Mrs. Alice Shannon, to be postmaster at Red Lodge, in the county of Park and State of Montana.

Charles F. Little, to be postmaster at Glendive, in the county of Dawson and State of Montana.

Albert S. Dingley, to be postmaster at Oakdale, in the county of Stanislaus and State of California.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 27, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

WORLD'S COLUMBIAN EXPOSITION.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting information to the House of Representatives pursuant to resolution passed January 18, 1892; which, with accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

NATIONAL ZOÖLOGICAL PARK, DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a communication from the Secretary of the Smithsonian Institution relating to the estimate for an appropriation for the National Zoölogical Park, District of Columbia, for the fiscal year ending January 30, 1893; which, with accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BUILDING AT LEADVILLE, COLO.

The SPEAKER also laid before the House the bill (S. 1045) to provide for the purchase of a site, and the erection of a public

building thereon, at Leadville, in the State of Colorado; which was read a first and second time, and referred to the Committee on Public Buildings and Grounds.

BRIDGE ACROSS THE MISSISSIPPI AT SOUTH ST. PAUL, MINN.

Mr. HALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of a bill, which the Clerk will read, after which the Chair will ask if there be objection.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn." approved April 26, 1890, as amended by an act entitled "An act to amend an act entitled 'An act for the construction of a bridge at South St. Paul, Minn.,'" approved February 24, 1891, be, and hereby is, amended as follows:

First, by striking out section 1 of said bill as amended and substituting in lieu thereof the following:

"That the South St. Paul Belt Railroad Company, its successors and assigns, be, and they are hereby, authorized to construct and maintain, at a point suitable to the interest of navigation, a railroad bridge, or a combined railroad, wagon, and foot-passenger bridge, across the Mississippi River from a suitable point on its west bank, at or near the city of South St. Paul in the State of Minnesota, and within the limits of section 2, township 27, range 22 west, to a corresponding point on its east bank, and to lay on or over said bridge a railroad track or tracks for the more perfect connection of any railroad or railroads that are or shall be constructed to said river, on either or both sides thereof, at or opposite said places, under the limitations and conditions hereinafter provided; that said bridge shall not interfere with the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, or damage resulting from the same, the cause may be tried before the circuit court of the United States in and for any district in which any portion of said bridge or obstruction touches; said bridge may, at the option of the company building the same, be constructed to provide for the passage of railroad trains alone, or for the passage of railroad trains and for the safe passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, all for such reasonable rates of toll as may be fixed from time to time by the Secretary of War."

Second, by striking out section 7 of said bill and substituting in lieu thereof the following, to wit:

"SEC. 7. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date of the approval of these amendments."

The report of the Committee on Interstate and Foreign Commerce was read, as follows:

The only effect of this amendment is to extend the time for the commencement and completion of the bridge authorized by the act, and to change its location from points in section 10 to section 2, in the same town and range, less than 1 mile. The United States Engineer's Department reports that that there is no objection to the passage of the bill. Your committee therefore recommends that it do pass.

The SPEAKER. The Chair will ask the attention of the gentleman from Minnesota as to whether there is any amendment to this bill recommended by the committee?

Mr. HALL. No, sir; there is no amendment recommended.

Mr. DINGLEY. I will ask the gentleman from Minnesota if this bill comes from the Committee on Interstate and Foreign Commerce?

Mr. HALL. It is reported from the committee with the recommendation that it do pass.

The SPEAKER. The question is on ordering the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. HALL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

OLEOMARGARINE.

Mr. HATCH. Mr. Speaker, I ask unanimous consent to introduce for reference the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 4843) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

Mr. HATCH. Mr. Speaker, I ask that that bill be referred to the Committee on Agriculture, and will state in explanation of it to the House that it is a proposed amendment to what is known as the oleomargarine bill, which was reported by the Committee on Agriculture.

The SPEAKER. The Chair will say to the gentleman from Missouri that in the judgment of the Chair the bill goes to the Committee on the Judiciary. The gentleman from Missouri moves to refer it to the Committee on Agriculture.

Mr. CULBERSON. Mr. Speaker, let us have that bill read.

The bill was read at length.

Mr. CULBERSON. I think that the jurisdiction of the Committee on the Judiciary clearly embraces the subject-matter of that bill.

The SPEAKER. The Chair will state that the motion for reference must be decided without debate. The Chair decides that the bill properly goes to the Committee on the Judiciary; the gentleman from Missouri moves that the bill be referred to the Committee on Agriculture.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. HATCH. Division, Mr. Speaker.

The House divided; and there were—ayes 65, noes 49.

Mr. CULBERSON. I think we ought to have the yeas and nays.

One-fifth of the members rising to second the demand, the yeas and nays were ordered.

The question being taken, there were—yeas 135, nays 111, not voting 85; as follows:

YEAS—135.

Alderson,	Crosby,	Huff,	Reilly,
Alexander,	Curtis,	Hull,	Rife,
Andrew,	Daniell,	Johnson, N. Dak.	Scott,
Arnold,	Davis,	Jolley,	Seerley,
Atkinson,	De Forest,	Kem,	Shell,
Babbitt,	Doan,	Kendall,	Shonk,
Belden,	Dockery,	Kribbs,	Simpson,
Beltzhoover,	Dolliver,	Layton,	Snow,
Bentley,	Donovan,	Lester, Ga.	Sperry,
Bergen,	Dungan,	Lewis,	Springer,
Bowman,	Edmunds,	Lind,	Stackhouse,
Brawley,	Enochs,	Little,	Steward, Ill.
Bretz,	Fithian,	Lockwood,	Stewart, Pa.
Broderick,	Flick,	Mansur,	Stone, C. W.
Brookshire,	Forman,	Martin,	Stone, W. A.
Brosius,	Fyan,	McAleer,	Sweet,
Brunner,	Gantz,	McClellan,	Taylor, Tenn.
Bullock,	Gillespie,	McKaig,	Taylor, V. A.
Bunting,	Gorman,	Meredith,	Van Horn,
Burrows,	Griswold,	Miller,	Wadsworth,
Bushnell,	Hallowell,	Norton,	Warwick,
Butler,	Halvorsen,	O'Donnell,	Watson,
Byrnes,	Hamilton,	O'Ferrall,	Waugh,
Caminetti,	Hare,	Otis,	Wever,
Capehart,	Harries,	Outhwaite,	White,
Caruth,	Hatch,	Parrett,	Whiting,
Causey,	Heard,	Paynter,	Wike,
Clark, Wyo.	Henderson, Iowa	Pearson,	Williams, Ill.
Clover,	Hitt,	Perkins,	Wilson, Ky.
Cobb, Mo.	Holman,	Pickler,	Wilson, Wash.
Compton,	Hooker, N. Y.	Post,	Wilson, Mo.
Coolidge,	Hopkins, Pa.	Powers,	Wise,
Covert,	Hopkins, Ill.	Raines,	Youmans.
Cox, N. Y.	Houk, Ohio	Rayner,	

NAYS—111.

Abbott,	Cummings,	Lapham,	Reed,
Allen,	De Armond,	Livingston,	Reyburn,
Bailey,	Dickerson,	Long,	Richardson,
Bankhead,	Durborow,	Loud,	Shively,
Barwig,	Elliott,	Lynch,	Smith,
Beeman,	Ellis,	Magner,	Snodgrass,
Belknap,	Enloe,	Mallory,	Stewart, Tex.
Bingham,	Epes,	McCreary,	Stockdale,
Boatner,	Everett,	McGann,	Storer,
Breckinridge, Ark.	Fellows,	McKeighan,	Stout,
Breckinridge, Ky.	Forney,	McKinney,	Stump,
Brickner,	Geissenhainer,	McMillin,	Tarsney,
Bryan,	Goodnight,	McRae,	Taylor, Ill.
Buchanan, Va.	Grady,	Mills,	Taylor, E. B.
Bunn,	Greenleaf,	Moore,	Terry,
Bynum,	Hall,	Morse,	Tillman,
Cadmus,	Harter,	Moses,	Townsend,
Catchings,	Haugen,	Mutchler,	Tucker,
Cate,	Hemphill,	Newberry,	Turner,
Chapin,	Henderson, N. C.	Oates,	Walker,
Clarke, Ala.	Herbert,	O'Neil, Mass.	Warner,
Cobb, Ala.	Hoar,	O'Neill, Pa.	Washington,
Cogswell,	Hooker, Miss.	Owens,	Wheeler, Mich.
Coombs,	Johnson, Ind.	Page, Md.	Wheeler, Ala.
Cowles,	Johnson, Ohio	Patterson, Tenn.	Williams, Mass.
Cox, Tenn.	Johnstone, S. C.	Payne,	Wilson, W. Va.
Crawford,	Lagan,	Peel,	Winn.
Culberson,	Lanham,	Pierce,	

NOT VOTING—85.

Amerman,	Cooper,	Kyle,	Robinson,
Bacon,	Crain,	Lane,	Rockwell,
Baker,	Cutting,	Lawson, Va.	Rusk,
Bartine,	Dalzell,	Lawson, Ga.	Russell,
Blanchard,	Dingley,	Lester, Va.	Sanford,
Bland,	Dixon,	Lodge,	Sayres,
Blount,	Dunphy,	McDonald,	Scull,
Boutelle,	English,	McKenna,	Stahlnecker,
Bowers,	Fitch,	Meyer,	Stephenson,
Branch,	Fowler,	Milliken,	Stevens,
Brown,	Funston,	Mitchell,	Stone, Ky.
Buchanan, N. J.	Geary,	Montgomery,	Taylor, J. D.
Busey,	Grout,	O'Neill, Mo.	Tracey,
Cable,	Harmer,	Page, R. I.	Turpin,
Caldwell,	Hayes,	Pattison, Ohio	Weadock,
Campbell,	Haynes,	Patton,	Willcox,
Castle,	Henderson, Ill.	Pendleton,	Williams, N. C.
Chatham,	Hermann,	Price,	Wolverton,
Chipman,	Houk, Tenn.	Quackenbush,	Wright
Clancy,	Jones,	Randall,	
Coburn,	Ketcham,	Ray,	
Cockran,	Kilgore,	Robertson,	

So the motion of Mr. HATCH was adopted, and the bill was referred to the Committee on Agriculture.

The following members were announced as paired until further notice:

Mr. STEVENS with Mr. RANDALL.

Mr. CRAIN with Mr. HARMER.

Mr. HAYES with Mr. KETCHAM.

Mr. FOWLER with Mr. RUSSELL.

Mr. WILLIAMS of North Carolina and Mr. SCULL were announced as paired for the day.

The following were announced as paired on this vote:

Mr. PATTERSON of Tennessee with Mr. CALDWELL.

Mr. MONTGOMERY with Mr. JOSEPH D. TAYLOR.

LEAVE OF ABSENCE.

Mr. O'FERRALL. Mr. Speaker, I wish to announce the illness of one of my colleagues, Mr. LESTER, and to ask indefinite leave of absence for him, and I make a similar request for my colleague, Dr. LAWSON, who also is ill.

There was no objection, and it was so ordered.

Mr. BARWIG. Mr. Speaker, my colleague, Mr. MITCHELL, is absent upon very important business, and I ask leave of absence for him for the remainder of this week.

There was no objection, and it was so ordered.

The result of the vote was then announced as above recorded.

ORDER OF BUSINESS.

Mr. CATCHINGS. Mr. Speaker, I call up the report of the Committee on Rules.

Mr. REED. Mr. Speaker, I ask unanimous consent for the introduction of a bill.

The SPEAKER. Unless the gentleman from Mississippi [Mr. CATCHINGS] withdraws his demand the Chair will have to proceed with that order.

Mr. CATCHINGS. I will yield temporarily for the introduction of bills and resolutions for reference only.

INTRODUCTION OF BILLS, ETC.

By unanimous consent, bills of the following titles were severally introduced, read a first and second time, ordered to be printed, and referred as follows:

SCHOOL DISTRICT NO. 12, KITTERY, ME.

By Mr. REED: A bill (H. R. 4844) to authorize the Secretary of War to convey to school district No. 12, of Kittery, Me., a portion of Fort McCrary military reservation in exchange for other land—to the Committee on Military Affairs.

ELECTRIC WIRES IN THE DISTRICT OF COLUMBIA.

By Mr. HEARD (by request): A resolution calling on the Commissioners of the District of Columbia for information relating to the erection and maintenance of electric wires in said District since July 18, 1888—to the Committee on the District of Columbia.

HISTORICAL MANUSCRIPTS RELATING TO THE DISTRICT OF COLUMBIA.

By Mr. HEMPHILL: A joint resolution (H. Res. 74) providing for the purchase of historical manuscripts relating to the District of Columbia—to the Committee on the Library.

TAX SALES IN THE DISTRICT OF COLUMBIA.

By Mr. HEMPHILL: A bill (H. R. 4845) to amend an act entitled "An act relating to tax sales and taxes in the District of Columbia"—to the Committee on the District of Columbia.

CHURCH ORPHANAGE ASSOCIATION, WASHINGTON.

By Mr. HEMPHILL: A bill (H. R. 4846) to incorporate the Church Orphanage Association of St. John's Parish, of Washington, D. C.—to the Committee on the District of Columbia.

TIMBER ON THE MENOMINEE RESERVATION, WISCONSIN.

By Mr. LYNCH (by request): A bill (H. R. 4847) authorizing the Secretary of the Interior to regulate the cutting and sale of timber on certain lands reserved for the use of the Menominee tribe of Indians of Wisconsin—to the Committee on Indian Affairs.

JUDICIAL DISTRICT, WISCONSIN.

By Mr. LYNCH: A bill (H. R. 4848) to change boundaries of judicial districts in the State of Wisconsin and provide for terms of court in the eastern district—to the Committee on the Judiciary.

INTERNAL-REVENUE TAXES ON TOBACCO.

By Mr. TUCKER: A bill (H. R. 4849) to repeal all internal-revenue taxes on tobacco in all forms and upon the dealers therein—to the Committee on Ways and Means.

SENECA INDIANS, NEW YORK.

By Mr. HOOKER of New York: A bill (H. R. 4850) to authorize the Seneca Nation of New York Indians to lease lands within the Allegany Reservation, and to confirm existing leases—to the Committee on Indian Affairs.

FREE TRANSMISSION OF AGRICULTURAL REPORTS.

By Mr. CURTIS: A bill (H. R. 4851) for the transmission of agricultural experiment station reports and bulletins through the mails free of postage—to the Committee on the Post-Office and Post-Roads.

CORRESPONDENCE WITH CHILE.

By Mr. MARTIN: A resolution calling on the President of the United States for the transmission to the House of Representatives of all official correspondence concerning the recent civil war in the Republic of Chile—to the Committee on Foreign Affairs.

INTERNATIONAL ARBITRATION.

Mr. MORSE. I ask unanimous consent to have printed in the RECORD a brief memorial of the World's and National Woman's Christian Temperance Union, representing half a million of the women of America, in favor of settling national disputes by arbitration.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MORSE] that this memorial be printed in the RECORD?

Mr. BUTLER. I object.

Mr. MORSE. Then, Mr. Speaker, I will move that the memorial be printed in the RECORD, if that is in order.

The SPEAKER. It is not in order at this time.

NAVAL RESERVE BATTALION, DISTRICT OF COLUMBIA.

By Mr. GROUT (by request): A bill (H. R. 4852) to provide for organizing a naval reserve battalion in the District of Columbia—to the Committee on the District of Columbia.

ORDER OF BUSINESS.

Mr. REED. Mr. Speaker, I ask unanimous consent that bills may be filed with the Speaker at any time during the day, to be referred under his direction to the several committees. I make this suggestion to save the time of the House.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

Mr. BRECKINRIDGE of Kentucky. Will the gentleman make his proposition broad enough to cover resolutions also?

Mr. REED. Yes.

Mr. McMILLIN. What is the suggestion, Mr. Speaker?

The SPEAKER. The gentleman from Maine asks unanimous consent that bills may be filed with the Speaker at any time during the day, to be referred under his direction. Is there objection?

Mr. McMILLIN. I think, Mr. Speaker, that as we have gone on under this system until now, when the rules are so nearly adopted, we had better adhere to it.

The SPEAKER. Objection is made. The Chair would suggest that if we are to go on with the introduction of bills, there had better be a call of the States and Territories.

THE RULES.

Mr. CATCHINGS. I call for the regular order.

The SPEAKER. The regular order is demanded, which is the consideration of the report of the Committee on Rules.

Mr. CATCHINGS. I yield fifteen minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, I listened to the discussion yesterday with a great deal of interest, and was much concerned with that part of it which related to the rights and interests and duties of the new member. I was especially alert when the gentlemen on the other side of the Chamber cautioned the new member in regard to what he might lose and advised him in regard to what he might secure. We were admonished that a minority would soon have this House by the throat, and that it would be practically impossible for the majority to transact business unless the rules of the Fifty-first Congress were adopted by this body. The gentleman from Maine [Mr. REED] and the gentleman from Michigan [Mr. BURROWS] told us that under the rules reported by the majority of the Committee on Rules chaos would be enthroned and the majority ingulfed.

The gentleman from California [Mr. MCKENNA], seeming to have a different conception of the situation, informed the new member that under the rules of the Fiftieth Congress, recommended with a few amendments by the majority of your committee, the Committee on Rules would have the power to institute such a reign of tyranny as would deprive the individual member of all rights whatsoever. In this state of uncertainty, and with these counsels divided, with the "doctors disagreeing," the new member, I presume, will have to make up his own mind as best he may and cast his vote upon his own judgment.

The question before the House now is general, and not as to the details of these rules. The differences between the rules recommended by the majority and those recommended by the minority of the committee are few in number, but fundamental in

character. In the one code is the philosophy of Democracy, the other is the philosophy of modern Republicanism as illustrated in the Fifty-first Congress. A very short time ago we in this House listened with attention and with pleasure to eulogies pronounced upon two distinguished ex-Speakers of this House, Messrs. Randall and Grow, and the gentlemen who spoke at that time held up to our admiring gaze the Speakers who had been eminently fair and eminently considerate and judicial in the discharge of the functions of the high office.

In such eulogy, perhaps, and in the conscience which lies beneath and supports it, we may find something to guide us in determining which philosophy with respect to the rules is the true and correct one, which the better deserves our support and which deserves our condemnation. We did not hear it asserted at that time, and we have never heard it asserted except on special occasions and to serve special ends, that Speakers were to be commended because they enforced rules or added to rules by sending pages out to hunt members in the lobbies or in the barber shops and return lists of names in order to constitute a quorum. We never have heard, when a dispassionate discussion of this question took place upon general principles and far away from party lines and party prejudices, that a Speaker ever endeared himself to his countrymen or that he ever attained to high rank in history except when he rose to the grand dignity of his grand station, conducting himself as a patriot and discharging the functions of his high office with the mind and purpose of a pure and lofty jurist.

The position of Speaker is a judicial position. There is required for the discharge of the functions of that great office a quick and strong grasp of the situation, and a mind that will enable the occupant of that honored chair to dispense impartial justice without asking whether he is the "organ of a majority" or the "organ" of a minority. In that position he is the organ of the law; he is the representative of the House; and when he declares the law he knows no majority; he knows no minority; he knows nothing but the law and his duty in the just discharge of the functions of his exalted position.

The sentiments which were expressed on this subject the other day ought not to be lost sight of in the consideration of the question now before this House. They were in sight in the action that placed in the chair of this body a gentleman who, I doubt not, will illustrate by his ability and his fairness the old truism of a century, that the man who is worthy of the Speaker's chair knows no majority and knows no minority in the discharge of his duties. The Speaker is the choice of the majority, but he is the "organ" of the House. A question submitted to him is a question to be determined according to law, according to precedent, according to justice.

One of the particulars in which the rules recommended by the majority of the committee differ from those recommended by the minority is with reference to the strange device for making a quorum. I will not go into any discussion of that device as a constitutional question. I am content to let that rest where it is. The question has been passed upon and has been decided, so far as this House and its rules are concerned, by the highest tribunal known to this country—by the American people pronouncing judgment at the ballot box. The principle itself is one thing; the vast power for abuse which the incorporation of such a principle in the rules confers upon the Speaker is another thing. The Speaker who understands that he represents the law and is in the chair to declare the law covets no such power and should be tempted by the grant of no such power. He has nothing to do with the question of who is in favor of or who opposes this or that measure brought forward for action, and needs no enlarged counting facilities.

Filibustering is something which, it is said, we can not well define on account of the poverty of our language and the inaccuracy of the expressions which we are forced to use.

Filibustering in its bad sense is very frequently the obstruction of that which we wish to do, and in its justifiable sense it is the obstruction that we interpose to the progress of some other men's schemes. Whatever may be said of the result of filibustering in this country and of the result of filibustering in this House, it is a matter of history that the most infamous schemes ever concocted by vile partisanship, the worst that tyranny dictated or that tyrants have endeavored to enforce, have been defeated, in whole or in part, by resorting to the process of filibustering. Filibustering arises to the dignity of a high duty when it is interposed to check the mad rush of a majority over the rights of a minority. For minorities have rights under the Constitution and according to the old traditions.

But we hear also a great deal about the rights of majorities. We hear, too, that if the new rules proposed for the government of this House be adopted this Committee on Rules will have absolute control of the business of the House. Somebody or some committee must make some selection and must have some power in all such cases. There must be some selection of measures. We have many thousands of bills and resolutions already introduced. There can not be such a thing as every man having just as much time as every other man for the consideration of his bill or bills. If so, then the committees must be swept away, for every man would be in himself a committee of one on his own bills and would be entitled to as much time as any other man without reference to the importance or insignificance, the merits or the demerits, of the measure he seeks to have considered.

Passing from that, you come then to the committee. A majority of the committee controls as to the disposition of the measures there. Passing on from that, as the measures accumulate, there must be some other method adopted which will determine which of the accumulated measures shall have precedence. Where is that power to be lodged? The power is delegated here to the Committee on Rules. That committee has power to make suggestions in regard to such matters; the power of action is with the House itself. If the House ratify the suggestion of the Committee on Rules, then it becomes operative and powerful. The other philosophy would submit to the dictation of one man the determination of such questions. Is a question or a motion dilatory: by the code of the House in the Fifty-first Congress one man determines it without reference to anything else. Shall this or that measure be taken up: one man determines it, and that man becomes, they tell us, "the organ of the House."

Suppose the division of sentiment on the question is not on party lines. Then the side he favors is the majority, under that theory, and the side he opposes is in the minority. There is no determining by the House who are in the majority or who are in the minority; but the Speaker in himself, with this power in his hands, makes the distinction.

By the majority report, on the contrary, it is proposed to refer that matter to the Committee on Rules. The Committee on Rules are of opinion that a certain matter should be taken up for consideration, and so report to the House. The House determines whether it will or will not accept their recommendations. I think we want to get away from one man power, and from the philosophy that tempts a man to play the rôle of a tyrant and dictator, destroying that equality which under the Constitution should exist here. We want to get away from a power which brought about such scenes as were common in the Fifty-first Congress; scenes that will make it memorable forever, not for the good it attempted to do, but for the evil that it attempted and the evil it consummated, and its methods in attempt and accomplishment. Rules that lodge extraordinary power in the hands of one person, and which rest upon a philosophy in which that person is supposed to carry out the will of the majority, instead of meting out justice to all alike, should have no place here.

What had the Fifty-first Congress in view? The emptying of certain seats in this Hall and the filling of them by men not elected; the passing of a bill to increase the cost of nearly every article of necessity to every person in this broad land, and to increase the income, already huge and growing, of those who had been favored by that species of legislation for more than a quarter of a century. Another purpose was to swell the amount of appropriations for this or that object. And gentlemen cry now, "Do not let us lose the power." What power? The power to increase the appropriations.

How properly, Mr. Speaker, the man who defends the record of the Fifty-first Congress, and whose own record is written in the condemnation stamped upon that record—how well may he say, "Preserve to us the power, the sacred power, to increase the appropriations," so that if possible he may count them for this Congress beyond the billion mark of the dead Congress!

But there was another purpose to be accomplished, another deed of darkness that the Fifty-first Congress was bent upon. That was to deprive the people of the poor privilege left them of expressing at the ballot box their judgment and their will in regard to the selection of the officers and the determination of the policy of this Government. It was designed to place the deputy United States marshal and the little understrapper, picked from the slums for the dirty work he might do, in control of the ballot boxes and of the election returns of the people. It was necessary that this should be accomplished, if accomplished at all, in the dark by the exercise of the strong one-man power; accomplished by overriding the wishes and the will of the people, and by doing violence to the spirit of free government and the precedents of one hundred years. No such things are to be accomplished in this House. The majority here desire no such things. Their history, in all the times when they were in power and in all the times when they were in the minority, shows clearly that they desire no such dangerous power.

Gentlemen upon the other side say that they are willing to submit as a minority to the rules which as a majority they so ruthlessly enforced. That is a wonderful concession. There is a great deal involved in that concession. I take it that with the present

Speaker in the chair these gentlemen know, from his character, his ability, and from the history of all the Democratic Speakers who have sat in that chair, even those who sat there for but a day or an hour, that it is not Democratic to suppress any man in the assertion of his just rights, and that there is no danger of any of the little boys employed in this House being sent abroad to count up a quorum, and no danger that any man upon this floor will not receive decent and considerate treatment. [Applause on the Democratic side.]

Mr. CATCHINGS. Mr. Speaker, I would like some gentleman on the other side now to occupy some time.

The SPEAKER *pro tempore* (Mr. HATCH in the chair). The Chair will recognize the gentleman from Maine [Mr. REED], who has charge of the time on that side.

Mr. REED. We have occupied rather more of the time already than has been occupied on the other side, and I suggest to the gentleman from Mississippi [Mr. CATCHINGS] that he should go on somewhat further, and that he should allow the gentleman to whom an hour was accorded an opportunity to be heard now.

Mr. CATCHINGS. Very well; I yield fifteen minutes to the gentleman from Mississippi [Mr. HOOKER].

Mr. HOOKER of Mississippi. Mr. Speaker, the majority of the Committee on Rules have reported one set of rules for the government of the House and recommend its adoption. The minority of that committee have reported another set of rules and recommend its adoption. I desire, before I come to discuss the difference between the two general propositions, to say a few words upon the subject of the power of the Committee on Rules. That committee is composed of five members, two on the Democratic side, two on the Republican side, and the Speaker *ex officio* is its chairman. I have had occasion, Mr. Speaker, in former Congresses, when this Committee on Rules has been established, to say that I doubted the propriety of giving to any committee, so small in number as that of which the Committee on Rules is constituted, the power which is conferred upon them by the report of the majority. It is illustrative of the old adage that power is always stealing from the hands of the many to the few.

I rather prefer the more liberal proposition made by resolution a few days ago by the distinguished gentleman from Alabama [Mr. OATES], in which he proposed that the committee which should determine the question as to what should be considered, and when it should be considered, and how it should be considered, should be a broader and larger committee, composed of fifteen members of this House. The Committee on Rules has abundant power already; but if clothed with the additional power which the report of the majority insists they should have, they become virtually the ruling power of the House. We witnessed a striking illustration of this in the last Congress, when we were operating under the rules of the House of the Fifty-first Congress. When an important bill from the Judiciary Committee was brought in, which changed our whole judicial system, we were allowed an hour and a half by the imperious order of the Committee on Rules, by the index hands of that clock, in which to discuss it, and then we were forced to a vote upon it.

In the midst of the discussion of the great tariff bill, the great tax bill of the country, the leader of the last House of Representatives stopped in the midst of its consideration and brought in a rule from the Committee on Rules which imperiously demanded that numbers of pages of that odious bill should be read without discussion, and the House was forced to vote upon it without discussion. I am therefore opposed to clothing the Committee on Rules with power to determine this question for the House.

The two sets of rules differ materially in this: That the one proposes, as I understand it, to abide by the Constitution of the United States in determining what shall constitute a quorum; and the other, the minority report, proposes to disregard that Constitution. Section V of the Constitution of the United States provides that—

> Each House shall be the judge of the elections, returns, and qualifications of its own members, and the majority of each shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may be authorized to compel the attendance of a quorum.

That is the provision of the Constitution. Now, what does the minority report of the Committee on Rules propose? It proposes in the first place to clothe the Speaker of the House with the power to count a quorum, as did the rules of the last House. And those of us who were here saw its practical operation. We saw it in the turning out of some fourteen or fifteen members on this side of the House, and we saw it when the Committee on Rules were clothed with the power to come in at any time and present any proposition and determine the time in which the House should discuss it and when the House should vote.

It may be said that the House has the power to overrule the Committee on Rules; but we know what a tendency there is to follow the leaders. They did it in the last House, having a majority on the Republican side, and the probabilities are that we will do it on this side. I say, therefore, Mr. Speaker, that the difference between the two systems of rules proposed for the government of this Congress is mainly upon the question of giving the Speaker the power to count a quorum, and in the further proposition to give him the power to pass a measure by even a very great minority of the House, and especially in that provision which makes 100 (out of a House of 332 members) a quorum in the Committee of the Whole House.

Now, sir, that question was discussed in a former Congress, and the honorable gentleman from Maine, the Speaker of the last House of Representatives, took part in the discussion which occurred in the Congress of that year. The question arose there as here on the adoption of this very rule, which in the last House of Representatives gave power to the Speaker to count a quorum and compel members to vote. The question was very ably discussed then by what constituted men of the largest ability in that House. It was discussed by such men as Mr. Garfield, of Ohio, Mr. Conger, afterwards a Senator from Michigan, and a number of other gentlemen; and it was also discussed by the honorable gentleman from Maine himself [Mr. REED]. Let us see what Mr. Garfield, then regarded as one of the best parliamentarians in the House and a leader of the House, said upon that subject. Mr. Garfield, on page 576 of the RECORD, said:

> Forty men under the eye of the speaker of the House of Commons present no sort of analogy on which to found a rule for use in a House of less than 300 members and where it requires 150 to make a quorum. I hope my friend from Virginia will not press his proposition to a conclusion as a part of the body of our rules, for we shall be compelled to oppose it with all our might.

That was the declaration of the gentleman from Ohio, afterwards President of the United States. That was concurred in by Mr. Conger, afterwards a Senator from his State, and also a man of distinguished ability in this House and in the Senate. His language was:

> But, sir, while the Constitution declares what shall constitute a quorum to do business in this House, this rule declares that when there shall be ascertained by one man a quorum present, a rule shall do the business of the House, a rule shall legislate, a rule shall determine the voice and wish of the Representatives of the people; so that on the passage of a bill, although there may be but 15 voting in the affirmative and 5 in the negative, yet by virtue of this rule, if there be a majority present by compulsion or otherwise, the bill shall be declared passed on the vote pro and con of but 20 members. Does the great expounder of the State of Virginia claim that such a result would be arrived at by any constitutional means?
>
> * * * * * * *
>
> I have no fear that this amendment will be adopted in this House, because it would be wrong in itself; it would be unconstitutional; it would be violently partisan. I have no fear that the fair-minded men of this House on either side will adopt so violent and partisan a measure.

This question was also discussed by the honorable gentleman from Maine, the Speaker of the last House, and on page 578 he expressed his views upon the very proposition that is now in the minority report. He said:

> Mr. Chairman, if it was my purpose to reply to the gentleman who has just taken his seat [Mr. Phister], it seems to me that it would be a suitable and proper reply to say to him that the constitutional idea of a quorum is not the presence of a majority of the members of the House, but a majority of the members present and participating in the business of the House. It is not the visible presence of members, but their judgments and their votes, that the Constitution calls for.
>
> I prefer, however, in the short time which I have, to discuss this question upon a different basis. This privilege, which the minority of this House at the last session availed itself of, is a privilege which every minority has availed itself of since the foundation of this Government. By pure accident, in looking over an index of the RECORD this morning, I found the account of a resolution, which was drawn up by a distinguished member of this House from Massachusetts [Mr. Butler], to cause the arrest of a distinguished member from Pennsylvania [Mr. Randall] for not voting. I believe, however, nothing ever came of that resolution.
>
> Now, what is the practical upshot of the present practice? It is that the members of the minority of this House upon great occasions demand that every bill which is passed shall receive the absolute vote of a majority of the members elected. They do this in the face and eyes of the country. If they demand upon any frivolous occasion that there shall be such an extraordinary vote as that, they do it subject to the censure of the people of this land. This practice has hitherto kept this House in proper condition upon this subject, so that there has been no improper impeding of the public business.
>
> It is a valuable privilege for the country that the minority shall have the right by this extraordinary mode of proceeding to call the attention of the country to measures which a party in a moment of madness and of party feeling is endeavoring to enforce upon the citizens of this land. And it works equally well with regard to all parties, for all parties have their times when they need to be checked, so that they may receive the opinions of the people who are their constituents and who are interested in the results of their legislation.
>
> I say that as a practical matter the results hitherto throughout all our history have justified the construction which those upon this side of the House have put upon this matter, and which has been put equally by members of the other side in times past. I must say that I am glad to see that this question is being discussed not by divisions of party, but that gentlemen are taking views upon it with reference to its whole bearing, past and future as well as present.

That was the sentiment of the honorable gentleman from Maine, expressed on this floor in 1880. In the last House we adopted the rules which now constitute the report of the minority of the committee, in violation, as I contended then and now, of the Constitution of the United States, which reposes the power of legislation, so far as this House is concerned, in the majority of the members elect.

Now, this body is composed, I believe, of 332 members, which will require 162 to constitute a majority of that whole number, and if these rules be adopted it is in the power of the man who may hold the position of Speaker to constitute a quorum here whenever he chooses to count it.

Now, sir, that subject came up before 1880 in a discussion of the question, when a man held the seat that you now occupy, and who left it with a distinction and reputation that is hardly surpassed by any who have filled it, probably before or since. I allude to the present Secretary of State, Mr. Blaine, when this proposition was sought to be enforced upon the passage of a measure which would have been more deleterious to this country than any other measure that has ever been passed. By the work of the heroic leader of the Democratic party, Samuel J. Randall, backed by the minority and helped by the rulings of Mr. Blaine, that bill was defeated. I allude to the first force bill. Now, he says, in reference to the power of the Speaker to make a quorum of his own, using a homely adage in illustration which strikes us with great force:

One man may lead a horse to water, but a thousand can not make him drink.

So it is, sir, the right and the power of the Representative to speak for his constituents rests and abides in the heart and conscience of the member who represents them, and no man can or ought to be allowed to speak for them save that Representative.

Yet, sir, if the minority report is adopted we would have the rules of the last House, which disregarded the constitutional provision that a quorum to do business shall be constituted of the majority of the members elect. In that same debate in 1880 Mr. Alexander H. Stephens, of Georgia, who was then here, took part. We never had a clearer head in this legislative body. Though he sat in a rocking chair with rollers, just in front of where the Speaker now sits, and was unable to rise to his feet, his great mind was as bright while he occupied that seat all through the session as when he stood to speak with all the power of his young manhood. He then spoke, and I quote his language from the speech that was published at that time. Mr. Stephens interrupted Mr. McLane of Maryland, who was then speaking, and said:

Mr. STEPHENS. Allow me to call the gentleman's attention to this fact: that the object of this amendment is to give a constructive vote to those who actually do not vote.

Mr. MCLANE. I do not so understand it.

Mr. STEPHENS. If not, what would it do? It requires a majority of a quorum on the record—that is, on the Journal—to constitute a vote of the House. If the object of this proposition is not to establish a system of constructive voting as to those who are absent or not voting, what do you gain?

Mr. MCLANE. The amendment not only does not provide for constructive voting, but it states distinctly that the member refusing to vote shall remain recorded not voting precisely as if he had been excused from voting, but that his presence shall be noted and he shall be counted to make a quorum. The analogy I present is that if the House had excused him he would still not have voted, but would have been counted to make a quorum.

Mr. STEPHENS. But when you take the yeas and nays upon the passage of a bill, it is never passed unless a majority of the House, a quorum, vote upon its passage. If there be not a majority of those thus voting, after leaving out the excused, the measure can not be carried. If this amendment means anything practical, it must be to provide for a constructive vote.

Mr. MCLANE. Less than a majority can pass a bill, if those present make with those excused from voting a majority of the House.

Mr. STEPHENS. Most assuredly not, I think. It requires a majority of those joining in the business to transact the business of the House. Those excused do not join in the transaction of the business from which they have been excused.

That, Mr. Speaker, was the argument made by Mr. Stephens on that occasion. Now, sir, in support of the report from the minority of the Committee on Rules, my honorable friend from Michigan [Mr. BURROWS] addressed the House yesterday in a lengthy and well-prepared speech, and, as an illustration of the unjust exercise of the power of a minority under the rules, he cited the action in the Fiftieth Congress in opposition to the bill for the refund of the direct land tax. I thought, Mr, Speaker, as the gentleman from Michigan spoke to us in those fluent tones that always characterize him, that that was an unfortunate illustration for him to adduce. I was in that Congress. I had the honor to follow in the lead of my honorable friend from Alabama [Mr. OATES], who offered one amendment to that bill. When the proposition was made to refund the direct land tax, the measure so much lauded by the gentleman from Michigan, and opposition to which in the way of "filibustering" he so much deprecated——

[Here the hammer fell.]

Mr. HOOKER of Mississippi. I ask my friend to yield me two or three minutes more in which to complete my remarks.

Mr. CATCHINGS. I yield my colleague two minutes.

Mr. HOOKER of Mississippi. I say, Mr. Speaker, that the gentleman from Alabama [Mr. OATES] moved to amend that proposition to refund the direct land tax so as to provide also for a refund of the cotton tax, amounting to $60,000,000. A suit involving the constitutionality of that tax had been brought and passed upon in the Federal courts at Memphis and had been appealed to the Supreme Court of the United States, but, unfortunately for the adjudication of the question by that tribunal, the nine judges were not present, but only eight.

The court, therefore, was a divided court, so that, under the rule of law upon the subject of appeals, the result amounted to an affirmance of the decision of the court in Memphis. The House refused to adopt the amendment of the gentleman from Alabama. Argument was offered showing how unjust, how unconstitutional and outrageous it was for the Government of the United States to keep in its Treasury that money which had been so unjustly taken from the Southern people at a time of great distress and poverty, but the majority refused to accept the amendment of the gentleman from Alabama, and then it was, when equal and exact justice was not accorded to us, that my friend from Alabama [Mr. OATES], leading the men who sided with him upon that question, stood upon this floor day after day and night after night in opposition to the measure for the refund of the direct land tax.

I followed the lead of the gentleman from Alabama in that opposition, and I deprecated the agreement which was afterwards made that on a certain day the House should vote upon the question without any further filibustering. I was one of those who were opposed to that agreement, because I believed that the power of the minority was used in that case legitimately to prevent the passage of a law more unjust and inequitable than any that had ever passed the Congress of the United States. For, if you could refund the direct land tax which had been collected, because it had not been collected in the Southern States on account of the war, you could, upon the same principle, go back and refund the income tax and every other tax that had been levied for the prosecution of the war.

Now, under the code of rules proposed by the minority, when the House goes into the Committee of the Whole (where all great appropriation bills must first be considered), it is proposed still further to violate the article of the Constitution prescribing what shall constitute a quorum to do business, by providing that 100 in Committee of the Whole shall constitute a quorum, and as 51 is a majority of 100, the whole power of the House is thus relegated to less than one-fifth of the members of the House. May I not again repeat with emphasis, "That power is always stealing from the hands of the many to the few."

[Here the hammer fell.]

Mr. CATCHINGS. I yield one hour to the gentleman from Georgia [Mr. WATSON].

The SPEAKER *pro tempore* (Mr. HATCH). The Chair recognizes the gentleman from Georgia [Mr. WATSON] as entitled to control one hour of the time.

Mr. WATSON. I yield twenty minutes to the gentleman from Kansas [Mr. OTIS].

Mr. OTIS. Mr. Speaker, it gives us great pleasure to know that the People's party to-day for the first time is recognized upon the floor of this House. [Laughter and applause.] We deem it, sir, a high honor to be permitted to open the debate in behalf of that young, growing, political giant which, in our opinion, is destined to dominate and control this country from sea to sea and from the Lakes to the Gulf. The People's party comes before this country with the olive branch of peace in one hand and the cornucopia or horn of plenty in the other. Upon our banner, sir, is inscribed, "Union forever, one and indivisible." [Applause.] We believe in justice to all, equal rights to all, and special privileges to none. We say: Give us universal equality and fraternity world-wide. These are our mottoes. These are our principles. The great common people of America have been aroused, and we say let office-seeking politicians slumber, and let calamity-makers henceforth hold their peace.

Mr. Speaker, when the honorable gentleman from Georgia [Mr. WATSON] yielded us twenty minutes I promised that we would confine ourselves as nearly as possible to the substitute that we have offered, and which was read by the Clerk of this House on Monday, and will be found printed upon page 525 of the CONGRESSIONAL RECORD. In doing so, sir, we do not propose to consume the time by reading at length that substitute, but we do propose to state plainly and clearly the propositions involved in it, which are three:

1. The creation of a new committee upon the order of business in this House;

2. The election of the standing committees by the House itself; and

3. (What may be considered a corollary of the second:) The election by the committees themselves of their own chairmen and the naming of their own clerks.

This is what the substitute proposes; and this is what we believe is right. We do not propose to discuss this question in all its bearings, but simply as it relates to the principle of popular rights, or the principle of rule by the many as opposed to domination by the few.

The first proposition takes the place to a certain extent of the

present Committee on Rules; in other words, it relegates the Committee on Rules to its proper place, and institutes a committee on order of business to attend to its own business. We claim that it is not and ought not to be the province of any three, five, or even seven men in this body to dictate the course of legislation and to say what this House should deliberate upon. If you will refer to the substitute you will notice that this committee on order of business is to be composed of one member from each State and Territory of the Union, to be nominated by that State or Territory; so that under this provision this committee would embrace a representation of the entire Union. It would not include merely a few individuals or represent simply the conceptions of a few men coming from only a few portions of this country. In our view a committee of this kind would be the most important committee of this House; and we conceive it to be a very necessary one.

It seems to us that as yet no good reasons have been urged by gentlemen who have spoken on this question why Rule X should stand in its present form; yet I take notice that our Democratic friends and our Republican friends are alike in favor of that rule. We claim that the rule violates the fundamental principle of free government. We claim that the great common people of this country should rule this country, that it should not be ruled by one man or by three men. We favor the universal equality advocated by Thomas Jefferson in his inaugural address. We claim to be in favor of equal rights, not special privileges, which this Rule X, as we claim, gives. It is a principle that we are advocating. We are urging no objection to the present officers or the present committees of this House. Our party claims to be founded upon equal rights, upon the Jeffersonian doctrine of equality, upon the Washingtonian idea of union, and upon the Abraham Lincoln idea of protection to labor and its superiority over capital.

Mr. Speaker, in presenting this substitute for Rule X, we do so in no captious spirit. We disclaim any personal objection to our present presiding officer, or to the make-up of the present committees of the Fifty-second Congress. It is simply the method, as such, to which we take exception. It violates a principle of popular government; it confers special privileges upon a few, and robs the many of their just rights. From our standpoint, as free, independent American citizens, Rule X, as reported by the Committee on Rules, is simply "one-man power," or what we choose to term "rank partisanism grown to full maturity and overshadowing popular rights."

Ours is supposed to be a representative Government, this House a representative body. Each member upon this floor is supposed to represent about 174,000 persons—more or less. Coming up from our respective districts in the interest of our constituents we are clothed with equal authority, and under the Constitution and laws of our country we are entitled to equal privileges upon this floor. But under this Rule X we no sooner reach the national Capitol than we are called upon to practically surrender our delegated power into the hands of a Speaker and a Committee on Rules.

In our national Constitution we find the name of "Speaker" mentioned but once and his duties nowhere referred to. But under the rules of this House he is exercising powers never contemplated by the Constitution and never looked for by the founders of our Government. We are not finding any fault with the honorable gentlemen who have filled this high office, or making any criticisms of their record and character. But as American freemen we can not indorse the rule under consideration, that transfers the political rights of over 60,000,000 people into the hands of one or three. Under the rules, customs, and precedents, now grown venerable by age, the Speaker of the House of Representatives has become more powerful in molding the character of legislation than any other official personage in our Government. This power of the Speaker has been so well described by James Bryce in his American Commonwealth that I desire here to quote his language:

> Not only does he, at the beginning of each Congress, select all the members of each of these committees, he even chooses the chairman of each, and thereby vests the direction of its business in hands approved by himself. The chairman is of course always selected from the party which commands the House and the committee is so composed as to give that party a majority. Since legislation, and so much of the control of current administration as the House, has been able to bring within its grasp, belong to these committees, their composition practically determines the action of the House on all questions of moment, and as the chairmanships of the more important committees are the posts of most influence, the disposal of them is a tremendous piece of patronage, by which a Speaker can attract support to himself and his own section of the party, reward his friends, give politicians the opportunity of rising to distinction or practically extinguish their Congressional career.
>
> The Speaker is of course far from free in disposing of these places. He has been obliged to secure his own election to the chair by promises to leading members and their friends, and while redeeming such promises he must also regard the wishes of important groups of men or types of opinion; must compliment particular States by giving a place on good committees to their prominent Representatives; must avoid nominations which could alarm particular interests. These conditions surround the exercise of his power with trouble and anxiety. Yet, after all, it is power, power which, in the hands of a capable and ambitious man, becomes so far-reaching, that it is no exaggeration to call him the second, if not the first, political figure in the United States, with an influence upon the fortunes of men and the course of domestic events superior in ordinary times to the President's, although shorter in its duration and less patent to the world.

Mr. Speaker, this Rule X is more befitting the despotism of a country like Russia than the free, progressive Republic of America. We can find no good reason why this deliberative body should be converted into a "wild pit," resembling the inner court of the Chicago Board of Trade or the New York Chamber of Commerce. Why should the American House of Representatives become a mere partisan machine, a triumvirate, an engine of power, if you please, running the people's train, with the Speaker standing at the throttle valve, the chairman of the Committee on Ways and Means acting as conductor, the little Committee on Rules performing the office of brakeman and switch-tender, whilst the balance of the members upon this floor act as traveling passengers, ornamental figureheads, with our feet fettered, our hands tied, and our lips sealed? And if during the two years' journey we should desire anything we must beg for grace and mercy at the shrine of this political trinity—three in one.

Is it any wonder that the members occasionally grow very restless under this rule, and especially toward the close of the session, when all are anxious to push their measures forward? Is it not possible that Rule X is responsible for some of the "wild scenes" that in days gone by have been enacted upon this floor, scenes that are no credit to any legislative body, and much less to the highest legislative body of our nation? We readily admit that adjusting properly the standing committees of this House is no easy task. But in view of the immense power these committees have upon the legislation of the House we believe they ought to be elected by the House.

This rule which has prevailed has created a "parliamentary monopoly." It is a kind of "political heirloom" of the century, venerable in age, but absolutely vicious in principle and unjust in practice. It has been adopted for years by Democrats and Republicans alike, and hence, we are informed, it is dangerous to assail it. And for a new member to make an attack upon this "grand citadel" of power and centralization is said to be "political suicide." So be it. We would rather die bravely fighting for this principle than to die bombarding poor little Chile.

To what extent the alternate domination of political factions, struggling for power and patronage, has been instrumental in perpetuating this rule it is not now necessary to consider. But we believe it is time to call a halt and return to first principles. Our motto is, "The people rule, the whole people, and not a privileged few." This is true American doctrine, and this House of Representatives should have no rule in its code that practically nullifies this fundamental principle of free government.

Mr. Speaker, I desire to yield the residue of my time to my colleagues on this side of the House.

The SPEAKER *pro tempore*. The gentleman has occupied nineteen minutes.

Mr. WATSON. Mr. Speaker, I always endeavor to listen with respect to the opinions of my colleagues on this floor whether I agree with those opinions or not. I shall continue to do so; and all I ask of my colleagues in return is that I shall have for my opinions the same respectful attention.

Mr. Speaker, the fact that we are here in a very small minority does not for one moment prove that we are not right or that we shall not eventually be the majority. Sir, we take to ourselves as a comfort the recollection that every principle which the American people hold dear was once the passionate protest of a minority against a tyrannical majority. We love the privilege of free worship—the right to bow the knee where we will and how we will, and to fashion upon our lips that religious creed which suits ourselves. Yet, sir, it has not been so long since to assert that principle was to invite the chain, the scaffold, and the rack.

I now come at once to the principle involved in this substitute. I believe this proposition can be defended by reason and by authority. I believe it is founded on principles that are as sound as any principles of free government can possibly be. What are those principles? Will gentlemen pardon me a moment for saying that we speak here as the representatives of those great industrial organizations which complain of certain abuses; which demand certain reforms; and, in order that our full idea may be understood, let me briefly enumerate the most important of these principles. I shall not dwell upon a single one of them.

We demand that national banks shall be abolished as banks of issue. We demand the free and unlimited coinage of silver. We demand that the alien ownership of land shall cease. We demand that Senators shall be elected by a direct vote of the people. We demand that the Government shall issue its money (which we understand to be the mere medium of exchange, the mere tool of exchange, and therefore a governmental power), that the

Government shall issue such money to the people who need it to perfect their exchanges practically free of cost, and that through the subtreasury plan or some better plan the people shall have the privilege of the use of this money by giving such security as is in the commercial world considered good. We demand that there shall be a graduated income tax. We demand that no man's business shall be built up at the expense of another man's business, and that the burdens of taxation shall be lifted from the necessaries of life.

That is our platform in some of its main features, and may God Almighty strike my lips into silence when I face any audience and am not proud to announce such a creed. Standing here to-day in this magnificent gathering of America's representative men, I say that the toiling millions of our land are looking toward those principles as their means of relief. We are not striving merely for office or official influence. If we had nothing better as our ultimate aim we could afford to ride on the surface of the occasion and trust to the sublimity of luck. But, sir, we take it home to ourselves as a settled purpose that these principles shall be enacted into law. That being the case, what confronts us? We are confronted with a governmental machinery which says to us as plainly as language can say it that so long as this machinery runs in the grooves which it now occupies we shall in vain knock at the doors of legislation and hope for them to be opened.

If the gentlemen upon my right believed these principles were sound, that they ought to be enacted into law, and along the highway of their progress they saw an unconstitutional obstruction, it would be their sworn duty to remove that obstruction. If the gentlemen upon my left believed, as many of them do believe, in these principles and wanted them placed upon the statute books, and along the highway of their legislative progress there was an unconstitutional, illegitimate, usurpatory obstruction, which barred their progress and made the struggle hopeless, they would certainly never cease to fight to remove the obstruction. That is the situation with us.

Now, where is it? You take the United States Senate. We demand that its members shall be elected hereafter by a direct vote of the people. Why? Because we know perfectly well that as now organized it would take the rod of Moses to strike the waters of relief out of that rock. We know that the very concentration of power, the concentration of capital, the concentration of privilege which we are fighting is enthroned and intrenched in the Senate of the United States. No man can successfully deny it. Every great corporation of this land has its agents, its attorneys there, to defend its interests. Every great railroad has its owners and its attorneys there. You strike the oil companies and their champions are there. You strike the manufacturers of the country and their champions are there. And so, Mr. Speaker, we are confronted by the United States Senate as the very type of concentrated privilege, of aggregated wealth, and centralized power, and we might as well expect to sail without leave under the frowning fortress of Gibraltar, loopholed and armored from base to summit, as to pass the obstructions which are presented to our progress there.

Mr. HOPKINS of Illinois. Will the gentleman allow me to ask him a question?

Mr. WATSON. With great pleasure.

Mr. HOPKINS of Illinois. I have examined the substitute to which the gentleman has referred, and in regard to which he has been speaking, and I would like to ask him if that rule is adopted, if the interpretation put upon it by the gentleman is that this House shall be reorganized as contemplated in that rule, or if the rule he seeks to enforce here is to be binding upon some future Congress?

Mr. WATSON. Now, as a matter of course, the gentleman ought to know that the adoption of this rule could only work as the expression of an opinion, which a future Congress might or might not adopt, and which would have no force or effect in this body.

Mr. HOPKINS of Illinois. Then let me ask the gentleman another question. Is Rule X, in the proposed code of rules, all the objection the gentleman sees to the rules offered by the majority of the Committee on Rules?

Mr. WATSON. Now, if the gentleman will do me the kindness to listen to what I am going to say when I come to the consideration of that particular question, he will not find it necessary to interrupt me.

Mr. HOPKINS of Illinois. Well, can not you answer the question now?

Mr. WATSON. Repeat it.

Mr. HOPKINS of Illinois. I ask if Rule X is the only objection the gentleman can see to the code of rules proposed by the Committee on Rules?

Mr. WATSON. It is not the only objection. And now, having answered the gentleman very frankly, I hope no further part of my time will be consumed in this way.

Mr. Speaker, I have with great fairness, and certainly with the desire to adhere to the question at issue, shown where, in my judgment, the trouble is in the other Chamber; and that trouble has been understood not only by our people but by Republicans whose constituents are dissatisfied, by Democrats whose constituents are dissatisfied, and there is nothing so plainly written as that the Senators of the United States will in the future, and not at a very remote day, be chosen by a direct vote of the people.

Now, sir, let us come to the House. If we can demonstrate to our people that the same evil of which they complain now in the Senate exists as fully here as in that body, then the demands will be extended so as to embrace this Chamber, because the reasons extend themselves to it. It has not been denied—the distinguished gentleman from Mississippi [Mr. HOOKER], who has impressed me as being a man who always has the courage of his convictions, has plainly said—that there is a concentration of power in the hands of the Committee on Rules. It can not be concealed from anybody that there is a concentration of power in the hands of the Speaker. The Speaker and the Committee on Rules are the autocrats of the House.

I ask gentlemen to consider this question for a moment. Where did ever the Speaker of the House of Representatives get the power; where did ever the Constitution give the power; where did ever the statesmen of this country submit that issue to the people; when did you ever take the will of the people upon the question of that delegation of power to the hands of the Speaker? I pause for a reply from any member of this House, either upon my right or upon my left. It has never been taken. The delegation of power to the President of the United States has been ratified by the votes of the people; the delegation of power to the Senate of the United States has likewise been ratified; but at no time in the history of this country has there ever been witnessed the submission of that issue to the people by which a power was given to the Speaker of the House making him the autocrat of the House. Gentlemen may say that the people have actually ratified it by their silence. I deny that the answer is good.

The people have not had the information. The people did not know he had that power. The people supposed that he was the mere presiding officer—the representative of the body—and not its master. Gentlemen may say again that it is delegated to him by general parliamentary law. I deny it. It has never been given to him by parliamentary law anywhere; and I say that this substitute goes back to that doctrine which I love with every drop of blood in my body—from my heels to my head—that Jeffersonian democracy, from which we have all so far departed.

Let me give what Jefferson's Manual says. It is laughed at here as if it were a thing unheard of that the House should choose its committees by ballot and that those committees should choose their chairmen. Mr. Speaker, it has been universal parliamentary law from the time that these very committees wrested tyrannical power from the hands of the Stuarts down to this day. Jefferson says in his Manual, Rule XXIV:

> In the appointment of the standing committees, the Senate, unless otherwise ordered, shall proceed by ballot to appoint severally the chairmen of each committee, and then, by one ballot, the other members necessary to complete the same.

Now as to the House:

> The person first named is usually permitted to act as chairman, but this is a matter of courtesy.

It has now become a matter of right.

> Every committee having a right to elect their own chairman, who presides over them, puts questions, and reports their proceedings to the House.

We plant ourselves, gentlemen, upon that Jeffersonian rock, and we ask the Democracy whether they will vote with us upon it or not.

Not only that. In the English House of Commons we find this to be the fact. I quote from Cushing:

> In England committees are usually named in the first instance by the person who proposes the resolution for their appointment, subject, of course, to the control of the House. On great important questions they are chosen by ballot, and the most important committees considered merely with reference to the state of parties naming them, as we have already seen, in such manner as leaves very little, if anything, in the power of the Speaker.

Sir, it is a strange truth that under the forms of monarchy in Great Britain there is an eternal tendency toward democracy, while under the form of America's democracy there is an eternal drift toward the real spirit of monarchy. That is the literal truth, and any man who will study the record will be profoundly impressed by it.

The Speaker of the English House of Commons has no such power as ours. The Speaker of the French Chamber of Deputies has no such power as ours. The Speaker of the German Reichstag has no such power as ours. Nowhere on the face of the earth has the presiding officer the autocratic power over the deliberations of the body and the course of its legislation which he has here.

Now, Mr. Speaker, we say that in the future we express it as our opinion that the House should be organized according to the sense of the House. Decentralize this power which has crept into the hands of the Speaker. Take back to the body of the House this enormous control which year by year has grown into the hands of the Speaker without ever having been voted upon by the people. We have heard it here time and again with a slight approach to monotony of repetition that we are here as a protest against the the czarism of Mr. REED, of the last Congress. Let us admit that that is true.

Mr. REED. Admit that for yourself. Do your own admitting. [Laughter.]

Mr. WATSON. I say, Mr. Speaker, let us admit that just as they claim it. Then I make this point upon it, that it is the very first time it was ever brought to the attention of the people; and according to your own statement they said it was a dangerous power. Now, if it is a dangerous power, I do not any more want to give it to a man whose name begins with a C, and who comes from Georgia, than one whose name begins with an R, and who comes from Maine. It is too dangerous a power. Gentlemen have said that we might rely upon the character of the Speaker. God forbid that the political fortunes of this people should ever have to rely upon the mere accident of the character of the Speaker. Let the people retain their own power. Let them take it back to themselves; let them organize the House on true Jeffersonian principles.

This concentration, this usurpation and centralization of power is a curse to commerce, is a curse to politics, and has well-nigh brought this country to its political ruin.

Sir, if I had the power to-day, I would like to draw a picture of just what has been the result of this centralizing of power, in politics, in business, and in production. It has made the large manufacturer absorb the small one. The large railroad has swallowed the small one. The great oil company has swallowed the small one. Trusts and combines absorb or crush individual enterprise. So everywhere centralizing tendencies and usurpative processes are going on, until the power and the money is in the hands of the few, and the people, whether they stand at the doors of cabins in Kansas, or stand at street corners to ask for work in the cities, or stand at the doors of their huts down in dear old Georgia, are utterly deprived of a fair distribution of the very wealth which they create.

Mr. Speaker, out in Kansas the man who feeds the world warms himself by a fire built out of his corn, without having been able to get enough for it to make it cheaper for him to buy coal; down in Georgia the men who made eight million bales of cotton have not been able to save enough of the price to clothe in comfort their wives and their children; and in every city of this land, there are artisans of every sort standing with empty hands, with empty homes, with anxious hearts, asking for work, asking for bread, asking for comfort in a land where, God knows, there is enough for us all.

Mr. FUNSTON. Will the gentleman permit me to correct him?

Mr. WATSON. If it is a correction, the gentleman had better make it in his own speech.

Mr. FUNSTON. I will say to the gentleman that corn in Kansas is now worth 50 cents a bushel; that we have several million bushels of it for sale; we are not burning corn instead of coal; and there is no calamity party there now.

Mr. WATSON. The gentleman in his own time can make a statement of his own views and the facts upon which they are based; but if the gentleman means to say that the corn-raisers of Kansas are not in a destitute and deplorable condition, and have not been burning their own corn, and reading the rule *nisi* foreclosing his mortgage by the light of such a fire—then he certainly contradicts the very strong testimony upon which my assertion was founded.

Mr. FUNSTON. It is not true.

Mr. WATSON. By men who have seen these fires burning.

Mr. FUNSTON. It is not true.

Mr. WATSON. Now, let me beg of the gentleman to hold his potato. [Laughter.] Mr. Speaker, I got a letter from Georgia by mail this morning, and I beg this House to hear me read one paragraph. It is from Burke County, and is written to me by W. C. Sandeford, as intelligent and honorable a man as lives, president of the Burke County Farmers' Alliance. Listen to what I find in that letter:

Our country is in a terrible, terrible condition. Out of fifteen hundred customers at one store only fourteen paid out; five hundred paid less than 50 cents on the dollar.

And I may remark, Mr. Speaker, that that was after the mules, the horses, the cotton, and the corn were brought in and given up.

He says further:

I had a sad experience that I wish every member of the Fifty-second Congress could have had.

Listen to this, gentlemen of the Fifty-second Congress:

A very poor but good man's child had died. He went 16 miles to the merchant who furnished him—

And if any of you know anything about Southern weather for the last few months, you know he went through sleet and snow—

He went 16 miles to the merchant who furnished him, and told him he wanted a coffin. Without reply the merchant turned to the poor man's account: "Mr. B., I am sorry, but you are already ahead of your 'limit,' and we can not let you have it." "What am I to do," he remonstrated. "Well," said the merchant, seemingly worried and impatient, "damn it, put it in a box."

Mr. Speaker, my correspondent says he does not blame the merchant for not letting the man have the credit, but—

I only blame the merchant for the unkind way of refusing.

I, too, gentlemen, do not blame him for not giving credit, but I do blame him for the harshness of the reply.

Touch with the sacred fire of inspiration, O, Master Divine, the lips of the best orator of this House, and let him speak to this Congress of the miseries of the people; but he will fail to touch the hearts of his hearers as they will be touched by the silent appeal which death has written upon the frozen lips of the uncoffined child.

Sir, I know that what I have said here to-day may be utterly thrown away. I am not addressing so much this Congress as I am addressing the future. But through the hurried pencil of these stenographers I will reach the hearts of the American people; through the fingers of every reporter in the galleries I will reach the American people, and we expect to stir them up all along the line, until from Maine to Georgia, and from the Lakes to the Gulf, they will ask to have this Government rededicated to the old Jeffersonian principle.

Mr. Speaker, what is the essence of it? Its essence is that grand truth enunciated by Abraham Lincoln when he stood at Gettysburg, with words to encourage the living and to commemorate the dead, sun-lit by a broad patriotism, which made him brave enough to say to the man who remarked, "I am proud to be a fellow-countryman of the soldiers who held these heights." "Yes, and I am glad to be a fellow-countryman of the soldiers who attacked those heights." On that memorable battlefield he asked that this Government might be dedicated again to its original principles. We ask no more. We ask that much. We insist upon that much. We insist that this Government shall be again brought back to its foundations, so that it may be a government "of the people, by the people, and for the people." [Applause.]

Mr. SPEAKER *pro tempore* (Mr. HATCH). The gentleman from Georgia has ten minutes of his hour remaining.

Mr. WATSON. I will reserve that for the present.

Mr. REED was recognized.

Mr. REED. I yield twenty minutes to my colleague, Mr. DINGLEY.

Mr. DINGLEY. Mr. Speaker, I desire to call the attention of the House back to the question which is really under consideration. The House is engaged in framing a code of rules, under the authority granted by the Constitution, for the purpose of enabling it to transact the business which is committed to it. The Committee on Rules have made a report, and I take it that before we complete the consideration of that report the real question which will divide the House—not on party lines at all, but as to the proper methods of transacting public business—will be simply this: Shall the majority of the House be intrusted by the rules with the selection, from the business which has been reported by the appropriate committee and placed upon the Calendars, of that which is to be considered by the House; or shall that selection be intrusted to three gentlemen composing a majority of the Committee on Rules? That, and the additional, but in some respects more important, question as to whether appropriation bills shall be open to legislative "riders" are the real questions that are before the House.

In all parliamentary bodies, and in this House from necessity, more than any other parliamentary body, all business brought up for consideration must and should be first considered and reported by the several committees intrusted with the subjects which have been given in their charge. There is no difference of opinion upon that point. No legislative proposition can come before this House for action until it has been considered and reported by the appropriate committee. Having been reported and referred to one of the three Calendars, namely, the Calendar of the Committee of the Whole House on the state of the Union, or the House Calendar (these two covering the public business), or the Calendar of the Committee of the Whole for private bills, then the real question is, How shall the selection be made from these Calendars of the measures that are to be considered by the House?

In the first place, I ask gentlemen to bear in mind that there is this difficulty staring us in the face in the House of Representatives that is not encountered in any ordinary legislative body. In State Legislatures, when matters have been reported and

placed upon the appropriate calendars, the business is not of so large a volume but that the house and the senate (if the legislative body consists of two houses) may take up and consider every measure so reported and placed upon their calendars. Now, if it were true that we could do that in this House the question that is presented by these rules would not have arisen. But the country is so large and the volume of business to be transacted is so extensive, that it is absolutely impossible for this House to consider more than a fraction of the bills and resolutions which have been favorably reported by committees and placed upon our several Calendars.

Not 10 per cent of the public bills which have been reported and placed upon the Calendars can be taken up and considered by this House. Now, given this situation, who shall select that 10 per cent of the business on the Calendars? That is the real question before the House. The Committee on Rules have practically said—and I will endeavor to show this before I sit down—that the gentlemen who shall select from the public Calendars the 10 per cent of business which can be considered by this House shall be the three members constituting the majority of the Committee on Rules. There is no doubt about that, gentlemen.

I have sat in this House session after session under precisely the code that is proposed here, and I say to you, and you will agree with me at the end of the session if the rules shall be adopted as they have been reported, that practically, not the 167 members constituting a majority of this House, but the three gentlemen constituting a majority of the Committee on Rules, are given the sole authority to select the 10 per cent of the bills and resolutions reported and placed on the Calendars which shall be considered. Now, Mr. Speaker, I object to that on principle. I hold that no parliamentary body should voluntarily adopt rules which commit to any three gentlemen, I do not care how able or how honest they may be, the exclusive determination of the question of what business shall be even considered by the body. I say the exclusive determination, because it is entirely proper that the Committee on Rules should have the right to report a special rule for the consideration of any business that they think should be considered, provided the majority of the House shall at the same time have the right themselves to take up any measure upon the public Calendars which they desire to consider.

Now, you ask me how it is proposed under the rules which have been reported to practically commit this matter to three gentlemen on the Committee on Rules. It is proposed, in the first place, that all the bills which have been reported and been placed on the several Calendars shall be taken up in their regular order, revenue and appropriation bills excepted. That is the only way in which they can be taken up under the proposed rules. Here are a thousand bills on the Calendar of the Committee of the Whole on the state of the Union. The least important bills are those first reported always. The bills which constitute the really important business of the House are reported at a later stage of the session. Now, when the House goes into Committee of the Whole on the state of the Union, under the rules as proposed, it will not have the power of selecting the particular measures that it will consider, but it must consider the different measures on the Calendar in their order, the least important coming first. No important measure can be or ever was reached in this House by considering the Calendar in regular order.

But the majority of the Committee on Rules have taken particular care that nothing of importance should be reached in that way—how? They have provided that when the first bill on the Calendar is read in Committee of the Whole on the state of the Union, not that the committee shall at once decide whether the bill shall be laid aside or not—that might give a chance to reach something; but they have provided that this bill, which is of no consequence, shall not be laid aside until the Committee of the Whole rises and goes back to the House and determines whether it shall be laid aside; and then a single gentleman may, perhaps, interpose filibustering motions to prevent the laying aside of that bill, and upon such motion the yeas and nays may be demanded. Every gentleman who has been in this House for years understands that under such a process as that no bill can be reached for consideration by the majority of this House. It can not be done; it never has been done.

Now, I propose right at that point to offer an amendment to the reported rules, providing that the committee without rising, and of course without a yea-and-nay vote (the House being in Committee of the Whole), may lay aside any bill as it is reached, and so lay aside bill after bill until the measure which the House desires to consider shall be reached.

But that is not all; I propose by an amendment which I shall offer to give the House the right to decide, when the motion is made to go into Committee of the Whole, what bill on the Calendar it will consider. Suppose there is a bill relating to a most important matter, but which may be almost the last bill on the Calendar. It can not be reached in the regular order. I propose that the committee which reported the bill shall have authority when they make the motion to go into Committee of the Whole on the state of the Union to also move the particular bill to be considered; and then if the 167 members constituting a majority of this House want to reach and consider that bill they can do so.

Mr. McMILLIN. Will the gentleman allow me to ask him a question right there?

Mr. DINGLEY. Certainly.

Mr. McMILLIN. First, let me state that if this authority to designate in the motion to go into Committee of the Whole the particular bill to be considered is to be exercised by one committee it must necessarily be given to other committees. This being the case, does not the gentleman think that under such a system as he proposes the time of the House would, upon a motion to go into Committee of the Whole, be largely consumed in a scramble of the different committees for the precedence of business?

Mr. DINGLEY. Well, sir, we can judge——

Mr. McMILLIN. The motion that the gentleman contemplates would be subject to amendment?

Mr. DINGLEY. It would be subject to one amendment under the rules.

Mr. McMILLIN. Then you would have your motion to go into the Committee of the Whole to consider the particular bill, and you would have a second motion to amend by inserting another bill——

Mr. DINGLEY. Precisely.

Mr. McMILLIN. And upon those motions there would be the possibility of two votes by yeas and nays before the question of going into the Committee of the Whole could be determined.

Mr. DINGLEY. But there could be only two yea-and-nay votes before the bill would be reached.

Mr. McMILLIN. What better means of filibustering could be desired?

Mr. DINGLEY. But I would have the power to filibuster taken away. Let me say that we had precisely such a rule in the last House, and there was never, except on one occasion, any attempt to delay the proceedings of the House upon a motion to go into the Committee of the Whole.

Mr. McMILLIN. But does not my friend remember—and it bears upon the point now under discussion—that in the last Congress seventeen successive Fridays assigned by the rules to the consideration of bills on the Private Calendar were taken up by other business?

Mr. DINGLEY. That has nothing to do with this matter. The House must always have the right to determine whether it will go on with public or private business on Fridays.

Mr. McMILLIN. But when the House determined that it would not consider——

Mr. DINGLEY. I must object to having my time further taken up in this way.

Mr. McMILLIN. I beg pardon of the gentleman.

Mr. DINGLEY. I must proceed. In another direction (in regard to which I propose to offer an amendment to which I invite the attention of the House) measures have been taken in this report to strangle the will of the majority with respect to the transaction of business. Suppose a bill has passed this House, and, going to the Senate, has there been slightly amended, the amendment not involving any expenditure of money; it may be simply the correction of a name—no matter how slight. Now, the rules reported by this committee provide that when a bill which has passed the House, been amended by the Senate, and returned here, it shall be referred to a committee instead of being taken up for consideration of the amendment. And when referred to a committee and reported back, what becomes of it?

It goes to the foot of the Calendar, and can not be reached during the session except by unanimous consent or through a report of the Committee on Rules.

Now, I ask gentlemen of the House if they propose to adopt a rule which will take away from 167 members of this body the right even to consider a bill which has been passed by the House and sent to the Senate and returned with a slight amendment, but which will send the bill back to the committee and to the foot of the Calendar to slumber for the session unless it can be taken up either by unanimous consent or by the will of the three gentlemen composing the majority of the Committee on Rules, who may choose to bring in a rule to enable it to be taken up? When that rule is reached I propose to offer the rule of the last Congress, which permits such a bill to be taken up and finally disposed of.

Why, gentlemen, when you come to examine these rules and see just what is proposed you must be convinced that the 167 members composing the majority of this House have been relegated to the rear, and the three gentlemen who compose the majority of the Committee on Rules are undertaking to decide for themselves what shall be considered in this body.

More than that, sir, every one familiar with the transaction of business here will understand that under another rule proposed by the committee which admits of filibustering—the alternating of the two motions to adjourn, and fix a day to which the House will adjourn—it is in the power of a single member of the House to defeat any measure against which he sees fit to use these motions. This we all understand who have been here for many years.

Now, the gentlemen who have reported this rule do not propose to lessen the power of filibustering at all against any measure that 167 members may want, or which may come before the House, but simply to stop filibustering when they report a resolution to consider a measure which they desire to pass.

I shall offer amendments reaching these provisions of the rules that deprive the House of its legitimate power when we come to consider this report by sections. Let me recapitulate: First, under the rules reported by the committee it is impossible for a majority of this House to go into the Committee of the Whole and select the bill for itself which they will consider. Secondly, it is impossible for a majority of this House to take up and consider a bill which has passed the House, been sent to the Senate, and returned with a slight amendment. Such a bill is relegated to the foot of the Calendar. And, thirdly, if there be any opportunity for the House to take up a measure which is not agreeable to any two or three gentlemen on the floor they may filibuster against it and defeat it unless the bill has been protected against filibustering by a report of the Committee on Rules. That is the position in which the report of the majority of the Committee on Rules places the House.

I desire, Mr. Speaker, that gentlemen shall thoroughly understand these rules and the practical issue which is involved in this matter. It is not, as the gentleman from Missouri [Mr. DE ARMOND] stated a few minutes ago, a question as to whether the Speaker shall decide the order of business or the three gentlemen of the Committee on Rules shall so decide, but whether 167 members of this body shall be able to reach a bill they want to reach, or whether it shall be committed exclusively to the three members of the Committee on Rules to determine for them.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. DINGLEY. I should be very glad to occupy a few minutes longer to discuss another branch of this subject.

Mr. REED. I yield to my colleague ten minutes longer.

Mr. DINGLEY. I would like, Mr. Speaker, to have consumed a little further time upon the points I have been discussing, but I must pass to another, as I desire to call the attention of the House to the most mischievous rule that has been proposed to the House since it was laid aside in the Forty-ninth Congress, and that is the rule suggested by my friend from Indiana [Mr. HOLMAN], the rule that admits of new legislation, or legislative riders, upon appropriation bills, provided on the face of such measures they seem to reduce expenditures.

Now, Mr. Speaker, every one understands that it does not require any very great ingenuity to frame a proposition or amendment upon any imaginable subject to accomplish any imaginable end, and make it appear upon its face to reduce expenditures, thus bringing it within the rule, especially if there is placed in the chair of the Committee of the Whole a gentleman who desires to have the matter brought before the House.

An appropriation bill, in all legislative bodies that are properly conducted, is simply a bill providing for appropriations already authorized by law, and any attempt to fasten new legislation upon an appropriation bill, under whatever guise, is an attempt to drag in new issues not involved in the question of appropriations, which, with the controversies that may arise out of it, may eventually defeat the appropriations themselves and endanger the existence of the Government.

There is no principle, it seems to me, in parliamentary procedure, wiser than the rule of confining appropriation bills to objects already authorized by law and necessary for the maintenance of the Government. For these propositions are of such a character that although questions may arise respecting the amount to be appropriated, yet no question can arise as to the propriety of making the appropriation in some amount for the purpose of supporting the Government. But when a rider involving another legislative proposition, new legislation, is proposed, then you introduce into the consideration of an appropriation bill a new feature, which not only in the House but also in the Senate may create such differences of sentiment as to involve the ultimate defeat of the bill, and involve even the safety of the Government itself.

Mr. Speaker, it was in the Forty-fourth Congress that the legislative rider was intrenched in the form of a rule, and it continued until the Forty-ninth Congress. But so general was the feeling against it in that Democratic Congress (the Forty-ninth), that the House, under the lead of the distinguished Speaker at that time, the honorable Mr. Carlisle, by a vote of 205 to 69, struck out the Holman rider rule, and left appropriation bills simply to cover appropriations already authorized by law. I remember, Mr. Speaker, sitting in this House in the Forty-ninth Congress and listening to that very instructive debate. The gentleman from Alabama [Mr. HERBERT], now in this House, the gentleman from Georgia [Mr. BLOUNT], now in this House, the gentleman from Illinois [Mr. Morrison], now a member of the Interstate Commerce Commission, and other distinguished Democratic leaders whom I might name, led off in opposition to the legislative rider, declaring that it would be sure to bring contentions into Congress which might imperil the Government. If that rule is to be placed in the code of rules to govern this House, I predict that not July nor August nor September will witness the close of this session.

Such will be the questions that will be dragged in, entirely outside of the questions of appropriation for the support of the Government, that week after week and month after month will be occupied in the conflicts invited by attempting to foist partisan legislation into appropriation bills. I beg of you, before you shall reëstablish a rule which the Democratic House of the Forty-ninth Congress with such unanimity condemned and struck out of the rules, to seriously consider what you are doing. I remember very well the remarks of the gentleman from Alabama [Mr. HERBERT] and the gentleman from Georgia [Mr. BLOUNT] on that occasion, in which they pointed out to their Democratic colleagues that no advantage could possibly be gained by the adoption of such a rule.

I recollect very well their saying to their colleagues that if there was any necessity or any desire on their part to reduce expenditures lower than authorized by law, to abolish any offices, or to amend the laws in any direction, it should be brought in as a separate proposition and sent to the Senate; and then the Senate, as they said, if the measure was right, would be held to due responsibility in rejecting it. "But," added they, "if you put such new legislation upon appropriation bills, then instead of holding the Senate to any responsibility they will be indorsed by the country in rejecting it, not upon the ground of the propriety of the measure itself, but upon the ground that it was a rider upon an appropriation bill, and you will lose all that might be gained by bringing these measures separately before the House."

Open up the selection of business to be transacted by the House to the 167 gentlemen comprising a majority; let them take up each measure as they desire to, and in whatever direction they amend the laws, repeal them, or take such other steps as they may see fit, let each measure stand on its own merits, and not endeavor to link them with the simple duty of appropriating means to carry on the Government. I very well remember, when the yeas and nays were taken upon the adoption of the Holman amendment, that of the gentlemen on the Democratic side who are members of the present House the following were recorded against the Holman rider: Mr. BLAND of Missouri, Mr. BLOUNT of Georgia, Mr. C. R. BRECKINRIDGE of Arkansas, Mr. W. C. P. BRECKINRIDGE of Kentucky, Mr. BYNUM of Indiana, Mr. CATCHINGS of Mississippi, Mr. DOCKERY of Missouri, Mr. HATCH of Missouri, Mr. HERBERT of Alabama, Mr. MILLS of Texas, Mr. Morrison of Illinois, Mr. O'NEILL of Missouri, Mr. OUTHWAITE of Ohio, Mr. STAHLNECKER of New York, Mr. STONE of Kentucky, Mr. Stone of Missouri, Mr. Tucker of Virginia (not now a member of the House), Mr. WISE of Virginia, and many others.

[Here the hammer fell.]

Mr. CATCHINGS. I yield fifteen minutes to the gentleman from Kentucky [Mr. MCCREARY].

Mr. MCCREARY. I ask that the Clerk read the rule which I have offered as an amendment.

The Clerk read as follows:

Amend by adding, as Rule XI, to be inserted next after the rule defining the duties and powers of committees, the following:

"It shall be the duty of the several committees having jurisdiction of the general appropriation bills to report said appropriation bills (except the general deficiency bill) within eighty days after the committees are announced in a long session, and within forty days after the commencement of a short session; and if any committee fail to so report, the reasons of such failure shall be privileged for consideration when called for by any member of the House."

Mr. MCCREARY. Mr. Speaker, I offer this rule in the interest of economy and that the sessions of Congress may be shortened, and in order that every member of this House may have time in which to examine general appropriation bills that take from the Treasury hundreds of millions of dollars. This is not a new regulation. As far back as 1837 a rule was adopted in the House of Representatives in many respects similar to the rule which I now offer and that rule had the indorsement of twenty-one Congresses and remained in the rules of the House of Representatives for forty-two years. I am not able to tell now why that rule was omitted when the rules were revised in 1880, but I know

that prior to that time sessions of Congress were much shorter than they are now and appropriation bills were reported much earlier and the respective amounts appropriated were much smaller. Mr. Speaker, in order that we may have proper knowledge of appropriations made in the House of Representatives for the support of the Government it will be necessary to give a brief history of the manner in which general appropriation bills have been controlled by the rules of the House.

During the first forty years of the existence of our Government all general appropriations were made each year in an act entitled, "An act making appropriations for the support of the Government."

In 1823 appropriations for fortifications, and in 1826 appropriations for pensions, were first made in separate bills.

In 1844 the first separate act for Post-Office and general deficiency appropriation bills was passed.

In 1847 the appropriations were first made in nine separate bills, as follows: Army, civil and diplomatic, deficiency, fortifications, Indians, Military Academy, Navy, pensions, and Post-Office, and all were reported by the Ways and Means Committee. There was no Appropriations Committee at that time.

In 1862 the sundry civil bill was authorized, and in 1880 the agricultural appropriation bill, and in the same session the District of Columbia appropriation bill.

Up to 1865 there was no Committee on Appropriations in this House, and members may think from the power now given to the Committee on Appropriations and the authority that committee has in this House that it is one of the oldest committees of the House of Representatives. But that is not so.

For eighty years of the existence of our Government there was no Appropriations Committee. In 1865 (second session, Thirty-eighth Congress) a new rule was adopted creating the Committee on Appropriations, and then the general appropriation bills were taken from the Committee on Ways and Means and given to the Committee on Appropriations. That committee had jurisdiction of all appropriation bills until 1885, and then seven of the great appropriation bills of this House were taken from the Committee on Appropriations and distributed as follows:

The Army appropriation bill was given to the Committee on Military Affairs; the consular and diplomatic appropriation bill was given to the Committee on Foreign Affairs; the Indian appropriation bill was given to the Committee on Indian Affairs; the Military Academy appropriation bill was given to the Committee on Military Affairs; the naval appropriation bill was given to the Committee on Naval Affairs; the Post-Office appropriation bill was given to the Committee on the Post-Office and Post-Roads, and the Agricultural appropriation bill was given to the Committee on Agriculture.

The Committee on Appropriations has since 1885 had charge of the following bills: Deficiencies, District of Columbia, fortifications; legislative, executive, and judicial; pensions, and the sundry civil appropriation bills.

It was on September 14, 1837, the first session of the Twenty-fifth Congress, when the House of Representatives adopted the following rule:

> It shall be the duty of the Committee on Ways and Means within thirty days after their appointment at every session of Congress, commencing the first Monday of December, to report the general appropriation bills.

Thus we see that when the Committee on Ways and Means had jurisdiction of these great appropriation bills they were compelled by a rule of this House to report those appropriation bills within thirty days after the committees were appointed, and, in 1865, when the Appropriation Committee was created, there was an amendment made to that rule by adding the following:

> Or on a failure therein, the reasons for such failure, and said Committee on Appropriations shall have leave to report such bills at any time.

The rule now proposed restores the old rule and enlarges the time in which committees in charge of appropriation bills shall report them to eighty days in a long session and forty days in a short session. This is made necessary by increased appropriations and by the additional work required of the committees.

Under such a salutary rule general appropriation bills could not be withheld, as they have notoriously been for many years, until the closing hours of the session and then either run through with great haste under the apprehension of a called session or passed under a suspension of the rules with little or no debate or examination by members, or perhaps hundreds of Senate amendments, involving millions of dollars, sent to a committee of conference, consisting of three members, whose report is usually accepted without question.

That we may see the difference in the time of reporting and passing general appropriation bills twenty years ago, when a rule was in force substantially the same as the one now under consideration, I call the attention of members to a comparison I will now make, showing that twenty years ago general appropriation bills were usually reported in January and February of each year, and now they are reported as late as June, July, and August, and but little time allowed for consideration and discussion.

In the Fortieth Congress the House of Representatives met on the first Monday in December, 1867, and the Army appropriation bill was reported in February, 1868, the consular and diplomatic bill was reported February 10, the Indian appropriation bill on February 28, the Military Academy bill on January 31, the naval appropriation bill on January 31, the pension appropriation bill on February 7, the Post-Office appropriation bill on February 20, and the sundry civil appropriation bill on February 25. All these appropriation bills were reported at the regular session of the Fortieth Congress in January and February.

In the Forty-second Congress the Army appropriation bill was reported on February 14, 1872, the consular and diplomatic bill on January 29, the general deficiency bill on February 19, the fortification appropriation bill on February 29, the Indian appropriation bill on January 26, the legislative, executive, and judicial appropriation bill January 26, the Military Academy appropriation bill on February 21, the naval appropriation bill on January 25, the pension appropriation bill on January 18, and the Post-Office appropriation bill on January 18. The rule at that time required the general appropriation bills to be reported within the first thirty days after the announcement of the committees, or failing to so report the committee should give a reason for the delay.

Now, let us see what has been the practice since 1880, when the rule was omitted. I will not take up the time of the House by going into details, but I will simply call attention to the fact that in the Forty-seventh Congress, which was the first Congress after the rule was omitted, four of the great appropriation bills were reported to the House in June, two in July, and one in August. In the Forty-eighth Congress four of the great appropriation bills were reported in June and one in July. In the Forty-ninth Congress two of the great appropriation bills were reported to the House in July, two in June, and one in May.

[Here the hammer fell.]

Mr. McCREARY. I ask the gentleman from Mississippi [Mr. CATCHINGS] to give me a few minutes more.

Mr. CATCHINGS. I yield five minutes more to the gentleman from Kentucky.

Mr. McCREARY. In the first session of the Fiftieth Congress five of the great appropriation bills passed the House of Representatives in June and two in August; and in the first session of the Fifty-first Congress four of the general appropriation bills passed the House of Representatives in June. Mr. Speaker, I think this record shows conclusively that there ought to be a rule requiring general appropriation bills to be reported to this House for its consideration in the early months of the session. Additional reasons are that ill-advised and bad legislation sometimes come in upon these bills when they are reported so near the close of a session.

The House of Representatives originates the appropriation bills, and it is our duty to send them to the Senate in time for that body to consider them with the care and deliberation they deserve. These appropriation bills, after they have passed the House and the Senate, have to go to the President; he should also have proper time to examine and consider them. It is an open secret that Mr. Cleveland refused to sign two general appropriation bills because they went to him the day before the Congress adjourned and he had not time to examine them.

It is also a matter of common information that within the last fifteen years general appropriation bills have passed the House and the Senate when it was too late to enroll them properly, and when the Committee on Enrolled Bills had not sufficient time to compare the enrolled bills with the originals, and the result has been that serious mistakes have been made. Mr. Speaker, there is in the rules reported by the committee, and which will probably pass, a provision that hereafter new legislation may be placed upon general appropriation bills, and this furnishes an additional reason, and makes it more important perhaps now than ever before, that these appropriation bills should be reported early enough for the House to consider them with due care and deliberation. In the rule which I have proposed it is provided that after the time allowed has passed any committee having charge of a general appropriation bill may obtain further time by reporting a satisfactory reason for delay in reporting the bill.

The best test of any system of rules or laws is the application of them and the experience we have had under them.

The rules of the Forty-ninth and Fiftieth Congresses were in many respects satisfactory, and I am glad the committee has reported them for the government of the Fifty-second Congress. I think with some modifications and amendments they will be regarded as wise and just and fair.

The rules of the Fifty-first Congress I regarded as aiding and encouraging parliamentary tyranny and making legislative monstrosities possible.

Under those rules an oppressive and burdensome tariff bill was passed after only a few hours' debate. An audacious, arbitrary, dangerous, and unconstitutional bill commonly called "the force bill," was passed under the operation of the previous question, with but little discussion, and bills reorganizing United States courts and establishing new law on silver coinage and other important measures were passed in unprecedented haste and with but limited debate.

I thank the Divinity which controls the destinies of men as well as of nations that the Representatives in Congress are not the sovereigns, but the servants of the people, and retributive justice is sure and certain. A political revolution convulsed the United States at the last Congressional election. An earthquake seems to shake up the Republican party, and the party which had a majority of 24 in the last Congress now occupies hardly one-third of the seats in this Chamber.

Mr. Speaker, the Democratic party has a great mission to perform. Its mission is to revise and reduce taxation so that there will be equal rights for all and special privileges to none. Its mission is to benefit the business interests of the country by increasing the volume of money. Its mission is to strike down and destroy trusts and combines, which enrich classes and impoverish the masses. Its mission is to restore economy, justice, and fair play. It will be certain to accomplish its mission.

I am opposed to one-man power on the floor or in the Speaker's chair. With fair, just, and wise rules for our government we can move on with harmony and diligence, I trust, to perform the important duties required at this session of Congress.

I believe the adoption of the rule which I have been advocating will be a long step in favor of economy, and that it will be in the interest of short sessions, and give every member of this House proper time to examine bills which are of great importance to us and to the country.

Mr. CATCHINGS. I now yield ten minutes to the gentleman from Indiana [Mr. BYNUM].

Mr. BYNUM. Mr. Speaker, I think it must be very evident to members of this House that we must have some set of rules before we can do very much business. During the last session of Congress there were introduced into this House more than 14,300 bills. There were also introduced 289 joint resolutions. There were introduced into the Senate 5,130 bills, making an aggregate in the two Houses of about 19,500 bills and resolutions. Now, if we calculate the time required for the consideration of these measures, allowing only ten minutes for each bill or resolution, there would be required for their consideration 633⅓ days. It is very apparent, therefore, that a system of rules somewhat rigid and somewhat arbitrary is absolutely necessary for the proper conduct of the business of this House. I am therefore in favor, in the main, of the rules reported by the committee. I believe they can be improved by some amendments, but in the main they embrace the aggregated wisdom of previous Congresses.

I am not alarmed, as the minority in this House appears to be, by the fear that dangerous power may be lodged in the hands of the Committee on Rules. To a certain extent there must be an arbitrary power lodged somewhere. It is perfectly apparent that the large number of bills and resolutions introduced here can never receive consideration during any Congress. If we should sit here from the time of our election until our successors are elected and qualified we could not duly consider one-half of the measures that are brought before us. Therefore, in the formation of our rules it is necessary that important measures, necessary legislation, should take precedence of all other measures, and I am in favor of granting necessary bills privilege of consideration. I am not in favor of going to the extent of the gentleman from Texas [Mr. LANHAM], and conferring privilege upon any measure not absolutely necessary to carry on the Government.

The question therefore recurs whether, by the proposed rules, we confer an extraordinary and dangerous power upon the Committee on Rules. It is true, Mr. Speaker, that when our Calendars are made up there are certain important bills which can not be reached without some special order. Therefore, it frequently happens that a resolution is introduced in the House and sent to the Committee on Rules to determine whether a particular bill should be taken up out of order. To this extent, Mr. Speaker, there is an arbitrary power lodged in the Committee on Rules, because that committee has the power to report or not to report such a proposition. How can we remedy this evil, because to a certain extent it appears to be an evil? Can we permit every member of this House to put before that Committee on Rules propositions for special orders and make them privileged? If you do that, you will sit here until doomsday without obtaining the consideration of any measure.

Therefore, Mr. Speaker, I am willing to trust the Committee on Rules, three members constituting a majority of that committee, or five members including the minority. I am willing to trust their judgment and their discretion as to the determination of what measures should have precedence in this House. Such a power must be lodged somewhere. The Committee on Rules can be trusted to comply with the demands of a majority of this House.

Mr. Speaker, we know the difficulties that have attended the progress of legislation in this House, and we know full well the opposition that was aroused during the Fiftieth Congress to the old rules. In this House, during that Congress, one man stood here for a whole week filibustering, not against any particular measure, but against the transaction of any legislation, because a bill in which he felt a deep interest was not given a day by the Committee on Rules. By reason of this proceeding on his part a compromise was necessary with that single member, the Committee on Rules agreeing that the measure which he desired to have considered should be brought forward.

Now, Mr. Speaker, I do not think such a power of obstruction should be conferred upon any member. I do not believe that it ought to be within the power of any member to block legislation because his whims have not been satisfied as to measures which are to have precedence. Hence I propose to offer an amendment to section 4 of Rule XVI which will prevent anything of that kind, leaving in the hands of the House greater power to determine and to transact such legislation as may be brought forward.

Mr. Speaker, I do not wish now to go over the rules of the Fifty-first Congress. I desire, however, to call attention to the fact that in a measure the Speaker of this House must be clothed with a certain authority——

Mr. HENDERSON of Iowa. What is the amendment which the gentleman proposes to offer?

Mr. BYNUM. It is to strike out the provision that a motion to fix a day to which the House shall adjourn and a motion to take a recess shall be in order at any time, limiting the privilege simply to the motion to adjourn, which can not be repeated at the same stage.

Now, Mr. Speaker, the difference between the rules of the last Congress and those proposed in this Congress is very marked. Under the rules as reported, without the amendment I have suggested, it would be in the power of one man to prohibit or stop any legislation that he did not indorse.

Under the rules of the last Congress it was within the power of one man to enact legislation. That is the difference; one man under the system of rules existing prior to last Congress could block legislation, while one man under the rules of the last House was clothed with power and authority to legislate for the entire body. That power was conferred upon him by the rules, whether constitutionally or not I shall not say. The rule which authorized him to record upon the Journal the names of members not voting enabled him to pass bills for which the members were not responsible in their legislative capacity.

Mr. Speaker, we can not undertake in the reformation of this system of rules to do more than to free the hands of the members of this House as far as practicable and to enable them to transact business in the best way possible, because we can not transact one-half or one-quarter of the legislation that will be presented during the session for our consideration. I believe, therefore, that the power lodged in the Committee on Rules in the proposed code must necessarily and properly be lodged there, and I am willing to trust that committee to bring before the House such measures of relief as the people desire or that may be deemed necessary by a majority of this House.

[Here the hammer fell.]

Mr. WATSON. I now yield five minutes to the gentleman from Kansas [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, as a new member of this House I rise with considerable diffidence before this magnificent audience and in your presence, and my first remark will be to thank this great majority for the privilege of allowing me to appear and for according rights such as have been accorded to a small minority. It has not always been so in the history of this Congress. My memory goes back to the fifties, when it was not accorded, and to the eighties, when it was not accorded willingly. But now it is accorded and accorded very willingly. And though we claim this hearing as a right, yet when men have the privilege of doing wrong and still do right, I for one feel like thanking them for it.

We have, Mr. Speaker, virtually three sets of rules before the House for its consideration. One of these sets grants to the Speaker of the House what one party says are inordinate, unusual, and unjust powers with the minority, while the other grants what the other side claims are also inordinate and unjust powers. The third code, however, proposes that the business of this House shall be, as far as possible, controlled by the entire sentiment of the House itself, by submitting it to the continual revision of a committee composed of one man from each State and Territory, who shall be elected and selected by the House itself. That committee on

revision, so constituted, is to bring forward certain business that may be more important ahead of other business of less importance. That is the committee on revision, and they should meet at least once or twice a month.

Leaving that now for the present, and turning my attention in another direction—for my time is limited—I desire to say that I have before me, Mr. Speaker, a most unusual spectacle. I have on my right hand a minority arguing for rules that will put inordinate, unusual, and, they claim, unjust powers in the hands of an opposition Speaker, while on my left I have a very large majority of the House arguing for rules that will put the same power in the hands of this minority. Now, just how to reconcile these differences will take, I apprehend, some thought. [Laughter.] Each side wants to grant to the other greater powers, and each side, with unusual diffidence, pushes the powers that are presented to them aside and declares, "We won't undertake to exercise them."

Now, I have studied this question considerably and tried to understand it; and, Mr. Speaker, I can only understand it in the light of some good old orthodox authority. My first impression is that there is no difference between the two wings of the old parties on my right and left. In the first place, this minority is perfectly willing to intrust legislation in the hands of what they call an opposition Speaker, for they know that all great questions of finance, transportation, public lands, taxation, etc., are equally important in the mind of any Speaker, no matter what you may call his party. But, on the other hand, this majority, in regard to all these great questions, are willing to trust almost autocratic authority in the hands of the other fellows.

I do not speak at random. I have before me a very orthodox authority on the Republican side, a book written by Mr. Andrew Carnegie. I think he is a Republican. He says he is a Republican of the high-tariff protection kind. But he says;

Rather than have free coinage of silver, I would vote for the lowest tariff Democrat.

That looks as if he was almost there.

Mr. Carnegie further says:

A politician may safely be challenged to state wherein the Democratic and Republican parties of to-day differ. If one of the "outs," he will say that the "ins," having had control too long, have become corrupt, and that, as a new broom sweeps clean, a change is desirable. But ask him which, if any, of the national laws or forms he would change, and he is dumb.

Then, after arguing that question through three or four pages, this orthodox authority says further:

As before explained, the "outs" must accuse the "ins "of corruption, since the policy of one party is that of the other.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. DAVIS. Mr. Speaker, I wish to say one word more. I desire to quote one more authority before I sit down. I quote from my predecessor [Mr. Anderson of Kansas] in a speech made on the floor of this House during his last term:

It does not appear that the control of this floor by either of the political parties makes an earthly bit of difference on the banking question. When you gentlemen on the Democratic side had control of the House one of the first bills reported by your committee was this bill, and we have it here now from a Republican committee, and it is just the same old bill again. [Laughter.]

In the line of this testimony I desire to add in conclusion that in the Kansas elections of November, 1891, the Democratic and Republican parties held joint conventions, and nominated and supported joint tickets against the People's party in many parts of the State. So, Mr. Speaker, the indications both East and West seem to point to a union of the old parties into a single organization in order to defeat the coming party of the people.

The SPEAKER *pro tempore*. The gentleman from Georgia [Mr. WATSON] is entitled to five minutes.

Mr. WATSON. I yield to the gentleman from Kansas [Mr. SIMPSON].

Mr. SIMPSON. Mr. Speaker, I also wish to thank both Republicans and Democrats for the courtesy with which they have treated us, the People's party, in Congress. Therefore, I am satisfied with the present rules. I do not see any necessity for changing them. It seems to me that we have been able heretofore to conduct the business of this House without any set of ironclad rules. We have had a hearing; I doubt if we get that in the future. There have been a few gentlemen who sought to interrupt us. My auburn-haired friend from Illinois [Mr. HOPKINS] sometimes has thought that we have said something that might result to the detriment of the Republican party, and my good friend from Kansas [Mr. FUNSTON], the last almost of a great party [laughter], has endeavored to enlighten this House in regard to the price of corn in the great State of Kansas. He says that it is 55 cents a bushel, when I read in the New York papers that it only sold for 48½ cents in New York yesterday and 37½ cents in Kansas City.

Mr. FUNSTON. I made no such statement whatever.

The SPEAKER *pro tempore*. Does the gentleman yield?

Mr. SIMPSON. I do not yield. I have the floor now and the gentleman may have it later. This only goes to show how much the Republican members from Kansas know about Kansas. [Laughter.] I say, sir, that this gentleman has been posing as a farmer, the representative of the agricultural class, and he stands up here to-day and tells us that corn is 55 cents a bushel in Kansas, when as a matter of fact he can buy millions of bushels at 30 cents.

Mr. FUNSTON. I made no such statement.

Mr. SIMPSON. There is a curious coincidence in connection with this question. It is this; that as the number of the Republican Representatives from Kansas has decreased, the price of corn has gone up in Kansas. [Laughter.] Since the People's party there has begun to rule, the price not only of corn but of nearly every other product of the farm has advanced; and I think it is as well, when the great party that once stood for the rights and liberties of the people has now degenerated into the hands and control of men who know so little about the necessities of the country as my distinguished friend from Kansas [Mr. FUNSTON], I think it is time that some other party should take its place.

Now, Mr. Speaker, in regard to these rules, it is a strange spectacle to me that the members of Congress who represent the people, who have been delegated with power to carry on legislation, should come down here and delegate away their powers to the Committee on Rules. That is the point, gentlemen, and it is one of grave importance to us. I come here representing my constituents from one of the largest districts of Kansas, having within the borders of that district a population of 300,000 people, or thereabouts. Our interests have been neglected in this House heretofore. For thirty years past I defy any gentleman on the right or on the left to point to one law that has been passed in the interest of the farmers or laborers of this country. Point to one single law, I ask any gentleman either on the right hand or on the left. I am here as a protest against this neglect of this large mass of people, and I desire a chance to put measures before this House that this class of people wish to have enacted into law. Therefore, I do not want to delegate the power to a committee who can put the gag upon us; but I want to say to the Congressmen here who represent the people that they should leave themselves free so that they can pass laws that will relieve the people.

[Here the hammer fell.]

Mr. REED. Mr. Speaker, how much time have I remaining?

The SPEAKER *pro tempore*. The gentleman from Maine has thirty-eight minutes.

Mr. REED. I yield five minutes to the gentleman from Kansas [Mr. FUNSTON].

Mr. FUNSTON. Mr. Speaker, I have been somewhat amused with my colleagues from Kansas and others claiming to belong to what they call the "People's party." During the last week or two they have been making a remarkable exhibition of themselves; it seems that they do not all agree; and now I would advise them to retire behind the barn, settle upon some political doctrine, and present it here to this House, and stand by it.

Mr. SIMPSON. We have all agreed that you do not know the price of corn. [Laughter.]

Mr. FUNSTON. Now, you find one gentleman lauding the principles of the Republican party, another lauding the principles of the Democratic party, and others of them getting on the fence, bowing to both sides of the House. [Laughter.] But I must say that the gentleman from the western district of Kansas, before me, who has just taken his seat [Mr. SIMPSON], has shown the nerve of a true representative and the true position of the party he represents, for we know them in my State to belong to a party that is opposed to the Republican party only.

Mr. SIMPSON. That is right.

Mr. FUNSTON. We charged them with being Democrats, and they denied that; but the gentleman before me on the 21st instant made a speech in which he went bag and baggage, boots, saddle, horse, and all into the Democratic party. [Laughter.]

Mr. CARUTH. We are glad to take him in.

Mr. FUNSTON. Now, Mr. Speaker, I want to say to him that while he surrenders himself to the Democratic party he should bear in mind that he surrenders not only his magnificent self [laughter], but he surrenders the great People's party that he represents. Yes, I want to say to my colleague from Kansas, when you deliver yourself over into the lap of this Democratic Delilah [laughter], who will take and nurse you on her knees while she shears you of your locks, be careful that she does not also get from you that other article on which you won your way to Congress. [Laughter.]

Now, Mr. Speaker, the gentleman unintentionally misrepresented me when I corrected the gentleman from Alabama——

Mr. WISE. The gentleman from Georgia.

Mr. FUNSTON. The gentleman from Georgia, when he said that corn was burned in Kansas. I said that there was not a word of truth in it. I do not believe there was ever a bushel of corn

burned in Kansas, and I said to-day it is selling at 40 cents a bushel.

Several MEMBERS. Fifty cents.

Mr. FUNSTON. Well, gentlemen state, I understand, that I said 50 cents. If I did so, I correct it most cheerfully, and state that I meant to say 40 cents.

But, Mr. Speaker, that is neither this way nor that. I say that these gentlemen have come here, not by making speeches upon great political principles, but by an appeal to the prejudices of the people of their States, making them believe that they were burning corn and starving to death at the same time.

Mr. CARUTH. They can not tell corn from coal.

Mr. FUNSTON. Why, Mr. Speaker, we have millions of bushels of corn for sale in Kansas, and I myself have within the last three months bought several thousand bushels of corn at 40 cents a bushel.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. FUNSTON. I would like to have a little more time.

A MEMBER. Give him more time.

Mr. REED. I yield two minutes more to the gentleman from Kansas.

Mr. FUNSTON. I want to say in addition, inasmuch as it seems that nothing can occur in this House, that no calamity can be pointed out without pointing to Kansas, and that, too, by her own Representatives [laughter]—I want to say to the people of this country that Kansas is paying off her indebtedness at the rate of a million dollars monthly [applause on the Republican side]; and that in the next few years she will stand before the country with every dollar of her indebtedness paid. [Cries of "Good!"] I want to say further to you, Mr. Speaker, that not only will Kansas pay her debts, but will pay them in as good money as she borrowed [applause on the Republican side], in gold, silver, and paper which is the equivalent of either; and I want also to say that whoever claims to represent my State by saying that we are in favor of issuing an unlimited amount of fiat money, redeemable in nothing, payable in nothing, misrepresents the very people whom he pretends to represent here. [Loud applause on the Republican side.]

I say to you, Mr. Speaker, Kansas has had her misfortunes, but none greater than when she elected men to defend her on the floor of this House. But a change has come over her. In the last election the Republican party elected three-quarters of the Republican ticket, and the remainder of the People's party was only a relic of the past. [Cries of "Good!"] That time has passed over, and my word for it, when Kansas comes into line next fall it will be with the grand old Republican majority of 80,000. [Laughter and applause, and cries of "Mr. SIMPSON!"]

Mr. ALDERSON. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. ALDERSON. Would a motion be in order here to take a recess for five minutes, in order that Brother SIMPSON may be received in the Democratic party?

The SPEAKER *pro tempore*. The Chair thinks not. The House will be in order.

Mr. CATCHINGS. I yield five minutes to the gentleman from Kansas [Mr. SIMPSON].

Mr. SIMPSON. Mr. Speaker, I am sorry that this discussion has degenerated into a controversy in regard to the merits or demerits of the Democratic and the People's party in Kansas, and in regard to their relative strength. I merely called the attention of the House to the fact that my colleague [Mr. FUNSTON], who has been posing as a "farmer" and who has run as a farmer on the Republican ticket, was an example of the ignorance of the farmers as a class that the Republican party put forward to represent them in Congress, and that therefore the farmers had been misrepresented here. [Laughter.] I have but a few words to offer in reply to what the gentleman has said. As to his warning to me against falling into the lap of the Delilah of the Democratic party, I want to say that it is quite unnecessary. There is no danger. He had better reserve his warnings for his own party, because, as a matter of fact, as he knows and as every intelligent man in Kansas knows, the Republican party did fall into the lap of the Democratic Delilah in Kansas during the last election. [Laughter.] They found themselves in such sore straits that they had to unite with the Democratic party to secure themselves against defeat in that State.

Now, in regard to the prosperity of the State, the gentleman says that Kansas has been in the gripes—I believe that was his expression. That is true; but, thank God and the People's party, Kansas is out of that condition now. We have got control of the State, so to speak, and the prosperity of the people has improved and increased, dating from the day when the Alliance or the People's party got control. Under Republican rule that State, which had come fresh from the hands of nature, without a dollar of debt or a mortgage upon it, was so managed that to-day it has a debt in farm and home mortgages of $170 per capita for every man, woman, and child in the State. The gentleman says we are paying them off. Yes, sir, we are paying them off because the sheriff is foreclosing the mortgages and the mortgage companies are taking the land, and to-day in that State homeless women and men are wetting the soil of Kansas with their tears because, owing to the pernicious policy of the Republican party, they find themselves without homes.

Now, as far as the Democratic party is concerned, or as far as the Republican party is concerned, I will vote for any measure that will relieve the condition of those people or furnish them the means to relieve themselves and to pay off this debt, but I would not like to limit them to gold, there not being gold enough in the United States to fill the old rotten teeth, let alone enough to pay the debt that hangs over the people. Besides, we did not borrow gold. But I would pay the creditors in money of full legal tender, representing the value of all the property in the country. That is all the difference there is between the gentleman and myself. I will not further detain the House. [Applause.]

Mr. REED. Mr. Speaker, I yield ten minutes to the gentleman from Massachusetts [Mr. LODGE].

Mr. LODGE. Mr. Speaker, if the House can return for a moment from the plains of "bleeding Kansas" I should like to make a few remarks in regard to the rules, which I believe we have had at times during the day under discussion. [Laughter.] The rules of the Fiftieth Congress carried the system of not doing the public business to a very high point of perfection. In every highway and byway which a bill might pass to enactment those rules blocked the path and set up a sign of "No thoroughfare." This was the condition which the Fifty-first Congress tried to reform. The principle which ran through all the changes then made was to open up some of those blockaded paths so as to permit legislative movement.

In the rules now presented by the majority of the committee that central principle of opening up some way for legislative movement has been recognized in two important respects, to which I shall presently advert; but I regret to see that in other directions they have replaced some of the old obstructions, and one in particular, which I trust the House will strike out. It is the clause to which the gentleman from Indiana [Mr. BYNUM] has referred, and in regard to which he has offered an amendment. I mean the rule giving privilege to the motions to adjourn to a day certain and to take a recess. I have no desire to speak disrespectfully of those motions; for when we are talking about the rules we can never tell when we may run on to the "natural and inalienable rights of man." [Laughter.] The "natural and inalienable rights," those with which a man is born, and which no majority can take from him any more than they can take the color of his eyes or of his hair or of his skin. [Laughter.] I can hardly believe, however, that the right to make a motion to adjourn to a time certain or to take a recess is one of these "natural and inalienable rights" born with a man when he comes into the world. [Laughter.] I venture to think that they are purely artificial, and I have never understood why they should exist as highly privileged motions.

I am strongly of opinion that they should not be privileged, and yet, taking away their privilege, as the gentleman from Indiana [Mr. BYNUM] proposes, does not put a stop to filibustering. It simply gets rid of the easiest method of doing it, for the use of those motions is something so simple that it might be successfully worked in an asylum for the feeble-minded. It does not require even a common-school education or the ability to read and write in order to take advantage of those two motions in such a way as to stop the business of this House. If a man knows how to tell the time and read the hours on the face of the clock he can use those motions so as to arrest business here; and every gentleman who was a member of the Fiftieth Congress has seen it done.

Now I submit that even those who love filibustering, and who regard it as one of the "inalienable rights of man," should at least, out of respect for the proceeding if for no other reason, dispense with giving privilege to these two motions. It is not too much to ask that filibustering should require some intellectual effort. I think, therefore, that the amendment proposed by the gentleman from Indiana strikes at a very objectionable form of filibustering, and although it would be far from arresting it altogether, it would get rid of one kind, for which we should be duly thankful.

I now come to the two points to which I said I should advert with respect to which the Committee on Rules has followed the principle of the Fifty-first Congress and opened a way for legislation. One is to legislate by the method of "riders" on appropriation bills, and the other by the power which they have put in the hands of the Committee on Rules. A "rider" on an appropriation bill is a thoroughly mischievous way of doing business, and ought to be voted down, as it was by another Demo-

cratic Congress. It really does not deserve argument. The other proposition to put power into the hands of the Committee on Rules is one for which I at least have no disapproval. It is well, I think, that we should open some method for doing business; and I am glad that at least the Speaker of the House, the gentleman from Mississippi [Mr. CATCHINGS], and the gentleman from Tennessee [Mr. MCMILLIN] are to have an opportunity to do business, even if nobody else has. It is something that they should have such opportunity, instead of there being "no thoroughfare" marked over absolutely every line of action.

Moreover, I believe the Committee on Rules, or a majority of that committee, representing the majority of the House, ought to have the power to fix the order of business.

The only fault I find in this respect is that I think the committee has adopted a clumsy and too limited way of reaching the same result that we reached in the Fifty-first Congress. That result was simply getting responsibility somewhere in this House, and putting an end to the proposition which had been constantly advanced that a majority could not act because the rules prevented.

It has been demonstrated by the action of the last Congress that any majority can act in this House if they choose to do so. It makes no difference whether that majority meet here and vote down a given measure, whatever it may be, or whether they strangle it by rules; it is still their action. No set of rules can shift the responsibility which lies on the majority. I am glad the committee has given expression to this idea in the power which they propose to intrust to the Committee on Rules. But if they had not given expression to the idea the fact would have remained. No majority can longer find shelter behind rules. With them will rest the responsibility for the action of this House, whether they smother measures, whether they kill them, or whether they pass them. I only hope that we shall so amend and perfect these proposed rules as to open the way still further for the transaction of the public business. [Applause.]

The SPEAKER *pro tempore* (Mr. HATCH). The gentleman from Maine [Mr. REED] has twenty-three minutes remaining.

Mr. REED. What time is left on the other side?

The SPEAKER *pro tempore*. Fifty-five minutes.

Mr. CATCHINGS (after a conference with Mr. REED). I move that the House adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 50 minutes p. m.) the House adjourned.

PROPOSED AMENDMENTS TO THE RULES.

The following proposed amendments to the report of the Committee on Rules were handed to the Clerk to be printed in the RECORD:

By Mr. BUTLER:

Amend section 51 of Rule XI by inserting, after the words "Committee on Rules," in line at bottom of page, "or any resolution fixing a special order of business any time after ten days from the date of the reference thereof."

By Mr. PICKLER:

Amend Rule XXVI by inserting as paragraph 2 the following:

"2. The House shall, on each Friday, at 5 o'clock p. m., take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion, only, shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes."

And that paragraph 2 of majority report shall be numbered 3.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. BRAWLEY: A bill (H. R. 4853) for the relief of Agnes and Maria De Leon—to the Committee on Claims.

By Mr. BELTZHOOVER (by request): A bill (H. R. 4854) for the relief of the legal representatives of Orsemus B. Boyd—to the Committee on Military Affairs.

Also, a bill (H. R. 4855) granting a pension to Cornelius Beecher—to the Committee on Invalid Pensions.

By Mr. BRECKINRIDGE of Arkansas: A bill (H. R. 4856) for the relief of Emily Edwards—to the Committee on War Claims.

Also, a bill (H. R. 4857) for the relief of Levander Jenkins—to the Committee on War Claims.

By Mr. BRODERICK: A bill (H. R. 4858) for the relief of Frank P. Murphy—to the Committee on Claims.

Also, a bill (H. R. 4859) for the relief of Peter M. V. Underwood—to the Committee on Military Affairs.

By Mr. CAPEHART: A bill (H. R. 4860) for the relief of the Methodist Church of Point Pleasant, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 4861) for the relief of Eli B. Riggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4862) to correct the record of George H. Williams—to the Committee on Military Affairs.

By Mr. CHAPIN: A bill (H. R. 4863) for the relief of Eliza Percival—to the Committee on Invalid Pensions.

By Mr. COOMBS: A bill (H. R. 4864) to remove the charge of desertion from the military record of W. H. Battelle—to the Committee on Military Affairs.

By Mr. COOPER: A bill (H. R. 4865) to complete the military record of John W. Morgan—to the Committee on Military Affairs.

By Mr. COVERT: A bill (H. R. 4866) for relief of George F. De Freitas—to the Committee on Claims.

Also, a bill (H. R. 4867) for improving the road between Willets Point and the railway station at Whitestone, N. Y., and making an appropriation therefor—to the Committee on Military Affairs.

By Mr. CULBERSON: A bill (H. R. 4868) making an appropriation for the payment of arrears of interest on the trust fund of the Chickasaw Nation—to the Committee on Indian Affairs.

Also, a bill (H. R. 4869) to increase the pension of T. J. Ferguson—to the Committee on Invalid Pensions.

By Mr. EDMUNDS: A bill (H. R. 4870) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company—to the Committee on Claims.

By Mr. ENOCHS: A bill (H. R. 4871) for the relief of John McMahan—to the Committee on Military Affairs.

By Mr. GEARY (by request): A bill (H. R. 4872) for relief of Daniel Donovan—to the Committee on Claims.

By Mr. HARTER: A bill (H. R. 4873) granting an honorable discharge to William Wikel—to the Committee on Military Affairs.

Also, a bill (H. R. 4874) granting an honorable discharge to James C. Loftus—to the Committee on Military Affairs.

By Mr. HOPKINS of Pennsylvania: A bill (H. R. 4875) granting a pension to Margaret Hyatt—to the Committee on Pensions.

By Mr. KENDALL: A bill (H. R. 4876) for the relief of Granville Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 4877) for the relief of James L. Kidd—to the Committee on Military Affairs.

Also, a bill (H. R. 4878) for the relief of Archibald Gibson—to the Committee on Military Affairs.

Also, a bill (H. R. 4879) for the relief of Lewis C. Dils—to the Committee on Military Affairs.

Also, a bill (H. R. 4880) for the relief of Moses Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4881) for the relief of Andrew Howard, sr., of Magoffin County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 4882) for the relief of B. L. Davis, of Johnson County, Ky.—to the Committee on Invalid Pensions.

By Mr. LOCKWOOD: A bill (H. R. 4883) to place Warren A. Woodson on the retired list for privates and noncommissioned officers of the United States Army—to the Committee on Military Affairs.

By Mr. MCKEIGHAN: A bill (H. R. 4884) for the relief of Emanuel Faust—to the Committee on Military Affairs.

By Mr. MCKINNEY: A bill (H. R. 4885) to pension Thomas F. Leahey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4886) to pension Leon Christien—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 4887) to grant a pension to Lucretia Bliss, a dependent mother—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4888) to increase the pension of Joel A. Holden—to the Committee on Invalid Pensions.

By Mr. MEREDITH: A bill (H. R. 4889) for the payment of the claims of John A. Dixon executor and guardian, Ella Dixon Thomas, Arthur Dixon, and Fanny Dixon for the rental value of their real estate situated in Alexandria, Va., and used by the United States Army, pursuant to the facts found and reported by the Court of Claims under the provisions of the act of Congress approved March 3, 1883, known as the Bowman act—to the Committee on War Claims.

By Mr. NORTON: A bill (H. R. 4890) for the relief of Edwin F. Mathews—to the Committee on War Claims.

Also, a bill (H. R. 4891) for the relief of the legal representatives of Adam Ruebeling, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4892) for the relief of St. Charles College—to the Committee on War Claims.

Also, a bill (H. R. 4893) for the relief of Edward S. Armstrong—to the Committee on Claims.

By Mr. O'FERRALL: A bill (H. R. 4894) for the relief of the estate of Isaac Hurn, of Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4895) for the relief of Paul C. Bowman, administrator of Anna C. Bowman, deceased, of Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4896) for relief of David Swartz, of Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4897) for the relief of Jonathan Holler, of Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4898) for the relief of R. A. Bickers, of Page County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4899) for the relief of Catharine Flick, of Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4900) for the relief of Joseph Blosser, of Page County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4901) for the relief of Samuel H. Sowner, of Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4902) for relief of John Fox of Peter, Page County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4903) for relief of Jacob Dolman—to the Committee on War Claims.

Also, a bill (H. R. 4904) for the relief of the estate of Mary E. Milley, of Shenandoah County, Va.—to the Committee on War Claims.

By Mr. POST: A bill (H. R. 4905) to grant an increase of pension to Elizabeth R. Gordon, widow of Maj. George A. Gordon, Fifth Cavalry, United States Army—to the Committee on Pensions.

By Mr. RANDALL: A bill (H. R. 4906) for the relief of Ellen Wright, hospital nurse—to the Committee on Invalid Pensions.

By Mr. REYBURN: A bill (H. R. 4907) appropriating the sum of $25,000 for the purpose of determining the quantity of the so-called "hammer blows" of locomotive driving wheels—to the Committee on Railways and Canals.

By Mr. SPRINGER: A bill (H. R. 4908) authorizing the restoration of the name of Wilbur F. Melbourne, late first lieutenant, Fifteenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers—to the Committee on Military Affairs.

By Mr. SEERLEY: A bill (H. R. 4909) granting an honorable discharge to Alexander S. Seber—to the Committee on Military Affairs.

By Mr. STORER (by request): A bill (H. R. 4910) for the relief of Rebekah Wilkins, widow of Jesse Wilkins—to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 4911) for the relief of Stokely D. Brooks—to the Committee on Military Affairs.

By Mr. WEVER: A bill (H. R. 4912) to increase the pension of Frances O. Robertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4913) to remove the charge of desertion from the record of John Wagner Haseltine—to the Committee on Military Affairs.

By Mr. WHITING: A bill (H. R. 4914) for the relief of Sophia Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4915) for relief of William G. Atkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4916) granting a pension to Thomas Tucker, of Battery A, Fourth United States Artillery—to the Committee on Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 4917) for the relief of Isaac P. Nelson—to the Committee on Military Affairs.

Also (by request) a bill (H. R. 4918) to place Romeo Friganza on the retired list—to the Committee on Naval Affairs.

By Mr. WILLIAMS of North Carolina: A bill (H. R. 4919) for the relief of the heirs of R. D. Hay—to the Committee on Claims.

By Mr. WILSON of West Virginia: A bill (H. R. 4920) for relief of J. G. Fellers—to the Committee on War Claims.

By Mr. WISE: A bill (H. R. 4921) for the relief of John Bowers, of Henrico County, Va.—to the Committee on War Claims.

By Mr. WRIGHT: A bill (H. R. 4922) to remove charge of desertion from David G. Larub, of Company F, Thirty-third Regiment New York Volunteers, and granting an honorable discharge—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk and referred as follows:

By Mr. ATKINSON: Nineteen petitions of citizens of the State of Pennsylvania, praying for the enactment of law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

Also, petition of 58 citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. BEEMAN: Petition of Robert Lay, administrator of Nancy Lay, deceased, of Scott County, Miss., praying for the reference of his claim to the Court of Claims under the act of March 3, 1887—to the Committee on Claims.

By Mr. BELKNAP: Petition of the members of the Presbyterian Church of Martin, Mich., for Sunday closing of the World's Fair—to the Select Committee on the Columbian Exposition.

Also, for the same purpose, 242 individual signatures—to the Select Committee on the Columbian Exposition.

By Mr. BELTZHOOVER: Petition of citizens of Adams, Cumberland, and York Counties, Pa., to accompany House bill asking Congress for the enactment of a law subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

Also, petition of 446 citizens of Cumberland, Adams, and York Counties, Nineteenth Congressional district of Pennsylvania: of 8 citizens, of 48 citizens, of 27 citizens, of 27 citizens, of 13 citizens, of 14 citizens, of 23 citizens, of 45 citizens, of 78 citizens, of 27 citizens, of 27 citizens, of 26 citizens, of 25 citizens, and of 26 citizens, all of Pennsylvania, for the same purpose—to the Committee on Agriculture.

Also, petition of Cornelia Beecher, of Gettysburg, Pa., asking for a pension—to the Committee on Invalid Pensions.

By Mr. BROSIUS: Petition of 25 citizens, of 109 citizens, of 17 citizens, of 19 citizens, of 28 citizens, of 28 citizens, of 57 citizens, of 42 citizens, of 42 citizens, of 36 citizens, of 27 citizens, of 27 citizens, of 15 citizens, of 45 citizens; of 19 citizens, of 52 citizens, and of 64 citizens of the State of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. CAPEHART: Petition of J. P. Pickins and other citizens of Marion County, W. Va., for the passage of an act imposing a tax on dealers in options and futures—to the Committee on Agriculture.

By Mr. CATCHINGS: Papers for the relief of Mrs. A. Shirley, to accompany House bill 4791—to the Committee on War Claims.

By Mr. COOLIDGE: Petition of the Young People's Society of Christian Endeavor of Bernardston, Mass., to prohibit the opening of any exhibition or exposition on Sunday where appropriations of the United States are expended—to the Select Committee on the Columbian Exposition.

By Mr. COGSWELL: Petition of Christian Endeavor Association of Gloucester, Mass., for certain legislation touching the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. COMPTON: Petition of John C. Dull, Washington City, for relief, to accompany House bill 4796—to the Committee on Naval Affairs.

By Mr. CHAPIN: Petition of Dorithea A. Wildt, now Anderson, as widow of Edward A. Wildt, deceased, late private Company B, Second New York Artillery, to accompany House bill 4793, for the passage of a special act restoring her name to the pension roll—to the Committee on Military Affairs.

By Mr. CRAWFORD: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. CROSBY: Petition of Henry Lefavaney, professor of physics, Williams College, praying that the metric system of weights and measures shall be used exclusively in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

Also, petition of Parris T. Farwell and others, against removal of the Ute Indians—to the Committee on Indian Affairs.

By Mr. DANIELL: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DUNGAN: Petition of 186 citizens of Gnadenhutten, Ohio, for the closing of the Chicago Exhibition on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. ENGLISH: Petition of Lewis Potts and others, in favor of an appropriation for the Columbian Exposition on condition that the exhibition be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. FYAN: Papers of Floyd M. Todd, to accompany House bill 4692, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on Military Affairs.

Also, a paper showing certain findings of fact in the case of William M. Pleas and F. S. Jones against the United States—to the Committee on Claims.

By Mr. GILLESPIE: Sixteen petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. GRISWOLD: Petitions of W. S. Henderson and others, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

Also, thirty petitions from Pennsylvania, for the same purpose—to the Committee on Agriculture.

By Mr. HAUGEN: Petition of James Murphrey and others, of St. Croix County, Wis., in favor of free bimetallic coinage—to the Committee on Coinage, Weights, and Measures.

By Mr. HITT: Petition of National Woman's Christian Temperance Union, asking that no exposition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HOAR: Petition to accompany House bill 4808, for relief of James H. Willey—to the Committee on Invalid Pensions.

By Mr. HOOKER of Mississippi: Papers to accompany House bill 4709, for relief of D.K. Eggleston—to the Committee on Claims.

By Mr. HOPKINS of Pennsylvania: Eleven petitions of citizens of the State of Pennsylvania, praying for the enactment of a law by Congress subjecting olemargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. HULL: Petition of John McCudden and 11 others, of Warren County, Iowa, for the passage of the Conger lard bill—to the Committee on Agriculture.

By Mr. JOHNSON of North Dakota: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. KENDALL: Petition of Mrs. Mary Stoner, of Montgomery County, Ky., to accompany House bill 4814—to the Committee on Claims.

By Mr. McCLELLAN: Petition of Samuel Bacon and 26 others, of Jefferson Township, Allen County, Ind., that free delivery of all mail matter be extended to every post-office in the settled portion of the country, with free collection of letters—to the Committee on the Post-Office and Post-Roads.

By Mr. MANSUR: Petition to accompany House bill 4725, asking for pension by special act for Mrs. Benjamin F. Meyer—to the Committee on Invalid Pensions.

By Mr. MARTIN: Affidavit of claimant to accompany House bill 3793, for relief of Philip H. Carr—to the Committee on Invalid Pensions.

By Mr. MEREDITH: Petition of Jesse Owings, for himself and the estate of Ann E. Harper, late of Alexandria County, Va., praying that their war claim may be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Mr. O'NEILL of Pennsylvania: Protest of the Pennsylvania Synod of the Presbyterian Church against opening the World's Columbian Exposition on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. PATTON: Papers and documents to accompany House bill 4734, for the relief of Samuel Horner, late a private of Company E, Ninth Indiana Volunteers—to the Committee on Military Affairs.

By Mr. PARRETT: Petition of Humphrey Bullock, president, and C. Herin, secretary, of Assembly No. 31, Farmers' Mutual Benefit Association, of Warrick County, Ind., in favor of the passage of House bill 5353 of the Fifty-first Congress, known as the bill defining options and futures—to the Committee on Agriculture.

Also, petition in favor of a revenue tax on compound lard as provided in the bill known as the Conger lard bill—to the Committee on Agriculture.

Also, petition of sundry churches of Princeton, Ind., comprising 975 members, against opening the World's Columbian Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PEEL: Petition of John F. Jackson to accompany House bill 4740, for a pension—to the Committee on Invalid Pensions.

By Mr. POWERS: Petition of President Brainard, Middlebury College, Vermont, and others, praying that the metric system of weights and measures be exclusively used in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. REED: Papers to accompany House bill 4569 giving list of vessels wrecked at Cape Porpoise, Maine, from 1868 to 1888—to the Committee on Interstate and Foreign Commerce.

Also, papers in the claim of Geo. A. Emery, of Portland, Me., to accompany House bill 4824—to the Committee on Military Affairs.

By Mr. REILLY: Petition of E. D. Chaffer, of Orwell, Pa., and of 62 other citizens, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. REYBURN: Eleven petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. STEVENS: Paper in the matter of the military record of Henry H. Baily, former member of Company H, First Massachusetts Heavy Artillery—to the Committee on Military Affairs.

By Mr. SHONK: Four petitions of citizens of the State of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. STEWART of Pennsylvania: Fourteen petitions of citizens of the State of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. SPERRY: Papers in the matter of application for pension for Jane E. Anderson, of Windsor Locks, Conn., daughter of William C. Anderson—to the Committee on Pensions.

By Mr. WILLIAMS of Illinois: Claim of Elias Cleveland, Company K, Eighty-seventh Illinois Infantry, for special act of Congress—to the Committee on Invalid Pensions.

Also, petition and affidavit of S. S. Brills, Ridgway, Gallatin County, Ill.—to the Committee on Invalid Pensions.

Also, claim of Patrick Smith, with affidavit and account—to the Committee on War Claims.

Also, paper to accompany House bill 4770—to the Committee on Pensions.

By Mr. WARWICK: Petition of citizens of Canton, Ohio, that the pay of letter-carriers may be equalized—to the Committee on Post-Offices and Post-Roads.

SENATE.

THURSDAY, *January 28, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

HOUSE BILLS REFERRED.

The bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882, was read twice by its title, and referred to the Committee on the District of Columbia.

BRIGHTWOOD RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 18th instant, certain information in regard to the Brightwood Railway Company; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

PETITION AND MEMORIALS.

The VICE-PRESIDENT presented a resolution of the Chamber of Commerce of the State of New York, reaffirming its opinion favoring the transfer of the Revenue Marine Service to the Navy Department; which was referred to the Committee on Naval Affairs.

He also presented a memorial of the New Orleans (La.) Cotton Exchange, remonstrating against the passage of the Washburn bill defining options and futures and imposing special taxes on dealers therein; which was referred to the Committee on the Judiciary.

He also presented a petition signed by Samuel W. Smallwood, president of the Cotton and Grain Exchange of New Berne, N. C., and sundry merchants, shipowners, and others, praying for the passage of the bill to transfer the Revenue Cutter Service from the Treasury to the Navy Department; which was referred to the Committee on Naval Affairs.

Mr. PASCO presented a petition of the Chamber of Commerce of Pensacola, Fla., praying for the transfer of the Revenue Marine Service from the Treasury to the Navy Department; which was referred to the Committee on Naval Affairs.

He also presented a petition of Wright Carlton and 20 other citizens of Nocatee, De Soto County, Fla.; the petition of D. T. Carlton and other citizens of Arcadia, De Soto County, Fla.; the petition of M. F. Mizell and 6 other citizens of Pine Level, De Soto County, Fla.; the petition of I. A. Silcox and 25 other citizens of De Soto County, Fla., and the petition of W. A. Semmes and 11 other citizens of Lee County, Fla., praying that the town of Trabue (Punta Gorda), Fla., be made a port of entry; which were referred to the Committee on Commerce.

Mr. SHERMAN presented a petition of 72 citizens, 2 churches, and 1 society, and a petition containing 163 individual signatures and 900 represented indorsements of citizens of Ohio, praying that no exposition or exhibition for which an appropriation is made by Congress be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of citizens of College Township, Knox County, Ohio, remonstrating against the passage of the bill for the removal of Ute Indians from their present reservation in Colorado; which was referred to the Committee on Indian Affairs.

Mr. MCMILLAN presented a petition of the National Woman's Christian Temperance Union of Adrian, Mich., signed by 420 members, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HARRIS presented a petition of Subordinate Grange No. 121, Patrons of Husbandry, of Hayward County, Tenn., praying for the passage of a bill defining options and futures and imposing special taxes on dealers therein; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of John McCarty, late of Company A and Company B, One hundred and seventy-ninth Ohio Volunteer Infantry, praying that he be granted a pension; which was referred to the Committee on Pensions.

He also presented a petition of citizens of Randolph County, Ill., praying for the passage of the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of Randolph County, Ill., praying for the passage of the Butterworth antioption bill; which was referred to the Committee on the Judiciary.

Mr. PADDOCK presented a memorial of the New Orleans (La.) Cotton Exchange, remonstrating against the passage of the bill known as the Washburn bill, defining options and futures; which was referred to the Committee on the Judiciary.

Mr. KYLE presented a petition of the National Woman's Christian Temperance Union, signed by Mrs. J. C. Bateham, superintendent, Mrs. M. E. Catlin, and 26 others, of Redfield, S. Dak., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PETTIGREW presented the petition of R. A. Rounseville and 17 other citizens of Kingsbury County, S. Dak., and the petition of Henry H. Bronelle and 31 other citizens of Spencer, McCook County, S. Dak., praying for legislation against dealing in options; which were referred to the Committee on the Judiciary.

He also presented a petition of R. A. Rounseville and other citizens of Kingsbury County, S. Dak., praying for the passage of the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. CHILTON presented the petition of Goshen Grange, No. 800, Patrons of Husbandry, of Henderson County, Tex., praying for the passage of a declaratory act concerning the forfeiture of certain lands of the Northern Pacific Railroad Company, on the company's general route from Wallula, Wash., to Portland, Oregon; which was referred to the Committee on Public Lands.

Mr. HAWLEY presented the petition of the Centennial Board of Finance of the United States Centennial Commission, together with the draft of a bill to provide for its remaining funds and to end its corporate existence; which was referred to the Committee on the Judiciary.

Mr. PEFFER presented a petition of the National Woman's Christian Temperance Union, signed by Mrs. J. C. Bateham, superintendent, and 24 others, of Pomona, Kans., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. TURPIE presented a petition of citizens of Boone County, Ind., praying for the passage of a bill prohibiting the dealing in options and futures; which was referred to the Committee on the Judiciary.

Mr. ALLISON presented the petition of John Christopher and other citizens of Story County, Iowa, praying for the passage of what is known as the option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of members of the National Woman's Christian Temperance Snion of Iowa, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of George Browa and other citizens of Howard County, Iowa, praying for the passage of what is commonly known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of 30 members of the Baptist Young People's Society of Christian Endeavor of Boone, Iowa, praying that the World's Columbian Fair be closed on Sunday; also, that the sale of liquors therein be prohibited, and that the art department be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of C. Flora and other citizens of Guthrie County, Iowa, and the petition of A. Van Pelt and other citizens of Iowa, praying for the passage of what is commonly known as the option bill; which were referred to the Committee on the Judiciary.

Mr. CAMERON presented a petition of the Young People's Christian Endeavor Society of Orwell, Pa., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Young People's Christian Endeavor Society of Smithfield, Pa.; a memorial of the Young People's Christian Endeavor Society of Troy, Pa.; and a memorial of the Young People's Christian Endeavor Society of Ulster, Pa., remonstrating against the exportation of liquor to Africa; which were ordered to lie on the table.

Mr. PERKINS presented additional papers to accompany the bill (S. 1114) granting a pension to Clark Barton; which were referred to the Committee on Pensions.

Mr. WASHBURN presented a petition of the Farmers' Alliance of Polk County, Minn., and a petition of the Farmers' Alliance of Bear Park, Minn., praying for the passage of what is commonly known as the option bill; which were referred to the Committee on the Judiciary.

Mr. MCPHERSON presented a petition of Daniel Z. Morrison and 69 other members of the Belleville (N. J.) Congregational Church, remonstrating against the opening of the Columbian Exposition on the Sabbath; which was referred to the Committee on the Quadro-Centennial (Select).

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 26th instant, approved and signed the joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution.

RELATIONS WITH CHILE.

Mr. O. L. PRUDEN, one of the secretaries of the President of the United States, communicated to the Senate sundry messages in writing.

The VICE-PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Chief Clerk read the message.

Mr. SHERMAN. I move that the message, with the accompanying papers, be referred to the Committee on Foreign Relations, and be printed. I desire to say that I suppose every member of the Senate heartily joins in congratulation over a hopeful honorable settlement to both parties of an unpleasant difference that has arisen between two sister Republics.

Mr. CHANDLER. I ask the unanimous consent of the Senate that the communication from Mr. Egan to the Secretary of State be read. It is not long.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the communication from the minister of the United States at Chile will be read.

The Chief Clerk read Mr. Egan's dispatch, which appears in the House proceedings.

The VICE-PRESIDENT. The message, with the accompanying papers, will be printed and referred to the Committee on Foreign Relations, if there be no objection. The Chair hears none.

REPORTS OF COMMITTEES.

Mr. CULLOM, from the Committee on Commerce, to whom was referred the bill (S. 1681) making an appropriation for the construction of two United States revenue cutters for service on the Great Lakes, reported it without amendment, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 692) authorizing the Secretary of War to procure and present suitable medals to the survivors of the "forlorn-hope storming party" of Port Hudson, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 422) granting an honorable discharge to Harlow Brewer, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. COKE, from the Committee on Commerce, to whom was referred the bill (S. 1295) to authorize the construction of jetties, piers, and breakwaters at private expense in the Gulf of Mexico, at the mouth of Rope's Pass in the State of Texas, reported it with an amendment, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 552) to amend the act approved March 1, 1887, relating to the Hospital Corps of the Army, reported it without amendment, and submitted a report thereon.

Mr. HAWLEY. The bill (S. 1417) to amend the military record of Joseph H. Moore shows in the text thereof that he was in the naval force. The Committee on Military Affairs ask to be excused from the further consideration of the bill and that it be referred to the Committee on Naval Affairs.

The report was agreed to.

Mr. WHITE, from the Committee on Claims, to whom was referred the bill (S. 43) for the relief of the personal representatives of Adelia Cheatham, deceased, reported it without amendment, and submitted a report thereon.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 256) for the relief of Augustus Boyd, reported it with amendments, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 1668) to authorize and regulate the construction of a bridge across the Kootenai River, at the town of Fry, county of Kootenai, State of Idaho, reported it with amendments.

Mr. BLODGETT, from the Committee on Pensions, to whom was referred the bill (S. 1220) granting a pension to Eliza K. Starr, reported it with amendments, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 113) to establish a military post near Little Rock, Ark., reported it with an amendment, and submitted a report thereon.

Mr. PALMER, from the Committee on Military Affairs, to whom were referred the following bills, reported adversely thereon, and the bills were postponed indefinitely:

A bill (S. 1002) for relief of William C. Gilpatrick;

A bill (S. 1510) for relief of Jacob Barr;

A bill (S. 1065) for the relief of James R. Mullikin, late captain Company K, Thirty-fifth Regiment Indiana Volunteers; and

A bill (S. 1145) for the relief of John W. Sturtevant.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 1608) to make Punta Gorda, Fla., a port of entry, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 1956) to amend an act entitled "An act establishing a customs collection district in Florida, to be known as the collection district of Tampa, and for other purposes," approved March 1, 1889, and to make Punta Gorda a subport of entry; which was read twice by its title.

BILLS INTRODUCED.

Mr. VEST introduced a bill (S. 1934) to amend an act entitled "An act to establish a court of private land claims, and to provide for the settlement of private land claims in certain States and Territorries," approved March 3, 1891; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. CULLOM introduced a bill (S. 1935) to establish a railway bridge across the Illinois River, between a point at or near the city of Havana in Mason County, and a point on the opposite side of said river in Fulton County, in the State of Illinois; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1936) to recognize Elias J. Beymer as an enrolling officer and for relief of his widow and minor children; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1937) for the relief of James L. Williams; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1938) authorizing the restoration of the name of Wilbur F. Melbourne, late first lieutenant Fifteenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VANCE introduced a bill (S. 1939) for the relief of Joseph C. Hogan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PUGH introduced a bill (S. 1940) for the relief of R. B. Woodson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. TURPIE (by request) introduced a bill (S. 1941) for the relief of Nimrod D. Kineaster; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced a bill (S. 1942) for the relief of the heirs of William A. Burt, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. POWER introduced a bill (S. 1943) for the relief of William Flannery; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1944) for the construction and completion of suitable school buildings for Indian industrial school in Montana; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1945) granting to the State of Montana 5 per centum of the net proceeds of the sales of public lands in that State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1946) to amend the act of October 2, 1888, concerning the selection of reservoir sites, etc.; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1947) for the relief of John G. Evans; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PERKINS introduced a bill (S. 1948) to authorize the Southern Kansas Railway Company to construct and maintain a pipe line from the North Fork of the Canadian River, Indian Territory, to said railroad; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SAWYER introduced a bill (S. 1949) to amend section 3117 of the Revised Statutes of the United States in relation to the coasting trade on the Great Lakes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. MANDERSON introduced a bill (S. 1950) donating 20 acres of land from the Fort Sidney military reservation, on the northeast corner thereof, to the city of Sidney, Nebr., for cemetery purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1951) to relieve John Friedlin from the charge of desertion; which was read twice by its title, and, with the accompanying papers, and referred to the Committe on Military Affairs.

Mr. PASCO introduced a bill (S. 1952) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first and seventh sections thereof to the port of St. Augustine, Fla.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. COCKRELL (by request) introduced a bill (S. 1953) for the relief of Capt. Ceran St. Vrain's company of New Mexico Mounted Volunteers; which was read twice by its title, and referred to the Committee on Military affairs.

Mr. HAWLEY introduced a bill (S. 1954) for the relief of Lewis D. Allen; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 1955) granting an increase of pension to Robert Steward; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WOLCOTT introduced a bill (S. 1957) for the relief of Meyer B. Haas; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 1958) to submit to the Court of Claims the title of William McGarrahan to the Rancho "Panoche Grande," in the State of California, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. TURPIE, it was

Ordered, That the petition and accompanying papers of Mrs. Ellen A. King, of La Fayette, Ind., now on the files of the Senate of the last Congress, in relation to the correction of the military record of her late husband, Alexander King, be taken from the files and referred to the Committee on Military Affairs for consideration.

PRINTING OF SENATE BILLS, ETC.

Mr. PEFFER. I submit the following resolution, and ask for its immediate consideration:

Resolved by the Senate, That there be printed, in document form, one hundred copies each of the following: Senate bills Nos. 257, 358, 259, 1268, and 1269; also miscellaneous document No. 18 and Senate joint resolution No. 32, to be placed in the document room.

Mr. MANDERSON. The resolution should be referred to the Committee on Printing. It is necessary that it should be referred under the law.

Mr. PEFFER. Let the resolution be referred.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Printing.

SUBPŒNAS FOR SENATE COMMITTEES.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Privileges and Elections be directed to prepare a proper form of subpœna for requiring the attendance of witnesses to be used by the Senate and the committees thereof, and to report the same for the information of the Senate.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory;" and

A bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians.

LEAVE OF ABSENCE.

Mr. CARLISLE. Mr. President, I ask leave of absence from the sittings of the Senate for one week.

The VICE-PRESIDENT. Leave of absence will be granted to the Senator from Kentucky, if there be no objection. The Chair hears none.

RECIPROCAL TRADE AGREEMENTS.

Mr. HALE. I desire to call up the resolution submitted by me a few days ago for the purpose of making some remarks. I ask the Secretary to read the resolution.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. HALE on the 18th instant, as follows:

Resolved, That the Secretary of State be, and is hereby, directed to send to the Senate, as early as is practicable, copies of all agreements made with other countries relating to an interchange of trade and commerce under the provisions of section 3 of an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890; and also to furnish the Senate with all information received as to the practical effect of such agreements.

Mr. HALE. Mr. President, in the present happy subsidence of the war note, I hope Senators will feel that it is fitting to turn our attention to some of the victories of peace.

The answer to the resolution offered by me in the Senate a few days since, and which has just been read, will furnish the information called for more in detail than can be known at present; but I have already possessed myself of information and facts sufficient, I believe, to justify me in setting forth something of the history of the reciprocity movement, the helping hand it has received, and the delays and hinderances which have been put in its pathway in certain quarters, and the tangible results up to the present time.

Touching this last, it must be borne in mind that the oldest treaty or agreement for reciprocity, under section 3 of the McKinley act, has been in force but nine months, and that the treaties or agreements following have some of them but just passed into actual operation.

The desire for extended trade, through the agency of reciprocity treaties, between the United States and her sister nations and dependencies of the American hemisphere, has moved in the minds of practical statesmen for many years. Different Administrations had made essays in this direction. Gen. Garfield, President Arthur, and others had looked with impatience upon the spectacle of a rapidly increasing trade and commerce among the nations of Central and South America, in which we had little part; but no way had been devised through which our trade with them could be augmented till near the closing days of the first session of the Fifty-first Congress.

On the 2d of September, 1890, I called up the original reciprocity amendment to the tariff bill, which was then under discussion, which I had introduced on the 19th of June previous, and which had been referred to the Committee on Finance. The amendment had been prepared at the State Department, and reads as follows:

And the President of the United States is hereby authorized, without further legislation, to declare the ports of the United States free and open to all products of any nation of the American hemisphere upon which no export duties are imposed, whenever and so long as such nation shall admit to its ports, free of all national, provincial (State), municipal, and other taxes, flour, corn meal, and other breadstuffs, preserved meats, fish, vegetables and fruits, cotton-seed oil, rice, and other provisions, including all articles of food, lumber, furniture, and all other articles of wood, agricultural implements and machinery, mining and mechanical machinery, structural steel and iron, steel rails, locomotives, railway cars and supplies, street cars, refined petroleum, or such other products of the United States as may be agreed upon.

It undoubtedly covered the plan which the State Department had in view to attain practical reciprocity.

The amendment gave rise to extended discussion, was carefully considered in the Committee on Finance, which later in the session reported the reciprocity feature in what is known as the Aldrich amendment, which on the 9th day of September was adopted by the Senate and made a part of the tariff act, being the third section of that act.

The vote of the Senate showed that already one of the great national parties was found in substantial unanimity in favor of the scheme, while the other was arrayed in solid phalanx against it. That it may be seen how marked this line of difference was drawn I give the list of yeas and nays in the Senate upon the adoption of the amendment:

YEAS—38.

Aldrich,	Dolph,	Mitchell,	Sherman,
Allen,	Frye,	Moody,	Spooner,
Allison,	Hale,	Paddock,	Squire,
Cameron,	Hawley,	Pierce,	Stewart,
Casey,	Hiscock,	Platt,	Stockbridge,
Chandler,	Hoar,	Plumb,	Teller,
Cullom,	Ingalls,	Power,	Washburn,
Davis,	Jones, Nev.	Quay,	Wilson, Iowa.
Dawes,	McMillan,	Sanders,	
Dixon,	Manderson,	Sawyer,	

NAYS—29.

Bate,	Colquitt,	Harris,	Vance,
Berry,	Daniel,	Jones, Ark.	Vest,
Blackburn,	Edmunds,	Morgan,	Voorhees,
Blodgett,	Evarts,	Pasco,	Walthall,
Butler,	Faulkner,	Pugh,	Wilson, Md.
Carlisle,	Gibson,	Ransom,	
Cockrell,	Gorman,	Reagan.	
Coke,	Gray,	Turpie,	

It is an illustration of what the world has seen for thirty years, that, even upon plain business propositions touching the common good of all the country, and the every-day life and prosperity of the people, upon which, if anywhere, there should be no party division, the Democratic party selects the darkness rather than the light for its standing ground.

As some attempt has been made to show that the original reciprocity amendment received rude treatment at the hands of the Senate and that its original authors were not considered in the legislation of Congress, I may state here that, after the changed condition resulting from the repeal of nearly all of the sugar duty, the Aldrich amendment was heartily accepted by the friends of the original amendment in the Senate, by the Secretary of State, and by the President.

The basis of the original amendment was the retention of the sugar duty till reciprocal treaties could be negotiated. When that basis was changed and the repeal became a fixed fact it is difficult to see what other plan than the Aldrich amendment could be devised. For one I voted most heartily for its incorporation into the McKinley bill and never had a doubt as to its beneficent operation.

The people of the United States, Mr. President, broad and large, gave a generous welcome to the reciprocity scheme from the moment that it appeared in Congress, and no measure of the present Administration has received more hearty public support than this. In fact, repeated expressions of public favor were needed before the project found favor in certain quarters. Influences ephemerally potential in the Republican party were arrayed against it, but all this disappeared when expressions in its favor came pouring in during the summer and early fall of 1890 from boards of trade and commerce, from district and State conventions, and indeed from all the places where the people gathered together to discuss and commend the reciprocity plan.

Attempts were made in certain quarters to show that the reciprocity plan was opposed to and interfered with the great doctrine of protection to American labor to which the Republican party is fully committed; but all this disappeared when it was seen by the people that what was comprehended in the scheme was an increased trade with countries that produce articles which we can not produce, which articles we can purchase with the products of our farms and mines and manufactories, which our southern sister nations need and which they can not produce. Reciprocity of this kind is in fact an aid to protection and broadens the field of the American laborer by opening new markets for his products to be paid for in articles which can never compete with his labor. The people all understand this, and they made their voice heard and their wishes known here and in the Chamber at the other end of the Capitol, and, except in the Democratic party, open opposition was drowned and no further hostile note was heard.

I do not hesitate, Mr. President, in stating here and now, as the result of my observation, that I firmly believe that section 3 of the McKinley bill, which contains the reciprocity feature, is the part of the measure which has floated the whole act, and which kept it from being swamped by the storm which, without reason, broke upon it from the day of its passage. The great merits of other parts of the McKinley bill might have sunk under a sea of obloquy and would never have been seen and appreciated if the reciprocity clause had not kept the whole structure from going down.

I come now to take up the situation which the Administration

and the State Department found themselves confronted with after the passage of the bill.

The power given to the President by section 3 of the tariff act to reimpose duties upon certain articles, the products of other countries, whenever he shall believe that duties and exactions upon the products of the United States in these countries are reciprocally unreasonable, was the leverage under which treaties or agreements were to be negotiated. Without this power no inducements could be urged with the representatives of the Central and South American nations as a reason for lowering their tariff upon our products and giving up a valuable portion of their revenues.

In the first attempts at negotiation the President and the Secretary of State found themselves hampered and hindered by the position of the opposition press throughout the country. It was alleged by these newspapers that this power would never be carried into effect; that no President would venture to reimpose duties on coffee, sugar, and other articles after they had once been admitted free. The Democratic newspapers claimed that no foreign nation would negotiate a treaty or give the subject attention because the measure was a partisan one and part of an offensive tariff act, which, on the first change of parties, would be repealed. It was also contended that the measure was unconstitutional in conferring legislative power upon the President for the imposition of taxes in his own discretion.

Evidences appeared showing clearly that the leaders of the Democratic party had become alarmed at the growing popularity with the people of the reciprocity plan, born of distinguished Republican parentage, and adopted, at last, by the Republican party in general, and were determined to belittle it and deride it and to drive it from its lodgment in the good will of the people. Democratic newspapers denounced it everywhere as an impracticable sham, and wherever Democratic authority was heard from it carried with it a sneer against the measure.

The Senator from New York, who has lately entered this Chamber as a member of this body, and who has brought to his party as his credential of leadership upon the other side the trophy of a great State, chained and gagged and despoiled of her political rights, paused for a moment in his work of spoliation to declare in the Democratic State convention of New York, which assembled in Saratoga on the 16th of September last to do his will and to register his decree, that the Democratic party of the State of New York in convention assembled renews the pledges of its fidelity to Democratic faith, and to denounce in terms (I give the words of the platform) "the Blaine reciprocity humbug."

These vicious attacks upon the measure at the hands of Democratic newspapers and leaders had their inevitable result; they weakened the effect of the measure abroad, made hard the task of our negotiators; they strengthened the hands of foreign governments; they were mischievous, unpatriotic, and were meant to be deadly in their effect, both at home and abroad.

Importers who brought the products affected by the measure into our markets were influenced by these attacks, and communicated their doubts and fears to their correspondents abroad. Articles from Democratic newspapers were translated and reproduced in the sugar and coffee producing countries; all carrying the impression that the reciprocity provision in the tariff act was an idle menace which would never be enforced, and, without danger to the foreign producer that it would be enforced, we had nothing to trade on.

We had repealed, at different times, the duties upon great foreign products, which, at the time of their repeal, might have been used to induce foreign governments to reduce their duties on our products. We had given up coffee, tea, and hides, and, last and greatest of all, had given up sugar; and never before in giving up any of these had we sought to acquire any advantages with the countries producing these articles in return. Their impositions upon our products had continued as great as ever, and in some cases had been increased. The time had now come when we were to try to retrace our steps and get back some of the advantages which we had so blindly thrown away.

That proper credit may be given where credit is due, I wish to say, Mr. President, that the whole force of the Administration was brought to bear in the work of negotiating these treaties. The President gave it his careful and constant attention and entered heart and soul into the conduct of the negotiation. The Secretary of State gave to the work his days and nights and risked health and life in his great labors. Their efforts were supplemented by the invaluable assistance of that veteran American diplomatist, Hon. John W. Foster, whose handiwork is seen in all the details of the treaties.

The first country approached was Brazil. For the ten years preceding the year 1890 we had received of Brazil's goods and products $502,547,258, and had sent back only $83,432,557. The balance of more than $400,000,000 against us had been paid to Brazil in money which had gone to purchase English, French, and German products which the Brazilians needed, and which we ought to have sent to them instead of the gold which they made us pay.

The chief products of Brazil sent to us are coffee, rubber, hides, and sugar. The first three have for years been admitted free, and the tariff act which had just been passed had practically placed sugar on the free list, thus letting in the entire product of Brazil free of duty.

The reverse side of this was not a pleasing thing for our negotiators to contemplate. Brazil imposed a heavy duty upon almost every one of our products, and ever since the duty on coffee was removed, in 1872, the United States, through its ministers to Brazil, has tried to obtain some concession to American products from the Government of Brazil as a compensation for the free admission of coffee from that country. Nothing came of this till the passage of the tariff act of October, 1890. The power conferred upon the President to reimpose duties on coffee, sugar, and hides brought the Brazilian Government at once to a sense of the marked difference in the tariff conditions of the two countries, and speedy progress was made to a reciprocity arrangement by which Brazil gave feee admission to a valuable list of American products and to a reduction of duties on another valuable list; thus approximating an equality of treatment in tariffs.

For the last ten or twelve years we have taken annually from Brazil about $60,000,000 and have sent there about $10,000,000 per year, leaving a difference against us of nearly $50,000,000 per annum. Brazil has been in a condition of uneasiness and ferment ever since the treaty went into effect in April and the conditions are not favorable for judging as to the effect of the new arrangement; but, under the impetus of this arrangement, our export trade with that country has increased in the last eight months nearly $2,000,000 compared with the corresponding trade in the previous year, which year, up to that time, was the largest in the history of our trade with Brazil.

The table which I submit shows that of the articles to be admitted free into Brazil under the arrangement, the total annual average importations amounted to $20,399,000, of which the United States only furnished $3,394,633. Of the articles to be admitted at the preferential reduction of 25 per cent, the total annual importations into Brazil have been $38,631,243, of which the United States furnished only $2,035,839. The two schedules together show a total annual importation into Brazil of $58,635,182, of which only $5,430,532 came from the United States, against $53,204,650 from other countries.

Considering all the conditions of Brazil, the increased trade of nearly $2,000,000 in the last seven or eight months, over the largest trade which we have had with Brazil for the corresponding time, indicates unerringly that the United States under this arrangement will maintain a trade with Brazil which in time must bring our exportations there nearly or quite equal to the importations from that country.

The next country with which negotiations were opened under section 3 of the tariff act was Spain, with a view to increasing our trade with the colonial islands of Cuba and Porto Rico. At once the powerful effect of the reciprocity provision of the tariff was made apparent. For the past twenty years our trade relations with Cuba have been more unsatisfactory than with any foreign country. Our commerce has been subjected to annoyance and embarrassment in entering the ports of the island, causing delay and expense to our vessels and to our exported articles. Not a month has passed that complaints have not arisen where American vessels and American cargoes have suffered annoyance and expense by excessive tariff duties and exacting customs regulations; and so great have been these difficulties that the United States producer, conditions favoring, has preferred other markets to the Cuban.

Here we have taken of Cuban products, each year, about $52,000,000 and have only returned $11,000,000 per year of our own goods. But the market of the United States had become a necessity to the Cuban sugar-planters. Since the great development of the beet-sugar industry in Europe, Cuba has been driven almost out of that market for its sugar. The bounty system adopted by France, Germany, and Austria gives beet sugar a large advantage in England and other European markets, and this, added to the heavier freights and long time consumed in the voyage, makes it impossible for Cuban sugar to compete successfully in the European markets with beet sugar. This has shut Cuba up to the market of the United States.

The passage of the reciprocity provision in the tariff bill brought the Cuban sugar-planter face to face with the question whether new advantages should be given to the trade of the United States by him or he should see his own industry ruined and his plantation abandoned. When this negotiation was opened the representatives of the State Department found the Spanish Government fully impressed with the belief that the power given to the President by section 3 of the tariff act would never be enforced.

All of the arguments originally advanced against the amendment, and the articles in Democratic newspapers predicting that nothing would come of it, had been carefully gathered by the Spanish authorities, and our negotiators were told that Spain and Cuba expected the benefit of free sugar without being obliged to give anything in return; but when they were assured that the President would carry the law into execution in good faith, the Spanish Government at once entered upon the negotiation of an arrangement which culminated in a treaty having two sets of provisions.

Spain has certain commercial treaties with European governments by which those governments are entitled to the same favors in Cuba as may be granted to any other nation; but fortunately these treaties expire on June 30, 1892. The Spanish Government therefore proposed to make a transitory schedule of articles for free or favored admission into Cuba and Porto Rico, to be put into force at once, composed of such products as could be most successfully exported from the United States, and beyond this to agree to a comprehensive schedule of articles to be put into operation on the 1st of July, 1892, when the European reciprocity treaties would cease to have effect. On account of this arrangement the United States has not yet felt the full effects of the commercial treaty, and will not till after the 1st of July next.

If Senators, however, will examine the transitory schedule, which I will incorporate with my remarks, they will see that we have obtained large favors, especially for American agricultural products. Among these all kinds of meats, heretofore paying heavy duties, are now admitted to Cuba entirely free. Lard also, which we have sent to Cuba to the extent of nearly two and one-half millions of dollars annually, and which has heretofore paid a duty of 4½ cents a pound, is now admitted free. If any Senator doubts the efficacy of this treaty let him ask if, with a duty of 4½ cents per pound, 33,000,000 pounds of lard have been annually exported from the United States, how large is this exportation likely to be when it will hereafter be admitted entirely free of duty. So also fish, fresh and salt, of all kinds, are admitted free. All agricultural products, oats, barley, and rye, cotton-seed oil, hay, fruits, fresh and preserved, vegetables, all kinds of wood and lumber, wagons, sewing-machines, raw petroleum, and coal are admitted free.

Mr. GIBSON of Louisiana. Has the Senator referred to the increase of the exportations of flour to Cuba?

Mr. HALE. I am coming to that. I am glad the Senator has asked me with reference to flour.

For years there has been a constant struggle going on between the American and the Spanish peninsula exporters of flour for the possession of the Cuban market, the tariff schedules of Cuba admitting flour from the home country at a much lower rate than that from the United States. Notwithstanding this discrimination in favor of Spanish flour, our own flour has been able to compete with the Spanish so as to about equally divide the trade up to the 1st day of July, 1890, when the Spanish Government decreed the free admission of Spanish flour into Cuba and added 20 per cent to the duty previously paid on American flour, making the duty, under this decree, $5.64 per barrel.

Mr. FRYE. That was about 100 per cent, was it not?

Mr. HALE. This was equivalent to prohibition, and practically drove American flour from the Cuban market.

If Senators will examine the new reciprocity treaty negotiated with Spain they will see that, under the menace of a reimposition of the sugar duties, Spain agreed to admit American flour at a duty of $1 per 100 kilograms, which is about 90 cents a barrel. With this small duty, the cheapness of American flour, and the advantage in freights, by nearness of the market, give to this country a complete monopoly of the Cuban flour market, and the industry of the Spanish wheat-grower and miller has been in effect destroyed. The added trade that we have gained with Cuba alone in this would prove the wisdom of the reciprocity feature of the tariff act of 1890.

The same results apply to corn and corn meal, the duties of which have been reduced from 66 cents per 100 kilograms to 11 cents, making it a mere nominal tax, and giving to the United States complete control of the market in these articles. The table which I present here will show the value of this transitory schedule for American goods.

The more extended treaty, which goes into effect on the 1st day of July next, gives to the United States almost a monopoly of the Cuban trade, as in it not only are agricultural products admitted free of duty but a great list of our manufactured products are included, and other large lists at a reduction of 25 and 50 per cent of the existing tariffs. Cuba and Porto Rico give our exporters such an advantage over European competitors as to amount to a control of the markets.

Mr. VEST. May I ask the Senator a question?

Mr. HALE. Certainly.

Mr. VEST. Going back in the Senator's remarks, I was not able to understand him in regard to the exports of flour from the United States to Cuba. I wish to ask him what is the tariff now upon American flour to Cuba?

Mr. HALE. Five dollars and sixty-four cents.

Mr. VEST. And the new treaty does not take effect, as I understand, until July, 1892.

Mr. HALE. It will not go into practical effect until July 1, 1892.

Mr. COCKRELL. Is that per barrel?

Mr. HALE. Per barrel. The duty under the new treaty is about 90 cents per barrel.

Mr. VEST. The present duty is how much?

Mr. HALE. Ninety cents, under the new treaty.

Mr. VEST. Ninety-three cents.

Mr. HALE. One dollar per 100 kilograms, which, if the Senator will make his figuring, he will see will amount to about 90 cents a barrel.

Mr. VEST. Ninety cents; but that does not matter, as I understood the Senator to say the present duty upon flour was $5.95.

Mr. HALE. No; $5.64.

Mr. VEST. That will last until July 1, 1892?

Mr. HALE. The transitory schedule that has lately taken effect covers the article of flour.

Mr. VEST. That is the question I asked, and I understood the Senator to say the duty was $5.64.

Mr. HALE. I thought when the Senator spoke of the present duty he meant under the present tariff without regard to this arrangement.

Mr. VEST. When does the transitory treaty take effect?

Mr. HALE. That has taken effect.

Mr. VEST. When did it take effect?

Mr. HALE. I do not know the exact date. It is now in effect, and the comprehensive schedule, which practically takes in all the products and either makes them free or makes a reduction of 25 or 50 per cent, takes effect on the 1st of July.

Mr. VEST. That is the general treaty, but I want to know about the transitory treaty.

Mr. HALE. I do not know the day that it went into effect.

Mr. VEST. I will ask the Senator if it is not the fact that since the imposition of the duty of 93 cents upon the exportations of flour to Cuba, which is really a discrimination of 93 cents in favor of the Spanish flour, there has been an increase of importations from Spain to Cuba largely in excess of the importations from the United States to Cuba?

Mr. HALE. Not at all, Mr. President. We shall not get that market entire for perhaps a year or two. At the time when this treaty went into effect Spain was sending all of the flour to Cuba, and our trade began to advance at once and is increasing every month, and within a year or two years I look with the greatest confidence to our having the entire monopoly. We shall drive the Spanish exporter from the market in a comparatively short time, but we can not do it all in three months.

Mr. VEST. That is the very point, and if the facts show, as I think they will show, the cold figures that under this treaty of 93 cents, which is a discrimination, as I said, of that much in favor of Spanish flour, the market for Spanish flour has largely increased in Cuba over the American flour, how is it possible that under the same duty, which is continued under the general treaty to July 1, 1892, we can ever take that market away from them?

Mr. HALE. Why, Mr. President, the distance, the shortness of freight, and our cheap flour—I mean by that the small cost of manufacturing—much more than overcome the discrimination of 90 cents.

Mr. VEST. Then it ought to have done it in the last six months, and why has it not done it with that duty? The same distance exists, the same cheapness of flour exists, and we have had an enormous wheat crop in Minnesota and Dakota, larger than has ever been known in this country. Notwithstanding that fact, the Spanish flour merchants are able, with a discrimination of 93 cents in their favor, to hold that market practically against the United States.

Mr. HALE. They do not hold the market. They are struggling and making an effort to keep up their trade, but it is diminishing all the time and ours is increasing. The whole treaty does not take effect until July 1, but I am willing to predict to the Senator, and I am willing to wait and see the result, that within one year from this time the American shipper of wheat will have the monopoly. The Spanish peninsula producer can not compete with him, and the 93 cents duty is more than made up by the short distance and our cheaper made flour.

The PRESIDING OFFICER (Mr. PASCO in the chair). The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

Mr. ALLISON. I hope the unfinished business may be informally laid aside in order that the Senator from Maine may complete his observations.

The PRESIDING OFFICER. The Senator from Iowa asks

unanimous consent that the unfinished business may be informally laid aside to enable the Senator from Maine to conclude his remarks. If there be no objection, that will be the order. The Chair hears none, and the Senator from Maine will proceed.

Mr. HALE. I shall soon be through, Mr. President.

The good effects of this treaty touch the political future of these islands of the Spanish Main as well as the commercial future. The control which, under this treaty, the United States will have of the commerce of Cuba will lead more largely to the investment of our American capital in this island. It will attach Cuba more and more to the United States. It will make it less dependent upon Spain and less valuable to her as a colony, because heretofore it has been kept largely as a market for Spanish goods. When Cuba ceases to have commercial or financial value for Spain the interest of that country in its possession will diminish and Cuba will naturally attain independence or become a part of our own great system. Reciprocity with American Republics and American colonies brings them all nearer to the United States in every way.

The next reciprocity arrangement was made with the Dominican Republic. Its trade is small; but in a commercial and political aspect it was important that it should be included in the scope of these new treaties. The schedules which I present show that valuable favors are conferred upon American agricultural and manufactured products, and the operation of this arrangement will bring this Republic into closer harmony and nearer relations with the United States, both commercially and politically.

The fourth reciprocity arrangement concluded was that with Germany, which is important, both in a commercial and political view. By means of reciprocity treaties already negotiated with Austria, Italy, Switzerland, and Belgium, the products of those countries have been given great advantage in the German markets, and the competition between these, especially Austria and Hungary, with our own products is close. By this treaty we have obtained a reduction of duty on a very important list of our agricultural products, as is shown by a schedule which I here submit.

One immediate effect of the reciprocity provision of the tariff act, so far as Germany is concerned, in the power given to the President to levy duty on German sugar, was to bring about an agreement removing the prohibition on American pork into German ports in September last; and this has been followed by Sweden and Norway, Denmark, France, Italy, and Austria. It was here, as in Cuba and in Brazil, that the tremendous leverage of the power of the President to reimpose the duty on sugar worked and brought about these concessions to American trade.

Another point of view of the German arrangement is that it commits that Government to the principle of reciprocity, always contended for by the United States, that the general "favored-nation" clause in treaties does not give to other nations the right to enjoy the privileges of a reciprocity arrangement without granting proper concessions therefor. Although the United States has a favored nation stipulation in many of its treaties with other countries, it has never understood that stipulation to secure to foreign countries the privileges which it concedes by virtue of a reciprocity treaty.

The United States has a reciprocity treaty with the Hawaiian Islands by which an important list of products in that country is admitted free into the United States in consideration of the free admission of a long list of American products and American manufactures into the Hawaiian Kingdom. This Government has never admitted the right of Germany to claim the admission into the United States of similar German products free of duty, because of the reciprocity treaty with the Hawaiian Islands; nor has the Hawaiian Government admitted German or British manufactures into that country free because by the treaty American goods were admitted free into those islands. Germany, by the reciprocity treaty, recognized the American construction of the favored-nation clause in treaties.

One of the last reciprocity arrangements concluded has been with the British Government, and embraces its sugar and coffee-producing colonies of Jamaica, Barbados, the Windward Islands, the Leeward Islands, Trinidad, and British Guiana. With these we have at present a considerable trade in American products, and they also produce a large amount of sugar.

The history of these negotiations is interesting to any one who has the time to follow it in detail; for, at first the British Government showed no inclination whatever to enter into any negotiations under the reciprocity provision of the tariff act touching their colonies, and this indifference continued till after the Brazilian, Spanish, Dominican, and German reciprocity arrangements had shown that the provision of Congress on the subject was to be a complete success.

When the sugar planters of the British colonial islands found that their competing neighbors were getting the benefit of the reciprocity arrangement and thereby, in giving concessions to American trade, were to avoid the danger of a reimposition of the sugar duty, they saw at once that unless a like arrangement was made for them their market for their product was gone, and they followed in the same line with the planters of Cuba, and compelled their reluctant home government to negotiate a treaty, giving the United States the same advantage of reduced duties that had been conceded by the other countries.

After the fashion of British diplomacy every point was taken and every argument offered against negotiating this treaty; but the demand of the planters became so strong, enforced by representatives which they sent from the different islands to Washington, that the home government yielded, and in two treaties, one covering Jamaica and the second the other colonies, all the advantages which had been gained with other countries were conceded by the British Government in her colonies.

The tables which I here submit show the operations of this treaty. It is worth noting that an examination of these tables shows that, under the tariffs which Great Britain had arranged for her colonies, Jamaica for instance, while the products of the United States imported into that island only amounted to 34 per cent of the total imports of the island, these products from the United States yielded 46 per cent of the customs revenues of the colony; and further, that the average rate of duty on United States imports was 26⅛ per cent, while the average rate of duties on imports from other countries was only 16 per cent. Up to the passage of the reciprocity feature of the tariff of 1890 Great Britain had so manipulated the tariff of Jamaica that, while we were furnishing the smaller share of the trade, we contributed the larger share of the revenue.

The table which shows the trade and tariff with Trinidad discloses the same condition. Under the old rates of duty, where the imports from the United States amounted to only 26½ per cent of the entire importation, the duties from those products amounted to 45 per cent of the total customs revenues. The average rate of duties imposed on our products was 26½ per cent, while upon other countries the corresponding rates were only 11½ per cent.

These facts, brought out by investigation, enabled our negotiators to convince the British Government that the tariffs of their West India colonies could not be considered by the President as "reasonable and equal," and that it would be necessary, in order to secure for the products of those colonies exemption from the duties congress had conferred power to reimpose, for negotiations to be entered upon for such a readjustment of the tariffs of those colonies as would remove, in some degree, the unfavorable discrimination pointed out.

When this declaration was made by the Secretary of State, it brought, very promptly, from the colonies to Washington, delegations of their most prominent officials and best informed men in commerce to assist the British minister in the negotiation of reciprocity arrangements, and resulted in the treaty, which was signed the latter part of December between the British minister and Secretary Blaine, which has been published and the schedules of which I here present. Almost all the discriminations which these tables show have heretofore existed against American products will cease under the new arrangement.

The good work, Mr. President, is by no means completed. Negotiations are pending with other Central and South American republics which can only be hindered from producing the same results as in other countries by the hostility of the opposition to the entire measure. This hostility has already shown itself as the other end of the Capitol, and, if the policy started there it followed here, we shall soon listen to Senators upon the other side of the Chamber fulminating against reciprocity, and threatening that, if any added power is given to them, the repeal of the entire McKinley bill, including the reciprocity provision, will follow.

The movement already made in the other House to repeal the existing reciprocity provision in the McKinley act, and to substitute for it the original amendment, gives indication of laggard recognition of the popularity and merit of reciprocity, but it ignores the actual conditions which can not now be changed. The reciprocity amendment, adopted by a Republican Congress and signed by a Republican President, was based upon the determination of the Republican party to put upon the tables of the American people untaxed sugar and to reduce the snrplus revenues of the country to the extent of $60,000,000 per year.

Starting with that proposition, as I have said before, no other scheme than that of the Aldrich amendment could be devised by which the countries producing the articles named in the amendment could be induced to give up a portion of their revenues and lower their duties upon our own exportations to those countries. What I have said, if it has shown anything, has shown the great success which has thus far attended the negotiation of treaties under this amendment.

To attempt to revive the original amendment now is worse than absurd, for it was only intended to apply and only could apply before the duty upon sugar had been repealed. It is only the device of the opposition and an attempt to mislead the American people. Whether these attacks will so far influence the

South American people, who have not already negotiated these treaties, as to hinder further agreements no man can tell; but the good results that have thus far been attained are now being appreciated and will, for long years, be appreciated by the American people.

When I had the honor of originally bringing the attention of the Senate to this subject, in the amendment which I offered in June, 1890, I took occasion to say that no matter what fault was found with the plan, no matter what opposition was raised to it, no matter that Senators on the other side of the Chamber voted solidly against it, yet, the people would accept it and embrace it, and that reciprocity, as a part of our tariff legislation, had come to stay with the American people. It is the handmaiden and ally of protection. It is diametrically opposed to free trade. It means more products and more manufactures here and more sales abroad, while free trade means less manufactures and less products here and more purchases abroad. One way lie thrift, content, happy households, and general prosperity. The other way lie underpaid labor, discontent, suffering, and poverty.

I notify gentlemen on the other side that they have not heard the last of this. This achievement of Republican statesmanship will be carried before the people in the next Presidential canvass throughout the entire extent of this broad land. There is no farmer, no manufacturer, no miner, no laborer who is not interested in its success and its maintenance as a part of our system of foreign trade, and, when at last, it has become incorporated and accepted as a part of our national policy we may look to see our Democratic brethren flocking to its support, and trusting to that short memory, which is said to be common to all peoples, claiming to be the author and finisher of this great achievement.

TABLE No. 1.

A.

Imports into Brazil, in dollars, free of duty when exported from the United States.

Articles.	From the United States.	From all other countries.	Total imports.	Rate of duty.
				Per cent.
Wheat	* $150.00	$547,845.84	$547,995.84	*5
Wheat flour	2,778,353 00	914,329.24	3,692,682.24	15
Corn or maize and the manufactures thereof, including corn meal and starch	21,369.00	695,285.57	716,654.57	15
Rye and rye flour		555,737.60	555,737.60	15
Barley and buckwheat and buckwheat flour		193,286.08	193,286.08	15
Hay and oats	531.00	541,693.80	542,224.80	20
Beans and peas	478.00	1,039,522.00	1,040,000.00	20
Potatoes	36.00	905,053.12	905,089.12	15
Pork, salted and pickled, and bacon, except hams	44,809.00	751.00	45,560.00	20
Cotton-seed oil	4,376.00	331.20	4,707.20	48
Fish, salted, dried, or pickled	23,278.00	1,629,724.00	1,653,002.00	20 to 48
Coal, anthracite and bituminous		6,067,380.80	6,067,380.80	*5
Rosin, tar, pitch and turpentine	98,310.00	69,653.33	167,963.33	15
Agricultural implements, tools, and machinery				*5
Mining and mechanical machinery, tools, and implements, including stationary and portable engines, and all machinery for manufacturing and industrial purposes, except sewing machines	184,652.00	2,320,627.92	2,505,279.92	15 to 48
Instruments and books for arts and sciences	82,752.00	492,904.50	575,656.50	15
Railroad material and equipment	155,539.00	635,180.76	790,719.76	5 to 15
Total	3,394,633.00	16,609,306.76	20,003,939.76	

*Port and provincial charges equivalent to 5 per cent duty.

B.

Imports into Brazil, in dollars, the duties on which will be reduced 25 per cent when exported from the United States.

Articles.	From the United States.	From all other countries.	Total imports.	Rate of duty.
				Per cent.
Lard and substitutes of lard	$371,399.00	$348,166.60	$719,565.60	15 to 30
Bacon hams	556.00	103,610.66	104,166.66	48
Butter and cheese	12,941.00	2,000,507.91	2,013,448.91	48
Canned and preserved meats, fish, fruits, and vegetables	13,894.00	606,197.89	630,091.89	20 and 48
Manufactures of cotton, including cotton clothing	$665,966.00	$26,571,138.50	$27,337,124.50	15 to 48
Manufactures of iron and steel, single or mixed, not included in the foregoing schedule	522,096.00	2,361,211.00	2,883,307.00	15, 30 and 48
Leather and the manufactures of leather, except boots and shoes	20,196.09	3,195,185.62	3,215,381.62	30 to 50
Lumber, timber, and the manufactures of wood, including cooperage, furniture of all kinds, wagons, carts, and carriages	417,761.00	1,098,927.02	1,516,688.02	30 to 60
Manufactures of rubber	11,070.00	310,398.50	321,268.50	48
Total	2,035,899.00	36,595,343.70	38,631,342.70	

TABLE No. 2.

TRANSITORY SCHEDULE OF SPANISH RECIPROCITY AGREEMENT

Amount of exports from the United States to Cuba for year ending June 30, 1890, for articles named, and duty on each article.

ARTICLES FREE OF DUTY.

Articles.	Duty per cwt.	Value of exports.
1.		
Beef, fresh	$0.814	$3,294
Beef, salted	3.938	2,663
Beef, pickled	1.134	
Bacon	3.938	200,209
Hams	9.513	260,592
Pork, pickled	1.89	34,309
Other meat products	3.938	21,234
2.		
Lard	4.485	2,233,821
3.		
Tallow	2.604	1,394
4.		
Codfish (including hake, naddock, and pollock)	1.134	24,607
All others	1.134	19,651
Shellfish and others	5.04	11,787
5.		
Oats	.661	17,198
Rye flour	.661	5,039
6.		
Alimentary products of corn	2.646	No data.
7.		
Cotton-seed oil, cake, etc	3.276	No data.
8.		
Hay	.535	15,749
9.		
Fruits, fresh (apples)	1.57	10,009
Fruits, preserved	5.04	13,916
All others, dried, green, or ripe	2.394	9,278
10.		
Beans and peas	1.134	200,595
Potatoes	.661	108,153
Canned vegetables	7.938	2,191
Other vegetables and pickles	3.938	11,476
11.		
Resin	.589	
Tar	.378	8,036
Turpentine	1.95	3,554
Pitch	.589	709
12.		
Lumber, per M feet	7.98 to 19.944	460,546
Timber (logs, etc.), per M feet	11.99	16,483
13.		
Hoops, per M	3.00 to 7.167	34,652
Shooks, per M	2.834	132,775
Staves and headings, per M	10.819	25,403
14.		
Wooden boxes, mounted or unmounted, each	.208	No data.
15.		
Door, sash, and blinds, not classified in tariff		670
16.		
Carts and wagons	24 per cent ad. val.	No data.
17.		
Sewing machines	24 per cent ad. val.	60,741
18.		
Petroleum, crude	.403	446,618

TABLE No. 2—Continued.

Articles.	Duty per cwt.	Value of exports.
19.		
Coal, anthracite	$0.303	$91,673
Coal, bituminous	.303	631,183
20.		
Ice	.106	No data.

ARTICLES PAYING SPECIFIC DUTIES.

Articles.	Treaty duty, per cwt.	Tariff duty, per cwt.	Exports.
Corn	$0.1136	$0.661	$258,775
Corn meal	.1136	.529	11,116
Wheat flour*	.454	2.364	1,164,538
Wheat	.136	1.984	No data.

*After January 1, 1890.

ARTICLES WITH REDUCTION OF 25 PER CENT.

Articles.	Tariff duty.	Exports.
Butter, per cwt.	$7.151	$21,219
Cheese, do	3.938	9,686
Petroleum, refined, do	2.40	64,174
Boots and shoes:		
Men's and women's, per dozen pairs	$2.488 to 20.00 less 50 per ct.	114,676
Children's, do		
Total exports to Cuba		5,209,530

TABLE No. 3.

Statement showing the value of the trade between the United States, Brazil, and Cuba, since the reciprocity treaties therewith went into effect, compared with the corresponding period of the preceding year.

BRAZIL.

Months.	Imports.		Domestic exports.	
	1890.	1891.	1890.	1891.
April	$6,775,485	$14,221,029	$1,193,753	$1,157,493
May	7,209,691	7,072,309	1,071,889	1,389,855
June	3,732,672	6,035,365	1,022,314	1,257,095
July	3,236,876	4,068,872	956,124	906,326
August	3,892,713	8,311,177	889,510	1,592,413
September	7,298,008	8,696,145	1,075,214	1,212,676
October	6,358,874	10,636,961	1,352,424	1,781,928
November	8,396,990	7,499,514	1,126,329	1,037,701
Total eight months	46,901,309	66,541,372	8,687,557	10,335,487

CUBA.

September	5,691,457	4,083,648	1,274,093	1,668,566
October	3,393,885	5,031,697	1,230,825	1,715,838
November	1,244,859	3,056,854	1,156,191	1,675,337
Total three months	10,330,201	12,172,199	3,661,109	5,059,741

TABLE No. 4.

GERMANY.

Articles the product of the United States to be admitted into Germany after February 1, 1892, at the reduction of duties stated.

Articles.	General rate of duty heretofore, per 100 kilograms.	New rate of duty as per treaty, per 100 kilograms.
	Marks.	*Marks.*
Bran, malt germs	Free	Free.
Flax, raw, dried, broken, or hatcheled, also refuse portions	Free	Free.
Wheat	5	3.50.
Rye	5	3.50.
Oats	4	2.50.
Buckwheat	2	2.
Pulse	2	1.50.
Other kinds of grain not specially mentioned	1	1.
Barley	2.25	2.
Rape-seed, turnip-seed, poppy, sesame, peanuts, and other oleaginous products not specially mentioned	2	2.
Corn or maize	2	1.60.
Malt (malted barley.)	4	3.60
Anise, coriander, fennel, and caraway seed	3	3
Agricultural productions not otherwise designated	Free	Free.
Horse hair, raw, hetcheled, boiled, dyed; also laid in the form of tresses and spun; bristles, raw bed feathers	Free	Free.
Bed feathers, cleaned and prepared	6	Free.
Hides and skins, raw (green, salted, limed, dried) and stripped of the hair for the manufacture of leather	Free	Free.
Charcoal	Free	Free.
Bark of wood and tan-bark	0.50	Free.

TABLE No. 4—Continued.

Articles.	General rate of duty heretofore, per 100 kilograms.	New rate of duty as per treaty, per 100 kilograms.
	Marks.	*Marks.*
Lumber and timber:		
Raw, or merely rough hewn withaxe or saw, with or without bark; oaken barrel staves	0.20	0.20.
Marked in the direction of the longitudinal axis or prepared or cut otherwise than by rough-hewing; barrel staves not included under No. 1; unpeeled osiers and hoops; hubs, felloes, and spokes	0.40	0.30.
Sawed in the direction of the longitudal axis; unplaned boards; sawed cantle-woods and other articles, sawn or hewn	1	0.80.
Wood in cut veneering; unglued, unstained parts of floors	6	5.
Hops; also hop meal	20 gross	14 gross.
Butter; also artificial butter	20	17.
Meat, slaughtered, fresh, with the exception of pork	20	15.
Pork, slaughtered, fresh, and dressed meat, with the exception of bacon, fresh or prepared	20	17.
Game of all kinds, not alive	30	20.
Cheese, except Strecchino, Gorgonzola, and Parmesan	20	20.
Fruit, seeds, berries, leaves, flowers, mushrooms, vegetables, dried, baked, powdered, only boiled down or salted, all these products so far as they are not included under other numbers of the tariff; juices of fruits, berries, and turnips, preserved without sugar, to be eaten; dry nuts	4	4.
Mill products of grain and pulse, to wit: ground or shelled grains, peeled barley, groats, grits, flour, common cakes (baker's products)	10.50	7.30.
Residue, solid, from the manufacture of fat, oils, also ground	Free	Free.
Goose grease, and other greasy fats, such as oleomargarine, sperrfett (a mixture of salty fats with oil), beef marrow	10	10.
Live animals and animal products, not mentioned elsewhere; also, beehives with live bees	Free	Free.
Horses	20 each	20 each.
Remarks:		
1. Horses up to 2 years old	20	10.
2. Colts following their dam	Free	Free.
Bulls and cows	9	9.
Oxen	30	25.50.
Calves less than 6 weeks old	3	3.
Hogs	0.50	0.50.
Pigs weighing less than 10 kilograms	1	1.
Sheep	1	1.
Lambs	0.50	0.50.
Wool, including animal hair not mentioned elsewhere, as well as stuffs made thereof: Wool, raw, dyed, ground; also, hair, raw, hatcheled, dyed; also curled	Free	Free.

TABLE No. 5.

JAMAICA.

Statement showing the percentage duty levied in Jamaica on the leading British and American imports thereinto.

British goods.	Per cent.	American goods.	Per cent.
Apparel and haberdashery	12½	Bread and biscuits	26.80
Arms and ammunition	12½	Indian corn	15.90
Bags and sacks	12½	Oats	20.30
Beer and ale	21	Wheat	20.00
Coal	Free.	Corn meal	18.00
Cotton goods	12½	Wheat flour	45.00
Earthenware	12½	Oil, cotton seed	44.25
Hardware and cutlery	12½	Oil, kerosene	170.40
Hats and caps	12½	Beef, salted	35.52
Implements and tools	Free.	Bacon and hams	40.16
Jewelry	12½	Pork, pickled	28.94
Leather goods	12½	Lard	19.80
Linen	12½	Butter	26.40
Machinery	Free.	Cheese	32.00
Manure	Free.	Sugar, refined	50.38
Iron and manufactures of	12½	Tobacco, leaf	142.15
Paper and stationery	12½	Boards, deals	18.54
Silk goods	12½	Codfish, dried	18.47
Woolen goods	12½	Herring	25.15

Imports into Jamaica for 1891.

From United Kingdom	£1,291,485
From British colonies	184,082
Total from Great Britain and colonies	1,385,567
From United States	730,324
From all other countries	37,288
	2,153,179

Exports from Jamaica for 1891.

To United Kingdom	611,495
To British colonies	54,324
Total to Great Britain and colonies	665,819
To United States	976,357
To all other countries	164,908
	1,807,084
Dutiable imports:	
From United States	634,673
From all other countries	1,233,112

Duties collected:	
From the United States	£173,307
From all other countries	198,058
	Per cent.
Dutiable goods imported from United States	34
Duty paid by goods imported from United States	46
Average rate of duty on United States imports	26½
Average rate of duty on other imports	16

TABLE No. 6.

TRINIDAD.

Principal British and American imports thereinto for 1890, and percentage duty levied on same.

United Kingdom.	Value.	Duty.	United States.	Value.	Duty.
		Per ct.			*Per ct.*
Textile goods	$254,892	4	Flour	$117,900	16
Rice	124,400	17	Timber	41,615	8
Manufactured goods not enumerated	67,759	4	Lard	16,048	9
Hardware	44,935	4	Corn	14,089	13½
Leather	41,296	4	Kerosene	11,250	150
Malt liquors	26,091	19	Tobacco, leaf	10,194	200
Soap	17,955	12½	Sugar, refined	7,290	40

Imports into Trinidad for 1890:

From United Kingdom	$764,405
From British colonies	231,152
Total from Great Britain	995,557
From foreign countries	739,906
From United States	417,409
	2,152,872

Exports from Trinidad for 1890.

To United Kingdom	$513,401
To British colonies	24,007
Total to Great Britain	542,408
To foreign countries	248,426
To United States	641,685
	1,432,519

Dutiable imports:	
From all countries	1,177,992
From United States	313,908
Duties collected:	
From all countries	183,571
From United States	83,393
	Per cent.
Imports from the United States	26½
Duties collected from the United States	45
Average rate of duty on United States products	26½
Average rate of duty on other products	11½

TABLE No. 7.

British West Indian colonies.

No. 1.

Applicable to British Guiana, Trinidad and Tobago, Barbados, the Leeward Islands, and the Windward Islands, excepting the Island of Granada.

SCHEDULE A.

Articles to be admitted free of all customs duty and any other national, colonial, or municipal charges:

1. Animals, alive; to include only asses, sheep, goats, hogs and poultry, and horses for breeding.
2. Beef, including tongues, smoked and dried.
3. Beef and pork preserved in cans.
4. Belting for machinery, of leather, canvas, or India rubber.
5. Boats and lighters.
6. Books, bound or unbound, pamphlets, newspapers, and printed matter in all languages.
7. Bones and horns.
8. Bottles of glass or stone ware.
9. Bran, middlings, and shorts.
10. Bridges of iron or wood, or of both combined.
11. Brooms, brushes, and whisks of broom straw.
12. Candles, tallow.
13. Carts, wagons, cars, and barrows, with or without springs, for ordinary roads and agricultural use; not including vehicles of pleasure.
14. Clocks, mantel or wall.
15. Copper, bronze, zinc, and lead articles, plain and nickel plated, for industrial and domestic uses, and for building.
16. Cotton seed and its products.
17. Crucibles and melting pots of all kinds.
18. Eggs.
19. Fertilizers of all kinds, natural and artificial.
20. Fish, fresh or on ice, and salmon and oysters in cans.
21. Fishing apparatus of all kinds.
22. Fruits and vegetables, fresh and dried, when not canned, tinned, or bottled.
23. Gas fixtures and pipes.
24. Gold and silver coin of the United States and bullion.
25. Hay and straw for forage.
26. Houses of wood, complete.
27. Ice.
28. India-rubber and gutta-percha goods, including waterproof clothing made wholly or in part thereof.
29. Implements, utensils, and tools for agriculture, exclusive of cutlasses and forks.
30. Lamps and lanterns.
31. Lime of all kinds.
32. Locomotives, railway rolling stock, rails, railway ties, and all materials and appliances for railways and tramways.
33. Marble or alabaster, in the rough or squared, worked or carved, for building purposes or monuments.
34. Medicinal extracts and preparations of all kinds, including proprietary or patent medicines, but exclusive of quinine or preparations of quinine, opium, gauge, and bhang.
35. Paper of all kinds for printing.
36. Paper of wood or straw for wrapping and packing, including surface coated or glazed.
37. Photographic apparatus and chemicals.
38. Printers' ink, all colors.
39. Printing presses, types, rules, spaces, and all accessories for printing.
40. Quicksilver.
41. Resin, tar, pitch and turpentine.
42. Salt.
43. Sewing machines, and all parts and accessories thereof.
44. Shipbuilding materials and accessories of all kinds, when used in the construction, equipment, or repair of vessels or boats of any kind, except rope and cordage of all kinds, including wire rope.
45. Starch of Indian corn or maize.
46. Steam and power engines, and machines, machinery, and apparatus, whether stationary or portable, worked by power or by hand, for agriculture, irrigation, mining, the arts and industries of all kinds, and all necessary parts and appliances for the erection or repair thereof or the communication of motive power thereto.
47. Steam boilers and steam pipes.
48. Sulphur.
49. Tan bark of all kinds, whole or ground.
50. Telegraph wire, telegraphic, telephonic, and electrical apparatus and appliances of all kinds for communication or illumination.
51. Trees, plants, vines, and seeds and grains of all kinds, for propagation or cultivation.
52. Varnish, not containing spirits.
53. Wall papers.
54. Watches when not cased in gold or silver; and watch movements uncased.
55. Water pipes of all classes, materials, and dimensions.
56. Wire for fences, with the hooks, staples, nails, and the like appliances for fastening the same.
57. Yeast cake and baking powders.
58. Zinc, tin, and lead, in sheets; asbestus; and tar paper, for roofing.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

SCHEDULE B.

Articles to be admitted at 50 per cent reduction of the duty designated in the respective customs tariff now in force in each of said colonies:

1. Bacon and bacon hams.
2. Boots and shoes made wholly or in part of leather.
3. Bread and biscuit.
4. Cheese.
5. Lard and its compounds.
6. Mules.
7. Oleomargarine.
8. Shooks and staves.

SCHEDULE C.

Articles to be admitted at 25 per cent reduction of the duty designated in the respective customs tariff now in force in each of said colonies:

1. Beef, salted or pickled.
2. Corn or maize.
3. Corn meal.
4. Flour of wheat.
5. Lumber of pitch pine, in rough or prepared for buildings.
6. Petroleum and its products, crude or refined.
7. Pork, salted or pickled.
8. Wheat.

It is understood that No. 4 of this schedule shall not apply to the colony of Trinidad, but it is stipulated that the duty on flour in said colony shall not exceed 75 cents per barrel.

No. 2.

Applicable to the colony of Jamaica and its dependencies.

SCHEDULE A.

Articles to be admitted free of all customs duty and any other national, colonial, or municipal charges:

1. Animals, alive, and poultry.
2. Beef, including tongues, smoked and dried.
3. Beef and pork preserved in cans.
4. Belting for machinery, of leather, canvas, or India rubber.
5. Boats and lighters.
6. Books, bound or unbound; pamphlets, newspapers, and printed matter in all languages
7. Bones and horns.
8. Bottles of glass or stone ware.
9. Bran, middlings, and shorts.
10. Bridges of iron or wood, or of both combined.
11. Brooms, brushes, and whisks of broom straw.
12. Candles, tallow.
13. Carts, wagons, cars, and barrows, with or without springs, for ordinary roads and agricultural use, not including vehicles of pleasure.
14. Coal and coke.
15. Clocks, mantel or wall.
16. Cotton seed and its products, to include meal, meal cake, oil, and cottolene.
17. Crucibles and melting pots of all kinds.
18. Drawings, paintings, engravings, lithographs, and photographs.
19. Eggs.
20. Fertilizers of all kinds, natural and artificial.
21. Fish, fresh or on ice, and oysters in cans.
22. Fishing apparatus of all kinds.
23. Fruits and vegetables, fresh and dried, when not canned, tinned, or bottled.
24. Gas fixtures and pipes.
25. Gold and silver coin of the United States and bullion.
26. Hay and straw for forage.
27. Houses of wood, complete.
28. Ice.
29. India-rubber and gutta-percha goods, including water-proof clothing made wholly or in part thereof.
30. Implements, utensils, and tools for agriculture, exclusive of cutlasses and forks.
31. Iron, galvanized.
32. Iron for roofing.
33. Lamps and lanterns, not exceeding 10 shillings each in value.
34. Lime of all kinds.
35. Locomotives, railway rolling stock, rails, railway ties, and all materials and appliances for railways and tramways.
36. Marble or alabaster, in the rough or squared, worked or carved, for building purposes or monuments.

37. Paper of all kinds for printing.
38. Paper of wood or straw for wrapping and packing, including surface-coated or glazed.
39. Photographic apparatus and chemicals.
40. Printers' ink, all colors.
41. Printing presses, types, rules, spaces, and all accessories for printing.
42. Proprietary or patent medicines, recommended by their proprietors as calculated to cure disease or alleviate pain in the human subject.
43. Quicksilver.
44. Resin, tar, pitch, and turpentine.
45. Sewing machines and all parts and accessories thereof.
46. Shipbuilding materials and accessories of all kinds, when used in the construction, equipment, or repair of vessels or boats of any kind, except rope and cordage of all kinds, including wire rope, and subject to specific regulations to avoid abuse in the importation.
47. Shooks and staves.
48. Starch of Indian corn or maize.
49. Steam and power engines, and machines, machinery, and apparatus, whether stationary or portable, worked by power or by hand, for agriculture, irrigation, mining, the arts and industries of all kinds, and all necessary parts and appliances for the erection or repair thereof or the communication of motive power thereto.
50. Steam boilers and steam pipes.
51. Sugar, refined.
52. Sulphur.
53. Tallow and animal greases.
54. Tan bark of all kinds, whole or ground.
55. Telegraph wire; telegraphic, telephonic, and electrical apparatus and appliances of all kinds, for communication or illumination.
56. Trees, plants, vines, and seeds and grains of all kinds, for propagation or cultivation.
57. Varnish, not containing spirits.
58. Wall papers.
59. Watches when not cased in gold or silver; and watch movements, uncased.
60. Water pipes of all classes, materials, and dimensions.
61. Wire for fences, with the hooks, staples, nails, and the like appliances for fastening the same.
62. Yeast cake and baking powders.
63. Zinc, tin, and lead, in sheets; asbestus and tar paper, for roofing.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

SCHEDULE B.

Articles to be admitted at 50 per cent reduction of the duty designated in the customs tariff now in force:

1. Bacon and bacon hams.
2. Bread and biscuit.
3. Butter.
4. Cheese.
5. Lard and its compounds.

Lumber of pitch pine, in rough or prepared for buildings, to be reduced to 9 shillings per 1,000 feet.

SCHEDULE C.

Articles to be admitted at 25 per cent reduction of the duty designated in the customs tariff now in force:

1. Beef, salted or pickled.
2. Corn and maize.
3. Corn meal.
4. Oats.
5. Petroleum and its products, crude or refined.
6. Pork, salted or pickled.
7. Wheat.

Mr. VEST. Mr. President, I wish to take the floor in order to reply to the remarks of the Senator from Maine, but I will give way, of course, now to the regular order. I suppose the resolution of the Senator will lie upon the table.

The PRESIDING OFFICER. That will be the action of the Senate in the absence of objection.

Mr. McPHERSON. Before departing from this subject I wish to ask the Senator from Maine a single question. If I understand the Senator correctly, he states that the increase in exports from this country to Brazil during the period of eight months, since the reciprocal relations have been in operation, has been about $2,000,000. Can the Senator inform the Senate as to the amount of remitted duties to Brazil during that time upon sugar alone, which was the fourth article admitted free of duty? In other words, I wish to get at the fact, if I can, how much the advantage has been to Brazil at the same time that the Senator is showing the advantage to us in exports to Brazil.

Mr. HALE. I have no figures on that point. The Senator can reckon for himself the comparative part of our importations of sugar entire from Brazil in relation to the whole. It is not a very large portion, but the sugar product of Brazil is likely to be increased; large ventures are made in that direction, and it is believed by the Brazilian authorities that Brazil will furnish a much larger proportion of the sugar we shall import in the years to come than it does now. We get the larger supply of our sugar from Cuba.

Mr. ALLISON obtained the floor.

Mr. FRYE. If the Senator will allow me, 87½ per cent of all the importations from all the South American Republics before the McKinley act became a law were brought entirely free of duty into this country, leaving only 12½ per cent that paid any duties whatever. That was before the McKinley act or reciprocity.

Mr. ALLISON. With the leave of the Senator from Alabama [Mr. MORGAN], I should like to ask the Senator from New Jersey [Mr. McPHERSON] a question in connection with this debate; and that is, if he understands that the remission of the sugar duties has benefited Brazil? I understood from the tenor of the Senator's question in asking how much free sugar had come in from Brazil under the so-called McKinley act, that he inferred that the effect of free sugar had been to put the amount of the duty into the Brazilian treasury.

Mr. McPHERSON. I did not say that.

Mr. ALLISON. That was the implication from the Senator's question. I merely wish to know if that is his view.

Mr. McPHERSON. Not at all; but I assume, as a matter of course, if the duty is remitted upon sugar and sugar is put upon the free list in this country, the benefits pass to somebody outside of our country to a certain extent, because we increase the consumption of sugar by that act. But at the same time, if these relations are to be reciprocal, we ought to know exactly to what extent reciprocity is felt by both countries. That was my idea.

Mr. ALLISON. I desire to know if the Senator from New Jersey is of opinion that the sugar duty remitted has in any way benefited the Brazilian people as respects their securing a higher price for sugar than they secured before?

Mr. McPHERSON. I do not know that that is a question which naturally belongs to this debate. The only question that I have taken into consideration is this: We were receiving, according to the statement of the Senator from Maine [Mr. HALE], certain benefits by reason of an increased market to the extent of $2,000,000, being enabled to sell $2,000,000 more of products to Brazil. Now, we have remitted duties upon sugar, which to that extent, as a matter of course, reduces the revenue in our Treasury. If our market is increased and we are benefited by a remission of duties, certainly the Brazilians, to a certain extent, are benefited by reason of the remission of duties here. It was only to that extent that my question applied.

Mr. ALLISON. I did not understand the import of the Senator's question. I supposed he meant to draw an inference that the importation of sugar from Brazil free had the effect to benefit *pro tanto* Brazil or its people. Now I understand him to say that the remission of duties on the part of Brazil, as they have remitted them in pursuance of this reciprocity policy, has had the effect to improve the condition of Brazil.

Mr. VANCE. Mr. President, I simply want to express my happiness at the turn this discussion has taken. I have listened with great interest to the Senator from Maine [Mr. HALE], and to the side remarks of the Senator from Iowa [Mr. ALLISON]. The drift of the whole of them is to show the benefits flowing from the remission of tariff duties, and the whole tendency of the argument is in the direction of the blessings of free and unrestricted trade. Let us think, sir, that there is hope for the country when the truth begins to creep out through crevices of that kind on that side. If it proven, as I understood the Senator from Maine, that the only thing which redeemed the McKinley bill from a flat and absolute failure was the single, solitary free-trade element there was in it, these things are hopeful, and I can say now, in the language of old Simeon, "Lord, let Thy servant depart in peace to his dinner, since his ears have heard the justification of his opinion." [Laughter.]

Mr. ALLISON. Mr. President, just one word in response to the Senator from North Carolina [Mr. VANCE]. The Senator from North Carolina, inferentially at least, is unable to draw the distinction between an article like sugar, which we import to the extent of almost our entire consumption, and other articles which we produce almost entirely. The purport of my question was not specially to reënforce the free-trade theories of the Senator from North Carolina, but only to show as respects this exceptional article of sugar, nine-tenths of which we import, that the duties were paid by our own people.

Mr. VANCE. And went into the Treasury.

Mr. ALLISON. And that by the effect of the McKinley bill those duties have been removed, and sugar has been reduced in price to that extent, and it has no relation to that vast number of articles which we produce in the United States and which are also produced abroad, having both the home competition and the foreign competition affecting the price.

Mr. VANCE. I was not unaware of the distinction which the Senator thinks I was not able to draw. I know very well the distinction between a duty on sugar, which goes into the Treasury of the country, and a duty on manufactured articles which are not included in any treaty of reciprocity, the proceeds of which go into the pockets of his protected friends, the manufacturers. I can see that distinction. I am glad that he acknowledges that he sees it.

ADJOURNMENT TO MONDAY.

Mr. CAMERON. I move that when the Senate adjourn today it be until Monday next, at 12 o'clock m.

The motion was agreed to.

MEXICAN COMMISSION AWARDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distri-

bution of the awards made under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868, the pending question being on the motion of Mr. HOAR to strike out the third section of the bill.

Mr. MORGAN. Mr. President, I think I can congratulate the Senate this morning that we shall get through with this case before an adjournment, as I do not know that any Senator wishes to speak upon the bill, unless the Senator from New York [Mr. HISCOCK] may desire to do so, of which I have had no notice.

Yesterday I had passed through my statement in regard to the facts of the case of the La Abra Silver Mining Company, and had discussed to some extent the legal questions which had been raised by the suggestions, and objections, perhaps of the Senator from Massachusetts [Mr. HOAR] and the Senator from Mississippi [Mr. GEORGE]. I thought that the decision in Sampeyreac *vs.* The United States, that I read from 7th Peters' Reports fully and in every particular answered every objection which either of the Senators had presented; and now, looking through what they said yesterday, the meaning and force of which I did not catch precisely in the course of current debate, I am still more fully satisfied that that decision does cover every point that the Senators suggested.

I am not at all wedded to having an appeal taken to the Supreme Court in this case either by the United States or by any defendant in the cause to have it determined, but I can very well understand how if Congress should in this case make an exception in favor of the United States complaint would be made of it and objection would be made to a bill of that character; perhaps it might meet with obstruction in the other branch of Congress. I therefore hope that the Senate will leave that feature in the bill. If it should turn out that we have not the constitutional power (for that is what the question comes to at last, I believe, as presented by the honorable Senators) to bring this case within the appellate jurisdiction of the United States Supreme Court by our legislation, it is very easy for that court so to decide. It can not, however, so decide if it follows the precedent in many cases, some of which I have already cited and to others of which I shall call attention very briefly this morning. So, in any view of the question, I think it is better to leave that section in the bill and not have the case to turn in any sense upon what is an unnecessary controversy as to that feature of the measure.

The Senator from Mississippi yesterday suggested that he had no difficulty at all about the proposition that the Congress of the United States could confer jurisdiction in this case and under this bill upon the Court of Claims, and that we could get a decision from the Court of Claims under the act which would be conclusive in the cause. I think it is a very logical deduction from that statement that the Supreme Court of the United States may have appellate jurisdiction of that same case if we accord it, or rather, if we do not except it from the jurisdiction.

Senators seem to have mistaken the precise attitude that Congress holds to the question of controlling and regulating the appellate jurisdiction of the Supreme Court of the United States. They state, and correctly, that that appellate jurisdiction is derived from the Constitution. There are some portions of it which in the absence of legislation will be regulated by the rules of the common law, because the common law is referred to in the constitutional grant. At the same time the investiture of jurisdiction, or the apportionment, I will call it, of jurisdiction in judicial matters, is conferred broadly and without any sort of limitation upon the Supreme Court and such inferior courts as Congress may from time to time ordain and establish; but it requires legislative consent and legislative action to put that jurisdiction into effect. In the great leading case of Durousseau *vs.* The United States, in 6 Cranch, that subject was treated of and settled long years ago. I wish to read some extracts from that cause, not because the Senate is at all interested in it, but I want the record to show the foundation upon which the Committee on Foreign Relations have rested the section of the bill relating to an appeal to the Supreme Court. Chief Justice Marshall delivered the opinion in this case in 1810. The court say:

> The attorney-general having moved to dismiss them—
>
> The causes—
>
> because no writ of error lies from this court to that in any case or, if any case, not in such a case as this; the jurisdiction of this court becomes the first subject for consideration.
>
> The act erecting Louisiana into two territories establishes a district court in the territory of Orleans, consisting of one judge who "shall, in all things, have and exercise the same jurisdiction and powers which are, by law, given to, or may be exercised by, the judge of Kentucky district."
>
> On the part of the United States it is contended that this description of the jurisdiction of the court of New Orleans does not imply a power of revision in this court similar to that which have been exercised over the judgments of the district court of Kentucky; or, if it does, that a writ of error could not have been sustained to a judgment rendered by the district court of Kentucky in such a case as this.
>
> On the part of the plaintiffs it is contended that this court possesses a constitutional power to revise and correct the judgment of inferior courts; or, if not so, that such a power is implied in the act by which the court of Orleans is created, taken in connection with the judicial act; and that a writ of error would lie to a judgment rendered by the court for the district of Kentucky in such a case as this.
>
> Every question originating in the Constitution of the United States claims, and will receive, the most serious consideration of this court.
>
> The third article of that instrument commences with organizing the judicial department. It consists of one supreme court, and of such inferior courts as Congress shall, from time to time, ordain and establish. In these courts is vested the judicial power of the United States.
>
> The first clause of the second section enumerates the cases to which that power shall extend.
>
> The second clause of the same section distributes the power previously described. In some few cases the Supreme Court possesses original jurisdiction. The Constitution then proceeds thus: "In all the other cases before mentioned the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make."
>
> It is contended that the words of the Constitution vest an appellate jurisdiction in this court, which extends to every case not excepted by Congress; and that if the court had been created without any express definition or limitation of its powers, a full and complete appellate jurisdiction would have vested in it, which must have been exercised in all cases whatever.
>
> The force of this argument is perceived and admitted. Had the judicial act created the Supreme Court, without defining or limiting its jurisdiction, it must have been considered as possessing all the jurisdiction which the Constitution assigns to it. The Legislature would have exercised the power it possessed of creating a Supreme Court as ordained by the Constitution; and in omitting to exercise the right of excepting from its constitutional powers, would have necessarily left those powers undiminished. The appellate powers of this court are not given by the judicial act. They are given by the Constitution. But they are limited and regulated by the judicial act, and by such other acts as have been passed on the subject.
>
> When the First Legislature of the Union proceeded to carry the third article of the Constitution into effect, they must be understood as intending to execute the power they possessed of making exceptions to the appellate jurisdiction of the Supreme Court. They have not, indeed, made these exceptions in express terms. They have not declared that the appellate power of the court shall not extend to certain cases; but they have described affirmatively in jurisdiction, and this affirmative description has been understood to imply a negative on the exercise of such appellate power as is not comprehended within it.
>
> The spirit as well as the letter of a statute must be respected, and where the whole context of the law demonstrates a particular intent in the Legislature to effect a certain object, some degree of implication may be called in to aid that intent.
>
> It is upon this principle that the court implies a legislative exception from its constitutional appellate power in the legislative affirmative description of those powers. (6 Cranch, 612-614.)

Mr. President, taking that leading case for a guide, there is almost no difficulty in coming to correct conclusions as to the power of Congress in still further affirming the jurisdiction of the Supreme Court by including other cases within it, provided they are cases of a judicial nature.

The Senator from Massachusetts [Mr. HOAR] seems to have gotten the impression that the bill deals with questions that are merely sentimental, with moral questions, and he put the case in about this form: Suppose the Government of the United States in some of its departments desired to waive the statute of limitations to a suit that some one had the right to bring against the Government, or to claim a demand which some one had the right to bring, and should refer it to a court to take the opinion of that court whether it ought to do it, would I contend, he asked me the question, that that court could take jurisdiction in such a case? I did not answer it then; I listened to what he had to say about it; but the Senator forgot entirely that his question included a matter which is not the subject of judicial action at any time, and particularly under our Government and Constitution, for it is a subject that is altogether within the reach and disposal of the legislative branch of the Government.

In very many cases here, in very many cotton cases, in claims against the United States for a great variety and number of demands, we have waived the statutes of limitation; and it would be impossible to conceive that any one would go to the judicial establishment of the United States for the purpose of getting an opinion upon the duty of Congress to do anything that could be mentioned in the way of legislation. The case that the Senator puts is one which never could get in reach of judicial power because you can not make a judicial inquiry about it.

But that is a very different matter from where some person has a claim against the United States which he asserts as being a claim in equity and justice, or as being a claim well-founded in law, and which he says, "I can prove if you will admit me upon the records as a party and give me the right to prove it. I do not mean to say that I have an actual legal title to this money that I claim from the Government of the United States, but I have a moral right to it, an equitable right to it, and if you will open the doors of your courts and allow the Government to be sued by me, recognizing my right to sue, to present the claim in that forum, then I should be able to establish my case. As the matter stands between the Government of the United States and myself now it is a controversy—a controversy, it is true, in which I admit that I have no legal right, but I have a strong equitable and moral right; and if you will throw your doors open and admit me to a jurisdiction I shall be able to prove that I have such a right, and I shall be able to prove that it is your duty to pay this money." The Government of the United States says: "Very well, if you can prove that, you shall have the money."

Now, that same thing, that conversion of an equitable demand into what we call a legal demand or an absolute and fixed right,

occurs in every case almost where a bill in equity is filed, appealing to the equitable powers and jurisdiction of the court for the recognition of an equity which is binding, upon what? Upon the conscience of the Government or the conscience of the defendant. He can not enforce it in law, and the very reason why he comes into equity is that the law affords him no remedy, for if the law does afford him an adequate, complete, and plain remedy he can not get into a court of equity; that bars the jurisdiction. Every case that goes into a court of chancery must have a moral foundation. A person can not invoke the jurisdiction of the chancery court unless the case has a moral foundation, and the man must not only have a case with such a foundation as that, but the laws of the courts of equity require that he in the acquisition of his demand, of whatever nature it may be, has acted with honesty and uprightness, and that he comes into court with clean hands and offers to do full equity to all persons who may participate with him in the right which he is demanding in any form whatsoever.

In the case of Sampeyreac, which I read yesterday, the propositions submitted by both the Senator from Massachusetts and the Senator from Mississippi are answered, and they are answered distinctly and directly. In that case Sampeyreac had no right at all, but he was supposed to have a right. If there had been an actual occupancy by him of a grant under the Spanish Government he would have had a right; but what kind of a right was it? Just the same right that a man has who occupies a Mexican land grant out in Arizona. He has a right to that property which the Government of the United States is not bound to recognize until it has been adjudicated. He has the semblance of a legal right to it; he has a certain assemblage of facts and principles of justice and equity which he can bring together to the attention of a proper tribunal, and there he can have his rights condensed and crystallized until they become actual legal rights. That is the reason why we put a court in operation out there to consider all such equitable demands upon our Government, growing out of the treaty of Guadalupe Hidalgo, and have them put in form, as was done in the decree in Sampeyreac's case, so as that the man can get proper muniments and evidences of title for his land.

Not only can the Congress of the United States confer jurisdiction upon the Supreme Court, or rather bring cases within the reach of its jurisdiction, which is the more correct expression, but Congress by its act can take away the jurisdiction in a cause that is pending. Here is the celebrated case of McCardle. That was a case in which a writ of habeas corpus was sued out under an act of Congress which entitled McCardle to go into the courts of the United States and have an inquiry made as to a certain offense that was alleged to have been committed by him, and to be relieved on a writ of habeas corpus. Chief Justice Chase said:

> The first question necessarily is that of jurisdiction; for, if the act of March, 1868, takes away the jurisdiction defined by the act of February, 1867, it is useless, if not improper, to enter into any discussion of other questions.

Are we talking about taking away jurisdiction from the Supreme Court of the United States when Senators and judges all say it is conferred by the Constitution, but that it is under the restriction of Congress, who shall regulate the exercise of it, decide what cases the Supreme Court may take jurisdiction of and determine? It is a power that is vested in Congress to measure the jurisdiction and the method of exercise, which the Constitution confers broadcast upon the Supreme Court of the United States.

> It is quite true, as was argued by the counsel for the petitioner, that the appellate jurisdiction of this court is not derived from acts of Congress. It is, strictly speaking, conferred by the Constitution. But it is conferred "with such exceptions and under such regulations as Congress shall make."

Whenever Congress makes a regulation and makes the exception and brings the case within the jurisdiction of the Supreme Court of the United States, and it is a question for judicial determination in its nature, then the case is brought rightfully within the jurisdiction of the United States Supreme Court.

> It is unnecessary to consider whether, if Congress had made no exceptions and no regulations, this court might not have exercised general appellate jurisdiction under rules prescribed by itself. For among the earliest acts of the First Congress at its first session was the act of September 24, 1789, to establish the judicial courts of the United States. That act provided for the organization of this court, and prescribed regulations for the exercise of its jurisdiction.
>
> The source of that jurisdiction and the limitations of it by the Constitution and by statute have been on several occasions subjects of consideration here. In the case of Durousseau *vs.* The United States, particularly, the whole matter was carefully examined, and the court held that while "the appellate powers of this court are not given by the judiciary act, but are given by the Constitution," they are, nevertheless, "limited and regulated by that act and by such other acts as have been passed on the subject." The court said, further, that the judiciary act was an exercise of the power given by the Constitution to Congress "of making exceptions to the appellate jurisdiction of the Supreme Court." "They have described affirmatively," said the court, "its jurisdiction, and this affirmative description has been understood to imply a negation of the exercise of such appellate power as is not comprehended within it.
>
> "The principle that the affirmation of appellate jurisdiction implies the negation of all such jurisdiction not affirmed having been thus established, it was an almost necessary consequence that acts of Congress providing for the exercise of jurisdiction should come to be spoken of as acts granting jurisdiction and not as acts making exceptions to the constitutional grant of it.
>
> "The exception to appellate jurisdiction in the case before us, however, is not an inference from the affirmation of other appellate jurisdiction. It is made in terms. The provision of the act of 1867 affirming the appellate jurisdiction of this court in cases of habeas corpus is expressly repealed. It is hardly possible to imagine a plainer instance of positive exception.
>
> "We are not at liberty to inquire into the motives of the Legislature. We can only examine into its power under the Constitution; and the power to make exceptions to the appellate jurisdiction of this court is given by express words.
>
> "What, then, is the effect of the repealing act upon the case before us? We can not doubt as to this. Without jurisdiction the court can not proceed at all in any cause. Jurisdiction is power to declare the law, and when it ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause. And this is not less clear upon authority than upon principle." (Ex parte McCardle, 7 Wallace, 512-514.)

I need not go on to read the appeal of the petitioner. The petition was dismissed. Mr. McCardle had sued out his writ of habeas corpus under an act of Congress that was in force. It was sued out, but Congress repealed it in time to take the case out of the reach of the Supreme Court; and he just had to submit, because there was a case of jurisdiction given by statute, or defined to be provided for by statute, and then that same jurisdiction was taken away pending his cause, and down his case went, and down he went with it.

I have so much respect for the opinions of the two Senators with whom I am conducting the debate upon this question that I have paid very much more attention to this matter than I supposed I would ever be required to do. The Committee on Foreign Relations in framing this bill had the whole matter before them, and it was very fully and very freely discussed. The chairman of the Committee on the Judiciary of the Senate in the preceding Congress was a member of the Committee on Foreign Relations. The bill came in with his approval and the approval of every other member of the committee, and it has done so time and again.

It is very true that there may be some criticism properly indulged in as to some expressions in the bill, but I think the criticism is more apparent than real. That has resulted, though, from the fact that the bill itself was not the production of a single mind. The bill was prepared and then amendments were incorporated in it, and in that process, as a matter of course, there may have been some little discrepancy between certain lines or parts of the bill which when viewed with a very critical eye might leave some doubt upon the mind as to what was meant in every instance. I am cheerfully willing to have the bill amended in any respect that the Senate may see proper to have it done. The Senator from Wisconsin [Mr. VILAS] has handed me a memorandum of some suggestions which he has made in regard to it which, it seems to me, are very pertinent. I believe he has improved in his suggestion the expression we ought to give to the law when it is enacted through this measure. I shall call attention to that point a little later.

I conclude what I have to say about the law of this case with the remark that the Supreme Court of the United States have settled every question that has heretofore been agitated in these causes through these many long years that they have been pending in this body in one form or another. These parties, with a view to avoid ultimate justice, with a view to escape from the effects of their flagrant outrages upon justice, upon decency, have from time to time resorted to summary proceedings in the nature of writs of mandamus to have what they allege to be their vested, ascertained rights fixed by treaty confirmed by the Supreme Court of the United States, so that the power of the United States Congress would be wanting to break down the confirmation and to get at the true merits of the case.

In every instance they have failed. I suppose that very few cases have been argued with more elaboration and more ability and more zeal than have been presented in the various briefs which have been submitted to the Senate and the Senate committees, to the committees of the other House, and to the courts in this matter. So the whole fields of judicial inquiry and vexation about the right and power of Congress to deal with this subject is entirely cleared up, and no Senator can now suggest a question relating to the rights that are claimed by these people which has not been adjudicated and finally determined by the Supreme Court of the United States. The question that we are now debating, however, is one as to the form of procedure.

I recur to the admission made by the Senator from Mississippi, who is a very able and a very learned lawyer, that we have unquestioned power to confer the jurisdiction upon the Court of Claims which is expressed in this bill. Then I say, if we have the power to confer this jurisdiction upon the Court of Claims it is because it is a question judicial in its nature, or we make it such by our enactment; for it very often happens that questions are made to have a judicial character which according to the ideas and rules prevailing at common law would not be so classified.

It is one of the adjunct powers of the Government of the United States to call into its aid, through the legislation of Congress, the

judicial power of the Government to pronounce upon the equity and justice of cases that were not themselves of original judicial cognizance in the courts, treating the courts as deriving their powers from the common law alone, but which are brought within the reach of the power of the courts simply by statutory enactment. Questions are made judicial in that way which otherwise would not be. But this question is not of that character. The essential question here is, who is entitled to this money? Who has the right to it? One answer to that is prominent and unquestionable; that is, the Government of the United States has the right to it. It has the right as against Mexico, because the award was made and Mexico has paid it. That establishes that right, and establishes it conclusively and finally, until we, in our effort to do justice, also to shield our own escutcheon from an imputation of dishonor, see proper to take this money and return it to the government out of which it was filched and robbed by our citizens, with the assistance, of course unconsciously, of our governmental authorities.

There is no doubt about whom the money belongs to. There is still no doubt, as I argued yesterday, that no man can get a claim upon this money of a judicial or legal character until he is aided to it by an act of Congress. The money as much belongs to the Government of the United States as if it had been covered into its Treasury; and there is no reason why it should not have been covered into the Treasury of the United States heretofore as money belonging by this joint conference to the United States, and paid in pursuance thereof by the Government of Mexico.

Therefore, when a demand is set up for it here, not by Mexico, but by those persons who assert that their rights and injuries done to their property were the basis of the claim, the first inquiry that we present to them is this: "Have you any legal right to it? None whatever. The Supreme Court have said twice you have not any right to it. You can not get a right to it except by the act of Congress." We can vote it to them to-day, and no one in the world can appeal from our decision; neither Mexico nor any subsequent Congress can appeal from our decision and take it back.

We can vote it to them without any sort of difficulty, and we can also say to them, "We will appoint officers here to ascertain the question whether in the obtaining of this award, in putting it in that shape where the Government of the United States became entitled to the money, you, using the name of this Government, have by fraud and perjury imposed upon the Government of Mexico;" and when it has been ascertained that those particular awards, which stand there unimpeached in all of their integrity and in the full breadth of their meaning, have been obtained in this way, we say what shall take place? Not that you shall be deprived of some right that you claim, for you have no right at all to be recognized at law or in equity, but that these awards shall not stand for the guidance of the revenue and Treasury officers of the United States to collect this money and cover it into the Treasury; these awards shall be expunged; they shall be held to be null and void.

These difficulties and incumbrances shall be removed. This estate upon which you are trying to fasten a trust, this fund in which you say you have a moral and an equitable right, shall be turned back into the Treasury of the United States or into the treasury of Mexico as Congress determines. In what event now? In the event that one of our judicial tribunals in passing upon this matter gives you the right to sue, and in suing, gives you the right to defend, gives you the right, if you please, to file a crossbill and assert your rights. It gives you the right, by way of answer, to defend against the suit of the United States, and to say that there was no fraud and no perjury in the obtaining of this decree, and thereupon the political power of the country determines, that thing being ascertained in a judicial inquiry, that the money shall be paid to you or it shall go to Mexico.

If the tables were turned here and the question before the Senate was whether we would admit these claimants to sue the United States, no one would ever doubt at all, no one could have a doubt that if the United States was sued under an act of permission of that kind granted by Congress and judgment should go against the Government for the money, an appeal might be taken from that judgment. That result has not any reference to the particular character of the demand except that we recognize by our act of Congress that they have a judicial demand, a demand subject to judicial investigation. We say to these claimants, "Sue us." We can not force them to sue us, but we say, "Sue us; here are the doors of the courts thrown open to your complaint," and make no further provision about it. Get a judgment which Congress, if you please, must make an appropriation for after the judgment is obtained. You get the decree of a court here.

We permit you to sue. Who would deny, after the judgment of a court was pronounced upon one of these claimants in a suit against the United States that the Government of the United States could appeal it to the Supreme Court. It is just the same thing where the claimants refusing to sue, not being willing to bring their cases within the reach of justice, we say to them, "The Government of the United States will sue you in the nature of a bill of interpleader, for instance, in the nature of a bill *quia timet*, in the nature of a bill to remove clouds from the title, to exercise the repressive powers which courts of equity find at their beck and call whenever they see proper to exercise them in the interest of justice and equity;" and of cases of that kind the books are full.

There is no difficulty about the appeal. Although the defendant may not at the time be setting up and trying to enforce the demand which the complainant wants to smother and put under the ban of a prohibitory injunction or mandatory injunction, the complainant seeing that something would necessarily arise, perhaps after he is in his grave, and come against his children, goes into courts of equity which, without the assistance of a statute even entertain jurisdiction in such causes, for the purpose of getting a mandatory and repressive injunction against a claimant who is in the attitude to set up a claim, and who can do it if he wishes upon a given state of facts, which would, when carried into execution, work injustice to the complainant.

I do not think, Mr. President, that there can be any doubt about this matter. I confess that if there is a doubt about it in the world I have been entirely unable to see it.

Mr. CHANDLER. Will the Senator from Alabama allow me a suggestion?

Mr. MORGAN. Certainly.

Mr. CHANDLER. The Senator has supposed the case of a suit brought by the United States against these claimants who have acquired the title and of controversy to this fund, which I take it would be a case entirely within the jurisdiction of the Supreme Court, and he makes no doubt that on such a case being brought the Supreme Court would take jurisdiction of an appeal from the judgment which might be rendered by the lower court. I take it there can be no doubt about that. The Senator argues therefrom conversely that jurisdiction may be given to the Supreme Court to decide the controversy in case the claimants should sue the United States. The Senator supposes that jurisdiction to be given by an express act of Congress such as this.

Now, let me put this case: Suppose, without any legislation whatever being enacted, the La Abra Company should to-day bring suit in the Court of Claims asking for this fund. They aver that the fund is in the Treasury of the United States. They say they have a right to it, and they sue for it in the Court of Claims, and a judgment is rendered in behalf of the claimants. I take it there can be doubt that on appeal the Supreme Court would decide that question. Whether they dismiss the case for want of jurisdiction, or for whatever reason, they deal with the fact that here is a fund, and the claimants sue for it, and the Court of Claims decide that they can have it; and the Supreme Court must, under existing law, have jurisdiction of the appeal.

Mr. MORGAN. There is no question about it.

Mr. CHANDLER. Suppose, on the other hand, that the decision of the Court of Claims is against the claimants, the court deciding that they can not have the fund, are they not to-day, I ask the Senator, entitled to an appeal to the Supreme Court of the United States, which the Supreme Court must decide for them or against them, and not be thrown out on the ground that it is a question which grows out of a treaty?

Mr. MORGAN. The Senator from New Hampshire is entirely right about it.

Mr. CHANDLER. Could the Supreme Court get rid of deciding the case to-day if these complainants sued?

Mr. MORGAN. If we were to pass a law authorizing these two companies, or either of them, to sue the Government of the United States—of course they can not sue without such a statute or permission—say that unless this suit were brought within one year, whatever claims they might have or set up to this fund should be forever barred, that bar would be good. We do exactly that same thing in our private land-court jurisdiction. We give the claimants to Mexican land grants out there the right to go into that court and prove their claims. We give to that court jurisdiction of boundary questions and jurisdiction of the question of title, and a number of questions which in themselves do not naturally belong to the power of an ordinary court in the country. We give jurisdiction under that act.

Mr. CHANDLER. But we do not give an appeal to the Supreme Court?

Mr. MORGAN. Yes, we do.

Mr. CHANDLER. In the land-claim cases?

Mr. MORGAN. Yes.

Mr. CHANDLER. Then of course the argument is very strong which the Senator puts.

Mr. MORGAN. Yes——

Mr. CHANDLER. I wish the Senator would allow me to say one word more, as I have interrupted him.

Mr. MORGAN. Certainly.

Mr. CHANDLER. It is sufficient for me in this case to vote

to give a right of appeal in that I find this fund actually in the possession of the United States, and I find a claimant, and I think the right of that claimant to the fund may be made justiciable in the Court of Claims and in the Supreme Court of the United States. I am resting satisfied with those facts, and going no further I do not wish to be understood as saying that I do not think there might be a case such as is supposed by the Senator from Massachusetts [Mr. HOAR], where an attempt should be made to make the Supreme Court decide a political question or a question of foreign relations which the Supreme Court would decline to decide: but I simply say that, looking at the authorities which the Senator from Massachusetts has cited and those which the Senator from Alabama has cited, this case is not one of that sort.

Mr. MORGAN. Oh, no; this is different.

Mr. CHANDLER. It is clearly within the right and privilege of Congress to confer upon any claimants to this fund the right to go into the Court of Claims and recover it if they can on any principles which Congress may choose to lay down; and if the Court of Claims decide against the claimants Congress has the right to ask the Supreme Court in the exercise of a judicial function to review the case on appeal. I have no doubt about it at all.

Mr. MORGAN. That this is a judicial inquiry in the form in which it stands now before the Senate, is established in a great many different ways. Both these judgments of the Supreme Court are based on that idea. The district court in this District granted a judgment against Mr. Blaine for this money in favor of the La Abra Company and ordered him to pay it over. He took an appeal from that to the Supreme Court, and it reversed the decision of the court below and dismissed the motion for a mandamus. There was an ascertainment of a judicial question, and a judgment followed the action brought by these parties against Mr. Blaine.

Mr. CHANDLER. I do not understand that the court refused to do it entirely on the ground that it was a political question.

Mr. MORGAN. The merits of the case were not considered; they were not up. The court took the ground that this was the money of the United States first of all; that nobody had a claim upon it until Congress recognized the claim; and it was therefore subject to the political power—that means the legislative power of Congress—to bestow it or to dispose of it as they saw proper, it being money of the United States.

As I remarked awhile ago, we may ignore every right or claim of anybody in the world and take this fund or appropriate it to any purpose we please, or give it to Mexico if we want to do so, and nobody can object, for it has been ascertained that no person has a fixed, vested legal right in the money. When the circuit court of the United States for the District of Columbia——

Mr. WHITE. Will the Senator allow me to interrupt him for one second?

Mr. MORGAN. Certainly.

Mr. WHITE. Does the bill provide that in case the judgment of the Supreme Court should be that the award was not obtained through fraud and perjury then there should be a payment of the award to Weil?

Mr. MORGAN. Yes.

Mr. WHITE. I ask the Senator's pardon; I should like to see the clause of the bill which makes that provision.

Mr. MORGAN. It so provides.

Mr. WHITE. The bill provides in section 4—

That in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of Benjamin Weil, was based upon or obtained through fraud or false swearing, or other false and fraudulent practices of said Benjamin Weil, or his assigns, or by their procurement, the President of the United States is hereby authorized to release the Government of Mexico from further payment thereof, to the extent that the same is so declared fraudulent——

Mr. MORGAN. The Senator is not reading from the bill now before the Senate.

Mr. WHITE. I beg the Senator's pardon; the provision is in the last section of that bill.

Mr. MORGAN. The provision is there. I had great doubt about putting it in, but at the same time we did it because, as I have several times observed here, the Congress of the United States does not wish to pass a conclusive judgment upon this whole case. If it did, upon the evidence presented in these two causes we should immediately vote the money to Mexico. There is no question but that we should be obliged to vote it there, out of self respect. But allowing it to go in the form of a judicial inquiry we have attempted to give to the court powers enough to dispose of the property whichever way it may decide the question as to the validity or invalidity of this award, or rather as to its being an award that ought to be set aside.

I shall not detain the Senate any longer upon that view. The case of Weil comes next on the docket. It is not now up for consideration by the Senate, but I am extremely anxious to get this subject before the attention of the Senate and to have it disposed of, and would like to have it done to-day unless some Senator desires to have that case further considered—of course it must be considered separately; but unless some Senator should desire to have it considered by itself, without reference to the case of the La Abra company, having argued the law and a number of the facts, particularly the historical facts which bear upon both these cases, I should like to call the attention of the Senate very briefly to the case of Weil.

I think it is my duty to lay before the Senate a report that was made here within a few days past from the Secretary of State showing the collections that had been made from Mexico on these awards and the disposition that had been made of some parts of those collections. I will submit the entire report as an appendix to my remarks without undertaking to stop to read it, but will call attention to a few of the important features of the report in respect both of the La Abra Silver Mining Company and the Weil case. As we have virtually disposed, in argument, at least on our side, of the La Abra case, I shall not undertake to comment any further upon the payments that have been made out of the different funds to the different individuals who are here mentioned, except merely to call attention to a few of them. These two cases have always hunted in couples; they have always been kept here together, and the array of counsel and lobby in the advocacy of both of them has been a double array. In consequence of that fact there has been a perfect agreement amongst them as to all the proceedings, and it has continued to this day.

Mr. FRYE. I should like to ask the Senator a question there.

Mr. MORGAN. Certainly.

Mr. FRYE. I have forgotten about it, but has any Senator ever defended the award in the Weil case?

Mr. MORGAN. No, I can not say that any Senator has ever defended that award.

Mr. FRYE. I do not recollect myself of ever hearing anyone defend that award.

Mr. MORGAN. I can state very briefly the conclusions of the committee, and they are the conclusions of everybody else who ever studied the subject at all. I shall go on here and give a little résumé of the testimony to show that all these conclusions are correct, adding something to what has been heretofore in the record about it, that the claim of Weil has not any foundation on earth except perjury.

That is a pretty broad remark to make about a claim; but it was conceived in perjury, and fashioned by perjury, and promoted by perjury, and adjudged by perjury, and it has been aided during that time and since that time by bribery and other forms of corruption of a most startling character. It is a claim for 1,900 bales of cotton or thereabouts, alleged to have been bought by Weil in the State of Texas at the close of our war, that had been loaded upon enough wagons of four bales to the wagon to carry it in a caravan, four mules or four oxen to a team, and every bale was said to have been weighed and it weighed over 500 pounds. They make splendid cotton in Texas. If that be true, their presses must be better than they are anywhere else that I know of. They crossed the Rio Grande between Piedras Negras and Laredo at some place where there was no road. They got over on the other side and Cortina, in charge of the Mexican troops at that time, who were then just escaping almost from Maximilian's grasp, captured the cotton and carried it into Matamoros and there confiscated it for the Government of Mexico.

Every word of that statement might have been true, and Weil would have had no right under the laws of the United States, because he was taking the cotton out of the United States in violation of the intercourse law. Every pound of that cotton was subject to confiscation in his hands upon his own statement, at the instance of the Government of the United States. It would have been a perfectly good plea in any court in the United States to-day, if he had a right to sue for it, and could show that there had been such cotton and he had lost it under the circumstances, that his possession of it was in contravention of the laws of the United States and public policy, and that the money, which is the fruit of the cotton, now in the Treasury of the United States belongs only to the Government. That would be a perfect answer to the whole case. But then there was not one lint of cotton, there was not a bale of it, there was not a wagon or a mule or a driver or anything else except Weil and a few perjurers whom he hired and paid from this award very large sums of money to swear his case in court. If this evidence is correct, Weil's own writings and all, there is no foundation on earth for this case except Weil's perjury set forth in an affidavit, or two affidavits, and some supporting affidavits, which are equally false and are shown to be.

I do not intend, however, to allow the case to stand just upon my statement as a member of the committee or upon the judgment of the committee, for every committee that has acted upon it has had the same opinion about it. I shall put into the RECORD some of the evidence upon which I make these assertions. First, in regard to the La Abra case and the Weil case I want to show to whom the money has been paid that has already been realized and expended out of these five installments.

Mr. GEORGE. Five out of how many?

Mr. MORGAN. Thirteen, I think.

Mr. GEORGE. Equal installments?

Mr. MORGAN. Equal installments, or about equal; they vary very little. I do not think the first five varied at all. Two were paid in combination. On the first payment $67,208.60 were paid on the two awards I am speaking of now. Of course the payments by Mexico are very much larger. In the case of Weil the award in Mexican gold was $487,810.68. The first and second payments were $67,208.60.

Check 598. Lambert B. Cain, attorney for Alice Weil, administrator and tutrix, etc., (delivered to Mr. Cain in person), $43,888.16.

Check 599. August 16, 1880. John J. Key, assignee (delivered to him in person), $14,629.38.

Mr. Key is dead, and I have great respect for him and his memory. At the same time he was the attorney in this case, employed to conduct it before the Joint Commission, and he made the affidavit upon which the claim is founded, according to the best of his information, knowledge, and belief. He did not know any more about it than I would know what is going on in Kamchatka to-day. He knew nothing about it; he could not have known anything about it.

Check No. 600, August 16, 1880, Sylvanus C. Boynton, assignee (delivered to him in person), $8,691.06.

Mr. FRYE. Is that the one known as "Poker" Boynton?

Mr. MORGAN. That is "Poker" Boynton. I shall presently read the contract between Boynton and this man Weil in relation to his services. He professed to be an attorney or a lawyer. I do not know whether he is or not. That is the capacity in which he professes to be employed upon this very large share in the award. Those are the first and second payments. The third payment—

Check 279, Lambert B. Cain, attorney for Alice Weil, etc., $22,786.19.
Check 280, John J. Key, assignee, etc., $7,595.39.
Check 281, Sylvanus C. Boynton, assignee, etc., $4,512.10.

Making $34,893.68.

Fourth—

Check 561, August 16, 1880, Lambert B. Cain, attorney for Alice Weil, administratrix and tutrix, etc. (delivered to Mr. Cain in person), $22,786.19.
Check 562, John J. Key, assignee, etc., $7,595.39.
Check 563, Sylvanus C. Boynton, assignee, etc., $4,512.10.

Then follows a list of assignments, giving the date of the respective assignments:

Assignment by Lambert B. Cain, etc., to William W. Boyce of 5 per cent of this award after deducting amount previously assigned to Sylvanus C. Boynton.

Assignment by Lambert B. Cain, attorney, etc., dated, etc., to Robert B. Warden of 6¼ per cent of this award after deducting amounts previously assigned to Sylvanus C. Boynton, John J. Key, and W. W. Boyce.

Assignment by Lambert B. Cain, attorney, etc., to Sanders W. Johnston of 6¼ per cent of this award, after deducting amounts previously assigned to Sylvanus C. Boynton, John J. Key, and W. W. Boyce.

Assignment by Lambert B. Cain, attorney, etc., to Henry E. Davis, administrator of estate of Philip W. Foulke, deceased, 8¼ per cent of this award, after deducting amount previously assigned to Sylvanus C. Boynton.

Assignment by Lambert B. Cain, attorney, etc., to Jacob O. De Castro of 8¼ per cent of this award, after deducting amount previously assigned to Sylvanus C. Boynton.

Now comes the fifth installment:

Check to Sylvanus C. Boynton (delivered to him in person), $4,512.10.
Check to William W. Boyce, $1,519.08.
Check to John J. Key, $7,595.39.
Check to Robert B. Wharton, $1,329.19.
Check to Sanders W. Johnson, $1,329.19.
Check to Jacob O. De Castro, assignee (delivered to him in person), $2,531.80.
Check to Henry E. Davis, administrator of the estate of Philip Foulke, $2,531.80.
Check to Lambert B. Cain, attorney for Alice Weil, administratrix, etc., and tutrix (delivered to Mr Cain in person), $13,545.13.

Then follows a statement of the assignments under which these payments were made.

I will stop here in regard to the Weil case for the purpose of showing how these moneys were paid out. This man Weil, very soon after he committed this perjury, became insane and returned to France, from which country he had come. While he was in Louisiana, however, and before his return to France, his wife was appointed tutrix of his person and property, and she gave a power of attorney to Lambert B. Cain to represent the interests of her husband in this property. Weil died and Cain died, and the general administrator of one of the parishes there in New Orleans took the administration upon the estate of Benjamin Weil, and he called the estate of Lambert B. Cain, who died long since this proceeding has been here before us, to an account in the civil district court of the parish of Orleans.

Mr. Lambert B. Cain, administrator, came in and filed an account of the money that he had received under this award and of the disposal that had been made of it. That is made of record and certified here, together with certain contracts which form a part of the record. However, before the death of Lambert B. Cain, Mr. Weil and Mr. Cain were in a controversy in the courts there, on the equity side, I suppose, of the docket, for an accounting, and various pleadings had been put in and evidence taken to show the state of accounts between Lambert B. Cain and Mrs. Weil as the tutrix of her husband, and after his death as one of his successors. That suit was not determined in the lifetime of Cain, and it became necessary after the common administrator had taken out letters upon his estate that he should proceed in this court for the purpose of calling Lambert B. Cain's administrator to a settlement in regard to these moneys, and here is the account:

Amount cash remitted to Benjamin Weil in Washington, $100.

Then goes on a statement of different items which appear to relate entirely to the current expenses of the administration, amounting to $686.14.

Amounts paid incidental expenses of traveling to Washington and back (memorandum book) $9,743.21.

Without any dates at all, these items go on and are expressed as follows, there being no evidence to whom these moneys were paid: $1,496.25, $1,913.25, $1,675.71, $1,335, $1,285, $538, $1,500, amounting to $9,743.21. "Amounts paid hotel bills in Washington" amounting to $716.75.

Amount paid to Mrs. Alice Weil, $7.

No date given.

Ditto, francs, 2,000, $416.66.

Making $423.66 that this woman got out of of all these awards. That is all she ever got

Mr. FRYE. Weil got $100?

Mr. MORGAN. Yes, Weil got $100, but I am talking about his wife, who is tutrix. She got $423.66.

Now, we go further. Amount paid by L. B. Cane, incidental expenses in matter of awarded claim of Benjamin Weil, as per his memorandum book, to wit, $425; ditto, $365; ditto, $295; ditto, $595; ditto, $485; ditto, $425; ditto, $200, making $2,790 in all paid out by him, and he never got anything from Weil's estate except these awards. Incidental-expense account as per memorandum book, $335; ditto, $223; ditto, $406; ditto, $821.27; ditto, $958.72; ditto, $857.27; ditto, $1,214.12; ditto, $453.33; ditto, $2,431.38; ditto, $1,855.13, and he goes on with these dittoes without giving dates or items or anything else. It is "ditto" to the amount of $30,003.68.

Mr. FRYE. That sounds like an old college bill, where all the items are in sundries.

Mr. MORGAN. This is the incidental-expense account in Washington; that is, the lobby money scattered around here.

Mr. CHANDLER. If he paid it out.

Mr. MORGAN. He is claiming credit for it against that estate.

Mr. CHANDLER. It does not follow that he paid it because he claimed it.

Mr. MORGAN. I know. But here is an interesting item. George D. Hite was the chief perjurer in this case. He was the man without whose perjury the case could not have stood on its legs even with Weil's affidavit supporting Mr. Key's affidavit. It was necessary for George D. Hite to come in, not as counsel; he does not pretend here that he is a lawyer; he is a mere good swearer and first-class perjurer. Amount paid George D. Hite, $1,250; ditto, $580; ditto, $341.78; ditto, $603.63; ditto, $340; ditto, $262.89; ditto, $50; ditto, $50; ditto, $20; ditto, $20; ditto, $145.50; ditto, $102.38; ditto, $150; ditto, $100; making in all $4,016.18 paid to George D. Hite. They would not let George's name appear among these assignees, because that would impeach the whole affair, for everybody would know that George D. Hite could not possibly render any assistance to a case of this kind except by hard swearing, and so they kept his name off the record. They come then to the following:

Amount paid Jacob O. De Castro, as per open account, $5,556.70; ditto, extra in Washington, $2,000. That is all that it says about it. Then amounts paid on drafts of Jacob O. De Castro follow right along here till they amount to $2,824.32, "amount paid per following draft," etc.

Amount paid to Emile Landner, his written agreement with Benjamin Weil, $750.

I shall call attention presently to Mr. Landner's contract.

Amount paid P. W. Solomon, demand note of Benjamin Weil held by him—

He is another one of the swearers—$7,500 was paid to that fellow.

Amount paid to Middleton & Co., bankers, of Washington. Demand note for loan made, $824.

Then for telegrams, amount of interest as computed on itemized account, $10,598.68, footing up $84,814.50.

Amount of credit allowed for collections made of various amounts in itemized account, $11,091.51.

He whipsaws them; it cuts both ways. He charges for collection and for paying out.

Amount of interest on same allowed as computed, $2,428.42.

Footing up $13,519.93.

Actual total amount disbursed by Cain before he received a single dollar of the installment as per Tableau in which same is shown how distributed, $71,294.61.

Amount of Cain's one-half share of the $49,011.49 received for the first, second, third, fourth and fifth installments, $24,505.75.

There Cain comes in and claims to be a joint and equal owner with Weil of these various installments. So he credits himself on his account with $24,505.75, the amount that he says he was entitled to out of these five awards, being one-half of Weil's share of them; and that brings the footing of his credit side up to $95,800.36.

Less amount of credit in full for amount received for the first, second, third, fourth, and fifth installments, $49,011.49.
Balance owing Cain, as established on account itemized, $46,788.87.
Balance of account owing estate of L. B. Cain, $46,788.89.
Balance of award not yet paid, half share of same owing to estate of L. B. Cain, as per Tableau, $57,561.43.
Total amount to which the estate of L. B. Cain is entitled, $104,350.30.

Now, we shall presently find out how Cain got to be so deeply interested in the matter. Cain having as he alleged a half ownership in Weil's demand, Weil being crazy, his wife being appointed tutrix, she gives to Cain a power of attorney to make these collections and these settlements, and when she comes to wind up her interest in the estate she get out of it for herself the paltry sum of $423.66.

Then comes a résumé. It is not necessary to go over that, although I will ask that it may be put in the RECORD as it completes the account. The Senate will remember that there is a payment to Philip B. Fouke here of July 15, 1874. That was while this commission was going on or it was just before starting.

Know all men by these presents that I, Benjamin Weil, of the city of New Orleans and State of Louisiana, have nominated, appointed, and substituted, and by these presents do nominate, appoint, and substitute Philip B. Fouke, of Washington City, D. C., my true and lawful attorney for the following purposes, to wit:

Whereas Messrs. Fouke & Key are my attorneys for the prosecution of a certain claim before the joint commission of the United States of America and the United States of Mexico, which said claim is now before said joint commission. Now, in order to defray expenses, fees, and other moneys expended, laid out, or appropriated in and about the prosecution of said claim, I do hereby fully authorize and empower him, the said Philip B. Fouke for me and in my name to pay, pledge, hypothecate any portion of said claim for said purpose, provided, however, the amount thus paid, pledged, or hypothecated shall not exceed the amount and sum of $100,000.

In witness whereof, etc.

Signed by B. Weil. Then there is an affidavit in proof of that exhibit to this proceeding in the court there, certified before a notary public. Then comes the agreement between Fouke as the attorney in fact of Weil and Sylvanus C. Boynton:

This agreement entered into this 5th day of January, A. D. 1875, by and between Benjamin Weil, of the city of New Orleans, State of Louisiana, by Philip B. Fouke, his attorney in fact, for the purposes hereinafter mentioned, and Philip B. Fouke and John J. Key, attorneys at law, of Washington City, D. C., and attorneys of record in the case of said Weil, hereinafter referred to and mentioned, who, with said Weil, are parties of the first part, and Sylvanus C. Boynton, of Washington City, D. C., the party of the second part,

Witnesseth, that the said parties of the first part in consideration of moneys advanced by and of expenses paid by and personal and professional services rendered by the party of the second part to the parties of the first part for the preparation and prosecution of a certain case hereinafter stated, and for the further consideration of the covenants hereinafter mentioned of the party of the second part, do covenant and agree with the said party of the second part to pay him the said party of the second part the sum of $70,000 of the award in a certain case now before and to be adjudged by the Joint Commission of the United States of America and the United States of Mexico, and which ultimately may be before and adjudged by the umpire of said Commission now in session under a treaty between the said Governments made on the 4th day of July, A. D. 1868, to wit: The case of Benjamin Weil (*vide* docket No. 447), of the city of New Orleans, and State of Louisiana, said claim is for the sum of $335,950, with interest thereon from the 20th of September, A. D. 1864.

And the said party of the second part in consideration of the covenants of the said parties of the first part doth covenant and agree with the said parties of the first part that he will devote his time and attention to said case and to the procuring of an award, giving his personal and professional services in aid and furtherance of said case up to the time such award shall be finally made, or the decision finally be rendered. And the said party of the second part further agrees that should the final award be made for a less sum than said sum of $335,950, with interest from said 20th of September, A. D. 1864, then the party of the second part shall only receive pro rata as to the amount awarded, as $70,000 bears to the whole amount.

And the party of the second part agrees that he will not take any other case or have any interest in any other case pending or which may come before said Commission or umpire thereof, but is to give his entire personal and legal services to prosecutrix to a successful award in the case herein mentioned.

It is agreed by the parties hereto that the party of the second part shall be secured in the amount agreed upon to be paid, and for that purpose the party of the second part shall have a lien on said award for the payment of the same, and the amount herein secured to the party of the second part is to be paid from the proceeds of said award whenever the same shall be paid.

This agreement is to be in full force and effect from the date hereof, but to be null and void if no final award is obtained.

Signed by all these parties.

Mr. CHANDLER. Who was the party of the second part?

Mr. MORGAN. Boynton.

Mr. CHANDLER. Sylvanus C. Boynton?

Mr. MORGAN. Sylvanus C. Boynton. The testimony rested here, but I will read further; perhaps some Senator may know or have heard something about it:

WASHINGTON, D. C., *August 20, 1880.*

Received of Lambert B. Cain $3,265.08, his proportion of fee charged by me and which is due me now on the first four installments paid by the Secretary of State of the United States in the case of Benjamin Weil against the United States.

THOMAS L. YOUNG.

Now, I come to Mr. Landner, one of the chief swearers in this case—Emile Landner—who has been paid, as I have shown you here, a very large sum of money:

The agreement made, and entered into in the city of New Orleans, and State of Louisiana, between Benjamin Weil of the first part and Emile Landner of the second part, both residents of the city and State before mentioned.

Witnesseth, Benjamin Weil of the first part does hereby agree, pledge, and bind himself, his heirs or assigns, to pay to Emile Landner of the second part (for and in consideration of services rendered by said Emile Landner in the hereinafter-described claim) the sum of $7,500 in United States currency out of the proceeds of the Mexican Claims Commission at Washington, D. C.

This, done in New Orleans, this 16th day of March, 1872, in the presence of the two undersigned competent witnesses—if the amount collected by B. Weil, on the above claim does not exceed the sum of $50,000, the said Emile Landner agrees to accept the sum of $5,000, United States currency.

Attested by Solomon, the witness. Then the balance of this matter is some letters which I shall not detain the Senate to read, but I will ask that they be put in the RECORD, because they explain the account that I have just been going over in the presence of the Senate.

I wish next to call the attention of the Senate for a moment to the evidence upon which this case was tried before the Joint Commission called the Mixed Commission. The first paper in the case was the memorial of Benjamin Weil, residing in the city of New Orleans, etc., setting forth his claim to this property, and the incidents of the robbery which was perpetrated upon him, signed Benjamin Weil, by John J. Key, his attorney in fact, Fouke & Key, solicitors and attorneys for Benjamin Weil:

DISTRICT OF COLUMBIA, *County of Washington, ss:*

John J. Key, being first by me duly sworn, says on his oath that he is the attorney in fact of the memorialist described in the foregoing memorial; that the said memorialist is absent from the District of Columbia, and that the facts stated in said memorial are true to the best of his knowledge, information, and belief.

JOHN J. KEY,
Attorney in fact for Benjamin Weil.

Sworn to and subscribed before me, a notary public in and for said county and District, this 25th day of April, A. D. 1870.

[SEAL.] N. CALLAN, *Notary Public.*

Then there is produced here an affidavit of Weil, sworn to in September, 1869. You will observe that Mr. Key would not have made this claim of the 25th of April, 1870, but in September preceeding that Mr. Weil, it appears, had sworn before a United States commissioner at New Orleans to his claim. It is a very brief statement, nothing like so broad or comprehensive or circumstantial by any means as that which was put forward by Mr. Key, who knew nothing about it.

The next affidavit that is submitted in support of this claim is that of Emile Landner, sworn to on the 15th of December, 1869. That was before Weil had filed his complaint in court. Weil went around and got these affidavits and had them all waiting for his attorneys. His attorney came here in April, 1870, and filed his case and swore to it before this Joint Commission, these affidavits having been sworn to in the preceding fall and winter, September and December. Emile Landner is one of the parties here who received a very large amount of this money according to that account.

The next man who swears is A. J. McCulloch, and then George D. Hite testifies to McCulloch's credibility and veracity, but nobody could ever find McCulloch. Hite, however, swore to his credibility and veracity.

The next man is the chief perjurer, George D. Hite, who was paid a large sum of money by installments along, as I have shown from the accounts I have just read before the Senate.

The next man who swore was John J. Justice. He swore to this account on the 7th of February, 1870, two months before Key filed his memorial. He made a statement before George W. Christy, a notary public.

Then Marcus and Pierre Solomon—they are men who have received money under the distribution of the award here—testified to the credibility of Justice and Christy to that of Solomon.

The next paper in the case is that of John M. Martin. Martin does not appear to have received any money out of this case according to the statement of the account I have just read, but it will appear presently in another form how he did receive money. His deposition was given on the 26th of July, 1870. That was after the case had been commenced in the court.

Then the next is Samuel B. Shackelford. Then George D. Hite comes in with a final and concluding affidavit, in which he fills up all the gaps and provides for all of the difficulties and troubles that had occurred in the discrepancies of the previous witnesses. He swore twice about it, and then he concluded the argument in behalf of the claimants in his affidavit.

Now I wish to turn back to something our Government did with which Mexico had not any connection at all. Our own Government, in ferreting around for frauds and the like of that against the Treasury Department, had a secret service division, and they sent out their examiners, their secret service men. One of them came across this Weil matter in New Orleans. It was ripening up and they were getting the evidence about it, and he

struck the trail of it. It interested him very much, and he went on to examine all about it. He made his reports from time to time to the Treasury Department. There they remained a good many years, and finally, on the 9th of December, 1881, Mr. Blaine sent these papers, certified to by Mr. Folger, who was then Secretary of the Treasury, to Mr. Zamacona, the Mexican minister, and said this:

DEPARTMENT OF STATE,
Washington, December 9, 1881.

SIR: I regret to find that I have overlooked until quite recently your note of the 12th of May last, in reference to the case of Benjamin Weil. The events of the past summer and autumn may, however, explain, if not excuse, this continued oversight.

In the note you refer to and ask for copies of certain papers ascertained by you to be of record in the Treasury Department among the settlements of the awards of the Southern Claims Commission, and among the files of the secret service division, these papers being:

First. An affidavit of John M. Martin—

He is one of the chief swearers in this case—

in favor of a claim before the Southern Claims Commission, in which the affiant details his movements and residence from April 1, 1861, until April 13, 1865.

Secondly. Certain reports made to the Treasury Department during the last three years by Mr. A. F. Wild, a secret agent, to the effect that John M. Martin confessed to him the fraudulency of the Weil claim, and had proposed to him (Wild) to negotiate with the minister of Mexico to expose the fraud.

In response to your request, I now have pleasure in sending to you herewith copies of the papers you describe. And in transmitting them, permit me to say that this Government can have no less moral interest than that of Mexico in probing any allegation of fraud whereby the good faith of both in a common transaction may have been imposed upon.

I beg, etc.

JAMES G. BLAINE.

I hope, Mr. President, that the Senate will indulge me to put this report into the RECORD. It is not very voluminous, but it is a very important part of the testimony.

Mr. DOLPH. Is it the report of the secret agent?

Mr. MORGAN. Yes, down to page 638, where it ends.

The VICE-PRESIDENT. The matter referred to by the Senator from Alabama will be inserted, in the absence of objection.

The matter referred to is as follows:

[Inclosure in No. 44.]

UNITED STATES OF AMERICA:

TREASURY DEPARTMENT, *November 30, 1881.*

Pursuant to section 882 of the Revised Statutes, I hereby certify that the annexed are true extract copies from the original papers on file in this Department.

In witness whereof, I have hereunto set my hand, and caused the seal of the Treasury Department to be affixed on the day and year first above written.

[SEAL.] CHAS. J. FOLGER,
Secretary of the Treasury.

JOHN MILLER MARTIN }
vs. } No. —.
UNITED STATES. }
Before Claims Commission.

Be it remembered that on the 28th day of December, A. D. 1871, and the adjourned day, before me, William Grant, United States commissioner for the district of Louisiana, and special commissioner, personally appeared the claimant and his witness, Daniel W. Shaw, who, being duly sworn according to law to tell the truth, the whole truth, and nothing but the truth relative to this claim, did depose as follows, each being examined out of the presence of the other; present, Dr. H. Porter for claimant:

1.

Deposition of Daniel W. Shaw, a witness called and sworn for the claimant.

I, Daniel W. Shaw, do hereby testify that the claimant is, and always has been, a loyal citizen.

I was living within a few miles of claimant when the property described in his petition was taken; 1,000 barrels of corn, worth $2.50 per barrel; a large flock of sheep, worth $2.50 per head; also, a large lot of hogs, worth $5 per head. I do not know the exact number of either sheep or hogs that was taken, but think there were at least as many as is charged for in claimant's petition. These were all taken by the United States soldiers and carried to Alexandria, where the United States Army was encamped, and, I presume, used by said Army.

D. W. SHAW.

Sworn to before me December 28, 1871.

WM. GRANT,
Special Commissioner.

2.

Deposition of D. W. Shaw, a witness called and sworn for claimant.

To the interrogatories he answers as follows:

To the 1st he saith: I was.

To the 2d: I saw them all taken.

To the 4th: They were taken by United States soldiers in March, 1864, from the plantation of G. W. Compton, where the claimant was then residing.

To the 5th: Capt. Martin and myself are the only ones whose names I remember.

To the 6th: There was a lieutenant present who, I think, ordered the taking, but I do not know his name or rank; he belonged to Gen. Banks's command.

To the 7th: The soldiers took the corn off in wagons, and drove the sheep and hogs.

To the 9th: It was taken off in the direction of Alexandria; I did not follow it, but was told it went there.

To the 10th: I suppose all the property taken was used by the United States Army.

To the 11th: Not that I know of.

To the 12th: I do not know of any voucher or receipt having been asked for, nor was any given that I know of.

To the 13th: None of the property was taken secretly; it was all taken in the afternoon.

To the 14th: Gen. Banks's army was encamped in and around Alexandria, the nearest camp being about two miles and an half from the place where the property was taken from. It had been encamped there about fifteen or twenty days. They remained there in all about six or eight weeks. There had been no battle or skirmish before the taking of the property. I knew none of the officers of the army.

To the 15th: The corn had been harvested, was well ripened, and was in the crib, and hogs were in very good condition. The sheep were worth about two and an half dollars per head, and the hogs worth $5 a head. I have not talked to the claimant about their value until to-day. The corn was worth at least two and an half dollars per barrel. It, the property, was all taken by the United States Army about March, 1864.

To the 16th: It was all taken in my presence, and I suppose there was at least one thousand barrels of corn, about fifty hogs, and about one hundred sheep. I have handled corn myself, and am a good judge of quantity.

To the 19th: I suppose it was taken for the use of the Army.

To the 20th and the 21st: He answers, he does not know.

To the 22d: I think so.

To the 23d: I think it was taken by order issuing from some officer properly empowered.

D. W. SHAW.

Sworn before me December 8, 1871.

WM. GRANT,
Special Commissioner.

Adjourned to Saturday, the 30th of December, 1871.

Deposition of John Miller Martin, claimant, called and sworn for himself.

I, the claimant, am 47 years old, and reside in New Orleans, La. In March, 1864, I was residing on G. W. Compton's plantation, which is situated in Bayou Rapides, about 5 miles from Alexandria. During a short absence from home in the latter part of said month, and about a week subsequent to the taking by the United States authorities of my eleven mules and nine horses, some of the soldiers who were encamped in the neighborhood entered the said place and took from it about one thousand barrels of corn, one hundred head of sheep, and between fifty or sixty head of hogs. I never received either receipt or money for the property thus taken.

JOHN M. MARTIN.

Sworn to December 30, 1871.

WM. GRANT, *Special Commissioner.*

Deposition of John Miller Martin, claimant, called and sworn for himself.

The interrogatories propounded him he answered as follows:

To the first he says: My residence was on the plantation of G. W. Compton from the 1st of April, 1861, to the 28th of April, 1864, where I was personally engaged farming until about the 16th of March, 1864, when I offered my services to Admiral Porter; he employed me as a pilot, and I was thus engaged until about the 28th of April, 1864. I then went to New Orleans, remained there about one month, then went to Belmont County, Ohio, where I remained until the 13th of April, 1865, when I returned to New Orleans. On or about the 25th of April, 1864, my entire place was burned.

A.

WASHINGTON, D. C., *March 15, 1865.*

In constructing the defense of Alexandria, La., while held by the Army, for the purpose of building a dam, buildings within rifle-shot of the line of intrenchments which might under any circumstances serve as a cover for the enemy were leveled by general orders. This was indispensable to the safety of the Army and the fleet. Whether the property of Capt. Martin was within this line, or whether his buildings were destroyed under this order, or were within range of the fleet lying above the rapids, I can not say; this can easily be ascertained by measurement or by evidence.

Capt. Martin is a loyal citizen, a man of integrity and character, and deserves well of the Government on account of service as well as character.

N. P. BANKS, *M. G. V.*

(Indorsed:) Exhibit A. William Grant, special commissioner.

3. By order of Gen. N. P. Banks, from military necessity, as will be more fully seen by reference to a copy of a certificate given to me by Gen. Banks, which I also offer as proof of my loyalty. Said copy is hereto annexed, and marked A.

To the interrogatories from the 3d to the 14th, inclusive, he answers: No.

To the 15th: On the 28th of April, 1864, I left Alexandria and came to New Orleans on the steamboat Meteor, a transport of Admiral Porter's fleet, and I did not return to my plantation, or, rather, the plantation upon which I resided, until after the surrender. During said absence I was not engaged in business of any kind.

To the 16th: From 1861 to the date of the fall of the city of New Orleans I was employed as a pilot on the steamboat Homer, said boat being engaged in civil trade between New Orleans and Shreveport, La.

To the 17th and 18th he answers: No.

To the 19th: None, except that the Confederates tried to force me into their service.

To the 20th he says: No.

To the 21st: Nothing, except my services, which I offered to Admiral Porter upon his arrival at Alexandria, in May, 1863, and in March, 1864. I also gave Capt. W. R. Hoel, commander of the United States gunboat Benton, information in regard to the whereabouts of the so-called Confederate fleet.

To the 22d: Nothing, except what I have stated in my previous answers. As soon as the United States authorities arrived in my region of the country I offered them my services, which was all that I could do.

To the 23d: I had three brothers in the Union army, but no relations in the Confederate army. In 1865—the spring thereof—I took one of my brothers, who was sick in the hospital at the time, to Ohio with my family where he remained until he recovered. That was all the assistance I ever rendered any of them.

To the interrogatories from the 24th to the 31st, inclusive, he answers: No.

To the 32d: I took the ironclad oath at New Orleans about June, 1864, in order to procure permission to go to Ohio. I have not held any office under the United States Government since the war.

To the 33d: My sympathies, feelings, language, and influence have always been with the Union cause. I did not vote at all, either at the beginning of hostilities or during the war. I adhered to the Union cause even after the adoption of the ordinance of secession by my State.

To the 34th: I do solemnly swear that from the beginning of hostilities against the United States to the end thereof my sympathies were constantly with the cause of the United States: that I never, with my own free will and accord, did anything, or offered or sought, or attempted to do anything by word or deed to injure said cause or retard its success, and that I was at all times ready and willing, when called upon, to aid and assist the cause of the Union, or its supporters, so far as my means and power and the circumstances of the case permitted.

JOHN M. MARTIN.

Sworn to before me, December 30, 1871.

WM. GRANT, *Special Com.*

To the second series of interrogatories the claimant answers as follows:

To the 1st he saith: I was not. I was with Porter's fleet.

To the 2d: No.

To the 6th: Not being present, I do not know.

To the 8th: My wife and daughter, who were both present upon the occasion of the taking, told me that the soldiers drove the sheep and hogs off, and hauled the corn off in wagons.

To the 9th: I have heard that all the property taken was carried to Alexandria.

To the 10th: I have heard and believe that the property taken was used by the army which was encamped in and around Alexandria.

To the 11th and 12th: No complaint was made, nor was any receipt or voucher asked for.

To the 13th: None of the property was taken secretly. I was told that it was all taken about midday.

To the 14th: General Banks's entire army was encamped in and around Alexandria, the nearest camp being about two miles and a half from the plantation from which the property was taken. It had been encamped there about five or eight days, and remained until about the 1st of April, 1864. There had been no battle nor skirmish near there before the property was taken. I did not know any of the officers of the army.

To the 15th: There was corn in good condition, well ripened, dry, and unhusked, but stored in a crib. It could not have been purchased at the time when taken for less than two dollars and a half per barrel. The sheep and hogs were all in good condition, and worth at least—hogs $5, sheep two and a half dollars per head. Indeed, none of the articles specified could have been purchased anywhere in the neighborhood for the price I have charged in my petition.

To the 16th: I judge of quantity taken from what my wife and daughter told me, and from the fact that I knew what I had left on the place just before I started up Red River with Porter's fleet.

To the 19th: I do believe that the property specified was taken for the actual use of the army, and not for the mere gratification of individual officers or soldiers.

To the 20th: I believe the army at that time required fresh food.

To the 21st: I believe the want for the articles taken was so urgent as to justify the soldiers in such taking.

To the 22d: I think so.

To the 23d: I do believe that the property specified was taken by order of some officer who was properly empowered to issue such order.

I hereunto annex as proof of my loyalty document marked B.

JOHN M. MARTIN.

Sworn to before me, December 30, 1871.

WM. GRANT,
Special Commissioner.

I hereby certify that the foregoing fifteen pages of depositions were taken in my presence and reduced to writing by my clerk, and carefully read over to the claimant and witness and by them signed at the time, place, and in the manner stated in the caption sheet hereof.

Given under my hand and official seal, at New Orleans, La., this 30th day of December, 1871.

WILLIAM GRANT.
United States Commissioner and Special Commissioner.

UNITED STATES OF AMERICA:

TREASURY DEPARTMENT, *December 3, 1881.*

Pursuant to section 882 of the Revised Statutes, I hereby certify that the annexed is a true copy of an original paper on file in this Department.

In witness whereof I have hereunto set my hand and caused the seal of the Treasury Department to be affixed, on the day and year first above written.

CHAS. J. FOLGER,
Secretary of the Treasury.

Extracts from the reports of Ofr. Azariah F. Wild, New Orleans, La., in matter of Benjamin Weil.

SEPTEMBER 17, 1877.

Being detained here waiting the return of the United States attorney, I improved the opportunity to commence writing my report in the case of Benjamin Weil *vs.* Mexico for 500 bales of cotton which Weil claims was taken from him by the Mexican authorities in the year 1864, while en route to Matamoras, Mexico, and for which an award has been allowed of about $500,000, and as I am informed not yet paid, but has been brought to the notice of Congress, and is now pending before a committee of the Senate.

My connections with this case were those of a clerk, and commenced about the month of May, 1876, and so continued until about the time Judge M. A. Dooley left Louisiana to reside, and I became employed by the United States Treasury Department, when I refused to have anything further to do with the case, although have been pressed to do so by both sides, on one side to continue in the case and take it up where Judge Dooley left it, and by the other side to give my affidavit of what I knew about the case, to be used before a Congressional committee, both of which I refused.

First. I could not work in any case except for the Government.

Second. I did not feel at liberty to make an affidavit of what information I gained by being a confidential clerk of Judge Dooley's, a sworn attorney.

My reasons thus expressed to Gen. Slaughter caused him to say that, unless he could have my affidavit, he would have me brought to Washington to testify.

I now will state the case, and the way in which I became engaged in it, and will forward copies of some twenty letters now under my control at an early day.

John M. Martin, an old steamboat captain, residing in New Orleans, met me at the corner of Canal and St. Charles streets in the month of May, 1876, and asked me to introduce him to Col. Brooks (now chief of secret service division); I replied I could not unless he had business. He (Martin) said he had business; that he had the cotton rolls of ex-Confederate Agent McKee, of the transmississippi department, which would be of value to the Government, and that he (Martin) wanted to see Col. Brooks and try and sell them to the Government through him (Brooks), and if agreeable to him would have a time set when we could meet and examine the rolls, etc.

I saw Col. Brooks; an appointment was made to be held at his (Brooks') room, No. 146 Carondelet street. I notified Capt. Martin, and we met at place designated, and the rolls were examined by Col. Brooks. Soon after Col. Brooks left for Washington, and Martin says left him to understand he would submit the matter to the Treasury Department and let him (Martin) know if the Department wanted them. Col. Brooks had been gone but a few days when Capt. Martin made daily calls at the office of Judge Dooley, in whose office I occupied a desk, and asked if anything had been heard from Col. Brooks.

After waiting several weeks he persuaded Judge Dooley to dictate a letter to the Attorney-General, and I wrote it, to which Mr. Taft replied that the Government had the rolls of which his letter spoke, etc. Capt. Martin, after hearing his rolls were not wanted, said:

"I have a big case, in which there is some money in. Will you take it judge?"

Judge Dooley replied that he would not take a case until he knew what it was. Capt. Martin then replied that he would tell some time, but would tell Wild first, and Wild might explain the case to him (Dooley). When Capt. Martin started out he called me and asked me to put on my hat. We went to Hugo Ralwitz's saloon, on Common street, when he made me pledge myself to keep the matter private, and he would show me the whole case, and that he would give Judge Dooley and myself a chance to make "a file," as he called it. He commenced by asking if I had ever heard of the Benjamin Weil cotton claim for a large lot of cotton captured by the Mexicans in the year 1864, and that the claim was brought before the Mixed Commission, and that they had made an award amounting to over $500,000. I said no, I had never heard a word of it.

Martin said: "I tell you the truth; the claim is all a fraud, and Weil never lost a single pound of cotton, and I can furnish the evidence to defeat the claim, and this is what I want you and Judge Dooley to do; that is, I want you to talk to the judge and see if he will take hold of the case, and if he will, I will bring in some letters that have been written by John T. Michel, of this city, when I come, and the answers to them written by the Mexican minister, Ignacio Mariscal."

I consulted with Judge Dooley, and he said, "If the case is as he (Martin) has represented it to you, to be a fraud, and it can be shown as such, and the Mexican Government will pay, I will take hold of it." I told Martin what Judge Dooley said, and in one or two days Martin came in and brought along two letters written, or purporting to have been written, by John T. Michel, of New Orleans, to the Mexican minister (Ignacio Mariscal) at Washington, with two letters from the Mexican minister to John T. Michel, of New Orleans, La., in answer to those written by him (Michel).

The judge then took from Capt. Martin the four letters, and called upon Mr. Avendano, the Mexican consul at New Orleans, and showed them to him, who, after reading them, said he knew the claim to be a fraud, and had so reported it to his Government, which was all that he could do in the case; but would give Judge Dooley a letter recommending him to his minister, Mr. Mariscal, if he desired, to which Judge Dooley consented, and left. One or two days after, Mr. Avendano sent a note to Judge Dooley that he had written and mailed a letter recommending him, and that he could then correspond direct with his minister at Washington.

On this information Judge Dooley commenced his correspondence in this case by first writing to the minister, who, in response, among other things, said a confidential agent would soon call on him, in New Orleans, who would show him (Dooley) copies of his (Dooley's) letters, which would be evidence that he was in good standing with his Goverernment, and was to be trusted, etc.

In a few days, Gen. Slaughter, of Mobile, Ala., called and presented not only Judge Dooley's letters, but copies of the evidence in the case. It seems that Gen. Slaughter had made an agreement for a large percentage of the claim to get such evidence as would reverse the decision already made by Sir Edward Thornton, and that said Slaughter wanted Judge Dooley to give up all the information he had, or might obtain, to him (Slaughter) without consideration, to which Judge Dooley would not consent after consultation with Capt. Martin.

It now became clear that Capt. John M. Martin and George D. Hite, of New Orleans, were the principal witnesses in the case on which the award is based, and when I came down on Martin with the direct question, "Did you not testify in the Weil case in support of the claim?" he replied, "I did." I then said: "You have placed yourself in a very bad light in the case;" that Judge Dooley had got mad; that he did not fully explain the case at the start. He then said he would give me the whole case, just as it was, from the beginning to the end, and started out by saying that he knew Benjamin Weil; that Weil wanted him to testify in the case, and also get one or two other witnesses, if he could; that he also knew George D. Hite well, and that he and Hite made a verbal agreement with Benjamin Weil to testify in the case and what to swear to, and that if the claim went through, as it must, they were each to have the sum of $10,000 out of the award; that they all trusted to each other's word in the matter and never had a written agreement; that about the time the claim was allowed Benjamin Weil was taken crazy and sent to an insane asylum in France. This frightened Martin and Hite, and they turned tail to the claimant and commenced to feel of the other side by writing the letters heretofore spoken of as those of John T. Michel.

George D. Hite has not been to see me, and I have refused to call on him since the case has turned out as it has, but Martin tells me that he and Hite are one in the transaction, and neither he or Hite could move without the consent of the other. Since I have refused to act in the case for Martin and Hite, I am reliably informed that Martin has got up or caused to be written two letters and their answers, purporting to be from him to the Mexican minister at Washington, and his reply to them, offering a large percentage of the claim in case of defeat for such evidence as will bring it about. These letters are gotten up in New Orleans, sent to a friend of Martin's at Washington, and then remailed at New Orleans with the Mexican minister's name forged to those which purport to be in answer to Martin, and he (Martin) is to take these to one Kain (a Jew), who is now the principal owner in the claim, and say to him, "Come down, or I will expose the claim."

I asked Martin which story the Commission were to believe, the one he had already sworn to, or the one which he wanted to swear to for a consideration. He replied: "Neither George D. Hite nor myself were anywhere near the place we swore to in that testimony at the time we swore we were, and in case the parties will come down handsomely will produce documents to show it."

SEPTEMBER 26, 1877.

Please find inclosed herewith copies of correspondence in the case of Benjamin Weil *vs.* Mexico, which I mentioned in my report of September 17, 1877.

1. Letter from John T. Michel to Ignacius Mariscal, Mexican minister, dated New Orleans, January 26, 1876.
2. Letter from Mexican minister to John T. Michel, dated at Washington, February 3, 1876.
3. Letter from John T. Michel to Mexican minister, dated New Orleans, February 9, 1876.
4. Letter from Mexican minister to John T. Michel, dated Washington, February 21, 1876.
5. Letter from L. W. Avonduno, Mexican consul at New Orleans, dated June 3, 1876, to M. A. Dooley.
6. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 4, 1876.
7. Letter from Sgn. Mariscal to M. A. Dooley, dated New York, June 8, 1876.
8. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 13, 1876.
9. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 19, 1876.
10. Letter from Sgn. Mariscal to M. A. Dooley, dated New York, June 22, 1876.
11. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 26, 1876.
12. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 28, 1876.
13. Letter from M. A. Dooley to Zamacona, dated New Orleans, August 5, 1876.
14. Letter from M. A. Dooley to E. Aveta, dated New Orleans, August 24, 1876.
15. Letter from M. A. Dooley to E. Aveta, dated New Orleans, September 4, 1876.
16. Letter from James E. Slaughter to M. A. Dooley, dated Mobile, August 11, 1877.
17. Copy of affidavit made by John M. Martin, alias Michel, in support of Benjamin Weil's claim against Mexico, dated New Orleans, July 25, 1870.

I would respectfully state that these copies are all in my handwriting and were prepared under the direction of Judge M. A. Dooley, late of New Orleans (now San Saba County, Tex.), to forward to the President of Mexico, but owing to the disturbed condition of the Mexican Government they were not sent, and when Judge Dooley left Louisiana he left them here. Those written by Judge Dooley, or purporting to have come from him, to the Mexican officials are in their possession, but those received here by Judge Dooley from them are still here in Louisiana, and can be got, if they are wanted, by little trouble.

struck the trail of it. It interested him very much, and he went on to examine all about it. He made his reports from time to time to the Treasury Department. There they remained a good many years, and finally, on the 9th of December, 1881, Mr. Blaine sent these papers, certified to by Mr. Folger, who was then Secretary of the Treasury, to Mr. Zamacona, the Mexican minister, and said this:

DEPARTMENT OF STATE,
Washington, December 9, 1881.

SIR: I regret to find that I have overlooked until quite recently your note of the 12th of May last, in reference to the case of Benjamin Weil. The events of the past summer and autumn may, however, explain, if not excuse, this continued oversight.

In the note you refer to and ask for copies of certain papers ascertained by you to be of record in the Treasury Department among the settlements of the awards of the Southern Claims Commission, and among the files of the secret service division, these papers being:

First. An affidavit of John M. Martin—

He is one of the chief swearers in this case—

in favor of a claim before the Southern Claims Commission, in which the affiant details his movements and residence from April 1, 1861, until April 13, 1865.

Secondly. Certain reports made to the Treasury Department during the last three years by Mr. A. F. Wild, a secret agent, to the effect that John M. Martin confessed to him the fraudulency of the Weil claim, and had proposed to him (Wild) to negotiate with the minister of Mexico to expose the fraud.

In response to your request, I now have pleasure in sending to you herewith copies of the papers you describe. And in transmitting them, permit me to say that this Government can have no less moral interest than that of Mexico in probing any allegation of fraud whereby the good faith of both in a common transaction may have been imposed upon.

I beg, etc.

JAMES G. BLAINE.

I hope, Mr. President, that the Senate will indulge me to put this report into the RECORD. It is not very voluminous, but it is a very important part of the testimony.

Mr. DOLPH. Is it the report of the secret agent?

Mr. MORGAN. Yes, down to page 638, where it ends.

The VICE-PRESIDENT. The matter referred to by the Senator from Alabama will be inserted, in the absence of objection.

The matter referred to is as follows:

[Inclosure in No. 44.]

UNITED STATES OF AMERICA:

TREASURY DEPARTMENT, *November 30, 1881.*

Pursuant to section 882 of the Revised Statutes, I hereby certify that the annexed are true extract copies from the original papers on file in this Department.

In witness whereof, I have hereunto set my hand, and caused the seal of the Treasury Department to be affixed on the day and year first above written.

[SEAL.] CHAS. J. FOLGER,
Secretary of the Treasury.

JOHN MILLER MARTIN }
vs. } No. —.
UNITED STATES. }

Before Claims Commission.

Be it remembered that on the 28th day of December, A. D. 1871, and the adjourned day, before me, William Grant, United States commissioner for the district of Louisiana, and special commissioner, personally appeared the claimant and his witness, Daniel W. Shaw, who, being duly sworn according to law to tell the truth, the whole truth, and nothing but the truth relative to this claim, did depose as follows, each being examined out of the presence of the other; present, Dr. H. Porter for claimant:

1.

Deposition of Daniel W. Shaw, a witness called and sworn for the claimant.

I, Daniel W. Shaw, do hereby testify that the claimant is, and always has been, a loyal citizen.

I was living within a few miles of claimant when the property described in his petition was taken; 1,000 barrels of corn, worth $2.50 per barrel; a large flock of sheep, worth $2.50 per head; also, a large lot of hogs, worth $5 per head. I do not know the exact number of either sheep or hogs that was taken, but think there were at least as many as is charged for in claimant's petition. These were all taken by the United States soldiers and carried to Alexandria, where the United States Army was encamped, and, I presume, used by said Army.

D. W. SHAW.

Sworn to before me December 28, 1871.

WM. GRANT,
Special Commissioner.

2.

Deposition of D. W. Shaw, a witness called and sworn for claimant.

To the interrogatories he answers as follows:

To the 1st he saith: I was.

To the 2d: I saw them all taken.

To the 4th: They were taken by United States soldiers in March, 1864, from the plantation of G. W. Compton, where the claimant was then residing.

To the 5th: Capt. Martin and myself are the only ones whose names I remember.

To the 6th: There was a lieutenant present who, I think, ordered the taking, but I do not know his name or rank; he belonged to Gen. Banks's command.

To the 7th: The soldiers took the corn off in wagons, and drove the sheep and hogs.

To the 9th: It was taken off in the direction of Alexandria; I did not follow it, but was told it went there.

To the 10th: I suppose all the property taken was used by the United States Army.

To the 11th: Not that I know of.

To the 12th: I do not know of any voucher or receipt having been asked for, nor was any given that I know of.

To the 13th: None of the property was taken secretly; it was all taken in the afternoon.

To the 14th: Gen. Banks's army was encamped in and around Alexandria, the nearest camp being about two miles and an half from the place where the property was taken from. It had been encamped there about fifteen or twenty days. They remained there in all about six or eight weeks. There had been no battle or skirmish before the taking of the property. I knew none of the officers of the army.

To the 15th: The corn had been harvested, was well ripened, and was in the crib, and hogs were in very good condition. The sheep were worth about two and an half dollars per head, and the hogs worth $5 a head. I have not talked to the claimant about their value until to-day. The corn was worth at least two and an half dollars per barrel. It, the property, was all taken by the United States Army about March, 1864.

To the 16th: It was all taken in my presence, and I suppose there was at least one thousand barrels of corn, about fifty hogs, and about one hundred sheep. I have handled corn myself, and am a good judge of quantity.

To the 19th: I suppose it was taken for the use of the Army.

To the 20th and the 21st: He answers, he does not know.

To the 22d: I think so.

To the 23d: I think it was taken by order issuing from some officer properly empowered.

D. W. SHAW.

Sworn before me December 8, 1871.

WM. GRANT,
Special Commissioner.

Adjourned to Saturday, the 30th of December, 1871.

Deposition of John Miller Martin, claimant, called and sworn for himself.

I, the claimant, am 47 years old, and reside in New Orleans, La. In March, 1864, I was residing on G. W. Compton's plantation, which is situated in Bayou Rapides, about 5 miles from Alexandria. During a short absence from home in the latter part of said month, and about a week subsequent to the taking by the United States authorities of my eleven mules and nine horses, some of the soldiers who were encamped in the neighborhood entered the said place and took from it about one thousand barrels of corn, one hundred head of sheep, and between fifty or sixty head of hogs. I never received either receipt or money for the property thus taken.

JOHN M. MARTIN.

Sworn to December 30, 1871.

WM. GRANT, *Special Commissioner.*

Deposition of John Miller Martin, claimant, called and sworn for himself.

The interrogatories propounded him he answered as follows:

To the first he says: My residence was on the plantation of G. W. Compton from the 1st of April, 1861, to the 28th of April, 1864, where I was personally engaged farming until about the 16th of March, 1864, when I offered my services to Admiral Porter; he employed me as a pilot, and I was thus engaged until about the 28th of April, 1864. I then went to New Orleans, remained there about one month, then went to Belmont County, Ohio, where I remained until the 13th of April, 1865, when I returned to New Orleans. On or about the 25th of April, 1864, my entire place was burned.

A.

WASHINGTON, D. C., *March 15, 1866.*

In constructing the defense of Alexandria, La., while held by the Army, for the purpose of building a dam, buildings within rifle-shot of the line of intrenchments which might under any circumstances serve as a cover for the enemy were leveled by general orders. This was indispensable to the safety of the Army and the fleet. Whether the property of Capt. Martin was within this line, or whether his buildings were destroyed under this order, or were within range of the fleet lying above the rapids, I can not say; this can easily be ascertained by measurement or by evidence.

Capt. Martin is a loyal citizen, a man of integrity and character, and deserves well of the Government on account of service as well as character.

N. P. BANKS, *M. G. V.*

(Indorsed:) Exhibit A. William Grant, special commissioner.

3. By order of Gen. N. P. Banks, from military necessity, as will be more fully seen by reference to a copy of a certificate given to me by Gen. Banks, which I also offer as proof of my loyalty. Said copy is hereto annexed, and marked A.

To the interrogatories from the 3d to the 14th, inclusive, he answers: No.

To the 15th: On the 28th of April, 1864, I left Alexandria and came to New Orleans on the steamboat Meteor, a transport of Admiral Porter's fleet, and I did not return to my plantation, or, rather, the plantation upon which I resided, until after the surrender. During said absence I was not engaged in business of any kind.

To the 16th: From 1861 to the date of the fall of the city of New Orleans I was employed as a pilot on the steamboat Homer, said boat being engaged in civil trade between New Orleans and Shreveport, La.

To the 17th and 18th he answers: No.

To the 19th: None, except that the Confederates tried to force me into their service.

To the 20th he says: No.

To the 21st: Nothing, except my services, which I offered to Admiral Porter upon his arrival at Alexandria, in May, 1863, and in March, 1864. I also gave Capt. W. R. Hoel, commander of the United States gunboat Benton, information in regard to the whereabouts of the so-called Confederate fleet.

To the 22d: Nothing, except what I have stated in my previous answers. As soon as the United States authorities arrived in my region of the country I offered them my services, which was all that I could do.

To the 23d: I had three brothers in the Union army, but no relations in the Confederate army. In 1865—the spring thereof—I took one of my brothers, who was sick in the hospital at the time, to Ohio with my family where he remained until he recovered. That was all the assistance I ever rendered any of them.

To the interrogatories from the 24th to the 31st, inclusive, he answers: No.

To the 32d: I took the ironclad oath at New Orleans about June, 1864, in order to procure permission to go to Ohio. I have not held any office under the United States Government since the war.

To the 33d: My sympathies, feelings, language, and influence have always been with the Union cause. I did not vote at all, either at the beginning of hostilities or during the war. I adhered to the Union cause even after the adoption of the ordinance of secession by my State.

To the 34th: I do solemnly swear that from the beginning of hostilities against the United States to the end thereof my sympathies were constantly with the cause of the United States; that I never, with my own free will and accord, did anything, or offered or sought, or attempted to do anything by word or deed to injure said cause or retard its success, and that I was at all times ready and willing, when called upon, to aid and assist the cause of the Union, or its supporters, so far as my means and power and the circumstances of the case permitted.

JOHN M. MARTIN.

Sworn to before me, December 30, 1871.

WM. GRANT, *Special Com.*

To the second series of interrogatories the claimant answers as follows:

To the 1st he saith: I was not. I was with Porter's fleet.

To the 2d: No.

To the 6th: Not being present, I do not know.

To the 8th: My wife and daughter, who were both present upon the occasion of the taking, told me that the soldiers drove the sheep and hogs off, and hauled the corn off in wagons.

To the 9th: I have heard that all the property taken was carried to Alexandria.

To the 10th: I have heard and believe that the property taken was used by the army which was encamped in and around Alexandria.

To the 11th and 12th: No complaint was made, nor was any receipt or voucher asked for.

To the 13th: None of the property was taken secretly. I was told that it was all taken about midday.

To the 14th: General Banks's entire army was encamped in and around Alexandria, the nearest camp being about two miles and a half from the plantation from which the property was taken. It had been encamped there about five or eight days, and remained until about the 1st of April, 1864. There had been no battle nor skirmish near there before the property was taken. I did not know any of the officers of the army.

To the 15th: There was corn in good condition, well ripened, dry, and unhusked, but stored in a crib. It could not have been purchased at the time when taken for less than two dollars and a half per barrel. The sheep and hogs were all in good condition, and worth at least—hogs $5, sheep two and a half dollars per head. Indeed, none of the articles specified could have been purchased anywhere in the neighborhood for the price I have charged in my petition.

To the 16th: I judge of quantity taken from what my wife and daughter told me, and from the fact that I knew what I had left on the place just before I started up Red River with Porter's fleet.

To the 19th: I do believe that the property specified was taken for the actual use of the army, and not for the mere gratification of individual officers or soldiers.

To the 20th: I believe the army at that time required fresh food.

To the 21st: I believe the want for the articles taken was so urgent as to justify the soldiers in such taking.

To the 22d: I think so.

To the 23d: I do believe that the property specified was taken by order of some officer who was properly empowered to issue such order.

I hereunto annex as proof of my loyalty document marked B.

JOHN M. MARTIN.

Sworn to before me, December 30, 1871.

WM. GRANT,
Special Commissioner.

I hereby certify that the foregoing fifteen pages of depositions were taken in my presence and reduced to writing by my clerk, and carefully read over to the claimant and witness and by them signed at the time, place, and in the manner stated in the caption sheet hereof.

Given under my hand and official seal, at New Orleans, La., this 30th day of December, 1871.

WILLIAM GRANT,
United States Commissioner and Special Commissioner.

UNITED STATES OF AMERICA:

TREASURY DEPARTMENT, *December 3, 1891.*

Pursuant to section 882 of the Revised Statutes, I hereby certify that the annexed is a true copy of an original paper on file in this Department.

In witness whereof I have hereunto set my hand and caused the seal of the Treasury Department to be affixed, on the day and year first above written.

CHAS. J. FOLGER,
Secretary of the Treasury.

Extracts from the reports of Offr. Azariah F. Wild, New Orleans, La., in matter of Benjamin Weil.

SEPTEMBER 17, 1877.

Being detained here waiting the return of the United States attorney, I improved the opportunity to commence writing my report in the case of Benjamin Weil *vs.* Mexico for 500 bales of cotton which Weil claims was taken from him by the Mexican authorities in the year 1864, while en route to Matamoras, Mexico, and for which an award has been allowed of about $500,000, and as I am informed not yet paid, but has been brought to the notice of Congress, and is now pending before a committee of the Senate.

My connections with this case were those of a clerk, and commenced about the month of May, 1876, and so continued until about the time Judge M. A. Dooley left Louisiana to reside, and I became employed by the United States Treasury Department, when I refused to have anything further to do with the case, although have been pressed to do so by both sides, on one side to continue in the case and take it up where Judge Dooley left it, and by the other side to give my affidavit of what I knew about the case, to be used before a Congressional committee, both of which I refused.

First. I could not work in any case except for the Government.

Second. I did not feel at liberty to make an affidavit of what information I gained by being a confidential clerk of Judge Dooley's, a sworn attorney.

My reasons thus expressed to Gen. Slaughter caused him to say that, unless he could have my affidavit, he would have me brought to Washington to testify.

I now will state the case, and the way in which I became engaged in it, and will forward copies of some twenty letters now under my control at an early day.

John M. Martin, an old steamboat captain, residing in New Orleans, met me at the corner of Canal and St. Charles streets in the month of May, 1876, and asked me to introduce him to Col. Brooks (now chief of secret service division); I replied I could not unless he had business. He (Martin) said he had business; that he had the cotton rolls of ex-Confederate Agent McKee, of the transmississippi department, which would be of value to the Government, and that he (Martin) wanted to see Col. Brooks and try and sell them to the Government through him (Brooks), and if agreeable to him would have a time set when we could meet and examine the rolls, etc.

I saw Col. Brooks: an appointment was made to be held at his (Brooks') room, No. 146 Carondelet street. I notified Capt. Martin, and we met at place designated, and the rolls were examined by Col. Brooks. Soon after Col. Brooks left for Washington, and Martin says left him to understand he would submit the matter to the Treasury Department and let him (Martin) know if the Department wanted them. Col. Brooks had been gone but a few days when Capt. Martin made daily calls at the office of Judge Dooley, in whose office I occupied a desk, and asked if anything had been heard from Col. Brooks.

After waiting several weeks he persuaded Judge Dooley to dictate a letter to the Attorney-General, and I wrote it, to which Mr. Taft replied that the Government had the rolls of which his letter spoke, etc. Capt. Martin, after hearing his rolls were not wanted, said:

"I have a big case, in which there is some money in. Will you take it judge?"

Judge Dooley replied that he would not take a case until he knew what it was. Capt. Martin then replied that he would tell some time, but would tell Wild first, and Wild might explain the case to him (Dooley). When Capt. Martin started out he called me and asked me to put on my hat. We went to Hugo Ralwitz's saloon, on Common street, when he made me pledge myself to keep the matter private, and he would show me the whole case, and that he would give Judge Dooley and myself a chance to make "a file," as he called it. He commenced by asking if I had ever heard of the Benjamin Weil cotton claim for a large lot of cotton captured by the Mexicans in the year 1864, and that the claim was brought before the Mixed Commission, and that they had made an award amounting to over $500,000. I said no, I had never heard a word of it.

Martin said: "I tell you the truth; the claim is all a fraud, and Weil never lost a single pound of cotton, and I can furnish the evidence to defeat the claim, and this is what I want you and Judge Dooley to do; that is, I want you to talk to the judge and see if he will take hold of the case, and if he will, I will bring in some letters that have been written by John T. Michel, of this city, when I come, and the answers to them written by the Mexican minister, Ignacio Mariscal."

I consulted with Judge Dooley, and he said, "If the case is as he (Martin) has represented it to you, to be a fraud, and it can be shown as such, and the Mexican Government will pay, I will take hold of it." I told Martin what Judge Dooley said, and in one or two days Martin came in and brought along two letters written, or purporting to have been written, by John T. Michel, of New Orleans, to the Mexican minister (Ignacio Mariscal) at Washington, with two letters from the Mexican minister to John T. Michel, of New Orleans, La., in answer to those written by him (Michel).

The judge then took from Capt. Martin the four letters, and called upon Mr. Avendano, the Mexican consul at New Orleans, and showed them to him, who, after reading them, said he knew the claim to be a fraud, and had so reported it to his Government, which was all that he could do in the case; but would give Judge Dooley a letter recommending him to his minister, Mr. Mariscal, if he desired, to which Judge Dooley consented, and left. One or two days after, Mr. Avendano sent a note to Judge Dooley that he had written and mailed a letter recommending him, and that he could then correspond direct with his minister at Washington.

On this information Judge Dooley commenced his correspondence in this case by first writing to the minister, who, in response, among other things, said a confidential agent would soon call on him, in New Orleans, who would show him (Dooley) copies of his (Dooley's) letters, which would be evidence that he was in good standing with his Goverernment, and was to be trusted, etc.

In a few days, Gen. Slaughter, of Mobile, Ala., called and presented not only Judge Dooley's letters, but copies of the evidence in the case. It seems that Gen. Slaughter had made an agreement for a large percentage of the claim to get such evidence as would reverse the decision already made by Sir Edward Thornton, and that said Slaughter wanted Judge Dooley to give up all the information he had, or might obtain, to him (Slaughter) without consideration, to which Judge Dooley would not consent after consultation with Capt. Martin.

It now became clear that Capt. John M. Martin and George D. Hite, of New Orleans, were the principal witnesses in the case on which the award is based, and when I came down on Martin with the direct question, "Did you not testify in the Weil case in support of the claim?" he replied, "I did." I then said: "You have placed yourself in a very bad light in the case;" that Judge Dooley had got mad; that he did not fully explain the case at the start. He then said he would give me the whole case, just as it was, from the beginning to the end, and started out by saying that he knew Benjamin Weil; that Weil wanted him to testify in the case, and also get one or two other witnesses, if he could; that he also knew George D. Hite well, and that he and Hite made a verbal agreement with Benjamin Weil to testify in the case and what to swear to, and that if the claim went through, as it must, they were each to have the sum of $10,000 out of the award; that they all trusted to each other's word in the matter and never had a written agreement; that about the time the claim was allowed Benjamin Weil was taken crazy and sent to an insane asylum in France. This frightened Martin and Hite, and they turned tail to the claimant and commenced to feel of the other side by writing the letters heretofore spoken of as those of John T. Michel.

George D. Hite has not been to see me, and I have refused to call on him since the case has turned out as it has, but Martin tells me that he and Hite are one in the transaction, and neither he or Hite could move without the consent of the other. Since I have refused to act in the case for Martin and Hite, I am reliably informed that Martin has got up or caused to be written two letters and their answers, purporting to be from him to the Mexican minister at Washington, and his reply to them, offering a large percentage of the claim in case of defeat for such evidence as will bring it about. These letters are gotten up in New Orleans, sent to a friend of Martin's at Washington, and then remailed at New Orleans with the Mexican minister's name forged to those which purport to be in answer to Martin, and he (Martin) is to take these to one Kain (a Jew), who is now the principal owner in the claim, and say to him, "Come down, or I will expose the claim."

I asked Martin which story the Commission were to believe, the one he had already sworn to, or the one which he wanted to swear to for a consideration. He replied: "Neither George D. Hite nor myself were anywhere near the place we swore to in that testimony at the time we swore we were, and in case the parties will come down handsomely will produce documents to show it."

SEPTEMBER 26, 1877.

Please find inclosed herewith copies of correspondence in the case of Benjamin Weil *vs.* Mexico, which I mentioned in my report of September 17, 1877.

1. Letter from John T. Michel to Ignacius Mariscal, Mexican minister, dated New Orleans, January 26, 1876.
2. Letter from Mexican minister to John T. Michel, dated at Washington, February 3, 1876.
3. Letter from John T. Michel to Mexican minister, dated New Orleans, February 9, 1876.
4. Letter from Mexican minister to John T. Michel, dated Washington, February 21, 1876.
5. Letter from L. W. Avonduno, Mexican consul at New Orleans, dated June 3, 1876, to M. A. Dooley.
6. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 4, 1876.
7. Letter from Sgn. Mariscal to M. A. Dooley, dated New York, June 8, 1876.
8. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 13, 1876.
9. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 19, 1876.
10. Letter from Sgn. Mariscal to M. A. Dooley, dated New York, June 22, 1876.
11. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 26, 1876.
12. Letter from M. A. Dooley to Sgn. Mariscal, dated New Orleans, June 28, 1876.
13. Letter from M. A. Dooley to Zamacona, dated New Orleans, August 5, 1876.
14. Letter from M. A. Dooley to E. Aveta, dated New Orleans, August 24, 1876.
15. Letter from M. A. Dooley to E. Aveta, dated New Orleans, September 4, 1876.
16. Letter from James E. Slaughter to M. A. Dooley, dated Mobile, August 11, 1877.
17. Copy of affidavit made by John M. Martin, alias Michel, in support of Benjamin Weil's claim against Mexico, dated New Orleans, July 25, 1870.

I would respectfully state that these copies are all in my handwriting and were prepared under the direction of Judge M. A. Dooley, late of New Orleans (now San Saba County, Tex.), to forward to the President of Mexico, but owing to the disturbed condition of the Mexican Government they were not sent, and when Judge Dooley left Louisiana he left them here. Those written by Judge Dooley, or purporting to have come from him, to the Mexican officials are in their possession, but those received here by Judge Dooley from them are still here in Louisiana, and can be got, if they are wanted, by little trouble.

OCTOBER 19, 1877.

I met Capt. John M. Martin to-day. and learn from him he is quite uneasy in the matter of the claim of Benjamin Weil *vs.* Mexico. He has written more letters and having them copied by some party here in New Orleans, and then sends them to the third party in Washington, where they are mailed back here to Martin. These letters purport to come from the Mexican minister at Washington, D. C. Ernest F. Herwig, ex-senator, then takes these letters to Kain, a rich Jew, who owns most of the claim, and who is president of the Germania Bank of New Orleans, and, to the best of my belief, receives money for Martin, as they pretend, to keep Martin and George D. Hite from exposing the fraud and perjury which they have committed. There is no point in the case but what I can make here. I know not just what more is wanted, but would respectfully request that should anything more be wanted to complete evidence to show the case a complete fraud, that I be instructed on what points, and it will be forwarded at once.

Martin has offered to make an affidavit setting forth that he and George D. Hite committed perjury, and were not in Texas at the time they alleged in their testimony in the case, for a consideration contingent on defeating the claim. I would respectfully state that Lambert B. Cain (or sometimes spelled Kain) and Decrastro, the attorney, are now away from New Orleans, and are said to be in Washington City.

I would state that since returning to headquarters from Arkansas I have found the original letter written by Judge Dooley to the Mexican minister, Mariscal, in pencil, and from which I wrote the first original letter, which I will forward should it be wanted.

FEBRUARY 23, 1878.

I will respectfully state that Capt. John M. Martin, whom I reported as being connected with the claim of Benjamin Weil *vs.* Mexico, met me to-day and expressed a wish to see Gen. Slaughter and see if he could not make some money by going before the proper officer and swear to the contrary to what he swore to in support of the claim. He states whatever he does George D. Hite will also do in the matter.

APRIL 25, 1878.

I met Capt. John M. Martin, whom I have mentioned in a previous report as being one of the parties who gave evidence in the claim of Benjamin Weil *vs.* Mexico, and helped to pass the claim through. He (Martin) states that Weil issued to parties who assisted him in the claim certificates of indebtedness on condition that if the claim was allowed that he would pay them. He (Martin) further stated to me that at the time of giving said deposition or soon after, Weil gave him $50 and promised him five thousand more in case he was successful in the prosecution of said claim.

He further states that one L. B. Cain, of New Orleans, La., has bought up all, or nearly all, the certificates of indebtedness issued by Weil, and now is the monied man who is working the claim and who owns nearly all of it.

MAY 18, 1878.

From 8 o'clock a. m. to 10 a. m. I was engaged at Levy's stable, on Baronne street, making some inquiries into the case of Benjamin Weil *vs.* Mexico. Mr. Levy was a partner for twenty years with Benjamin Weil, and says he (Weil) had no money or cotton at the time for which he is claiming from the Mexican Government. He further states that the claim is a fraud got up by Weil and a few others to swindle the Government of Mexico. He informs me also while the claim is brought in the name of Weil he believes there are a large number whose names do not appear that would receive a pro rata had the claim been allowed. Mr. Levy gave me a copy of writing, which I inclose herein; the original is now in the hands of Jules Aroni, attorney at law, who has an office at 140 Gravier street, New Orleans. I am informed by Mr. Levy that this is a sample of a large amount now out and issued by Benjamin Weil to those who assisted him in getting up the claim and those who are partners to the transaction.

I am informed that a man named E. Lardner had in his possession $15,000 of this paper, but as Mr. Lardner resides in Mississippi, and is engaged in running a schooner, it is quite inconvenient for me to see him.

JUNE 22, 1878.

Capt. John M. Martin met me on the street to-day and opened conversation about the claim of Benjamin Weil *vs.* Mexico. While I know Capt. Martin to be a perjured scoundrel, and a very dangerous man, I will give for what it is worth what he said to me in this conversation. He (Martin) said, "I have been to see Geo. D. Hite about this Weil claim, and we have made up our minds to come out and show up the whole claim to be a fraud and put-up job and the testimony given by each of us to have been false (in support of the claim), on the condition that you will negotiate with the Mexican Government or agent on the following terms: For Geo. D. Hite, $15,000; for John M. Martin, $5,000.

Martin said it was proposed to pay me for my trouble as follows:

Hite to pay me	$3,000
Martin to pay me	1,000
Total	4,000

They are very anxious I should make the negotiations, and I have put them off, saying I would see what can be done.

SEPTEMBER 4, 1878.

Capt. John M. Martin, who swore in the cotton case of Benjamin Weil *vs.* Mexico, again approached me and offered to place his deposition in my possession. Also that he would procure a similar one from George D. Hite, another witness in the case, setting forth that the testimony given by them was false, provided I would take the matter in hand and get a certain sum of money from the Mexican Government, and would pay me one-third of the amount so received. I left Capt. Martin with the impression that I would consider the matter and give him an early answer. The Mexican Government can get the evidence in this city to show this case up provided they exert themselves. I do not understand it to be my duty to specially work on this case further than to report what comes under my notice while working other cases in which the United States Government is interested. Capt. Martin is now so poor and destitute that now is a good time to work him.

Mr. MORGAN. The secret agent of the Government, as I say, got trail of this matter and found this man Martin, besides others, and Martin, not knowing of his agency for the Government, failing to get out of Weil and Mrs. Weil's assignee, Cain, all that he had expected to get, concluded he would turn around and turn State's evidence through this detective and see what the Mexican minister would pay him for his information. He then went on to detail what a lot of lies he had sworn to himself and what others had done in getting up this claim of Mr. Weil. I have not time to read that testimony. I am merely reading a record so that the world will see that the committee have not gone through this matter without the strictest and severest attention to all the facts in this cause.

A Mexican minister, I think it was Mr. Marescal while he was here, happened to be acquainted with Gen. Slaughter, who was a Confederate officer down on the Mexican border during the war, and was there at the time of the surrender. Slaughter was a gallant man and had a very important command on the Rio Grande River under Gen. Kirby Smith, and was there at the close of the operations of the war. He had a good deal to do, I think, with assisting the Mexicans in their difficulties with Maximilian. He spoke Spanish very well, had been in the Mexican country a great deal, and immediately after the surrender he went to Mexico and remained there for two or three years. He wanted to go there and make it his home.

Finally he returned to the United States and became employed as an engineer—he was a civil engineer and graduated at West Point—on the public works down in the Gulf of Mexico. Being acquainted with the Spanish language and, of course, with Mexicans and Spaniards, when he would find them they would naturally have a conversation. Mr. Marescal, or else the consul at New Orlerns, came in contact with Gen. Slaughter. The fact that this enormous amount of money had been awarded to this little man Weil by Sir Edward Thornton had gone out to the world. It aroused the immediate attention of every Jew in all the Southern States. It turned out that Weil, according to the articles of agreement which are here, was a member during the Confederate war of five or six firms of Jews who lived in Louisiana and Texas, and who were engaged in shipping cotton out of the country and in bringing in supplies. Some went through Mexico and some through Texas ports, and supplies were brought in. He was in the employment of the governor of Louisiana.

In order to conduct the business satisfactorily all around these different firms formed a united arrangement amongst themselves that they would share in all the gains and all the losses of their business, that they would pool everthing they had. They were all engaged in this kind of operation. So they kept up with each other and each of these four or five firms was entitled to a part of all that was earned. Weil was a member of the firm, one of the active agents going about buying up cotton and shipping it out of the country, getting up wool and everything of that kind. So when this enormous award was published through the newspapers in favor of Weil all of these parties wanted to know how he got so much money out of this transacsion and they were not included. He takes particular pains in his affidavit and so does Mr. Cain, who swore that Weil was alone interested in this matter, that nobody was concerned with him at all, so as to shut everybody else off.

Of course these men resented that, and began at once to talk about it and to go back and look up Weil's correspondence and compare his whereabouts and other things with his allegations in his affidavit, and they unhesitatingly come out and state, and here are the affidavits, and swear that there is not a particle of justice in his claim, that he never had a pound of cotton; that he had no caravan; that he had nothing, and they exposed him.

Slaughter being there, of course heard of it, as everybody else did, and in conversation with Spaniards and Mexicans about the city of New Orleans naturally he talked about it and said, "I was down on that frontier all during the war, remained there afterwards, and went over to Mexico, and am perfectly familiar with the Mexican officers of any rank, and I know this thing can not be so. I know that this man could not have carried that caravan of 1,900 bales of cotton on his wagons through that part of the country without my knowing it; he could not have assembled the cotton; it would have been a matter of impossibility, and I know it is not so."

Gen. Slaughter's statements were sent to Washington to the Mexican minister, and he at once authorized an engagement to be made for Gen. Slaughter's services to look this matter up. He went around and he looked it up, and here is what he got: He got 234 letters of Weil and other original papers, every one bearing upon the point and every one contradicting Weil. He got hold of the original papers and correspondence of Weil with his different firms, which utterly disproved the whole business, and those original letters are here now in the custody of our State Department. Here are copies of each one of them, and here is a list of these 234 letters which I will incorporate in my remarks, from page 124 to page 127, inclusive.

The list referred to is as follows:

List of papers transmitted to the Secretary of State in proof of the fraudulent character of the claim of Benjamin Weil against the Government of Mexico.

No.	Date.	Contents.
1	Mar. 11, 1863	Certified copy of articles of copartnership of Levy, Bloch & Co.
2	Dec. 19, 1865	Certified agreement for the dissolution of the firm of Levy, Bloch & Co.
3	July 30, 1877	Affidavit of Marx Levy.
4	Aug. 4, 1876	Affidavit of Firnberg.
5	Aug. 7, 1876	Affidavit of S. E. Loeb.
6	Aug. 5, 1876	Affidavit of E. W. Halsey.
7	....do	Affidavit of Louis Sherch.

List of papers transmitted to the Secretary of State, etc.—Continued.

No.	Date.	Contents.
8	Aug. 14, 1876	Affidavit of J. C. Ransom.
9	....do	Affidavit of J. C. Evins.
10	Aug. 7, 1876	Affidavit of B. C. Brent.
11	....do	Affidavit of R. F. Britton.
12	Sept. 27, 1877	Affidavit of John I. Hope.
13	Aug. 17, 1876	Affidavit of W. R. Boggs.
14	Sept. 28, 1877	Letter of T. C. Wise.
15	Aug. 7, 1876	Affidavit of Jacque Levy.
16	Aug. 3, 1876	Affidavit of L. G. Aldrich.
17	Oct. 13, 1877	Affidavit of T. W. Patton.
18	Oct. 22, 1877	Affidavit of Jas. E. Slaughter.
19	Dec. 7, 1875	Affidavit of Miguel de la Puña.
20	Nov. 5, 1875	Certified copy of agreement between the parties interested in the claim of Benjamin Weil.
21	Mar. 17, 1863	Letter of Weil to Bloch.
22	Mar. 19, 1863	Do.
23	Mar. 27, 1863	Do.
24	Mar. 30, 1863	Do.
25	May 5, 1863	Letter of Weil to Levy.
26	May 6, 1863	W. G. Thompson to Levy, Bloch & Co., receipt for cotton.
27	May 7, 1863	Do.
28	May 29, 1863	Weil and T. Levy to Bloch.
29	July 4, 1863	W. G. Thompson to T. Levy & Co., receipt for freight charges.
30	Aug. 8, 1863	Weil to Loeb.
31	Aug. 13, 1863	Do.
32	Aug. 17, 1863	Do.
33	Aug. 30, 1863	Do.
34	Sept. 1, 1863	Gen. Boggs to Gen. Magruder, copy certified to by notary September 28, 1863.
35	Sept. 4, 1863	Governor Moore to Weil & Levy.
36	Sept. 4, 1863	Weil to Loeb and M. Levy.
37	Sept. 8, 1863	Do.
38	....do	Certificate of C. Russell, Q. M., of impressment of cotton.
39	Sept. 10, 1863	Weil to Loeb.
40	Sept. 16, 1863	M. Levy to Loeb, power of attorney.
41	Sept. 29, 1863	Weil to Loeb.
42	Sept. 30, 1863	Weil to Bloch.
43	Oct. 1, 1863	Weil to Loeb.
44	Oct. 7, 1863	Do.
45	Oct. 13, 1863	Do.
46	....do	Weil to F. Levy.
47	Oct. 19, 1863	Weil to Loeb.
48	Oct. 23, 1863	Loeb to Weil.
49	Oct. 29, 1863	Weil to Loeb.
50	Nov. 2, 1863	Do.
51	Nov. 13, 1864; Feb. 23, 1864; Mar. 4, 1864	Alex. Valderas, receipts for cotton and freight charges.
52	Nov. 17, 1863	Weil and Halff to Loeb.
53	Dec. 2, 1863	Weil to Loeb.
54	Dec. 4, 1863	Do.
55	Dec. 17, 1863	Do.
56	Dec. 25, 1863	Do.
57	Dec. 27, 1863	Do.
58	Jan. 5, 1863	Barrett to Loeb.
59	Jan. 7, 1863	Lieut. Col. Hutchins, permit to Leob to ship cotton.
60	Jan. 11, 1863	Y. Rosenfield & Son to Loeb.
61	Jan. 19, 1864	Bloch to Loeb.
62	Jan. 22, 1864	T. C. Turchell, agent cotton bureau, permit to Loeb to ship cotton.
63	Feb. 3, 1864	Weil to Loeb.
64	Feb. 13, 1864	T. C. Baldwin & Co. to Loeb, bill for handling cotton.
65	Feb. 18, 1864	Bloch to Loeb or W. Levy, also Bloch to St. A. Tellure, A. A. Q. M.
66	Mar. 2, 1864	M. Levy to Loeb.
67	Mar. 17, 1864	Scherch to Loeb.
68	Mar. 29, 1864	Baldwin & Co. to Loeb.
69	Apr. 9, 1864	Alex. Valderas to Loeb, receipt for freight charges.
70	Apr. 11, 1864	Weil to Loeb.
71	Apr. 14, 1864	E. Meineres to Loeb, receipt for export duties.
72	Apr. 18, 1864	Baldwin & Co. to Loeb.
73	May 2, 1864	Loeb to Weil & M. Levy.
74	.....	List of hospital stores to be bought for the State of Louisiana.
75	May 18, 1864	Weil to Loeb.
76	May 21, 1864	Bloch to Loeb.
77	.....	G. Jenny to Loeb.
78	May 30, 1864	Weil to Loeb.
79	May 31, 1864	Tenny to Loeb.
80	June 2, 1864	Do.
81	....do	Weil to Loeb.
82	June 3, 1864	Do.
83	June 17, 1864	Weil, Bloch & Levy to Loeb.
84	July 9, 1864	Block to Levy.
85	July 14, 1864	Weil & T. Levy to Bloch.
86	July 21, 1864	Do.
87	....do	Do.
88	July 23, 1864	M. Levy to Weil.
89	July 26, 1864	G. Tenny to Loeb.
90	Aug. 9, 1864	T. Levy to Weil.
91	Aug. 19, 1864	Do.
92	Aug. 29, 1864	Weil to Loeb.
93	Aug. 29, 1864	Weil to Bloch.
94	.....	Regulations of cotton bureau.
95	Sept. 5, 1864	B. Weil & T. Levy to M. Borme (translation from the French).
96	Sept. 7, 1864	T. Levy to Loeb.
97	Sept. 10, 1864	Do.
98	....do	Weil to Loeb.
99	Sept. 12, 1864	Weil to Tenny.
100	....do	Governor Allen to Loeb (telegram).
101	Sept. 13, 1864	Do.
102	Sept. 15, 1864	Do.
103	....do	B. Weil to General E. Kirby Smith.
104	Sept. 17, 1864	Governor Allen to Loeb (telegram).
105	Sept. 20, 1864	Weil to Loeb.
106	Sept. 22, 1864	Weil to Tenny.
107	Sept. 23, 1864	Weil to Firnberg and T. Levy.
108	Sept. 24, 1864	Governor Allen to Loeb (telegram).

List of papers transmitted to the Secretary of State, etc.—Continued.

No.	Date.	Contents.
109	Sept. 26, 1864	Weil to Tenny (telegram).
110	....do	T. Levy to Firnberg.
111	Sept. 29, 1864	Levy to Firnberg.
112	Oct. 1, 1864	Barrett to Loeb.
113	Oct. 6, 1864	M. Levy to Loeb.
114	....do	Governor Allen to Loeb (telegram).
115	Oct. 7, 1864	Do.
116	Oct. 11, 1864	T. Levy to Bloch, F. & Co.
117	Oct. 12, 1864	Tenny to Loeb (telegram).
118	Oct. 10, 1864	Marx Levy to Loeb.
119	Oct. 14, 1864	Clapp to Loeb.
120	....do	Governor Allen to Loeb.
121	Oct. 15, 1864	Do.
122	.....	Do.
123	Oct. 15, 1864	Barrett to Loeb.
124	Aug. 5, 1876	Statement of Weil with Halsey's affidavit.
125	Oct. 23, 1864	Clapp to Loeb.
126	Oct. 24, 1864	Weil to Loeb.
127	Oct. 25, 1864	Weil & Tenny to Loeb.
128	Oct. 26, 1864	Clapp to Loeb.
129	Oct. 27, 1864	Levy to Bloch & Firnberg.
130	....do	Weil & Tenny to Governor H. A. Allen.
131	Nov. 3, 1864	T. Levy to Loeb.
133	Nov. 11, 1864	Clapp to Loeb.
132	....do	Schr's Lehman & Delfina in account with B. Weil.
.....	.....	Levy, Bloch & Co.
134	Nov. 13, 1864	T. Levy to Bloch, Fernberg & Co.
135	Nov. 16, 1864	T. Levy to Weil & Loeb.
136	Nov. 20, 1864	G. Tenny to Loeb.
137	....do	Daniel Gors to Loeb.
138	Nov. 21, 1864	M. Levy to Tos. Weil, B. Weil & Loeb.
139	Nov. 23, 1864	T. Levy to Weil & Loeb.
140	Nov. 18, 1864; Dec. 31, 1864	E. W. Halsey, private secretary to Loeb, with affidavit of Halsey attached.
140½	Nov. 28, 1864	Halsey to Loeb.
141	Nov. 29, 1864	Tenny to Levy, Bloch & Co., receipt of $12,000.
142	Dec. 5, 1864	Weil to Loeb.
143	....do	Do.
144	Dec. 6, 1864	Barrett to Loeb.
145	Dec. 8, 1864	Weil to Loeb.
146	Dec. 9, 1864	Barrett to Loeb.
147	Dec. 12, 1864	Weil to Loeb.
148	Dec. 15, 1864	Maj. Leeds to Maj. Willie, with affidavit of Halsey
149	Dec. 17, 1864	Barrett to Loeb.
150	Dec. 19, 1864	Weil to Loeb.
151	Dec. 19, 1864	Baldwin & Co. to Loeb.
152	Dec. 24, 1864	G. Tenny to Loeb.
153	Dec. 26, 1864	Weil to Loeb.
154	....do	T. C. Baldwin & Co. to Loeb.
155	Dec. 27, 1864	Barrett to Loeb.
156	Dec. 28, 1864	Baldwin & Co. to Loeb.
157	Dec. 1, 1864	Account schooner Delfina.
158	.....	Bill against schooner Delfina.
158½	Jan. 6, 1865	Governor Allen to Loeb (telegram).
159	Jan. 9, 1865	B. Weil to Loeb.
160	Jan. 11, 1865	George D. Hite to Loeb.
161	Jan. 12, 1865	B. Weil to Loeb.
162	Jan. 13, 1865	Barrett to Loeb.
163	....do	Baldwin & Co. to Loeb.
164	Jan. 17, 1865	Willie to Loeb.
165	Jan. 18, 1865	Tenny to Loeb.
166	Jan. 20, 1865	Baldwin & Co. to Loeb.
167	Jan. 29, 1865	Maj. Willie to Loeb.
168	Jan. 30, 1865	Baldwin & Co. to Loeb.
169	Feb. 3, 1865	George D. Hite to Loeb.
170	Feb. 5, 1865	T. Levy to Loeb.
171	Feb. 6, 1865	Baldwin & Co. to Loeb.
172	Feb. 3, 1865	Baldwin & Co. to Loeb.
173	Feb. 20, 1865	Tenny to Loeb.
174	....do	T. Tenny to Loeb.
175	....do	Tenny to Loeb.
176	Feb. 23, 1865	T. Levy to Loeb.
177	Feb. 24, 1865	Tenny to Loeb (telegram).
178	Feb. 27, 1865	Vance & Bros. to Loeb.
179	Mar. 5, 1865	Tenny to Loeb.
180	Mar. 8, 1865	Baldwin & Co. to Loeb.
181	Mar. 11, 1865	Hite to Loeb.
182	....do	Bloch to Loeb.
183	Mar. 12, 1865	Weil to Loeb.
184	Mar. 13, 1865	Baldwin & Co to Loeb.
185	....do	Oswald & Co. to Loeb.
186	Mar. 15, 1865	Tenny to Loeb.
187	....do	Bloch to Loeb.
188	Mar. 18, 1865	Tenny to Bloch (telegram).
189	Mar. 15, 1865	Hite to Loeb.
190	Mar. 2, 1865	Weil to Loeb.
191	Mar. 22, 1865	Tenny to Loeb.
192	Mar. 24, 1865	Baldwin & Co. to Loeb.
193	Mar. 27, 1865	G. Tenny to T. Bloch, receipt for $7.60.
194	....do	Bloch to Loeb.
195	Mar. 28, 1865	Bloch to Loeb (telegram).
196	....do	Barrett to Loeb.
197	Jan. 30, 1864	Weil & Tenny in account with T. C. Baldwin & Co.
198	Apr. 2, 1865	Weil to Loeb.
199	....do	T. Levy to Loeb.
200	Apr. 9, 1865	Weil to Loeb.
201	....do	T. Levy to Loeb.
202	Apr. 31, 1865	Alb. Urbaim to Hite.
203	Apr. 27, 1865	Weil to Loeb.
204	May 4, 1865	Governor Allen to Tenny.
205	May 10, 1865	Hite to Tenny.
206	May 13, 1865	T. Levy to Loeb.
207	May 15, 1865	Weil & Tenny to Loeb.
208	May 18, 1865	Governor Allen to Clapp (telegram), certified by Beard.
209	May 22, 1865	Weil to Loeb.
210	May 25, 1865	Do.
211	May 27, 1865	Account current of Loeb with Weil & Terry.
212	June 2, 1865	T. Levy to Loeb.
213	June 3, 1865	Loeb to Weil & Tenny.
214	June 7, 1865	Levy to Bloch.

List of papers transmitted to the Secretary of State, etc.—Continued.

No.	Date.	Contents.
215	.....	Weil to Loeb.
216	July 8, 1865	T. Levy to Bloch and Firnberg to Loeb.
217	July 10, 1865	B. Weil to Loeb.
218	July 24, 1865	Tenny to Loeb.
219	Aug. 16, 1865	J. Levy to Bloch.
220	Aug. 26, 1865	Weil to Loeb.
221	Aug.	Tenny to Loeb.
222	Aug. 31, 1865	Do.
223	....do.....	Weil to Loeb.
224	Sept. 12, 1865	Tenny to Loeb.
225	Sept. 17, 1865	Do.
226	Oct. 7, 1865	Rosenfield & Son to Loeb.
227	Sept. 27, 1865	Tenny to Theo. Mohr.
228	Nov. 2, 1865	Weil to Loeb.
229	Nov. 18, 1865	Do.
230	Nov. 20, 1865	G. Tenny to Loeb.
231	Nov. 29, 1865	Bloch to Loeb.
232	Mar. 9, 1866	G. and C. T. Tenny to Loeb.
233	Mar. 19, 1866	G. Tenny to Loeb.
234	.....	Extracts from Weil & Tenny's cash account kept by S. E. Loeb, Houston, Tex.

WASHINGTON, *February* 29, 1884.

There is in another part of the report a summarized statement of what is proven by each of these letters, but I think it would only swell the RECORD, perhaps without its ever being examined or read, if I should put that in. The reports which are on file here, however, show a copy of each one of these letters, and they are all proven, all authenticated.

Then there is a number of affidavits of different people utterly overturning and controverting in every possible way the statements of those four or five fellows who put in affidavits to prove this claim.

Now the Senate will see that this claim was retarded, it was kept back, it was not presented through any government, but it was run in here after Mr. Weil had gone around and got his pockets stuffed with four or five affidavits. The claim was run in to that commission with the affidavit of his attorney, Judge Key, who perhaps had never seen one of these papers, and then afterwards these papers were brought in for the purpose of acting as depositions, *ex parte* statements, without any opportunity of cross examination, and some of them made apparently by men whom nobody has ever been able to hear of.

Mr. GEORGE. Made by what?

Mr. MORGAN. Made by men whom nobody has ever been able to trace or hear of.

Mr. GEORGE. Sham men.

Mr. MORGAN. Certainly, Sampeyreac and such men, whose existence was assumed when there was nothing of it.

Now, I will turn to the La Abra case. After having put this very brief and unsatisfactory summary of the evidence before the Senate on the subject of the Weil claim, let us see who got the money for this.

Sumner Stow Ely, out of the first and second installments, got $94,106.75, that he distributed according to his own judgment of what was the right disposition to make of it. Then comes the third installment. That was paid to Sumner Stow Ely.

Installments.	How distributed.	Amount.	Total.
Third	.....	.....	$48,858.77
	Check 263, September 17, 1879, Sumner Stow Ely, attorney for La Abra Silver Mining Company (delivered to George H. Williams, attorney, in person)	$38,858.77	
	Agreement between Sumner Stow Ely, A. W. Adams, and George H. Williams (dated October 9, 1879), whereby Mr. Williams is to receive $16,000; $3,326.50 out of first and second installments and balance pro rata. (See letter from George H. Williams, October 18, 1879.)		
	Power of attorney from Henry C. Hepburn (dated November 29, 1879) to Sumner Stow Ely, to collect his entire interest in this award. (See letter from Sumner Stow Ely, December 2, 1879.)		
	Check 267, December 6, 1879, Henry C. Hepburn, assignee (delivered to Sumner Stow Ely, attorney, in person)	2,909.94	
	No further payment to be made to Mr. Hepburn, he having been settled with in full. (See letter from Sumner Stow Ely, December 2, 1879.)		
	Check 268, January 20, 1880, Sumner Stow Ely, attorney for La Abra Silver Mining Company (sent to Mr. Ely, 39 West Tenth street, New York, January 22, 1880)	2,690.06	
	Assignment by La Abra Silver Mining Company (dated February 4, 1881) to Charles T. Parry and Joseph Hopkinson of $4,400; $1,257.20 to be paid out of the third installment, and $314.28 out of each of the succeeding ten installments, commencing with the fifth. (Filed by James Baird, February 5, 1881.)		
	Check 286, February 14, 1881, Charles T. Parry and Joseph Hopkinson, assignees (sent to them, 727 Walnut street, Philadelphia, February 17, 1881)	$1,257.30	
	Check 285, February 14, 1881, Sumner Stow Ely, attorney for La Abra Silver Mining Company (delivered to Mr. Ely in person)	3,142.80	
	Power of attorney from La Abra Silver Mining Company (dated March 25, 1880) to Sumner Stow Ely to collect fourth installment, with full power of substitution. (Filed by Sumner Stow Ely, April 3, 1890.		$48,858.77
	George H. Williams admits having received $3,326.50 from Sumner Stow Ely, the amount due him out of the first and second installments. (See his letter of August 4, 1880.)		
	Power of attorney from Sumner Stow Ely (dated August 17, 1879), to Samuel Shellabarger, to collect fourth installment. (Filed by Samuel Shellabarger, August 18, 1880.)		

The fourth installment commences to be divided out on a broader basis.

Fourth	.....	.....	48,858.77
	Check 559, August 16, 1880, Sumner Stow Ely, attorney for La Abra Silver Mine Company (delivered to Samuel Shellabarger, attorney, in person)	32,706.64	
	Check 560, August 16, 1880, George H. Williams (delivered to him in person)	1,152.13	
	Decree of supreme court of the District of Columbia (dated January 21, 1881) that there shall be paid out of this installment the sum of $15,000, as follows:		
	To Frederick P. Stanton $3,333.33		
	To Miller & Lewis for Thomas W. Bartley 3,333.33		
	To W. W. Boyce 3,333.33		
	To Shellabarger & Wilson, for Alonzo W. Adams 5,000.00		
	(Filed by Shellabarger & Wilson, January 25, 1881.)		
	Check 569, January 26, 1881, Frederick P. Stanton (delivered to him in person)	3,333.34	
	Check 570, January 26, 1881, Miller & Lewis, for Thomas W. Bartley (delivered to them in person)	3,333.33	

Mr. DOLPH. Will the Senator from Alabama yield to me a moment?

Mr. MORGAN. Certainly.

Mr. DOLPH. Can he tell me who George H. Williams is?

Mr. MORGAN. No, I can not inform the Senator. I do not remember whether he was one of the attorneys or not. I think he was, though I am not sure of that.

	Check 571, January 26, 1881, W. W. Boyce (delivered to him in person)	3,333.33	
	Check 572, January 26, 1881, Shellabarger & Wilson, for Alonzo W. Adams (delivered to Mr. Shellabarger in person)	5,000.00	48,858.77

Alonzo W. Adams was the man employed to get the La Abra case up before it went before the Commission, and he has been paid very large sums of money.

	Shellabarger & Wilson, for Alonzo W. Adams, etc	5,000.00	
	Assignment by La Abra Silver Mining Company (dated May 6, 1880) to Cyrus C. Camp, as executor of estate of Herman Camp, deceased, the sum of $10,000, to be taken in eleven payments of $909.10 each. (See letter from Sumner Stow Ely, September 14, 1880.)		
	Receipt of Cyrus C. Camp to the company for the sum due on the fourth installment. (See letter from Sumner Stow Ely, October 30, 1880.)		
	Assignment by La Abra Silver Mining Company (dated February 4, 1881) to Shellabarger & Wilson of $5,266 of this award, $2,633 to be paid out of the fifth and $2,633 to be paid out of the sixth installments.		
	Agreement between A. W. Adams and Sumner Stow Ely on the one part, and Shellabarger & Wilson on the other (dated October 4, 1879) in regard to the fees of the latter. (Filed by Shellabarger & Wilson, February 8, 1881.)		
	Assignment by La Abra Silver Mining Company (dated February 5, 1881) to William W. Boyce of $8,666.66 to be paid pro rata. (See letter from Thomas W. Bartley, February 8, 1881.)		
	Assignment by La Abra Silver Mining Company (dated February 8, 1881) to Thomas W. Bartley of $6,166.66 to be paid pro rata. (See letter from Thomas W. Bartley, February 8, 1881.)		
	Assignment by La Abra Silver Mining Company (dated February 8, 1881) to Frederick P. Stanton of $6,166.66 to be paid pro rata. (Filed by Frederick P. Stanton, February 8, 1881.)		

Installments.	How distributed.	Amount.	Total.
	Power of attorney from La Abra Silver Mining Company (dated February 4, 1881) to Sumner Stow Ely to collect fifth installment, with full power of substitution. Power of substitution from Sumner Stow Ely (dated February 4, 1881) to Samuel Shellabarger to collect fifth installment. (Filed by Samuel Shellabarger, February 8, 1881.)		

That was the fourth installment. The fifth installment was divided as follows:

Fifth			$48,858.77
	Check 836, March 5, 1881, Sumner Stow Ely, attorney for La Abra Silver Mining Company	$34,545.85	
	Check 837, March 5, 1881, Thomas W. Bartley, assignee	666.66	
	Check 838, March 5, 1881, Frederick P. Stanton, assignee	666.66	
	Check 839, March 5, 1881, W. W. Boyce, assignee	936.94	
	Check 840, March 5, 1881, Shellabarger & Wilson	2,633.00	
	All foregoing checks delivered to Samuel Shellabarger, attorney, in person.		
	Check 841, March 5, 1881, Chas. T. Parry and Joseph Hopkinson, assignees (sent to them 727 Walnut street, Philadelphia, March 11, 1881)	314.28	
	Check 842, March 5, 1881, George H. Williams, assignee (delivered to him in person)	1,152.13	
	Check 843, March 5, 1881, Cyrus C. Camp, assignee (sent to him, Rouseville, Pa., March 11, 1881)	909.10	
	Assignment by La Abra Silver Mining Company (dated November 23, 1881) to Thomas W. Bartley of $2,500 out of the fifth installment, and $833.33 out of each of the succeeding eight installments, that is to say the sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, and thirteenth, and $208.33 out of the fourteenth. (Filed by Thomas W. Bartley, November 25, 1881.)		
	Assignment by La Abra Silver Mining Company to Frederick P. Stanton, of the same date as above, for like amount and payment to be made in like manner. (Filed by Frederick P. Stanton, November 25, 1881.)		
	Memorandum of settlement by Bartley & Stanton (dated November 25, 1881) of all outstanding questions as regards their fees in this case. The above assignments are in full satisfaction of their claim. (Filed by Bartley & Stanton, November 25, 1881.)		
	Check 897, November 25, 1881, Sumner Stow Ely, attorney for La Abra Silver Mining Company (delivered to Samuel Shellabarger, attorney, in person)	2,034.15	
	Check 898, November 25, 1881, Thomas W. Bartley, assignee (delivered to him in person)	2,500.00	
	Check 899, November 25, 1881, Frederick P. Stanton, assignee (delivered to him in person)	2,500.00	48,858.77

The assignments that are made as set forth here in brief show the different installments of this fund running down to the very last one, out of which the various agents and attorneys are to receive the money as it is realized, so that their claim in respect of this fund now in the hands of the Secretary of State of the United States is a continuing demand and includes every installment to be hereafter made.

Mr. President, I will now close my remarks upon both cases, feeling that I have done very inadequate justice to myself in my attempt to lay before the Senate in a succinct form, and in an intelligible narrative form, the pith and kernel of the great mass of matter included in the reports upon both the cases.

I have merely to address this consideration to the attention of the Senate. The Committee on Foreign Relations have sought diligently, earnestly, sincerely to get at every fact in this case and every principle of law which could affect it, because it is a case that not merely involves the rights of private citizens, but, according to all accounts and according to all admissions of four Presidents and four Secretaries of State and various committees of Congress, this matter involves the honor of our country.

We can not afford to be inattentive to considerations of this kind, and the committee have not been inattentive to them. They have labored—I have and other gentlemen of the committee who have passed out of the Senate, many of them heretofore, have labored with me—until I happen to have the good fortune of having my friend from Oregon [Mr. DOLPH] associated with me in these hard labors For years and years and years we have been at it and resorted to every possible agency that could be obtained to get at the truth, heard arguments freely on all sides and on all occasions, and have permitted a great many things to be said and to be done and to be proven that did not appear to be relative in the technical legal sense of the word, and we have presented this report.

I am very grateful, Mr. President, that I am about to be relieved from a labor which has caused me so much anxiety and so much distress, for a large number of persons, as we see here, are directly interested in this fund. The old La Abra Company is broken all into shreds and nobody will get anything out of it. Although there are judgment creditors standing there to the amount of thousands of dollars in New York, they will never get a cent. Everything has passed out of its reach by assignment of these decrees. Weil, the poor, wicked man became insane, I suppose through the burdens of his own wickedness, and left his widow, and she got not over four or five hundred dollars, while over $100,000 have been paid into the hands of these thieves and marauders, and she will never get another cent. She is not entitled to it of course, but she would never get it if she were.

This fund has all been planted in the hands of men who have earned it, if men can so earn money simply by violating an oath to Almighty God in respect to the truth they profess to tell in the creation of this fund. I regret, Mr. President, that I have had to say so much about it, that I have been thrown in contact so intimately with a subject that is in itself unpleasant. I leave this subject now in the hope that I shall never again have to recur to it.

Mr. HAWLEY. Is a vote desired this afternoon on this question?

Mr. DOLPH. If a vote can be had without a call of the yeas and nays I should not object, but I desire to suggest to the Senator from Alabama [Mr. MORGAN], who has just concluded his remarks, whether, if everybody has spoken now who desires to do so, it would not be practicable to have an agreement to take up and vote on the bill under consideration and the one in regard to the Weil claim immediately after the morning business is concluded on Monday next, when the Senate again convenes.

I should like, if possible, to arrive at an agreement by which we can get to the end of the discussion and come to a vote, and I should like to have it in a full Senate. I therefore ask unanimous consent that that course be pursued on the bill under consideration and the other bill before the Senate, as the legal questions are the same in both cases, and as I think nobody in the Senate will have the temerity to dispute the facts in the case, it seems to me the Senate ought to be able to dispose of them by voting.

Mr. MORGAN. I will ask unanimous consent of the Senate that the Weil case shall be taken up and voted on without further discussion, unless some Senator desires to discuss it, in which event I shall be perfectly willing to yield, immediately succeeding the vote on the present bill, so that we can get rid of this whole question. Then I am willing to say that we shall take a vote on this at 3 o'clock on Monday by unanimous consent.

Mr. DOLPH. Or earlier, if no one wishes to discuss it.

Mr. MORGAN. Yes.

Mr. DOLPH. It will come up at 2 o'clock on Monday as the unfinished business.

Mr. MORGAN. It would come up then, but Senators generally have some demands on them about 2 o'clock that would not make it very convenient for all to be then present.

Mr. DOLPH. I will submit to the suggestion of the Senator.

Mr. MORGAN. I will say 3 o'clock.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Alabama?

Mr. VILAS. Mr. President, I desire to give notice that I shall offer some amendments to the bill when the proper time arrives for the introduction of amendments.

I have no purpose to make any discussion upon the bill in addition to that which has been presented, but from having had occasion some time since in another place to become acquainted in a general way with the circumstances which have been so abundantly exhibited to the Senate, I have felt reawakened to a very earnest desire to see this bill passed, and in such a form as to avoid every objection which might reasonably be urged to it, technically or otherwise.

Indeed, I think no Senator who has listened to the account given by the distinguished Senator from Alabama [Mr. MORGAN] of the struggles which the public conscience has undergone during sixteen years but must sympathize with the effort for its relief; somewhat like the famous pilgrim up in Mr. Bunyan's veritable history, heavy laden with the burdens upon him, the moral sense of the country, the public conscience, has been seeking some avenue for relief, and we have heard an interesting account of how, groping, as it were, to climb over a mountain range of objection and difficulty and opposition, here it has been met by one insurmountable obstacle and there by another, until at last it would seem that a defile has been discovered through which this remorse-struck conscience can at last penetrate the light and cast off the burden which has oppressed it.

Objection is made now—and it is to that to which I wish to address a mere observation with reference to these amendments—that this submission of the question for determination is not judicial or is not the proper invocation of the judicial power of the United States. That the question which this bill proposes to submit to the courts of the United States is in its nature judicial seems to find no objection, but it is said that this question is not judicial or does not invoke judicial power because it does not leave it to the courts to pronounce a final judgment which will be binding by virtue of the decree of the court upon the parties to the suit to be instituted.

I conceive that that objection has considerable weight as the bill stands, but it seems to me that it is easy to remove it, and that it is desirable to remove it, because it can not but be thought desirable to invoke the superintending judgment of the Supreme Court upon such a question as this by the appeal provided for in this bill. In the case to which reference has been made we have an easy example and illustration of what is necessary to complete, as it seems to me, the bill which has been prepared. It lies merely in this, that the submission to the Court of Claims with the right of appeal to the Supreme Court shall be a submission to result in a final judgment, which shall be obligatory upon the parties.

That judgment will spring or follow naturally, as it seems to me, from the consideration to be given by the court under this bill to the case to be submitted. It is a simple case in equity. An officer of the United States holds in his hands a fund. The United States has the custody and care of that fund. Mexico has no claim to it. The treaty made its payment a finality, but by virtue of the statute of the United States previously enacted and by virtue of the nature of the award itself and the fact that certain claimants invoked the judgment of the Mixed Commission for the United States there is an equity of claim in Weil and his representatives or assigns in the one case and in the La Abra Mining Company, its legal representatives and assigns, in the other. The Attorney-General is therefore directed to bring a suit in the name of the United States for what? Practically to bar and foreclose as by a strict foreclosure the rights, whether legal or equitable, of these claimants to that fund.

Now, that is a perfectly recognizable subject of equitable jurisdiction, entirely competent for the court to proceed with, and it remains only, as it would seem to me, to add to this bill that the suit which shall be so instituted in the Court of Claims, and subject to appeal, shall result in a final and conclusive judgment. If so, we are then within the exact precedents which the Supreme Court of the United States has established with reference to the Court of Claims.

All there was which caused the decision in the case of Gordon *vs.* The United States was simply that the fourteenth section of the act of 1863 provided that after the judgment of the Court of Claims should be rendered, the money should not be paid until the Secretary of the Treasury submitted an estimate to Congress and that estimate was approved.

That was held by the late Chief Justice Taney, with the assent of his associates upon the bench, to be such an interference with the finality of the decision of the court as to shear the court of its judicial power. That difficulty in the case of the Court of Claims was removed simply by an act which repealed the fourteenth section of the act of 1863, and thus left no right in the Secretary of the Treasury to pass any further judgment on the question. Does not that point the way to amend this bill so as to bring it unquestionably within that decision?

I purpose, therefore, to submit to the consideration of the Senate an amendment which shall alter the first section of the bill, so that it shall read: That the case shall be brought—

To determine whether the award made by the United States and Mexican Mixed Commission in respect to the claim of the said La Abra Silver Mining Company was obtained, as to the whole sum included therein or as to any part thereof, by fraud, effectuated by means of false swearing or other false and fraudulent practices on the part of the said La Abra Silver Mining Company, or its agents, attorneys, or assigns, and, in case it be so determined, to bar and foreclose all claim in law or equity on the part of said La Abra Silver Mining Company, its legal representatives or assigns, to the money, or any such part thereof, received from the Republic of Mexico for or on account of such award as was made by said Mexican Mixed Commission upon the said claim.

In case the United States prevails in that suit that will then be a final judgment against the claimants. On the other hand, I suggest to amend section 4 of the bill so as to provide:

That in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of the La Abra Silver Mining Company, was obtained through fraud effectuated by means of false swearing or other false and fraudulent practices of said company or its assigns, or by their procurement, the said La Abra Silver Mining Company, its legal representatives or assigns, be barred and foreclosed of all claim to the money or any part thereof so paid by the Republic of Mexico for or on account of such award as was made upon the claim of said company.

Then the President of the United States is authorized to release the Government of Mexico from the further payment thereof, etc.

Correspondingly with that theory of the suit I suggest also to amend section 5 of the bill by striking out the last words:

And in case said court shall decide in said suit that said La Abra Silver Mining Company, or its successors and assigns, are, in justice and equity entitled to any part of said award that shall remain to be paid or distributed, the Secretary of State shall proceed to distribute the same to the persons entitled thereto.

And make the language conform there to the language in the first section of the bill that in case it shall be determined that the award was not obtained by fraud as aforesaid, then that the money shall be paid to the parties entitled thereto under the order of distribution.

That makes the judgment of the court a final and conclusive judgment upon the two parties to the suit, the United States on the one hand, and the claimants on the other.

Let me observe also that that removes from the bill the objection which was suggested by the learned Senator from Mississippi [Mr. GEORGE] that another than a legal rule of disposition was provided for; that the court was asked to consider moral considerations, obviously an objection if we leave it simply that the court is invested with full jurisdiction to consider a simple action or suit in equity, based upon a familiar ground of equitable jurisdiction, to foreclose and cut off all the rights of claimant to a particular fund to which there are two or more claimants. Thereupon the judicial power invoked is complete, and, having been exercised, a result follows, a determined and final result, such a result as is necessary to the full investiture of a court with judicial power, properly speaking.

Then comes in the residue of this bill, and, as it seems to me, a very proper bill in that respect. If the judicial tribunals shall so exercise judicial power as to leave no claimant to the fund in the hands of the United States, then the legislative power, so far as that is necessary to be exercised in order to the exertion of the political power of the Government, legislates to commit the disposition of the fund as between the United States and Mexico to the President of the United States. Thus here is in that case in this bill the simple, ordinary illustration of legislation to be operative upon a contingency, a contingency which is not a delegation of legislative power, a proper contingency, the contingency of a result in the exercise of a proper judicial power.

I make these suggestions, as I said, without any purpose to debate this bill, but merely to present the view I entertain in respect to it, and in the hope that it may thus be so perfected as to obviate objections before it is determined that the honor of the United States, so far engaged, at least, as to have challenged the judgment of a majority of the committee, ought to be made the subject of such an inquiry as shall enable it to be at rest.

I ask that the proposed amendments may be printed.

Mr. DOLPH. I will ask the Senator if his amendments are so prepared that they show what parts are to be stricken out and what parts to be inserted in the original bill.

Mr. VILAS. Yes, sir. I ask that the amendments may be printed.

The VICE-PRESIDENT. The order to print will be made, in the absence of objection.

Mr. PALMER. Mr. President, the second section of this bill provides:

That full jurisdiction is hereby conferred on the Court of Claims to hear and determine such suit and to make all interlocutory and final decrees therein, as the evidence may warrant, according to the principles of equity and justice.

I suppose the term "equity" as used here has reference to that legal equity which is recognized by the courts. So the court is clothed with authority to render final decree, final upon the rights of the parties, final surely with respect to the parties who are to be made defendants in this proceeding, the claimants of this fund.

That full jurisdiction is hereby conferred on the Court of Claims to hear and determine such suit and to make all interlocutory and final decrees therein, as the evidence may warrant, according to the principles of equity and justice, and to enforce the same by injunction or any proper final process, and in all respects to proceed in said cause according to law and the rules of said court, so far as the same are applicable.

Assuming that the Court of Claims will acquire complete jurisdiction over these parties by the methods prescribed by the proposed act, I am at a loss to determine what language can be more forcible than that employed in this section of the bill. Its authority is to adjudge the rights of these parties finally, and its authority is to issue injunction or other process so as to compel obedience to its final orders. If, then, the rights of parties are adjudged finally, and if their obedience is compelled by process adapted to that end, what more can be done?

It has been suggested, however, that there are two parties to this controversy, and the United States must be regarded here under this bill as a mere litigant. It offers to submit its rights to this court. This adjudication would be final against the United States as well as against the claimants, and thus, I understand,

a final judicial determination or disposing of the rights of parties absolutely is to be reached by the Court of Claims. That being so, I am utterly unable to understand the objection that the Supreme Court would not have final jurisdiction on appeal.

After the Court of Claims has finally adjudicated upon all the questions made by the bill and submitted to its jurisdiction, it is provided further that the United States, not in aid of the jurisdiction of the court at all, but to furnish a mode for the satisfaction of the orders of the court, in the event of the decision of the court in favor of these claimants, directs that then the decree of the court shall be satisfied by the payment of money.

This proceeding, being a suit at law in respect to a question made judicial by this bill, and this court being empowered to render a final decree, or, in other words, to bring parties into court involuntarily, and to adjudge their rights finally, and to enforce obedience by legitimate process, I am at a loss to know what more can be done in respect to disposing of the rights of private parties. That decision the United States consents shall be final as to its rights, and then the bill makes provision for the satisfaction of whatever orders may be made against the United States.

I conclude, therefore, that while it may be true (although I confess I do not yet quite perceive how)—while the bill might in some respects be made more formal, I am at a loss to know how it can be made in substance more expressive than it is.

Mr. DOLPH. Now let the question be put on the request of the Senator from Alabama [Mr. MORGAN] in regard to voting on the bill.

Mr. TELLER. Let us vote on the bill now.

The VICE-PRESIDENT. Will the Senator from Oregon restate the request?

Mr. DOLPH. The Senator from Alabama [Mr. MORGAN] requested unanimous consent that unless some Senator desired to speak at that time, at 3 o'clock on Monday the Senate should vote on the bill under consideration, and immediately following that that the vote should be taken on the Weil bill.

Mr. PADDOCK. I thought the Senator from Alabama modified his proposition so as to make the hour 2 o'clock instead of 3.

Mr. DOLPH. I understood 3 o'clock to be the time named.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Alabama? The Chair hears none.

Mr. HOAR. I do not rise to discuss at this time the question which has been raised, whether this bill undertakes to impose upon the Supreme Court a duty which it is not possible for Congress to impose on it under the Constitution. I should like an opportunity to look over the remarks of the Senator from Alabama [Mr. MORGAN], which I have not had an opportunity to do and which I did not hear in full, before renewing that discussion as far as I am concerned.

I wish to say, however, that I understand the principle of law to be this: That, in the first place, we can not impose, under the Constitution, upon the Supreme Court of the United States the duty of ascertaining facts or of declaring rules of law or equity merely for the sake of giving advice to other departments of the Government or of furnishing them rules upon which they, in their legal discretion, are to act. The Supreme Court must render, if anything, what is recognized as a final judgment between parties, determining finally their rights according to principles of law furnished by the lawmaking power.

In the next place, what is involved in what I have just said, the Supreme Court can not be authorized to render such a final decree which shall be binding and conclusive on the rights of parties if that decree is to be founded not upon previously existing rules of law or upon a rule of law prescribed by the lawmaking power, by the statute-making power if it is to be a statute, but in accordance with a rule adopted by the Supreme Court for the purposes of the case in accordance with its view of what may be just and equitable.

Neither of those two things can we require the Supreme Court to do, to find fact or law which is not to be the subject of its own conclusive and final decree, in the first place, or to make a final decree in the second place, which is to be founded not on a law prescribed to it by another power, but on its own sense of what is just or equitable, being formulated according to a rule which it creates itself for the case.

The objection to the appeal provided in this bill to the Supreme Court of the United States is that it does not undertake to do what, as I understand, the honorable Senator from Illinois [Mr. PALMER] thinks it does—authorize the Supreme Court to settle legal or equitable rights now existing; but it authorizes the Court of Claims and the Supreme Court on appeal to do in regard to this fund what they think equitable and just. The word equity being known by its associate, *noscitur a sociis*, the term "justice," when they say that in dealing with this fund, considering all our relations with a foreign power and our relations to this corporation and to citizens who have succeeded to its claims, it undertakes to refer to the Supreme Court what it is reasonable and just for us to do.

I rose, however, at the present time to call the attention of the Senate and the Senator from Alabama to the statute of 1887, which the Senator cited as a precedent for this bill. I am reported as saying, when the Senator appealed to me and asked me whether I was in the Senate at that time, "I have not had the opportunity of refreshing my recollection in regard to that act, and I do not remember that I had any connection with it myself." What I said was that I had a connection with it myself, and in fact drew one of the sections to amend that act.

The Senator from Alabama seems to me entirely to misunderstand that act. He reads some of the sections providing for suits against the United States either in the district courts or in the Court of Claims, or in some cases of concurrent jurisdiction in the district courts of the United States and the Court of Claims, and then for an appeal to the Supreme Court and a final decree. That, of course, is all right. Nobody ever questioned that where a citizen had a claim against the United States founded upon a tort of one of the agents of the Government, founded upon a collision at sea with a Government vessel, where the managers of the vessel were at fault, founded upon a Government bond or other contract, founded on an implied obligation of the Government, where the circumstances of the case would create a legal obligation if the case had arisen between citizens which could be enforced in the courts, where the claim against the United States was only invalid because there was no provision for suing the Government, nobody ever doubted, so far as I know, that we might lawfully and constitutionally give to any court of the United States original jurisdiction of such claim and allow a citizen to sue in that court, and give appellate jurisdiction to the Supreme Court of the United States to make a final judgment, although that final judgment would be enforced not by an execution or other like process in the ordinary way, a writ of injunction, mandatory, or otherwise, but could only be enforced by an appropriation by Congress. That is one thing. We did that in the Bowman act.

In the first eight or nine sections we provided the mechanism and gave the remedy. Then we provided for an appeal to the Supreme Court of the United States. Then we went on and enacted the twelfth section, which the Senator from Alabama read and said in reading it, that that is one of the sections which he included in the bill, and the remedy by that section might be further prosecuted by an appeal to the Supreme Court. There is where I take issue with the honorable Senator in regard to the twelfth section. That was a provision that where any Department of the Government or either House of Congress had before it a matter requiring an investigation into facts or involving difficult or doubtful questions of law, that matter might be referred to the Court of Claims for its advice for two reasons: In the first place, that the United States might be represented and there might be a hearing upon the facts, and, secondly, that counsel, who could not so conveniently appear before committees of Congress, might make such suggestions as they had to make in regard to the law.

But in both those cases there was no thought on the part of the committee framing the statute or on the part of Congress when it was enacted, that an appeal to the Supreme Court of the United States should lie, but, on the contrary, the only provision is that in that case the Court of Claims shall report its conclusions to the Department of the Government or to the House of Congress which had sent the case for its consideration. So that statute is not only not an authority for the proceeding now proposed, but is, so far as the legislative precedents are concerned, a direct authority the other way.

I have the profoundest deference for the judgment of the Senator from Alabama. I think the Committee on Foreign Relations have shown great wisdom and are entitled to our gratitude for having wrought out this method of getting rid of this complicated and troublesome affair; but it does seem to me that it is safer and better, that everybody will be satisfied and every right will be preserved by leaving this to the decision of the Court of Claims, on whom we may impose any duty of any kind and not embarrass it by an appeal to the Supreme Court of the United States, which, in the first place, must occasion great delay, and, in the next place, is of very doubtful constitutionality.

Mr. MORGAN. I should like to add just a word in reply to the Senator from Massachusetts on the last branch of the proposition.

I see that section 12 of the act referred to does include those determinations of law or fact by any court upon whom we confer jurisdiction to which section 9 of this act applies.

Mr. HOAR. That was put after section 9.

Mr. MORGAN. Yes; that was put after section 9.

SEC. 9. That the plaintiff or the United States, in any suit brought under the provisions of this act, shall have the same rights of appeal or writ of error as are now reserved in the statutes of the United States, etc.

Then the question, of course, is whether or not the provision of section 12 includes the words "any suit."

That when any claim or matter may be pending in any of the Executive Departments—

Not before Congress, but a claim pending in an Executive Department—

which involves controverted questions of fact or law, the head of such Department, with the consent of the claimant, may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said Court of Claims, and the same shall be there proceeded in under such rules as the court may adopt.

May take further testimony and reject testimony.

Mr. HOAR. Read on.

Mr. MORGAN. It continues:

When the facts and conclusions of law shall have been found, the court shall report its findings to the Department by which it was transmitted.

Mr. HOAR. Yes.

Mr. MORGAN. Very good. That is a judicial proceeding through and through. It can not be denied that it is judicial, because the court can take proof, they can hear and determine questions of law and questions of fact, and that is all any court can do, except that some courts can render final judgments in certain cases and others can not in other cases.

Now we come to section 13, and that is the section which applies to claims that are pending in Congress.

SEC. 13. That in every case which shall come before the Court of Claims or is now pending therein, under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883, if it shall appear to the satisfaction of the court, upon the facts established, that it has jurisdiction to render judgment or decree thereon under existing laws or under the provisions of this act, it shall proceed to do so, giving to either party such further opportunity for hearing as in its judgment justice shall require, and report its proceedings therein to either House of Congress or to the Department by which the same was referred to said court.

That is a final judgment, but it depends upon Congress to make the appropriation. In the other case it does not depend upon Congress to make the appropriation, because it is a claim that the law authorized to be considered by and referred to the executive department, and there it stops, and that is a fact, that the money to pay the claim is supplied perhaps by a standing appropriation. Now we come to the next section:

SEC. 14. That whenever any bill, except for a pension, shall be pending in either House of Congress providing for the payment of a claim against the United States, legal or equitable, or for a grant, gift, or bounty to any person, the House in which such bill is pending may refer the same to the Court of Claims—

That is not a suit by a party or by the consent of the party. It is a proceeding on the part of the House on its own motion—

who shall proceed with the same in accordance with the provisions of the act approved March 3, 1883, entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," and report to such House the facts in the case and the amount, where the same can be liquidated, including any facts bearing upon the question whether there has been delay or laches in presenting such claim or applying for such grant, gift, or bounty, and any facts bearing upon the question whether the bar of any statute of limitation should be removed or which shall be claimed to excuse the claimant for not having resorted to any established legal remedy.

In that case no judgment is rendered. That is mere advice given to the Houses of Congress in which they can recommend, if the court please to do so, that it is equitable in its character, about which the circumstances are so peculiar that it would be proper in the opinion of the court for Congress to remove the bar, implying, of course, that it would require new legislation to accomplish what the court itself had recommended should be done, and in these other cases it does not require new legislation. In one of them it requires an appropriation to be made, and in the other it is a direction to an executive officer that he shall pay the money. It has been overlooked. I have not tried to argue this part of the bill with any degree of accuracy, because I am entirely satisfied that the Senate should take any course on it that it pleases. It is only a question of difference amongst lawyers as to which is the best course. The Senate will observe that this bill provides for a jurisdiction in behalf of the Court of Claims, and of course the Supreme Court, to issue a final injunction or any other form of injunction, interlocutory, for instance, and that of itself implies the power to render a final decree, for it very often happens that you can not render a money decree or a property decree, but you can enjoin a man perpetually from setting up a claim or demand in equity, or pretending to do it, and cut him off from his remedy, and that is a final judgment in the most complete sense of the word.

Mr. HOAR. Could you enjoin him against presenting a petition to a Department or to Congress, which is all that can be done now?

Mr. MORGAN. I do not know about that. That may be accomplished under the Constitution, and you can certainly enjoin him from bringing suit. There is no question about that. You have got a receiver in your court. There is a man disposed to harass him. The court can enjoin that party from suing that receiver. "You shall not present your claim to him. You shall not do anything to him. If you do, we will put you in jail." It is an inequitable demand and you must not press it. That is the nature of the judgment.

I believe we are debating a matter here which is of no substantial value. I think so, but I am satisfied with any form of words, and I am pleased with the words which are indicated by the Senator from Wisconsin in the change of phraseology of the bill. I think, perhaps, it makes the bill clearer, but we will look at those amendments when they are printed and come to some agreement about them which will, I hope, satisfy everybody. I have no pride of opinion in what I have had to say about this matter.

Mr. CHILTON. Will the Senator from Alabama allow me to interrupt him to ask a question which seems pertinent to this discussion?

Mr. MORGAN. Certainly.

Mr. CHILTON. As I understand the proposition made by the Senator from Massachusetts, it is that while the Court of Claims can undoubtedly be invested with the authority to determine this matter, it is rather as a board of arbitration or agency of Congress than as a part of the judicial machinery of the country, recognized by the Constitution. It has seemed to me that the "controversy" or "case" of which the courts are given jurisdiction by this bill was simply an issue as to the fraudulent character of the Weil and La Abra awards. While perhaps technically no court could entertain a direct suit to set aside the award of an international commission, yet the question as to whether it was fraudulent or not might be constituted a subject for judicial determination, and if so, the appellate jurisdiction of the Supreme Court could be provided for in the bill.

But the very fact that a lawyer of such distinction as the Senator from Massachusetts finds room for doubt in regard to the jurisdiction of the Supreme Court is enough to cause some further consideration of the form of the measure, and it occurred to me to propound this inquiry to the Senator from Alabama. Suppose that the pending bill is passed, the litigation is instituted in the Court of Claims, and upon its judgment being rendered an appeal is taken to the Supreme Court of the United States. If that Court should then decide that an appeal did not lie, could it be held under the phraseology of the bill that the appeal was such an essential part of the remedy provided for that when the appeal fell to the ground the whole proposition or project fell with it?

It seems to me, if such a result is possible, it would be very desirable that such language should be used in the law that its whole vigor will not depend upon that section which authorizes an appeal, and that even if that jurisdiction should not be sustained we would still have an end, by the judgment of the Court of Claims, of this long-labored inquiry which has been so ably presented by the Senator from Alabama and other Senators during this debate.

Mr. MORGAN. The appeal could not fall to the ground under the judgment of the Supreme Court otherwise than by that court declaring that it could not take jurisdiction. That is all the reason there is for it. If we put a provision in the bill that that court shall have jurisdiction and it decides that we can not confer it, of course that ends the appeal, but it does not at all affect the antecedent provisions which make the judgment of the Court of Claims final because the Supreme Court can not entertain the appeal.

But that difficulty is removed by the case of Sampeyreac, which the Senator must have had in his mind when he made such a clear statement of the precise purpose of the bill, which was not to open up an inquiry into the merits of these claims but a naked inquiry into the question whether the awards had been obtained by fraud or perjury or fraudulent practice; that is all. That was done exactly in that form in the case of Sampeyreac, which I have read here from my desk. In that case there was not a bill of review.

The Supreme Court expressly said that it was not in the nature of a bill of review, but it was the exercise of a jurisdiction by the circuit court of Arkansas upon a special statute enacted for a special case, after a decree had been passed in favor of Sampeyreac, and after the time for appeal from that decree had expired, and it was to all intents and purposes a final and irrevocable decree so far as the power of the judiciary was concerned. Congress came in and gave to the court jurisdiction to hear and determine the question whether that decree had been obtained by fraud, and the court entertained the jurisdiction, and the Supreme Court entertained an appeal under that very statute and decided the case, affirming the decision of the court below, which it could not have done, of course, unless it had jurisdiction.

Mr. CHILTON. Before the Senator takes his seat I wish to state that I had in my mind a case or cases that I remember to have read in some of the reports where certain inferior courts had been invested with jurisdiction to determine election contests and a right of appeal had been given to the supreme

court. When a case in point went to the supreme court of the State in which it arose, it was decided that the election contest was a political question, and that jurisdiction to determine it by appeal could not be conferred upon the supreme court.

Mr. MORGAN. That was because there was another tribunal under the constitution of that State, I suppose, which had the right to determine upon the elections, return, and qualifications of its members.

Mr. CHILTON. No, sir; it was a political question—it was a question of officers—and after it was decided that the right of appeal could not be exercised, it was held that the whole statute fell to the ground, because the section giving the appeal was such an essential part of the remedy provided or created that it could not be supposed that the law-making power would pass the statute with that part of it omitted. That is the point I wish to make.

Mr. MORGAN. A similar decision was made twice in the State of Alabama in our supreme court, in which they held that the law was unconstitutional—these were criminal laws—which undertook to make final disposition of an offense, a misdemeanor I think it was, without giving an appeal, in fact cutting off an appeal to the supreme court. They held it was unconstitutional, and why? Because our supreme court there had revisory power over the inferior courts in every matter. It being a constitutional right, the legislature could not take away from that court or from the party that privilege. But the Supreme Court of the United States have that sort of a revisory power.

When the Congress of the United States gave the Supreme Court of the United States the power to issue mandates, injunctions, mandamuses, and writs of habeas corpus, it was decided that because they did not expressly include writs of prohibition that court could not issue a writ of prohibition except to a court of admiralty.

Why? Because the jurisdiction in admiralty as it existed under the English law was expressly taken up in the Constitution and by terms conferred upon the Supreme Court, but the jurisdiction to issue writs of prohibition was not included in express terms or by necessary reference in the terms of the Constitution, and the Congress of the United States having provided that they might issue writs of mandamus, writs of injunction, of *quo warranto*, and habeas corpus—I believe those were the writs included—having included those it must be construed that that was as far as Congress intended to go; and therefore, writs of prohibition not being included they could not be granted. I have been trying ever since I have been here to get Congress to confer the power upon the Supreme Court of the United States to grant writs of prohibition.

Now, there is the difference in the two cases. The Constitution of the United States investing the judicial power in the Supreme Court and the inferior courts, attended that investiture of power in the next section with the provision that Congress should regulate and provide what appeals should be heard in the Supreme Court. The jurisdiction, as I read to-day from the authorities, is conferred by the Constitution of the United States and is plenary; there is nothing to interfere with it except the will of Congress; and we admeasure to the Supreme Court from time to time in our enactments the procedure and also the right to exercise the jurisdiction in various classes of cases; I do not mean the original but the appellate jurisdiction. There is the difference.

I was a little afraid of the proposition suggested by the Senator from Texas, that perhaps if we did not include the right of appeal here the point might be made that we had violated the Constitution of the United States by cutting it off, especially after the debate which has gone on here. It is a very much safer procedure, in my judgment, that we should put the right of appeal in the bill, and then if the Supreme Court of the United States should decide that after all we did not have authority to put it there, they can merely discard the case from their jurisdiction, and that leaves the judgment of the Court of Claims absolutely final, particularly as this proposed act confers upon the Court of Claims, as I have said before, the right to make injunctions final, and an injunction is really the final process contemplated in this measure, that a final injunction shall be imposed upon these people from setting up this pretense any further, upon the ground that they have an equity upon this fund, and when that is done by a court, then the President of the United States is instructed by the bill to pay the money to Mexico. That is an appropriation; that is a different thing.

APPENDIX A.

[Fifty-second Congress, first session. Senate Ex. Doc. No. 20.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, TRANSMITTING A REPORT OF THE SECRETARY OF STATE, IN RESPONSE TO SENATE RESOLUTION OF JANUARY 12, REGARDING CERTAIN CLAIMS PROVIDED FOR BY A CONVENTION BETWEEN THE UNITED STATES AND MEXICO.

January 19, 1892.—Read, laid upon the table, and ordered to be printed.

To the Senate of the United States:

I transmit herewith to the Senate a report of the Secretary of State, in answer to the resolution of the Senate of the 12th instant, making inquiries regarding payments of the awards of the Claims Commission under the convention of July 4, 1868, between the United States and Mexico.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 18, 1892.*

DEPARTMENT OF STATE, *Washington January 14, 1892.*

The Secretary of State has the honor to submit herewith a report in answer to the resolution of the Senate of the United States of the 12th instant, respecting the awards of the Mixed Claims Commission which sat at Washington under the convention of July 4, 1868, between the United States and Mexico.

The awards of the Commission were rendered in Mexican gold, American gold, and American currency. By the terms of the protocol between the Secretary of State and the Mexican minister, under date of January 31, 1878, the various currencies were reduced to the basis of American gold. Upon this basis the net indebtedness of Mexico to the United States by reason of the awards was ascertained to be $3,865,498.42.

This amount was paid in full to the United States by Mexico in fourteen annual installments, in perfect accordance with the terms of the convention, the final payment having been made January 21, 1890.

The ascertainment of the proportionate share of each of the awards, numbering in all 187, in the total sum of the indemnity, is set forth in detail in the annexed table, marked "A."

Nearly all of these awards have been paid in full to the awardees or their assigns, the principal exceptions being the awards in favor of Benjamin Weil and La Abra Mining Company.

There is at present on deposit to the credit of the Secretary of State with the assistant treasurer of the United States at New York, on account of all awards of the Commission, the sum of $709,908.57.

Of this amount the sums of $287,833.77 and $408,030.08 are withheld, respectively, on account of the awards rendered in favor of Benjamin Weil and the La Abra Silver Mining Company. These sums aggregate $695,863.85, thus leaving of the sum above stated as being in the hands of the Secretary of State only $10,104.72 yet to be distributed on account of outstanding interests among the other 185 awards. Deaths of the principals and failure of their administrators or executors to present their claims for the balances due them are the only causes why this sum of $10,104.72 remains undistributed. It is reasonable, however, to expect that the persons entitled to this remainder will present themselves in the near future.

In specific answer to that portion of the resolution which inquires "the amount of any award made under said convention that has been refused payment by the State Department, and what person or persons are now the claimants of interests in said awards, the payment of which has been refused," I have the honor to state that payments have been refused only in the two cases above referred to, namely, those of Benjamin Weil and the La Abra Mining Company, and that the annexed transcripts, marked B and C from the Department's docket, show in detail the dates and amounts of payment made on these awards, respectively, and the persons to whom paid, as well as briefs of the instruments on file in the Department showing what persons are the claimants of interests in these awards.

In answer to the concluding inquiry of the resolution, I have the honor to state that at no time has any part of the moneys received from Mexico been invested.

Respectfully submitted.

JAMES G. BLAINE.

To the PRESIDENT.

A.

Awards of the Joint Claims Commission in favor of United States citizens, under the convention of July 4, 1868, between the United States and Mexico.

[In this table the equivalents of the awards in "Mexican gold" are carried into the column of "United States gold or currency," the value of the Mexican gold dollar being calculated at 0.98\frac{1}{2}$ United States gold.]

Docket No.	Claimants.	Mexican gold.	United States gold or currency.	Over-appropriation by Congress.	Total gross award.	Expenses of Commission, calculated at 0.04253927 per cent.	Net award.
7	Francis W. Rice		$4,000.00	$0.59	$4,000.59	$169.38	$3,831.21
8	Cornelius K. Garrison, survivor		44,710.96	6.61	44,717.57	1,892.20	42,824.37
11	William W. Snelling's administrator		5,100.00	.75	5,100.75	215.94	4,884.81
18	Abel H. Halstead		1,600.00	.23	1,600.23	67.75	1,532.48
24	J. P. Putegnat's heirs		5,089.48	.75	5,090.23	214.51	4,874.72
28	Joseph M. Bryant		7,600.00	1.12	7,601.12	321.80	7,279.32
29	William P. Barnes		5,100.00	.75	5,100.75	215.95	4,884.80
33	Lucian Mathieu		3,100.00	.46	3,100.46	131.26	2,969.20
34	Elizabeth A. Evans	$24,316.82	23,926.27	4.54	23,929.81	1,013.12	22,916.69
42	Michael B. Evans		1,000.00	.15	1,000.15	42.34	957.81
43	Frederick V. W. Rathbone		1,000.00	.15	1,000.15	42.34	957.81
47	Edgar Warren		2,000.00	.30	2,000.30	84.67	1,915.63

Awards of the Joint Claims Commission in favor of United States citizens, etc.—Continued.

Docket No.	Claimants.	Mexican gold.	United States gold or currency.	Over-appropriation by Congress.	Total gross awards.	Expenses of Commission, calculated at 0.04233627 per cent.	Net award.
51	José J. Fernandez		$28,386.27	$4.20	$28,390.47	$1,201.95	$27,188.52
52	Andrew Trenis		500.00	.07	500.07	21.17	478.90
58	Joseph W. Hale	$39,397.26	38,764.50	5.73	38,770.23	1,641.38	37,128.85
61	George H. Giddings		33,188.00	4.90	33,192.90	1,405.26	31,787.64
62	Margaret Glenn	20,000.00	19,678.78	2.91	19,681.69	833.45	18,848.24
70	Augustus Jouan	78,213.97	76,957.78	11.38	76,969.16	3,258.58	73,710.58
76	Thomas Dwyer		7,030.63	1.04	7,031.67	297.69	7,733.98
79	Thomas J. Dolan		1,000.00	.15	1,000.15	42.33	957.82
80	Watson Hodge		1,000.00	.15	1,000.15	42.34	957.81
82	C. C. Johnson		2,604.68	.39	2,605.07	110.29	2,494.78
83	Caroline Sprotto, assignee		29,850.88	4.41	29,855.29	1,263.98	28,591.31
89	Stillman D. Willis	535.67	625.46	.09	625.55	26.48	599.07
90	Bernard Turpin		100.00	.01	100.01	4.23	95.78
99	do	703.76	692.46	.10	692.56	29.32	663.24
95	Edgar Keller	18,226.10	17,933.37	2.65	17,936.02	759.35	17,176.67
100	Marcos Shaben		8,000.00	1.33	8,001.33	338.69	7,662.64
108	Joseph Sbisa, assignee		6,387.34	.94	6,388.28	270.46	6,117.82
113	John Belden	73,959.78	72,771.91	10.76	72,782.67	3,081.34	69,701.33
115	Frederick Bronner	16,433.88	16,169.94	2.39	16,172.33	684.66	15,487.67
124	Lorenzo Castro		30,115.83	4.45	30,120.28	1,275.21	28,845.07
125	John Arnold		5,000.00	.74	5,000.74	211.68	4,789.06
131	Samuel A. Belden & Co		53,199.25	7.86	53,207.11	2,252.60	50,954.51
136	Nautilus Submarine Pearl Fishing Company	3,600.00	3,542.18	.53	3,542.71	149.98	3,392.73
137	Martha E. Thacher, administratrix	1,500.00	1,475.91	.22	1,476.13	62.49	1,413.64
143	Turner & Renshaw	18,723.18	18,422.47	2.72	18,425.19	780.06	17,645.13
145	J. D. Pradel	128.00	125.94	.02	125.96	5.33	120.63
154	Frederick A. Newton	4,068.66	4,003.31	.59	4,003.90	169.52	3,834.38
158	George L. Hammeken	170,379.82	167,643.35	24.78	167,668.13	7,098.44	160,569.69
162	Abel G. Alexander		2,100.00	.31	2,100.31	88.91	2,011.40
165	Mary Brewer	12,698.90	12,494.94	1.85	12,496.79	529.07	11,967.72
178*a*	Mather & Glover		26,163.83	3.87	26,167.70	1,107.85	25,059.85
178*b*	William Winn's heirs		10,137.76	1.50	10,139.26	429.25	9,710.01
183	Felix Maxán's heirs	23,193.44	22,820.93	3.37	22,824.30	966.29	21,858.01
185	Dunbar & Belknap	43,161.64	42,408.42	6.28	42,474.70	1,798.23	40,676.47
187	Charles H. Wheeler *et al*		23,382.20	3.46	23,385.66	990.06	22,395.60
195	Nicholas R. Schneider	907.34	892.77	.13	892.90	37.80	855.10
197	Isaac Moses, assignee	7,644,27	7,521.50	1.11	7,522.61	318.47	7,204.14
213	Samuel L. Dennison		1,000.00	.15	1,000.15	42.34	957.81
214	John McCurdy		500.00	.07	500.07	21.17	478.90
215	Patrick H. Cootey		120,046.68	17.75	120,064.43	5,083.08	114,981.35
216	Thomas S. Andrews		12,021.31	1.78	12,023.09	509.01	11,514.08
217	Benjamin Ripley		5,151.15	.76	5,151.91	218.12	4,933.79
218	Francis McCready		2,093.53	.31	2,093.84	88.64	2,005.20
219	Frederick Rhay		2,116.91	.31	2,117.22	89.64	2,027.58
220	Luther Center		2,187.06	.32	2,187.38	92.61	2,094.77
221	Peter Pauls		2,116.91	.31	2,117.22	89.64	2,027.58
223	Samuel Morey		2,116.91	.31	2,117.22	89.64	2,027.58
224	W. F. Dunkinson		2,087.68	.31	2,087.99	88.40	1,999.59
226	John Sampson		2,087.68	.31	2,087.99	88.40	1,999.59
228	Joseph V. Bogy's administrator		500.00	.07	500.07	21.18	478.89
230	Marcus L. King		5,453.92	.80	5,454.72	230.93	5,223.79
232	Herman F. Wolff's administrator		2,601.88	.38	2,602.26	110.17	2,492.09
233	George Brown		2,116.91	.31	2,117.32	89.64	2,027.58
234	Robert M. Couch		2,087.68	.31	2,087.99	88.41	1,999.58
235	Peter Wilson		2,087.58	.31	2,087.99	88.41	1,999.58
237	D. H. Whitfield		2,379.18	.35	2,479.53	100.75	2,378.78
238	A. J. Turpin		2,116.91	.31	2,117.22	89.64	2,027.58
239	John Adams		2,087.68	.31	2,087.99	88.40	1,999.59
240	Charles Leaven		2,093.53	.31	2,093.84	88.65	2,005.19
241	Samuel Weldon		2,087.68	.31	2,087.99	88.40	1,999.59
243	A. Brown Chapman		500.00	.07	500.07	21.17	478.90
249	Frederick Satterly		1,000.00	.14	1,000.14	42.34	957.80
257	John Craig's administrator		2,000.00	.29	2,000.29	84.67	1,915.62
258	Robert G. Baldwin		500.00	.07	500.07	21.17	478.90
259	William Wallace		1,000.00	.15	1,000.15	42.34	957.81
264	John Dockendorff		1,000.00	.15	1,000.15	42.34	957.81
269	A. J. Fletcher		1,000.00	.15	1,000.15	42.34	957.81
278	J. M. Leonard		1,000.00	.15	1,000.15	42.34	957.81
279	J. W. Hawkins, administratrix		1,000.00	.15	1,000.15	42.34	957.81
282	Augustus Manning		1,000.00	.15	1,000.15	42.34	957.81
284	W. C. Pettijohn		1,000.00	.15	1,000.15	42.34	957.81
285	James Ballentine		6,008.52	.74	5,009.26	212.07	4,797.10
286	Joseph B. Smith		1,000.00	.15	1,000.15	42.34	957.81
298	A. W. Browning		1,000.00	.15	1,000.15	42.34	957.81
300	William H. Hughes		1,000.00	.15	1,000.15	42.34	957.81
304	John A. Cullen		1,000.00	.15	1,000.15	42.34	957.81
307	Frank Cleaves		1,000.00	.15	1,000.15	42.34	957.81
309	A. A. Harper		1,000.00	.14	1,000.14	42.34	957.80
320	Christopher H. Gosch		15,297.26	2.26	15,299.52	647.72	14,651.80
325	Isaac G. Israel		3,100.00	.46	3,100.46	131.26	2,969.20
333	Fayette Anderson and W. Thompson	6,038.99	5,942.00	.88	5,942.88	251.59	5,691.29
337	Francis Nolan	1,694.69	1,667.47	.25	1,667.72	70.60	1,597.12
342	Moses Moke		2,525.00	.37	2,525.37	106.91	2,418.46
344	Francis Rose	500.00	491.97	.07	492.04	20.83	471.21
345	Robert Wulfing		2,282.08	.34	2,282.42	96.62	2,185.80
351	Vincente Costanza	378.99	372.90	.05	372.95	15.79	357.16
352	Gabriel Abrams		11,683.18	1.73	11,684.91	494.67	11,190.24
356	J. J. Wencker	6,538.74	6,433.71	.95	6,434.66	272.42	6,162.24
357	Geo. Pen Johnson *et al*	32,101.92	31,586.33	4.67	31,591.00	1,337.47	30,253.53
359	James L. Springer		2,100.00	.31	2,100.31	88.92	2,011.39
365	Alexander R. Barrington	19,616.22	19,301.16	2.85	19,304.01	817.27	18,486.74
368	Asa E. Wilde		1,000.00	.15	1,000.15	42.33	957.82
369	William Perry		1,000.00	.15	1,000.15	42.33	957.82
381	Bartlett & Borge	16,650.96	16,383.53	2.42	16,385.95	693.73	15,692.22
385	Mildred Standish	42,486.30	41,803.93	6.18	41,810.11	1,770.10	40,040.01
388	Louis Dusenberg		2,533.06	.37	2,533.43	107.26	2,426.17
392	Mary Ann Conrow	50,497.26	49,686.22	7.35	49,693.57	2,103.86	47,589.71
397	S. Kearney Parsons	50,828.76	50,012.40	7.39	50,019.79	2,117.67	47,902.12
409	John McMerty	3,161.72	3,110.94	.46	3,111,40	131.73	2,979.67
418	Samuel Adams		1,671.83	.25	1,672.08	70.68	1,601.40
432	J. S. Manassee & Co		4,675.82	.69	4,676.51	198.00	4,478.51
442	Smith Bowen	3,237.34	3,185.35	.47	3,185.82	134.88	3,050.94
446	George W. Morton		3,321.75	.49	3,322.24	140.66	3,181.58
447	Benjamin Weil	487,810.68	479,975.95	70.96	480,046.91	20,323.50	459,723.41

Awards of Joint Claims Commission in favor of United States citizens, etc.—Continued.

Docket No.	Claimants.	Mexican gold.	United States gold or currency.	Over-appropriation by Congress.	Total gross awards.	Expenses of Commission, calculated at 0.04233927 per cent.	Net award.
450	Rodolfo Dresel		$7,980.17	$1.18	$7,981.35	$337.91	$7,643.44
454	Jacob Campbell	$15,656.46	15,405.00	2.28	15,407.28	652.28	14,755.00
456	Samuel L. Smith		2,191.85	.32	2,192.17	92.80	2,099.37
457	David C. Bardin		936.74	.14	936.88	39.66	897.22
458	James E. Harwell	1,673.48	1,646.60	.24	1,646.84	69.72	1,577.12
460	Benjamin Elliott		7,100.00	1.05	7,101.05	300.63	6,800.42
462	Rudolph Brach	4,346.74	4,276.93	.63	4,277.56	181.09	4,096.47
463	Peter Blohm		2,600.00	.38	2,600.38	110.10	2,490.28
464	George Lauer		2,600.00	.38	2,600.38	110.10	2,490.28
478	Eugene Pigeon		9,364.79	1.38	9,366.17	396.54	8,969.63
479	John S. Cripps		2,761.92	.41	2,762.33	116.96	2,645.37
487	Bartolo C. Hicks	1,097.71	1,080.08	.16	1,080.24	45.74	1,034.50
488	G. L. Macmanus	500.00	491.97	.07	492.04	20.83	471.21
489	La Abra Silver Mining Company	683,041.32	672,070.99	99.35	672,170.34	28,457.20	643,713.14
490	Raphael M. Miller		14,749.00	2.18	14,751.18	624.51	14,126.67
493	Thadeus Amat *et al*	904,070.79	889,550.51	131.50	889,682.01	37,665.53	852,016.48
494	J. E. Smith *et al*		9,856.64	1.46	9,858.10	417.35	9,440.75
516	Starr & Merritt		2,230.77	.33	2,231.10	94.45	2,136.65
538	Daniel Green	16,649.31	16,481.91	2.42	16,984.33	693.65	15,690.68
543	Isaac Moses, assignee		66,723.68	9.86	66,733.54	2,825.24	63,908.30
551	John P. Kelsey	500.00	491.97	.07	492.04	20.83	471.21
553	Francisco Yturria		11,787.30	1.74	11,789.04	499.10	11,289.94
560	Joseph A. Costa	2,000.00	1,967.88	.29	1,968.17	83.32	1,884.85
581	Carl Hugo, guardian, etc		5,581.85	.83	5,582.68	236.34	5,346.34
594	Emilio Robert		2,499.75	.37	2,500.12	105.84	2,394.28
603	C. W. & M. B. Lander	4,250.30	4,182.04	.62	4,182.66	177.07	4,005.59
607	Harvey Lake		4,829.59	.71	4,830.30	204.49	4,625.81
610	James M. Taylor	40.29	39.55	.00	39.55	1.67	37.88
611	Charles Nordhausen	1,321.57	1,300.34	.19	1,300.53	55.06	1,245.47
613	Jean N. Zerman	1,000.00	983.94	.15	984.09	41.66	942.43
629	Jonas Marks & Co	52,581.37	51,736.86	7.65	51,744.51	2,190.71	49,553.80
644	Louis P. Levy	2,000.00	1,967.88	.29	1,968.17	83.32	1,884.85
645	Alexander H. Levy	2,000.00	1,967.88	.29	1,968.17	83.32	1,884.85
650	A. F. Marshall	2,000.00	1,967.88	.29	1,968.17	83.32	1,884.85
669	A. O. Strickland	3,588.20	3,530.57	.52	3,531.09	149.49	3,381.60
672	D. D. Brainard & Co		6,537.85	.97	6,538.82	276.83	6,261.99
696	Thomas C. Baker	33,795.07	33,252.29	4.91	33,257.20	1,408.01	31,849.19
709	Eugenio Roque de Garrate	1,635.18	1,608.92	.24	1,609.16	68.13	1,541.03
700	James W. Stephens	14,868.99	14,630.18	2.16	14,632.34	619.49	14,012.85
701	George Moore		892.97	.13	893.10	37.82	855.28
703	Heirs of C. W. Donaghho	20,667.62	20,335.68	3.00	20,338.68	861.07	19,477.61
730	Alexander H. Dixson	10,000.00	9,839.39	1.45	9,840.84	416.62	9,424.22
731	George H. Buxton	8,000.00	7,871.51	1.16	7,872.67	333.30	7,539.37
768	Henry Stevens Schreck's heirs	24,625.45	24,229.94	3.58	24,233.52	1,025.98	23,207.54
781	A. F. Lanfranco	9,947.94	9,788.17	1.45	9,789.62	414.44	9,375.18
792	Louis Weil	889.39	875.11	.13	875.24	37.05	838.19
793							
804	Alfred Jeannotat	40,614.90	39,962.58	5.91	39,968.49	1,692.14	38,276.35
807	Hannah S. Johnson	10,455.89	10,287.96	1.52	10,289.48	435.61	9,853.87
810	Theodore Webster's administrator	13,600.00	13,381.57	1.98	13,383.55	566.61	12,816.94
812	J. D. Pradel	37,947.40	37,337.93	5.52	37,343.45	1,581.00	35,762.45
814	do	2,685.04	2,641.92	.39	2,642.31	111.87	2,530.44
815	do	1,509.47	1,485.23	.22	1,485.45	62.89	1,422.56
823	S. F. Llavarria	1,985.46	1,953.57	.29	1,953.86	82.72	1,871.14
827	Joshua Baker	3,149.70	3,099.11	.46	3,099.57	131.22	2,968.35
844	G. M. Prevost		1,070.50	.16	1,070.66	45.33	1,025.33
891	A. Morrill		2,667.66	.39	2,668.05	112.96	2,555.09
892	Mariano T. Garza		11,100.09	1.64	11,101.64	469.98	10,631.66
898	Aaron Brooks		4,000.00	.59	4,000.59	169.37	3,831.22
899	Andrew Crosas	1,069.02	1,051.85	.16	1,052.01	44.54	1,007.47
915	Julius Alvarez	256.66	252.54	.04	252.58	10.69	241.89
916?	F. Dastugue	522.46	514.07	.08	514.15	21.76	492.39
919	Joseph A. Howard		500.00	.07	500.07	21.18	478.89
923	James Wright		550.00	.08	550.08	23.28	526.80
927	Frederick A. Newton		47,669.51	.04	47,676.55	2,018.46	45,658.09
935	M. L. Knapp	146.19	143.84	.02	143.86	6.09	137.77
937	Arco Mining Company	3,259.51	3,207.16	.48	3,207.64	135.80	3,071.84
939	Dionisio Reache	924.39	909.54	.13	909.67	38.51	871.16
948	John Cole	71,109.38	69,967.29	10.34	69,977.63	2,962.60	67,015.03
970	Alfred Howell	1,137.56	1,119.29	.16	1,119.45	47.40	1,072.05
975	T. Gourrier	2,000.00	1,967.88	.29	1,968.17	83.32	1,884.85
991	James B. Kindred	1,500.00	1,475.91	.22	1,476.13	62.49	1,413.64
	Total	3,296,055.18	4,072,684.28	602.11	4,073,286.39	172,447.75	3,900,838.64

B.

No. 447.

BENJAMIN WEIL.

Certified copy of proceedings had in the second district court of New Orleans (dated August 9, 1877), establishing succession of Alice Weil to estate of Benjamin Weil, and as tutrix of George Weil, and granting full authority to Lambert B. Cain to manage all her business affairs, with full power of substitution. (See letter from Johnston & Warden, July 1, 1880.)

Assignment by Lambert B. Cain, attorney, etc. (dated June 23, 1880), to Sylvanus C. Boynton of $59,561 of this award.

Assignment by Lambert B. Cain, attorney, etc. (dated June 23, 1880, to John J. Key of one-fourth of this award after deducting $59,561, amount assigned to Sylvanus C. Boynton. (See letter from John J. Key, June 23, 1880.)

Installments.	How distributed.	Amount.	Total.
First and second	Award (Mexican gold)		$487,816.68
	Net award (United States gold)		459,723.41
			67,308.60
	Check 598, Lambert B. Cain, attorney for Alice Weil, administrator and tutrix, etc. (delivered to Mr. Cain in person)	$43,888.16	
	Check 599, August 16, 1880, John J. Key, assignee (delivered to him in person)	14,629.38	
	Check 600, August 16, 1880, Sylvanus C. Boynton, assignee (delivered to him in person)	8,691.06	
			67,308.60
Third			34,893.68
	Check 279, August 16, 1880, Lambert B. Cain, attorney for Alice Weil, administratrix and tutrix, etc. (delivered to Mr. Cain in person)	22,786.19	
	Check 280, August 16, 1880, John J. Key, assignee (delivered to him in person)	7,595.39	
	Check 281, August 16, 1880, Sylvanus C. Boynton, assignee (delivered to him in person)	4,512.10	
			34,893.68

Installments.	How distributed.	Amount.	Total.
Fourth			$34,893.68
	Check 561, August 16, 1880, Lambert B. Cain, attorney for Alice Weil, administratrix and tutrix, etc. (delivered to Mr. Cain in person)	$22,786.19	
	Check 562, August 16, 1880, John J. Key, assignee (delivered to him in person)	7,595.39	
	Check 563, August 16, 1880, Sylvanus C. Boynton, assignee (delivered to him in person)	4,512.10	
			34,893.68
	Assignment by Lambert B. Cain, attorney, etc. (dated August 19, 1880), to William W. Boyce, of 5 per cent of this award, after deducting amount previously assigned to Sylvanus C. Boynton. (See letter from W. W. Boyce, January 29, 1881.)		
	Assignment by Lambert B. Cain, attorney, etc. (dated August 19, 1880), to Robert B. Warden, of 6¼ per cent of this award, after deducting amounts previously assigned to Sylvanus C. Boynton, John J. Key, and W. W. Boyce. (See letter from R. B. Warden, August 24, 1880.)		
	Assignment by Lambert B. Cain, attorney, etc. (dated August 19, 1880), to Sanders W. Johnston, of 6¼ per cent of this award, after deducting amounts previously assigned to Sylvanus C. Boynton, John J. Key, and W. W. Boyce. (See letter from S. W. Johnston, August 21, 1880.)		
	Assignment by Lambert B. Cain, attorney, etc. (dated February 23, 1881), to Henry E. Davis, administrator of estate of Philip B. Foulke, deceased, 8¼ per cent of this award, after deducting amount previously assigned to Sylvanus C. Boynton. (See letter from Henry E. Davis, February 23, 1881.)		
	Assignment by Lambert B. Cain, attorney, etc. (dated March 10, 1881), to Jacob O. De Castro, of 8¼ per cent of this award, after deducting amount previously assigned to Sylvanus C. Boynton. (See letter from R. B. Warden, March 10, 1881.)		
Fifth			34,893.68
	Check 844, March 8, 1881, Sylvanus C. Boynton, assignee (delivered to him in person)	4,512.10	
	Check 847, March 8, 1881, William W. Boyce, assignee (delivered to him in person)	1,519.08	
	Check 848, March 8, 1891, John J. Key, assignee (delivered to him in person)	7,595.39	
	Check 851, March 8, 1881, Robert B. Warden, assignee (delivered to him in person)	1,329.19	
	Check 852, March 8, 1881, Sanders W. Johnston, assignee (delivered to him in person)	1,329.19	
	Check 854, March 8, 1881, Jacob O. De Castro, assignee (delivered to him in person)	2,531.80	
	Check 855, March 8, 1881, Henry E. Davis, administrator of estate of Philip Foulke, deceased, assignee (delivered to Mr. Davis in person)	2,531.80	
	Check 856, March 8, 1881, Lambert H. Cain, attorney for Alice Weil, administratrix, etc., tutrix, etc. (delivered to Mr. Cain in person)	13,545.13	
			34,893.68

Certified copy of letters of tutorship (dated July 26, 1877) of George Weil, granted to Alice Weil.

Certified copy of letters of administration (dated May 14, 1881) on estate of Benjamin Weil, granted to P. S. Wiltz.

Notarial copy of power of attorney from P. S. Wiltz, administrator, etc. (dated June 25, 1881), to Cotton & Levy and Breaux & Hall to collect entire award, with power of substitution.

Notarial copy of power of substitution from Cotton & Levy and Breaux & Hall (dated June 25, 1881) to Phillips, Maury & Phillips to collect entire award. (See letter from Phillips, Maury & Phillips, December 7, 1881.)

Agreement between Benjamin Weil, John J. Key, and H. T. Hays (dated September 10, 1879), whereby Weil gives to Key and Hays one-half of award for prosecuting claim. (See letter from John J. Key, February 3, 1882.)

Power of attorney from Elizabeth C. Hays (dated February 4, 1882) to John J. Key to collect her interest in this award. (See letter from John J. Key, February 7, 1882.)

Certified copy of letters testamentary (dated November 18, 1881) on estate of Lambert B. Cain, granted to Caroline Cain and Adolf Marks.

Power of attorney from Caroline Cain and Adolf Marks (dated November 18, 1881) to Abraham & Mayer to collect entire interest of Lambert B. Cain in this award, with power of substitution. (Filed by Abraham & Mayer, March 20, 1882.)

Assignment by Alice Weil (dated May 26, 1888) to Braugher, Buck, Dinkelspiel & Hart of 15 per cent of her interest in this award, together with a further sum of $1,200. (See their letter of May 26, 1888.)

Assignment by George Weil to Buck, Dinkelspiel & Hart (dated September 30, 1891) of 7½ per cent of his interest, as heir at law, in the claim of Benjamin Weil. (See letter from Buck, Dinkelspiel & Hart, January 8, 1892).

C.

No. 489.

LA ABRA SILVER MINING COMPANY.

Power of attorney from La Abra Silver Mining Company (dated May 28 1870) to Robert Rose to prosecute claim and collect award, with full power of substitution. (Filed in bureau of rolls, No. 3.)

Conditional assignment by Alonzo W. Adams (dated December 13, 1871) to Wadsworth Wadsworth of two twenty-fifths of his interest (one-third) in this award, to secure his note of $2,000 and interest. Indorsed on this assignment is a transfer of interest by Wadsworth to Henry C. Hepburn. (Filed by D. W. C. Wheeler, January 25, 1879.)

Power of attorney from La Abra Silver Mining Company (dated July 28, 1879) to Sumner Stow Ely to collect entire award, with full power of substitution. (Filed by Sumner Stow Ely, July 28, 1879.)

Power of substitution from Sumner Ely (dated September 12, 1879) to George H. Williams to collect award. (Filed by George H. Williams, September 17, 1879.)

Installments.	How distributed.	Amount.	Total.
	Award (Mexican gold)		$983,041.32
	Net award (United States gold)		643,713.14
First and second			94,106.75
	Check 587, September 17, 1879, Sumner Stow Ely, attorney for La Abra Silver Mining Company (delivered to George H. Williams, attorney, in person)		94,106.75
Third			48,858.77
	Check 263, September 17, 1879, Sumner Stow Ely, attorney for La Abra Silver Mining Company (delivered to George H. Williams, attorney, in person)	$38,858.77	
	Agreement between Sumner Stow Ely, A. W. Adams, and George H. Williams (dated October 9, 1879), whereby Mr. Williams is to receive $16,000; $3,326.50 out of first and second installments and balance pro rata. (See letter from George H. Williams, October 18, 1879.)		
	Power of attorney from Henry C. Hepburn (dated November 29, 1879) to Sumner Stow Ely, to collect his entire interest in this award. (See letter from Sumner Stow Ely, December 2, 1879.)		
	Check 267, December 6, 1879, Henry C. Hepburn, assignee (delivered to Sumner Stow Ely, attorney, in person)	2,909.94	
	No further payment to be made to Mr. Hepburn, he having been settled with in full. (See letter from Sumner Stow Ely, December 2, 1879.)		
	Check 268, January 20, 1880, Sumner Stow Ely, attorney for La Abra Silver Mining Company (sent to Mr. Ely, 39 West Tenth street, New York, January 22, 1880)	2,690.06	
	Assignment by La Abra Silver Mining Company (dated February 4, 1881) to Charles T. Parry and Joseph Hopkinson of $4,400; $1,257.30 to be paid out of the third installment, and $314.28 out of each of the succeeding ten installments, commencing with the fifth. (Filed by James Baird, February 5, 1881.)		
	Check 286, February 14, 1881, Charles T. Parry and Joseph Hopkinson, assignees (sent to them, 727 Walnut street, Philadelphia, February 17, 1881)	1,257.30	
	Check 285, February 14, 1881, Sumner Stow Ely, attorney for La Abra Silver Mining Company (delivered to Mr. Ely in person)	3,142.80	
			48,858.77
	Power of attorney from La Abra Silver Mining Company (dated March 25, 1880) to Sumner Stow Ely to collect fourth installment, with full power of substitution. (Filed by Sumner Stow Ely, April 3, 1880.)		
	George H. Williams admits having received $3,326.50 from Sumner Stow Ely, the amount due him out of the first and second installments. (See his letter of August 4, 1880.)		
	Power of attorney from Sumner Stow Ely (dated August 17, 1879), to Samuel Shellabarger to collect fourth installment. (Filed by Samuel Shellabarger, August 18, 1880.)		
Fourth			48,858.77
	Check 559, August 16, 1880, Sumner Stow Ely, attorney for La Abra Silver Mining Company (delivered to Samuel Shellabarger, attorney in person)	32,706.64	
	Check 560, August 16, 1880, George H. Williams (delivered to him in person)	1,152.13	
	Decree of supreme court of the District of Columbia (dated January 21, 1881) that there shall be paid out of this installment the sum of $15,000, as follows:		
	To Frederick P. Stanton	$3,333.33	
	To Miller & Lewis for Thomas W. Bartley	3,333.33	
	To W. W. Boyce	3,333.33	
	To Shellabarger & Wilson, for Alonzo W. Adams	5,000.00	
	(Filed by Shellabarger & Wilson January 25, 1881.)		

LA ABRA SILVER MINING COMPANY—Continued.

Installments.	How distributed.	Amount.	Total.
	Check 569, January 26, 1881, Frederick P. Stanton (delivered to him in person)	$3,333.34	
	Check 570, January 26, 1881, Miller & Lewis, for Thomas W. Bartley (delivered to them in person)	3,333.33	
	Check 571, January 26, 1881 W. W. Boyce (delivered to him in person)	3,333.33	
	Check 572, January 26, 1881, Shellabarger & Wilson, for Alonzo W. Adams (delivered to Mr. Shellabarger in person)	5,000.00	
	Assignment by La Abra Silver Mining Company (dated May 6, 1880) to Cyrus C. Camp, as executor of estate of Herman Camp, deceased, the sum of $10,000, to be taken in eleven payments of $909.10 each. (See letter from Sumner Stow Ely, September 14, 1880.)		$48,858.77
	Receipt of Cyrus C. Camp to the company for the sum due on the fourth installment. (See letter from Sumner Stow Ely, October 30, 1880.)		
	Assignment by La Abra Silver Mining Company (dated February 4, 1881) to Shellabarger & Wilson, of $5,266 of this award, $2,633 to be paid out of the fifth and $2,633 to be paid out of the sixth installments.		
	Agreement between A. W. Adams and Sumner Stow Ely on the one part, and Shellabarger & Wilson on the other (dated October 4, 1879) in regard to the fees of the latter. (Filed by Shellabarger & Wilson, February 8, 1881.)		
	Assignment by La Abra Silver Mining Company (dated February 5, 1881) to William W. Boyce, of $8,666.66, to be paid pro rata. (See letter from Thomas W. Bartley, February 8, 1881.)		
	Assignment by La Abra Silver Mining Company (dated February 8, 1881) to Thomas W. Bartley of $6,166.66, to be paid pro rata. (See letter from Thomas W. Bartley, Febeuary 8, 1881.)		
	Assignment by La Abra Silver Mining Co. (dated February 8, 1881) to Frederick P. Stanton of $6,166.66 to be paid pro rata. (Filed by Frederick P. Stanton, February 8, 1881.)		
	Power of attorney from La Abra Silver Mining Co. (dated February 4, 1881) to Sumner Stow Ely to collect fifth installment, with full power of substitution.		
	Power of substitution from Sumner Stow Ely (dated February 4, 1881) to Samuel Shellabarger to collect fifth installment. (Filed by Samuel Shellabarger, February 8, 1881.)		
Fifth	Check 836, March 5, 1881, Sumner Stow Ely, attorney for La Abra Silver Mining Company	34,545.85	48,858.77
	Check 837, March 5, 1881, Thomas W. Bartley, assignee	666.66	
	Check 838, March 5, 1881, Frederick P. Stanton, assignee	666.66	
	Check 839, March 5, 1881, W. W. Boyce, assignee	936.94	
	Check 840, March 5, 1881, Shellabarger & Wilson	2,633.00	
	All foregoing checks delivered to Samuel Shellabarger, attorney in person.		
	Check 841, March 5, 1881, Charles T. Parry and Joseph Hopkinson, assignees (sent to them, 727 Walnut street, Philadelphia, March 11, 1881)	314.28	
	Check 842, March 5, 1881, George H. Williams, assignee (delivered to him in person)	1,152.13	
	Check 843, March 5, 1881, Cyrus C. Camp, assignee (sent to him, Rouseville, Pa., March 11, 1881)	909.10	
	Assignment by La Abra Silver Mining Company (dated November 23, 1881) to Thomas W. Bartley, of $2,500 out of the fifth installment, and $833.33 out of each of the succeeding eight installments, that is to say, the sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, and thirteenth, and $208.33 out of the fourteenth. (Filed by Thomas W. Bartley, November 25, 1881.)		
	Assignment by La Abra Silver Mining Company to Frederick P. Stanton, of same date as above, for like amount and payment to be made in like manner. (Filed by Frederick P. Stanton, November 25, 1881.)		
	Memorandum of settlement by Bartley & Stanton (dated November 25, 1881) of all outstanding questions as regards their fees in this case. The above assignments are in full satisfaction of their claim. (Filed by Bartley & Stanton, November 25, 1881.)		
	Check 897, November 25, 1881, Sumner Stow Ely, attorney for La Abra Silver Mining Company (delivered to Samuel Shellabarger, attorney in person)	2,034.15	
	Check 898, November 25, 1881, Thomas W. Bartley, assignee (delivered to him in person)	2,500.00	
	Check 899, November 25, 1881, Frederick P. Stanton, assignee (delivered to him in person)	2,500.00	48,858.77

Assignment by La Abra Silver Mining Company (dated April 24, 1884) to George Ticknor Curtis of $850, to be paid out of first money distributed. This assignment is conditioned on the defeat of the new convention in the Senate. (Filed by T. W. Bartley, June 30, 1884.)

Contract between T. W. Bartley and H. S. Foote (dated May 10, 1876) that Foote is to have one-half of Bartley's fees. (See letter from Mrs. Arrabella F. Wood, July 25, 1884.)

Assignment by La Abra Silver Mining Company (dated January 10, 1883) to John H. Rice of $3,857.15, payable in equal proportions out of the sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, and fourteenth installments; that is to say, $428.57 out of each installment. (Filed by John H. Rice, February 26, 1886.)

Assignment by La Abra Silver Mining Company (dated May 29, 1885) to George Ticknor Curtis of $1,650, on same terms as assignment to him, dated April 24, 1884, for $850. (Filed by George Ticknor Curtis, April 29, 1886.)

Conditional assignment by Alonzo W. Adams (dated May 12, 1884) to Shellabarger & Wilson of $5,000, to be paid out of the next installment distributed. (See letter from Shellabarger & Wilson, September 23, 1886.)

Assignment by La Abra Silver Mining Company (dated June 29, 1880) to Eugene Jones of $34,000, to be paid in eleven annual installments of equal amount; indorsed upon this assignment are two receipts from Mr. Jones for $3,090.90 each, leaving nine installments of like amount unpaid. (See letter from Eugene Jones, March 28, 1887.)

Assignment by La Abra Silver Mining Company (dated March 5, 1887) to Shellabarger & Wilson of $3,333.34, to be paid out of the next installment distributed. (See letter from Shellabarger & Wilson, April 1, 1887.)

Conditional assignment by Alonzo W. Adams (dated May 20, 1886) to Crammond Kennedy of $2,500 of his interest in this award. (See letter from Crammond Kennedy, April 2, 1887.)

Assignment by Cyrus C. Camp, executor, etc. (dated February 21, 1888), to Sterling B. Torrey of $3,000 of his interest in this award. (See letter from William C. Gates, March 12, 1888.)

NOTE.—In the assignment of Camp to Torrey, Camp states how his interest is to be distributed, viz: $3,000 to Torrey; $2,127 to Daniel W. Adams, executor of estate of Alonzo W. Adams, deceased, and $3,055 to himself.

Notification from J. G. Baldwin, president, not to pay any one any money out of this award claiming authority from him. (See letter from J. G. Baldwin, February 7, 1891.)

APPENDIX B.

STATE OF LOUISIANA, *Parish of Orleans:*

City of New Orleans, civil district court for the Parish of Orleans.

Joseph C. Morris *vs.* Mrs. Caroline Cain and Adolph Marks, testamentary executor of L. B. Cain. No. 3127, Division B.

P. S. Wiltz, public administrator of succession Benjamin Weil *vs.* Caroline Cain and Adolph Marks, testamentary executor of L. B. Cain. No. 3394, Division B.

Statement explanatory of itemized account condensed, being document marked "F," filed December 12, 1881.

Statement explanatory of itemized account condensed.

Amount cash remitted to Benjamin Weil in Washington		$100.00
Amounts paid during the time he became insane and after his death to the following:		
John F. Coffey, notary public	$44.00	
Prados & Gast, appraisers	20.00	
Frank Pace, jr., clerk second district court, fees	27.46	
Paul Pace, appraisement	20.00	
John Hubert, clerk second district court, fees	336.75	
H. P. Dart, appraisement	20.00	
Joseph Cohn, notary public	64.50	
John Hubert, clerk second district court record	16.00	
Premium on his life policy of insurance	355.84	
James L. Andem, stenographer	81.00	
		896.14
Amounts paid incidental expenses of traveling to Washington and back (memorandum book)	1,496.25	
Do	1,913.25	
Do	1,675.71	
Do	1,335.00	
Do	1,285.00	
Do	538.00	
Do	1,500.00	
		9,743.21
Amount paid hotel bills in Washington	158.70	
Do	185.00	
Do	28.90	
Do	30.00	
Do	30.40	
Do	58.40	
Do	70.85	
Do	154.50	
		716.75
Amount paid Mrs. Alice Weil	7.00	
Amount paid Mrs. Alice Weil (francs, 2,000)	416.66	
		423.66
Amount paid by L. B. Cain, incidental expenses, in matter of awarded claim of Benjamin Weil, as per his memorandum book, to wit	425.00	
Do	265.00	
Do	295.00	
Do	595.00	
Do	485.00	
Do	425.00	
Do	260.00	
Do	335.00	
Do	223.00	
Do	406.00	
Do	821.27	
Do	958.72	
Do	857.27	
Do	1,214.12	
Do	453.33	
Do	2,431.38	
Do	1,855.13	
Do	5,395.99	
Do	318.90	
Do	27.33	
Do	399.55	
Do	1,018.32	
Do	286.84	
Do	906.33	
Do	287.88	
Do	71.75	
Do	1,698.23	
Do	1,407.79	
Do	179.56	

Incidental expenses, as per memorandum book, continued	$421.32	
Do	742.50	
Do	1,068.37	
Do	980.26	
Do	556.90	
Do	71.67	
Do	1,878.97	
		$30,003.68
Amount paid George D. Hite	1,250.00	
Do	580.00	
Do	341.78	
Do	603.63	
Do	340.00	
Do	262.89	
Do	50.00	
Do	50.00	
Do	20.00	
Do	20.00	
Do	145.50	
Do	102.38	
Do	150.00	
Do	110.00	
		4,016.18
		45,089.62
Amount paid Jacob O. De Castro, as per open account	5,556.70	
Amount paid Jacob O. De Castro extra in Washington	2,000.00	
		7,556.70
Amount paid drafts of Jacob O. De Castro	500.00	
Do	225.00	
Do	300.00	
Do	500.00	
Amount paid drafts of Jacob O. De Castro, printing	48.00	
Amount paid drafts of Jacob O. De Castro	250.00	
Do	220.00	
Do	350.00	
Do	250.00	
Do	181.32	
		2,824.32
Amount paid for the following drafts, etc., matter of Weil *vs.* Calhoun, etc.:		
Draft of L. P. Walker	250.00	
Do	250.00	
Draft of L. Schiffman & Co	146.22	
Draft of S. W. Johnston	400.00	
Amount to B. F. Jonas	750.00	
Compromise suit through Caspery	275.00	
		2,071.22
Amount paid Emile Landner, his written agreement with Benjamin Weil	7,500.00	
Amount paid P. W. Solomon, demand note of Benjamin Weil, held by him	7,500.00	
		15,000.00
Amount paid Middleton & Co., bankers, of Washington, demand note for loan made		824.00
Amount paid for telegrams sent, received, and answered		250.00
Amount of interest as computed on itemized account		10,598.68
		84,814.54
Amount of credit allowed for collections made of various amounts in itemized account	11,091.51	
Amount of interest on same allowed as computed	2,428.42	
		13,519.93
Actual total amount disbursed by Cain before he received a single dollar of the installments as per Tableau, in which same is shown how distributed		71,294.61
Amount of Cain's one-half share of the $49,011.49 received for the first, second, third, fourth, and fifth installments		24,505.75
		95,800.36
Less amount of credit in full for amount received for the first, second, third, fourth, and fifth installments		49,011.49
Balance owing Cain, as established on account itemized		46,788.87
Again:		
Balance of account owing estate of L. B. Cain	46,788.87	
Balance of award not yet paid, one-half share of same owing to estate of L. B. Cain, as per tableau	57,561.43	
Total amount which the estate of L. B. Cane is entitled		104,350.30

Résumé (document marked G), filed December 12, 1881.

1. Showing amount remitted to B. Weil	$100.00	
2. Showing amount of court expenses, etc., for succession	686.14	
3. Showing amount traveling expenses for several	9,743.21	
4. Showing amount hotel bills	716.75	
5. Showing amount received by Mrs. Weil	423.66	
6. Showing amount incidental expenses	30,003.68	
7. Showing amount received by George D. Hite	4,016.18	
8. Showing amount received by Jacob O. De Castro	7,556.70	
9 Showing amount drafts drawn by De Castro	2,824.32	
10 Showing amount drafts, etc., drawn by various	2,071.22	
11. Showing amount Emile Landner and P. W. Solomon	15,000.00	
12. Showing amount Middleton & Co., bankers	824.00	
13. Showing amount telegrams	250.00	
14. Showing amount interests	10,598.68	
		84,814.54
Less credit and interest allowed		13,519.93
Showing disbursement of Cain long before the payment of installments		71,294.61
Adding to credit of Cain one-half share for net amount of installments received, say $49,011.49		24,505.75
		95,800.36
Less amount received by installments which is credited on itemized account		49,011.49
Showing balance due estate of Cain on itemized account		46,788.87
And by adding one-half share for future installment to be received as per tableau of award of the total claim of $487,810.68		57,561.43
The estate of Benjamin Weil stands owing the estate of L. B. Cane, this balance		104,350.30

Power of attorney (copy of) from B. Weil to Philip B. Fouke, document marked I, filed December 12, 1881.

CITY OF NEW ORLEANS, *State of Louisiana, July 15, 1874.*

Know all men by these presents, that I, Benjamin Weil, of the city of New Orleans and State of Louisiana, have nominated, appointed, and substituted, and by these presents do nominate, appoint, and substitute Philip B. Fouke, of Washington City, District of Columbia, my true and lawful attorney for the following purposes, to wit:

Whereas Messrs. Fouke & Key are my attorneys for the prosecution of a certain claim before the Joint Commission of the United States of America and the United States of Mexico, which said claim is now before said Joint Commission; now in order to defray expenses, fees, and other moneys expended, laid out, or appropriated in and about the prosecution of said claim, I do hereby fully authorize and empower him, the said Philip B. Fouke, for me and in my name, to pay, pledge, hypothecate, any portion of said claim for said purpose; provided, however, the amount thus paid, pledged, or hypothecated, shall not exceed the amount and sum of $100,000.

In witness whereof I have hereunto affixed my hand and seal at the city of New Orleans, State of Louisiana, this 15th day of July, A. D. 1874.

Interlineation of the word "claim," on the eleventh line, approved.

B. WEIL. [SEAL.]

Affidavit.

STATE OF LOUISIANA, PARISH OF ORLEANS,
City of Orleans, ss:

Be it known that on this 15th day of July, 1874, before me, George William Christy, a notary public in and for the city and parish of Orleans, State of Louisiana, duly commissioned and qualified, personally appeared Benjamin Weil, to me personally known to be the party who signed and executed the foregoing power of attorney in favor of Philip B. Fouke, who acknowledged that he signed, sealed, and executed the same for the purposes therein stated.

In witness whereof I hereunto sign my name and affix my seal of office on the day and date aforesaid.

GEO. W. CHRISTY, *Notary Public.*

WASHINGTON, D. C., *November 8, 1875.*

I certify that the foregoing is a true copy of the original in my possession.
[SEAL.] JOHN J. KEY.

Agreement between Fouke and Boynton, filed December 12, 1881.

This agreement, entered into this 5th day of January, A. D. 1875, by and between Benjamin Weil, of the city of New Orleans, State of Louisiana, by Philip B. Fouke, his attorney in fact, for the purposes hereinafter mentioned, and Philip B. Fouke and John J. Key, attorneys at law, of Washington City, D. C., and attorneys of record in the case of said Weil, hereinafter referred to and mentioned, who with said Weil, are parties of the first part, and Sylvanus C. Boynton, of Washington City, D. C., the party of the second part,

Witnesseth, that the said parties of the first part, in consideration of moneys advanced by, and of expenses paid by, and personal and professional services rendered by, the party of the second part to the parties of the first part, for the preparation and prosecution of a certain case hereinafter stated, and for the further consideration of the covenant hereinafter mentioned of the party of the second part, do covenant and agree with the said party of the second part, to pay him, the said party of the second part, the sum of $70,000 of the award in a certain case now before and to be adjudged by the Joint Commission of the United States of America and the United States of Mexico, and which, ultimately, may be before and adjudged by the umpire of said Commission, now in session under a treaty between the said Governments, made on the 4th day of July, A. D. 1868, to wit, the case of Benjamin Weil (*vide* dockets, No. 447) of the city of New Orleans and State of Louisiana, said claim is for the sum of $335,950, with interest thereon from the 30th of September, A. D. 1864.

And the said party of the second part, in consideration of the covenants of the said parties of the first part, doth covenant and agree with the said parties of the first part that he will devote his time and attention to said case and to the procuring of an award, giving his personal and professional services in aid and furtherance of said case up to the time such award shall be finally made or the decision finally be rendered. And the said party of the second part further agrees that, should the final award be made for a less sum than said sum of $335,950, with interest from said 30th September, A. D. 1864, then the party of the second part shall only receive pro rata as to the amount awarded as $70,000 bears to the whole amount claimed.

And the party of the second part agrees that he will not take any other case or have any interest in any other case pending, or which may come before said Commission or umpire thereof, but is to give his entire personal and legal services to prosecuting to a successful award in the case herein mentioned.

It is agreed by the parties hereto that the party of the second part shall be secured in the amount agreed upon to be paid, and for that purpose the party of the second part shall have a lien on said award for the payment of the same, and the amount herein secured to the party of the second part is to be paid from the proceeds of said award whenever the same shall be paid.

This agreement is to be in full force and effect from the date hereof, but to be null and void if no final award is obtained.

BENJ. WEIL,
By P. B. FONKE,
Attorney in Fact.

FONKE & KEY,
Attorneys at Law and Attorneys of Record.
SYLVESTER C. BOYNTON.

Receipt of Thos. L. Young to Lambert B. Cain, document marked M, filed December 12, 1881.

WASHINGTON, D. C., *August 20, 1880.*

Received of Lambert B. Cain $3,265.68, his proportion of fee charged by me, and which is due me now on the first four installments paid by the Secretary of State of the United States in the case of Benjamin Weil against the United States.

THOS. L. YOUNG.

Agreement between Benjamin Weil and Emile Landner, filed March 21, 1884.

The agreement made and entered into in the city of New Orleans, State of Louisiana, between Benjamin Weil, of the first part, and Emile Landner, of the second part, both residents of the city and State before mentioned:

Witnesseth, Benjamin Weil, of the first part, does hereby agree, pledge, and bind himself, his heirs or assigns, to pay to Emile Landner, of the second part (for and in consideration of services rendered by said Emile Landner in the hereinafter-described claim), the sum of $7,500 in United States currency out of the proceeds of the Mexican Claims Commission at Washington, D. C.

This done in New Orleans this 16th day of March, 1872, in the presence of the two undersigned competent witnesses. If the amount collected by B. Weil on the above claim does not exceed the sum of $50,000 the said Emile Landner agrees to accept the sum of $5,000, United States currency.

B. WEIL.
E. LANDNER.

Witness:
P. W. SOLOMON.

[Indorsement.]

I hereby transfer the within claim in consideration of value received, to the order of D. Roos.

NEW ORLEANS, *May 26, 1876.*

EMILE LANDNER.

Letter from John J. Key to L. B. Cain, filed March 21, 1884.

No. 459 PENNSYLVANIA AVENUE,
Washington, D. C., September 28, 1875.

DEAR SIR: Immediately on receipt of letter August 30 ultimo I acknowledge receipt of draft for $25; also wrote in full on the Weil matter. The proceedings in New Orleans having legally constituted Mrs. Weil the guardian of the lunatic, she is now empowered to make you her attorney to transact any business connected with the estate of B. Weil. That power of appointment exists unless the letters of guardianship are revoked by the court or Weil recovers his mind. Should an award be made I will inform you what steps are necessary for you to take.

It can not be more than a few weeks before the umpire will return his opinion in both yours and Weil's case. God grant he may do right and pay what is so justly due. He has decided almost every case against the American claimants. All force loan and contract cases he has dismissed; so we can not recover on the money taken from us. Great indignation is felt here against him, and some hard things will be said this winter about him in Congress, but that won't help the unfortunate claimants who have been denied justice. I shall telegraph good news and let the mail carry bad. We are all absolutely starving; business is prostrated and the Government pays nothing she can possible help from doing. I hope this letter will reach you.

Yours truly,

JOHN J. KEY.

L. B. CAIN, Esq.

Letter from Messrs. John J. Key and P. B. Fonke, to Messrs. L. B. Cain and Gen. H. T. Hays, filed March 21, 1884.

No. 459 PENNSYLVANIA AVENUE,
Washington, D. C., October 8, 1875.

GENTLEMEN: Mr. Cain was informed by letter from Mr. Key that an award has been given in the Benj. Weil case of Mexico for $285,000 in gold Mexican dollars, with interest from the 20th day of September, 1864, to the close of the labors of the Commission. It is important that Mr. Cain should come on as early as possible, so as the attorney of Mrs. Weil, who is the conservator or guardian of Weil, to arrange the various interests in the case as set forth in writing. Mr. Key wishes this done as soon as possible, as attorney and agreement are given to him individually. Gen. Hay's presence is wished, so he and Fonke can arrange the interests of themselves; also as a party in interest. All matters may be done to the satisfaction of all. Mr. Key personally wishes to have him here. The interests of all are large, and should at once be attended to. As early a day as possible the presence of both of you is wished for.

Gen. Hays will be able to inform all parties the extent of the powers invested in Mr. Cain by the written authority of Mr. Weil.

Very respectfully,

JOHN J. KEY.
P. B. FONKE.

L. B. CAIN, Esq., and Gen. H. P. HAYS.

Please answer promptly. By the time Mr. Cain can get here his case will be more than probably be decided.

Letter from John J. Key to L. B. Cain, filed March 21, 1884.

No. 459 PENNSYLVANIA AVENUE,
Washington, D. C., October 16, 1875.

DEAR SIR: Your letter of October 11, 1875, was received this morning, and it is so important I hasten to answer it.

I will first call your attention to the claim of certain parties in New Orleans, who claim to have an interest in the claim of B. Weil. You can not be too circumspect and cautious in your intercourse with them. Permit me to say, if I was holding your relations with Weil that I would say that everything should be done by me that Weil would have done if he had continued in sound mind to the present time, and that you know he (Weil) conversed with and confided in Col. Fonke, and that Fonke will be able to instruct you and give you information.

Make no issue with any one and deal with them by general promises, not binding, that each and all will be satisfied with your action. This is necessary, as Weil was compelled to promise certain parties that he would help them if they would tell the truth. The award is returned to the office of the Commissioners, but can not be entered until next month, when the Commission meets. Although every witness swore only to the truth, some of them might make trouble if Weil promises, as they claim, were at this time refused. Weil is a good man and told me he intended to do right. When I see you both Fonke and myself will tell you all we know; until then deal with anyone who comes to you as suggested. Col. Fonke bids me say as to De Castro he and Hays recognize their agreement, but both have advanced money to De Castro, and you had better wait for consultation with them; and he does not wish you to advance to De Castro. Of this I know nothing and have no personal interest. I shall govern myself with all parties by the agreement in writing signed by me.

As to the interest of all parties except those you refer to in your letter, written agreements are signed, and so clearly sets forth the rights of all, you will have no difficulty in settling with each party.

There is a matter set forth in writing of party in interest that can only be explained by a personal interview. It will meet with your sanction and, although perfectly proper, the knowledge of the same, at any rate for the present, should be confined to you, Fonke, Hays, and myself. I would answer your inquiry distinctly as to the interest of all parties but it is at this time unnecessary.

You ask if the award can be sold. I answer yes; but terms vary; there is no fixed market value for such, but depend on many causes, such as ability of parties to negotiate, etc. There is but little doubt that the award can be sold. If all matters connected with transfer can be made satisfactory it will bring 60 cents at least in money of the United States.

Now the important matter on the subject of transfer are your powers under your power of attorney from Mrs. Weil. Have authenticated copies of the orders of court, making her conservator or guardian of B. Weil, as an insane person; also have your power of attorney recorded, and bring also a certified copy of the same; have the clerk's certified copy, also certified by the judge of the court.

Now, come on at once. Fonke has written to Hays in Virginia, and I shall telegraph you if he comes here. Your case will soon be decided, and, as far as I can see, must be favorable.

Yours, truly,

JOHN J. KEY.

S. B. CAIN, Esq.

STATE OF LOUISIANA, PARISH OF ORLEANS,
City of New Orleans:

I, Edgar A. Luminais, clerk of the civil district court for the parish of Orleans, do hereby certify that the foregoing eighteen pages do contain true and correct copies of certain documents filed in the cases of Joseph C. Morris *vs.* Mrs. Caroline Cain and Adolph Marks, testamentary executor of L. B. Cain and P. S. Weltz, public administrator of the succession of Benjamin Weil *vs.* Caroline Cain and Adolph Marks, testamentary executor of L. B. Cain, instituted in this court and in the records thereof, under the numbers 3127 and 3394.

In testimony whereof, I have hereunto set my hand and affixed the impress of the seal of said court at the city of New Orleans on this 11th day of April, in the year of our Lord 1890, and in the one hundred and fourteenth year of the Independence of the United States of America.

[SEAL.] E. A. LUMINAIS, *Clerk.*

EXECUTIVE SESSION.

Mr. HAWLEY. I am sorry to trouble the Senate at this hour, but I should like a brief executive session. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, February 1, 1892, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 28, 1892.

MEMBER BOARD OF ORDNANCE AND FORTIFICATIONS.

Byron M. Cutcheon, of Michigan, for appointment as a civilian member of the Board of Ordnance and Fortifications, to date from July 1, 1891, the date of his temporary appointment as such.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 28, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read, and, after correction, approved.

CHIPPEWA INDIANS.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior, submitting amended estimates to those submitted heretofore for the relief and civilization of the Chippewa Indians for the fiscal year ending June 30, 1893; which was referred to the Committee on Indian Affairs.

PUBLIC BUILDING, EASTPORT, ME.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, requesting that an appropriation be made for the United States custom-house and post-office building at Eastport, Me.; that the same may be completed, and said item included in the urgent deficiency estimates; which was referred to the Committee on Appropriations.

PROPAGATION OF FOOD FISHES.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State, submitting an estimate for an appropriation to reimburse the appropriation for the propagation of food fishes for the fiscal year 1892; which was referred to the Committee on Appropriations.

BUILDINGS AT MILITARY POSTS.

The SPEAKER also laid before the House a letter from the Acting Secretary of War, transmitting a copy of a letter from the Second Comptroller, recommending the insertion in the sundry civil bill for the fiscal year ending June 30, 1893, of a proviso in connection with the appropriation for the construction of buildings at and the enlargement of such military posts as in the judgment of the Secretary of War may be necessary; which was referred to the Committee on Appropriations.

A. B. CRENSHAW ET AL. VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting copies of the findings of the court in the cases of the following-named persons against the United States: A. B. Crenshaw, J. H. Humphreys, and John Kannell; which was referred to the Committee on War Claims.

Also, a copy of the findings of the court in the case of David Lynch, deceased, against the United States; which was referred to the Committee on War Claims.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. GORMAN to withdraw from the files of the House of the Forty-sixth Congress papers in the case of Jacob H. Starke without leaving copies.

ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory;" and

A bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

THE RULES.

Mr. CATCHINGS. Mr. Speaker, I desire to call up the report of the Committee on Rules, and I yield so much time as he may desire to my friend the gentleman from Tennessee [Mr. MCMILLIN].

Mr. MCMILLIN. Mr. Speaker, the important duty devolves upon the House of determining the code of rules by which it shall govern itself during this and the succeeding session of this Congress. There are very important measures coming before Congress for consideration. Second only in importance to these is the question of how they shall be considered. By the success or failure of the methods will come success or failure of the legislation.

From man's first aspirations for free government the question has been how to govern him and still leave him free. That question comes equally when you apply it to a legislative body, how to govern it, or permit it to govern itself rather, and still be free. Two systems of rules are proposed to this body: the one the system that is recommended by the Committee on Rules, which is a system that may be said to be the growth of legislative rules and rulings in this country for an hundred years. It departs very little from that long line of legislative conduct which has characterized this Government, first, under the old Federal and Whig administrations, then under the Democratic administration, then under Republican administration, and then again under Democratic administration.

There were certain fixed principles to which this legislative body has adhered through a century, and they were never infracted, however great the clamor for their breaking, until one hundred years of our legislative history had elapsed. Then the exigencies, if I may say so candidly, seemed to the Fifty-first Congress to demand extraordinary work, and extraordinary methods had to be resorted to. For a hundred years no Speaker from that chair had ever presumed or assumed to count any one as participating in any legislation for any purpose who did not actually participate. When a very important measure, known as the force bill, was being considered, when the mad passions that had been engendered by fierce war had not yet subsided, even then there was coolness enough on the part of the presiding officer of this House [Mr. Blaine] to say "No, my predecessors have ruled that a quorum means a constitutional majority of those who are actually participating in legislation;" and he refused to make the ruling. Later on, when Mr. Keifer was Speaker, he did not, nor did the rules under which he acted, authorize the counting of a quorum; but you are asked to lay aside these precedents of one hundred years. You are asked by the minority, in what they will submit for your government, to adopt a system of rules which gives it into the power of the Speaker to determine whether or not you have acted, and to count you for purposes of legislation whether you vote or not. That is one of the questions to be determined.

Another proposition of the minority is that less than a majority of the members composing the House shall constitute a quorum in the Committee of the Whole. We have not seen fit to follow that. We have followed the precedents of all our legislative history in that regard, and have provided that the same majority be required to constitute a Committee of the Whole that constitutes a quorum of the House. We believe that absenteeism should not be encouraged in this House. We believe that the majority of this House, who are sent here to legislate, should legislate before the people are to be bound. Besides, if you constitute a committee of less than a majority, what is the result? When your committee rises, the same members who compose the committee will compose the House, and if there is less than a majority present you can not report back to the House until the majority are present, and you are blocked.

There are defects and will be defects in any system of rules that can be adopted, so far as doing all of the business that is proposed to the House is concerned. The difficulties are inherent in the situation. They are difficulties that no rules can provide against. They arise from the fact that there are four or five times as many measures seeking consideration as there is time in which to consider them. The rules can not remedy this. You might make one man monarch, and he could not put them through in anything like the form of legislative procedure. Now, another difference between the report of the majority and the report of the minority consists in the introduction and reference of bills. I want to give you a history of what was the action last Congress and will be this in the reference and consideration of a bill under the report of the minority, if it is adopted. The method that was adopted and acted upon during the last Congress was this: An important bill is drafted affecting the interests of sixty millions of people. It is drafted privately; it is brought into the House privately; it is handed to the Clerk privately; he takes it privately, and in the privacy of his chamber it is referred to a committee. The Speaker is supposed to do this, but as a matter of fact he could not do it in the great majority of cases, and had to intrust it to a clerk.

But if he does do it, it will be referred privately under that method of procedure. It is considered in the committee room privately; it is brought back to the House privately; it is privately placed upon the Calendar, and up to that good hour there would never be a time when you would have voice in determining where it should be referred, what Committee of the House should consider it, nor what Calendar it should go upon after it is reported back to the House. And yet, when it reaches that stage, it will have ostensibly passed two readings; whereas actually there is not a man on the face of the earth, except the one who drafted it, and the members of the committee possibly, that knows anything about the nature of the bill. That is the way important matters were disposed of in the last Congress. That is the way they would be disposed of in this Congress if the report of the minority should prevail. They were passed with only one reading. This is wrong, and we decline to recommend it to the House.

The gentleman from Mississippi, my colleague on the Committee on Rules [Mr. CATCHINGS], has also amplified on the rule which gives the privilege of reporting at any time to the Committee on Rules.

The gentleman from Maine [Mr. REED], if I understand him aright, says that under the rules we propose "a majority can not rule, but the Committee on Rules can." That is a suppression of the important consideration that every report from the Committee on Rules has to be brought back to this House; has to receive a majority vote of this House, and must have its affirmative action before it ever binds the House. How can it be said that the House is not ruling itself when that is the course? One thing more; if there happens to be a member in the cloakroom who does not participate, he can not be counted as participating under the rules which we propose.

Now, Mr. Speaker, I have stated to you that we have declined to follow the action of the last Congress by constituting one hundred members as a Committee of the Whole; and we have also taken from the Speaker of the House the right to count a quorum in the absence of affirmative action of the members themselves. I am asked by a gentleman near me if he ever had the right. The rules pretended to give it; but it was exercised before the rules gave the right. We always denied the right, and do yet. I do not care what prevailed in the last Congress; I do not care what may be the sense of the Supreme Court of the United States as a matter of expediency or right. The time should never come when any majority should saddle any law on the people of the United States by less than the action of a quorum of this House.

Mr. Speaker, as an answer to the speech of the gentleman from Maine [Mr. REED], and the best answer to his action when Speaker of this House, I want to call attention to a speech he made in the Forty-sixth Congress on the rights of the minority to resist and to interpose dilatory motions. The following is an extract:

> Now, what is the practical upshot of the present practice? It is that the members of the minority of this House upon great occasions demand that every bill which is passed shall receive the absolute vote of a majority of the members elected. They do this in the face and eyes of the country. If they demand upon any frivolous occasion that there shall be such an extraordinary vote as that, they do it subject to the censure of the people of this land. This practice has hitherto kept this House in proper condition upon this subject, so that there has been no improper impeding of the public business.
>
> It is a valuable privilege for the country that the minority shall have the right by this extraordinary mode of proceeding to call the attention of the country to measures which a party in a moment of madness and of party feeling is endeavoring to enforce upon the citizens of this land. And it works equally well with regard to all parties, for all parties have their times when they need to be checked, so that they may receive the opinions of the people who are their constituents and who are interested in the results of their legislation.

Sir, the time was when he and his colleagues were in the minority. The time was when their rights were supposed to be sacred. Then he repeated it as the voice of the American people, and then proclaimed in his own terse, strong way—in a way that has never been surpassed by any one—the rights of the minority. For one I believe in those rights. I believe in their sacredness. I would not take them away from the minority that is here to-

day. I would never have them taken away by anybody that comes hereafter. The time can never come when deliberation is not of the first importance in the preservation of our institutions.

The distinguished gentleman from Michigan [Mr. BURROWS] referred to a matter that I probably ought to note for one moment—that is, that we have left out of the rules the provision dedicating a Friday night session for the consideration of reports from the Committees on Pensions and Invalid Pensions. He knows well—he can not help knowing—that there never was a provision of the rules of that kind until the last Congress; but that that right has always been given under a special order of the House, and will be now. No one seeks to deny that right; on the other hand, we all stand ready to guarantee it.

Now, the next portion of the report that has been criticised by gentlemen, and especially by the gentleman from Maine [Mr. DINGLEY], is that provision which authorizes legislation on appropriation bills. I beg gentlemen who criticise this provision to remember that this report giving authority to amend the law on appropriation bills is an enlargement of the powers of the committees making appropriations and of the House, and not a restriction upon them. It is an enlargement in the direction of economy in public expenses. And if there ever was a time when every safeguard should be thrown around the Treasury, when every bulwark against extravagance should be put up, when every Representative should constitute himself a watchman on the tower over the Treasury, it is this day. What is the sad spectacle we have witnessed under the form of rules adopted in the last Congress? I do not propose to go generally into a discussion of that legislation, and I do so even generally only to show the legitimate fruits of a system by which the voice of the Representatives of the people was stifled.

The expenditures of the Government during the last two years, the period of Republican administration, amounted to $1,009,000,000. What do you think of having reached the high-water mark of expenditures, when two-thirds of all the money in actual existence has to go through the hands of the taxgatherer every two years; when 33⅓ per cent of all the money created by the Government of the United States has to be gathered into the Federal Treasury annually? When you count the amount that has been reserved in the banks, the reserves that are kept on hand in the Treasury Department, and all of these various reserves that can not go into circulation, it is safe to say that on the schedule of expenditures of the last Congress one-half of all the money in actual circulation had to be gathered into the Federal Treasury in one year, or the whole of it in two years—I mean that in actual circulation. At such a time, and in such stringency, is it surprising that this House, that was elected for the purpose of emphasizing the dissent of the American people from the action of our predecessors, should try to adopt some means in the direction of wise economy. We have provided what is known as the third section of Rule XXI, that existed for ten years. If I can show the House that through that rule alone one quarter of a billion dollars has been saved to the people of the United States, certainly no man can complain if we adopt that rule again. If I can not do it, I will ask you to ignore it and reject what we have recommended. What were the fruits of legislation under that rule?

Mr. BOATNER. Will the gentleman yield to me for a question?

Mr. MCMILLIN. With much pleasure.

Mr. BOATNER. Was not the very rule to which the gentleman is referring taken out of the rules by a Democratic House?

Mr. MCMILLIN. It was taken out of the rules by a Democratic House for a purpose that did not affect the merits of the question at all. Gentlemen who are present know the history of its being taken out of the rules, and I need not go into that history now.

In my judgment, there never was a time in a Democratic House when the sentiment of the majority of the Democrats of that House condemned that rule.

Mr. HEARD. Will the gentleman permit a question?

Mr. MCMILLIN. Certainly.

Mr. HEARD. What is the gentleman's explanation of the dropping of the rule, if it was not condemned by the sentiment of the House?

Mr. MCMILLIN. It is a long history, and one that I do not propose to enter into now; but gentlemen who were here at the time and saw it done know that it went concomitantly with the taking away of power from the Appropriations Committee. I stood here at the time in opposition to it, and I am proud now that the gentleman [Mr. DINGLEY] who read here yesterday a list of names was unable to read my name among those who favored that action. It was wrong to drop the rule then; it is right to reincorporate it now; and if this House refuses to reincorporate it, it will begin its administration by a colossal blunder. [Applause on the Democratic side.]

Mr. HEARD. Does not the gentleman believe that that action was taken rather to emphasize the dissent of the Democratic majority from the principle of putting riders on appropriation bills?

Mr. MCMILLIN. It was not, and if it had been, the emphasis did no good, as I will show you. By taking that provision out of the rule the House surrendered its power without correcting any evil, and now, if I can show the gentleman that, will he stand by me?

Mr. HEARD. I am diametrically opposed to the principle of putting riders on appropriation bills.

Mr. MCMILLIN. Then you are the very man I want to convert. [Laughter.] I want to begin at home.

Mr. HEARD. I will listen to the gentleman's arguments, and if they are conclusive to my mind I will be governed by them; but I believe that the legislation which was effected in that way, and which was of a character to commend itself to the House when so presented, would, if it had been presented apart from an appropriation bill, and if it could have had a fair show for consideration here (which the Appropriations Committee could have materially helped to secure for it), would have met approval at the hands of the House without being made a part of an appropriation bill.

Mr. MCMILLIN. You may pass any measure you please here, but you have an adverse Senate and you have an adverse President. Why, sir, two-thirds of the beneficial legislation inaugurated and carried through here of late years has had to come in that way. Let us see if I can make the proof. Our Army was top-heavy, larger than was needed in time of peace, and in 1877 a Democratic House reduced the Army to its present standard by legislation on an appropriation bill and thereby saved millions of dollars.

The compensation to railroads for the transportation of mails was reduced 10 per cent by a provision on an appropriation bill. The compensation of railroads for transporting the mails was at an another time reduced in the same way 5 per cent. The use of the Army at the polls was prohibited by a provision upon an appropriation bill. [Applause on the Democratic side.] Where is the man who will say that that was unpatriotic, unwise, or undesirable? Where is the man who believes that an independent measure for that purpose could have been gotten through, or that such legislation could then have been gotten through here in any other way? We fought the fight and won it; and hence, when the clamor was made in the last Congress to put bayonets behind ballots, the men with the ballots in their hands said to those clamoring: "No; it shall not be done." [Applause on the Democratic side.]

But let me go on in my good work of the conversion of my very much esteemed friend from Missouri.

Mr. HEARD. If the gentleman will permit me, I will say to him now, in order that he may not misunderstand me and that I may not be misunderstood by the House or the country, that I will join him most cordially in taking action for the correction of the evils of which he complains, and am in favor of the most rigid retrenchment. I only object to this method of accomplishing it, by putting "riders" upon appropriation bills and thus putting the legislation into the hands of the Appropriations Committee instead of keeping it in the hands of the House itself.

Mr. MCMILLIN. The gentleman's method or any other method than the one here suggested will be found wholly unavailing. For my own part I am in favor of doing right by any method that is not prohibited by the Constitution of our country or by God Himself. [Applause on the Democratic side.]

But again, there was passed through here, upon the statement that it would take only $20,000,000 from the Treasury, a bill granting arrears of pensions. The legislation has already cost the people of the United States more than $225,000,000. When the people saw how much it was going to cost they raised their hands in astonishment; they stood aghast, and they called upon the Democratic House and upon the Congress of the United States to try to check it, and, as a rider on an appropriation bill, a limitation was made which has saved the people of the United States $220,000,000 of money. And yet we are told that it is wrong to legislate on an appropriation bill.

Mr. ALDERSON. That is, that we can not trust ourselves.

Mr. MCMILLIN. Yes; in other words, as suggested by my distinguished friend from West Virginia [Mr. ALDERSON], the idea is that we can not trust ourselves in acting on our own appropriations.

Again, Mr. Speaker, there came up complaints from all parts of the country that the very juries chosen to administer justice in the Federal courts were being packed, and evidence was adduced to show that that was true, and a Democratic House, on an appropriation bill, if I remember correctly, enacted that salutory law by which nonpartisan juries in the Federal courts were guarantied. [Applause.]

The Secretary of the Treasury was authorized by a provision on an appropriation bill to apply the surplus moneys existing in the Treasury to the payment of the public debt, which could not have been done without that authorization; and under the reductions that were made by the Democratic House on appropriation bills just precedent to the Presidential election of 1876 (which was carried in great measure by means of that legislation) the expenditures of the Government were reduced between twenty-nine and thirty millions of dollars.

So I might go on almost illimitably; and I say now that, in view of these facts, no patriotic man can assert that good has not come from putting on appropriation bills "riders" tending to reduce public expenditures.

But, Mr. Speaker, the gentleman has stated that it is a wrong practice. When we changed our rules did we, I ask him, change the practice? Not at all. And I was astonished to see my friend from Maine [Mr. DINGLEY] strain so strenuously at his gnat when he had taken down his camel without complaint in the last Congress. [Laughter.] What was done in the last Congress? Go here south of the Capitol and observe that magnificent stone pile—residence—which formerly belonged to Gen. Benjamin F. Butler, the eagle-eyed orator of Massachusetts. That building was purchased at the last Congress by means of a "rider" on an appropriation bill. That "rider" was put on in this House. The property adjacent to it was also purchased, and for these two pieces of property the prices paid were $275,000 for the Butler building and $150,000 for the Richards property, making $425,000 paid for those two properties by means of a "rider" on an appropriation bill, when there is not on the American continent any man who would give $300,000 for them for any purpose in the world.

What more? Coming to the Senate, what is the history of that body on this subject? As soon as they got us to leave off from appropriation bills legislation reducing expenses that body went into the business of increasing expenses by changing the law on appropriations. Why, sir, they bought this hotel over here north of the Capitol—the Maltby. The Senate actually bought a hotel for $135,000 by a "rider" on an appropriation bill. And, although this House joined in the purchase, no committee of this body can to-day get a committee room in that building. [Laughter.] That is the history of the matter.

Now, what does a Democratic Congress propose to say? What does this Committee on Rules say? Not that you can go into any "wild-cat" legislation on appropriation bills—not that you can swamp the Treasury of the Government by changes of law on appropriation bills. No, sir. What the rule we propose provides is, that any amendment which is germane to the bill—mark you, germane to the bill—and which retrenches expenditures, shall be in order on a general appropriation bill; in other words, that the House shall have the right to meet the question. Are you for it or against it?

What more? Let us see what the gentlemen who have criticised this provision in so masterly a way did themselves in the last Congress. New offices were created on general appropriation bills. What offices? Assistant Secretary of the Treasury, at a salary of $4,000 a year; Assistant Secretary of War, at a salary of $4,000 a year; Assistant Secretary of the Navy, at a salary of $4,000 a year; Assistant Attorney-General, at a salary of $5,000 a year; Fourth Assistant Postmaster-General, at a salary of $4,000 a year. Then there were increases of salary on the general appropriation bills. The salary of the minister to Mexico was increased from $12,000 to $17,000; that of the Assistant Commissioner of the General Land Office from $3,000 to $3,500. The salary of thirty principal examiners in the Pension Office was increased from $2,400 to $2,500. The salary of the minister to Turkey was increased from $7,000 to $10,000. The salary of the chief clerk in the General Land Office was also increased. And so it goes on through the whole list. For one, sir, I propose to stand by the action of the Committee on Rules and to say by my vote that this report is right. I believe, too, that this House will stand by it. I thank members for their attention. [Applause.]

CONTROVERSY WITH CHILE.

The SPEAKER. The Chair will lay before the House a message from the President of the United States.

Mr. BLOUNT. I hope that the papers accompanying the message will also be laid before the House.

The Clerk proceeded to read the message of the President of the United States; which, with the accompanying papers, is as follows:

To the Senate and House of Representatives:

I transmit herewith additional correspondence between this Government and the Government of Chile, consisting of a note of Mr. Montt, the Chilean minister at this capital, to Mr. Blaine, dated January 23; a reply of Mr. Blaine thereto of date January 27; and a dispatch from Mr. Egan, our minister at Santiago, transmitting the response of Mr. Pereira, the Chilean minister of foreign affairs, to the note of Mr. Blaine of January 21, which was received by me on the 26th instant. The note of Mr. Montt to Mr. Blaine, though dated January 23, was not delivered at the State Department until after 12 o'clock meridan of the 25th, and was not translated and its receipt notified to me until late in the afternoon of that day.

The response of Mr. Pereira to our note of the 21st withdraws, with acceptable expressions of regret, the offensive note of Mr. Matta of the 11th ultimo, and also the request for the recall of Mr. Egan. The treatment of the incident of the assault upon the sailors of the Baltimore is so conciliatory and friendly, that I am of the opinion that there is a good prospect that the differences growing out of that serious affair can now be adjusted upon terms satisfactory to this Government by the usual methods and without special powers from Congress. This turn in the affair is very gratifying to me, as I am sure it will be to the Congress and to our people. The general support of the efforts of the Executive to enforce the just rights of the nation in this matter has given an instructive and useful illustration of the unity and patriotism of our people.

Should it be necessary, I will again communicate with Congress upon the subject.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 28, 1892.*

Señor Montt to Mr. Blaine.

[Translation.]

LEGATION OF CHILE,
Washington, January 23, 1892.

SIR: I have had the honor to receive your note of yesterday, as an inclosure to which you were pleased to transmit to me the instructions sent to Mr. Egan on the day previous.

In the numerous conferences with which you have been pleased to favor me, I have informed you that, immediately after the occurrence of the events of October 16 at Valparaiso, which my Government most sincerely deplored, the judicial authorities initiated the investigation necessary to throw light upon the facts and to detect and punish the guilty parties.

From the antecedents which the Government of Chile was able to collect at the very outset, it appeared that the disorder of October 16 began by a quarrel among drunken sailors, which assumed considerable proportions, owing to the condition of the locality in which it originated, and that the police performed their duty by reëstablishing tranquillity and placing the persons who seem to have been concerned in the disorder at the disposal of the court.

The Government of Chile has no data authorizing it to think that the quarrel was due to any dislike of the uniform of the United States, or that the police failed to perform their duty.

On the contrary, it is a well-demonstrated fact that sailors get intoxicated when they go ashore after having been on board of their vessel for a long time. This is also quite natural. The intoxication of seamen and the disorders to which it gives rise, although they may assume serious proportions and occasion very lamentable offenses, as was unfortunately the case at Valparaiso on the 16th of October, can not constitute an insult to the nation in whose service are the men who have taken part in the disorder, although they certainly do not justify the offenses committed during the disorder.

The Government of Chile could not, however, form a final opinion concerning the nature of the occurrences in question, or as to whether the police had or had not improperly participated therein, or had failed to perform its duty, until the termination of the judicial investigation which had been initiated without delay, and which was pushed forward as speedily as was compatible with the provisions of the law, with the obligation of collecting all the elements of proof that it was possible to collect in order to throw full light upon the matter, and with the necessity of promptly punishing the perpetrators of the offenses which had been committed, and which had been in part suffered by persons in the service of a friendly nation. It was the desire and the duty of the Government of Chile to discover the truth, in order to make its future proceedings conform thereto, and in order that the United States Government might be satisfied that nothing was neglected in order to do full justice.

You were pleased, with your high sense of rectitude, to remark to me that this proceeding of the Government of Chile was correct, and that, although you desired that the judicial investigation might be brought to a close with as little delay as possible, you understood that it was necessary that the ordinary legal proceedings (which were not as rapid in Chile as in the United States) should be held.

I have taken occasion at sundry times to inform you of what the Chilean authorities were doing to bring the investigation to a close.

In the criminal trial held at Valparaiso, not only have landsmen been heard, but also the seamen of the Baltimore; both have been confronted with each other, the reports of physicians and experts have been called for, the opinion of the surgeon of the cruiser has likewise been invoked, and, in a word, nothing has been neglected that could tend to bring the whole truth to light. The seamen of the Baltimore made their statements with the assistance of an interpreter designated by themselves, who was an officer of the cruiser, so that the oath taken by the witnesses, their confrontation with each other, the reports of the experts concerning the cause and nature of the wounds, and the hearing granted to both Chileans and Americans, so that all might present their complaints and charges and be heard in their own justification, give incontestable authority to the trial held at Valparaiso.

In the course of our conferences we sometimes considered the case in which the Government of the United States and that of Chile should fail to agree when the investigation should be terminated and the two Governments should have formed their final opinion, and we agreed that arbitration was the best means of settling the difficulty, and, advancing further in this conciliatory spirit, we even formally agreed that the differences that might arise should be submitted to arbitration.

This agreement to accept arbitration has been the basis of several of our conferences, especially that of the 18th instant, and no antecedent or fact interfering therewith has come to my knowledge. On the contrary, I took occasion to inform you, on the 1st of January, that my Government authorized me to conclude an agreement looking to arbitration, and my Government subsequently approved the agreement concluded by me with you, of which I also informed you.

As the criminal trial initiated at Valparaiso has not yet come to an end, my Government has not yet been able to reply to the demands made by that of the United States. The various documents and antecedents to which I have called your attention in my foregoing communications were designed to inform the United States Government of the progress of the judicial investigation and of the facts thereby elicited; they do not, however, constitute a reply, which can only be given when the facts are definitely brought to light by the sentence which must be pronounced by the courts.

The testimony which the Government of the United States has caused to be taken in California from the crew of the Baltimore can not take the place of the trial which is being held at Valparaiso, where the offenses were committed. This testimony may be useful for disciplinary or administrative purposes in the United States, but it can not serve as the basis of a judicial sentence, either in Chile or in the United States.

The copy which I have to-day had the honor to send you of the statement made by one of the seamen of the Baltimore at Valparaiso shows that that

seaman made no charge against the police. The charges which he makes here, in the absence of the accused parties, in contradiction of his first statement, can have no value, either in law or in your enlightened opinion.

It is to be observed, moreover, that the statement made by this seaman at Valparaiso is attested by the judge, by the signature of the seaman himself, and by that of the interpreter, who was an officer of the Baltimore, who had been appointed for the express purpose of inspiring the deponents with confidence.

You are pleased to state, in your instructions to Mr. Egan, that the undersigned has not communicated to the United States Government the note that was addressed to him by Mr. Matta on the 11th of December last. The first time that the honorable Secretary of State saw fit to call my attention to the aforesaid note of Mr. Matta, I told him that that note contained instructions addressed to me by Mr. Matta, and that as I had not been directed to communicate it officially to the Department of State, there was no reason why the honorable Secretary should take cognizance of it.

I further reminded you that it was a doctrine established by the American Government that documents exchanged between the President and Congress, or between the Department of State and the diplomatic representative of the United States in foreign countries, could not form a subject of discussion for foreign governments.

I also took the liberty to remind you of the case of the illustrious Webster and the representative of Austria in 1850. The Austrian Government complained at that time because it considered the instructions sent to a representative of the United States unjust or disrespectful to Austria, the said instructions having been published with a message of the President, who sent it to the Senate. "This Department," said Mr. Webster, "has on former occasions informed the ministers of foreign powers that a communication from the President to either House of Congress is regarded as a domestic communication, of which ordinarily no foreign state has cognizance, and in more recent cases the great impropriety of making such communications a subject of correspondence and diplomatic discussion has been fully shown."

The circumstance of publicity does not change the character of a communication, in the opinion of Mr. Webster, "because such is the common and usual mode of proceeding" in the communications of the President and the Senate.

It was, therefore, on the nature of the note and on no other reason that I based my abstention from communicating to you the instructions which Mr. Matta had sent me on the 11th of December, and I had the honor so to inform you.

I added, however, that it was far from being the purpose of my Government to act in a manner at all offensive to the President of the United States or to any member of his Cabinet, and that Mr. Matta's note, if rightly interpreted, admitted of no such construction.

I afterwards had the honor to inform you that I had received instructions from my Government to inform that of the United States that, considering the views expressed by Messrs. Buchanan and Webster in 1849 and 1850, that the messages sent by the President to Congress are domestic communications which can not serve as a basis for the interpretation by foreign powers or their representatives, my Government had no objection to striking out of the note of December 11 such words as might be considered disagreeable by the United States Government.

On the 18th instant an official telegram was published, which had been addressed by the commander of the Yorktown to the Secretary of the Navy. It was couched in terms that were offensive to the Government of Chile, and in view of what we had said concerning the note of December 11, I deemed it my duty to call your attention to that telegram. The lofty spirit of justice which characterizes you did not permit you to hesitate to tell me that the wording of the said telegram was improper and objectionnble. This declaration on your part, which was as impartial as it was just, terminated the incident.

Since the early part of the month of October, when I had the honor to be invited to unofficial conferences with the representatives of the Department of State (as the credentials which accredited me as minister of Chile had not yet arrived), it has been repeated to me on various occasions by the United States Government that, if the representative of the United States at Santiago was not a *persona grata* to the Government of Chile, it was sufficient for the Government of Chile so to state, and that the said representative would be succeeded by another.

It is a rule based upon the nature of diplomatic relations, and designed to make them frank and cordial, that the representative of a nation must be a *persona grata* to the Government to which he is accredited.

In the conference with which you were pleased to favor me on the 20th instant, I had the honor to state that the representative of the United States at Santiago was not a *persona grata* to the Government of Chile, which would be very glad to receive another representative from the United States. You were pleased to acknowledge that the Government of Chile had a right to ask that a change should be made. Afterwards, having given you notice, I addressed to you, in writing, the same communication which I had made to you verbally.

I have deemed it my duty to state, in this note, the foregoing facts, which show the friendly and cordial purpose of our conferences, in which you took a most important part.

With sentiments, etc.,

PEDRO MONTT.

Mr. Blaine to Montt.

DEPARTMENT OF STATE,
Washington, January 27, 1892.

SIR: I have the honor to acknowledge your favor dated the 23d instant, but not received by me until Monday, the 25th. I beg to comment on two or three of its recitals. I think from zeal for your country you have made some mistakes, which I shall proceed to correct.

You are right in saying that I considered the proceedings of the Government of Chile in making the judicial investigation of the unhappy affair at Valparaiso entirely praiseworthy. But you will remember that as early as the 25th November I complained of the length of the judicial proceedings, and from time to time renewed the complaint, saying to you very lately that the court had already been eighty days in session considering a matter which in the United States would have been wholly disposed of in two or three weeks. You replied that the Spanish law was slow in its processes but exact in its conclusions; and with your statements I had to be content, though impatient for a final judgment.

Your offer of arbitration was never unconditional and exact. Had it been I would have insisted on your reducing it to writing; for it would have been my duty to lay it before the President for consideration. But I was unable to report a mere verbal exchange of views between us as an agreement to arbitrate. You did say to me several times that in that distant future, when the Chilean court should render its judgment (if the United States should not be satisfied with it), the two countries could arbitrate the matter. And even then you always maintained that Chile would not voluntarily propose arbitration herself, but would do so when requested by some friendly power to take that course. On one occasion you mentioned Spain as a nation likely to intervene with Chile most effectively. Your mention of arbitration was always as a method to be adopted in the future, if we were not content, as I have said, with the judgment of the court. You remarked that to adopt it before would be discrediting the judgment of the court in advance. You always looked to the future for the proposal and acceptance of arbitration.

You say in your note:

"I took occasion to inform you on the 1st of January that my Government authorized me to conclude an agreement looking to arbitration, and my Government subsequently approved the agreement concluded by me."

And yet you do not pretend that a word was ever written of the agreement which you say we made between us. It is impossible that I ever sought to bind the Government of the United States in that way. It would have been in the highest degree imprudent for me to do so.

In regard to the Matta note, which was a subject of contention between us, you sum it up by the following declaration:

"I added, however, that it was far from being the purpose of my Government to act in a manner at all offensive to the President of the United States, or to any member of his Cabinet, and that Mr. Matta's note, if rightly interpreted, admitted of no such construction.

"I afterwards had the honor to inform you that I had received instructions from my Government to inform that of the United States that, considering the views expressed by Messrs. Buchanan and Webster in 1849 and 1850, that the messages sent by the President to Congress are domestic communications which can not serve as a basis for the interpretation by foreign powers or their representatives, my Government had no objection to striking out of the note of December 11 such words as might be considered disagreeable by the United States Government."

By your own statement you evidently attempted to justify the Matta note. I certainly could not accept your language and never did accept language of that kind as an apology sufficient for the case. The Matta note was highly discourteous to the President and the Secretary of the Navy, imputing to them untruth and insincerity. Such language does not admit of conditional or contingent apology, which you offered. It could be apologized for only by a frank withdrawal. You always contended that it was a communication between officers of your own Government, and that it was not proper for this Government to take any cognizance of it. You quoted the well-known declaration in the Hülsemann case in regard to the message of a President to Congress not being subject to criticism in a foreign country. You did not see the great difference involved by your Government sending the Matta circular to all the legations of Chile and requesting its several ministers to publish it, so that Chile was not only responsible for the discourteous language, but for its publication throughout the civilized world. That you did not comply with Chile's request to publish it here was the strongest proof of your own disapproval of the note.

In regard to Mr. Egan, you complained many times and very bitterly to me. Especially was he deserving of censure, you thought, for not communicating to his Government the brutal murder of some young men who were slain by order of Balmaceda. When on the next day I showed you the dispatch of Mr. Egan, speaking of the incident in severe and proper terms, you acknowledged that you were mistaken. I thought you would be satisfied, but you again spoke disparagingly of Mr. Egan, and I said somewhat impatiently, "Why do you not demand his recall instead of constantly disparaging him?" intending thereby not to favor his recall, but to put a stop to the frequent mention of Mr. Egan's name.

In referring to the question you remarked:

"You were pleased to acknowledge that the Government of Chile had a right to ask that a change should be made."

Undoubtedly she has that right provided she assigns a reason. You are too well skilled in diplomatic uses to be reminded that when a nation is pleased to declare that a minister is *persona non grata*, she is expected to assign a reason therefor. We have twice had occasion to ask Great Britain to recall her minister, and in each case we gave a reason why the minister had ceased to be useful. It is hardly necessary to observe that conditions which we complied with ourselves would likewise be exacted of Chile.

I have thus frankly endeavored to correct some misapprehensions of yours in order that the record of the State Department of the United States shall be kept exact and in all its proceedings shall be proved consistent.

Accept, sir, the renewed assurances of my highest consideration.

JAMES G. BLAINE.

Mr. Egan to Mr. Blaine.

[Telegram.]

LEGATION OF THE UNITED STATES,
Santiago, January 25, 1892. (Received January 26.)

I have to-day received the following reply to my note of 22d instant:

[Translation.]

"SIR: The undersigned has had the honor to receive your excellency's communication dated 22d instant, received in this department the 23d and the duly authenticated copies of the instructions which the honorable Secretary of State, of Washington, has sent to your excellency by cable under dates of the 21st instant and the 23d of October, 1891. In the instructions of the 21st instant the honorable Secretary of State informs your excellency that his excellency Mr. Harrison, after carefully examining all that has been submitted to him by the Government of Chile with respect to the event which occurred in Valparaiso on the evening of the 16th of October, and taking into consideration the testimony of the officers and crew of the vessel, the Baltimore, and of others who witnessed the event, has arrived at the following conclusions:

"First. That with regard to that assault there has been no change whatever made in the character given to it by the first report of the event, to wit, that it was an attack upon the uniform of the Navy of the United States, which had its origin and motive in a feeling of hostility toward that Government and not in any act of the individual sailors belonging to it.

"Second. That the public authorities of Valparaiso evidently did not do their duty in protecting those sailors, and that a part of the police and some Chilean soldiers and sailors rendered themselves guilty of unprovoked assaults on the sailors of the United States before and after the latter were arrested, and that he believes that Riggin was killed by the police or the soldiers; and

"Third. That he is consequently compelled to carry the question back to the state in which it was placed by the note of the Hon. Mr. Wharton, dated October 23, and to ask for suitable satisfaction and some adequate reparation for the injury done the Government of the United States. The honorable Secretary of State, Mr. Blaine, regrets that the Government of Chile has not, from the very first, duly appreciated the gravity of the question raised, and that it has attributed to it no other importance than that of an ordinary quarrel between sailors, adding that no government which respects itself can consent to civil or military persons employed in its service being maltreated or killed, in a foreign territory, on account of resentment for acts which it may have committed, or which may be imputed to it, without requiring adequate reparation.

"The honorable Mr. Blaine, in this connection, recalls the fact that the

Government of the United States has voluntarily recognized this principle, and has acted accordingly, when any injury has been committed by its people against any one holding an official position of a foreign country, in consequence of acts which had aroused resentment. In such case the United States have never sought words of little weight or ambiguous meaning in order to make reparation, but have condemned such acts in vigorous and energetic terms, and have never refused to give other adequate satisfaction. The honorable Secretary of State, Mr. Blaine, states, moreover, that it is not his intention to discuss the details of the incident of October, but only to set forth the conclusion at which his Government has arrived. The honorable Secretary of State says: 'We have given every kind of opportunity to the Government of Chile to offer explanatory or extenuating circumstances, and we have given due consideration to the fact that the Government of Chile during a great part of the time which has elapsed since the 16th of October has been in a provisional situation.' He then adds that he is directed by his excellency Mr. Harrison to say that he has been compelled to take notice of the instructions sent by Mr. Matta, minister of foreign affairs, to the Chilean minister in Washington, under date of December 11, because, although they were not officially communicated to his Government, they received the greatest possible publicity, and that consequently he demands the immediate withdrawal of the said instructions as to those parts which he considers offensive, and adequate satisfaction, in order that the diplomatic relations between the two nations may not be interrupted.

"Without any intention of opening a discussion as to the facts referred to by the communication which I have extracted, and confining himself to the first part of the instructions of the honorable Secretary of State, the undersigned must state to your excellency the regret with which the Government of Chile sees that his excellency the President of the United States finds reason to continue to regard the incident of October as an attack caused by a hostile feeling toward the uniform of the Navy of the United States. That unfortunate occurrence took place on a sudden, in a district where the sailors of the vessels lying in the bay of Valparaiso are in the habit of assembling, without distinction of nationality.

"From the nature of the incident it would be impossible to prove that there was no doubt as to the special cause which served as its origin or pretext; but the undersigned can assert that that cause was not a hostile feeling toward the uniform of the Navy of the United States, because the people of Chile has always esteemed and respected that uniform ever since the time when they saw it figuring honorably in the ranks of the soldiers and sailors who, in a glorious struggle, gave it independence and established the Republic. The undersigned admits that the occurrence of October 16 was of greater gravity than those which usually occur in the same district between the sailors who frequent it, and the fact of knowing that two deaths have resulted from it among the sixteen wounded men of the Baltimore has sufficed to give it an extraordinary character, and to induce the Government of Chile to hasten to adopt the measures necessary to discover and punish the guilty parties, to offer in due time, if there should be ground for so doing, such reparation as might be due.

"The preliminary examination was commenced on the morning which followed the night of the conflict, some days before you presented your complaint, but the investigation could not be finished with the rapidity that the Government of Chile desired, because the rules of procedure in criminal matters which are established by our laws are of slow application, and it was not possible for the President of the Republic to modify or set them aside. This delay, which was inevitable, owing to the independence with which the judicial authorities must act, has compelled the Government of the undersigned to delay, greatly to its regret, the settlement of the difficulty pending with your Government, and a spontaneous offer of reparation for the injury done to the sailors of the Baltimore, and that might be attributed to Chilean soldiers or sailors, or that might affect the responsibility of Chile.

"In view of your communication, and considering that up to date it has been impossible for the trial initiated by the judge of the criminal court of Valparaiso to be decided, the undersigned regards it as his duty to declare once more that the Government of Chile laments the occurrence of October 16, and by way of showing the sincerity of his feeling and the confidence which he has in the justice of his cause he declares his willingness not to await the decision of the examining judge, and proposes to the United States Government that the case be submitted to the consideration of the Supreme Court of Justice at Washington, to the end that that high tribunal, with its learning and impartiality, may determine, without appeal, whether there is any ground for reparation and in what shape it should be made.

"The undersigned would remind you, referring to the conduct of the Valparaiso authorities, that it appears from the preliminary examination that they sent without delay to the scene of the conflict all the forces at their disposal belonging to the special guard of the intendencia and to the police. Swanson, Cass, Nichols, Downey, Honnor, Cunningham, Williams, Talbot, Hollard, Hodge, Butler, etc., seamen belonging to the crew of the Baltimore, stated to the interpreter of that vessel that the object of the police in arresting them was to shelter them from any attempt at attack by the excited people. The undersigned thinks that the action of the police in this matter should be considered with due allowance for the civil war which had recently been brought to a close. The body was not yet properly organized, nor did it have the force that was required to put down a disorder of such proportions in a short time.

"In this connection it is proper to recall the words used by the honorable Secretary of State at Washington in his note addressed to the Marquis Imperiali, and bearing date of May 21, 1891: 'There is no Government, however civilized it may be, however great may be the vigilance displayed by its police, however severe its criminal code may be and however speedy and inflexible may be its administration of justice, that can guarantee its own citizens against violence growing out of individual malice or a sudden popular tumult.' This was precisely the situation of the administrative authorities at Valparaiso on the occasion of the occurence which took place in October.

"The undersigned hopes that the foregoing will convince the honorable Secretary of State that the Government of Chile attaches due importance to the question now under discussion; that he does not for a moment hesitate to condemn, in vigorous terms, the act committed on the 16th of October, or to offer such reparation as is just, and that he has not neglected the opportunity to express these sentiments before now, since on various occasions, and through the plenipotentiaries of both countries, he has forwarded explicit declarations on the subject to Washington.

"The undersigned takes the liberty to recall the fact that, five days after he had taken charge of the department of foreign relations, he addressed to the minister of Chile in the United States a telegram which, in the part relating to this matter, says: 'Express to the United States Government what has already been stated, adding all the data that are known, in the most correct and amicable form; express to the United States Government very sincere regret on account of this unfortunate incident, which although and (not) strange in the ports of the world, this Government doubly laments, owing to its sincere desire to cultivate friendship with the United States.'

"If the United States Government should not accept the foregoing explanations as satisfactory, notwithstanding that the judicial authorities hold the guilty parties responsible for the disorder of October 16, the undersigned must recall the circumstance that the Government of Chile, through the medium of its minister in Washington, has expressed the desire to submit any misunderstanding (dispute) to decision by arbitration by any power or tribunal which may be indicated to it; and, in fact, arbitration was suggested in conference with the minister of Chile in Washington on the 30th of December, when the Government of the undersigned declared its good will and its resolve to accept arbitration after the final judgment, which would not be further delayed many days, in furtherance of its purpose to give a speedy solution to the incident in the most friendly terms.

"The Government of the undersigned called upon its minister for a definite reply on the 11th instant, and on the 13th Minister Montt reported that, notwithstanding certain observations made by the American State Department with respect to the opportuneness of resorting to arbitration, he had, nevertheless, agreed with the honorable Mr. Blaine that, if any divergence of views or disaccord should supervene after the verdict of the judge of Valparaiso, such controversy would yield to arbitration. The undersigned hastened to declare that he would fully accept such an agreement; for which reason the Government of Chile deems that the case has arisen for submitting to arbitration, in terms as ample as those above indicated, any difference of views which it may have with the Government of the United States concerning the incident of the Baltimore.

"There is therefore submitted to the honorable Secretary of State of the Department of Foreign Relations of Washington the designation of either the Supreme Court of justice of the United States or a tribunal of arbitration to determine the reparation which Chile may have to make for that lamentable occurrence.

"As for the dispatch addressed under date of the 11th of December to the Chilean minister in Washington by the minister of foreign relations of the Provisional Government, the undersigned submits that there could not be on the part of the Government of Chile the purpose to inflict any offense upon the Government of the United States, with which it desires ever to cultivate the most friendly relations. Consequently the undersigned deplores that in that telegram there were employed through an error of judgment the expressions which are offensive in the judgment of your Government.

"Declaring in fulfillment of a high duty of courtesy and sincerity towards a friendly nation that the Government of Chile absolutely withdraws the said expressions, the undersigned trusts that this frank and explicit declaration, which confirms that which had already been made to the honorable Secretary of State in Washington, will carry to the mind of his excellency Mr. Harrison, of his Government, and of the American people the conviction that the Government and the people of Chile, far from entertaining a feeling of hostility, has the lively desire to maintain unalterable the good and cordial relations which, up to the present time, exist between the two countries—a declaration which is made without reservation, in order that it may receive such publicity as your Government may deem suitable.

With regard to the suggestion made touching the change of the personnel of your legation to which the instructions of the honorable Secretary of State refer, it is incumbent upon the undersigned to declare that the Government of Chile will take no positive step without the accord of the Government of the United States, with which it desires to maintain itself in friendly understanding.

"The undersigned brings this already long communication to a close in the assurance that he has therein set forth everything that can fully satisfy your Government. The Government of Chile cherishes the conviction that the relations with the Government of the United States should be sincerely and cordially maintained under the shelter of that mutual respect and that good understanding which are based upon the just and equitable appreciation of the facts, and on the appreciation to be given to the spontaneous declarations made on either side. The undersigned moreover declares that in presenting its explanations his Government finds its inspiration in the words of the instructions which you have quoted, and which assures the Government of Chile that the President is not disposed to exact or ask anything which your Government would not under the same circustamces spontaneously concede.

"With sentiments of distinguished consideration, I am, your obedient servant,

"LUIS PEREIRA."

I await instructions.

EGAN.

When the Clerk had concluded the reading of the message there was general applause.

Mr. BLOUNT. I ask that the documents accompanying the message be also read.

The SPEAKER. They will be read, if there be no objection.

Mr. BLOUNT. Are they not read as a matter of course?

The SPEAKER. The Chair thinks not.

Mr. BLOUNT. I will not controvert the position of the Chair, but I hope there will be no objection to the reading.

There being no objection, the documents accompanying the message were read.

Mr. BLOUNT. Mr. Speaker, I move that the message and accompanying documents as just read be referred to the Committee on Foreign Affairs, and ordered to be printed.

The motion was agreed to. [General applause.]

THE RULES.

The SPEAKER. The House resumes the consideration of the report of the Committee on Rules. The gentleman from Maine [Mr. REED] is entitled to the floor.

Mr. REED. Mr. Speaker, it is very strange how often in this House it is necessary to recur to the principles upon which our Government is founded. One would suppose that it would be ever present in the minds of members of the House of Representatives that they represent the people of the United States, and that, subject to our Constitution, the majority is entitled to control the deliberations of that assembly which more nearly and especially than any other represents the people of the United States. Nevertheless, it seems always to be the idea of some gentleman that the fundamental notion of our Government is a wrong one and that there is nothing so dangerous to be trusted as a majority. I suppose that people get more or less biased by positions which they have been in for a long time; that those who have been in the habit of maintaining negative attitudes

are quite likely to try to keep them up even when they ought to take a positive attitude, because the people of the United States have so ordered. The Democracy to-day is in control of the House of Representatives. I do not believe that it would be dangerous under the verdict of the people to trust even such a majority as that; and it is perfectly evident to this House that in saying this I am putting the case of the rights and control of the majority as strongly as it is possible to put it.

I have such confidence in the people of the United States, and in their action upon their Representatives even after they are elected and sent here, that I believe in the rule of a majority even when it has been chosen against the views which I myself entertain. If some other gentlemen could rise to the height of our institutions, I have no doubt we would have but little difficulty in regard to the settlement of the question that the majority of this House shall control. For control will rest somewhere, and if you do not rest it in the many you will rest it in the few. If you do not give it to the majority, you will give it to the minority. And I take this occasion to clear up the natural confusion which exists in the mind of a gentleman who spoke yesterday and who represents the new party, and has therefore very much to learn on these subjects [laughter]; that minorities in the House are not always political minorities; that, in fact, the larger part of the business of this House is conducted upon nonpartisan lines, and that if you were simply limiting the partisan majority perhaps a feeling of patriotism might induce some of us to assist you in the business. [Laughter.]

But you are doing more than that. You are limiting the nonpartisan majority of the House and in nonpartisan matters. You are proclaiming not only contempt for your political majority, which perhaps I could endure [laughter], but you are proclaiming a contempt for a large majority of nonpolitical matters which I deem to be, as I deem the other, contrary to the Constitution of the United States and contrary to the principles of democratic or republican government. [Applause on the Republican side.]

Why am I desirous that the majority should rule? It is because it will give to the people of the United States whenever they go to an election a sense that an election really means something; that it is a decision; that it is a determination on their part, not a whim to be corrected afterwards by the House of Representatives manacling itself.

What I have said then is an entire answer to what the gentleman from Tennessee [Mr. MCMILLIN] saw fit to say as to riders upon appropriation bills. We are actually proposing to limit this House in all of its appropriations to the amounts which are named by a committee in charge of the gentleman from Indiana [Mr. HOLMAN], with the privilege of going lower down than he went, but never a cent higher, and we can not even go down unless we couple with it some legislation that has no business upon an appropriation bill. There is the whole question.

Now, if you want to do that, if you want to express that opinion of yourselves, why all I have to say is that you know yourselves better than I do, and I can not help you. [Laughter.] But I shall lament it because of its future evil example in the history of this country and in the history of the House of Representatives. I believe that this body ought to be as free as it can be for purposes of legislation, and I do not exaggerate the amount of freedom that is possible. Let us all agree together, with willing minds, to give the utmost freedom that is possible, and you will have something that is still very far from an ideally free assembly. The vast number of members which compose this body, the great number necessary to constitute a quorum, the tremendous interests of a local character spreading over this vast country will necessarily and of themselves, even without the constitutional guardianship of the Senate and of the Executive, prevent rash action or too great an amount of action.

Nevertheless, what we are capable of doing we owe to the country, and the Democratic party owes it as well as the Republican party, unless it means to stigmatize itself as a party that desires to do nothing, as a party of negation. That is not the attitude you are in the habit of assuming before the people. You tell them of the things you want to do and mean to do, of the regeneration you intend to give to this country, and commence by bringing it down to the level of a few men on your side whose history for years is that of opposition to progress.

Waste of time is one of the unjustifiable things, and yet you propose to waste hours and hours of the time of this House in the mere introduction and reference of bills in open House on the false and injurious supposition that men who are selected as the chiefest among 30,000 voters will be exalted in their little minds by getting up here and saying, "Mr. Speaker, I present the following bill for reference," when every instant of that time could be saved by having the bill referred by the Speaker, in accordance with the rules of the House.

Every minute of time could be saved, and you are going to wear upon the strength of the Speaker himself by forcing him to give opportunities to men to introduce bills for reference by unanimous consent. Only yesterday morning I endeavored to give to this House an object lesson by asking unanimous consent to allow bills to be presented and referred by the Speaker, when half the House was on its feet; and instead of every man of them insisting on acquiring the little dignity that is to be obtained by rising and asking to refer his bill in that manner each was glad to have an opportunity to behave sensibly and put his bill in the box without consuming time. This would have demonstrated what I was saying had not the gentleman from Tennessee [Mr. MCMILLIN], in the interest of conservatism, objected, so that you might not see how good a system of rules that system in the Fifty-first Congress was.

Then in the Fifty-first Congress we had a morning hour that meant something. You have got here a morning hour which is a death trap. We had a morning hour that the House might enlarge until it passed any bill that was properly before it. You have a morning hour that is limited to sixty minutes, and a man has only to filibuster a bill for sixty minutes on two days, and it goes, I was going to say, to the tomb of the Capulets, but that is not musty enough for the place where that bill will go. [Laughter.] And you deliberately want to do it and are going to do it probably; and yet the Constitution requires every one of you to be, and you must be, 25 years of age. [Laughter.] My friend from Indiana [Mr. BYNUM], I am glad to say, is on a better track than the last time that I had an interview with him. [Laughter.] If he did not express himself with as much vigor yesterday, he did it with more sense [laughter], and I hail him, if not in the advanced rank of reformers, yet as at least having made some progress.

Now, my friends, do not let mere partisan feeling prevent you from doing some of the things you can do. Why, my friend from Indiana proposes to strike out the motion to fix a day, and the motion for a recess, from the list of privileged motions. Well, now, that deprives the new member of the simple method of filibustering, which is adapted to his untutored mind [laughter]; but my friend from Indiana [Mr. BYNUM], in the full vigor of his knowledge, can filibuster any measure out of existence without any trouble, and I will tell the rest of you how. All you have got to do is to start in the morning and demand a roll call, to see if a quorum is here present; not let the Speaker count them: oh, no, that would be dreadful; that would be violative, you know, of the Constitution of the United States; but have a roll call, and then commence and have every man excused, and then appeal from the decision of the Chair; and with three hundred and thirty appeals from the decision of the Chair, if you should happen to have so many men present, I will inquire just what would be left of the day, when it takes half an hour to settle any one appeal?

Why, the definition which my friend from Mississippi [Mr. CATCHINGS] gives of dilatory motions shows that he never has has been in the position which I unfortunately have been in, of being compelled to have actual conflict with men who wanted to stop business. He does not understand that every motion can be made dilatory. We have a practice of an appeal from the decision of the Chair; and unless you give the right to the Chair, where that appeal is intended solely for purposes of delay, to push it out of the way, you have got an endless chain, and nothing can stop filibustering. Why, I often hear men talk with great reverence about the Speaker of the English House of Commons and how little power he has.

Do you know that his decision can not be appealed from; that nobody ever undertakes it, and that it is not tolerated to so much as talk about it. I have been fifteen years in Congress, and I never saw a Speaker's decision overruled, and you will never live to see it, either. I have seen one temporary Speaker in the chair who made a mistake in ruling, and his party sustained him, and as soon as he got over his feeling, like a man he got up and said to the House that the decision was all wrong. That left the House in bad shape, but it left him right. [Laughter.]

But, after all, the question of what can be done can be easily answered. Here is a very short catalogue, made by a neutral hand, of what was done by the last Congress; and I ask some of you gentlemen to say where as much was ever done before:

The McKinley tariff act, revising the entire series of schedules.
The administrative customs act.
The act to establish the World's Fair at Chicago.
The postal subsidy act, to open direct marine communication with Central and South American ports.
The opening and creation of the Territory of Oklahoma.
The act creating a commission for the proposed continental railroad through Mexico, Central and South America.
The act admitting of Idaho and Wyoming as States.
The pension act, extending pensions to dependent soldiers and soldiers' widows.
The act to reduce pension fees from $10 to $2.
The French spoliation act.
The act to establish the regulations for vessels at sea adopted by the International Maritime Conference.
The act to refund the direct taxes collected from loyal States during the war.

The act making a general revision of the land laws.
The general land forfeiture act, securing the return of lands granted to railroads to the public domain open for settlement.
The completion of legislation dividing the Sioux Reservation and opening a part of it to settlement.
The act to reapportion Congressional representation according to the Eleventh Census.
The act to increase the endowment and equipment of State agricultural colleges.
The meat and cattle inspection acts, in the interest of interstate and foreign commerce.
The act against gambling on race courses in the District of Columbia.
Various acts designed to improve the administration of the Post-Office Department and extend postal facilities.
The act increasing the monthly purchase of silver.
The original package act, allowing States having prohibitory laws to enforce them against shipments of liquor from other States.
The international copyright act.
Court of Private Land Claims.
Extension of payment of lands in case of crop failures.
Indian depredation claims.

In addition to that, there was passed by the House—there is a mistake here, but I will read it as it is written—a bill to deprive the Southern Democracy of its liberties [laughter], and the bankruptcy act.

I dare say, Mr. Speaker, you will find, and gentlemen upon the other side will find, many of these acts of which they will make complaint. Possibly I may hear a jeer, that it was better not to have passed acts than to pass these; but that is past history. That is what we did.

At this time you on the other side want to have a chance to do what you can do. You want an opportunity for those great remedial measures that you desire. You want to rescue Kansas from starvation [laughter]; you want to look after the burial of Georgia citizens. [Laughter.] You want to pass an act for the free coinage of silver and enable this country to be eternally prosperous. You want also to strike down the tariff, that hideous creature of monopolies; you want to strike down all trusts; you want to redeem this country, and make this a great, a glorious people, such as you are yourselves. [Great laughter.]

That is what you want to do. [Laughter.] And you do not want deliberately to refuse yourselves an opportunity. [Laughter.] But under these proposed rules you do. There is absolutely but one thoroughfare for the passage of bills—but two. One is through the Committee on Rules and the other is by imposing riders on appropriation bills; and your own wisdom, the wisdom of your party, three to one, has in the Forty-ninth Congress rejected that last with contumely. I do not object to the first. I am willing to see a part of an opportunity to do justice if I can not see more. Perhaps you think that by hiding your head in the sand you may become invisible. [Laughter.] Perhaps you think that by cutting yourselves off from action you can go to the people of the United States, as you have been going again and again, with the declaration that you have not done things because you have been prevented by somebody. But that excuse, thank Heaven, will never again be open to the House of Representatives; and if there is anything that makes me prouder than another of the House of Representatives of the Fifty-first Congress it is that fact. Gentlemen, you are out in the open, and you are responsible, not only for what happens but for what does not happen. [Great applause.]

Mr. CATCHINGS. I yield five minutes to the gentleman from Tennessee [Mr. MCMILLIN].

Mr. MCMILLIN. Mr. Speaker, I will commence where the gentleman from Maine [Mr. REED] left off, by saying, that if there is anything that makes me happy and the balance of the country both happy and fortunate, it is that he no longer occupies your chair and that his party is in a hopeless minority. [Applause on the Democratic side.] He has spoken of their action. Yes; they did act. He acted as never predecessor before him acted. His party acted as neither it nor any other party ever before acted. He has told what they did. The country knows how they did it; and it is not amiss that I should state some things they did wherein they had to hold up their hapless hands and cry to us, "help us, Casius, or I sink." One of their many offenses was a want of deliberation.

In their mad haste to inconsiderately dispose of measures, they passed a bill which abolished the State of Texas and put it in the Territory of Oklahoma. [Laughter.]

This had to be undone by unanimous consent. In their rush to create some new offices and to change Federal jurisdiction they went so far, Mr. Speaker, as to pass a bill to reform the judiciary, which took from the Supreme Court of the United States almost every bit of the jurisdiction it had, and left that august tribunal without anything to do but drink champagne and eat stewed terrapin, if any of them had become so inclined. [Laughter.] This, too, we had to correct by unanimous consent. Yes, it acted. It found the average rate of duty 45 per cent, against which the people had clamored; a rate of duty higher than existed for war purposes; a rate of duty that the Tariff Commission said could be and should be reduced 25 per cent. It answered the demands of the people for a reduction of taxation by increasing the taxation to an average of 60 per cent. Yes, it acted; and this robbery by process of law is one of the things boasted of.

Again, not content with this, knowing that the people would complain at these things, knowing that imperialism in the chair or on this floor was not acceptable to the American people, they determined that the American people might curse, cry, or complain, as they preferred, that as for them and theirs they would turn the election of the members of this popular branch of the Government over to the Federal power, to the Federal courts, and make it impossible for the people ever to resist effectively by electing a Congress. They boasted that they were going to put bayonets behind ballots; but their boast was vain.

Byron has truly said that—

> Time at last sets all things even—
> And if we do but watch the hour,
> There never yet was human power
> Which could evade, if unforgiven,
> The patient search and vigil long
> Of him who treasures up a wrong.

The people had been wronged and robbed, the Constitution had been outraged, the precedents of a hundred years had been trampled ruthlessly under foot, and the Treasury emptied. But November came without a force bill, and the people rose in their might! They left but barely enough of the following of the gentleman from Maine to call for tellers in the House. [Applause on the Democratic side.] We are here at the old stand doing business. They are gone, and the place that recently knew them will know them no more forever. [Renewed applause on the Democratic side.]

[Here the hammer fell.]

Mr. CATCHINGS. Mr. Speaker, a gentleman unfamiliar with the methods by which business is transacted in this House, listening to the discussions here on yesterday by gentlemen on the other side, would have supposed that under the mode of procedure which prevailed in the Fifty-first Congress every measure reported by any committee or advocated by any gentleman received prompt and immediate consideration, and he would also have supposed that the object of the rules now proposed to this House for adoption is to undo that system of transacting business and to so arrange matters that it will be impossible for anything to be done by the House unless it is first recommended by the Committee on Rules.

Now, Mr. Speaker, those of us who served in the Fifty-first Congress and witnessed the daily operation of the rules of that House know it to be a fact that in truth no more business was transacted by that Congress, whether we consider public or private bills, than had been transacted by previous Congresses operating under rules the same, in the main, as those now proposed for adoption by this House. The Fifty-first Congress did not adjourn until the 1st day of October, so that it was in session an unusually long time. At my request the Clerk of this House has prepared for me a statement showing the number of public and private bills which passed the Fifty-first Congress and the number of public and private bills which passed the Fiftieth Congress. I find that there were only forty more public bills passed by the Fifty-first than were passed by the Fiftieth Congress. I find that in the Fiftieth Congress fifty-seven more private bills were passed than were passed in the Fifty-first Congress.

So, Mr. Speaker, we have the extraordinary fact that with all their provisions for rushing business through, and with all the facilities which they claim were extended to individual members to press their particular measures, counting both public and private bills, no more statutes were enacted than in the Fiftieth Congress under the old system of rules. It is proper for me to state that I have excluded from this compilation private pension bills, because, as we all know, those are passed on Friday nights, when no system of rules that could be adopted would avail for their expedition if there was any disposition to obstruct their passage.

Perhaps I ought to explain, for the benefit of new members, what we who have served here for some time all know, that at the Friday night sessions, which are set apart for the consideration of private pension bills, there are hardly ever more than twenty-five or thirty members present, so that no rules that could be enacted would expedite the passage of those bills if anybody chose to object to them.

It is true, Mr. Speaker, that the system which prevailed in the Fifty-first Congress did enable the Speaker of this House, by means of his Committee on Rules, to select and press upon and through the House measures to which at least a large minority of the House were opposed. Gentlemen on the other side would have us believe that the provision in the proposed rules giving the initiative to the Committee on Rules to suggest that debate should close upon a measure is a proposition involving the greatest tyranny and the greatest restriction of the rights of individual members.

It is true, sir, that they had no such provision in terms in the rules of the Fifty-first Congress, but practically their rules oper-

ated just as harshly as this rule could possibly be made to operate, no matter what might be the composition of the Committee on Rules. We all know that the Committee on Rules in the last House would bring in a report fixing the time at which a vote should be taken upon a pending measure, and that then, before any gentleman could be recognized, Mr. McKinley, speaking for that committee, would demand the previous question upon the adoption of the report. Instantly by a partisan vote the previous question would be ordered, no debate beyond forty minutes would be allowed, the report would be adopted, and the measure would be put upon its passage at the time named and voted through. I say that the present Committee on Rules, no matter how tyrannous it might desire to be, could never deprive members of liberty of action and debate as effectively as it was done under the rules of the Fifty-first Congress.

But, Mr. Speaker, there is this distinctive difference between the plan proposed by us and the plan upon which the rules of the last House were founded. While they did not provide, in terms, that the Committee on Rules should take the initiative, they did provide that the Speaker should not entertain any dilatory motions, and as that provision was construed by him day after day, we all learned that a dilatory motion was any motion which he did not desire to have put. If a motion looked in anyway toward expediting a measure which he favored, it was not a dilatory motion, but if it tended in anyway to obstruct such measure, then it became "dilatory." Now, sir, the Committee on Rules thought it was best that the Speaker of this House should not be brought into constant collision with members. They thought it proper that any member who should offer a parliamentary motion should have an opportunity to have it presented to the House for a decision. We all saw that personal resentments were aroused under the operation of the rules in the Fifty-first Congress.

It is not a pleasant thing when a gentleman rises on this floor for him to be told by the Speaker, "You are an obstructionist, and I decline to put your motion." But under the heat of partisanship that rule was extended far beyond what anybody ever dreamed it would be when it was adopted. Why, sir, we saw the Speaker of this House time and again refuse to entertain an appeal. That was said to be a dilatory motion. We saw the Speaker of the House refuse to allow the question to be put to the House as to whether a given measure should be considered or not. He ruled that the raising of the question of consideration was a dilatory motion. And so it went, Mr. Speaker.

I am saying nothing now for the purpose of reflecting personally upon the distinguished gentleman who occupied the chair of this House in the last Congress. I am making these statements only for the purpose of showing how the rules of that Congress operated and how they must operate when you vest in any one man such power as that.

But, Mr. Speaker, the ruling out of parliamentary motions on the ground that they were "dilatory" was not sufficient to enable the majority in the last House to accomplish their purposes. It was necessary for them to amend the Constitution in order that they might grasp sufficient power to enable them to put their legislation through. Therefore it was that we had the famous quorum rule forced upon us. I believe, Mr. Speaker, as firmly as I believe anything, that that rule was a direct infringement of the constitutional rights of this House; that when the Constitution declares that on the demand of one-fifth of the members present a vote shall be taken by yeas and nays, it means that the vote of the House as a collective body shall be determined by the yeas and nays and by no other method whatsoever.

There was nothing new, Mr. Speaker, about that proposition to "count a quorum;" it had been repeatedly presented to this House and as often rejected. But when the election of 1890 was over and it turned out that while this House would be Republican and while the President would be a Republican, the Republican majority in this House would be extremely slight and slender, then we saw this question broached; we saw it agitated from time to time through the newspaper press, through magazine articles, and in public speeches. All at once the country was given to understand that no business had ever been transacted here under the system which had always prevailed; that the rights of the people had never received due consideration, and that a revolution in our proceedings here must be worked or this country would go to perdition.

So, Mr. Speaker, the public mind was gradually prepared for the decision which was finally precipitated upon us by the distinguished Speaker of the last House, even before his party colleagues in this House had enacted the proposition into a rule.

Mr. Blaine had said that the enactment of a rule of that sort would lead to scandal and to fraud. I ask the gentlemen who served in the last Congress whether his prediction was not verified. What could have been more scandalous, Mr. Speaker, than to have pages sent into the cloakrooms of this House to find whether certain gentlemen were there in order that they might be counted as present and doing business on the floor?

It is true, Mr. Speaker, that in one sense those cloakrooms constitute a part of the Hall of this House; but they are rooms separate and apart from the Hall, where we sit when doing business, and I undertake to say that the average American citizen would denounce as an absurdity the proposition that a gentleman who has retired to one of these cloakrooms, where he is entirely beyond the vision of the Speaker, can under any construction of the Constitution be assumed to be present here and doing business. Yet, Mr. Speaker, the counting of members under such circumstances as present and participating in business was a matter of daily occurrence.

We saw the further scandal (for it was nothing short of a scandal) that when the yeas and nays were being taken gentlemen were counted as present and doing business here although they had left the House long before their names were reached on the roll call. In fact, as one writer said, a gentleman might have left the Hall after the yeas and nays were ordered, and reached the city of Baltimore before his name was reached on the roll call, and yet he would be counted.

In other words, Mr. Speaker, when the yeas and nays had been ordered, although I might have passed through that door and into the corridor before a single name on the roll was reached, the Speaker would have counted me as present and doing business. A member has not the right to vote on a roll call until his name is called; hence if he leaves the Hall before that time the Speaker can not assert that he was present and not voting.

Why, Mr. Speaker, the country believes to this day—I understand now it is not a fact, but I believed it myself until a few days ago—that the practice under that rule was extended to such a point that if a gentleman had merely left his hat in the cloakroom he was counted as though present and doing business. I say sincerely——

Mr. REED. That is only one of the lies that the country was caused to believe—only one of them.

Mr. CATCHINGS. Mr. Speaker, the country has heard the gentleman's attempt to vindicate himself. He has discussed this question until it is threadbare. He has made speeches and written magazine articles; and the country has passed judgment upon him. Mr. Speaker, I am reminded by the presence of my friend from Massachusetts [Mr. MORSE] that when the rules of that Congress were up for consideration and this "quorum" question was being discussed, that gentleman rose and with passionate fluency or fluent passion, whichever it may have been, said that if this House did not adopt those rules there would not be pontoons enough to bridge gentlemen back into this House.

Well, sir, they adopted their system of rules and the pontoons were called for but denied them. They had to walk the plank, and almost every man of them slipped, and, like McGinty, went to the bottom of the sea.

But, Mr. Speaker, it is idle to discuss the constitutional question here presented with the distinguished ex-Speaker of the House. It has been discussed over and over again. The question has gone beyond the arena of discussion. I believe that if there was one single question which more than another determined the majority at the last election against the Republican party it was the manner in which business was administered under the rules of the last Congress. It was perfectly evident to the country that this change of opinion as to the constitutional authority to enact a rule whereby on a yea and nay vote members present, but not voting, might be counted to make a quorum, was brought about by reflection upon the precarious condition and probable helplessness of the Republican majority.

At the time that the House assembled they had but a trifling majority of three or four. Death or other casualties might have destroyed that majority; and it was very evident to its leaders that no partisan measure could be put through the House unless the majority was increased and these rules adopted.

It is true, sir, that men often alter their views, and that because an opinion has been once entertained it need not necessarily be always entertained. There are often good and solid reasons for a change of opinion, and I will not dispute the claim of my distinguished friend from Maine that he has sincerely reached a conclusion the opposite of that formerly expressed and entertained upon this subject.

But, Mr. Speaker, there are thousands of American citizens who are not as credulous as myself, and I do not doubt that there are throughout the country many thousands of people who will not believe that that change of opinion was superinduced by careful reflection. They will persist in believing that the Republican party was moved to enact its quorum rule by the stress of its environments, and the great necessity upon it to control legislation in the last Congress. While thoughtful men do constantly change their minds upon great questions, from the consideration of new elements which enter into them, they do not

ordinarily do so unless some new light has been shed upon such questions. It is not pretended, so far as I ever heard, that new light has been turned upon this question. The discussion of it was exhausted, as I have said, years ago.

Previous debates upon the question had left no room for further argument. In fact, Mr. Speaker, the most lucid and conclusive statement of our view of the question that I have ever heard or that I believe was ever uttered by mortal man came from the lips of the distinguished gentleman from Maine himself, who stated, and stated properly, that what the Constitution of the country called for was the votes of members and not the presence of members on this floor. That is the natural construction of the Constitution and the one which had prevailed always in this body. But, sir, even if the quorum rule can be justified under the Constitution, was it a wise and right thing to enact it?

I have the authority of the distinguished gentleman from Maine himself, when in 1880 this question was up for consideration, for stating that even if the Constitution was against the view then entertained by him and now entertained by us and such a rule was admissible, it ought not to be adopted. He said that the practice at times indulged in by minorities of refraining from voting when their names were called had worked well for the people of this country in the past, that it was a valuable privilege for them that a minority should have the right to thus delay business here and attract the attention of the country to proposed enactments, and by that means to delay and sometimes defeat harmful measures. He stated that it was a practice from which both parties had equally suffered in times past, that both parties had felt it, but that, as a whole, the result was great good to the American people.

In stating that, Mr. Speaker, the gentleman from Maine was not giving an opinion, but stating a fact. He can not hide that fact; he can not obliterate or recall it, although he may have amended his opinion as to the legality of the quorum rule. The value of his statement upon this aspect of the question remains, unless something has intervened since that has tended to make a practice improper at this time which was unquestionably regarded by him as entirely proper at that time. But it should be remembered that this method of filibustering has never been resorted to from that day to this until it was practiced by gentlemen on that side of the House to prevent in the Fiftieth Congress the consideration of the California contested-election case.

But we are told that if members can abstain from voting upon a yea-and-nay call without being counted to make a quorum, we will have only minority rule.

No such result follows. The friends of a measure, if in the majority, can always come here when it is put upon its passage and vote it through.

If it is a fact that minorities control unless we put them in chains and manacles, then, Mr. Speaker, the question may be asked, why is it that every two years both the two great parties go out into the country and struggle to obtain a majority here? If minorities control, why is it desirable that a party shall be in the majority? The fact is that all this talk, Mr. Speaker, about minorities controlling majorities is wholly without foundation and absolutely deceptive.

Now, Mr. Speaker, to get back to these rules. There is no suggestion from any source that the power which is proposed to be vested in this Committee on Rules will be exercised without due regard to the welfare of the House. Representatives may feel assured that no measure which is supported by any considerable number of gentlemen here will fail to receive due consideration at the hands of that committee, or any other committee which might be organized in this House. I claim no special superiority, Mr. Speaker, for the gentleman composing the Committee on Rules. They have no wish or purpose except to do the duty to which they have been assigned, as gentlemen upon every committee in this House are expected to do the duty assigned them. I say that you may intrust this power safely to any five gentlemen on this side of the House or the other, to determine when the rush of business comes, as to which measure shall have precedence over others.

But you have got to lodge this power somewhere. You would have chaos without it. Such power has heretofore been exercised, and usually without opposition, and for the reason, as has been well stated by the gentleman from Maine [Mr. REED], that nine-tenths of all the business which is transacted here is nonpartisan. But we have found in all preceding Congresses that special orders have necessarily been brought in fixing days for the consideration of special measures, and that without objection. In other words, Mr. Speaker, gentlemen of this House felt that it was necessary that that power should be exercised; and so when the Committee on Rules would come in and propose to set apart this week or such and such days for the consideration of this measure or the other, the proposition was adopted without objection, because gentlemen felt it was necessary to enable them properly to transact business. We simply propose to make the exercise of this power a right, whereas heretofore it was not——

[Here the hammer fell.]

The SPEAKER. The time assigned for general debate has expired. The Clerk will now read the report of the Committee on Rules section by section. As each section is read it is open to amendment and debate under the five-minute rule.

The Clerk proceeded to read the report.

During the reading of the first section

Mr. DICKERSON said: Mr. Speaker, I ask unanimous consent that the reading be dispensed with until we get to Rule X. I understand there is no question made as to any of the others.

Mr. BURROWS. Oh, no; let it all be read.

The Clerk proceeded with the reading.

Having read as follows:

5. He shall rise to put a question, but may state it sitting; and shall put questions in this form, to wit: "As many as are in favor (as the question may be) say *Ay;*" and after the affirmative voice is expressed, "As many as are opposed say *No;*" if he doubts, or a division is called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and then those in the negative; if he still doubts, or a count is required by at least one-fifth of a quorum, he shall name one from each side of the question to tell the members in the affirmative and negative; which being reported, he shall rise and state the decision;

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I caused to be printed in the RECORD as one of the amendments I would suggest to the House the following:

After the word "doubt," in line 7 of subsection 5, insert the words:
"Or the accuracy of his count is challenged."

As it is now, the House will notice that tellers are appointed in only two cases: one is where the Speaker himself doubts, the other is where one-fifth of the quorum calls for them. Now, it has occurred to me several times since I have been in Congress that there are occasions when the count of the Speaker might be challenged as to its accuracy, and that some provision ought to be made for that case. The Speaker himself will no doubt recall times when he greatly doubted whether the accuracy of the count was sufficient to make it certain. Especially so when the House is quite full, and when, under our rules, the privilege of the floor is granted to a great number of persons. The Speaker no doubt counts as best he can, but there are times when he himself doubts and when others may doubt as to whether he has counted accurately.

I shall not insist upon the amendment if the Committee on Rules are not willing to accept it; but it has occurred to me that it is a rule which the Speaker of the House himself would like to have put in, and one that every man who serves as Chairman of the Committee of the Whole would like to have, because it will avoid unpleasantness, and will give an opportunity for the prevention of any kind of comment, and will be one of the modes by which the House, without any anger or without any tumult, may remove a cause of disagreement, which sometimes leaves soreness behind.

It is a fact, which all of us recognize, that the Speaker of the House presides probably not more than one-third of the time when there is a division. I take it for granted that there are two divisions in the Committee of the Whole where there is one in the House. Inasmuch as all bills appropriating money receive their first consideration in the House, they form the great body of the subject of the debate, and give rise to the great bulk of the questions upon which votes are taken; and as no yeas and nays are called in the Committee of the Whole, the only mode of having a vote is either by the sound or by a division; so that I suppose it is true that the divisions in the Committee of the Whole are twice as numerous as they are in the House. It is not, therefore, by any means, any criticism upon any past Speaker or any doubt as to any future Speaker, but it is simply a mode of obtaining, in the Committee of the Whole, where there is no yea-and-nay vote, an accurate count when any member upon his own responsibility challenges the accuracy of the count of the presiding officer, and there are times when a single vote decides, when the matter of a quorum hinges upon one vote. In this House, where one hundred and sixty-seven members are required for a quorum, and where gentlemen who are not members of the House, officers and privileged persons, are on the floor in considerable numbers, it is often a question which is difficult of determination.

If the gentleman in charge is not willing to accept the amendment I will not press it, and I will not formally make it; but after six years of service in the House I think it is a matter which could be well made, and more easily made at the beginning of a session than at any other time.

The SPEAKER. The Clerk will report the proposed amendment.

The Clerk read as follows:

Amend by adding after the word "doubt," in line 7, the words "or the accuracy of his count is challenged."

Mr. CATCHINGS. Mr. Speaker, I differ with my friend from Kentucky as to the desirability of adopting this amendment. The effect of it would be to abrogate the limitation as to the number required to demand a vote by tellers. As the rule now is, it is required that at least one-fifth of a quorum shall demand a vote by tellers before it is ordered. The effect of the gentleman's proposition would be to authorize any single gentleman to require that a vote shall be taken by tellers on every occasion; and the further effect would be to establish a system under which there would be some gentleman who on almost every occasion when a count by tellers is taken would challenge the count. The result would be that the time of the House would be largely consumed by taking votes by tellers, when, as a matter of fact, no one really questions the correctness of the count of the Speaker. Tellers have been called for frequently, not because the accuracy of the count was questioned, but because it required time, and gave opportunity to go out and drum in voters which perhaps would change the result. The effect of the amendment would be to allow a single man to call for tellers, which would consume time, while it was not intended to call into question the correctness of the Speaker's count.

Mr. RICHARDSON. Mr. Speaker, I call attention to the fact that the gentleman from Kentucky [Mr. BRECKINRIDGE] does not offer the amendment; and therefore no amendment is pending.

The SPEAKER. The Chair understands the gentleman from Kentucky has withdrawn the amendment.

Mr. BRECKINRIDGE of Kentucky. I will not press the amendment, but desire before I withdraw it to state that the argument of the gentleman from Mississippi is based upon the fallacious idea that members of the House will be urged by improper motives. Now, it is a fact, which I think will be borne out, that amid all the excitement of the last House, and amid the many things said, and a good many harsh things, at that time when quorums were counted, there were not more than three occasions on which the accuracy of the count was challenged.

The right was challenged, but I think that in all that time the accuracy of the count was not challenged more than three times, showing that in all the great excitement and great feeling that members did not challenge the Speaker's conduct as to accuracy unless there was some reason for it, and at those times—I know of one occasion when I made the challenge myself—the challenge was accompanied with a statement that it was not meant to challenge the desire of the Speaker to be accurate under the circumstances, but that we challenged the Speaker's count as to certain persons. I think that it has been proved, and it will be proved, that there are times when the Speaker himself would not object to having the count made, but as the Committee on Rules, which consists of the Speaker and two other gentlemen representing the majority, may think it would look ungracious to press such an amendment, I withdraw it.

The SPEAKER. The Clerk will read:

The Clerk read as follows:

2. He shall make, and cause to be printed and delivered to each member, or mailed to his address, at the commencement of every regular session of Congress, a list of the reports which it is the duty of any officer or Department to make to Congress, referring to the act or resolution and page of the volume of the laws or Journal in which it may be contained, and placing under the name of each officer the list of reports required of him to be made; also, make a weekly statement of the resolutions and bills upon the Speaker's table, accompanied with a brief reference to the orders and proceedings of the House upon each, and the dates of such orders and proceedings, which statement shall be printed.

Mr. BURROWS. Mr. Speaker, I move to strike out in clause 2 all after the word "made," at the top of page 5:

Also make a weekly statement of the resolutions and bills upon the Speaker's table, etc.

I do so for the purpose of inquiring the object of that provision. I desire to call the attention of the gentleman from Mississippi to Rule XXIV, clause 2, as proposed by the committee, which reads:

After the Journal is read each day, other than Monday, the Speaker shall lay before the House for references messages from the President, reports and communications, etc.

The gentleman will observe, under that rule, after the reading of the Journal each day, the first duty of the Speaker is to clear the Speaker's table by referring everything. Now, why should this rule contain the provision to which I have alluded, that the Clerk shall make "a weekly statement of the resolutions and bills on the Speaker's table?"

That was put in when we had a Speaker's table, and we would go to the Speaker's table to do business. But these rules dispose of the Speaker's table, so far as business is concerned, and direct the Speaker to lay this business before the House immediately after the reading of the Journal. Therefore there are no bills, no messages or bills to be listed. I merely suggest this for the purpose of having it corrected, thinking it to be an oversight.

Mr. CATCHINGS. I think that it had better be allowed to remain as it is.

Mr. BURROWS. For what purpose?

Mr. CATCHINGS. It is very often the case that business is taken up immediately after the Journal is read, under special order, before these communications or Senate bills are laid before the House; and because of that fact it sometimes occurs that very considerable business accumulates on the Speaker's desk. And then my friend also knows, from his long experience here, that it is very often the case that gentlemen ask unanimous consent that measures shall remain on the Speaker's table. It is a way we are sometimes able to get a bill passed.

Mr. BURROWS. I will not press it, if the gentleman thinks it serves any useful purpose.

Mr. CATCHINGS. I say that it is a fact that very considerable business accumulates on the Speaker's table; and it is requisite that we should have a statement of it.

Mr. BURROWS. If the gentleman thinks it will serve any good purpose I have no objection, and will not press an amendment; but I really do not see the object of it.

The Clerk read as follows:

3. He shall note all questions of order, with the decisions thereon, the record of which shall be printed as an appendix to the Journal of each session; and complete, as soon after the close of the session as possible, the printing and distribution to Members and Delegates of the Journal of the House, together with an accurate and complete index; retain in the library at his office, for the use of the members and officers of the House, and not to be withdrawn therefrom, two copies of all the books and printed documents deposited there; send, at the end of each session, a printed copy of the Journal thereof to the executive and to each branch of the Legislature of every State and Territory; preserve for and deliver or mail to each Member and Delegate an extra copy, in good binding, of all documents printed by order of either House of the Congress to which he belonged; attest and affix the seal of the House to all writs, warrants, and subpœnas issued by order of the House, certify to the passage of all bills and joint resolutions, make or approve all contracts, bargains, or agreements relative to furnishing any matter or thing, or for the performance of any labor for the House of Representatives, in pursuance of law or order of the House, keep full and accurate accounts of the disbursements out of the contingent fund of the House, keep the stationery accounts of Members and Delegates, and pay them as provided by law.

Mr. COBB of Alabama. Mr. Speaker, I offer an amendment to that section.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amend section 3, Rule III, by striking out present provision and inserting following: "Preserve for and deliver or mail to each Member and Delegate an extra copy in good binding of all such documents printed by order of either House of the Congress of which he was a member which he may request in writing to be bound for him."

Mr. CATCHINGS. I think that is a very good amendment; and if my colleague agrees with me, I will accept it.

Mr. RICHARDSON. There is a difficulty to which I will call the attention of the gentleman from Alabama and also the committee, and that is that the statute requires that one copy of each publication shall be sent to members, and this rule only provides a medium by which the statute or through which the statute can be executed. It is made the duty of the Clerk to make the transmissal of each publication, and unless Congress sees fit to repeal the section of the Revised Statutes which authorizes and directs the publication and transmission of one copy of each document to each member it will not be necessary to strike out the rule. The real object of the clause can not be effected unless the statute is amended. I agree that the object is one which is much to be desired, and the bill which we had under discussion the other day, the public printing bill, provided for the very object sought by this amendment. The section of the Revised Statutes should be repealed. I suggest to the gentleman, if he will permit me to do so, that I have drawn an amendment there in anticipation of the passage of the printing bill.

Instead of taking the language of my friend from Alabama, if after the word "belonged" you should add the words "and to which he is entitled under the law," the gentleman's purpose would be accomplished. It will then read this way:

Preserve for and deliver or mail to each Member and Delegate an extra copy in good binding of all documents printed by order of either House of the Congress to which he belonged and to which he is entitled under the law.

If the law remains as it is now, he will have to mail to each member one copy of each document, but I trust the law will be changed at this session. I think the language I suggest will meet the difficulty and will at the same time obviate the necessity for an amendment to the rule if the statute is repealed.

Mr. COBB of Alabama. That might be the case, Mr. Speaker, if the gentleman from Tennessee [Mr. RICHARDSON] was right in his statement of the existing law, but I do not understand that we have any such statute as that which he refers to. I do not think there is in the Revised Statutes, or in any of the statutes of the United States, a provision peremptorily requiring that the Clerk shall bind and mail to each member of the House the documents referred to in this rule. If there is such a statute, then it is immaterial whether we have this rule or not, for the statute would of course prevail over the rule. But if we are to have a rule of this sort enacted, let it be such a rule as would

meet the assent of our judgment in the absence of a statute; because, I repeat, if the statute exists, the rule is ineffectual anyway.

The purpose of the rule is easily apprehended, and the reform which the amendment would make is a good one. Under the present law or rule as it has existed heretofore, the Clerk of the House is required to bind and send to each member every document printed by order of either House of Congress. The result has been, as I presume every member of former Congresses knows, that the rooms and offices of members have been filled up with matter that is utterly useless, and in fact is a positive incumbrance.

A MEMBER. Why do not they give it away?

Mr. COBB of Alabama. It is not worth giving away. Nobody will have it.

Mr. JOHNSTONE of South Carolina. Why did Congress order the matter printed if it was so worthless?

Mr. COBB of Alabama. Well, Mr. Speaker, if the gentleman will tell me why Congress does everything else that it does, I will answer his question. [Laughter.] As was stated by some distinguished gentleman in the last House, Congress is continually ordering matter to be printed which nobody ever reads, and which can not even be given away, because nobody will take it. In fact, you can not do anything with it but throw it in the waste-basket or sell it to the junk-dealer. But whether the Congress acts wisely or unwisely in ordering these documents printed is not the question here. We all know as a matter of fact that many of the documents that come to us are utterly worthless.

[Here the hammer fell.]

Mr. COBB of Alabama. I ask unanimous consent for a minute or two more to complete my remarks.

There was no objection.

Mr. COBB of Alabama. I merely want to remark, in conclusion, that the amendment which I propose will take away from the members of the House no right which they now enjoy. They can still have all these documents if they choose to have them, but if they do not want them they need not ask for them. Such documents as members want to have bound they can have bound under the amendment which I propose and which I hope will be adopted.

Mr. BUSHNELL. Mr. Speaker, I do not know that I exactly understand the force of the amendment proposed, but if I do, it strikes me that there is no object in adopting it. I do not understand that this amendment will prevent the printing and preparing of these documents, but simply that it will put every member to the trouble of making a list of the documents that he desires to have sent to him and filing that list with the clerk. Now, I see no use in putting members to that trouble. I believe the rule as it stands is a better one. We do not need, under the rule as it stands here, to look over the RECORD and find out what documents have been ordered to be printed and then prepare and file with the Clerk a list of those that we want to have sent to us. They come to us without all that trouble. It seems to me that the amendment suggested by the gentleman will simply impose upon every member an additional amount of work which is quite unnecessary. Of course a great many of these public documents will prove to be of no use to members, but among the great amount of chaff there must certainly be found some wheat.

Mr. COBB of Alabama. If the gentleman will permit me, I think he fails to draw the distinction between printing documents and binding them. You can have your documents just as you do under the rule, but the question is whether they shall all be bound at a heavy expense, whether they are of any use or not.

Mr. BUSHNELL. Then this amendment simply refers to binding the documents.

Mr. COBB of Alabama. That is all. If you want your documents bound you can have it done, but if not you need not have it done, and there will be a considerable saving to the Government.

[Mr. HOLMAN withholds his remarks for revision. See Appendix.]

Mr. COBB of Alabama. It applies only to those public documents which have heretofore been bound and furnished to members whether requested by them or not. This practice costs the Government a good deal of money; and the result is that there is accumulated at the homes of members a mass of matter utterly useless to them or anybody else.

Mr. GEISSENHAINER. Then this applies only to the public documents furnished to members?

Mr. COBB of Alabama. That is all.

The question being taken on the amendment of Mr. COBB, of Alabama, it was not agreed to; there being—ayes 15, noes 38.

The Clerk proceeded to read the provisions of the proposed rules in regard to the duties of the Clerk of the House.

Mr. ENLOE. I desire to offer the amendment which I send to the Clerk.

The Clerk read as follows:

At the end of Rule III add the following:

"He shall pay to the officers and employés of the House on the last day of each month the amounts of their salaries that shall be due them; and when the last day of the month falls on Sunday he shall pay them on the day next preceding."

Mr. ENLOE. Mr. Speaker, there is no provision in our rules directing the Clerk to make payment of their salaries to the employés of the House; but it has been the custom for him to make such payment on the last day of each month. In the different Departments of the Government and in the Senate, when the month ends on Sunday the custom has been to make the payments on the preceding day. I desire to incorporate such a direction in these rules so that our employés may be as well treated as the employés of the Senate and of the several Departments. Many of the gentlemen connected with the House are dependent on their salary from month to month, and they need to receive it promptly in order to make settlement with their boarding-house keepers and others. By compelling them to await payment until the first day of the month they may be prevented from meeting their obligations as promptly as they desire.

The question being taken on the amendment of Mr. ENLOE, it was agreed to.

The Clerk read as follows under the heading "Duties of other officers;"

He [the Doorkeeper] shall allow no person to enter the room over the Hall of the House during its sittings; and fifteen minutes before the meeting of the House each day shall see that the floor is cleared of all persons except those privileged to remain.

Mr. BYNUM. I move to amend by adding to the clause last read the following:

And kept so until ten minutes after the adjournment.

Mr. CATCHINGS. There is no objection to that amendment.

The amendment was agreed to.

The Clerk read as follows:

1. Every member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless, on motion made before division or the commencement of the roll call and decided without debate, he shall be excused, or unless he has a direct personal or pecuniary interest in the event of such question.

Mr. BERGEN. I offer the amendment which I send to the desk.

The Clerk read as follows:

Add to clause 1, Rule VIII, the following:

"*Provided*, That the Speaker shall not, under this rule, have the power to declare any member in contempt or imprison him as in contempt for a disregard of the rule on his part."

Mr. BERGEN. Mr. Speaker, the rule of the last House on this subject has been so altered in this proposed code as to insert the words "unless, on motion made before division or the commencement of the roll call and decided without debate, he shall be excused." The effect of this, as I understand, is practically to incorporate into the rules of this House the rule which is in operation in the senate of New York, and which has become so offensive in the minds of the people of the country. I propose by this amendment that there shall be no misunderstanding on this question in this House, and that we may be saved from the position into which the people of the State of New York have come because of action which, under a similar rule, has been forced upon them by the lieutenant-governor presiding over the senate of that State. I hope the amendment will receive the approbation of the committee.

The question being taken, the amendment of Mr. BERGEN was rejected.

Mr. BURROWS. I move to amend by striking out in the third, fourth, and fifth lines of the clause last read the words "unless on motion made before division or the commencement of the roll call and decided without debate, he shall be excused, or," thus leaving the clause in such a form as to provide that a member "shall vote on each question put, unless he has a direct personal or pecuniary interest in the event of such question."

I move that amendment because this is a fruitful source of delay. That provision in the rule which allows a motion to be made to excuse a member from voting has been used heretofore to consume public time and arrest the transaction of the public business. In the Fiftieth Congress I have known, under that provision of the rule, a member to rise in his place and ask that another member be excused from voting, a man sitting by his side, without a request from that member or any indication on his part that he desired to be excused, and then that member in turn rising in his place and moving that the first member be excused, and the yeas and nays ordered on both motions.

Mr. OATES. What is the amendment proposed by the gentleman?

Mr. BURROWS. An amendment to Rule VIII, to strike out the words:

Unless, on motion made before division or at the commencement of the roll call and decided without debate, he shall be excused, or.

Mr. OATES. Why not make it on his own motion?

Mr. BURROWS. That would be an improvement; but nevertheless right there is an opportunity to delay the House until a vote is taken by yeas and nays on excusing 332 members. Right in that rule is this fruitful source of delay; and when the question was presented, the point being raised in the Fiftieth Congress, to the Speaker that it was not in order to move to excuse a member unless on the request of the member himself, the Speaker ruled that the motion was admissible.

Mr. BYNUM. I think the gentleman is mistaken in that, and that the final termination of the controversy on that point was that no member could move to excuse another member unless he himself asked to be excused.

Mr. BURROWS. I think the Speaker decided otherwise.

Mr. REED. I think the gentleman from Tennessee [Mr. McMILLIN] might give some information on that point.

Mr. BURROWS. I remember it was so held in the beginning; but what was the final outcome of the matter I do not now remember. As suggested, however, by the gentleman from Maine, the gentleman from Tennessee, who himself moved to excuse members, and for whom the motion was also made to be excused, might throw some light on the subject.

Mr. OATES. I remember in the Fiftieth Congress that was done.

The SPEAKER *pro tempore* (Mr. DOCKERY in the chair). The question is on agreeing to the amendment proposed by the gentleman from Michigan.

The question was taken, and the Speaker announced that the "ayes" seemed to have it.

Mr. BURROWS. Let us have a division.

Mr. CULBERSON. Let us have the amendment read.

The SPEAKER *pro tempore*. If there be no objection, pending the division the Clerk will read the rule as it will stand if the amendment be adopted.

The Clerk read as follows:

Every member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented, and shall vote on each question put unless he has a direct personal or pecuniary interest in the event of such question.

The question was taken; and on a division there were—ayes 54, noes 68.

So the amendment was rejected.

The Clerk read as follows:

RULE X.

OF COMMITTEES.

1. Unless otherwise specially ordered by the House, the Speaker shall appoint, at the commencement of each Congress, the following standing committees, viz:

On Elections, to consist of fifteen members.
On Ways and Means, to consist of fifteen members.
On Appropriations, to consist of fifteen members.
On Judiciary, to consist of fifteen members.
On Banking and Currency, to consist of fifteen members.
On Coinage, Weights, and Measures, to consist of thirteen members.
On Interstate and Foreign Commerce, to consist of sixteen members.

Mr. CATCHINGS. Mr. Speaker, I ask unanimous consent that the last clause of this rule just read be passed over for the present, with leave to recur to it.

The SPEAKER. To what paragraph does the gentleman refer?

Mr. CATCHINGS. To that portion of the rule which fixes the membership of the Committee on Interstate and Foreign Commerce. The committee have an amendment, and I ask that this be passed over informally, with the privilege of recurring to it hereafter.

Mr. OATES. I rise to a parliamentary inquiry. After reading this section fixing the membership of the committees of the House, would it be in order to recur to any part of it for the purpose of amendment?

The SPEAKER. The idea of the Chair was that as each paragraph was read it would be open to amendment, and if none is offered before another paragraph is read it would be too late to go back to it.

Mr. OATES. I will ask in passing over this paragraph that permission be given to recur to it again for the purpose of allowing amendments. I mean the paragraph fixing the membership of the different committees.

The SPEAKER. The gentleman will send up his amendment.

Mr. OATES. I desire to offer an amendment hereafter to Rule X. I have not yet prepared it, and for that reason ask permission to offer it hereafter.

The SPEAKER. Is there objection?

There was no objection.

Mr. MILLER. I wish to offer an amendment.

Mr. BUSHNELL. Do I understand that each separate paragraph of the rule is open to amendment as we proceed?

The SPEAKER. The Chair thinks so.

Mr. BUSHNELL. And not after we have passed over the paragraph?

The SPEAKER. The Chair thinks not.

Mr. BUSHNELL. Then I desire to offer an amendment.

The SPEAKER. There is an amendment now pending.

Mr. OTIS. Mr. Speaker, I wish to submit a parliamentary inquiry. Would it be in order at this time to offer a substitute for Rule X?

The SPEAKER. Not now. After Rule X is perfected by amendment then it will be in order to offer a substitute for it.

Mr. MILLER. I wish to offer an amendment to follow the word "committees," in the third line of Rule X.

The Clerk read as follows:

Subject to the approval of a majority of the members of the House.

The SPEAKER. The Chair thinks the amendment comes too late.

Mr. MILLER. Then I ask unanimous consent to offer it. There was a misunderstanding as to the time it should be offered.

Mr. DOCKERY. Before consent is given let the amendment be again read.

Mr. PICKLER. I certainly understood the rule to be as stated by the chairman in charge of the report, that the entire rule would be read through, and that then it would be subject to amendment; not that it would be only subject to amendment as each paragraph is read.

The SPEAKER. The Chair did not so understand it. Of course, if it is so in the RECORD the Chair will bow to it; but the understanding of the Chair was that as each paragraph of the rule is read it will be open to amendment. Otherwise, if a rule is read through, a dozen separate amendments might be offered to the various paragraphs, and great confusion would result.

Mr. BERGEN. I wish to submit a parliamentary inquiry.

The SPEAKER. The Chair will hear the gentleman.

Mr. BERGEN. Is the section not amendable after the whole paragraph has been read? We have not yet completed the reading of the first section of the tenth rule.

The SPEAKER. That is very true, but there are many paragraphs in the rule, and the Chair has just stated that in his judgment each paragraph is subject to amendment as reached.

Mr. BERGEN. There is only one paragraph in the rule referring to committees. The Clerk has not read the entire paragraph yet, but has only read a portion of it.

The SPEAKER. Has the gentleman any amendment he desires to offer? Does this ruling interfere with him at all?

Mr. BERGEN. I simply wish to understand what the agreement was.

Mr. MILLER. I offer an amendment, and I ask unanimous consent for its consideration.

Mr. CHIPMAN. Mr. Speaker, what is the amendment? Will the Speaker have it read? We do not know what it is.

Mr. HOLMAN. I suggest that all of this section be read from the beginning to the end—the whole section, and then that it be open to amendment.

Mr. BURROWS. Do you mean the whole rule?

Mr. HOLMAN. No; I mean the whole section. This rule, for instance, is divided into three sections.

The SPEAKER. The gentleman from Indiana [Mr. HOLMAN] asks unanimous consent that the entire section be first read and then that amendments to any part of it be in order. Is there objection?

There was no objection.

Mr. McMILLIN. I believe the gentleman's suggestion is correct. It will facilitate consideration and will deprive no one of any rights.

The Clerk resumed the reading of the section and read as follows:

On Rivers and Harbors, to consist of fifteen members.
On the Merchant Marine and Fisheries, to consist of thirteen members.
On Agriculture, to consist of fifteen members.
On Foreign Affairs, to consist of thirteen members.
On Military Affairs, to consist of thirteen members.
On Naval Affairs, to consist of thirteen members.
On the Post-Office and Post-Roads, to consist of fifteen members.
On the Public Lands, to consist of thirteen members.
On Indian Affairs, to consist of thirteen members.
On the Territories, to consist of thirteen members.
On Railways and Canals, to consist of thirteen members.
On Manufactures, to consist of eleven members.
On Mines and Mining, to consist of thirteen members.
On Public Buildings and Grounds, to consist of thirteen members.
On Pacific Railroads, to consist of thirteen members.
On Levees and Improvements of the Mississippi River, to consist of thirteen members.
On Education, to consist of thirteen members.
On Labor, to consist of thirteen members.
On the Militia, to consist of thirteen members.
On Patents, to consist of thirteen members.
On Invalid Pensions, to consist of fifteen members.
On Pensions, to consist of thirteen members.
On Claims, to consist of fifteen members.
On War Claims, to consist of thirteen members.
On Private Land Claims, to consist of thirteen members.
On the District of Columbia, to consist of fifteen members.
On Revision of the Laws, to consist of thirteen members.

On Expenditures in the State Department, to consist of seven members.
On Expenditures in the Treasury Department, to consist of seven members.
On Expenditures in the War Department, to consist of seven members.
On Expenditures in the Navy Department, to consist of seven members.
On Expenditures in the Post-Office Department, to consist of seven members.
On Expenditures in the Interior Department, to consist of seven members.
On Expenditures in the Department of Justice, to consist of seven members.
On Expenditures in the Department of Agriculture, to consist of seven members.
On Expenditures on Public Buildings, to consist of seven members.
On Rules, to consist of five members.
On Accounts, to consist of nine members.
On Mileage, to consist of five members.
Also the following joint standing committees, viz:
On the Library, to consist of three members.
On Printing, to consist of three members.
On Enrolled Bills, to consist of seven members.

Mr. MILLER. Now, Mr. Speaker, I ask the Clerk to read the amendment which I offer.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

By Mr. MILLER: Add to Rule X, section 1, the words:
"Subject to the approval of a majority of the members of the House."

Mr. MILLER. Mr. Speaker, that rule in its present form imposes a burden upon the Speaker which I consider altogether beyond his capacity to perform. When this country was limited to thirteen States, when it was concentrated between the Alleghanies and the Atlantic, or perhaps even when it was limited to the territory east of the Mississippi, perhaps this rule was sufficient; but we have grown to such an extent that no man living can do justice to all the people of this country in selecting the committees that shape the legislation of this House. We all know that in this House, as in all legislative bodies, the committees shape the laws that are passed, and that it is almost utterly impossible to secure the passage of any bill unless it is favorably reported by a committee. Consequently the committees of this House should represent every section of our country.

Now, I say that the present rule confers a dangerous power upon one man. I say that the people of the different sections of this country should be represented upon the committees of this House. Are they? I have no doubt but that the present Speaker probably made as disinterested a selection as any man who could have been elected. But the system is wrong. We have outgrown it, and as an evidence of the fact the States west of the Great Lakes, clear to the Pacific Ocean, are only represented by three chairmanships upon these committees. One is from Iowa, on the Committee on Education, and the other two are unimportant committees. Now, I ask is that a fair distribution of the chairmanships of this House in the committees which, from the nature of the case, must shape the legislation of this House? Why should this be continued? Is it not antidemocratic? Does it comply with our understanding of what is right and just to confine these committees to any certain section of the country? I apprehend that it is the disposition of this House to do what is fair and right. We have been sent up here to this national temple of our country, not to legislate for any particular section of the country, not to legislate for any particular party, but to legislate for the whole people.

[Here the hammer fell.]

Mr. CATCHINGS. Mr. Speaker, it is sufficient to say that the committees have already been appointed under an order of this House previously adopted, so that that would seem to settle the proposition.

The amendment offered by Mr. MILLER was disagreed to.

Mr. CAMINETTI. Mr. Speaker, I desire to offer an amendment to paragraph 1, which I send to the Clerk's desk.

The Clerk read as follows:

Add to subdivision 1 the following:
"On Public Parks and Reservations, to consist of seven members."

Mr. CAMINETTI. Mr. Speaker, I desire briefly to say that in the last few years there have been organized eight or ten great public parks and reservations in this country, and that no law has been passed providing for their government or for their care or protection. Six or seven of those parks are located in the State of California, and I believe that there are measures now before the Congress of the United States for consideration providing for two or three more. I think it is a matter of great importance that should be considered by a committee appointed by this House. Almost everything of that kind now would go to the Committee on Public Lands or to the Committee on Public Buildings and Grounds. Believing that the matter is of such importance as to require these public reservations to be established, they should be considered by a committee appointed for that purpose; and I trust the amendment will be agreed to.

Mr. RICHARDSON. I would like to ask the gentleman if he seeks to include within his amendment the parks and reservations in the District of Columbia?

Mr. CAMINETTI. I have an amendment, if this is adopted, that excludes the parks and reservations of the District of Columbia from going to that committee.

Mr. McRAE. I ask that the amendment be reported. I did not hear it.

The amendment was again reported.

Mr. McRAE. I hope that the amendment will not be adopted. It provides for the creation of another committee at the expense of the jurisdiction of the Committee on Public Lands. I do not think there is any necessity for such committee. The Committee on Public Lands has had control of the reservations and parks heretofore, and I have heard of no good reason why that committee should not retain such jurisdiction. If there is any such reason I should like to know it.

Mr. PICKLER. By the creation of the Committee on Arid Lands jurisdiction over those lands has been taken from the Committee on Public Lands.

Mr. McRAE. Yes; by the creation of what is known as the Select Committee on Irrigation and Arid Lands the jurisdiction of the Committee on Public Lands was restricted. So much of its jurisdiction has been thus taken away that there will not be a great deal left if another committee is to be provided for, as is proposed, giving jurisdiction over all reservations and parks. I hope the amendment will not be adopted. [Cries of "Vote!"]

The question was taken, and the amendment was rejected.

Mr. ALLEN. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

In line 17 strike out "thirteen" and insert "seventy-five."

Mr. HEMPHILL. What committee is that?

Mr. ALLEN. The Committee on Foreign Affairs.

The SPEAKER. To what committee does the gentleman's amendment refer?

Mr. ALLEN. To the Committee on Foreign Affairs.

Now, Mr. Speaker, I hope I may have the attention of the House. The great strain to which thirteen men have been subjected for the last few days on the Committee on Foreign Affairs has prompted me to offer this amendment to increase their number from thirteen to seventy-five. [Laughter.] We have no right, sir, in my humble judgment, to impose so much responsibility upon thirteen men. [Laughter.]

While the gentlemen composing that committee have borne up bravely in the great crisis through which we have just passed and have seemed fully alive to the gravity of the situation, yet, Mr. Speaker, thirteen, you will remember, is an unlucky number; and I do not want any unlucky thing to happen when we come to deal with foreign affairs. Now, Mr. Speaker, I suppose that in ordinary times of peace I should never have thought of making this proposition; but I have been prompted to do so by the feverish excitement and war feeling to which we have been subjected for the last few days. [Laughter.] I understand that there has been some criticism on the fact that so prominent a figure as I in American politics have not spoken out and declared for war before this. I do not know, sir, but that it would be proper for me to state the reasons why my views upon the question of our relations with Chile have not appeared in public print, and why I have not given voice to my warlike feelings before this. [Laughter.] Sir, something more than thirty years ago I went to war, and after thirty years of reflection and deliberation I have concluded probably I was rather hasty. [Great laughter.]

My experience in that war, sir, has never daunted my courage, but it has made me decidedly more cautious. [Great laughter.] I want to say now that I do not intend to reflect on any of my Confederate brethren who have rushed into this war with a zeal that I think is somewhat precipitous. [Laughter.] There are some of them who seem to feel that their reputation for patriotism and loyalty to this country is a little shattered, and they want to repair it. [Laughter.] But, sir, as for myself, my reputation for patriotic devotion to the Government is so well established by years of public service and my courage in battle has been so well attested on many sanguinary fields that I need not rush into the newspapers and declare war to establish myself. [Renewed laughter.] But I say that this should be a great, conservative committee.

Now, sir, I for one do not mean to intimate that the Foreign Affairs Committee has not been equal to the emergency in the present instance. I am not going to censure them; but I simply mean to say that in times like these through which we have just passed the responsibility is too great to impose on so few men, and they might be hustled into war with as much haste as the President's war message was hustled in here. [Laughter.]

Now, sir, recurring to the correspondence, to which we listened to-day, between our Government and Chile, I will say that I never would have spoken on this subject until there was a satisfactory settlement. I did not wish to embarrass either of the parties.

[Laughter.] But now that the matter seems settled I do wish to suggest that while I am not as familiar with diplomatic correspondence between nations probably as the present Secretary of State, Mr Blaine, nor with the etiquette governing in such cases, I do know, Mr. Speaker, the code of honor that governs gentlemen in affairs of this kind, having lived most of my life under that code and having fought duels, and having conducted much correspondence that resulted in satisfactory settlement. [Great laughter.]

Most of the men that I have killed, sir, I have killed under that code. [Laughter.] And I do not see why the same polite rules should not prevail in the conduct of an affair of honor between nations, and I must say that this affair with Chile has not on our part been conducted in accordance with the code. In Mississippi, when one gentleman institutes a correspondence with another looking to the amicable settlement of a misunderstanding, and brings him down to the point at difference, and finally sends him his ultimatum [laughter], if that man were to rush into print and publish the correspondence before his adversary had had time to answer the ultimatum he would be a *persona non grata* in that State. [Great laughter.]

[Here the hammer fell; but unanimous consent was given to Mr. ALLEN to proceed.]

Mr. ALLEN. When my time expired, Mr. Speaker, I was saying that among us Mississippi duelists [laughter] it is not the proper thing when you have sent your ultimatum to your adversary to rush into print and give your side of the case to the country before you have heard from the other gentleman in reply to your ultimatum. Just to illustrate how this thing strikes me and strikes other people, I will read a sentence from an interview with a distinguished gentleman who once sat where you now sit, Mr. Speaker—I mean ex-Speaker Keifer. I read from the interview with him published in the morning Post of this city:

Mr. Keifer thinks the sentiment in the Republican party is drifting rapidly toward Harrison.

[Laughter.]

His message on the Chilean imbroglio was issued just in time.

[Great laughter.]

"Just in time" is a good phrase

Now, Mr. Speaker, just suppose he had waited a little while longer, think what might have happened! This drifting of sentiment in the Republican party towards that distinguished gentleman, the President of the United States, might have been stopped if he had not gotten in here with that Chilean message "just in time." [Laughter.]

Why, sir, I remember that not a great while ago it was stated in the public prints that on one occasion when the President was to go to New York a train that was to carry him was due to have left the depot at ten minutes of 12 o'clock at night, but it had to be detained until ten minutes after 12, lest the President should travel on Sunday. This regard for the Sabbath was highly commendable, yet I am informed that that same President had a number of printers working hard all day last Sunday in order to get that message in here "just in time." [Renewed laughter.]

I see also by the papers, Mr. Speaker, that the chairman of the Committee on Foreign Affairs was interviewed by another member of that committee, the gentleman from Michigan [Mr. CHIPMAN]. Mr. CHIPMAN said to the chairman, "You must be glad that the committee is relieved from the great weight of responsibility," and the chairman seemed greatly relieved that the strain was over. Now, that shows how this committee was impressed with its responsibility; and I repeat that it is not right to fix so much responsibility upon a few men. [Laughter.]

But just think of how much of this strain on the committee might have been avoided; how much feverish patriotism might have been reserved to conquer some other nation if the President had only allowed those poor printers to have gone to church on Sunday and have taken time to hear the response to his ultimatum. It is true this would not have gotten his war message in "just in time" to have started the Republican party to drifting his way. But I saw another thing in the papers that distressed me somewhat. Patriotically inclined as I am, anxious as I am to uphold the honor and dignity of our country and the American flag, and often as I have been willing to shed the blood of all my constituents who oppose my election in defense of that flag, I confess I felt a little bad when I read this further from the chairman of the Committee on Foreign Affairs:

But I have no idea that they are going to force it further. No one can read that entire correspondence, gentlemen, without feeling the utmost sympathy at the almost humiliating attitude of the Chilean Government.

Now, Mr. Speaker, why should we proceed with haste to bring the Government of Chile into a state of humiliation; a young republic, our sister Republic, a part of the great "Pan." [Laughter.] For a long time, Mr. Speaker, our distinguished Secretary of State and our friend Mr. Curtis have been sending us documents about the Pan-American affairs and we have been making appropriations for them. Now, here we are humiliating Chile by our hasty action, although she is a part of the "Pan." [Laughter.]

We want Chile to do right, but we do not wish to humiliate her.

[Here the hammer fell, but by unanimous consent Mr. ALLEN continued his remarks.]

Mr. ALLEN. I am sorry, Mr. Speaker, that I have not time to air my war views further; but if the House will give me just one more minute, I wish to reprove a gentleman who has been circulating a story on this side of the House. He seems to think it applicable to some of the hasty proceedings in reference to the war message. He has been telling the story all around the House. He says out in Iowa on a certain occasion while a number of men were engaged in the harvest field the clouds began to gather, and the lightnings began to flash, and finally a few drops of rain began to fall. Now, if you gentlemen do not know from experience, I can tell you that when a man is working for wages out in the hot harvest field there is nothing more delightful to him than a little fall of rain which will drive him in. [Laughter.] So these harvesters broke for the barn. When the great body of them arrived they found that one fellow had got there in advance and was so entirely out of breath that he had fallen prostrate. The foreman asked him: "What in the world made you run yourself to death in that way?"

"Why," he says, "I was afraid the rain would stop before I got in." [Laughter.] Now, if that gentleman intended to insinuate by this illustration that the President rushed himself and the clerks and printers, even to working on Sunday, to get that war message in before Chile had time to apologize, I want to reprove him for it. [Laughter.] This is too grave a question. No one could for a moment suspect that the getting of this message in "just in time" to start the Republican party to drifting toward Harrison was intentional. It was only a coincidence.

The question being taken on the amendment of Mr. ALLEN, it was rejected.

Mr. WEADOCK. Mr. Speaker, I move to amend Rule X, section 1, by inserting, after the words "on Labor," etc., the words "on Immigration, to consist of nine members."

Mr. Speaker, one question in which the people feel a great concern is this question of immigration; and I submit it to the judgment of this House whether there ought not to be a standing committee having jurisdiction of this subject. Heretofore investigations in reference to this matter have been made, but very little has followed from them. I think that everything relating to this question of immigration—its control and restrictions, if you please—should be submitted to the care of a committee formed for this particular purpose.

Mr. CATCHINGS. There is already in existence in this House a select committee having jurisdiction of all these questions in relation to immigration; such a committee has been appointed, and has power to take full cognizance of this subject. I hope, therefore, the amendment will not be adopted.

The question being taken, the amendment of Mr. WEADOCK was rejected.

Mr. BUSHNELL. Mr. Speaker, I move to amend Rule X by making the Committee on Rules consist of seven members instead of five, as now provided.

I have no criticism to make upon the rules as reported on the ground that they do not confer upon the Speaker sufficient power. On the contrary, I confess to a feeling somewhat of revolt against the despotic power—unqualifiedly despotic power—that is proposed to be conferred upon the Speaker by these rules, especially when that power is reënforced by this Committee on Rules, whom he is authorized to call to his assistance.

We are all aware, Mr. Speaker, that in theory an absolute despotism is the most perfect government on earth; and it is the most perfect in practice, too, if its theory that the despot can and will do no wrong can be carried out. I am aware, sir, that if the Speaker and the Committee on Rules, whom he calls to his assistance, and who, it appears to me, under these rules, are the absolute dictators of the business that shall be transacted by the House—if these gentlemen are tyrants, they are our tyrants; and we may accept the rule of our own despots more kindly than we would the rule of somebody else.

But, sir, I believe that the Speaker himself and the Committee on Rules would be better satisfied in the discharge of the duties devolved upon them under the rules, if, instead of the power of this committee being placed in the hands of three gentlemen from the southeastern portion of these United States—from the States of Georgia, Tennessee, and Mississippi—that power were reënforced by the addition of a member from the Northwest and another from the Northeast. I believe that if this committee were thus constituted the House would accept its dictatorship, if you please, with better grace, not, perhaps, that the committee would necessarily give us any better government, because I have the fullest confidence in the Speaker of this House and the

Democratic members of that Committee on Rules. I believe that if the committee should stand as it now is, its members would do as well as they can under all the circumstances that surround them.

[Here the hammer fell.]

Mr. CATCHINGS. Let us have a vote.

The question being taken on the amendment of Mr. BUSHNELL, there were, on a division—ayes 68, noes 76.

Mr. BUSHNELL. I call for the yeas and nays on this question.

The yeas and nays were not ordered, only 16 voting therefor.

So the amendment of Mr. BUSHNELL was rejected.

Mr. BRYAN. I move to amend so that the Committee on Rules shall consist of nine members instead of five. Mr. Speaker, I wish to occupy only a moment. The gentleman from Wisconsin [Mr. BUSHNELL] has forcibly expressed my sentiments on this question. To the Committee on Rules is given, to a large extent, the direction of the business of this House; and I believe it could be done more satisfactorily if the committee were large enough to allow the various portions of the country and the various interests of the country to be represented upon it. That is my only reason for moving this amendment; yet it seems to me a reason sufficient to justify its adoption by the House.

Mr. CATCHINGS. Let us have a vote.

The question was taken; and the amendment was rejected.

Mr. MILLER. Now, Mr. Speaker, I have an amendment to offer.

The Clerk read as follows:

Substitute for section 3, of Rule X:
"The standing committees of the House shall be apportioned among the States in proportion to population; and said committees shall elect one of their number as chairman."

Mr. DICKERSON. I make the point of order that that is not up for consideration.

The SPEAKER. That section of the rule has not yet been read.

Mr. MILLER. I sent up the wrong amendment, but will offer another one.

Mr. OTIS. Mr. Speaker, I offer the amendment I send to the desk.

The Clerk read as follows:

Add, between "Elections Committee" and "Committee on Ways and Means," the words "On Order of Business, to consist of one member from each State and Territory in the United States."

Mr. OTIS. Mr. Speaker, I simply offer this amendment because we find a large number of gentlemen residing east of the Alleghanies who seem to be entirely ignorant of the fact that a large portion of this Union lies west of the Mississippi River; and I ask that we have a committee on order of business that shall recognize the entire Union.

Mr. DICKERSON. I make the point of order that this amendment is indefinite in its terms. It does not form a new committee.

Mr. OTIS. Oh, yes; it proposes a new committee.

Mr. DICKERSON. It does not mention the fact; it leaves the word "committee" out.

The SPEAKER. The gentleman from Kentucky will observe, by reference to the section, that the word "committee" is used only once in the first line of the section and not afterwards. The Chair thinks the amendment is in order.

The question was taken; and on a division there were—ayes 15, noes 74.

So the amendment was rejected.

Mr. MILLER. I now ask for the reading of the amendment I send to the desk.

The Clerk read as follows:

Substitute for paragraph "On Rules," section 1, Rule X:
"The Committee on Rules, to consist of the chairmen of the standing committees of the House."

Mr. MILLER. It strikes me, Mr. Speaker, that it would be very proper for the chairmen of the various committees of the House to constitute this Committee on Rules, for the reason that they have control of all the business of the House. Each one of the chairmen knows exactly the amount of business before his committee, and, acting in the aggregate, they could provide understandingly for the arrangement of the order of business.

Mr. RICHARDSON. I would like to ask the gentleman a question with his consent. If his amendment is adopted, and we made only chairmen of the committees members of the Committee on Rules, would not that exclude the Republican party and the People's party from representation on that committee?

Mr. MILLER. Mr. Speaker, so far as that is concerned, I will say to the gentleman that it is a matter of very little difference to me whether the committee is made up of Republicans, Democrats, or from any other party. My idea is to have that committee composed of men who will act understandingly and in the interest of the transaction of public business; men who will have the information in their hands, so that in bringing the business before the House every section of the country will have equal rights and all important measures equal consideration.

Now, the Committee on Rules have charge of the order of business for the House. It was intimated on yesterday by several gentlemen that of the business presented for consideration in the House probably not more than one-tenth would eventually be perfected. I have always been a Democrat and probably shall always remain a Democrat as long as I retain my life. I am opposed to close corporations of every kind, not only in this House but everywhere else. I do not believe that three men can specify and present the business desired here. I do not think they would be as apt to do justice to all parts of the country as the chairmen of the various committees of the House.

There seems to be a disposition, which I can not understand, in this House to centralize, a doctrine I had always supposed to be contrary to the sentiments and traditions of the Democratic party. But I believe that the people of the country are opposed to anything of the kind, and could not understand why it shall be applied to the business presented here. It will be difficult for them to understand why it is that the order of business shall be limited to the knowledge of three men, when the chairmen of the various committees have all the business before them and are better able to judge of the necessities of the case. They can act intelligently; they know what laws are most necessary for every section of the country; they know the measures that are pending, and can perfect the business more easily and far better than a smaller committee. For that reason I have presented the amendment.

The SPEAKER. The question is on the amendment of the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. CATCHINGS. Mr. Speaker, I move to amend the paragraph which relates to the Committee on Interstate and Foreign Commerce by striking out the word "sixteen" and inserting "seventeen."

The SPEAKER. The Clerk will read the amendment.

The Clerk read as follows:

On Interstate and Foreign Commerce, to consist of seventeen members.

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. He shall also appoint all select committees which shall be ordered by the House from time to time.

Mr. BURROWS. I desire to call the attention of my friend from Mississippi to this and ask if there is not an omission. The old rule provided for the appointment of "select committees" and "conference committees."

Mr. CATCHINGS. That was not in the rules of the Fiftieth Congress. It was put in the rules of the Fifty-first Congress. I do not see any special objection.

Mr. BURROWS. Where would be the authority for the Speaker to appoint conference committees?

Mr. CATCHINGS. It has been held always in this House that the Speaker had the power, by virtue of the fact that he was Speaker, and that in some way the House had to name these committees.

Mr. BURROWS. I merely call the attention of the gentleman to the omission.

Mr. MCMILLIN. The authority was exercised always without question until it was incorporated into the rules of the Fifty-first Congress.

The Clerk resumed and concluded the reading of Rule X.

Mr. OTIS. Mr. Speaker, I desire now to offer the substitute that was reported to the House on Monday, offered by myself, which is found on page 525 of the RECORD. It is a substitute for the whole of Rule X. I do not care to have it read, but simply ask for a vote on it.

The substitute offered by Mr. OTIS was disagreed to.

The Clerk began the reading of Rule XI.

Pending which

Mr. LANHAM said: Mr. Speaker, I had intended to offer the amendment which I had occasion to discuss on Tuesday last, to paragraph 51 of Rule XI, now under consideration, and should do so but for the fact that the gentleman from Missouri [Mr. BLAND], who is chairman of the Committee on Coinage, Weights, and Measures, has requested me to withdraw the amendment. He assures me that in his judgment there will be opportunity allowed in due time for the consideration of the matter of silver coinage; and knowing his devotion to the subject and relying upon his judgment I have concluded not to press the amendment at this time.

The Clerk read as follows:

3. to appropriation of the revenue for the support of the Government as herein provided, viz: for legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications and coast expenses; for the District of Columbia; for pensions; and for all deficiencies—to the Committee on Appropriations.

Mr. CATCHINGS. There is a misprint in my copy of the rules which I desire to have corrected. In line 4 of paragraph 3 the words "coast expenses" should read "coast defenses."

The SPEAKER. The correction will be made. The Clerk will make it read "coast defenses."

Mr. HEMPHILL. Mr. Speaker, I desire to move an amendment to the third subdivision of Rule XI, by striking out the words "for the District of Columbia."

I would like to state to the House that the object of this amendment is to take from the Committee on Appropriations the bill which makes appropriations for the expenses of the District of Columbia; and at the proper time I will move a further amendment to the rule, if it is agreeable to the House, to confer upon the committee known as the District of Columbia Committee the right to recommend appropriations for the District expenses.

I do this for the reason that the committee upon the District of Columbia is charged with all legislation connected with this District, and it is practically impossible for the District Committee to control affairs in the District of Columbia in a way which will meet their own judgment and the judgment of this House, unless there is given to them also the power to look into and recommend the appropriations of money for the District. When I first came to Congress, and for many years prior to that time, the Committee on Appropriations had charge of all the appropriation bills that were introduced into the House. This was subsequently changed so that every Department of this Government, the legislation for which went to a particular committee, should look to that committee also to have charge of the recommendation of the appropriation. The Committee on Naval Affairs have charge of the appropriation relating to naval affairs. The appropriations for the Army are given to the Committee on Military Affairs. The appropriations for the Indians are in charge of the Committee on Indian Affairs. That has been the practice of the House for a number of Congresses past, and it is provided in the rules now proposed that it shall be continued.

So far as I know there is no reason why this rule should not be applied to the District of Columbia. I have never been able to understand any reason for this exception, and none has been assigned. When the rule was first changed it was to some extent an experiment, and therefore the House went at it with some degree of caution; but the experience of the House has shown that it is a good thing to put into the hands of the committee which has charge of the legislation relating to any matter the charge also of the bill which shall control the amount of money that Department of the Government is to receive. The rule has been heretofore for the Committee on Appropriations to refer the District of Columbia appropriation bill to a subcommittee consisting of five, and I think it will be conceded that thirteen or fifteen members of this House can as well take care of that appropriation bill as can a subcommittee of five.

Now I do not purpose to go into this to any great extent; but in the last appropriation bill there was an appropriation of $400,000 for work contracted with reference to the improvement of the streets of this city. There was another for the improvement and repair of alleys and sidewalks, and the construction of sewers and sidewalks, of $160,000; and it is impossible, Mr. Speaker, that these things should be so adjusted as to work out the best results when in the hands of different committees.

The SPEAKER. The time of the gentleman has expired.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I rise to suggest that as this is a very important matter, involving five or six millions of dollars, the gentleman from South Carolina [Mr. HEMPHILL] might well, by unanimous consent, be allowed five minutes more, and I hope that will be granted. This is a subject which the House should thoroughly understand.

The SPEAKER. The gentleman from Kentucky [Mr. BRECKINRIDGE] asks unanimous consent that the gentleman from South Carolina [Mr. HEMPHILL] be allowed five minutes more. Is there objection?

There was no objection.

Mr. HEMPHILL. I want to say, Mr. Speaker, that I have referred to simply two items in the appropriation bills of the last Congress for the District of Columbia. The question as to the improvement of these streets is a very great one. It involves a large amount of money, and it does seem to me that if we are to have any improvement in the tax affairs of this District; if there is any prospect of bringing the expenses down to a legitimate amount, if they have been excessive, the matter should be put into the hands of a committee which, under the rules and practice of this House, is charged with the consideration of these matters.

It is a fact well known to members of this House who have served in former Congresses that provision was made here for the construction of waterworks for this city; that the Government undertook to make appropriations for that purpose, and divided the expenses equally between the District and the General Government. The officers went to work under this law, and spent between two and three millions of dollars. After a proper examination of the work it was found that the scheme adopted was an absolute and complete failure from beginning to end. I say, Mr. Speaker, that these improvident, unwise expenditures are found, whether done by one committee or another—and I do not propose to reflect upon any committee in the matter. It is only a sample, at least it is only cited to illustrate the importance of the legislation connected with this District, and the importance of putting it in the hands of some single body of men who shall be responsible to the public for it.

As the chairman of that committee in the Fiftieth Congress and in the present Congress, I have often had appeals made to me with reference to the public expenditures which I could not in any way consider, and on which I could make no recommendation, so far as the work of my committee was concerned. A majority of the people believe that the Committee on the District of Columbia has charge of the appropriation bills. Now, it is natural that it will be opposed by the Committee on Appropriations. Members know that we all like to get control of the business of this House. It seems to be a part of our nature, and it is peculiarly a symptom, I may say, of the men who go upon the Committee on Appropriations to think their committee is the one above all others, and that it should have control of everything in connection with this House. I think everyone here who has had any experience will bear me out in the observation that if the Committee on Appropriations (composed as it is today, or composed of any other thirteen members of this House), were left alone to take the business they thought they ought to have, they would take every single bill introduced here for consideration by this body.

Therefore, I want to say to the House, in advance of the remarks of the gentleman from Indiana [Mr. HOLMAN], who has wonderful absorbent power as chairman of that committee here, that unless some good reason shall be assigned why the Committee on the District of Columbia should not be treated by the same rule that governs other committees, the appropriations for the District should go to the Committee on the District of Columbia. Unless some reason can be assigned why five gentlemen are wiser than thirteen, and why these duties should be divided up between two different committees, neither one of whom feels absolutely responsible for the whole business, I think it would be a wise thing to put this appropriation bill into the hands of one committee, and make them responsible for the legislation and likewise responsible for the expenditures it carries.

Mr. HOLMAN. Mr. Speaker, I am sure that if the Committee on Appropriations believed that it would be beneficial to the public service that the Committee on District of Columbia should have control of the appropriations for the District, that committee would very gladly assent to the proposition of the gentleman from South Carolina. Speaking for myself, I would consent promptly to the proposition if public interests would be promoted. I do not know of any reason why a committee should seek to increase its responsibilities unless it was clear that the public interest would be benefited. I think my friend from South Carolina [Mr. HEMPHILL] labors under a very serious mistake as to the effect of dividing up the appropriation bills. I want to call the attention of the House to the fact that six years have elapsed since the division of the appropriation bills occurred and were placed under the control of different committees having charge of the legislation for the different departments.

I have a statement before me that I think will astonish my friend from South Carolina as to the effect on the appropriations by thus taking away those bills from the Committee on Appropriations, and it shows the annual increase in the appropriations exclusive of pensions on a per capita basis of population then and now. Since the appropriation bills have been committed to different committees instead of one, the average annual increase has been the enormous sum of $29,115,540.

Mr. BLOUNT. I did not catch fully the statement of the gentleman from Indiana. Was he speaking of all the appropriation bills?

Mr. HOLMAN. Yes.

Mr. BLOUNT. That includes all bills reported by the Committee on Appropriations and others?

Mr. HOLMAN. That takes in all the appropriation bills except pensions. In other words, in the six years—four under Democratic rule, and two under Republican rule, which of course was the most extravagant—there is the enormous increase of $174,693,240. More than one hundred and seventy-four millions of increase, as compared with the corresponding preceding period when all the bills were under the control of a single committee. The reasons for this are very obvious. When all the bills were before a single committee of fifteen members, that committee fully considered the state of the public revenues and how public money ought to be fairly apportioned between the several Departments to carry on this Government.

It was a system of economical adjustment of appropriations for the purpose of carrying on all the great Departments, and the result was a fair measure of economy. No one Department or Bureau was or could be specially considered. The one committee, with all the bills before it, was able to report them to the House adjusted to basis of a given sum to be appropriated for all the Departments.

It is as clear that with the bills distributed there would be no common basis for the appropriations, and in fact no economy, for each Department specially asserts its rights and always demands, as to itself, liberal appropriations.

Since then gentlemen have perceived the result of the change in increased appropriations of over twenty-nine millions annually, an enormous increase, taking the population of those former years as compared with the population during the six years the bills have been divided.

Mr. HEARD. Will the gentleman permit an inquiry?

Mr. HOLMAN. Yes, sir.

Mr. HEARD. Will the gentleman tell us what proportion of that increase of twenty-nine millions has occurred in the bills which are still in the hands of the Committee on Appropriations?

Mr. HOLMAN. The proportion of increase on the bills remaining under the charge of the Committee on Appropriations has not been near so great as in the other bills. I have a detailed statement here before me, carefully prepared, which shows that fact. And the reason for it is evident. You can not divide up your appropriations into as many bills as there are separate committees in charge of legislation for Departments without causing a great increase in the activity and pertinacity with which the Departments and Bureaus which are interested in these bills will bring influence to bear upon the several committees; and, assuming the action of members to be governed by the very highest possible degree of integrity, still the great pressure of a Department upon a committee having charge of a single appropriation bill is a thing to be deplored rather than to be desired. The demand for more money is incessant. When the proposition was made in the Forty-ninth Congress to abrogate the rule in regard to what are called "riders" on appropriation bills, legislation in the interest of economy, and to divide up the appropriation bills among several committees, I predicted that in a very short time there would be a marked increase in the public expenditures.

[Here the hammer fell.]

By unanimous consent, Mr. HOLMAN was allowed five minutes more.

Mr. HOLMAN. I say, Mr. Speaker, I predicted that within a short time there would be a marked increase in the public expenditures. I did not think there would be any appreciable increase during the Forty-ninth Congress, but from the very beginning the increase began to be apparent. I then predicted, I think, that within the next few years the increase would reach $100,000,000; but it has gone far beyond that; an increase of one hundred and seventy-four millions in six years ought to arrest attention.

Now, while I should be very glad to see the Committee on the District of Columbia have charge of this bill if the change would improve the public service, I am confident it would not be in the interest of economy, and if the experiment is tried, the result will show it to be a very decided and expensive mistake. At the same time I admit the high character of that committee; I would say the same of any other committee of the House. If you intend to have economy in this Government, gentlemen, you have got sooner or later to place all the great appropriation bills, as in former years, under a single committee. One other word. My friend from South Carolina [Mr. HEMPHILL] is a little mistaken as to the method of considering these appropriation bills by the Committee on Appropriations. The first consideration of a bill is by a committee of five members, but afterwards it is carefully considered by the whole committee of fifteen members.

The subcommittee are now considering the District of Columbia bill. They are already at work upon it. The gentleman from Missouri [Mr. DOCKERY] is chairman of that subcommittee.

Mr. HEMPHILL. Will the gentleman kindly state under what authority they are at work on the District of Columbia bill?

Mr. HOLMAN. The estimates have gone to the Appropriation Committee in the regular way.

Mr. HEMPHILL. But the House has not charged them with that duty.

Mr. CATCHINGS. Oh, yes, it has.

Mr. HEMPHILL. Why, that is the very question we are considering now.

Mr. CATCHINGS. My friend is mistaken about that. The matter was referred under an order made on the 6th of January.

Mr. HEMPHILL. Has the bill been introduced here?

Mr. CATCHINGS. I do not know about that.

Mr. HOLMAN. No bill is introduced in any case like this. The committee are working on the estimates and preparing the bill.

Mr. HEMPHILL. Exactly; on the estimates, but without authority from this House.

Mr. HOLMAN. The subject is before the committee and in regular order. Not only so, but the subcommittee, with the gentleman from Missouri [Mr. DOCKERY] at its head, has been hearing testimony and statements by various persons, and is now engaged in preparing the bill. I do not care to detain the House further, Mr. Speaker.

Mr. DINGLEY. If the gentleman from Indiana will pardon me, I will call his attention to the fact that the Book of Estimates, which covers appropriations for the District of Columbia, has been referred by the House to the Committee on Appropriations.

Mr. HOLMAN. Oh, certainly; I have stated that. I have already stated that, and also that the District of Columbia appropriation bill is now being considered by a subcommittee.

Now, Mr. Speaker, I submit two tables showing in detail in what manner and by what bills the appropriations have been increased.

The following are the tables:

Regular annual appropriations made by Congress, except for pensions, during the fiscal years 1875–'80, 1881–'86, 1887–'92, inclusive.

Title of bills.	1875–'80.—Average annual population 45,783,500. All appropriation bills reported by one committee. Forty-third to Forty-fifth Congresses.		1881–'86.—Average annual population 53,119,797. All but two of the appropriation bills reported by one committee. Forty-sixth to Forty-eighth Congresses.		1887–'92.—Average annual population 60,657,375. The appropriation bills reported by eight committees. Forty-ninth to Fifty-first Congresses.		Per capita increase last period, 1887–'92, over first period, 1875–'80.	Per capita reduction. last period, 1887–'92, under first period, 1875–'80.
	Average annual amount for each of the six years.	Average annual per capita.	Average annual amount for each of the six years.	Average annual per capita.	Average annual amount for each of the six years.	Average annual per capita.		
Agriculture	(a)		$414,616.00	$0.0078	$1,649,413.08	$0.0271	$0.0271	
Army	826,924,580.65	$0.5880	25,586,892.08	.4816	24,180,948.76	.3986		$0.1894
Diplomatic and consular	b 1,545,138.50	.0337	1,231,415.83	.0231	1,595,039.57	.0262		.0075
District of Columbia	(c)		3,498,406.99	.0658	5,016,855.20	.0827	.0827	
Fortification	482,333.23	.0105	599,166.66	.0112	2,202,226.00	.0363	.0258	
Indian	4,983,931.41	.1088	5,242,512.50	.0986	8,460,435.92	.1394	.0306	
Legislative	17,018,854.24	.3717	19,535,771.66	.3673	21,009,931.90	.3463		.0254
Military Academy	315,599.38	.0068	319,578.22	.0060	462,152.19	.0076	.0008	
Navy	15,380,112.50	.3359	14,956,259.47	.2815	23,261,715.22	.3834	.0475	
Post-Office	35,138,011.50	.7674	45,320,943.66	.8531	64,610,002.17	1.0651	.2977	
River and harbor	5,487,469.56	.1198	8,846,812.50	.1665	10,334,635.31	.1703	.0505	
Sundry civil	22,466,678.14	.4907	23,691,208.05	.4459	27,302,607.37	.4501		.0406
Deficiencies (except pensions)	5,290,551.82	.1155	6,170,949.46	.1161	9,153,385.23	.1509	.0354	
Miscellaneous	2,172,511.55	.0474	4,414,384.90	.0831	12,329,021.32	.2032	.1558	
Total	137,205,772.60	2.9962	159,828,917.98	3.0076	211,568,369.24	3.4872	.7539	.2329

a Prior to 1881 there was no distinctive agricultural bill, appropriations for the Agricultural Department being made prior to 1881 on the legislative and other bills.

b The diplomatic and consular act for 1875 appropriated $1,929,819 to pay an award to British subjects under treaty of May 8, 1871. If excluded from the appropriations for the six years 1875–'80, the annual average of that bill would be reduced to $1,223,502 and the per capita to $0.0267.

c Prior to 1881 there was no distinctive District of Columbia bill, appropriations for the District of Columbia being made prior to 1881 on the sundry civil and other bills.

Regular annual appropriations made by Congress during the last eighteen fiscal years, 1875–1892.

	Amounts.	Increase over prior six years.	Average of appropriations per annum.	Average increase of appropriations per annum over prior six years.	Average of annual appropriations per capita of population.
(Average annual population July 1, 1874–1879, 45,783,500.)					
Regular annual appropriations made by the Forty-third, Forty-fourth, and Forty-fifth Congresses for the fiscal years 1875, 1876, 1877, 1878, 1879, and 1880, when all the appropriation bills were reported by one committee	$1,026,885,939.87		$171,147,656.64		$3.73
Same, exclusive of pensions	823,234,665.87		137,205,777.64		2.99
(Average annual population July 1, 1880–1885, 53,119,797.)					
Regular annual appropriations made by the Forty-sixth, Forty-seventh, and Forty-eighth Congresses for the fiscal years 1881, 1882, 1883, 1884, 1885, and 1886, when all but two of the appropriation bills were reported by one committee	1,352,284,818.91	$325,398,879.04	225,380,803.15	$54,233,146.50	4.24
Same, exclusive of pensions	958,973,512.23	135,738,846.36	159,828,918.70	22,623,141.06	3.00
Increase per capita, exclusive of pensions					.01
(Average annual population July 1, 1886–1891, 60,657,375.)					
Regular annual appropriations (including $10,000,000 for sugar bounty) made by the Forty-ninth, Fiftieth, and Fifty-first Congresses for the fiscal years 1887, 1888, 1889, 1890, 1891, and 1892, when the appropriation bills were reported by eight different committees	$1,897,985,043.41	$545,700,224.50	$316,330,840.56	$90,950,037.41	$5.21
Same, exclusive of pensions	1,269,410,191.72	310,436,679.49	211,568,365.28	51,739,446.58	3.48
Increase per capita, exclusive of pensions					.48

Apparent annual increase in appropriations, exclusive of pensions, on per capita basis, after first separation of the appropriation bills began, $5,311,979, or $31,871,874 for the period of six years.

Additional apparent annual increase in appropriations, exclusive of pensions, on per capita basis, after the appropriation bills were committed to eight different committees, $29,115,540, or $174,693,240 for the period of six years.

The average gold value of currency during the years 1875–1880 was 0.9509, which would reduce the average annual amount of appropriations, exclusive of pensions, for those fiscal years to $130,467,307.29 as compared with the average annual appropriations of $211,568,365.28 for the fiscal years 1887–1892, and shows a per capita increase in appropriations for the latter period over the former of 63 cents and $38,214,146.25 per annum, or $229,284,877.50 for the period of six years.

Mr. HEMPHILL. Mr. Speaker, this is a matter of some consequence both to the public at large and to the people of this District. The gentleman from Indiana thinks that his committee is the one that should have charge of the bill making appropriations for the District of Columbia.

Mr. HOLMAN. Oh, no; but I say that one committee should have charge of the appropriation bills.

Mr. HEMPHILL. Well, yours is only one committee. Certainly it is not more than one. The question here, Mr. Speaker, is not as to whether one committee shall have charge of all the appropriation bills, but whether a committee which is charged with legislation connected with a particular subject shall, at the same time when it provides for making an improvement in the law, be able to say that so much money shall be given to carry out that improvement. That is the sole question that is involved here. Now, if it is a fact that $29,000,000 more have been expended annually during the past six years than were expended in a like preceding period, that raises, in the first place, the question whether the expenditure was properly made, for all public money that is expended is not improperly expended.

Mr. WILSON of West Virginia. I wish to ask the gentleman whether the bill under which he has himself stated that two or three million dollars were lost was not a bill prepared and carried through the House by the Committee on the District of Columbia?

Mr. HEMPHILL. I stated, when I referred to that matter, that I did not know by what committee that bill had been reported, but I cited that case as a demonstration that there was need for some improvement in the management of the affairs of this District.

Mr. WILSON of West Virginia. But that case meets the point which the gentleman has just made, that where a committee provides for an improvement it should have the power also to provide the money.

Mr. HEMPHILL. I do take that ground.

Mr. WILSON of West Virginia. And in the gentleman's first speech he furnished us an illustration of how two or three million dollars were lost by legislating in that way.

Mr. HEMPHILL. I stated that I was not on the committee when that bill was reported, and that I did not know by what committee it was reported.

Mr. WILSON of West Virginia. I do not mean to reflect on the committee; I do not think they have been to blame at all.

Mr. HEMPHILL. I understand that; but I do say that the committee charged with responsibility for the legislation of this District ought at the same time to have control of the expenditures for the District. The gentleman from Indiana, who has been here longer than any other gentleman on this floor and who in all matters connected with finance has as ingenious a mind as any man who was ever in the public service, has not been able to answer this point further than to say that the House has heretofore given certain committees control of the appropriation bills, and the result is that the expenditures have been increased. The proper reply to him would be that if these committees have improperly expended the public money, then the bills of which they have had charge should be taken away from them; but those who are charged with the responsibility of legislating for any particular department of the Government should not be denied control of the necessary appropriations for that department.

The gentleman will not deny that the Appropriations Committee, of which he is the head, has had charge of more bills than any other committee connected with this House. Under this rule, that committee now has, and has had ever since the old rule was changed, six regular appropriation bills under its control. If it be true that $29,000,000 have been annually added to the public expenditures since the change was made, then the committee of which he is chairman is six times as much responsible for this condition of things as any other committee in this House; and thus it is demonstrated beyond all question that the proper thing to do is to take from that committee the power of expending six times as much money as is placed under the control of any other committee on this floor.

Mr. HOLMAN. I will say to my friend from South Carolina that the increase on the bills confided to the Committee on Appropriations has been moderate in comparison with the increase on other bills.

Mr. HEMPHILL. But the gentleman does not produce any figures.

[Here the hammer fell.]

Mr. HEARD. Will not the gentleman from Indiana [Mr. HOLMAN] state the figures? Does not fairness to the House require that he should do so?

Mr. HOLMAN. I am not able at this moment to state the exact figures as to the increase of the several bills, as I have not those figures before me in condensed form; but the tables which I have incorporated with my remarks will show the facts on that point. I would greatly prefer that the House should refer all the appropriation bills to the Committee on the District of Columbia, which is a very able committee, rather than have these bills still further distributed, as I am confident that in spite of the most active vigilance on the part of that committee the appropriations for the District would be very largely increased if the proposed division be made.

Mr. CATCHINGS. I had risen for the purpose of moving that the House adjourn; but I yield to the gentleman from New York [Mr. COCKRAN].

DEATH OF HON. FRANCIS B. SPINOLA.

Mr. COCKRAN. Mr. Speaker, it is with sincere sorrow that I announce the death of Hon. Francis B. Spinola, a Representative from New York in the Fiftieth and Fifty-first Congresses and also a Representative-elect from that State, and my immediate prede-

cessor. Later in the session I shall ask the House to take appropriate action in regard to his death.

I ask the adoption of the resolutions which I send to the desk.

The Clerk read as follows:

Resolved, That the House has heard with deep regret and profound sorrow of the death of Hon. Francis B. Spinola, late a Representative from the State of New York.

Resolved, That the Clerk be directed to communicate a copy of these resolutions to the Senate.

Resolved, That as a further mark of respect the House do now adjourn.

The question being taken, the resolutions submitted by Mr. COCKRAN were unanimously adopted; and in accordance therewith (at 4 o'clock and 25 minutes p. m.) the House adjourned.

PROPOSED AMENDMENT TO THE RULES.

The following proposed amendment to the report of the Committee on Rules was handed to the Clerk to be printed in the RECORD:

By Mr. BUTLER:

Amend section 51, Rule XI, by inserting, after the words "contingent fund of the House," at the close of the first paragraph of said section, the following words: "the Committee on Invalid Pensions, general pension bills."

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. ATKINSON: A bill (H. R. 4923) to remove the charge of desertion from the military record of Joseph B. Orner—to the Committee on Military Affairs.

By Mr. BINGHAM: A bill (H. R. 4924) for the relief of Robert Potts—to the Committee on Military Affairs.

By Mr. BOWERS: A bill (H. R. 4925) to remove the charge of desertion against William Britton—to the Committee on Military Affairs.

By Mr. BOWMAN: A bill (H. R. 4926) granting a pension to Mrs. Jane Shaw—to the Committee on Invalid Pensions.

By Mr. BRANCH: A bill (H. R. 4927) for the relief of T. W. Knight, administrator of R. B. Knight—to the Committee on Claims.

By Mr. BRODERICK: A bill (H. R. 4928) to increase the pension of Benjamin F. Messemer—to the Committee on Invalid Pensions.

By Mr. BRUNNER: A bill (H. R. 4929) granting a pension to Levi Sharman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4930) granting a pension to Jonas F. Reinert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4931) for the relief of George Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 4932) granting an increase of pension to William H. Riland—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 4933) to increase the pension of Lewis D. Thurman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4934) to correct date of muster of Company F, Pacific Battalion Missouri Home Guards—to the Committee on Military Affairs.

By Mr. CALDWELL: A bill (H. R. 4935) for the relief of Catherine Grebing, widow of Philip Grebing—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 4936) for the relief of N. F. Palmer, jr., & Co., of New York City—to the Committee on Naval Affairs.

By Mr. CURTIS: A bill (H. R. 4937) for the relief of Robert Tillson and Maitland Boon—to the Committee on Claims.

By Mr. GILLESPIE: A bill (H. R. 4938) for the relief of John B. Dininger—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 4939) for the relief of Samuel Marvin, Company G, One hundred and ninety-third New York Volunteers—to the Committee on Pensions.

By Mr. HARRIES (by request): A bill (H. R. 4940) for the relief of William P. Hogarty—to the Committee on Military Affairs.

By Mr. JOHNSON of Indiana (by request): A bill (H. R. 4941) for the relief of Nimrod D. Kincaster—to the Committee on Claims.

By Mr. KENDALL: A bill (H. R. 4942) to remove the charge of desertion against William R. Flannery—to the Committee on Military Affairs.

By Mr. McRAE (by request): A bill (H. R. 4943) to pension Alexander Mackey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4944) for the relief of Asa Townsend—to the Committee on Claims.

By Mr. MARTIN: A bill (H. R. 4945) to restore Cynthia E. Brinneman (*née* Tate) to the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4946) to grant a pension to Anna Torrence—to the Committee on Invalid Pensions.

By Mr. MEREDITH (by request): A bill (H. R. 4947) for the relief of Julia Connely—to the Committee on Invalid Pensions.

By Mr. OATES: A bill (H. R. 4948) for the relief of A. J. Smith, of Bullock County, Ala.—to the Committee on War Claims.

By Mr. RIFE: A bill (H. R. 4949) for the relief of Mrs. Elizabeth Toop—to the Committee on War Claims.

Also, a bill (H. R. 4950) for the relief of Mrs. Elizabeth Toop—to the Committee on War Claims.

Also, a bill (H. R. 4951) increasing the pension of Elizabeth Betz, a Revolutionary pensioner—to the Committee on Pensions.

By Mr. RUSK: A bill (H. R. 4952) granting to Mrs. Eliza A. Rittenhouse a pension as a captain's widow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4953) for the relief of Daniel N. Hyser—to the Committee on Military Affairs.

By Mr. SHONK: A bill (H. R. 4954) for the relief of John McManus, late private of Company I, One hundred and sixteenth Regiment Pennsylvania Volunteers—to the Committee on Military Affairs.

By Mr. CHARLES W. STONE: A bill (H. R. 4955) granting a pension to Susannah Chadwick—to the Committee on Pensions.

By Mr. STORER: A bill (H. R. 4956) granting a pension to Theodore Eelchlepp, late of Company I, Seventh Regiment United States Infantry—to the Committee on Pensions.

By Mr. VINCENT A. TAYLOR: A bill (H. R. 4957) granting a pension to Sue C. Eva—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4958) granting a pension to Mrs. Martha J. Benjamin—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 4959) for the relief of Willbert Bowen, of Denver, Colo.—to the Committee on Claims.

By Mr. WIKE: A bill (H. R. 4960) to increase the pension of Lieut. Col. John Tewksbury, late of the First Regiment of Massachusetts Volunteer Cavalry—to the Committee on Invalid Pensions.

By Mr. WILSON of West Virginia: A bill (H. R. 4961) for the relief of Edward Tearney, of Jefferson County, W. Va.—to the Committee on Claims.

Also a bill (H. R. 4962) for the relief of George W. Graham—to the Committee on Claims.

By Mr. WINN: A bill (H. R. 4963) for the relief of Mrs. Amy McCreery—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and resolutions were laid on the Clerk's desk and referred as follows:

By Mr. AMERMAN: Petition of 59 citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. BACON: Papers in the matter of the claim of the owners of the schooner C. C. Brooks against the United States—to the Committee on Claims.

By Mr. BARWIG: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BINGHAM: Petition of the Synod of the Presbyterian Church of Pennsylvania and West Virginia, against the opening of the World's Columbian Exposition on the Sabbath day—to the Select Committee on the Columbian Exposition.

Also, resolution of Local Assembly No. 6401, Knights of Labor, Philadelphia, Pa., relative to extension of the Chinese exclusion act, etc.—to the Select Committee on Immigration and Naturalization.

Also, petition of citizens of Philadelphia, representing the Wharton Street Methodist Episcopal Church of Philadelphia, Pa., relative to closing the Columbian Exposition on the Lord's Day—to the Select Committee on the Columbian Exposition.

Also, petition of 26 citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

Also, petition from 27 citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. BROOKSHIRE: Papers to accompany House bill 803, for the payment of Sewell, Coulson & Porter, Harrison & Fishback, for legal services—to the Committee on Claims.

Also, papers to accompany House bill to correct the military record of James D. Kelley—to the Committee on Military Affairs.

Also, papers to accompany House bill 116, providing for a pub-

lic building in Brazil, Ind.—to the Committee on Public Buildings and Grounds.

Also, papers to accompany House bill 900, to correct the military record of Henry Staff—to the Committee on Military Affairs.

Also, papers to accompany House bill 905, for the relief of Joseph H. Johnson—to the Committee on Military Affairs.

Also, papers to accompany House bill 911, for the relief of Nathaniel Crane—to the Committee on Military Affairs.

Also, papers to accompany House bill 425, for the relief of Nathaniel Crane—to the Committee on Military Affairs.

Also, papers to accompany House bill 907, to correct the military record of Charles E. Cregar—to the Committee on Military Affairs.

Also, papers to accompany House bill 898, to correct the military record of Samuel L. Hartman—to the Committee on Military Affairs.

Also, papers to accompany House bill 910, to correct the military record of Enols Loyd—to the Committee on Military Affairs.

By Mr. BROSIUS: Petition of 14 citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the various States—to the Committee on Agriculture.

By Mr. BRUNNER: Twenty petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. BUSHNELL: Memorial of the Legislature of the State of Wisconsin, for an appropriation to aid in repairing the Sturgeon Bay and Lake Michigan Ship Canal and Harbor and to relieve the same from tolls—to the Committee on Rivers and Harbors.

Also, memorial of Monana Lake Assembly, asking that the World's Fair be closed on Sunday; against the sale of intoxicating liquors in the World's Fair grounds, and for the American standard of purity in its art gallery—to the Select Committee on the Columbian Exposition.

By Mr. CHAPIN: Petition of John H. Percival, of Flatbush, Kings County, N. Y., praying for half-pay pension upon the ground of service in the Navy—to the Committee on Invalid Pensions.

By Mr. COOMBS: Petition to remove charge of desertion against W. H. Battelle, late of Eighty-fourth New York Volunteers—to the Committee on Military Affairs.

Also, petition of the Protestant Episcopal Church, recommending loan of $5,000,000 to Columbian Exposition under certain conditions—to the Select Committee on the Columbian Exposition.

By Mr. COOPER: Papers to accompany House bill 3780, for pension for Martin D. Long, of Columbus, Ind.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 3781, for pension for Mary A. Tobias—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 3782, for the relief of John W. Thomas—to the Committee on Pensions.

Also, papers to accompany House bill 4452, to pension John Brisben—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 4453, to pension Jasper R. Pitzen, Linzey, Ind.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 962, for the relief of Susan Baker—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 966, for the relief of Sarah McClure, Brownsburg, Ind., army nurse—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 960, for the relief of J. B. Sellers, North Salem, Ind.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 957, for the relief of Morgan Sackett, Jonesville, Ind.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 963, for the relief of Francis Ammans, Burnsville, Ind.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 2911, to increase the pension of Charles H. Twomey—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 2912, to pension John T. Flower, imbecile son—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 2901, to pension Ida Caswell, imbecile daughter—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 2908, for William M. Neal—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 2902, for David L. Truex—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 2903, granting a pension to Thomas Brown, Storey, Ind.—to the Committee on Invalid Pensions.

Also, papers accompanying House bill 2903, for Mr. Thomas Brown, Storey, Ind.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 2905, for Mary A. Temple—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 953, for Robert Spangle—to the Committee on War Claims.

Also, papers to accompany House bill 970, for Ed. Mahoney—to the Committee on War Claims.

Also, papers to accompany House bill 950, for William Mabee, Martinsville—to the Committee on War Claims.

Also, papers to accompany House bill 2904, for William J. Alexander—to the Committee on War Claims.

Also, papers to accompany House bill 955, for James M. D. Hays, Greencastle, Ind.—to the Committee on Military Affairs.

Also, papers to accompany House bill 954, for Capt. W. B. Ellis, Franklin, Ind.—to the Committee on Military Affairs.

Also, papers to accompany House bill 968, for R. M. Johnson, 211 New Jersey avenue NW., Washington—to the Committee on Military Affairs.

Also, papers to accompany House bill 952, for William Allen, South Bethany, Ind.—to the Committee on Military Affairs.

Also, papers to accompany House bill 959, for John Adams, Mexican soldier in poorhouse at Bloomington, Ind.—to the Committee on Military Affairs.

Also, papers to accompany House bill 4049, for P. R. Israel, Edinburg, Ind., for increase of pension for service in the Mexican war—to the Committee on Pensions.

Also, papers to accompany House bill 4051, for Harrison Stanly—to the Committee on Pensions.

Also, papers to accompany House bill 2909 to increase pension of Joseph Craig, of Indiana—to the Committee on Pensions.

Also, papers to accompany House bill 2907, for J. A. Chandler—to the Committee on Pensions.

By Mr. COVERT: Petition of Franklin C. Jessup and others, for improvement of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. CULBERSON: Proof on application to Congress for increase of pension, T. J. Fergerson—to the Committee on Invalid Pensions.

By Mr. DINGLEY: Petition of citizens of Maine, for a survey of the harbor Vinal Haven, on the coast of Maine, with a view of improving said harbor—to the Committee on Rivers and Harbors.

Mr. DOLLIVER: Petition of J. D. Wood and others, and of George Wilson and other citizens of Iowa, in favor of the passage of the bill imposing a revenue tax upon compound lard—to the Committee on Agriculture.

By Mr. ENGLISH: Petition of Edwin P. Gorell, and of Alfred H. Smith, in favor of adopting the metric system in the customs service—to the Committee on Coinage, Weights, and Measures.

By Mr. GILLESPIE: Petition of 309 citizens of Greenville, Pa., asking that no appropriation be made to the Columbian Exposition except with a proviso that the same shall not be kept open on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. GRADY (by request): Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibtion for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HARMER: Two petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. HEMPHILL: Petition against passage of House bill 184, to incorporate the Zoo Street Railway Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. HITT: Memorial and resolutions of the Milwaukee Board of Trade, favoring speedy construction of a new revenue steamer for Lake Michigan—to the Committee on Naval Affairs.

By Mr. HOOKER of New York: Petitions of the National Woman's Christian Temperance Union, asking that no Exposition or Exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HUFF: Thirteen petitions, containing 349 names of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. KENDALL: Petition for the relief of B. L. Davis, of Paintsville, Johnson County, Ky.—to the Committee on Invalid Pensions.

By Mr. KRIBBS: Eleven petitions, containing 226 names, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

Also, petition of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appro-

priations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. MARTIN: Petition of Anna Forrence to accompany House bill to grant her a pension—to the Committee on Invalid Pensions.

Also, copies of affidavits of Henry T. Phillips and others, to accompany House bill 1686, for the relief of Augustus Somers—to the Committee on Military Affairs.

By Mr. McALEER: Three petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. McCLELLAN: Petition of E. L. Olmstead, master of Harmony Grange, No. 884, of Steuben County, Ind., and 35 others of Steuben County, earnestly urging upon Congress the justice and necessity of the passage of a bill imposing a revenue tax upon compound lard, as set forth in the bill known as the Conger lard bill—to the Committee on Agriculture.

By Mr. McKEIGHAN: Papers to accompany House bill 6380, for the relief of Emanuel Faust—to the Committee on War Claims.

By Mr. O'DONNELL: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. O'NEILL of Pennsylvania: Petition of J. M. Spanks and others, against closing the Columbian World's Fair on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, expression of the Universal Peace Union, praying that the difficulties with Chile may be settled by arbitration and without a resort to war—to the Committee on Foreign Affairs.

Also, preamble and resolutions of Local Assembly 6401, of Philadelphia, Knights of Labor, asking for reënactment of the "Chinese exclusion law" upon the expiration of the existing law—to the Committee on Foreign Affairs.

Also, three petitions from citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. OWENS: Petition of M. J. Traylor and 21 other citizens of Bedford County, Va., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of G. W. Patterson and 6 others, of Buckingham County, Va., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. RIFE: Seven petitions containing 174 names of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

Also, petition of 60 citizens of Pennsylvania, asking for the establishment of an international court—to the Select Committee on the Columbian Exposition.

By Mr. RUSK: Petitions of the National Women's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. SMITH of Arizona: Petition of citizens of Maricopa County, Ariz., praying Congress for an appropriation to levee the Salt River near Phœnix, Ariz.—to the Committee on Rivers and Harbors.

By Mr. SNODGRASS: Petition of Elizabeth Wormleighton, widow of Henry Wormleighton, deceased, praying for the reference of her claim to the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

By Mr. STAHLNECKER: Petition of the New York Chamber of Commerce, favoring the transfer of the Revenue Cutter Service to the jurisdiction of the Navy Department—to the Committee on Naval Affairs.

By Mr. CHARLES W. STONE: Four petitions, containing 110 names, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

Also, nine petitions of citizens of the State of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. TOWNSEND: Petition of the county commissioners of Arapahoe County, Colo., in favor of the establishment of a coinage mint in the city of Denver, Colo.—to the Committee on Coinage, Weights, and Measures.

By Mr. WASHINGTON: Petition of M. M. Barnes, asking payment of the war claim of Payne, James & Co.—to the Committee on War Claims.

By Mr. WHITING: Petition and papers of Thomas Tucker, of Michigan, and of Company A, United States Heavy Artillery, praying for a pension—to the Committee on Pensions.

By Mr. WIKE: Petition of John Tewksbury, late lieutenant-colonel First Massachusetts Volunteers, for an increase of pension—to the Committee on War Claims.

By Mr. WRIGHT (by request): Memorial of members of the Young People's Society of Christian Endeavor of Pennsylvania; of F. H. Seward, president, and Ida M. Hubbard, secretary; of the Young People's Society of Christian Endeavor of Orwell, Pa.; of Troy, Pa.; of Heath, Pa.; of Atkins Baptist Church, and of Ulster (Pa.) Young People's Society of Christian Endeavor, protesting against exportation of alcoholic liquors to Africa, selling of liquors, Sabbath breaking, and for purity of art in the World's Fair Exposition—to the Select Committee on the Columbian Exposition.

Also (by request), memorial of the Presbyterian Synod of Pennsylvania, in favor of the proper observance of the Sabbath in the Columbian Exposition—to the Select Committee on the Columbian Exposition.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 29, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

TRADE WITH RECIPROCITY COUNTRIES.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting information to the House of Representatives pursuant to resolution of January 13, 1892, and also a letter from the Acting Secretary of the Treasury, transmitting information to the House of Representatives pursuant to the resolution of January 20, 1892; which were severally referred to the Committee on Ways and Means, and ordered to be printed.

MARY T. ANDERSON, DECEASED.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of James M. Dowling, administrator of Mary T. Anderson, deceased, *vs.* The United States; which was referred to the Committee on War Claims.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GROUT, for one week, on account of a death in his family.

To Mr. STEWART of Texas, until Monday next, on account of important business.

To Mr. ATKINSON, for three days, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. HATCH to withdraw from the files of the House, without leaving copies, papers in the case of Joseph T. Scott.

ORDER OF BUSINESS.

Mr. CAMPBELL. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution I send to the desk.

The SPEAKER. The resolution will be read.

The Clerk proceeded to read the resolution.

Mr. CATCHINGS. Mr. Speaker, I think we had better have the regular order.

Mr. CAMPBELL. I hope the gentleman will allow this to be read for information.

Mr. CATCHINGS. I would be very glad to accommodate the gentleman from New York, but there are many other gentlemen who wish to submit matters of this kind, and if leave is granted to one it must be granted to all.

The SPEAKER. The regular order is demanded, and the House will proceed with the further consideration of the report of the Committee on Rules.

THE RULES.

The SPEAKER. The Clerk will report the pending section.

The Clerk read as follows:

Rule XI, section 3. To appropriation of the revenue for the support of the Government as herein provided, viz: For legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications and coast defenses; for the District of Columbia; for pensions; and for all deficiencies—to the Committee on Appropriations.

The SPEAKER. The pending amendment is that offered by the gentleman from South Carolina [Mr. HEMPHILL] to strike out that part of the paragraph relating to the District of Columbia.

Mr. HEARD. Mr. Speaker, the gentleman from South Carolina is not now in his seat, and in view of that fact I hope this will be passed over informally, to be taken up when he returns.

Mr. BLOUNT. Mr. Speaker, I desire to be heard upon the pending question.

Mr. HEARD. If the gentleman from Georgia is ready to proceed now I will withdraw the request, as I presume the gentleman from South Carolina will be in his seat before the debate has proceeded very far.

Mr. BLOUNT. Mr. Speaker, it had not been my intention to say aught in relation to the report of the Committee on Rules now before this House. The speech of the gentleman from Indiana [Mr. HOLMAN] on yesterday, however, makes it somewhat proper for me to submit at least a partial reply. I wish to say, however, in the outset of my remarks that it is with no purpose of endeavoring to take from the Committee on Appropriations the appropriations for the District of Columbia that I now take the floor. It is for the purpose of preventing any erroneous opinion in this House or in the country in relation to a certain branch of the public expenditures to which reference has been made.

The gentleman from Indiana has seen fit to make a comparative statement of the increase of expenditures in those appropriations made by committees other than the Committee on Appropriations; or, in other words, in those bills outside of those under the immediate control of the Committee on Appropriations and reported from that committee. The gentleman has thought proper to say that among other things there was a large increase in the postal expenditures. I want to say here and now that the increase in the postal expenditures are such as the Committee on Appropriations nor any other committee, with any regard to the public service, could possibly have avoided.

I wish to call the attention of the House to the fact that in 1881 the length of railroad routes in this country was 91,563 miles, and at the end of ten years later, or in 1891, it had increased to the enormous sum of 159,518 miles. I wish to show that the annual transportation on railroads was 103,521,229 miles in 1881, while in 1891 it had increased to 228,719,900 miles, or more than double, within the ten years. I wish to call the attention of the House to the further fact that the cost per annum in 1881 was $11,613,000 for this service, and in 1891, owing to the great increase in mileage, this expenditure reached $25,083,000, or more than double, and under the operation of law.

Is it possible, then, Mr. Speaker, when our mail transportation has more than doubled in ten years, that the gentleman from Indiana will have it go abroad throughout this country that the increased cost is a matter of extravagance, when it but indicates the multiplication of population, the extension of our business in every direction, and the increase of mail facilities exacted by the public demands?

Mr. HOLMAN. My friend will remember that I made no special reference to the Post-Office Department.

Mr. BLOUNT. I wish to say that the gentleman made, as a part of his showing of increased expenditures outside of the Committee on Appropriations, the increase in the postal service.

Mr. HOLMAN. The gentleman will observe that I said nothing about the Post-Office Department whatever.

Mr. HEARD. But the gentleman made no exception in favor of that Department.

Mr. HOLMAN. I published that tabular statement, though.

Mr. BLOUNT. I do not care whether he published the table or not. The gentleman sought to have this House infer that the appropriations had increased enormously outside of the bills reported from the Committee on Appropriations. I want to call the attention of this House to the fact that the increase of appropriations in the postal service grew out of the prosperity of the Republic. [Applause.]

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. BLOUNT. Mr. Speaker, I trust I may be allowed to proceed for five minutes more.

The SPEAKER. The gentleman from Georgia asks unanimous consent that he may proceed for five minutes longer. Is there objection to the request?

There was no objection.

Mr. BLOUNT. I want to say to this House further, Mr. Speaker, that so far from this item being a matter of expenditure requiring taxation upon the people, that most of the enormous sum expended for the transportation and the distribution of the mails of the country comes, not out of the public Treasury, but from the sale of stamps, paid by the people who use the mails.

Mr. CUMMINGS. Take, for instance, the receipts of the New York post-office.

Mr. HOLMAN. Will my friend allow me a question?

Mr. BLOUNT. Certainly.

Mr. HOLMAN. That question is this: Conceding all the gentleman has said, could I have presented the statement of the expenditures during the last six years without bringing in that item of postal expenditures?

Mr. BLOUNT. Now, Mr. Speaker, the gentleman, by bringing it in, created the impression that the expenditures of the postal service were unduly increased, and the gentleman must have known logically that this was the charge.

Mr. HOLMAN. I did not say anything about it.

Mr. HEARD. He did not make any exception, though.

Mr. BLOUNT. Mr. Speaker, I hardly think it necessary to answer that. This House can not fail to understand that a part of the expenditures, not coming from the Committee on Appropriations, is that connected with the postal service, and that made one of the gentleman's items showing the increase of expenditures outside of the Appropriations Committee. Now, sir, I wish to say, and I say it with pleasure, that in my judgment, under the operation of the present laws, the data of the increase from year to year in the mail service will disclose the fact that the progress of the business of this country will in ten years more make the item of railroad transportation fifty millions instead of twenty-five, without the increase of a single cent of expenditure on the part of the General Government. All this expenditure is regulated by operation of law.

But I have drifted from what I was about to state. This enormous expenditure, from which the gentleman has seen fit to make up his charge of extravagance, is not paid out of the public Treasury. It is practically paid by stamps on letters and newspapers. What is the expenditure? With this enormous mail service you have found that the actual demand upon the Treasury has run from 1881 to 1891 variously from $1,394,000 to $7,000,000, some years more and some years less; so really, as far as this postal service is concerned, it is a matter that might almost be eliminated when you come to consider the question of the burden upon the people in the way of taxation. The people who use these mails are the people who pay the expense.

Mr. STOCKDALE. And nobody complains of it, either.

Mr. BLOUNT. Why, sir, what are we to do about it? If we are to keep down this expenditure we must repeal the laws that allow the mails to be carried. We must suppress the business communication of the people. We must take away the mail facilities that we have been having.

Mr. Speaker, there is very much that could have been said upon the various phases of this subject. But I only rose to speak for a few moments, for the purpose of discrediting the idea that the increase in the postal service of the country and the cost of it came out of the Treasury and would increase the burden of taxation on the people of the country. I want to say, sir, that there have been exhibited in the newspapers of the country these tabular statements, of which I have been complaining, purporting to have come from the Committee on Appropriations and made up by its clerk.

I want now to have the other side of it, and I challenge the gentleman from Indiana [Mr. HOLMAN] or others upon this question that is here raised in reference to the mail service.

Mr. FORNEY. Will the gentleman allow me to ask him a question?

Mr. BLOUNT. Certainly.

Mr. FORNEY. What went with the deficiencies last year in the revenues of the postal service, and how much of the expense of the postal service was a deficiency?

Mr. BLOUNT. The deficiency last year was $7,000,000.

Mr. FORNEY. Certainly, and where did that come from. Did it not come from the public Treasury?

Mr. BLOUNT. I have already stated that the expenditures for the year were nearly $80,000,000, and the deficiencies of course came out of the public Treasury. The gentleman has asked a question that everybody can answer.

Mr. SAYERS. Mr. Speaker, I desire to call the attention of the House very briefly to the pending question. It is that the appropriations for the District of Columbia——

Mr. HEMPHILL. I can not hear the gentleman. I hope he will come over here.

Mr. SAYERS. Come over here. I am more particularly addressing the gentlemen on this side. I can not expect to get your vote.

Mr. HENDERSON of Iowa. I trust we shall have order, and I make the point of order that there is so much confusion that the gentleman can not be heard.

The SPEAKER. The gentleman from Texas will suspend for a moment, and the Chair will endeavor to obtain order. The gentleman can not be heard because there is so much confusion on the floor.

Mr. SAYERS. Mr. Speaker, the proposition before the House is to take the appropriations for the support of the District of Columbia from the Committee on Appropriations, where it has always been, and to give jurisdiction over the question to the Committee on the District of Columbia. In the remarks made by the gentleman from South Carolina [Mr. HEMPHILL] yesterday, he indirectly criticised the appropriations that have been recommended by the Committee on Appropriations, which provided

for the completion of the work on the aqueduct which was to supply the people of this District with water; it was unfortunate for the gentleman from South Carolina and for his committee, which is seeking this jurisdiction, to refer to that matter at all. If any member of the House will turn to pages 4802–4803, volume 13, part 5, of the CONGRESSIONAL RECORD, he will find that a bill for that purpose, having passed the Senate and been referred to the Committee on the District of Columbia, was reported back to this House by that committee and passed. Now, observe one of the provisions of this bill. It makes appropriations.

Mr. HEARD. That was in the Forty-seventh Congress, was it not?

Mr. SAYERS. That was in the Forty-seventh Congress.

Section 3 of that bill reads as follows:

SEC. 3. That the following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Treasury not otherwise appropriated:

To pay for land to extend aqueduct, $51,370.

For extension of aqueduct to the high ground north of Washington, near Sixth street extended, $599,534.55.

For necessary main connections, $165,400.

To pay for land for reservoir, $35,250.

For work and material in constructing reservoir and gatehouse, $431,273.75.

To pay for water rights and land necessary to extend dam at Great Falls to the Virginia shore, $45,000.

For work and material to complete dam at Great Falls to the level of 148 feet above tide, and extend the same to Virginia shore, $145,151.

To protect the Chesapeake and Ohio Canal from increased flooding by reason of completing the dam at Great Falls, $12,300.

As I have said, that appropriation was made on the recommendation of the Committee for the District of Columbia of the Forty-seventh Congress. The administrative branch of the Government expended the money given by this appropriation, and the consequence was that after having spent every dollar of it, as recommended by the Committee for the District of Columbia, it was found that the work was worthless, and Congress was asked for a deficiency appropriation in order to change the character of the work. Then for the first time was it that the Committee on Appropriations had anything to do with the aqueduct, which had failed so miserably after costing the Government and the District of Columbia so much money.

Mr. HEMPHILL. Will the gentleman yield to me for three questions right there?

Mr. SAYERS. Yes, sir.

Mr. HEMPHILL. Were you a member of the Committee on Appropriations at that time?

Mr. SAYERS. When?

Mr. HEMPHILL. In the Forty-seventh Congress.

Mr. SAYERS. I was not then a member of Congress.

Mr. HEMPHILL. I was not a member, either.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SAYERS. The gentleman from South Carolina is advocating the very policy which was adopted by the Forty-seventh Congress, and I take it that this House will never consent to follow the Forty-seventh Congress in the matter of appropriations.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. HEMPHILL. The gentleman knows perfectly well that the appropriation bill was not in the hands of this committee in the Forty-seventh Congress, and he knows that I am not advocating any such measure.

Mr. HOLMAN. When?

Mr. HEMPHILL. On that bill.

Mr. SAYERS. I will refer to the bill.

The SPEAKER. The time of the gentleman has expired.

Mr. HEMPHILL. The gentleman knows that the bill of which he is speaking was passed in the Forty-seventh Congress, and I was not in the Forty-seventh Congress.

Mr. SAYERS. I know that.

Mr. HEMPHILL. Then why are you stating it to this House?

Mr. SAYERS. I have stated what was done by the Forty-seventh Congress.

The SPEAKER. The time of the gentleman from Texas has expired. The Chair will beg of gentlemen when they are notified that their time has expired that they should cease conversation on the floor.

Mr. SAYERS. I beg the pardon of the Speaker. I did not hear the Speaker, as I was being interrupted by the gentleman from South Carolina.

Mr. HEARD. I ask unanimous consent that the gentleman from Texas be allowed to proceed.

Mr. HEMPHILL. The gentleman permitted me to propound three questions, and then when he found he was in a hole he went on to address the House.

Mr. HEARD. I ask unanimous consent that the time of the gentleman from Texas be extended five minutes, as the same courtesy has been extended to everybody else.

The SPEAKER. The gentleman from Missouri asks that the time of the gentleman from Texas be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SAYERS. No, Mr. Speaker, if there is any "hole" in the matter, the gentleman from South Carolina [Mr. HEMPHILL] has dug it and put himself into it.

Mr. HEMPHILL. Well, I picked you out of it, at any rate.

Mr. SAYERS. I am trying to get into it now after you to help you out. [Laughter.]

Mr. HEMPHILL. You know that the Forty-seventh Congress was presided over by Speaker Keifer.

Mr. SAYERS. Of course.

Mr. HEMPHILL. Well, why do you not state that fact?

Mr. SAYERS. Mr. Speaker, what I said before and what I say now is that during the Forty-seventh Congress—and, to please the gentleman from South Carolina, if it will do him any good, I will state that the House was then presided over by Speaker Keifer—the Committee for the District of Columbia had control of that particular bill for the District and procured the appropriation of more than $1,000,000. That committee recommended the appropriation to the House. It passed both House and Senate and was signed by the President, and the Department went to work under the act, and having spent all the money, found that the work was a total failure. Congress was appealed to, and the matter referred to the Committee on Appropriations to provide for deficiencies.

Mr. HEARD. How much more money has your committee from time to time added to that $800,000 which was wasted under the original bill?

Mr. SAYERS. None.

Mr. HEMPHILL. Oh, yes; they have given a great deal more than the Committee on the District of Columbia gave.

Mr. SAYERS. The Committee on Appropriations, ascertaining that the work, so far as it had gone, was a failure, did, upon the recommendation of the engineer in charge, supported by the War Department, provide for a change in the character of the work and recommend other appropriations.

Mr. HEARD. How much?

Mr. SAYERS. Some $700,000 or $800,000.

Mr. HEARD. The gentleman stated in the first place that all the money on that work had been wasted, and now——

Mr. SAYERS. Oh, no; I said that all the Committee on the District of Columbia had recommended to be appropriated had been wasted.

Mr. HEARD. What became of the appropriation that your committee recommended? Has not all that money been wasted, too?

Mr. SAYERS. I do not know.

Mr. HEARD. The country does.

Mr. SAYERS. Mr. Speaker, I call for order, and I trust the Chair will ask the gentlemen who are interrupting me to be quiet while I am addressing the House. [Laughter.]

The SPEAKER. The Chair has called for order several times. The Chair has no power to enforce order except by appealing to members, and he trusts that gentlemen will conform to the rule, and when they desire to interrupt the gentleman who is addressing the House they will first address the Chair. Otherwise, the Chair will be compelled to ask the Sergeant-at-Arms to assist in preserving order on the floor, because the public business can not be transacted in this way.

Mr. SAYERS. Mr. Speaker, in conclusion, I desire to submit one single proposition to this side of the House. You have before you, gentlemen, the experience of Congress and of the Government in the matter of one appropriation which was recommended by the Committee for the District of Columbia. They got the Government into that trouble; they involved it in the expenditure of a very large sum of money from which no good has resulted; and now I appeal to you to decide whether, with that experience before you, you will take the appropriation bill for the District of Columbia away from the Appropriations Committee where it has so long belonged and give it to the Committee for the District of Columbia, to repeat the experience which we had of its work in the Forty-seventh Congress.

Mr. HEMPHILL. Mr. Speaker, the gentleman from Texas [Mr. SAYERS] very naturally undertakes to hold on to everything that he has got. Like most other people, he holds what he has got and grabs everything he can get his hands on; but after a night's cogitation he has been able to produce only one single instance in which the Committee on the District of Columbia made a mistake.

Mr. SAYERS. That is all I looked for. I had not the time to go entirely through the record.

Mr. HEMPHILL. You had from yesterday until to-day to produce an argument against giving this appropriation bill to the Committee on the District of Columbia, and you have been able to produce but one single instance in which that committee has made a failure in the matter of appropriation.

Mr. SAYERS. I will ask the gentleman whether he himself did not call the attention of the House to this case?

Mr. HEMPHILL. Certainly I did; and I say that if I had not done it you would not have had any argument at all. You know that yourself. [Laughter.]

Mr. SAYERS. Did your committee ever recommend any other appropriations?

Mr. HEMPHILL. Yes, sir.

Mr. SAYERS. Read them to the House, and probably they will be found to be like that one. [Laughter.]

Mr. HEMPHILL. Oh, no.

Mr. HEARD. Will the gentleman from South Carolina allow me to say a word?

Mr. HEMPHILL. Wait a moment until I get through with the gentleman from Texas. Now, Mr. Speaker, it was well known that in the Forty-seventh Congress the Committee on the District of Columbia did recommend an appropriation for certain waterworks in this District. They made that recommendation upon a bill coming from the Senate of the United States, where, as I understand, the matter had been thoroughly sifted, having been previously reported upon by the Engineer Department and the Secretary of War. The gentleman has called attention to the fact that the Committee on the District of Columbia recommended an appropriation of seven or eight hundred thousand dollars, but in honesty he ought to have said that after that work had been inaugurated and had gone far enough to show that it was a complete failure his committee, the Committee on Appropriations, recommended larger appropriations for the continuance of a work which they knew to be a humbug.

And the gentleman can not get out of the position that while this was an unknown experiment, so far as the District of Columbia was concerned, it was an ascertained and determined fact that it was a failure; and yet the committee of which he is a member made an appropriation of a larger sum on account of it. I do not think the gentleman is dealing fairly with the House when he withholds from it the fact that the Committee on Appropriations, of which he was a member, made large appropriations of the public money to this business after it had gone far enough to be determined, on a careful investigation and study of the subject, that it was an utter and a total failure.

Now, Mr. Speaker, when the gentleman from Indiana on yesterday referred to some increases of expenditure by reason, as he says, of the separation of these various appropriation bills, I took occasion to refer to certain increases of appropriations which came from his own committee. I want to show, sir, that the committee of which the gentleman from Indiana is now chairman has six of these appropriation bills in its charge, and according to some figures that I have been able to gather since the adjournment on yesterday, and according to the figures the gentleman himself produced, the increases made by his own committee on these six bills amount, within the time to which he alludes, to between fifteen and sixteen millions of dollars; and hence it comes with very poor grace from a gentleman having charge of a committee which has charge of more appropriation bills on the floor of this House than any other committee, six times as many; and I think it certainly comes with bad grace from him, to come here and complain of increases of expenditures, when his own committee is six times as responsible for the increases as any other committee of the House.

But, Mr. Speaker, this question is not to be determined solely by whether or not the amount of money appropriated by Congress has been increased or decreased in the last eight or ten years. As everybody knows, the country has increased and is increasing largely in population, and additional expenditures are necessary. Nor is the question to be settled by the parsimonious views of some gentlemen who think the whole object of Government is to take money from the people and hold on to it as long as they can.

Mr. HOLMAN. Oh, no; we do not want to take the money from the people, but to allow it to remain in their pockets.

Mr. HEMPHILL. Now, if we want to go into this question of comparison, let us look at some of the measures the gentleman has recommended on appropriation bills for particular disbursements and objects. Why, according to the gentleman's own figures, between 1881 and 1886 the total expenditures—I mean the average expenditures—for the District of Columbia were three and a half millions of dollars, while last year they reached five and a half millions. So that, according to his own statement, there has been a vast increase in the appropriations for this District.

Mr. HENDERSON of Iowa. Will the gentleman allow me to interrupt him?

Mr. HEMPHILL. Certainly.

Mr. HENDERSON of Iowa. Does my friend question the correctness of such amount of appropriation?

Mr. HEMPHILL. I am not now undertaking to criticise any item of the appropriation, but I am meeting the argument of the gentleman from Indiana on his own ground. He tells us that these appropriations have grown largely because of their distribution amongst the different committees, and that this bill must not be transferred to the District Committee for the same reason because of probable increase of expenditures. I want to show that, according to his own figures, there have been increases of expenditures from his own committee in regard to District of Columbia appropriations, increases of from $3,500,000 to $5,500,000 during the time they had control of it, when the other committees had control of their own particular bills.

Now, Mr. Speaker, I have no criticism to make upon these gentlemen——

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. CATCHINGS. Mr. Speaker, I desire to ask unanimous consent that debate on this amendment be limited to ten minutes. I think it has proceeded now for a reasonable time.

Mr. HEARD. I oppose that, and hope the House will not adopt the suggestion.

Mr. CATCHINGS. Well, let us fix the time at twenty minutes. I am willing to give a reasonable time further.

Mr. HENDERSON of Iowa. I think this is a pretty important matter. At least it seems that there is an effort to make it so, and I would like to have about ten minutes myself.

Mr. CATCHINGS. Very well; what time would you suggest? Let us fix some limit.

Mr. HEARD. I give notice that I want ten minutes.

Mr. HENDERSON of Iowa. I am not in particular charge of the matter, but I think we ought to have about an hour.

Mr. HEARD. I hope the debate will be allowed to proceed without limit for a while yet.

Mr. HENDERSON of Iowa. Quite a large number of gentlemen desire to be heard, and I think an hour would be not too long.

Mr. HOOKER of Mississippi. Mr. Speaker, I rise for the purpose of suggesting to my colleague [Mr. CATCHINGS], having charge of the majority report of the Committee on Rules, that he give at least a reasonable time for the discussion of so important a question as this. We are going to discuss the rules here, are we not? If so, let us do it deliberately and calmly, and not hastily. Let us not proceed amid the confusion which has been witnessed during the discussion this morning. Not one word of the debate could be heard in this part of the Hall. I hope on so important a question ample time will be given. It is quite important that the question should be understood before we are called to vote upon it.

Mr. HENDERSON of Iowa. I suggest one hour to the gentleman from Mississippi. I make the suggestion from my own standpoint, thirty minutes to be allowed to those in favor of the amendment proposed by the gentleman from South Carolina, and thirty minutes to those opposed to it.

Mr. HOOKER of Mississippi. I think that is a reasonable time, and hope the suggestion will be adopted.

Mr. CATCHINGS. Then, if that is acceptable to the House, I will consent that we fix the limit at one hour.

Mr. HEARD. I give notice that I want ten minutes of the time.

Mr. HENDERSON of Iowa. Is that agreeable to the House, to fix the time at one hour?

The SPEAKER. The gentleman from Mississippi asks unanimous consent that debate upon the pending amendment be limited to one hour. Is there objection?

There was no objection, and it was so ordered.

Mr. HENDERSON of Iowa. I suggest, Mr. Speaker, that the gentleman from South Carolina [Mr. HEMPHILL] control the time for thirty minutes, and the gentleman from Indiana [Mr. HOLMAN] control the other thirty minutes on behalf of those opposed to the amendment.

Mr. JOHNSTONE of South Carolina. Does that require unanimous consent, Mr. Speaker?

The SPEAKER. It does.

Mr. JOHNSTONE of South Carolina. Then I object to it. I do not believe it ought to be in the power of any set of men upon the floor of the House to say who shall take part in the debate.

Mr. BRECKINRIDGE of Arkansas. Mr. Speaker——

The SPEAKER. Objection is made, and the gentleman from Arkansas [Mr. BRECKINRIDGE] is recognized.

Mr. BRECKINRIDGE of Arkansas. Mr. Speaker, I do not believe that this question can be properly settled by simply considering the capacity or character of the respective committees. Nor can it be properly settled upon the basis of distributing an equal amount of moneyed legislation among the different committees that may be or that are now charged with appropriations. It is a question of policy, and if the policy of distribution be a faulty one, then the result will be unsatisfactory, however capable the committees may be to which the bills are distributed; and I

think that from that standpoint we ought to view this question and make our decision.

It has been the policy of this House until the recent past to keep the money bills assembled in the hands of one committee, which could carefully review the entire scope of public expenditures. Indeed, sir, prior to 1865 we confined to the custody of one committee all questions relating to revenue as well as to appropriations, and only within a few years did we divide the appropriations to any extent at least, and then it was not upon the theory of securing economy in appropriations. It was not upon the theory that this was of itself a better system of dealing with the money legislation of the House, but, as gentlemen well know, the controlling reason was altogether outside of that, and related to tariff legislation: and the best hope we entertained was that the policy of distribution would not lead to improvident appropriations.

Now, a little later than that the Senate divided its revenue legislation from its appropriation legislation, but it has never divided its appropriation bills. Leaving out of consideration mere matters of detail, it is quite evident, in the opinion of the gentlemen on the floor who have long been observant of this matter, that the policy of distribution has not contributed to economy, and that is not because each bill does not receive close scrutiny, but because of the defect in the system which I have intimated, that a committee which has charge of but one bill or of but a part of the appropriation of money can not take into consideration the whole theory of the Government's outlay and guard expenditures, as any committee can do that has all of these bills assembled into its keeping.

Now, sir, it is in no spirit of arrogating power to the Committee on Appropriations, to which I belong; for, so far as convenience and comfort are concerned, I would gladly see this power leave the committee, and especially so as I belong to the subcommittee that is charged with the consideration of this particular bill; but I am firmly convinced, after some considerable association with the fiscal features of our legislation, that the policy of distribution is inherently a false policy. I believe that we should, if we make a change, assemble these bills into one committee rather than distribute them further. Indeed, I strongly incline to the opinion that we should go back to the policy that prevailed before 1865, when, because, and solely because, of the ill health of the Hon. Thaddeus Stevens, then a member of the Committee on Ways and Means, we changed the policy which we had maintained during the whole war, of keeping both the revenue and the appropriation bills in the hands of one committee. I incline to the belief that our policy would be better if we assembled all business in regard to the receipts and expenditures of the Government into the hands of one committee and let it formulate bills in harmony as a whole, and then bring them to the House and let them be considered in the Committee of the Whole House.

Mr. HEMPHILL. May I ask the gentleman a question?

The SPEAKER. The time of the gentleman has expired.

Mr. BRECKINRIDGE of Arkansas. If I may add just one word, I will say that we must reverence practical experience and traditions that are of a practical character, and, in addition now to our own varied experience with these policies, we know the responsibility of reporting a symmetrical policy is vested in one body by the English Government, a Government very much in its spirit and genius like our own.

Mr. HEMPHILL. Did not the gentleman himself vote to distribute the bills to the various committees?

Mr. BRECKINRIDGE of Arkansas. Yes, I did.

Mr. HEMPHILL. You were not then a member of the Committee on Appropriations?

Mr. BRECKINRIDGE of Arkansas. No; but I stated my reasons.

Mr. HEMPHILL. You did not state that as a reason.

The SPEAKER. The time of the gentleman has expired.

Mr. BYNUM. Mr. Speaker, I wish to say on this question that I heartily favored the rule of the Forty-ninth Congress which divided the appropriation bills among the several committees, and I do not believe I would change that vote now if I had the opportunity of doing so. While I say that, Mr. Speaker, I also desire to say that I am unalterably opposed to conferring the jurisdiction of making appropriations for the District of Columbia upon the District of Columbia Committee, and I believe that every member of this House who has had experience in dealing with the affairs of the District will, with all due respect to the membership of the committee on District affairs, unite with me in the judgment that it would be bad policy to do so. The District Committee has charge of all the legislation with reference to the District. They consume one-twelfth of the time of this House, without having jurisdiction of the bill making the appropriations. It is a very important committee, and it is a fact well known that, with all the efforts of that committee, it is unable to withstand the attacks that have been made upon it heretofore by the different rings, interests, and influences that continually surround it. It is a fact——

Mr. HEMPHILL rose.

Mr. BYNUM. I have but five minutes, and can not yield.

Mr. HEMPHILL. I would like the gentleman to explain the statement he has just made.

Mr. BYNUM. It is a fact well known that the District Committee, after it has transacted the legislation that it now has committed to it, has not time to fully consume the terrapin and champagne set before it by the people of this District.

Mr. HEMPHILL. Will the gentleman state what the Appropriations Committee can do under similar circumstances?

The SPEAKER. The gentleman from Indiana declines to be interrupted.

Mr. BYNUM. Mr. Speaker, the power to report these appropriation bills for the District ought not to be coupled with the power of maturing and proposing legislation for the District. We now have on hand the Rock Creek Park, which is going to cost us an immense sum of money. I believe that measure originated with the District Committee, as well as other improvements of that character. I believe that a restriction ought to be put upon the power of this committee, and that the Appropriations Committee should retain the jurisdiction of the appropriations. To give the District Committee the power to report these appropriations as well as to take charge of the general legislation for the District would be to intrust too great a power to that committee and would lead to disagreeable reflections, if not worse. I say this with all due respect, because I would as willingly trust the present District Committee as any other committee. Did I not believe there ought to be a check on the District Committee, that the power to report the appropriations ought not to go hand in hand with the authority to present bills regulating improvements, I should not oppose this change. Such a system would subject the committee to too great a pressure from local influences, which are ever present and continually in operation. It would be an unsafe thing to do.

Mr. HEARD. Mr. Speaker, like the gentleman from Indiana, I began my legislative experience here by voting in the Forty-ninth Congress for the distribution of these appropriation bills; and I am glad I did so. Like the gentleman from Indiana, I should vote in exactly the same way to-day if the question were now presented; and I intend to follow the same principle by which I was then controlled in the vote I am about to cast on this question. At that time, Mr. Speaker, I based my action upon the belief that the committee which has charge of the legislation upon any particular subject is better calculated to make recommendations to the House about the necessary means for carrying such legislation into effect than any other committee would be. All that any committee can do is to recommend an appropriation, and the House must approve or reject, and I think that the committee most familiar with the subject of legislation to which an appropriation is to be applied will always be the best qualified to make such recommendation.

The gentleman from Indiana [Mr. HOLMAN] referred to the increase of appropriations within the last six years. It is well known, sir, that only during the last six years have these bills been in the hands of these different committees. This arrangement was in operation during the Forty-ninth and Fiftieth Congresses; and now, in order to make a case against the operation of this rule in those two Congresses, the gentleman couples with their record that of the Fifty-first Congress, including in his estimate appropriations from 1886 to 1892. He lugs into the calculation the appropriation necessary to pay the sugar bounty, and all the other extravagant appropriations of the Fifty-first Congress. I say, Mr. Speaker, that such a presentation of the case is calculated to suggest an unfair inference: that to the separation of these bills and the putting of them into the hands of different committees is attributable the whole of this increase of expenditure. The gentleman from Georgia [Mr. BLOUNT] has answered that point most effectually, so far as concerns the increase of expenditures in connection with the recommendations of the Committee on the Post-Office and Post-Roads; and I have no doubt that the implied charge of extravagance as applied to the work of the other committees having charge of their own appropriation bills can be just as thoroughly refuted.

Mr. Speaker, if the gentleman from Indiana had stated his proposition in the form of a syllogism it would be like this: The bills were separated; there has been an increase of expenditure; therefore the separation is the cause of the increase. Would it not have been fairer, in view of the facts of history, to have stated the matter thus: The bills were separated; but there has been, in the period which has since elapsed, increased growth, increased prosperity, increased business in the country, and to this fact is attributable the increase of expenditure. As to the Committee on Agriculture, the Committee on Military Affairs, the Com-

mittee on Naval Affairs, and the Committee on the Post-Office and Post-Roads, it is a fact that there has been an extraordinary increase in the business of the Departments to which the work of those committees respectively relate, and the increases which have been made in the appropriations have been, for the most part, recognized by the House and the country as proper increases.

I submit that in order to make a case against this proposition on the ground that on account of the distribution of these several appropriation bills there has been an increase of expenditure (even if this increase were attributable to the separation of these appropriation bills), it should be shown that the increase is an improper increase. This has not been shown. On the contrary, in the case of the Committee on the Post-Office and Post-Roads it is clearly shown that the increase has been a necessary one. So with the Committee on Naval Affairs; that committee has been engaged in making recommendations, which the House and the country have approved, for the increase of our naval armament. I do not doubt that such increases as were made in the legitimate conduct of the other Departments referred to were not made without bringing to the people a full equivalent therefor.

But I want to call the attention of the House to the fact that the gentleman from Indiana [Mr. BYNUM] is grossly deceived about the line which he supposes now to exist between the legislation proposed by the District Committee of this House and the appropriations carrying the legislation into effect. The fact is that a great deal of the most important legislation for this District is not considered at all by the Committee on the District of Columbia, but comes directly from the Committee on Appropriations. They assume to legislate for the extension of railroad and other charters, the improvement of streets, and many other subjects wholly disconnected with the matter of appropriations. If you will turn to the appropriation bills applicable to this District, you will find that they go into the very minutest details on the application of the money to be expended under laws not then existing, but created by the act making the appropriation. They create the necessity for an appropriation, then follow it up with the appropriation. So that under the practice that obtains to-day these two matters are not kept separate. It might be well if they were.

[Here the hammer fell.]

Mr. COMPTON. Mr. Speaker, if personal considerations controlled my views of this case I should vote for the motion submitted by my friend from South Carolina [Mr. HEMPHILL]. I never seek responsibility, but never seek to avoid it, but am always ready to do what the obligation of duty imposes upon me.

Now, Mr. Speaker, I propose very briefly to reply to the speech made by my friend from South Carolina in advocacy of this proposition which he has submitted. As I heard his speech and as I read that speech in the RECORD, the gentleman made two suggestions and gave only two reasons for the proposed change. The first is that the committee of thirteen men were better qualified to determine a question of appropriations for the District of Columbia than a subcommittee of five members.

I insist, Mr. Speaker, that this is neither ingenious, disingenuous, nor tenable. Does not the gentleman know that his committee, as well as the Committee on Appropriations, is divided into subcommittees, and that to one or another of these subcommittees every bill is referred for consideration and report to the general committee, and that the general committee then considers the entire bill? And, sir, as I said, his argument is neither ingenious, disingenuous, nor tenable, because in this case the Committee on Appropriations is composed of fifteen members, and his committee of but thirteen members.

But, sir, the further reason, or argument, if I may so denominate it, upon which the gentleman relied in advocacy of his proposition is the suggestion that the District Committee, being one which had knowledge of the wants of the District, having to consider objects with reference to District matters, therefore were best informed on legislation with reference to the appropriations for the District.

Now, Mr. Speaker, the gentleman's argument proves too much. First, sir, let me say that this debate has demonstrated that it is not by any means a decided proposition that this distribution of the appropriations has been a success. But even if it has, sir, I say again, the gentleman's argument proves too much. If the condition of things which I have described, speaking of the qualifications of the Committee on the District of Columbia for the consideration of this bill, be true, as he suggests, it is equally true that the Committee on the Judiciary should equally be charged with the consideration of appropriations for the judiciary, and it is equally true that the Committee on Indian Affairs would be best qualified to handle every measure of appropriations for Indian affairs, and all other appropriations would go to other committees.

But I maintain that under the present condition of affairs no valid reason can be assigned for the change proposed by my friend from South Carolina; and until some better reason is assigned I am satisfied, sir, that the good sense and the better judgment of this House will not accede to the proposed change.

[Here the hammer fell.]

Mr. HOOKER of Mississippi. Mr. Speaker, I happened to be in the Congress of the United States which made the change in the rules which had so long existed, to have all the appropriations made for the support of the Government given to the consideration and judgment of a single committee. When I came into Congress this committee had the absolute power, as it has now, of taking the floor whenever it wanted to upon any proposition; and the chairman of that committee doled out the time to members as he thought fit, dividing it equally, of course, between the sides. It was in opposition to this power of the Committee on Appropriations, wielded with a despotic hand, that the House, in the Forty-eighth or Forty-ninth Congress, rose and divided this power of making the appropriations, so that they now rest with the other great committees of the House in each case.

The Naval Committee has the power of making the appropriations for the Navy, and so on with the other committees, as has been referred to by my friend from Maryland [Mr. COMPTON] who has just taken his seat. I say it was because of this extraordinary power that the members of the Forty-eighth or Forty-ninth Congress—I think it was the Forty-ninth—rose in opposition to this rule, and took from the general Appropriations Committee the power which it had previously exercised, and I think wisely committed it to the respective committees appointed under the rules having charge of legislation for the various Departments of the Government.

I remember very well, Mr. Speaker, and to show how despotic was the power, on one occasion, shortly after I took my seat in Congress as a young member, and after I had been here two or three months, not having opened my mouth, my distinguished and lamented friend Mr. Randall of Pennsylvania was chairman of the Committee on Appropriations, and he introduced a certain bill. Some friends of mine were telling him, "There is a member here who would like to say a few words on the matter which is now under debate." Mr. Randall turned round, and you know it was his habit, when he was very scrutinizing in his glance, to close one of his eyes. He very fiercely looked me all over and said, "Is that he?" "Yes," said my friend, "and he wants to speak, Mr. Randall." "Well," said he, "he is a young member, and there is no telling what in the thunder he will say, and I shall not let him speak;" and I did not.

It was this sort of exercise of power by the Appropriations Committee which was rebelled against, if I may use that term, in the Forty-eighth and Forty-ninth Congresses, when the powers were distributed. I have never seen any reason why that distribution should not have been extended to the Committee on the District of Columbia. My honorable friend from Texas [Mr. SAYERS] and my honorable friend from Maryland [Mr. COMPTON], in giving their approbation to, and voting for, the distribution of the powers of the Appropriations Committee among the other great committees of the House, gave no reason why the same principle should not apply to the Committee on the District of Columbia, and it seems to me there is no good reason. Why? What was the principle upon which that distribution of power was made? It was that under the rules a committee was created for each one of the great Departments of Government, whose duty it was to consider the appropriations to be made to carry on that Department.

Now, there is no more important committee than the Committee on the District of Columbia, and why should not the thirteen gentlemen of that committee, of whom I am not one and never have been—why, I ask, should not those thirteen gentlemen who have the affairs of the District of Columbia under consideration be trusted by this House to determine the question of the character and nature and amount of the appropriations for the District of Columbia? The general Appropriations Committee is burdened with a vast amount of business; necessarily so. This Committee on the District of Columbia is a specific committee, created with particular powers and duties applicable to the affairs of this District. Why, then, should not they be better qualified to determine what expenditures shall be made for the District of Columbia, in what particular way and of what particular amounts, than the general Appropriations Committee?

The District Committee hear the evidence, hear the statements that are made by citizens of this District or by citizens of the United States; they hear the proofs, they know the facts, why should they not determine the question? Now, according to the present method with reference to the affairs of this District, the District Committee hear the evidence, pass upon all the questions relating to the District that come before them, and then have to refer the matter over to the Appropriations Committee to determine the amount that shall be appropriated—a

committee which has not heard one word of the evidence adduced, which presumably does not know anything about the subjects, which may arbitrarily cut the amount down or arbitrarily raise it.

Surely we can trust this District Committee, appointed for this specific business, as properly as we trust the Committee on Military Affairs, the Committee on Naval Affairs, or any other of the great committees of this House. I believe, Mr. Speaker, the first great departure in this matter was made when my friend from Missouri [Mr. HATCH], who has been so long chairman of the Committee on Agriculture, insisted, with reference to the great Agricultural Department of the Government (which was simply a Bureau, but is now a Department), that his committee ought to have a right to recommend the appropriations as well as to consider subjects pertaining to that Department; and I can not see any reason why the same principle should not apply to the Committee on the District of Columbia as well as to the Committee on Agriculture or any other great committee of this House.

Mr. HENDERSON of Iowa. Mr. Speaker, it will be remembered that yesterday my friend from South Carolina [Mr. HEMPHILL] referred to the fact that committees like to get hold of all the power they can. That is true. They are like courts; they favor their own jurisdiction. The truth of the gentleman's text has been manifested by the spirit which he has shown in this struggle so far as it has gone. He stated in the outset that no good reason had been offered why the Appropriations Committee should have control of the District of Columbia appropriation bill. I call his attention to the rules of the Forty-ninth Congress and to the last paragraph of the twentieth rule of that Congress. The Committee on Rules at that time consisted of three distinguished gentlemen on the Democratic side, Mr. CARLISLE, Mr. Randall, and Mr. Morrison, and, on the part of the minority, Mr. HISCOCK and Mr. REED. Those gentlemen, when they brought in the rule which took a large number of bills from the Committee on Appropriations, leaving it only six—I believe there are fourteen general appropriation bills altogether that come before the House—that committee, I say, when they brought in their report recommending the change, added this to the twentieth rule:

> As there is no local or municipal government in the District of Columbia, the duties of the committee having charge of its affairs in the House are to a large extent both executive and legislative in their nature. Experience has shown that the great number of matters now requiring the attention of that committee occupy all the time it can devote to them. It has not been considered proper, under these circumstances, to impose upon it the additional labor of preparing the bill making appropriations for the support of the District of Columbia, and that bill is left with the Committee on Appropriations.

That, Mr. Speaker, was the judgment of CARLISLE, Randall, Morrison, HISCOCK, and REED, and of the House of Representatives of the Forty-ninth Congress in its entirety. If the argument was good then, certainly now, with a vastly increased population and largely increased drafts upon the powers of the Committee on the District of Columbia, it ought to be good in this Congress.

Reference was made by my friend from South Carolina [Mr. HEMPHILL] to the bill which was passed providing for a water supply for this District, and the discussion has gone out into fields not germane to the question at issue. The gentleman from South Carolina unfortunately introduced that case as an argument why this bill should be taken from the Appropriations Committee. It has been admitted in debate that that bill never emanated from that committee, but was born in the District Committee of the Senate, came over here, was referred to the House District Committee, was reported by them to the House, and passed this body. That is all there is in issue. The gentleman from South Carolina tendered it, and the result is that it has no application to the Committee on Appropriations. I was one of the subcommittee that investigated that matter in the Forty-ninth Congress, the gentleman from West Virginia [Mr. WILSON] being the chairman of that subcommittee. I think it was the unanimous judgment of the subcommittee that the error lay with the engineers, and safeguards were provided to correct that error and prevent its recurrence. But that, I repeat, is neither here nor there.

Now, I beg to ask the gentleman from South Carolina to consider another question, namely, how much of courtesy is shown by this proposed action to the distinguished chairman of the Committee on Appropriations or to that committee as a body, when (as has been the custom for years) they have had this District bill before them in pursuance of the estimates, and have actually entered upon its consideration, as in fact the present Committee on Appropriations have done and are doing. I hold in my hand the District of Columbia appropriation bill. For days the Appropriations Committee have been considering it. Witnesses have been heard, the Commissioners of the District of Columbia, the engineers, and different officers; the committee have heard the statements of those witnesses in great detail, and they are at work almost daily upon the bill. Now, it is a question for the gentleman to consider whether the proprieties which govern legislative bodies are not somewhat strained when it is sought to take this bill out of the hands of a gentleman like the distinguished chairman of the Committee on Appropriations, to say nothing of his associates.

[Here the hammer fell.]

Mr. DOCKERY. Mr. Speaker, I ask unanimous consent that the gentleman be allowed to continue for five minutes longer.

Mr. HEARD. I will consent to that if a like courtesy is to be extended to gentlemen upon the other side.

Mr. DOCKERY. It will come out of the time of this side.

The SPEAKER. Is there objection to the request that the time of the gentleman from Iowa be extended for five minutes?

There was no objection, and it was so ordered.

Mr. HENDERSON of Iowa. Mr. Speaker, I do not know that I shall consume all that time, as I have only a few additional thoughts to present.

Now, Mr. Speaker, if the argument is sound in favor of taking the appropriations for the District of Columbia from the Committee on Appropriations, I call the attention of my friend from South Carolina to this question: Why would it not be equally proper to let the Committee on Public Buildings and Grounds report the appropriations for public buildings? As a rule that has not been deemed by Congress a safe thing to be done. Why not allow the Committee on Invalid Pensions to take from the Committee on Appropriations the pension appropriation bill? Why should not the Committee on Invalid Pensions—a committee that has all the special knowledge on these subjects, except what we acquire by work—be permitted to bring in the pension appropriation bill? Why should not the Committee on War Claims or the Committee on Private Land Claims, which have knowledge of all the facts touching the particular claims reported by them, be permitted to bring into the House the appropriations for the payment of those claims? According to the argument of the gentleman, these committees would be better equipped than any other committee perhaps to bring in bills making appropriations of this character.

Again, we have certain committees on the expenditures of the different Departments—the State Department, the War Department, the Navy Department, the Treasury Department. These committees are appointed expressly to investigate the expenditures of these different Departments. Why should not my friend from South Carolina come in here and plead with equal fairness and vigor in favor of giving to those committees the right to report the appropriations for their patricular Departments.

Mr. Speaker, I voted in the Forty-ninth Congress for the separation of these appropriation bills as then determined upon. My experience and observation since that time rather incline me to think that if I should now vote again upon that proposition I would not go to the extent I then did. Certain it is that the Committee on Appropriations has now left to it only six of the fourteen regular appropriation bills. I am ignorant of a single State in which the appropriations for various State purposes are not left in the State Legislature to the jurisdiction of a single appropriation committee. The only exception to this line of action, so far as I have knowledge, is the step taken by this House in the Forty-ninth Congress. Mr. Speaker, I emphatically and earnestly counsel this House not to entertain with favor the proposition of the gentleman from South Carolina.

Mr. HEMPHILL. Mr. Speaker, how much time remains on the other side?

The SPEAKER. Ten minutes are left in opposition to the proposition, and twenty minutes in its favor.

Mr. HEMPHILL. I wish to say only a few words in reply. If any gentleman on the other side wants to speak I would be glad if he would occupy the time now.

The SPEAKER. The gentleman from South Carolina is recognized.

Mr. HEMPHILL. Mr. Speaker, this matter has excited a good deal more interest than I anticipated it would. As to the amount of money which may be expended I do not think either committee is likely to be extravagant. In replying this morning to the gentleman from Indiana who first spoke [Mr. HOLMAN], I undertook to show that the figures which he had used told against him with more power than they did against anybody else.

Some of the other gentlemen who have participated in this debate have undertaken to turn against me an argument which I made with reference to the bill making appropriation for the waterworks of this District. These gentlemen—the gentleman from Arkansas [Mr. BRECKINRIDGE], the gentleman from Texas [Mr. SAYERS], and the gentleman from Iowa [Mr. HENDERSON]—forgot to tell the House that after this work had gone far enough to ascertain its real merits, the Committee on Appropriations added $1,000,000 to the appropriations that had already been reported by the District Committee. Therefore, so far as con-

cerns the figures of this question, it seems to me that gentlemen who are so anxious to retain this District appropriation bill in the hands of the Appropriations Committee have not supported their position very successfully.

Several gentlemen have undertaken to put some questions in reference to this matter, and I wish to refer to them; but before doing so let me say a word to my friend from Indiana [Mr. BYNUM], whose argument does not seem to rise above "terrapin and champagne." He has stated that the District Committee has under the rules a certain time appropriated to its business. But, unfortunately, that committee does not get the amount of time assigned to it by the rules, and it is unfair to say that our committee has already one-twelfth of the time of this House. As a matter of fact, well known in the experience of the House, we do not receive any such courtesy at the hands of this body.

The gentleman from Iowa [Mr. HENDERSON] has referred to the rule adopted in the Forty-ninth Congress, for which he voted and for which the gentleman from Arkansas [Mr. BRECKINRIDGE] voted, distributing the appropriation bills amongst the different committees. He cites the names of certain distinguished Democrats and Republicans who at that time gave their reasons why the District appropriations should not be turned over to the District Committee. I wish to answer that line of argument by referring the gentleman to the debate in the Senate of the United States on the 20th of December, 1883, when the Committee on Rules of that body, consisting in part of Mr. FRYE of Maine, Mr. SHERMAN of Ohio, Mr. Ingalls of Kansas, Mr. HARRIS of Tennessee, and one or two distinguished Democrats whose names I have not now on my tongue, reported that the District appropriation bill should be sent to the District Committee, for the reason that the people of this District have no representation on the floor of Congress; that their only opportunity to be heard is to make known their wants to the District Committee, and because one-half the appropriations made for the District are paid out of the revenues raised by the people of the District themselves.

And I say to you, sir, that the argument which these gentlemen adduce in favor of popular rights, on behalf of the people of the District of Columbia having some representation on this floor, is a far better argument to use than that which has been adduced by the gentleman from Iowa.

Mr. HENDERSON of Iowa. Will the gentleman allow me to interrupt him for a question?

Mr. HEMPHILL. Certainly.

Mr. HENDERSON of Iowa. Is it not true that the Appropriations Committee of the Senate have charge of all of the appropriation bills?

Mr. HEMPHILL. They do now, as a matter of fact, and the reason was, as the debate to which I have referred shows, that when they gave this right to the District of Columbia Committee the other committees came in and insisted upon a distribution of the appropriations belonging properly to their respective committees, and having adopted the resolution giving to the Committee on the District of Columbia charge of the appropriations for the District, the measure was so loaded down by amendments that it was killed before it could get through.

Now, I do not ask, Mr. Speaker, that the other bills shall be referred to the other committees of the House, as has been suggested by the gentleman from Iowa, because it is just as much as I can do to attend to my own business on this floor. If the other committees want their bills, let them get up and demand them. But I want to impress on the House this one thing, that the District of Columbia is managed by two committees. There has been wasteful extravagance of the public money here, and the Committee on Appropriations can not and will not deny it. No man here will deny that there have been millions of dollars spent here for which there has been no return. The only question, then, is whether there can be any improvement made in the administration of the affairs of this District; and it is a question for this House, not "smeared up with champagne and terrapin;" for I take it that no honest man, if he wants to be honest, will find difficulty in resisting any such temptations as that.

The question is whether in the administration of the public funds and those derived by taxation from the people of this District an improvement can be made and affairs be better managed by thirteen men who understand their wants than by other men who have a large number of appropriation bills belonging to other subjects to attend to?

I want to call the attention of the House, Mr. Speaker, to the suggestion of the distinguished gentleman from Mississippi [Mr. HOOKER], and that is, that if the bill is kept now in the hands of the Appropriations Committee, and the power is given to these gentlemen to legislate upon appropriation bills, as it is proposed to do under these rules, then the balance of the committees of this House might just as well abdicate their authority and the members go home. For under the rules they have the right to come in at any time with any bill carrying an appropriation of public money, and if this other amendment is adopted they will have the right to incorporate new legislation upon appropriation bills. The result is that they will be the masters of the House, and every member of this body not a member of the Committee on Appropriations will find the moment that he gets up a bill here for consideration and discussion in the House, and its consideration or its passage is objected to by gentlemen of the Appropriations Committee, or if they do not like it, they will simply put one of their bills on the track with legislation in it, and thus prevent the consideration of the other measure.

That will be the exact condition of things in this body. Other bills will be interposed from that committee to shut out measures in which members not on the Committee on Appropriations may be interested. The balance of this House, sent here to represent their constituents, as well as the members of the Appropriations Committee, will be wiped out of existence, and they had just as well make up their minds to that now. And, Mr. Speaker, it is not so with reference to this particular bill alone, but with reference to six separate and distinct bills which the Committee on Appropriations have in charge, and there is no difficulty in the Committee on Appropriations—no rule existing heretofore, and far more is that the case under the proposed rule—there is no difficulty in taking from the members of this House the right to consider or discuss measures that will be important to the welfare of the country and their immediate constituents if they do not commend themselves to the Appropriations Committee. And while I know that some gentlemen have gone around the House to make protest privately to members against this proposition, while I know that arguments have been made privately to members which have not been made publicly on the floor, I warn you gentlemen that if this committee is put in charge of this bill and the other appropriation bills, with the right to legislate upon them, the large majority of you might as well go home and draw your salaries there as to sit here and expect to do any legislation. It is well known that these appropriations were distributed and taken from the hands of the Appropriations Committee simply because they were the masters of the House and had throttled every man and measure at their own will.

Mr. HEARD. Will the gentleman yield to me for a question?

Mr. HEMPHILL. Certainly.

Mr. HEARD. Is it not a fact that under the rules heretofore existing the Committee on Appropriations have legislated, even to the amendment of railroad charters, and put new legislation into their bills?

Mr. HEMPHILL. Certainly.

Mr. HEARD. And is it not a further fact that where our committee secured the passage of a bill, such for instance as the Reform School for Girls in this District, the Appropriations Committee defeated the object of the bill by withholding the appropriation, thus nullifying the action of Congress, and afterwards refused even to allow us to amend the bill to give it power and effect?

Mr. HEMPHILL. Certainly. The Committee on Appropriations even under the old rules had power to defeat almost any legislation in the same way. You may pass any measure you please, and if the Appropriations Committee does not see fit to give the money it is nullified. A marked instance of this is the case to which the gentleman from Missouri has just alluded, the legislation for the establishment of a Reform School for Girls in this District.

I have here the appropriation bill of the last Congress, passed under the direction of the Appropriations Committee, in which there are four or five sections of legislation, and legislation which has never been referred to the committee charged with the legislation for the District of Columbia.

The whole question boils itself down to this: First, as to whether it is beneficial to the public service that this bill should be given to a committee that has charge of these matters, and next as to whether the members upon this floor are willing to abdicate their rights and turn over the whole business to the control of one committee.

The SPEAKER. The question is upon the amendment proposed by the gentleman from South Carolina [Mr. HEMPHILL].

The amendment was disagreed to.

The Clerk continued the reading of the paragraph.

Having read as follows:

To commerce, Life-Saving Service, and light-houses, other than appropriations for Life-Saving Service and light-houses: to the Committee on Commerce.

Mr. BURROWS. Mr. Speaker, I desire to call the attention of the gentleman having the rules in charge to an omission in clause 7. The title of the Committee on Commerce was changed to "Interstate and Foreign Commerce," and this rule provides that these matters shall be referred to the "Committee on Com-

merce." Before the word "Commerce" should be inserted the words "Interstate and Foreign."

Mr. MCMILLIN. Mr. Speaker, that was the intention of the majority; but in copying the rules for the printer there was an omission.

The SPEAKER. If there be no objection, the correction will be made by the Clerk.

There was no objection.

The Clerk read as follows:

To the improvement of rivers and harbors: to the Committee on Rivers and Harbors.

Mr. NORTON. Mr. Speaker, I desire to offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amend paragraph 8 of Rule XI by adding the words "except the Mississippi River" immediately after the word "harbors;" so that said paragraph as amended will read:

"To the improvement of rivers and harbors, except the Mississippi River: to the Committee on Rivers and Harbors."

Mr. NORTON. Mr. Speaker, the object of this amendment is to take away from the Committee on Rivers and Harbors the jurisdiction of questions pertaining to the Mississippi River and vest that jurisdiction in the Committee on Levees and Improvements of the Mississippi River, so as to give this last-named committee a jurisdiction coextensive with its name.

I desire to call the attention of the House to the fact that there are two committees, each of which have partial jurisdiction of questions affecting the improvement of the Mississippi River.

Section 8 commits to the jurisdiction of the Committee on Rivers and Harbors all questions affecting rivers and harbors. Paragraph 23 commits to the jurisdiction of the Committee on Levees and Improvements of the Mississippi River simply the question of levees. Now, when it is understood that the system of levee improvements is only one of the factors in the question of the improvement of the Mississippi River, one of the facts going to make up a general whole, then it will be understood, it seems to me, at once that this amendment ought to be adopted, or else the Committee on Levees and Improvements of the Mississippi River ought to be abolished. I say it is simply one of the factors in a general system that goes to make up a general whole. I desire to read from a report that was made by the Committee on Levees and Improvements of the Mississippi River at the last session, a statement from Col. Suter, a member of the Mississippi River Commission, which was embraced in that report. Col. Suter said in his report:

The Commission reported upon all three plans, and then made their recommendations as to what they proposed.

The so-called outlet plan was condemned *in toto*. The plan of improving the navigation by levees alone was not adopted by the Commission.

Col. Suter says further in the same report:

From this point of view the function of the levee system may be considered as conservative; its other function confers a direct benefit. The plan of the Commission contemplated both of these functions in these three factors; that is, the channel contraction works, the revetment of the banks, and the levees on the top of the banks, constitute the plan on which the Commission has worked from that day to this.

Now, it seems to me, Mr. Speaker, that if the question of the improvement of the Mississippi River is to be considered intelligently, systematically, and economically, then the whole jurisdiction ought to be put into the hands of one committee, because it is probable that there will be a conflict of jurisdiction. It is almost certain that there will be a conflict of views; and I say, then, that to consider intelligently all of these questions, this being only a factor in the general whole, they ought to be considered in one committee.

Another thing, Mr. Speaker. This Committee on Rivers and Harbors has a vast deal of work before it. The time of the committee is occupied with the presentation of claims affecting rivers and harbors all over this entire country. It does seem to me that if this Committee on Levees and Improvements of the Mississippi River is to have any other function than to be ornamental, then the interests of this great river, the Mississippi, embracing matters of such importance to this entire people, ought to be intrusted to the hands of one committee and let it have jurisdiction of all the questions relating to its improvement, channel improvements, the protection of the banks by revetment and otherwise, and the system of levees, all combined and constituting one complete system——

Mr. BUSHNELL. Would that include the Upper Mississippi as well as the Lower?

Mr. NORTON. Yes, sir.

Mr. BUSHNELL. The whole river?

Mr. NORTON. Yes, sir; that is just what I desire.

Mr. COGSWELL. The gentleman from Tennessee [Mr. MCMILLIN], who yesterday was advocating the adoption of the rules reported by the committee, in a speech intended, of course, not for political effect, but to inform this House how best it could proceed with its business, stated that under the rules of the last Congress, the terrible rules of the czar, we had appropriated $275,000 for the Butler Building and $150,000 for the Richards Building. He omitted to say that, under those rules, a single objection would have stricken those two items from the bill. He also stated that the two buildings together were not worth over $300,000. In regard to the Butler Building, a commission appointed by an Administration [Cleveland] of his own choosing, at the head of which was Secretary Fairchild, valued it at $277,000, and the Fifty-first Congress obtained it for $275,000.

Furthermore, the Government at that time was paying $7,200 for the rent of one-third of that building, and we bought the whole building for $275,000, showing that in rent or interest, as you may put it, a great saving was made. So much for the rules of the Fifty-first Congress, which he held up to us yesterday as so frightful. Had he had the same fervor then as now, and these expenditures were as wrongful as he suggests, he could have objected, which would have stricken them out of the bill; but as a matter of expenditure that purchase saved to the Government several thousand dollars a year in the interest of rent account alone.

Mr. BLANCHARD. Mr. Speaker, I rise to address a few words to the House in opposition to the amendment offered by the gentleman from Missouri [Mr. NORTON]. Those of us in this House who have for many years been interested in the Mississippi River do not ask that it be separated in any such way as is proposed from the regular river and harbor bill. I believe that the interests of that river would be safer on the regular river and harbor bill than it would be in a separate measure. We know that no bill before this House is stronger and more popular than the regular river and harbor bill, and we believe that the interests of the Mississippi River would be best subserved by leaving it in connection with the appropriations voted for the rivers and harbors of the country.

Mr. CATCHINGS. Let us have a vote, Mr. Speaker.

The question was put, and the amendment of Mr. NORTON was rejected.

The Clerk read as follows:

10. To agriculture and forestry; to the Committee on Agriculture, who shall receive the estimates and report the appropriations for the Agricultural Department.

Mr. MORSE. I move to strike out the last two words.

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. MORSE. On yesterday my friend from Mississippi [Gen. CATCHINGS] referred to a remark made by me during the debate on the rules in the last House as an unfulfilled prophecy. He said:

I am reminded by the presence of my friend from Massachusetts [Mr. MORSE] that when the rules of that Congress were up for consideration and this "quorum" question was being discussed, that gentleman rose and with passionate fluency or fluent passion, whichever it may have been, said that if this House did not adopt those rules there would not be pontoons enough to bridge gentlemen back into this House.

Well, sir, they adopted their system of rules and the pontoons were called for but denied them. They had to walk the plank, and almost every man of them slipped and, like McGinty, went to the bottom of the sea.

The exact language used by me in a speech delivered in this House February 12, 1890, and referred to by the gentleman from Mississippi I find to be as follows from the CONGRESSIONAL RECORD. I said:

It has been clearly demonstrated during this debate that under the former rules one solitary member could obstruct the whole business of the country, and it is high time under republican form of government that the Congress of the United States should become republican, and that a majority of its members should be able to transact its business. It has been said on the other side that the people were in favor of this policy of obstruction by the minority, and the proposition to amend the rules has been denounced as revolutionary.

Not so do I hear or read the voice of the people, but I am overwhelmed with letters from my constituents indorsing the position taken by the Republicans on this floor; and if our Democratic brethren are content to go before the country upon the issue that a majority shall not control the legislation of the country and of this House I am content: and when they hear from the people I am sure it will be in utter condemnation of their course on this floor, and I believe that the Latin maxim would apply, *Vox populi, vox Dei*.

It is said that at the battle of Pittsburg Landing (or Shiloh, as the gentlemen on the other side preferred to call it) one of Gen. Grant's subordinates suggested to him that the pontoons for crossing the river were not sufficient to cover a retreat. Gen. Grant's reply is historical, that if they were beaten in the pending battle, the pontoons would be sufficient for all that would be left of his army. Now, Mr. Speaker, I too, am neither a prophet nor the son of a prophet, but unless these rules are amended so that the Fifty-first Congress shall give some needed business legislation to the country, it will not take many pontoons to carry the members of this Congress that will be elected to the next.

The prophecy of a great change in the House, it seems, was fulfilled, but that I confess in a different manner from that which I expected. [Laughter.] It may not be out of place to consider some of the causes that led to the change.

Massachusetts is at present represented on this floor by seven Democratic Congressmen and five Republicans. The Democratic members are all gentlemen of high character and ability; Massachusetts sends no other. I have not a word to say against them; some of them are friends of mine; but the truth compels me to say that Massachusetts is at present misrepresented on this floor.

On the basis of the vote for lieutenant-governor and all the State officers but the governor, at the recent election, we should now be represented in the thirteen new districts by ten Republicans and three Democrats; and Governor Russell owes his re-election to three causes:

First. His personal popularity, together with the unfortunate labor record of the Republican candidate, Allen.

Second. Third party prohibitionists, who cast a direct vote undoubtedly for the head of the Democratic ticket in the light of recent developments.

But the third and most important reason was that Governor Russell denied on the stump nearly every Democratic doctrine.

He denied that his party stood for the free and unlimited coinage of silver. Every man on this floor knows that is false, from the Speaker down to the humblest member. He even went so far as to charge that the Republican party was the cheap-money party.

The fourth and important reason was, that he represented the Democratic party as in favor of "free raw material." I have not heard a breath since this Congress convened from any Western or Southern Democrat on the subject of "free raw material;" that talk is used to elect Democratic Congressmen in New England. The Mills bill continued a high duty upon coal, iron, and sugar, all Southern products. "Cheap manufactured goods" is the cry of the Democratic party to-day.

My friend, Governor McCREARY of Kentucky, introduced a bill under the first call of the States to put woolen goods, agricultural implements, edged tools, and cordage on the free list. This may be fun for Kentucky, but I tell you, Mr. Speaker, and gentlemen of the House of Representatives, it is death to Massachusetts. If that bill ever reaches consideration under these rules, like the free silver bill, it will pass this House by a large majority, and if it could pass a Republican Senate and a Republican President it would close factories in New England and turn thousands of workmen into the street, or reduce their wages to the level of European wages. Not free raw material, but "free silver and free manufactured goods;" "These be thy gods, O, Israel."

At the recent election Massachusetts elected every State officer but the governor by a Republican majority of 11,000, and increased its Republican majority in the House of Representatives and in the State senate, and it is not regarded as much of a Democratic victory when the facts are known.

But how about the election of seven Congressmen in 1890, if Massachusetts is a Republican State? I claim, Mr. Speaker, that that was brought about by gross misrepresentations of the McKinley tariff bill.

Let me give you a few illustrations. Night after night the Democratic candidate for lieutenant-governor, Mr. Cochran, appealed to the poor men to vote the Democratic ticket and against the McKinley bill, because he said "the poor man could not build a house any more because the duty on lumber was doubled." His attention was called to the fact that the bill reduced the duty one-half, but he went on repeating the falsehood on the basis, I suppose, that a lie well stuck to was as good as the truth.

Another Democratic orator in describing the McKinley bill cursed the party that would put a duty on Bibles and admit playing cards free. The duty on playing cards is 50 cents a pack, and on the principle that protection reduces the price they are sold for 10 cents a pack.

In one section of the State fish-peddlers were employed to peddle fish. When anybody tried to buy a fish an advance of 3 or 4 cents a pound was charged, and when an explanation of the advance was asked, the answer was, "The McKinley bill." American-caught fish under that bill are admitted free of duty. These were the means used to make Massachusetts Democratic in 1890.

The SPEAKER. The time of the gentleman has expired.

Mr. MORSE. I ask for three minutes to finish what I have to say.

Mr. HOAR. I hope it will be granted, for the benefit of the Democratic party in Massachusetts.

Mr. MORSE. My young friend from Massachusetts [Mr. HOAR] will need benefit and assistance the next time he is a candidate on the Democratic ticket in his district, and I am sure the young gentleman will know more of the financial and tariff policy of the national Democratic party before this session closes than he did during the last campaign in Massachusetts. But, Mr. Speaker, I want to call attention to these fish-peddlers, and perhaps the gentleman from Massachusetts [Mr. HOAR] can tell the House where the funds came from to carry on that kind of a campaign. Perhaps the gentleman can also tell us at the same time who furnished the funds to carry on the prohibition campaign in Massachusetts at the last election. It is openly charged that the Democratic State central committee paid Sam Small and Mrs. Gougar to stump the State for the Prohibitory party; and the chairman of the Prohibitory State central committee, Mr. Partridge, when summoned to meet the charge, writes an evasive answer and virtually confesses it is true. Do the people of Massachusetts and the country approve of these false and hypocritical methods of carrying on a campaign? I tell the gentleman from Massachusetts [Mr. HOAR] they will not work next time.

During the last campaign the Democratic State central committee sent a circular letter to the rumsellers in Boston soliciting large contributions for the purpose of carrying on their campaign. That paper was printed in the Boston daily papers, and its authenticity was not denied. And it is notorious that the wholesale liquor-dealers in Boston have for years been the largest contributors to the Democratic party. It is notorious that in our State, in every platform and on every stump, the Democratic party denounces prohibition and all sumptuary laws. It is a funny kind of a political temperance party whose speakers are paid by money gotten from the rumsellers in Boston. There are many honest and sincere people among the third party prohibitionists who think that by voting for separate candidates they are standing for a great principle; and I think that they will show their disgust at the next election in Massachusetts, owing to recent developments, and refuse to act as the allies of the free-rum Democratic party. And I predict that the third party prohibitionist vote in our State will be very small at the next election.

Now, Mr. Speaker, a word in reply to the gentleman from Georgia [Mr. WATSON], a member of the Farmers' Alliance; he spoke of dire disaster and appalling calamity hanging over the farmers of Kansas and the Northwestern States, where, he said, the farmers were burning their corn for fuel. That speech was evidently gotten up for some other year, or, in the language of the almanacs, "it was not computed for this meridian."

Mr. FUNSTON of Kansas did well to interrupt the gentleman from Georgia, and to brand his statement as untrue, and to say that corn was selling for 40 cents a bushel in Kansas, and to say that that great Empire State of Kansas was prospering under the McKinley bill and kind Providence as never before. [Applause.]

I desire to append to my remarks an extract from a private letter from a gentleman of my acquaintance at Tracy, Minn., in refutation of the statements in the speech of the Farmers' Alliance gentleman from Georgia:

> This section of the Northwest was never in so prosperous a condition as now; although prices are not high, the crops are so bounteous that every farmer's income is much beyond his immediate wants. Hence he is improving his buildings, his carriages, his roads, and is a ready buyer of merchandise and more land. This condition of things leaves the "Alliance" agitators without a text or platform, and everyone is wondering what the "party" or its promoters are to hang their organization on next year. A glorious opportunity for political inventors and discoverers.

The calamity predictions of the Democratic party to the commerce of the country under the provisions of the McKinley bill have not been fulfilled. I clip from the Lowell Courier the following statement of the commerce of Boston. I have no doubt that other ports have made a similar showing:

> The imports at Boston are about $4,000,000 more this year than last, while the exports from the same port are eight and a half millions more than last year. This is how the McKinley tariff "stifles" commerce.

The SPEAKER. The time of the gentleman from Massachusetts has expired. Does the gentleman withdraw the *pro forma* amendment?

Mr. MORSE. I withdraw the *pro forma* amendment.

The Clerk read as follows:

> 11. to the relations of the United States with foreign nations, including appropriations therefor: to the Committee on Foreign Affairs.

Mr. BUTLER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, it is remarkable how great a noise can emanate from a fish horn when attached to the nozzle of a bloated bellows. It can be heard farther and produce a more startling effect upon the ear than the grandest oratorio, or even the music of the spheres; and it has, too, another advantage in its favor. An oratorio is possible only as a result of genius, and the heavenly harmonies but reflect the beauty and grandeur of creative power; but a fish horn can be easily operated without brains. Often during the past few weeks the greasy leather bellowers of Republicanism have forced foul air through the rusty fish horns of arrogance and assumption, producing the discordant noises of brainless buffoonery.

There is a circus in town. [Laughter.]

Mr. BUCHANAN of New Jersey. There has been one in town ever since the first Monday in December.

Mr. BUTLER. A grand, royal combination; the great and only monopolistic aggregation; the allied union of protective operators from robbers' roost, whose like has never been equaled in reality, and never even in fiction, except by the Arabian Nights story of Ali Baba and the Forty Thieves, has sounded the fish horn at the entrance of its tent, announcing the grand opening, with more pharisees to the dozen than ever walked the hills of Judea or shouted their own praises in the streets of old

Jerusalem. Such men talk to us of the duties of statesmanship, or attempt to define the operations of true economy!

The people demand economy, and they respond with ridicule. The country asks for frugality, efficiency, and honest administration of affairs, and calls a halt on extravagant expenditures. The clowns of that circus cry, "Let the robbery go on. This is no nickel-in-the-slot machine. We are for the trappings of royalty and the tinsel of the arena. The public be damned."

And as for statesmanship, what is their comprehension of so grand a figure?

To my mind a statesman, Mr. Speaker, is a man broad enough to understand the principles upon which the Government is based and to comprehend the needs of his people. A statesman is a man who has sufficient ingenuity and creative power to plan to meet the calls of the people for relief, and to overcome the causes which have made the relief necessary. A statesman is a man who knows enough to know that he is the servant and not the master of the people, and who has courage to stand by the needs of the people until exact justice is secured.

Mr. RAINES. Will the gentleman permit me to ask him a question?

Mr. BUTLER. I would prefer that the gentleman would wait till I get through, because my time is very limited.

Mr. RAINES. It is a simple question. I only wanted to ask him if there were any of those gentlemen left in Iowa? [Laughter.]

Mr. BUTLER. Any of them left in Iowa?

Mr. RAINES. Yes.

Mr. BUTLER. Well, Mr. Speaker, such men as the gentleman would call statesmen are no more to be compared with statesmen than the skunk-cabbage on the hills of New York to the giant redwood of the vales of California [laughter]; no more to be compared to statesmen than the bleating calf to the roaring lion; no more to be compared to statesmen than the carrion crow to the bird of paradise, or a dunghill to a diamond. [Laughter.]

Mr. Speaker, with arrogant assumption the Republican party claim that they alone are the patriots of this country, when every act of legislation in regard to the commercial intercourse of this country with foreign nations has been an insult to the American flag, and has reflected neither faith nor pride in our country, the home of democratic simplicity and democratic power. [Applause on the Democratic side.] They have compared our country with other nations of the earth, and, for shame, they declare our inability to compete with other nations on equal terms in the ordinary affairs of life.

[Here the hammer fell.]

Mr. McCREARY. I ask unanimous consent that the gentleman's time be extended for five minutes.

There was no objection, and it was so ordered.

Mr. BUTLER. They hold our industrial centers as pauper communities, only able to survive in the struggle for wealth by the help of the taxgatherer, who collects the tithes from the many homes of toil to scatter fatness in the larders of its masters. By its laws it declares our inability to cope with foreign powers, and yet with its lips it prates of its remarkable patriotism. The Democratic party responds to these croakers of monopoly with patriotic spirit. We look abroad upon our land and see the grandest display of natural resources ever given to mankind. We see our coal fields broader and better than any other continent can boast. Our forests, with their great varieties of woods, eclipse the lumber regions of all competing lands. Our mines produce in exhaustless mass the ores, both useful and precious, from iron to gold. Our fields are white with more and better cotton than the whole known world outside can furnish. Our water powers surpass in availability and grandeur the wheel-propelling streams of other lands. We see that rapidity of operation and accuracy in detail are the characteristics of the American producer. We see all this, and then declare, with patriotic ardor, that America is the natural home of progress; the mother of productive arts; a leader, and not a mere competitor, among the nations of the world. The Republican party sees danger in commercial intercourse with foreign lands, and counts the open highway of the seas a menace to our prosperity. They have been consistent in the laws which have driven our ships from the commercial world and given over all ocean carriage to be handled under foreign flags. Is this the patriotism of which you boast? But now they would undertake to rebuild by subsidy the very commerce they destroyed by tax.

The Democratic party, Mr. Speaker, holds a broader and nobler view. We declare the truth, which is accepted by the commercial world as in harmony with reason, demonstrated by experience, and noted in the history of nations, that where the center of trade and commerce is, there is the center of dollars. [Applause on the Democratic side.] Talk about patriotism! Patriotism means both faith in and love of country. We yield to no man in our love of country and its glorious flag, but we believe it is as much the duty of an American citizen to live for his country as to die for it. We pledge our living energies to protect our sacred institutions under the banner of frugality, efficiency, and honest administration of affairs. [Applause on the Democratic side.]

The Clerk read as follows:

35. The examination of the accounts and expenditures of the several Departments of the Government and the manner of keeping the same; the economy, justness, and correctness of such expenditures; their conformity with appropriation laws; the proper application of public moneys; the security of the Government against unjust and extravagant demands; retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices; the reduction or increase of the pay of officers, shall all be subjects within the jurisdiction of the eight standing committees on the public expenditures in the several Departments, as follows:

Mr. DE FOREST. Mr. Speaker, I move to strike out the last word of the paragraph just read. Without professing any special familiarity with the rules of this House, either past, present, or prospective, I may perhaps be indulged in one or two observations which have occurred to my mind during the progress of this debate. And, sir, I was impressed, as one of the gentlemen from Kansas said he was, with the singularity of the attitude taken by gentlemen representing the different political parties on this floor in this discussion. I was listening with a great deal of interest and curiosity to ascertain if I could what was the real ground of objection in the minds of our Republican friends to the code of rules here proposed. One would suppose from the remarks which fell from the lips of some of the gentlemen that they were complaining because too great liberty, too great a control over the deliberations and proceedings of this body, was vested in the minority under the operation of these proposed rules, and that in this way the majority would be subjected to certain restraints and limitations which would prevent them from exercising their power, if they were so disposed, in an arbitrary, unjust, and unpatriotic manner.

But, sir, I can hardly conceive that this is the real ground of their objection, because it so happens that they constitute, as was observed by the gentleman from Kansas, the minority, that under these rules would be clothed with these wholesome privileges and protections, and we are the majority that would be subjected to those salutary restraints; and it is not in accordance with the history or the practice of the Republican party to take exception to anything, whether good or bad, that will inure to their political advantage. I think, sir, the real secret of this opposition was betrayed, inadvertently perhaps, by one gentleman, when in a distrustful and disconsolate tone of voice he quoted that now antiquated and oft-repeated proverb that the Democratic party can always be relied upon to forfeit its opportunity of victory by timely blunders.

It seems to me (and I am very much mistaken if it is not so) that the real secret of the unhappiness of the Republican side of the House is that those gentleman find the Democratic majority to-day is not disposed to follow in their unworthy footsteps. So confidently had they expected apparently that they would receive that vindictive treatment which they knew they deserved, and that the unpleasant cup which they prepared for their adversaries would be held to their own lips, that really it is a good deal of a shock and disappointment to them to find that they are not able, at considerable personal and party inconvenience, to hold us up to odium as having employed the same instrumentalities and means of tyranny which they so gleefully used in the last Congress. It seems to me, sir, that this is the explanation.

Now, then, we do not profess to be infallible. We humbly pray, sir, that we may have very little of that pharasaical spirit which our Republican friends seem to possess so much of—walking about erect and self-satisfied, thanking God that they are not like other people—a spirit which I think was exemplified in the address of the honorable gentleman from Maine [Mr. BOUTELLE] the other day, when he spent an hour or more glorifying himself and his party and painting in the colors of the caricature or the cartoon distinguished statesmen whom he seemed to be unable to answer in serious debate.

We pray, sir, that we may have very little of that spirit. We do not profess to be infallible; we may make mistakes; but we take a great deal of satisfaction in assuring gentlemen on the other side of the House that we do not propose to gratify them by making the egregious blunder of following the infamous example as regards the rules of this House which was set by them in the last Congress.

[Here the hammer fell.]

Mr. DOCKERY. I ask unanimous consent that the gentleman be allowed to proceed five minutes more.

There was no objection.

Mr. DE FOREST. Mr. Speaker, we do not propose to make such an egregious blunder as that, thus violating, as we conceive, all of those great elementary, fundamental principles of equal and exact justice which underlie and rise above the privi-

leges of majorities in any form of government, republican or monarchical, and which are recognized and sacredly protected in Magna Chartas, in bills of rights, and constitutions, and by the usages of free men from the very dawn of the era of human liberty. Checks and restrictions seem to be very odious to our Republican friends. They do not like to talk about them or hear about them. A gentleman the other day said, almost with tears in his eyes, that on some one occasion to which he referred, nine days of eight hours each had been expended in obstructive measures by the Democrats of this House. Now, sir, I do not precisely know what was the measure that was hindered in that way, but if it was of such a character as those which were rushed through in the last Congress and imposed upon the country by the Republican party, then, in my humble judgment, those were the best spent hours of that Congressional session.

Mr. DOCKERY. It was such a measure that was opposed in that way.

Mr. DE FOREST. Yes, sir; my experience has taught me that legislation is apt to be too voluminous rather than too scant; too hasty rather than too slow; and I think, Mr. Speaker, that the gentleman has not read aright the history of the struggles of the human race to free itself from the shackles of despotic power all along the pathway of time who has not yet discovered that the supreme art in the formation of free governments is the adoption, retention, and the enforcement of those restraints which protect the minority and the humblest individual against the aggressions and tyranny of the many.

Checks and restraints, forsooth, are odious to the gentleman. Nine days of eight hours each, he says, were consumed in the exercise of these privileges of the minority in resisting oppressive legislation. Why, sir, it took our ancestors seven years of bloody war to accomplish the same object and vindicate the same principle, that resistance to tyrants is obedience to God.

Now, then, the gentleman said it was so unfortunate that by the operation of these rules the passage of a bill for the free and unlimited coinage of silver might possibly be obstructed. Does the gentleman mean to say that it is unfortunate, if true? The gentleman from Iowa, or the gentleman from Michigan, I think it was, who made the remark. Does he mean to say that it would be a reproach to these rules and their operation that the passage of such a bill should be prevented or obstructed? Is that his belief? Does he think it unfortunate? Does he think it would be a good thing for the country to have such a bill passed? Is that the gentleman's opinion? If not, Mr. Speaker, why this unhappiness? Unless, perchance, it is one of those blunders he is waiting for the Democratic party to fall into, so, sir, that in the next Presidential election, having secretly promoted the measure, he and his comrades can go ranting about the country in all of the business and financial centers and talk about the unsafe financial principles of the Democratic party.

Now, sir, we do not propose to make any such blunders as that. And I want to say here to-day, because it has been unwarrantably assumed by Republican speakers throughout the country that we are pledged to this legislation—I undertake to say that if a bill for the free and unlimited coinage of silver passes through this Congress, it will not go out with the stamp of the indorsement of the Democratic party upon it.

If any such measure is adopted it will be by the votes of gentlemen of all shades of political opinion and totally irrespective of party lines. And I further say, sir, that it will owe its inception, its progress, and passage, more than to anything else, to the persistent, indefatigable, and selfish intrigue and manipulation of that section of the country which by the Republican party in the last Congress was parceled out in senatorial pocket boroughs to continue its waning supremacy in the United States Senate and supply those places in the electoral college which it had forfeited by its infidelity to public trust.

No, sir; our Republican friends will meet disappointment in their great policy, apparently the only remaining policy of the party of great moral ideas, of watching, waiting, and praying for Democratic blunders. They will go to the country on the infamous record they themselves have made, the record of the robbery of the masses for the enrichment of the few under the guise of revenue legislation; the record of the squandering of the public treasure, thus wrung from the pockets of labor by that unjust and unequal system of taxation in furtherance of partisan objects; and the record of the centralizing and despotic tendencies and practices of their party, which have already met with such emphatic rebuke by the popular voice and which are well exemplified in this attempt by them to break down the immemorial parliamentary safeguards of freedom.

[Here the hammer fell.]

Mr. DINGLEY was recognized.

Mr. DE FOREST. I should like, Mr. Speaker, to have a few moments longer, with the consent of the House, upon this point.

Mr. BUSHNELL. I ask unanimous consent that the gentleman may be permitted to proceed.

The SPEAKER. The Chair has recognized the gentleman from Maine.

Mr. DINGLEY. Mr. Speaker, I rise simply to get information on a point which has just been suggested by the gentleman last on the floor. I understood the gentleman who has just spoken to give as one of the advantages of the rules proposed, that they will prevent the Democratic party from passing in this House a bill for the free coinage of silver.

Mr. DE FOREST. The gentleman does not understand me to say so. I was quoting from the language of the gentleman on his side of the House.

Mr. DINGLEY. Did I understand the gentleman to say that the Democratic party did not propose to make any such blunder? But I did not rise specially to make inquiry with reference to that point, but more particularly in regard to another. The day before yesterday the gentleman from Texas [Mr. LANHAM] proposed an amendment to these rules permitting the Committee on Coinage, Weights, and Measures to report at any time, giving as a reason for that provision the apprehension that a bill, which it was understood the Committee on Coinage, Weights, and Measures proposed to report to the House, providing for the free coinage of silver, would not receive due consideration. But yesterday he withdrew the proposition, stating that he had been assured by the gentleman from Missouri [Mr. BLAND] that there was no necessity for such a provision in the rules, because the matter would be properly cared for in this House. Now, it seems that there must be some misunderstanding on this point; and I think the House may desire some light with reference to it. Has the gentleman from Missouri received the assurance that the Committee on Rules will report to the House a proposition for the consideration of a bill favoring the free coinage of silver—such an assurance as induced him to suggest the withdrawal of the proposed amendment?

Mr. BLAND. I do not know what right the gentleman has to address a question to me when I have not the floor. When I have the floor I will endeavor to enlighten the gentleman from Maine upon a question which seems to cause him considerable apprehension.

Mr. DINGLEY. Mr. Speaker, the gentleman——

Mr. DE FOREST. Mr. Speaker, have I not the floor?

The SPEAKER. The gentleman from Maine was recognized.

Mr. DE FOREST. But a motion was made to extend my time.

The SPEAKER. The Chair did not so understand.

Mr. DINGLEY. I believe I have the floor, Mr. Speaker.

The SPEAKER. The gentleman from Maine.

Mr. DINGLEY. In view of the assurances of the gentleman from Illinois [Mr. SPRINGER] at a Democratic meeting in New York not many days ago that a bill providing for the free coinage of silver would not pass this House, and in view of the further assurance of the gentleman from Texas that he has information from the gentleman from Missouri, who has charge of the bill providing for the free coinage of silver, that such bill will be given a hearing in the House, I think there must be some misunderstanding in reference to it, judging from the remarks of the gentleman who has lately had the floor; and we ought to be frankly informed exactly what is proposed. I rose simply to call the attention of the gentleman from Illinois to this peculiar condition.

Mr. SPRINGER. If the gentleman desires me to answer him, I will say that I did not make that statement.

Mr. DINGLEY. What statement?

Mr. SPRINGER. The statement attributed to me by the gentleman, that the House would not pass a free-coinage bill. I did not make that statement.

Mr. DINGLEY. I understand it is so reported.

Mr. SPRINGER. It is a mistake.

Mr. DINGLEY. Will the gentleman please inform us in my time what it was he did say?

Mr. SPRINGER. My speech was somewhat lengthy, but I will state briefly that I said that in my opinion a free-coinage bill would not become a law during this Congress.

Mr. WISE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WISE. Is this debate in order?

The SPEAKER. The Chair thinks not.

Mr. WISE. I object to its continuance.

The SPEAKER. The Chair thinks this debate is all out of order, but no point was made by any gentleman.

Mr. DINGLEY. Undoubtedly the whole political debate that has arisen here is out of order.

The SPEAKER. The Chair will state that debate must be confined to matters before the House. This is not in Committee of the Whole, where there is that general latitude of debate

which we are all accustomed to in the committee; but this is the consideration of a matter in the House under the five-minute rule and these *pro forma* amendments and debate not directed to the measure itself or to an amendment is not in order, and the Chair will so hold. The Clerk will read.

The Clerk continued the reading. Having read as follows:

50. The enrollment of engrossed bills: to the Joint Committee on Enrolled Bills:

Mr. BOWERS said: Mr. Speaker, I move to strike out the last word. I always like to be in the fashion, and if there is anything going on I want to do my part. I propose right now to squander the five minutes that are allotted to me. [Laughter.] In the mean time, gentlemen, go right on with your business, and do not let me disturb you, as I am only going to squander the time. In that five minutes I will not have an opportunity to tell all I do not know about the silver question or all I do not know about the tariff. To do that, in all probability I would require as much time as any gentleman in the House who has made the attempt during the discussion of the rules. [Laughter.] Nor have I time to make a stump speech. That seems to be the approved method of discussing the rules; but if you will pardon me I will get out of the beaten track, and talk about the rules themselves for a few moments; and for fear I may not get the chance to-morrow I will take up the rule that I want to talk about. I suppose that will be as pertinent to the matter as the tariff discussion or any other discussion which has been had here this morning.

Section 3 of Rule XXI is an imputation upon the honesty, upon the integrity, and upon the common sense of every member of this House who is not a member of an appropriation committee. More than that, it is a libel upon the intelligence of this House. We come together, we choose one man to appoint a committee, he appoints a committee and puts our friend from Indiana [Mr. HOLMAN] in charge of it, and right there we stop. We then resolve and publicly acknowledge that that is about as far as we can trust ourselves; that individually we are honest, but collectively we are rascals. I was pleased to hear the representative of the People's party, or the third party [Mr. WATSON], demanding equal rights for all the people. I am with him there, and I go beyond him.

I demand, Mr. Speaker, equal rights on this floor for that great mass of human beings generally known as Democrats and Republicans, probably not entitled to the appellation of the "people;" but the fact is that that class of human beings largely predominate where I live, and I have got to cater to them and I want a chance to represent them on this floor.

It has been charged, Mr. Speaker, that this body in times past was not a deliberative body. If we adopt this rule, there is no question of doubt left that it is not a representative body, and that three hundred of its members might as well take a recess and go home until the Committee on Appropriations are ready to report, and then come in here and vote and go home again. Now, all my life I have heard my friends of the Democratic party crying out against the centralization of power.

But every step you have taken in these rules has been in the direction of centralizing power in the hands of one man or two or three men. That is the logical conclusion. That is what all these rules say. As one member of this House I claim that every member should have the opportunity to represent his section upon this floor, and if the House believes, when a committee bring in a bill that the committee have not done justice, this House should be allowed to do the right thing.

Why, suppose, Mr. Speaker, there comes an emergency in which it is necessary to make an appropriation to provide means to carry on something that is needed by the Government and by the people for the honor and the prosperity of this nation. We put ourselves in a position where we can not do it. Why, the rule is stupid.

The SPEAKER. The time of the gentleman has expired.

Mr. BOWERS. I always obey the call of "time." [Laughter.]

The Clerk read as follows:

It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration the Speaker may entertain one motion that the House adjourn; but after the result is announced, he shall not entertain any other dilatory motion until the said report shall have been fully disposed of. Any commission authorized by law to report by bill to the House shall have leave to report such bill at any time, and may call the same up for consideration as provided in the fifth clause of Rule XXIV.

Mr. HOOKER of Mississippi. I move to strike out the amendment.

The SPEAKER. What amendment? There is no amendment pending.

Mr. HOOKER of Mississippi. The amendment reported by the Committee on Rules.

The SPEAKER. They have not reported any amendment. This is the report of the committee.

Mr. HOOKER of Mississippi. I move to strike out the words—

It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration the Speaker may entertain one motion that the House adjourn; but after the result is announced, he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

The SPEAKER. The Clerk will report the amendment.

The amendment was again reported.

Mr. HOOKER of Mississippi. Mr. Speaker, as I understand, this provision which is offered by the Committee on Rules is not incorporated in the rules of the Fiftieth Congress. I move to strike it out, Mr. Speaker, not because I have any want of faith in the personnel of the Committee on Rules as it is now constituted either on the Democratic side, I may say, or on the Republican side, but I make it because of the fact that it proposes to keep alive in the rules of this House that rule which existed in the last House of Congress, under which so much of outrage upon the rights of members was committed by arbitrary rulings of the Speaker.

It proposes to give the Committee on Rules the right to be heard at any time. Sir, what is the Committee on Rules, and what ought it to be? Its name designates its character and the subject-matter that is confided to it by the House. When the Committee on Rules has prepared a set of rules for the government of the House, and they have been discussed and adopted by the House, then, sir, in my judgment the Committee on Rules, whether it be composed of five men or any other number, ought to be considered as *functus officio*, because it will have discharged its duties. I hope we shall not have the same scenes enacted in this House, the scenes that were so often repeated in the last House, when the Committee on Rules could come in at any time during the session and vary the rules by special rule; when they could come in and present any matter for consideration, adopt a rule for its consideration which should limit or restrict debate and cut off amendment. I had occasion to refer the other day to the time when the Committee on Rules in the consideration of a great tax bill, the McKinley tariff bill, came in here in the midst of the discussion and by an arbitrary rule required that so many pages of that bill should be read without debate and without amendment.

Now, sir, I am not willing to trust any Committee on Rules, however constituted, in any House, with this extraordinary power. What further does it propose, Mr. Speaker? It proposes to keep alive, I say, that rule in the last Congress which gave rise to much injustice, to be found in the words which say that—

Whenever there shall have been one motion to adjourn, and after the result is announced, he—

Meaning the Speaker—

shall not entertain any other dilatory motion until said report shall have been fully disposed of.

That gives to the Speaker of this House, as we are now constituted, the same power which was exercised by the Speaker of the last House, to determine what is a dilatory motion. While I have no doubt that that power could be confided to the honorable and fair-minded Speaker who now presides in the chair, as well as to any other member in this House, yet I say I would confide it to no man. He may think that a motion is a dilatory motion and under this rule cut it off.

The personal judgment of a single member of this House or the judgment of all the other men combined against it can not prevent the Speaker so ruling, and there is no recourse against that except by appeal, and the House is always reluctant to overrule the Speaker. Now, this rule clothes the Committee on Rules with all the power that was exercised in the last Congress to defeat discussion, to deny amendment, and to arbitrarily require that this House should at a certain time pass upon and vote upon any measure they saw fit. I say more, that this amendment which the majority of the Committee on Rules proposes will clothe the Speaker with a power which in my judgment he ought not to have.

[Here the hammer fell.]

Mr. CHIPMAN. I move that the gentleman from Mississippi be allowed to proceed for five minutes longer.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the gentleman from Mississippi be allowed to proceed five minutes longer. Is there objection? The Chair hears none.

Mr. HOOKER of Mississippi. We witnessed, sir, another case where a special rule was passed by the Committee on Rules in the last Congress. A bill had been introduced, and reported from the Committee on the Judiciary, for the purpose of changing the whole judicial system of the United States. It was a very grave bill; it was a very important bill. It proposed to create an intermediary court of appeals between the original court and the Supreme Court.

It proposed to change the whole judicial system of the United States, and increase the number of judges, I believe, some twelve

or fifteen, and yet, by the power with which, under the rules of the Fifty-first Congress, the Committee on Rules were invested, they were enabled to come into this Chamber when that grave measure was under consideration and limit debate to an hour and a half. Now, sir, I am unwilling to concede this power to the Committee on Rules. I do not think such a power ought to be confided to them. As I have already said, when the Committee on Rules have brought in their report and the rules have been discussed, amended, and adopted, the business of that committee has been accomplished.

If it can come in here at any moment with a peremptory order and limit debate and call up one particular subject rather than another, then it can interfere, in that way at least, with the consideration of the subject-matter that may then be before the House under the regular operation of the rules. It may be said that the House has a right to vote down such a proposition. That is true, sir; but we saw in the last Congress that the majority then in power followed the report of the Committee on Rules in every such instance. May you not witness the same thing again? May you not see measures brought forward here which the five members of the Committee on Rules may think ought to have consideration above and beyond all other measures?

You may have such questions brought forward to the displacement of matters regularly before the House, and you may, perhaps, witness the exercise of the same power that was exercised in the last Congress, and the affirmance of it by the Democratic party, which is now in power here by so large a majority. Then, sir, again, the Speaker of the House will oftentimes be asked to pass on the question of what constitutes a dilatory motion. A member may make an honest motion to adjourn, and we may see a repetition of the scenes of the last Congress when that motion which, in almost all parliamentary bodies, is regarded as always in order, was repeatedly ruled to be dilatory. I am unwilling to see any rule adopted which will cripple the power of the House or put it in the power of any committee to do that. We want this House of Representatives, coming immediately from the people and speaking for the people, to be in deed and in truth a deliberative body.

It can never be so as long as one committee has the power to prescribe the subject-matter which shall be considered by the House and the length of time it shall be debated and the right to arbitrarily fix the hour at which a vote shall be taken. I would not like to see the Speaker of a Democratic House invested with the troublesome function of determining what constitutes a dilatory motion. I would not like to see any rule adopted so similar to that which existed in the last House of Representatives and exercised, as in my judgment it was on many occasions exercised in that House, to defeat discussion, to deny the right to debate, to deny the right to deliberation, and to force a vote before the House was prepared for it by discussion. Sir, under the operation of the rule which is so familiar here of calling the previous question, we oftentimes see discussion denied, and not only discussion, but amendment. We saw an illustration of that the other day when my honorable friend from Indiana [Mr. HOLMAN] introduced his resolution, which afterwards he would have been glad to amend, but his own call for the previous question had tied his hands as well as the hands of every other member of the House.

Mr. SPRINGER. Mr. Speaker, I am opposed to the motion of the gentleman from Mississippi. I believe the rule as reported by the Committee on Rules should be adopted. There will be no embarrassment on the part of the Speaker in deciding the questions that may be involved in this rule. The same matter is already in the rules, was in the rules of the Fiftieth Congress, and has been in the rules of this House ever since I have been a member. I believe the rule I refer to was instituted in the Forty-second Congress. I read paragraph 8 of Rule XVI:

> Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn, but after the result thereon is announced, he shall not entertain any other dilatory motion until the vote is taken on suspension.

That, I believe, has been the rule of this House for twenty years.

Mr. REED. Which rule?

Mr. SPRINGER. The one I have just read.

Mr. BRECKINRIDGE of Kentucky. Will the gentleman from Illinois permit me to ask him whether there are not two very marked differences between that and the rule under consideration—first that the suspension of the rules requires a two-thirds vote, and second that the power is there limited to certain days?

Mr. SPRINGER. I will consider that presently.

Mr. REED. I suggest to the gentleman from Illinois that what he has read is what was left over from the "tyranny" of the last Republican Congress but one, and that it is not a rule of twenty years' existence.

Mr. SPRINGER. Well, I have never heard any complaint from any source as to the operation of that rule since it was instituted.

Mr. HOOKER of Mississippi. The gentleman from Illinois, I understand, has been reading from the rules of the Forty-second Congress.

Mr. SPRINGER. Yes, and of all subsequent Congresses.

Mr. HOOKER of Mississippi. Well, you read from the rules of the Forty-second Congress.

Mr. SPRINGER. Yes, sir.

Mr. HOOKER of Mississippi. That was a proposition to suspend all rules, while this is a proposition simply to make a rule. That is the difference between the two cases.

Mr. SPRINGER. The gentleman need not have taken up my time to make that statement. I read the proposition. It is, "Pending a motion to suspend the rules," which, as we all know, requires a two-thirds vote. Upon that proposition the rule provided that the Speaker could entertain one motion to adjourn, and thereafter no other dilatory motion could be entertained. So that the practice upon this subject has been well known during all these years.

Mr. OATES. Will the gentleman permit a question?

Mr. SPRINGER. Yes, sir.

Mr. OATES. Suppose a report from the Committee on Rules is under consideration, one motion to adjourn has been made, and the consideration of the report has not been finished, but night comes on and the House desires to adjourn until another day, how can you do it?

Mr. RICHARDSON. Such a motion to adjourn would not be a dilatory motion.

Mr. SPRINGER. I have never seen a time when the House did not adjourn when it wanted to adjourn. The embarrassment suggested by the gentleman from Alabama has never arisen in twenty years' operation of this rule.

Now, as to what would be a dilatory motion after one motion to adjourn has been disposed of, that is a question for the Speaker to determine, and, as I have said, no difficulty upon that point has ever occurred during the twenty years that the rule has been in operation. The only difference between the pending proposition in the rules as reported and the motion to suspend the rules mentioned here is that it requires a two-thirds vote to suspend the rules, while under the pending rule only a majority vote is required. Now, Mr. Speaker, suppose we do not adopt the rule recommended by the Committee on Rules, where does that leave us? The gentleman from Mississippi [Mr. HOOKER] says he will not agree that any committee shall have power to fix a time when a vote shall be taken on any measure. Where shall that power be placed then? The gentleman from Mississippi, upon his plan, can, on his own responsibility, prevent this House from coming to a vote on any question at any time during the rest of the session. Now, are we to say in this House that one man can prevent any legislation? We are to respect the rights of the minority, to be sure, but are we to regard one man on this floor as of so much importance that he can set himself up as a minority, which shall have the power to prevent the rest of the House from acting, so that nothing can be done except by his permission?

[Here the hammer fell.]

Mr. BRECKINRIDGE of Arkansas. I ask unanimous consent that the gentleman from Illinois be allowed to proceed for five minutes more.

Mr. PICKLER. I would like to ask the gentleman from Illinois a question.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. PICKLER. I hope his time will be extended.

The SPEAKER. Is there objection to allowing the gentleman from Illinois to continue his remarks for five minutes longer?

There was no objection.

Mr. SPRINGER. Now, Mr. Speaker——

Mr. PICKLER. Before the gentleman resumes I would like to ask him one question. Following up the idea suggested by the gentleman from Alabama [Mr. OATES], I wish to ask this question: Under the operation of this rule, after there has been one motion to adjourn, then, even though a majority of the House should desire to adjourn, if some one member wants the consideration of the question continued and settled before an adjournment, will not the House be at the mercy of his objection?

Mr. SPRINGER. The Speaker would then have the right to determine whether any other dilatory motion should be entertained. We have operated under a rule of this kind for twenty years, and within my recollection not a single objection has ever been brought up against the rule on that ground.

Mr. PICKLER. But as the rule expressly allows only one motion to adjourn, would not the Speaker be restricted from entertaining any other motion of that kind?

Mr. SPRINGER. I have answered that question, and I do not desire to be interrupted further on that point. I yield to the gentleman from Alabama for a suggestion.

Mr. OATES. The answer to the gentleman from Illinois, it seems to me, is that after there has been one motion to adjourn, no other motion to adjourn can be made if the Speaker should hold the motion to be dilatory. Thus the entire power is transferred into the hands of the Speaker to determine whether the House can adjourn or not.

Mr. SPRINGER. My answer to the gentleman is that during twenty years of experience under a rule of this kind such a difficulty as is suggested has never arisen within my knowledge on a motion to suspend the rules; and I do not anticipate that any such difficulty will arise hereafter. I have never yet known a time when the House, if it desired to adjourn, was not able to do so.

Mr. BUCHANAN of New Jersey. Will the gentleman from Illinois allow me——

Mr. SPRINGER. The gentleman must excuse me. I would like to say something about this rule.

Mr. BUCHANAN of New Jersey. My suggestion had reference to this very point; but if the gentleman does not wish to yield, I will not press it.

Mr. SPRINGER. Mr. Speaker, I have had some experience in this House in what is known as filibustering. [Laughter.] I have seen it practiced when, as the gentleman from Maine said, the minority was not a political minority; and it frequently happens in our deliberations—and, in fact, it is generally the rule—that the minority which is developed is not a political minority. We are here to do business for our constituents.

Mr. BUCHANAN of New Jersey. That is what we say.

Mr. SPRINGER. That it is our duty thus to do business no one will doubt or question. I have the greatest respect for a minority that approaches numerically one-half of this body; but it is not right that the wheels of legislation should be stopped at the behest of one member of the House, however important he may be, or however important his constituents may be. I have seen the time when one member has prevented business from being transacted in this House for days. I do not want to see that scene repeated. I believe our constituents expect us to do something during this session, without our being put under the necessity of obtaining unanimous consent to do it.

This proposition is eminently fair. It will not be oppressive upon any minority, political or otherwise, in this body. It will give all interests an opportunity to be heard, as I believe every gentleman on this floor will concede that the Speaker and the Committee on Rules of this House will allow to the various measures that may come before this body that careful consideration which their importance may require, and will not try to prevent the reasonable discussion or thoughtful consideration of any proper measure. I have the utmost confidence in the Committee on Rules; and as we must leave this authority to some committee I am perfectly satisfied to leave this power where the report of the Committee on Rules has placed it, and where some rule should place it if we expect to do business for our constituents.

Mr. SIMPSON rose.

Mr. SPRINGER. I yield a moment to the gentleman from Kansas [Mr. SIMPSON].

Mr. SIMPSON. Was it not under the plea of dispatching business that the gentleman who occupied the chair in the last Congress strangled a minority?

Mr. SPRINGER. The gentleman from Maine [Mr. REED], who occupied the chair at that time, is here now, and I would prefer that he answer the gentleman's question. [Laughter.]

Mr. SIMPSON. I wish to ask the gentleman from Illinois if it does not have the same effect to place the power in the hands of three members as it does to put it into the hands of a Speaker? Is there not the same power to strangle a minority?

Mr. SPRINGER. It does not, sir. I can answer that question very readily. It is a very different power from that given to the Speaker of the last House, who of his own volition could decide every question.

[Here the hammer fell.]

Mr. HOOKER of Mississippi. And under a rule and on an argument similar to that just made by yourself, a rule of this House.

The SPEAKER. The Chair will state that it is the rule of all parliamentary bodies for members to be silent when not recognized. The time of the gentleman from Illinois has expired.

Mr. BAILEY. Mr. Speaker, ordinarily I should be content to accept any code of rules which the committee might frame to regulate the proceedings of this body. But the rule now under consideration seems to me to involve such an essential departure from the traditions and the usages of the Democratic party that I am unwilling to see it become the law of this House except over my respectful protest.

One of the profoundest thinkers of this age, in one of the most admirable little books of any age, observes the singular but obvious fact that the American people to-day are living under a system of government unknown to their Constitution—a government by committees. The people elect us; we elect a Speaker, and he appoints the committees to which this House has parceled out its authority, until you know that our chiefest work is wrought out, not in this Hall, but in the various committee rooms.

Probably it is true that the evil is to a great extent a necessary one. But it appears to me that this rule aggravates it unwarrantably. This rule appears to me to approach the dangerous extreme of constituting a majority of the Committee on Rules a legislative triumvirate whose permission we must consult in almost every affirmative action we take.

Sir, in all of the vast machinery of the Federal Government, from the President of the United States down through his Cabinet, through the Senate, through the Supreme Court, through the inferior tribunals, and among all its more than hundred thousand officers and employés, the three hundred and thirty-two men who sit in this Hall are the only ones who take their commissions and derive their powers directly and immediately from the people themselves. I believe that a power so acquired ought not to be delegated except in the case of absolute and pressing necessity.

But, Mr. Speaker, I am told that I ought not to complain against this radical innovation. I am told that it is necessary to suppress the filibustering, which some people declare has become a common scandal on Congress. I am told that in order to expedite the public business it has become necessary to lodge an extraordinary power somewhere.

Is that true, Mr. Speaker? Is that a correct statement of the facts? No, sir. If it is, why is it necessary? They tell me it is necessary to enable the majority of the House, who are responsible for legislation, to execute its policies and write its convictions in the statute books.

Sir, the party having a majority here and therefore answerable to the country for the conduct of its business is under no such necessity. It is provided with a legitimate and an immemorial safeguard against obstruction; because we have a majority of two-thirds, and with it we may safely and properly suspend all rules and make any order or pass any bill our judgment may demand.

[Here the hammer fell].

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. HOOKER of Mississippi. I hope the gentleman will be permitted to proceed.

Mr. COX of Tennessee. I ask unanimous consent that the gentleman from Texas be permitted to continue his remarks for five minutes.

The SPEAKER *pro tempore* (Mr. DOCKERY in the chair). Is there objection?

There was no objection.

Mr. BAILEY. But, sir, waiving all contention over that point, and supposing for the sake of argument that the House must invent some new method to facilitate its progress, I ask you to examine for a moment and see how far this rule is calculated to accomplish this purpose. Is it a rule that suppresses all filibustering, or is it one of those flexible arrangements which permits or prevents it according to the arbitrary will of a committee?

To illustrate my meaning, Mr. Speaker, let us suppose two examples. Suppose that the Committee on Agriculture of this House has favorably reported a bill taxing compound lard. Let us suppose it is known that a majority of this House favors the bill and will vote for its passage. Now, sir, if your Committee on Rules is adverse to the bill, the gentleman from Missouri, the chairman of the Committee on Agriculture, will appeal in vain for an order fixing a day when the bill shall be taken up, when the debate shall be closed, and a vote be taken upon it. But, sir, under the late ruling the gentleman and his bill will be handed over to the mercy of the filibusterers.

On the other hand, let us suppose the great city of Chicago is ready for its raid on the public Treasury, and the Committee on the World's Columbian Exposition has reported favorably a bill to take five millions of dollars of the people's money and give it to an Illinois corporation, and suppose the Committee on Rules should be favorable to the proposition, what would be the result? Why, sir, they would report an order to this House fixing that at a certain hour of a certain day the House must consummate that work.

Thus, Mr. Speaker, in these two examples we witness the result. I have selected them at random and without the slightest reference to my own position on them, because I am equally opposed to each of them; but they demonstrate the fallacy. They show how this same committee, acting under the same rules, under the same conditions, may arrive at precisely opposite results. The bill which is fortunate enough to find their favor they force

to a passage, and that which falls under their condemnation they suffer to be stricken down with the rankest delays imaginable.

Sir, if you adopt this rule, you are estopped hereafter to criticise the Fifty-first Congress and the distinguished gentleman who presided over its deliberations. [Applause on the Republican side.] It embodies the very essence of his philosophy in transacting the public business. That Congress proposed to suppress filibustering—how? By authorizing its presiding officer to decline entertaining a dilatory motion; and this Congress is asked to bestow practically the same power upon a committee that may be controlled by two men. If we consent, Mr. Speaker, we merely change our masters and not our task. If a change must be inaugurated, and the parliamentary practice of one hundred years must be amended, and the Representatives of the people must surrender their power, it becomes our duty to provide with all possible care against its perversion and misuse.

If this House is no longer competent to exercise its ancient privileges, to whom shall we yield them? To the Speaker or to a committee; or is it not possible to fix a limitation in the rules themselves which shall secure us alike against obstruction and against tyranny? As between the Speaker and the committee, it is an open question in my mind if it were not better to confer this enormous power on the Speaker alone than on a committee which he creates. He is the organ of this House, selected by its voice, and from his high place he must deliver his decision in the presence of his colleagues and before his countrymen. The committee is subject to no such limitation. It is one degree removed farther from the people, the source of all power. It is not chosen by the House. It holds its sessions and reaches its determinations in secret, and it is therefore more strongly tempted to do wrong and its incentive to do right is weaker.

Mr. MCKENNA. Mr. Speaker, I rise for the purpose of presenting to the House Democratic testimonials, including one from the gentleman from Illinois [Mr. SPRINGER], to the baleful and pernicious tendency and effect of the provision under consideration. It was said by the gentleman from Maine [Mr. REED] that the control of this House must be put either in the majority or in the minority; and I said a few days ago that I believed that it may be the legislative right and duty of the majority to provide for its control. This is the Republican view. It was not the Democratic view in the last Congress, and I wish to display in clear relief and light its change of sentiment, the accurate opposition of its position now to its position then, and to show with emphasis that the noise it made then was the assumption and convenience of the occasion, the putting on of the livery of heaven to serve the party in.

The rule of the Fifty-first Congress, the Republican rule, was, "That the Speaker should entertain no dilatory motion." The rule as proposed in this Congress, the Democratic view, is that pending the consideration of the report of the Committee on Rules the Speaker shall entertain one motion to adjourn, and shall entertain no other dilatory motion until the matter of the report be fully disposed of. Mr. Speaker, the power invested in the Speaker is identical in both rules, as beneficent or as pernicious. There is nothing in either to guide him to wisdom or to justice. Power is intrusted to his virtue or his vice, to use or to abuse. This was declared by the Democratic party to be too great and unguarded a power to trust to any man, that no virtue should receive it or can endure it. Mr. Speaker, whatever may be the self-satisfaction and complacency of that party, the rest of the world will not believe that its human nature will resist a temptation that human nature elsewhere would yield to.

Mr. OATES. Will the gentleman from California allow me just one question?

Mr. MCKENNA. Certainly, but I have only a little time.

Mr. OATES. Does the gentleman know of any member of this House belonging to his party who will vote against that proposition?

Mr. MCKENNA. I do not know that "the gentleman" does, because there has been given ridiculous and bombastic importance to the whole business. In my judgment the power to distinguish between motions and their purport is a wretchedly commonplace one, and I believe that if temptation comes to the Speaker to abuse his power, it will not be the abuse of the power invested in him by the rule under consideration.

But as to the testimonials. The rule of the Fifty-first Congress, "That no dilatory motion should be entertained by the Speaker," being under consideration, the gentleman from Indiana [Mr. HOLMAN] addressed admonition to the House. He was distinguished in the last Congress; he is distinguished in this. He was an oracle of his party then as he is now. He declared then not a temporary policy but a permanent policy. He certainly did not intend to assert that a power dangerous to be intrusted to the Republican party could be intrusted to the Democratic party.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. JOHNSON of Indiana. I ask unanimous consent that the gentleman from California be allowed to proceed for ten minutes longer.

The SPEAKER. Unanimous consent is asked that the gentleman from California be allowed to proceed for ten minutes. Is there objection?

There was no objection.

Mr. MCKENNA. Mr. HOLMAN said—

> Under this rule the Speaker is simply master. I do not think any Speaker should desire such power. It is a power he should shrink from.

Has anything been suggested to the virtue of the gentleman from Indiana that has softened him and made him now think that it is a proper power to give to the Speaker? [Laughter on the Republican side.]

What said the distinguished gentleman from Missouri [Mr. DOCKERY], Mr. Speaker? He also is a leader of his party, eminent in its councils; sometimes he is called to the chair, and is deemed to know its impulses and responsibilities and temptations. What said he?

> That no just and impartial Speaker should be clothed with the authority of this rule, much less should he seek its irresponsible powers.

Mr. Speaker, has the gentleman from Missouri changed? [Laughter, Mr. DOCKERY being in the chair.] Still another distinguished gentleman and Democrat, "one of the acknowledged strongest," to use the words of Carlyle, the gentleman from Kentucky [Mr. MCCREARY], whom I see before me. What said he?

> I assert here, and I defy contradiction, that no free representative body in the world has ever intrusted a presiding officer with such unrestricted, such unprecedented power as that rule intrusts to the present Speaker of the House.

Have you changed, sir?

And the gentleman from Illinois [Mr. SPRINGER] addressed counsel and admonition to the House and the country. It is not necessary for me to dwell upon the importance of the utterances of the gentleman from Illinois. He is the chairman of the Committee on Ways and Means, a position only less eminent than that of the Speaker. Besides, he is a deliberate man, and talks—presumably talks—deliberately and wisely. He knows the value of words, and uses them with accurate and precise adaptation to the meaning they ought to convey. He has been quoted as saying, in another place, with striking aphorism, "There is nothing so valuable as talk." He knows, then, the value of words—he certainly put none in currency which he did not intend to last for all time—to express permanent not transient truth. What said he in denunciation of the rule of the Fifty-first Congress forbidding the Speaker to entertain dilatory motions? You have heard what he said to-day, what said he then?

> I submit it is the most arbitrary power ever given to one man. * * * The Speaker is supposed to be the servant of the House; this makes him the master of the House. * * * It converts the body into a one-man power. * * * I protest against it as unparliamentary, as contrary to the character of a representative of the people, and as long as I have a place in this body I shall continue to protest. I shall not be required to submit every motion to the Speaker before I make it to the House.

The RECORD says, "Applause on the Democratic side." [Laughter.]

Mr. Speaker, I hope you will not call for the gentleman's resignation. [Laughter.]

What said another distinguished Democrat, eminent in the counsels of the party, and deserving to be eminent from merit and service? What said my friend Mr. BRECKINRIDGE of Kentucky? He said:

> The power granted to the Speaker to decide what motions are dilatory and to refuse to entertain them is a most dangerous and ungracious power. He must be a singularly pure, passionless, and impartial character who can occupy the Speaker's chair in this House and so conduct himself in that great office with this added and unprecedented power as to preserve the confidence and esteem of the House. * * *

The SPEAKER *pro tempore*. The time of the gentleman from California has expired.

Mr. COCKRAN. Mr. Speaker, I move that the time of the gentleman from California be extended five minutes.

Mr. BRECKINRIDGE of Kentucky. That seems to be a very good speech the gentleman is reading from, and I hope that the House will allow him to proceed.

Mr. MCKENNA. It was indeed.

The SPEAKER *pro tempore*. The gentleman from New York asks unanimous consent that the time of the gentleman from California be extended. Is there objection? The Chair hears none.

Mr. MCKENNA. The gentleman from Kentucky is right, it was indeed a good speech, eloquently delivered. Does he stand by it to-day? [Laughter.]

Mr. BRECKINRIDGE of Kentucky. By every word of it.

Mr. MCKENNA. I am glad you do.

Mr. BRECKINRIDGE of Kentucky. I expect to vote on these rules in accordance with the sentiments therein expressed.

Mr. MCKENNA. You are the only gentleman so far who has risen to the floor and declared his adhesion in this Congress to the sentiments that he expressed in the last Congress on this subject. [Laughter.] Republicans are more consistent. If they made rules to enable the majority to control in the Fifty-first Congress they are willing that the Democrats shall make rules for the majority to control in this Congress. Mr. REED has frankly declared it. His party approves it. [Applause.] But the gentleman from Kentucky interrupted me before I had completed what he said. He further said:

I doubt whether there is a living man who can exercise the power granted by that rule during one term of this Congress without disastrous consequences to his reputation and without danger of frequent anger and perhaps permanent estrangements between Representatives on the floor.

Mr. Speaker, these were the utterances of the Democratic party in the Fifty-first Congress, and in view of them their attitude now takes on something of the funny—it might be described as absolutely farcical. [Applause on the Republican side.]

Mr. CHIPMAN. Mr. Speaker, no man on this floor entertains higher respect for the members who compose the Committee on Rules than I do; but the particular rule under discussion seems to me to embody the very evil against which we protested so strongly in the last Congress, and our mildest epithet for which, if I remember aright, was to characterize it as "czarism." We regarded it as a great oppression. We so announced not only on the floor of this House, in language of the most unsparing severity, but we went before our constituents during the campaign and complained of it as a great offense against popular government committed by the then dominant party.

I, Mr. Speaker, was in earnest. On my part, at least, it was no mere cry for the purpose of carrying an election; but it was a determined and solemn conviction that by that course of conduct the then majority in the House assailed the liberty of the people through their Representatives. I understand, Mr. Speaker, that this is to be an economical Congress. I beg gentlemen, while they are zealous in saving the money of the people, not to be prodigal of the rights of the people represented here. [Applause.]

After all, sir, the Constitution must be our guide in this matter, and, in my judgment, properly administered on a point of order, not only this but other clauses in the rules now under consideration would be held a violation of that sacred instrument. I will say further that in my experience the possession of the Committee on Rules by the party in power in the House is a fatal gift. It certainly has been so in every Congress of which I have been a member. In the Fiftieth Congress, with all respect to the gentlemen who then composed the committee, it led the Democratic party to defeat. In the Fifty-first Congress it certainly, under the leadership of the Speaker of that Congress, led the Republican party to the most overwhelming defeat in its history.

The difficulty about that committee is the smallness of its membership. It is not accessible to popular sentiment. It is necessarily apart from touch with the feeling of the House, and the result is that while it may act, as it thinks, wisely and, I have no doubt patriotically, instead of being an aid to the procedure of the House, instead of sending members home with their local wants satisfied, it stands as a curb and impediment; it harnesses, as it were, in a strait-jacket the majority of the members upon this floor and deprives them as individual Representatives of free action. Sir, this is not constitutional, parliamentary government, this government by a committee——

[Here the hammer fell.]

On motion of Mr. BUSHNELL, unanimous consent was given that Mr. CHIPMAN might proceed for five minutes longer.

Mr. CHIPMAN. Mr. Speaker, under the Constitution as I conceive it you may fix limitations upon the power of your committees, but you can not fix limitations upon the power of a member of this House. His power is in the expression of the right of his constituents to be represented. It is guarantied to the people as necessary to their good government; and while committees, as mere organs of the House, as mere agents of the House, may be restricted in their work, the member of the House is subject to no restriction, is capable of no restriction short of that perfect freedom of action and of debate which the Constitution of the United States intends that a representative of the people shall have.

The adoption of this rule, then, is the indorsement of a bad precedent. It is assuming the wickedest, the worst, of all the wicked things done in the last Congress as our example in this; and I, for one, should return to my constituents shamefaced if I was obliged to point to that rule, an almost absolute repetition of the rule of the majority in the last House, as having been adopted here with my assent. Sir, there can be no free Congress unless there is debate. There can not be a free government under the control of committees. There can not be a strict observance of all the rights of the people unless each and every man upon this floor speaks and votes his full mind upon every question which is brought before us. [Applause.]

Mr. GOODNIGHT was recognized.

Mr. OATES. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. OATES. Is the proposition now pending subject to amendment? I will ask the Chair how many amendments are pending?

The SPEAKER *pro tempore*. There is only one amendment pending. The proposition is subject to amendment. The Chair is advised, however, that the pending motion is to strike this paragraph from the report.

Mr. OATES. After the gentleman from Kentucky [Mr. GOODNIGHT], who has been recognized, gets through I will ask to be recognized for the purpose of offering a substitute.

The SPEAKER *pro tempore*. Of course the gentleman from Alabama understands that an amendment to the text will take precedence over a motion to strike out the paragraph.

Mr. HOOKER of Mississippi. But still it will not displace the motion to strike out.

The SPEAKER *pro tempore*. Not at all.

Mr. GOODNIGHT. I am persuaded, Mr. Speaker, that the differences of opinion expressed, at least on this side of the House, arise from a misapprehension of this rule as reported. If the proposition were to vest greater power in one man, or in a set of men, such proposition would find no more earnest opponent than myself. But that is not the proposition. Nobody on this side contends that the Speaker's power with reference to any ordinary measure, or indeed upon any legislation, should be enlarged. This rule as reported does not propose to take any power whatever from the House. No single instance can be mentioned in which it would or could have that effect. The whole question, Mr. Speaker, is as the vibrating of a pendulum from one extreme to the other, and this is the attempted solution. This is an effort to rest the pendulum at a normal midway position.

For a long period in the proceedings of this body power was vested in one man on the floor as the filibusterer; in the last Congress it was vested largely in one man in the chair as the Speaker. Here is the compromise—not to vest power in the Speaker, one man; not to vest it in the filibusterer, one man; not to vest it in the Committee on Rules, a set of men; but to vest it in the House, by authorizing the Committee on Rules to ask the House whether it is its desire to proceed with business and its desire that the filibuster be stopped.

Several MEMBERS. That is so.

Mr. GOODNIGHT. The Committee on Rules can make their report to this House; nothing more. It has been assumed that when the report is made all discussion must stop, and that the measure to which the report refers must be voted upon. That does not follow at all. That is not the position the House would occupy. The only question raised when the Committee on Rules reports to this House would be, will the House sustain the Committee on Rules in its report and take up the measure as suggested by the committee? If the House does not want to take it up at that time, but wishes to indulge further debate or further delay, then all the House has to do is to say, "We do not adopt the report of the Committee on Rules, but will proceed with the debate or allow delay." The House having voted down the report, the filibuster proceeds, or the debate proceeds, as the case may be. That is the whole case.

But, says my amiable friend from Texas, suppose the appropriate committee should report favorably a lard bill, and suppose the Committee on Rules should not favor that measure and should refuse to bring in a report fixing a time for its consideration, what would then be our attitude? I will answer the gentleman by saying that his attitude would then be just what it would be if the report of the Committee on Rules in favor of fixing a time for the consideration of his measure should not be adopted, and just the same as it must remain if this clause of the rule be not adopted. The measure would be left to the operation of the old rules which have prevailed here for probably a hundred years, and would be the subject of indefinite and insuperable delay, just as other measures have been.

This proposed rule, I repeat, does not, as I apprehend, vest any enlarged power in the Speaker. It simply places this matter upon the same ground as a motion to suspend the rules was placed by the rules of the Fiftieth Congress and previous Congresses. The language of the rule on that subject is exactly the same as in the rule now reported:

Pending a motion to suspend the rules the Speaker may entertain one motion that the House adjourn—

I read from the old rule, section 8, Rule XVI—

but after the result thereon is announced he shall not entertain any other dilatory motion till a vote be taken on suspension.

This is almost exactly the language of the rule proposed, viz:

It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

If the proposed rule is adopted, and the Committee on Rules should make a report fixing the time for a vote upon a bill or measure during the consideration of the special report so fixing a time, the Speaker is not to entertain any dilatory motion except one motion to adjourn until action shall be taken on the report of the Committee on Rules; not on the bill to which the report refers, not on the measure which the House desires to discuss, but simply on the report of the committee. When you have taken a vote on the report of the committee, if that report is voted down, then everything proceeds as if no report had been made. But if, on a vote, the report of the committee be sustained, then the time for the consideration of the measure is fixed. It creates no despotism, abridges no right of the House, but, on the contrary, enlarges the power of the House.

Mr. BRECKINRIDGE of Kentucky. The gentleman will allow me to say——

Mr. GOODNIGHT. If I may——

The SPEAKER. The time of the gentleman from Kentucky [Mr. GOODNIGHT] has expired.

Mr. BOATNER. Mr. Speaker, the gentleman who has just taken his seat has so admirably stated the difference between this rule and the rule by which the last House was governed that I hardly feel able to state it more strongly. I wish, however, to emphasize this salient difference between the two rules. Under the rules of the Fifty-first Congress the power to tyrannize the House was lodged with the Speaker; under this rule the power to control the House is left with the majority of the body. It is left in the power of the majority of the House by the report of one of its committees, regularly brought before it and subject to debate, to assert its will upon any matter of legislation. Upon this report the House may vote as it chooses.

Mr. Speaker, this point of difference is signalized and emphasized by the instance to which I beg leave to call attention. During the last session, as will be remembered, there was an important measure of legislation which the Republican party desired to enact. This side of the House considered that measure so unwise and contrary to sound principles of public policy that a filibuster against it was deemed justifiable. The Speaker of the House carried that bill by counting as present and constituting a quorum members who were not in this House. On the following day, when the question of the approval of the Journal came up, the then chairman of the Committee on Ways and Means, the leader on the Republican side, took the floor and called the previous question on a motion to approve the Journal.

Against that motion the Speaker of the House held every other motion to be dilatory. He ruled that the only business before the House was the vote on the approval of the Journal, which must be taken at once; and the gentlemen who were not here, but who had been recorded as present and refusing to vote, were compelled to accept, as a matter of grace, the opportunity given them by the then chairman of the Committee on Ways and Means to state the fact that they were absent by rising to questions of personal privilege.

Now, I mention that as an instance in which the arbitrary power vested in the Speaker by that code of rules was used to shut off any debate upon a question of vital concern to the members of the House and to the country; that is, whether a bill reported as having been passed through the House was so passed with a constitional quorum present and participating in the proceedings.

I understand the question here to be whether we will protect ourselves against the tyranny of one man or against the tyranny of a majority. As I understand it, without this provision any man or a few men may absolutely prevent the transaction of any business.

I ask gentlemen if that is not more odious than the tyranny of a majority? If the distinguished gentleman from Missouri, the chairman of the Committee on Coinage, Weights, and Measures, brings in a bill that we all expect, a bill providing for the free and unlimited coinage of silver, it is entirely practicable, in the absence of such a provision in the rule as that proposed, for the bill to be defeated, notwithstanding the fact that nine-tenths of this House, or of this side of the House, may favor it. With such a rule it would be a question with the House whether it would shut off dilatory motions and bring the bill to a direct vote of the members. That is the effect of the provision now incorporated in the rule.

If there is opposition to the bill, it develops itself in legitimate debate. If there is opposition to the bill which is purely factious, and it is sought to defeat it, not by legitimate means, but by filibustering, the rule permits the Committee on Rules to bring in a report fixing a time for a vote, which report itself is subject to debate, and after a proper time is given the question is called upon it, it is brought to a vote, and determined with the possibility of interposing but one dilatory motion.

I can not see how such power can be improperly used. The committee may not exercise it as often as some of us may wish or oftener than some of us wish; but certainly no harm can come from permitting the majority of this House to express its legislative will. The arbitrary power conferred upon the Speaker by the rules of the Fifty-first Congress, which we denounced in unmeasured terms, took away from the House itself the power to decide whether a motion was dilatory. If the Speaker so ruled, it was final. An appeal from the ruling was itself held to be dilatory, and if the House had desired to reverse that ruling it was powerless to do so. Under the proposed rule the Committee on Rules submits this very question to the House. If it desires to stop dilatory motions and proceed to a finality on the measure under consideration, it can do so. If, on the contrary, it does not, it can vote down the resolution.

Mr. DICKERSON. Let me ask the gentleman a question just there.

Mr. BOATNER. Certainly.

Mr. DICKERSON. What limitation is there on debate with reference to the adoption of the report of the Committee on Rules? How long a time may that be discussed?

Mr. BOATNER. I did not say that there is any limitation upon it. There is no such provision in the rule. I suppose it would be for the House to determine.

Mr. DICKERSON. Then how do you escape filibustering there?

Mr. BOATNER. It would not be possible, because the rule itself forbids more than one filibustering or dilatory motion.

Now, Mr. Speaker, I desire to call the attention of gentlemen who are declaiming against the threatened tyranny of the Committee on Rules to the fact that in seeking to relieve themselves of this tyranny, so called, they are subjecting themselves to the tyranny of possibly a single member of the House, who for motives, however proper or improper, would be able of himself, by the adoption of dilatory tactics, to defeat legislation altogether. For myself I prefer that the power, if this rule can have that effect, to defeat legislation, should be lodged in responsible and representative hands. I do not want to be at the mercy of an individual or a faction, who might by an abuse of these privileges under the rules balk useful and important legislation. The proposed rule does not confer undue power upon the Speaker. Action taken under it must be by the House itself; it takes away no right of the minority, and is not in my opinion subject to a single sound or reasonable objection.

Mr. ENLOE. Mr. Speaker, I think that the condition of this very large Democratic majority here may be aptly described by saying that it is "between the devil and the deep blue sea." Gentlemen are telling us here that the adoption of a code of rules is not a political question. But I want to say to gentlemen constituting the majority that it is the one political question that involves the determination of all others, and if there is necessity for unanimity of action upon the part of the majority of this House on any question whatever, it is important and necessary that they should act in harmony upon the adoption of a code of rules to govern the transaction of business here.

So far as this proposed rule is concerned I recognize the fact that the majority must take the responsibility; that the power to regulate legislation and determine that something, and what, shall be done, and which out of all of the important subjects presented shall be taken up and considered, must be vested somewhere, in somebody. I am not willing to vest it in any Speaker, nor would I vest it in the Committee on Rules, if we could have a committee on the order of business, selected by a Democratic caucus, to determine what measures should be brought before the House in preference to any and all other measures.

But, Mr. Speaker, if it comes down to the question as to whether we shall leave the gentleman from Georgia [Mr. WATSON], with his minority of 7, or the gentleman from Maine [Mr. REED], with his minority of 87, to determine what this House shall or shall not do or to prevent it from doing any business at all, then I would vest the power in the Committee on Rules rather than leave it in the hands of an irresponsible minority. Ours is the responsible party. We were elected and sent here to do something. We were elected upon certain distinct pledges of reform; and if we come here and fail to adopt a code of rules by which we can take any step toward inaugurating those reforms, then our election will have been in vain, and the people of this country will hold us responsible for the failure.

Mr. BOUTELLE. That was the speech made by the gentleman from Maine [Mr. REED] yesterday.

Mr. ENLOE. I want the gentleman from Maine [Mr. REED]

to hear what I have to say, because I shall refer to his speech of yesterday. The rules of the Fiftieth Congress were rules under which it was not possible to do anything when there were a half dozen gentlemen who desired to prevent it.

I see something good in the rules of the Fifty-first Congress. [Applause on the Republican side.] Notwithstanding the source is evil, I am willing to take good when it comes, come from what quarter it may. [Laughter.] I want to take out of the rules of the Fifty-first Congress those things which are good and incorporate them into the rules of the Fifty-second. I believe in making progress and in profiting by the experience which we acquire here as members. While the rules of the Fiftieth Congress were do-nothing rules, the rules of the Fifty-first Congress went to the opposite extreme. That Congress did too much.

I noticed the eloquence with which the gentleman from Maine [Mr. REED] pleaded for the adoption of his code of rules in this House, and I must say that his moods are as variable as the weather in Washington. I have seen him when his brow looked like a thundercloud, when he scorned to do less than command, but yesterday it looked like a May morning, as he smilingly addressed himself to this Democratic majority and pleaded for the adoption of his parliamentary discoveries and inventions.

Mr. REED. Well, the Democratic majority at one time was behaving itself and at the other time was not. [Laughter.]

Mr. ENLOE. A Democratic majority always behaves itself. Now, Mr, Speaker, if the gentleman could persuade this House to adopt his code of rules and then could persuade the occupant of that chair to adopt his methods and his decisions, he could look forward with satisfaction to the day when he would be able to attend the political funeral of the great majority of the Democrats in this House, and I have no doubt he would attend it with pleasure.

The SPEAKER. The time of the gentleman has expired.

Mr. ENLOE. I ask for a little further time.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that his time be extended. Is there objection?

There was no objection.

Mr. ENLOE. Now, Mr. Speaker, when I heard the gentleman boasting here yesterday, and reading the record of the legislative achievements of the Fifty-first Congress, I was astonished at his moderation. After he had gone through the category of its deeds he did not turn round and say—his modesty would not allow him to say—"It was I myself that did it;" but, Mr. Speaker, the gentleman no doubt forebore because he thought if he overcharged his remarks with too many facts there might be some danger in the recoil.

While he was going over that category and rejoicing in the evils inflicted on the American people and advising this majority what to do, it flashed through my mind that I myself occupy conquered territory in this House. [Mr. ENLOE sits on the Republican side.] I looked around here and I found that immediately at my right was where the gallant McKinley fell in that struggle, and a little farther down in front the fiery Cannon was silenced; and as I thought of his [Mr. REED'S] leadership and his achievements I thought of the charge of the Light Brigade at Balaklava. When I remembered how the gentleman and his party had charged over the minority in this House and had sabered the Representatives of the people who stood in the way of the accomplishment of his ends, how he went out of this House and led the charge against the citadel of the liberties of the people, I thought how like it was to the charge of the Light Brigade:

Cannon to right of them,
Cannon to left of them,
Cannon in front of them,
  Volleyed and thundered
Into the jaws of death,
Into the mouth of hell,
  Their leader had blundered.

Stormed at with shot and shell,
While horse and hero fell,
They that had fought so well,
  Came back from the jaws of death,
Back from the mouth of hell,
All that was left of them,
  Less than one hundred.

[Laughter.]

Mr. Speaker, I looked around yesterday when the gentleman from Maine [Mr. REED] was speaking of this legislation and asking for popular approval, and listened to hear if on this battlefield where so many fell I could hear a voice from those twenty-seven chairmen of committees and the host of members who followed his leadership to their death. I listened for some voice from that silent majority who occupied the chairs which we today occupy on this side of the line, and I heard no voice responding. Though a part of the dead were taken up by this Administration and buried in foreign missions and other Federal appointments, there are numbers of them whose unappeased ghosts still stalk the earth, and I thought if they could have been heard they would have said, "If we could only repent of our sins we never would be guilty again." [Laughter.] Though they could not respond to his challenge when he challenged public opinion on this legislation, a response came back from the people.

That answer is here in visible, various, and multitudinous form. The Speaker of this House himself is an answer to it. It commences on the right of his chair a solid Democratic phalanx, and comes around to the center aisle, and crossing, it stops at this dangerously narrow border line which separates me from the gentleman from Maine. It commences on the Speaker's left again and comes up to the first aisle, completely surrounding the gentleman and his party.

And now, Mr. Speaker, the once powerful gentleman from Maine, like a prisoner in the hands of the enemy, instead of commanding, pleads for what he desires. He makes an appeal here to the Democrats of this House to imitate his example that is almost pathetic. We have had enough of his system of parliamentary government, but, Mr. Speaker, I trust we shall discriminate between the good and the bad, and out of the two codes of rules under discussion construct rules under which we may be able to redeem our pledges to the people.

The SPEAKER. The time of the gentleman has expired.

Mr. WASHINGTON. Mr. Speaker, in view of the explanation of the clause of this rule so clearly made by my friend from Kentucky [Mr. GOODNIGHT], I feel that there is but one other point that ought to be made clear to satisfy the minds of the majority that a rule by the majority to limit the right of debate is necessary under these rules. This House has grown to such enormous proportions, and the ingenuity of the filibuster has developed to such an acute extent, that some means must be devised in order to enable the majority here to express itself when that majority determines to act. Hence there is necessity for this clause in the rule.

In putting it there the Democratic majority attempts to and does avoid the great danger of lodging everything in the hands of one man by making the Speaker an autocrat or a czar. If the report of the Committee on Rules lodges that power in a committee of this House, it is amenable to the order of this House at all times.

The gentleman from Texas said that an occasion might arise in which the majority of the House wished for the passage of a measure when the Committee on Rules, or a majority of that committee, would be opposed to the passage of that measure, and then our hands would be tied and we could pass no measure looking to limiting debate.

Now, Mr. Speaker, it is always within the power of this House to instruct any committee to report, and the Committee on Rules is not above other committees. Hence, if any bill is upon our Calendar, the passage of which is desired by the majority of the members of this House, a privileged motion can be made here instructing the Committee on Rules to report a special order for taking up, considering, and voting upon that measure, and in that way the House has the matter entirely in its own control. The House itself thereby limits debate, not the Speaker, not the Committee on Rules, and under that state of facts, and because of the necessity for some such power, we ought to adopt the report as it has come from the committee.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. BRECKINRIDGE of Kentucky. Will the gentleman from Tennessee, if he thinks this is so good a rule explain to me how you can amend a report brought in from the Committee on Rules if the Speaker decides that the motion is dilatory?

Mr. WASHINGTON. The gentleman can explain that in his own time. My time has expired.

Mr. BRECKINRIDGE of Kentucky. I ask the gentleman from Tennessee, how can the House, under this rule, ever amend a report from the Committee on Rules if the Speaker decides that the motion is dilatory?

Mr. WASHINGTON. I say again that the gentleman can explain that in his own time, as my time has expired.

Mr. OATES. Mr. Speaker, I believe that is in order to offer an amendment by way of a substitute for the text, and that that will take precedence over the amendment offered by the gentleman from Mississippi [Mr. HOOKER], which is to strike it out.

The SPEAKER. The Chair does not hear the gentleman.

Mr. OATES. I desire to offer an amendment, by way of a substitute, for the text, which I believe takes precedence over the motion of the gentleman from Mississippi, which is to strike it out.

The SPEAKER. The Chair thinks not. The Chair thinks that the section must be perfected before a substitute can be offered, either to perfect the text, by striking it out, or adding to it, as the House pleases.

Mr. OATES. The substitute is an amendment, and it seems to me to be in the nature of perfecting the text.

The SPEAKER. The substitute can not be voted upon until the text is perfected in any way that the House desires, whether it be by adding to or taking from it. After the House has dealt with the section by way of amendment, then the substitute will be in order. For instance, there is pending now a substitute for these proposed rules offered by the minority, but it is not in order to vote upon that substitute until the House shall have perfected the rules under consideration.

Mr. OATES. Then I was misinformed by the former temporary occupant of the chair as to the true parliamentary condition.

Mr. BUSHNELL. Would it not be in order to add the amendment to the motion already pending?

The SPEAKER. The Chair will state to the gentleman that an amendment to an amendment would be in order; but the gentleman's proposition is a substitute.

Mr. BUSHNELL. I suggest to the gentleman from Alabama [Mr. OATES] that he put his motion in that form.

Mr. DICKERSON. I rise to make a parliamentary inquiry. Has not the gentleman a right to offer a substitute and have it pending, so that the question may be discussed in the light of the fact that a substitute is offered, although it may not be voted upon until all the amendments are acted upon?

The SPEAKER. The gentleman might have the substitute read, if he desires.

Mr. DICKERSON. Could not he offer it, and have it actually pending, so that it might be before the House?

The SPEAKER. The Chair thinks so.

Mr. DICKERSON. And then the other amendment could be voted upon with reference to that?

The SPEAKER. The Chair thinks so.

Mr. BUCHANAN of New Jersey. Mr. Speaker, so many statements have been made as to the effect of these words proposed to be struck out, that it may not be amiss to recur sharply to the words themselves. They are these:

> It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration, the Speaker may entertain one motion that the House adjourn; but, after the result is announced, he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

Let us see what they mean. "It shall always be in order to call up for consideration a report from the Committee on Rules." That means, of course, provided that committee has made a report. I have been a member of this House for six years and I have many times seen my darling measures reported favorably from the committees of this House to die upon the Calendar. The Calendar is a veritable graveyard of blighted hopes and unfulfilled desires. I have never seen the Calendar resorted to for consideration but twice in my legislative experience, and I want to say to you gentlemen that if you have measures that you are sent here by your constituents to forward, measures not merely of local importance to you, but perhaps of great national consequence, these words afford simply an additional means for you to obtain action upon those measures, to wit, it permits you to knock at the door of the Committee on Rules and to ask them: "Won't you please report a special rule by which my measure can be considered?" If they fail to report such a rule this House can not compel them to report, notwithstanding the contrary has been said here. The committee can do just as they please about that; but this rule itself gives them the right to report, and to that extent it is an enlargement of the liberty of the Representative and not a contraction thereof.

Mr. BYNUM. I understood the gentleman to say that the House could compel the committee to report; will he tell us how that can be done?

Mr. BUCHANAN of New Jersey. The gentleman misunderstood me. I say that the House can not compel the committee to report; but members can importune them to report, and without this provision they can not even do that. This gives the member the hope of a possibility of a peradventure, which without this rule he would not have. [Laughter.]

Now, suppose the Committee on Rules have reported, then comes into operation this power as to dilatory motions which was complained of—I do not hesitate to say so dishonestly—during the past two years. The power to say what is a dilatory motion and what is not is lodged in the Speaker. It must be lodged somewhere. The committee can not preside. The Speaker presides, and it is he and he alone that must decide whether any motion when made comes within the limits of the inhibition in the rule or not. That power to decide must be lodged in him, and it is no greater and no less under this proposed provision than it was under the rule that we had in the Fifty-first Congress. I was pleased with the manliness of the gentleman from Tennessee [Mr. ENLOE] when he declared here a few minutes ago that there was some good in the rules of the Fifty-first Congress.

My own idea is that this whole mass of rules has become unwieldy, burdensome, vexatious, useless, and I hope the time may come when we can be so emancipated from the traditions of the past that we will go to work and make a few plain, simple rules, such as our fathers had in the early days, and such as will give the representatives of the people an opportunity to have their measures acted upon.

[Here the hammer fell.]

By unanimous consent, Mr. BUCHANAN'S time was extended five minutes.

Mr. BUCHANAN of New Jersey. Mr. Speaker, along the Atlantic coast you will find here and there a gigantic tree, and in the top of that tree you will find a great mass of sticks and leaves and twigs and rubbish—the nest of the osprey or common fishhawk. Year by year the old bird returns to the same old nest and adds to the mass, until at last the accumulation becomes so great that the tree is smothered to death. Sir, the accumulation of this rule rubbish has been so great year by year in the Congress of the United States that the voices of the representatives of the people have been smothered [applause]; and if I were to coin a phrase I would no longer call this code the rules of the House of Representatives, but the fishhawk's nest of the House of Representatives. [Laughter.]

Mr. MONTGOMERY. Mr. Speaker, the only objection to this rule, so far as I have been able to ascertain from the discussion, seems to be that it invests the Committee on Rules with more power than the members of this House think that committee ought to have. I do not think, sir, that that objection is well taken to the rule. I think the trouble with most of the members of the House about this rule is a fear that the Committee on Rules will not act and report upon measures which in the judgment of such members ought to be considered by the House, and in favor of the consideration of which such members think this committee ought to report a rule.

Now, Mr. Speaker, the motion is to strike out the language of this rule which gives the committee that power. If it is stricken out what will be the result? The result will be that you can do no business, and the scenes of filibustering, so common in the Fiftieth Congress, which members of this House who were present so well remember, will be reënacted on this floor. On the compound-lard bill, the silver bill, or any tariff bill that may come up for consideration, which can muster against it a sufficient number of members, those scenes will be reproduced, and it takes but very few members to adopt the filibustering tactics which were used in that Congress.

Mr. BLAND. One man can do it.

Mr. MONTGOMERY. Yes, one man can do it. Now, Mr. Speaker, striking out this rule, we have that condition of things with reference to every bill that comes into this House. By keeping it in here we have a jurisdiction in the Committee on Rules which authorizes it to bring in at any time a rule by which such filibustering may be stopped, not by the Speaker, but by the action of the House itself. All that this rule does is to put it in the power of this House, by a majority vote, to determine whether it will stop, whether it will act, and what its action shall be. It is for the House to determine the question and not for the Committee on Rules, much less the Speaker, as in the last House.

Now, as to the power that gives to this committee, I have examined the rule very carefully and I can not find that it gives that committee any more power than any other committee of this House has. It may propose for consideration rules, as any other committee may legislate within its jurisdiction, and the House, absolutely determining its own proceeding, may adopt or reject.

Any member can offer a rule for governing the action of this House on any subject and have it submitted to the Committee on Rules, which is the appropriate committee. When gentlemen object that the rule under discussion vests too much power in that committee their objection, reduced to all there is in it, is that the committee will have the power to report or not to report back to this House such action on this subject so submitted as in their judgment may seem best.

Sir, every committee in this House has similar power to report or not report with reference to every bill referred to it. The trouble, I apprehend, with gentlemen who say that this proposition vests too much power in this committee grows out of a feeling on their part that if a majority of the committee should be opposed to preventing filibustering and opposed to bringing a question to a vote, there is no power behind the committee to compel it to make a report and to call up that report. Assuming that to be the fact, are you in any worse position than if this proposed rule were stricken out? I submit that in the case supposed the gentlemen interested in any particular measure for which the Committee on Rules might be unwilling to fix a time would be in no worse situation than they would be if we refuse to adopt this by striking it out as the amendment proposes.

Hence, Mr. Speaker, I see nothing objectionable in this pro-

posed rule. Its whole effect is simply that as this committee is already privileged, its reports shall be privileged, and that the House, not the Committee on Rules, shall be empowered under this rule, if a majority wish it, to force a vote on the question whether the House shall act upon the measure sought to be considered, or shall refuse to act and allow the measure to remain under the power of those who may choose to filibuster against its consideration.

So far as I can see, this proposed rule vests no more power in the Committee on Rules than is already vested in every other committee in the House. It simply enables this committee to bring in a report which will vest in this House a power it would not otherwise have, of compelling action by a majority of its members upon any measure against which filibustering might otherwise prevail. It is then left for the House to determine whether it will act or refuse to act, by a majority vote adopting or rejecting the report from the Committee on Rules. It in no sense enlarges the powers of the Committee on Rules, but does enlarge the power of the House to determine and control its own action, and deprives a few members—without this rule one is sufficient—of the power to obstruct and thereby defeat all effort at legislation.

Mr. CATCHINGS. Mr. Speaker, the Constitution of the United States vests in each House of Congress the power to prescribe its own rules of proceedings, and the question presented to us to-day is whether we shall exercise that power or whether we shall abdicate it. There is no warrant, sir, for the statement made by some gentlemen here that when the House has once had presented to it and has adopted a set of rules its constitutional power with reference to the rules is exhausted. The Constitution intended that this power should begin with the beginning of the House and continue until its end. No human foresight can tell what emergency may during a session of Congress arise which will make it important and imperative that the rules first adopted should in some respect be changed or modified.

Mr. Speaker, the question is: Shall we reserve to ourselves the right to exercise at any time during the continuance of the Congress this constitutional power, or shall we here and now forever put manacles upon our hands and disable ourselves from meeting such emergencies as may arise?

Mr. Speaker, those of us who were here in the Fiftieth Congress saw the rules of this House so abused and perverted that one man stood here and obstructed public business for days and days. We saw that continued until the disgraceful spectacle was presented to the country of the Speaker of this House bargaining with that gentleman in order that the business of this House might be allowed to proceed. There was a notorious bargain made by which that gentleman who had obstructed all business compelled the consideration of a bill in which he was interested before allowing the Speaker to proceed with the business of the House.

Gentlemen have argued this question as if the adoption of this proposed change in the rules of the Fiftieth Congress would in some sense restrain this House—as if it would take from the House some power which it has hitherto exercised. Why, sir, that is not true. No gentleman will presume to assert that to be a fact. Suppose, Mr. Speaker, that the House has power, without this proceeding, to come to a vote upon a question; it may proceed to exercise that power notwithstanding this provision be incorporated in the rules. Suppose that the Committee on Rules should never exercise this power proposed to be conferred upon it; the House can proceed with the business as best it may. By this proposed rule—I challenge any gentleman to deny my assertion—not a single constraint is placed upon this House collectively, or upon any individual member. Any member would have the same right, if we should adopt it, that he would have if we should strike it out.

Mr. BAILEY. Will the gentleman from Mississippi permit a question?

Mr. CATCHINGS. Yes, sir.

Mr. BAILEY. If it does not change it why put it in the rule?

Mr. CATCHINGS. I did not state that it did not change it. I made no such assertion. I said it placed no restriction upon the members. It does enlarge the power of this House, by that provision, to proceed to act and vote upon measures against which obstructive tactics may perhaps have been applied.

Now, Mr. Speaker, I assert that if the Democrats had carried the last Congress—the Fifty-first—there would have been a provision something like this, looking to lodging this power in the House, inserted in the rules. I know that it was a matter of common talk amongst us on this side in the preceding Congress, that we were sitting here like children and babies, making ourselves a laughingstock and ridiculous before the country and the world by our helplessness. With the condition of things then existing we could not take a single step forward in matters of legislation if any one chose to obstruct it, and if we had controlled the Fifty-first Congress I have no doubt we would have improved upon the rules of the preceding Congress in this particular.

Vote this provision down, lodge the power here conferred nowhere, and less than six weeks will pass before this country will be looking upon us as a helpless body, pretending to pass laws, but so bound, so shackled, so hampered by our own rules as to be utterly unable to transact the public business.

But, Mr. Speaker, I want to make another statement. The impression went abroad that in the last Congress the Democratic members of the House opposed the rules proposed by gentlemen on the other side, because they sought to lodge that power in the Speaker or somewhere to bring business to an end when it had proceeded sufficiently long.

I have gone through every debate on that subject, and I assert now that no gentleman who addressed this House on this side of the Chamber uttered a single word which suggested that the House should be denied the power to close debate under suitable circumstances. The whole avalanche of debate on this side of the House was directed against the method suggested by gentlemen on the other side. My friend from Maine [Mr. REED] smiles at my statement. I reiterate it, and repeat now that not a solitary word was uttered in debate by any gentleman on this side which sought to deny that the House should have this power.

Now, Mr. Speaker, this provision of the rule takes no power away from the House. The Committee on Rules may make a suggestion, but they must report that suggestion to the House. They recommend that at a given time a vote shall be taken on a pending proposition. It is not binding upon the House. The House can accept it or reject it, as it chooses. The committee makes its report, and it is for the House to act upon it.

[Here the hammer fell.]

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I cordially agree with the gentleman from Mississippi that there was in the Fiftieth Congress a specimen of filibustering, which was permitted by the rules of the House, but which ought not to be allowed to exist; and I regret that the Committee on Rules has inserted in its report the means by which that disgraceful filibustering was accomplished, instead of striking it out absoluty. The filibustering of the Fiftieth Congress was accomplished by the use of the two privilged motions, alternating them—the motion to adjourn to a day fixed and to take a recess—and therefore the simplest mode of breaking up that particular form of filibustering has been squarely prevented by the committee declining to take the privilege from these motions. They have retained them in the rule, and therefore it does not come well for the gentleman to oppose this particular amendment on the ground that thereby filibustering is prevented. We will propose to the Committee on Rules to strike those motions out when we get to that section.

I also agree with the gentleman from Mississippi, and with my colleague from Kentucky [Mr. MONTGOMERY] who preceded him, that this does not very greatly enlarge the powers of the Committee on Rules; and if it did, that is not my principal objection. I think it is unwise to give the committee the power; but as it has been given heretofore, and we may have to trust the power to direct the order of business to somebody, and as my friend from Alabama [Mr. OATES] will never be able to get his motion through, we may accept that part of the report.

Mr. OATES. I have been trying to get the proposition in as an amendment.

Mr. BRECKINRIDGE of Kentucky. I know; but I fear the attempt is hopeless. I believe, Mr. Speaker, that this provision is unwise for another and a more fundamental reason. What I uttered in the Fifty-first Congress I believed, and shall vote in the Fifty-second Congress under those principles. I do not believe the Speaker of the House, in protection to himself and his own character, his own influence, and in consonance with the dignity of the House, ought to be given the power to declare what is a dilatory motion.

Mr. BLAND. May I ask my friend frankly a question?

Mr. BRECKINRIDGE of Kentucky. Certainly, if my time is extended sufficiently.

Mr. BLAND. Did we not give that very power to Mr. Speaker CARLISLE, and do you not preserve in these rules in another place, where a motion is made to suspend the rules, almost the very language of this rule?

Mr. BRECKINRIDGE of Kentucky. Yes, but I will say to the gentleman——

Mr. BLAND. The power which we gave to a Democratic House and ever have, the very power in the Speaker to determine that he will not entertain a dilatory motion. There is nothing new in it.

Mr. BRECKINRIDGE of Kentucky. My friend from Missouri [Mr. BLAND]—and I say it with very great respect—injected an argument under the pretense of asking me if I would not allow him to ask a question; but I like him so much, and he has got so

in the habit of that, that for the two reasons I did not attempt to interrupt him. [Laughter.]

I will say, Mr. Speaker, that in the first place it would be no argument against what I am saying unless it could be proved that I personally advocated that rule. I submitted to it, as I have submitted to a great many other things in the rules, because I had no particular power over it, and I submitted to it, too, because of its being comparatively innocuous, as I shall attempt to show in a moment. It is wholly unlike this.

In the first place I want to say to this House that the filibusterer is a scarecrow that is being used to destroy the liberty of the House. He is a mere scarecrow, brought into this House to alarm it at the beginning of a session; and the new members, who have not sat here and heard the filibusterer before, are the ones who are to be particularly alarmed by this scarecrow. As a rule the filibusterer is a first-rate fellow. Under Mr. Randall he prevented the force bill from being put upon the people fifteen years ago, and if he had never done anything more I for one take off my hat to him for that service. [Applause on the Democratic side.] For twelve years he stood here and prevented the educational bill from being passed; and when the Republicans got possession of this House, the Republican Senate did not send that educational bill over here; and for that I thank the filibusterer. He is not an unmixed evil. It is not proved that he is a man to be entirely cut. He is quite a good gentleman, to be on pleasant terms with when the majority does undertake to do something bad and you want to get time for deliberation.

But we ought to obstruct the obstructor in some way. The poorest way to do that is by giving to the Speaker power to declare what are dilatory motions. I do not mean this Speaker or any other particular Speaker, for I am speaking impersonally and would have spoken in the same way, no matter who had been Speaker, as I did in the Fifty-first Congress. I predicted in that Congress, before there was any bitterness, that no Speaker could be intrusted with this power without in the end having himself subjected to unkind criticisms and without creating disturbances and unpleasant scenes upon the floor

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. BRECKINRIDGE of Kentucky. I ask unanimous consent that I may be allowed to proceed for five minutes.

There was no objection.

Mr. BRECKINRIDGE of Kentucky. I believe that to be true, and that it can not be done. No Speaker can do it. It is not within the power of man to do it. I do not believe that Mr. CARLISLE, who was the most impartial man I ever knew, could possibly have done it.

In addition to that, Mr. Speaker, this particular rule has the effect that, if the Speaker so chooses, the report of the committee can never be amended by the action of the House. It is driven to pass the report as it comes from the committee or to vote it down. Now, we know that under this rule all the Speaker has to do is to say that a motion to amend is dilatory—and I am not now injecting any of the bitterness of the former Congress into this debate; I want specially to disclaim anything of that kind, because I am trying to discuss the matter from a perfectly nonpolitical view. It has been decided, and you will find precedents to that effect, that any sort of a motion can be used as a dilatory motion. The distinguished ex-Speaker of the last House [Mr. REED] expressly said the other day that that could be done.

An appeal has been decided to be a dilatory motion. All the Speaker has to do is to decide, after a motion to adjourn has been voted down, that every motion is dilatory, and so force the House to an immediate vote upon the report. Now, there are a great many reports which we would like to vote for, which, if amended we would approve of and vote for, but which we do not like in the form in which they are presented. To illustrate: Suppose they bring in a rule providing that the free-coinage bill shall be discussed for two hours and then brought to a vote. I may be willing to say "Yes, let us bring it to a vote," but I might say it was unfair to bring it to a vote after two hours of debate. Or suppose the rule provided that there could be only two amendments proposed, as was the case as to the silver bill in the last Congress. I would not restrict the House to two amendments; and yet, if I was brought to a vote directly on the report, I might feel compelled to vote for a report containing some objectionable features, which I would prefer to have amended. So that the House is manacled by this, if the Speaker chooses.

This is *pro tanto* the rule of the Fifty-first Congress that gave the Speaker power to refuse to entertain a dilatory motion. Here the Committee on Rules selects the bills as to which such power may be exercised; there the Speaker selected. There the Speaker could be expected to be impartial, as the rule applied to all reports from all committees; here it applies only to the reports made by the committee of which the Speaker is chairman. The principle is precisely the same; the scope of its application is restricted.

Now, one moment as to the rule to suspend the rules, and my friend from Missouri [Mr. BLAND] will see how different it is from this if he thinks of it for a moment. Before a measure can be considered under a motion for a suspension of the rules a majority of this House has to second it. The House has to say, "I second the motion." So that thereby they have an opportunity to declare that they will not go into its consideration. That is, a majority of the House. Thus it is a majority of the House and not a majority of a committee that insures consideration. In the second place, it requires a vote of two-thirds of the members present to pass the bill. It is within the power of one-third of the members present to prevent its passage. I believe it is unwise in this particular form to give that power to the Speaker, but that power can only be exercised on two days of the month and then it requires a majority of the House to second a motion, and then two-thirds of the House to pass the bill; and it is thus limited by three important restrictions.

If you should ask me what remedy I propose to diminish filibustering, I would say strike this out of this report, adopt a code for the ordinary business of the House and proceed therewith. No such contingency will arise until the Calendar gets full. Meanwhile the Committee on Rules, after this debate, can take up this question and see if they can not frame a rule that will be satisfactory to both sides of this House, and that will give on great occasions the power to some committee to fix the consideration and impose a limitation or restriction that will be proper. There is no reason why we should now adopt this rule or an amendment proposed in the heat of debate. That is a matter the Committee on Rules can take up and introduce hereafter at their leisure, after the adoption of the remainder of the code. A nonpolitical report, as the results of their deliberations, and such a rule as is necessary, can be adopted by the entire House.

Mr. RICHARDSON. I would ask the gentleman if members could not filibuster against that report and prevent its adoption?

Mr. BRECKINRIDGE of Kentucky. Oh, yes.

Mr. ENLOE. Will the gentleman from Kentucky yield to me for a question?

The SPEAKER. Does the gentleman from Kentucky yield to the gentleman from Tennessee?

Mr. BRECKINRIDGE of Kentucky. To which gentleman from Tennessee? I will either answer them singly or in chorus, as gentlemen may prefer.

Mr. ENLOE. I want to ask the gentleman from Kentucky if the course he suggests should be pursued, and the Committee on Rules should bring in a report proposing a rule which he thinks would be acceptable to this House, and it should prove not acceptable to eight or ten gentlemen, how long could they filibuster so as to prevent its adoption?

Mr. BRECKINRIDGE of Kentucky. That simply is based upon the idea that this House filibusters against everything that a majority may object to, but my judgment is, that if you strike out the two privileged motions "to adjourn to a day certain," and "to take a recess," there will be no trouble by filibustering with it, no more than there is any danger that we who are opposed to this rule are going to filibuster against its adoption.

Mr. OATES. Mr. Speaker, I desire to offer, by way of amendment, a substitute, which I ask to have read at the Clerk's desk.

The Clerk read as follows:

That there shall be a committee on order of business, to consist of fifteen members; ten of said members, including the Speaker, shall be Democrats, and five of said members shall be of the opposition; the members of said committee shall be selected by their respective caucuses, but the Speaker shall be *ex officio* chairman of said committee. Its jurisdiction shall be to consider and report upon all propositions as to the order of consideration and precedence of business other than that prescribed by the rules of the House; and said committee shall have the right to report at any time.

Mr. OATES. Mr. Speaker, I heard a remark fall from the lips of a member which well illustrates the difference between him and me. He remarked that that was "nonsense." He is in favor of one-man power; I am not. I believe in a judicious and proper exercise of the power of the people as vested in the members of this House. I offer that proposition because I believe it will be a relief to the Speaker of this House, and anything that will relieve him of responsibility and will tend to make his situation more nearly conform to that of the Speaker of the British Parliament is decidedly an improvement, as it would practically strip him of his partisan character. It does not make him in all cases an impartial presiding officer.

Now, sir, if the committee be raised in that way, its jurisdiction is defined to settle what the order of business shall be, other than as prescribed in the rules. Where gentlemen offer propositions on which action is required, which fixes time for the consideration of particular bills, these propositions should be referred to that committee. There is a provision in it which gives a

representation to each party there, which would make it truly representative, and its members might be composed of men who are not skilled in parliamentary tactics and usages such as properly control the Committee on Rules.

Nor is there anything in the proposition which would exclude the membership of the Committee on Rules from being members of this committee if the caucus should see proper to select them. The proposition makes the Speaker the chairman *ex officio* of this committee, because he ought to be in contact with it so that he may know the will of the House in respect to the disposition of its business. Such a committee, it is supposed, would have better opportunities of knowing the will of the House than a committee so limited in number as the Committee on Rules can possibly have. This is simply a proposition to distribute this business into the hands of members selected by the respective parties composing the majority and the minority of this House, so as to give consideration fairly and justly to measures which should have precedence.

Every member who has had much experience here knows that in the progress of the session the Calendars become so crowded that we can never hope to return to them to dispose of the business thereon. Some measures, therefore, have to be given precedence over others, in addition to the reports from committees, which are privileged under the ordinary rules, and this, instead of being intrusted to the Committee on Rules, ought, in my judgment, to be intrusted to a larger and more representative committee, leaving the Committee on Rules to exercise all of the jurisdiction which has pertained to it until within the last few years, when it has become the fashion to refer all these questions to that committee, thereby enlarging its powers beyond the sphere which was originally intended.

I believe this proposition would give more general satisfaction to members of the House. I have no apprehension about filibustering. While I have seen filibustering here and participated in it, I do not regard it as an unmixed evil. I believe that while filibustering has been sometimes resorted to when it should not have been, yet in the main more good than harm has resulted from it. It has been paraded here as a great evil, which has reached the climax almost of indecency. That is not true. It at least gives time for deliberation. The filibustering that was alluded to in this debate with reference to the direct-tax bill, filibustering which continued for nine days, originated in this way: There was a report from the Committee on Rules putting that bill ahead of every other, not giving to the Judiciary Committee the ordinary right to select its own measures for consideration, but giving that bill the right of way and attempting to force it upon this House, and when I, representing the minority of the committee, asked the gentleman in charge of the measure to allow those opposed to it three hours for debate, that was denied, and we were restricted to one hour. Hence that filibustering was resorted to which caused the postponement of the measure from that session until the next, and then in that next session there was an agreement that three days should be given for its discussion, and that discussion largely increased the opposition to it by showing to the House and the country its enormities.

Mr. COCKRAN. Mr. Speaker, it is with some diffidence that I attempt to participate in a discussion of rules projected for the government of a body with whose proceedings I am not myself very familiar, and if I venture to take the floor upon this subject it is only because I feel that I may give the House the benefit of a judgment which is perhaps more impartial than the judgment of those who may have become affected in the past by the contentions involved in this debate. I have listened with some interest to what has been said of the rights of the minority, and of the tyranny of Speakers, and of the right spoken of by the gentleman from Michigan [Mr. CHIPMAN], which he described, I believe, as the constitutional right of a member to do what he pleased on the floor of the House. Mr. Speaker, I have found it impossible, in any examination which I have given to the history of parliamentary institutions, to discover anything which justifies these claims about the extraordinary rights of the minority.

If a majority can not absolutely control a representative body, then parliamentary institutions are without an excuse for their existence. The very essence of parliamentary government is that the majority shall rule, and that the minority shall submit. All these rules, of which we have heard so much, which are said to have been devised for the protection of the minority, have really been adopted for the purpose of ascertaining the existence of a majority upon any proposition, and they are perverted from their original purpose when they are used to impair the control of the House by the majority of its members.

I have heard much about filibustering. I have heard denunciations of it, I have heard apologies for it, and I have heard something from the distinguished gentleman from Kentucky [Mr. BRECKINRIDGE] that almost sounded like a panegyric upon it. [Laughter.] Now, Mr. Speaker, I believe that in the history of this country there was just one occasion when filibustering was excusable and defensible if not laudable, and that was when a majority which had been discredited at the polls attempted, in the expiring moments of their power, to strike a deadly blow against the liberties of the people. [Applause on the Democratic side.]

But, sir, I believe the exercise of the power to obstruct by filibustering the proceedings of the House should be reserved for occasions when the very existence of the Government is imperiled. I believe it is a right almost akin to that of rebellion, and that the man who stands out in opposition to the orderly procedure of the House of which he is a member is not carrying out its rules, or discharging his functions, or obeying his oath, but is attempting by extraordinary methods to obstruct the progress of the Government itself. Had filibustering been confined to that one occasion which I have mentioned—had filibustering been suspended until a similar occasion should justify its use—had it never occurred except in situations of such momentous gravity that public opinion would have justified it and approved of it—there never would have been rules of this character proposed for the government of this body.

We have seen filibustering tried in the great representative body whose constitution forms the model of this body. We have seen three or four men take advantage of the rules of the House of Commons to hold Parliament impotent for days and nights, and the civilized world has applauded their course. But that filibustering was undertaken by men who were hostile to the existence of the Parliament itself. Their justification was that they were engaged in an attempt to render the body powerless that they might by its impotence secure rights which an alien Government had denied them. When such a condition exists here, then, and not till then, will filibustering be justifiable. If we are to preserve parliamentary government we must have obedience by the minority; absolute submission to the will of the majority when the existence of that majority shall have been properly ascertained.

Now, what is the character of this proposed rule? If there be projected anywhere any attempt to defraud this House of its inherent rights, if there be an attempt to create for a minority powers subversive of those of a majority, anything that renders the count which determines a question doubtful or inaccurate, then, Mr. Speaker, I believe that such a rule is vicious and should be condemned the very moment it is suggested. What is the character of this rule? It is simply a provision for taking the sense of the House as to whether it will proceed to take action upon a given subject.

[Here the hammer fell.]

Mr. MCKENNA. I ask unanimous consent that the gentleman from New York [Mr. COCKRAN] may be permitted to proceed.

There was no objection.

Mr. COCKRAN. I listened with attention, and, indeed, with admiration, to the remarks of the gentleman from New Jersey [Mr. BUCHANAN] when he closed his speech with the prayer that we might return to the simple rules of our fathers, the simple rules that governed this Congress at a period immediately following the adoption of the Constitution. Sir, I echo that prayer. I deplore the growth of the power of the Speaker. I deplore every device that in its adoption recognizes a necessity for some method of exercising coercive force over any portion of this House.

I would gladly welcome a return by all the members to that loyal acceptation of the Constitution and of the principles of representative government which guaranties to every man the right to be heard, which guaranties to all the privilege of free discussion, so that a decision by the majority may be based upon reason rather than upon passion, and which, having guarantied to all that right, holds every member obedient to the will of the House when its judgment has been recorded. When such a spirit of loyalty to the House shall govern all its members rules of this character will have become unnecessary.

It has been said here that there can be no harm if we do not adopt this rule; that filibustering is a good deal of a scarecrow to which we should take off our hats for what it has done and what it has not done.

If taking off the hat be simply a manifestation of politeness, a recognition of the fact that once this scarecrow was serviceable, if it be an adieu and not an invitation to return, I am prepared to make the salutation.

But if it be held that any measure to remove obstruction is an invasion of the rights of the individual member, and if this House should adopt a body of rules which would recognize obstruction as a legitimate parliamentary weapon, I shall be ready to use it, and it will be my duty to use it, because its use will have the supreme sanction of a vote of this body itself.

There is legislation projected in committee which I condemn strongly. Legislation may come before this House which will

be hostile to the interests of my constituents, and, as I believe, to the interests of the whole country. And if this weapon be fashioned by this House and placed upon my desk, would I be loyal to that constituency and to the country if I did not use it in their defense? I do not believe it is a fair weapon of parliamentary warfare. I condemn it as hostile to the very principles upon which parliamentary institutions are founded. But if it be approved by this House and commended to its members as a legitimate weapon, then I expect to wield it with as vigorous an arm as any gentleman who believes in filibustering as an essential right of the minority.

There can be no halfway position here. Filibustering is either proper or improper. Its existence in the past is admitted by both sides of the House. This rule is designed, if not absolutely to prevent it, at least to diminish it. And, sir, I believe that by the adoption of these rules, even if we have to confer extraordinary power upon a committee, even if we have to extend and strengthen the prerogatives of the Speaker, we are reaching the logical position where we shall demonstrate that it is not well for any minority, that it is not advantageous to any cause, to resist the absolute right of the House to be governed by the majority; and when all shall have recognized this elementary principle, when the House is ready to trust itself, it can then withdraw these extraordinary powers from the committee and from the Speaker. [Applause.]

Mr. BYNUM. Mr. Speaker, I think that the gentleman from New York [Mr. COCKRAN], if he had examined this proposed code more carefully, would have found that all the evils against which he has inveighed are maintained and perpetuated in these rules.

This rule does not stop filibustering in the House. Filibustering was carried on successfully under clause 4 of Rule XVI. All the evils of that rule are retained in the present code, and are to be perpetuated by this system of rules if adopted.

Why, just suppose that the members of the Committee on Rules, instead of standing in sympathy with the majority of the House, are in sympathy with the minority that may be engaged in filibustering? This rule only prevents the House from filibustering against a resolution reported from the Committee on Rules. Suppose you strike any other bill on the Calendar, or that a majority may desire to take up, consider, and pass a bill which the minority may desire should not be considered or passed, the minority so desiring could resort to filibustering under this rule. It does not prevent them at all. The only way you can prevent filibustering is to go to the Committee on Rules and ask them to interpose a report which will put a stop to it. If that committee be in sympathy with the minority there is no power in the House to stop the filibustering.

Now, Mr. Speaker, the amendment I propose has reference to Rule XVI and is designed to stop filibustering on all questions, as well as on the report of the Committee on Rules. I propose to clothe the House, by means of the amendment I suggest, with the power to carry on the business of the House, instead of clothing the minority of the House with power to filibuster and compel the majority to go to the Committee on Rules for relief. If relief is not afforded there, there is no possibility of affording it anywhere else. If my amendment is adopted it will stop very much of this useless filibustering, and the report of the Committee on Rules will stand just as the report of every other committee, to be decided by a majority of the House under the rules of the House which are fixed by this regulation for the transaction of public business.

Mr. REED. To what rule does the gentleman refer?

Mr. BYNUM. I am referring now to the amendment which I propose to clause 4 of Rule XVI, which strikes out the motion to fix a day to which the House shall adjourn and the motion for a recess. So that if the amendment be adopted, it will not be possible to alternate these two motions as they have been used heretofore for purposes of filibustering.

Mr. REED. Does the gentleman from Indiana undertake to say that that amendment will stop filibustering?

Mr. BYNUM. I undertake to say that it will stop it in this House to the greatest extent, or to the fullest extent, which it can be stopped under any system of rules which we may adopt for our guidance here. Of course, if there is a man who wants to stand up here and obstruct business, simply for the purpose of obstruction, there is no power—give what power to the Committee on Rules you will—that can put a stop to it, except it be by a resolution to expel him.

Now, for my own part, I am perfectly willing to confer on this Committee on Rules the power to say when a measure shall be brought before this House, and when a vote shall be taken upon it. It is very different, however, from conferring on them the power to bring in a rule when they may desire to stop filibustering, and to leave the filibusterers in control of the House when they do not so desire. It is quite a different thing. I am willing to intrust them to take a bill—whenever there is a resolution committed to them for that purpose—to take a bill out of its proper place upon the Calendar and bring it forward, putting it before the House; but when the House reaches in its order a bill on the Calendar, I respectfully contend that the House should have the power to proceed with its consideration just as well as if it had come through a report from the Committee on Rules, and without having it go to any committee to ask for its consideration.

For that reason, while I am not seriously opposing this provision, I am, on principle, opposed to it. Therefore if it is stricken out, and the amendment I proposed is adopted, filibustering on all questions will be eliminated from the proceedings of this body just so far as it is possible to eliminate them under the rules of the House.

Mr. BLAND. Mr. Speaker, it seems to me that there is some misapprehension as to the force and effect of this rule, and the changes made in it. I undertake to say, sir, that it is a rule that has prevailed here I think since the Forty-seventh Congress, under all Democratic administrations, with one single exception. There is nothing new in it. It is the rule of the Democratic party, and has always been. It is a part of Democratic rules which has never been questioned. This rule simply confers on the Committee on Rules a power to report at any time. Without this clause it has always been so. There is nothing different, nothing new, in it. There is no necessity for any alarm about it. It is precisely the same, in all respects, with the single exception that when that committee reports a proposition but one dilatory motion may be entertained.

Now, what is a dilatory motion? The provision itself states what is a dilatory motion. But one motion to adjourn shall be entertained; or, after one motion to adjourn, no other dilatory motion. What is a dilatory motion? Any other motion of a similar character, that is to adjourn or take a recess. Why, the gentleman from Kentucky [Mr. BRECKINRIDGE] undertakes to mislead this House by saying that under that clause the Speaker could declare an amendment to be a dilatory motion. I undertake to say, sir, that no Speaker who had any regard for himself as a presiding officer of this House, proceeding under parliamentary law, would regard any motion either in the nature of an amendment or a substitute or an amendment to an amendment or any similar motion authorized by the rules of this House as a dilatory motion. He would not regard it as such and would not rule it out as such, because the rule itself declares what is a dilatory motion and cuts off motions of but one such character as dilatory motions.

But the gentleman from Kentucky says that the Democratic precedents have been very small. The Democratic party has always, or at least since the Forty-seventh Congress, I think, provided that the Speaker should not entertain a dilatory motion after one motion to adjourn, on a motion to suspend the rules. We have always had that. Nobody ever complained about it. I never heard any complaint from the gentleman from Kentucky before about that proposition. Speaker CARLISLE presided when that was the rule of this House, and no complaint was ever made as to his fairness or unfairness, because it designated "a motion to adjourn, and no other dilatory motion," defining what a dilatory motion is. But the gentleman from Kentucky said it required a majority to bring that motion before the House. It will require a majority of the House to adopt a report from the Committee on Rules, and therefore there is nothing in that objection.

My experience here, Mr. Speaker, is that whenever the Speaker of this House, or a political majority in it, see fit to change the rules in the interests of domineering over the minority, they will find some excuse for doing it. I hope this side of the House will enact no rule of that kind, and it has not done so here. This rule is simply for the purpose of providing some way by which this House may transact some business, in case there is a disposition on the part of the minority to prevent any legislation.

Mr. BRECKINRIDGE of Kentucky. Will the gentleman allow me to ask him a question?

Mr. BLAND. Certainly.

Mr. BRECKINRIDGE of Kentucky. Why is it not better to adopt the rule of the Fifty-first Congress, that no dilatory motion be recognized on any report? That stops it, at the pleasure of the majority, through the Speaker, on every occasion.

Mr. BLAND. I thank the gentleman for that question, because that brings me to another point. The rule of the Fifty-first Congress vested in the Speaker of this House the power to gag this House by his own ruling. That I would never do, or anything like it. The rules of the Fifty-first Congress gave it into the power of the Speaker himself, by his arbitrary ruling, to bring this House to a vote, and to cut off any motion that he himself denominated dilatory in all of our proceedings. This simply says that the Speaker and his Committee on Rules may report to this House a rule by which legislation may be facilitated, and that question is submitted to the House itself, and not

to the Speaker. We reserve to ourselves the right to say whether we will adopt a rule presented by the Committee on Rules or not. If it is an arbitrary rule, a rule that cuts off any right, we will vote it down, but we do claim we have a right to vote upon that, and not have it filibustered until doomsday.

The time of Mr. BLAND having expired, by unanimous consent he was accorded two minutes more.

Mr. BLAND. Now, Mr. Speaker. I state very frankly that if the Republican party in the last Congress had proposed nothing more than this simple rule to facilitate business, and had gone no further than that to prevent delay and undue filibustering, this side of the House could not have maintained itself in opposition to it, in view of what had taken place in the preceding Congress. Gentlemen, we are at the beginning of this session, and having been here for some time, I warn you that the Republican party in this House to-day, in order to justify their rules, could, if they were so disposed, without this rule or some rule like it, filibuster until you might as well go home and go to sleep, for you would not pass a single bill. They could drive you out of this House and in that way justify themselves in adopting the tyrannical rules of the last Congress. They could show to this country the necessity for the rules they had, and plead that as an argument, by blocking all the legislation of this House and compelling you at last to adopt this rule in self defense.

Why not adopt it in the beginning. I remember the adoption of a rule when Mr. Keifer was Speaker of this House. We had held the matter up for some time, probably a week or so, until they were by necessity compelled to violate their own rules in order to go on with legislation. They were compelled to report a rule from the Committee on Rules, and the Speaker, in order to shut off any filibustering that might be made, said that a report changing the rules of the House was a constitutional privilege, and he would entertain no motion until that was voted upon. Do you want be driven to that extremity? Is it not better to define your rules now? Is it not better to devise some plan by which the majority of this House can do something?

Mr. BYNUM. Will the enactment of this provision stop filibustering?

Mr. BLAND. I do not think it will; and I want to say that I am not opposed to filibustering. If you have a bill here and I do not like it, and you do not want to give me time to debate it, I will filibuster against it as long as any man will stand by me, and endeavor to prevent its passage, unless a majority of the House sees proper to prevent it under an order from the Committee on Rules. It does not prevent filibustering. It can go on until the House and the country are satisfied that it ought to be stopped, and then you have some way to do it. With this rule you are not at the mercy of any one man who wants to stop the wheels of legislation. There is nothing in this rule that can be objected to. It is a rule that I think we can adopt and put it in the power of the Committee on Rules to make a report.

The SPEAKER. The time of the gentleman has expired.

Mr. BUSHNELL. I desire to say a few words. [Cries of "Adjourn!"] I yield to a motion to adjourn if I can have the floor in the morning.

Mr. CATCHINGS. The gentleman can go on with his remarks.

Mr. BUSHNELL. Mr. Speaker, I only desire to take up a little time. I thoroughly agree with the idea that a majority, under the constitutional limitations, shall rule, and that whatever is necessary to establish the rule of the majority, within these limitations, and enable us to transact business, ought to be adopted as a rule of this House. If the rule reported by the committee is necessary to that end, I am in favor of it. If a less stringent one can be found that will answer the same purpose, I shall favor that.

I believe, Mr. Speaker, that there is a great deal of misapprehension in this House, as to the real difference between the rules of the Fifty-first Congress, and the rules of the Fiftieth Congress and all the Congresses that preceded it.

I do not understand, sir, that the Democrats of this House are, or that the Democrats of the Fifty-first Congress were, opposed to the rule of the majority, or that they desired by the action they took in that Congress, to prevent the rule of the majority within constitutional limits. It was their right to have, and they did desire, a fair opportunity to discuss the proceedings and measures that were brought before that House, and they resorted, as was their right, to all legitimate parliamentary tactics to obtain that opportunity.

But the main difference between the rules of the Fifty-first Congress and those of all the previous Congresses, is found in subdivision 3 of Rule XV, and has scarcely been referred to, or even hinted at, by any gentleman who has spoken on the pending question from the Republican side.

That subdivision gave the Speaker power to count, announce, and determine, the presence of a quorum, whether there was present and voting, a quorum or not. The wrong in it, and done under it, may be summed up in a single proposition, viz: That through it, less than a majority of that Congress, could, and often did, usurp the prerogative of a majority, by compelling the opposition to vest in them, the power to pass laws

Whether those laws were good, or bad, is wholly immaterial. The wrong lies in the power given, of usurpation.

Under the Constitution, it takes a clear majority of this House, to pass any measure. In the Fifty-first Congress the Republican majority was so small, that often, through absentees from sickness, or other causes, they had no majority at all, but were actually a minority of the House. To enable that minority, then to do, what only a majority could lawfully do, they adopted this rule, by which they compelled the Democrats to help them to make up a quorum, that is, a majority of the House, by empowering the Speaker to count as present and doing business, those who did not vote; and then they, a minority of the House, but a majority of that quorum so obtained, proceeded to legislate.

Whether the count to make up that quorum, and that determination as to whether there was a quorum present and doing business, were right, depended upon the integrity of one man, the Speaker.

To secure the passage of that rule, the Speaker of the last House enforced the rule before its adoption. And thus it was that the rulings of the most eminent Speakers of the House, Republicans as well as Democrats, who had ruled upon the question, were disregarded, and rule by the minority was set up, by men calling themselves Republicans, a few of whom are here now, over there on the left, drifts from the deluge of November, 1890, tough remains, sandwiched in between a wholesome lining of Democrats on either side of them; and they, preach to us about the sacred right of the majority to rule.

Thus it was, that in the last House, the precedents of a century of Congresses were overthrown; one-man rule was inaugurated; and less than a majority of this House, some of whom were believed to be knowingly and intentionally acting in the interest of monopolists and extortioners, usurped the prerogative of a clear majority, and passed laws through this House, not meant to subserve the best good of the masses of the people, but laws to benefit the few, and against the interest of the many.

How that Republican Congress sought to fortify their party in power, against an anticipated majority of the people in opposition to those laws; how they admitted into the Union the Territories of Wyoming and Idaho, both together having less population than a single Congressional district in the older States, and thus put into the Senate four Republican Senators, to help out their meager majority there, and other equally bad, and worse measures, passed and attempted, to bind and fasten upon the people the burdens they placed upon them, beyond their powers of resistance, is subject-matter for future consideration.

I submit, that by the adoption of the rule as reported by the committee, or some modification of it, we do not sanction, or in any sense approve, the obnoxious features of the rules of the Fifty-first Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. CATCHINGS. I move that the House adjourn; and pending that, I yield to the gentleman from Rhode Island.

Mr. LAPHAM. Mr. Speaker——

The SPEAKER. If the gentleman from Mississippi withdraws the motion to adjourn, of course the Chair will decide who shall be recognized.

Mr. LAPHAM. I ask the gentleman to withdraw the motion, so that I may introduce a bill.

The SPEAKER. But, of course, if the gentleman from Mississippi withdraws the motion the Chair will have charge of recognitions.

Mr. CATCHINGS. I withdraw the motion.

INTERNATIONAL AMERICAN BANK.

Mr. BACON, by unanimous consent, introduced a bill (H. R. 5029) to carry into effect the recommendations of the International American Conference, by the incorporation of the international American bank; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

The SPEAKER. The gentleman from Rhode Island.

Mr. BUTLER. I ask for the regular order.

The SPEAKER. The regular order is the further consideration of the report of the Committee on Rules.

Mr. BUTLER. If it is only two or three, I am willing that it should go on.

The SPEAKER. The gentleman from Rhode Island has been recognized, and the gentleman from Iowa [Mr. BUTLER] demands the regular order, which is the further consideration of the report of the Committee on Rules.

Mr. CATCHINGS. Mr. Speaker, I move that the House adjourn.

Mr. PAYNE. I move that the House do now adjourn.

The SPEAKER. The gentleman from New York moves that the House adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 51 minutes p. m.) the House adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. BACON: A bill (H. R. 4964) for the relief of James Bigler—to the Committee on War Claims.

Also, a bill (H. R. 4965) to reimburse D. D. Brennan for expense incurred in travel from Yokohama, Japan, to Haverstraw, N. Y., after his summary discharge as paymaster's clerk in the United States Navy—to the Committee on Claims.

Also, a bill (H. R. 4966) to increase the pension of Mrs. Grace Harrington—to the Committee on Pensions.

By Mr. BRANCH: A bill (H. R. 4967) for the relief of H. C. Nixon, of Chowan County, N. C.—to the Committee on War Claims.

By Mr. BARWIG: A bill (H. R. 4968) for the relief of Hugh Lewis—to the Committee on Invalid Pensions.

By Mr. BRETZ: A bill (H. R. 4969) for the relief of the heirs of Samuel Milliken, deceased—to the Committee on Claims.

Also, a bill (H. R. 4970) granting a discharge to Thomas Scully—to the Committee on Military Affairs.

Also, a bill (H. R. 4971) granting a discharge to John F. Howerton—to the Committee on Military Affairs.

Also, a bill (H. R. 4972) for the relief of John Calvin—to the Committee on War Claims.

By Mr. BRUNNER: A bill (H. R. 4973) for the relief of E. F. Steckel—to the Committee on Military Affairs.

By Mr. BUSEY: A bill (H. R. 4974) granting a pension to Margaret Wolverton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4975) granting a pension to O. C. Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4976) disposing of four condemned cannon—to the Committee on Military Affairs.

Also, a bill (H. R. 4977) for the relief of Thomas Worden Jones—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 4978) granting a pension to Mrs. M. Meyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4979) granting a pension to Darius W. Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4980) for the relief of August Muetzelfeld—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4981) granting a pension to Verona Korn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4982) for the relief of Montgomery Patton—to the Committee on War Claims.

By Mr. CAMINETTI: A bill (H. R. 4983) for the relief of John W. Ferris—to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 4984) to pension Mary A. Linney, widow of Edward Linney, private of McBlair's company of District of Columbia Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4985) to increase the pension of William Moneypenny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4986) to place upon the pension rolls the name of Joseph Barrow, late private Company G, One hundred and ninety-eighth Ohio Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4987) for the relief of Alexander Sutorius—to the Committee on Military Affairs.

Also, a bill (H. R. 4988) to amend the military record of William M. Porter, alias William S. Mackey—to the Committee on Military Affairs.

Also, a bill (H. R. 4989) for the relief of James Entwistle—to the Committee on Claims.

By Mr. CHIPMAN: A bill (H. R. 4990) for the relief of the heirs of William A. Burt, deceased—to the Committee on Claims.

By Mr. COMPTON: A bill (H. R. 4991) to pay the heirs of Kelita Suit an amount of money due said heirs—to the Committee on Claims.

By Mr. DURBOROW: A bill (H. R. 4992) for the relief of Mrs. Nelson Cheek, widow of Nelson Cheek—to the Committee on War Claims.

By Mr. JOHNSTONE of South Carolina (by request): A bill (H. R. 4993) for the relief of the heirs of John R. Treutlen—to the Committee on Claims.

By Mr. MEREDITH (by request): A bill (H. R. 4995) for the relief of George H. Washington—to the Committee on Pensions.

By Mr. O'DONNELL: A bill (H. R. 4994) to increase the pension of Maggie E. Calhoun—to the Committee on Invalid Pensions.

By Mr. O'FERRALL: A bill (H. R. 4996) for the relief of Anthony Roberson, of Clarke County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4997) for the relief of the estate of Jacob Hammon, deceased, of Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4998) for the relief of Mrs. Amelia Downey, of Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4999) for the relief of the estate of Samuel Sheetz, deceased, of Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5000) for the relief of Josiah and Jeremiah Kibler, of Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5001) for the relief of Samuel Good, of Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5002) for the relief of Michael Good, Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5003) for the relief of Tanday Duval, Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5004) for the relief of George W. Thompson, Clarke County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5005) for the relief of Abraham Andes, of Rockingham County, Va.—to the Committee on War Claims.

By Mr. OWENS: A bill (H. R. 5006) granting arrears of pension to Jane C. Wilcox—to the Committee on Invalid Pensions.

By Mr. PARRETT: A bill (H. R. 5007) granting a pension to Amanda Jackson, widow of Robert J. Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5008) granting an increase of pension to Christopher C. Le Masters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5009) to pension Josiah Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5010) granting a pension to Robinson C. Grable—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5011) to pension William G. Harris—to the Committee on Pensions.

Also, a bill (H. R. 5012) to increase the pension of Thomas Enlow—to the Committee on Pensions.

By Mr. PEEL (by request): A bill (H. R. 5013) for the relief of Harry S. Kellogg, administrator of the estate of Lyman W. Kellogg, deceased—to the Committee on Military Affairs.

By Mr. RAYNER: A bill (H. R. 5014) to reimburse James M. Trotter, late recorder of deeds of the District of Columbia—to the Committee on the District of Columbia.

By Mr. RUSK: A bill (H. R. 5015) for the relief of John A. Shaffer—to the Committee on Naval Affairs.

By Mr. SHONK: A bill (H. R. 5016) for the relief of Francis J. Conlan, late private of Light Battery G, Fifth United States Artillery—to the Committee on Military Affairs.

Also, a bill (H. R. 5017) for the relief of Thomas Montgomery—to the Committee on Military Affairs.

Also, a bill (H. R. 5018) for the relief of Abram G. Hoyt—to the Committee on Claims.

By Mr. STUMP: A bill (H. R. 5019) for the relief of Amelia R. Webster—to the Committee on Pensions.

Also, a bill (H. R. 5020) to empower the Secretary of the Treasury to settle a claim referred to the board of Treasury, and for other purposes—to the Committee on Claims.

By Mr. TOWNSEND: A bill (H. R. 5021) granting a pension to Mary Jewett Telford, an army nurse—to the Committee on Invalid Pensions.

By Mr. WHITING: A bill (H. R. 5022) for the relief of Lucy Sprotberry—to the Committee on Invalid Pensions.

By Mr. WILLCOX: A bill (H. R. 5023) granting a pension to Mrs. Agnes Ayer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5024) for the relief of Andrew J. Calahan—to the Committee on Claims.

By Mr. WILLIAMS of Illinois (by request): A bill (H. R. 5025) granting a pension to John Winkler, late a private of Company H, Fifth Regiment United States Cavalry—to the Committee on Pensions.

By Mr. WILSON of Missouri: A bill (H. R. 5026) for the relief of William T. Hundley—to the Committee on War Claims.

Also, a bill (H. R. 5027) for the relief of Stephen C. Collins—to the Committee on Claims.

By Mr. WISE: A bill (H. R. 5028) for the relief of Richard Fox—to the Committee on War Claims.

PETITIONS, ETC.

Petitions and resolutions were, under the order adopted by the House January 5, delivered to the Clerk and referred as follows:

By Mr. BELKNAP: Petition of Gen. J. N. Kidd and other business men of Ionia, Mich., to equalize the pay of letter-carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. CALDWELL: Petition to establish a department of public health, and the appointment of a secretary of public health—to the Committee on the Judiciary.

By Mr. CARUTH: Resolutions of the general council of the city of Louisville, favoring an increase in the pay of the officers and crews of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. COVERT: Petition of John N. Hodges and others, for improvement of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. EVERETT: Petition of William Hedrick, of Cohutta Springs, Murray County, Ga., for a pension—to the Committee on Invalid Pensions.

By Mr. O'FERRALL: Petition of W. J. Traylor and 21 others, of Bedford County, Va., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of G. W. Patterson and 6 others, of Buckingham County, Va., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Petition of citizens of Iowa, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. HEARD: Petition of Richard G. Mabry, for increase of pension—to the Committee on Pensions.

By Mr. HOAR: Petition of Rev. H. C. Hildreth and members of his parish, against the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HOOKER of New York: Petition of T. W. Chandler and others, asking Congress to invite a conference of the governments of the world to sit during and in connection with the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. LODGE: Petition of the Boston Fire Roofing Company and 41 others, for the improvement of Chelsea River—to the Committee on Rivers and Harbors.

By Mr. McCLELLAN: Petition of Allanson C. Griffin and 57 other farmers of Perry Township, Allen County, Ind., praying for such legislation as will result in free delivery of all mail matter from every post-office in the settled portions of the country, with free collections of letters, earnestly asking that these reforms be given before any reduction in postage—to the Committee on the Post-Office and Post-Roads.

By Mr. McKEIGHAN: Petition of John C. Hagan, of Frederick County, Md., praying that his claim be referred to the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the Bowman act—to the Committee on War Claims.

Also, petition of Elizabeth Bitner, for the estate of Joseph Bitner, late of Washington County, Md., praying that his war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. MANSUR: Petition of Capt. A. K. Bailey, late of Company K of Seventy-eighth, and of Company K of One hundred and ninth Regiments Cavalry Troops, to have the charges of desertion removed from him—to the Committee on Military Affairs.

By Mr. O'NEILL of Pennsylvania: Report of the Fifty-first Congress, favoring the placing of the name of Augustus Boyd on the retired list of the United States Army—to the Committee on Military Affairs.

By Mr. RICHARDSON: Petition for the relief of S. R. Sanders, executor of the estate of Joseph Hallowell, deceased, late of Murfreesboro, Rutherford County, Tenn.—to the Committee on War Claims.

By Mr. RIFE: Papers in the case of Elizabeth Toop—to the Committee on War Claims.

By Mr. ROBINSON: Twenty-two petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. STEVENS: Papers to accompany House bill 4830, to remove the charge of desertion now standing against Henry H. Baily—to the Committee on Military Affairs.

Also, petition of Young People's Society of Christian Endeavor of Clinton, Mass., praying for the passage of a bill to prohibit the opening of any exhibition or exposition on Sunday where appropriations of the United States are expended—to the Select Committee on the Columbian Exposition.

By Mr. STOCKDALE: Resolution of the County Alliance of Pike, Miss., requesting the Hon. T. R. STOCKDALE, Representative in Congress, to use his influence for the farmers of his district—to the Committee on Agriculture.

By Mr. WILLIAM A. STONE: Nine petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the laws of the several States—to the Committee on Agriculture.

By Mr. STUMP: Papers in the case of Capt. Lambert Wickes—to the Committee on Claims.

By Mr. TERRY: Petition of certain citizens of Big Rock Township, Ark., for the improvement of Arkansas River—to the Committee on Rivers and Harbors.

By Mr. TOWNSEND: Memorial of Willbert Bowen, of Denver, Colo., to accompany bill—to the Committee on Claims.

By Mr. WILLIAMS of Massachusetts: Petition of the Haven Society of Christian Endeavor of Dover, Mass., urging the passage of a bill to prohibit the opening of any exposition on Sunday where appropriations of United States are expended—to the Select Committee on the Columbian Exposition.

By Mr. WIKE: Petition of John Tewksbury, late lieutenant-colonel of the First Massachusetts Volunteer Cavalry, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. WOLVERTON: Eight petitions, containing 182 names of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. WRIGHT: Memorial of East Smithfield, Pa., against exportation of alcoholic liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, memorial of the Young People's Society of Christian Endeavor of Athens Baptist Church, against the exportation of alcoholic liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, memorial protesting against the exportation of alcoholic beverages to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, memorial of 21 members of the Young People's Society of Christian Endeavor, of Pennsylvania, protesting against the export of alcoholic beverages to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, memorial of the Young People's Society of Christian Endeavor of Orwell, Pa., against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, memorial of the Presbyterian Synod of Pennsylvania, in favor of a proper observance of the Sabbath in the Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, memorial of the Young People's Society of Christian Endeavor of Neath, Pa., against the opening on Sundays and the selling of liquors, and for purity in art at the World's Fair Exposition—to the Select Committee on the Columbian Exposition.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 30, 1892.*

The House met at 12 o'clock m. The Chaplain, Rev. WILLIAM H. MILBURN, D. D., offered the following prayer:

God of our fathers, we bless Thee for the long line of noteworthy and patriotic men that, from Congress to Congress, have entered these halls, and by whose labors and counsel the mighty edifice of our state has been erected, a government that has risen to majestic proportions, the sight whereof is gladness to the world. Men pass, but the Government remains and grows in its glory. Their sons rise up to serve the States and do their memory honor.

We are here to weave, as in a wreath, the tribute of our respect, memory, and affection for a man who answered to the roll call of the House less than a year ago, cut off untimely before half the afternoon of his life was spent; a man of rich qualities, that made him racy of the soil in the beautiful land where he was born and bred, to whose service and welfare his life was supremely devoted; a man of instinct, of energy, diligent in all his labors, unwearied in activity, fearless in courage, dauntless in conflict, firm and steadfast in friendship, a man who wrought himself into the affectionate trust and confidence of his constituents, by his convictions and principles in sympathy with their own, as few men have done. Grant, O Lord, that the lesson of our mortality may come home to every man's heart and conscience, and may we be impressed with the truth that ere long the Son of Man shall call for us to render our account at the judgment seat. Give us Thy grace that we all may be ready, and so come to join the innumerable company on Thy right hand in Heaven. We pray through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SAN JOAQUIN RIVER, CALIFORNIA.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting a letter from the officers in charge of the office of the Chief of Engineers, with its inclosures, relative to the improvement of the San Joaquin River, California, pursuant to resolution which passed the House of Representatives January 25, 1892; which was referred to the Committee on Rivers and Harbors.

LEAVE OF ABSENCE.

By unanimous consent, Mr. SCOTT was granted leave of absence for ten days, on account of important business.

LEAVE TO WITHDRAW PAPERS.

Mr. ALDERSON, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of William H. Gillespie.

LEAVE TO PRINT.

Mr. BLAND, on behalf of the Committee on Coinage, Weights, and Measures, asked that the subcommittee of that committee have leave to have printed testimony and hearings had before it respecting the free coinage of silver.

There was no objection, and it was so ordered.

CHARGES AGAINST JUDGE BOARMAN.

Mr. OATES. Mr. Speaker, I am instructed by the Committee on the Judiciary to ask unanimous consent for the present consideration of the resolution which I send to the desk, and which is reported as a substitute for the resolution of the gentleman from Louisiana [Mr. BOATNER] referred to the committee.

The resolution was read, as follows:

Whereas Aleck Boarman, judge of the United States district court for the western district of the State of Louisiana, was charged in the House of Representatives of the Fifty-first Congress with high crimes and misdemeanors, alleged to have been committed by him as such judge; and

Whereas the Committee on the Judiciary, under the authority of said House, investigated the alleged official misconduct in office of the said judge, and took a considerable volume of testimony thereon, both against said judge and for him, he being present in person or by his counsel whenever and wherever the said testimony was taken; and

Whereas, upon due consideration thereof, the said committee reported a resolution to the said House of Represenatives, declaring that said Judge Boarman should be impeached of high crimes and misdemeanors in office, and accompanying the said resolution was the evidence upon which the same was based, which was duly printed under the direction of said committee and by order of the House; and

Whereas the said resolution never came to a vote, and hence never was adopted by said House for the lack of time to duly consider the same: Therefore,

Be it resolved, That the said report, charges, and evidence be referred to the Committee on the Judiciary, with instructions to thoroughly investigate the same, and to report to the House the findings and recommendations in regard thereto at any time.

And for the purpose of making the investigation hereby ordered, the said Committee on the Judiciary may adopt and use as legal evidence the testimony taken as aforesaid during the Fifty-first Congress in the case of Judge Boarman, and may take and consider any additional or explanatory evidence of a legal character which may be offered either for or against the said judge; and in respect to this investigation the said committee is hereby authorized and empowered to send for persons and papers, administer oaths, take testimony, and to employ a clerk and stenographer, if necessary; to send a subcommittee whenever and wherever deemed necessary to take testimony for the use of said committee; and the said subcommittee, while so employed, shall have the same powers in respect to obtaining testimony as are herein given to said Committee on the Judiciary; that the Sergeant-at-Arms, by himself or deputy, shall serve the process of said committee and subcommittee and execute its orders, and shall attend the sittings of the same as ordered and directed thereby; and that the expense of such investigation shall be paid out of the contingent fund of the House.

Mr. OATES. Mr. Speaker, the object of the substitute reported by the Judiciary Committee is simply to enable that committee to make the investigation contemplated, because I believe every member of the committee, upon the slight examination which has been given to the evidence, thinks this is a case which ought to be investigated.

The question being taken on the resolution reported by the Judiciary Committee as a substitute, it was agreed to; and, by unanimous consent, the original resolution was laid on the table.

FISHERIES.

Mr. LAPHAM, by unanimous consent, introduced a bill (H. R. 5030) to regulate the fisheries, and for other purposes; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

SETTLERS ON NORTHERN PACIFIC RAILROAD LANDS.

Mr. REILLY. The Committee on the Pacific Railroads, to which was referred House bill No. 224, with the accompanying petition, have directed me to report it back with a request that this committee be discharged from the further consideration of the subject, and that the bill and petition be referred to the Committee on the Public Lands.

There being no objection, the Committee on the Pacific Railroads was discharged from the further consideration of the bill (H. R. 224) to amend chapter 1258, entitled "An act for the relief of settlers on Northern Pacific Railroad indemnity lands," approved October 1, 1890; and the same was referred to the Committee on the Public Lands.

ORDER OF BUSINESS.

Mr. DAVIS obtained the floor and said: I desire unanimous consent to introduce a bill.

Mr. REED. Before that request is put, I ask unanimous consent that members of the House, during the day, may have the privilege of presenting bills for reference, to be referred under the direction of the Speaker, as in the Fifty-first Congress.

The SPEAKER. The gentleman from Maine asks unanimous consent that during the day Representatives may be permitted to introduce bills, as was the practice in the Fifty-first Congress, by submitting them to the Speaker for reference by him. Is there objection?

Mr. BLAND. I object, and my reason for objecting is that the Speaker did not properly refer bills in the Fifty-first Congress.

Mr. REED. I hope the gentleman from Missouri does not mean to insinuate that the present Speaker would follow the evil example of any predecessor.

Mr. BLAND. I know there were two or three days—— [Cries of "Regular order!"]

Mr. WHEELER of Alabama. I renew the request, because we have not got the same Speaker we had in the last Congress.

Mr. REED. I can not hear the gentlemen.

POST-OFFICE BUILDINGS.

The SPEAKER. The House will please be in order. The Chair will endeavor to recognize all gentlemen who have bills to introduce. The Clerk will report the title of the bill presented by the gentleman from Kansas [Mr. DAVIS].

The Clerk read as follows:

A bill to authorize the erection of post-office buildings, and for other purposes.

There being no objection, the bill (H. R. 5031) was introduced, read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ORDER OF BUSINESS.

Mr. WALKER. I call for the regular order.

Mr. HEARD and others. What is the regular order?

The SPEAKER. Unless the report of the Committee on Rules is called up, the Chair is not informed as to what the regular order is. There being no regular code of rules——

Mr. WALKER. Let us go on with the consideration of the rules of the House.

Mr. REED. I submit that the unfinished business must have preference.

Mr. WALKER. These various bills can be introduced without taking up the time of the House. If objection is made to the proposition of the gentleman from Maine, I call for the regular order.

The SPEAKER. The Chair is informed that the report of the Committee on Rules has not been called up this morning because there is a special order fixed for 1 o'clock, the memorial services in regard to a deceased member, Mr. Houk. It was not deemed wise to call up the report of the Committee on Rules for so short a period.

Mr. WALKER. I think we may as well spend the time upon the rules as waste it in this way.

Mr. ANDREW. Wasting time when we are doing business! The only way to reach business is through the introduction of bills.

Mr. WALKER. I call for the regular order.

The SPEAKER. The Chair thinks that the unfinished business——

Mr. CATCHINGS. If gentlemen insist on the regular order, I move that the House take a recess until 1 o'clock.

The SPEAKER. The Chair thinks the unfinished business would be the report of the Committee on Rules. The gentleman from Mississippi [Mr. CATCHINGS] moves that the House take a recess until 1 o'clock.

Mr. CATCHINGS. I wish to say that I only made the motion provided gentlemen on the other side insist on the regular order.

The question being taken on the motion of Mr. CATCHINGS for a recess, it was not agreed to.

Mr. CATCHINGS. I hope the House will permit bills to be introduced.

The SPEAKER. The regular order is the unfinished business, being the report of the Committee on Rules.

Mr. DICKERSON. I desire to offer an amendment.

Mr. WHEELER of Alabama. I understand that there is an amendment of the gentleman from Mississippi [Mr. HOOKER] which has not yet been acted on.

The SPEAKER. It has not been. The Clerk will report the pending amendment.

Mr. BUSHNELL. I rise to a parliamentary inquiry.

The SPEAKER. The Chair will state with reference to the pending business that there are two amendments to the report of the Committee on Rules which have not been acted upon.

Mr. BUSHNELL. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUSHNELL. I wish to ask whether or not the gentleman from Mississippi, in charge of the report from the Committee on Rules, has not the right to waive the calling of it up to-day, so that we may proceed with the introduction of bills?

The SPEAKER. The regular order having been demanded, the unfinished business is necessarily the further consideration of the report of the Committee on Rules.

Mr. CATCHINGS. I move that the further consideration of the report of the Committee on Rules be postponed until Monday morning next, after the reading of the Journal.

The question was taken.

Mr. BUCHANAN of New Jersey. I demand a division.

The House divided; and there were—ayes 129, noes 18.

Mr. BUCHANAN of New Jersey. No quorum.

The SPEAKER. The Chair will appoint tellers.

Mr. BUCHANAN of New Jersey and Mr. CATCHINGS were appointed tellers.

The House proceeded to divide, but before the result was announced——

Mr. BUCHANAN of New Jersey said: Mr. Speaker, it being evident that the party which has more than two-thirds of this House has not a quorum present, I relent. [Laughter.]

So (no further count being demanded) the motion of Mr. CATCHINGS was agreed to.

Mr. CALDWELL. I renew the point of order——

Mr. BURROWS. I move to reconsider the vote by which the report of the Committee on Rules was postponed until Monday next.

Mr. SPRINGER. I move to lay that motion on the table.

The question was taken; and on a division there were—ayes 128, noes 0.

Mr. BURROWS. No quorum.

Mr. McMILLIN. I demand the yeas and nays on the motion.

The yeas and nays were ordered.

The question was taken; and there were—yeas 182, nays 27, not voting 122; as follows:

YEAS—182.

Abbott,	Cockran,	Herbert,	Patterson, Tenn.
Alderson,	Coolidge,	Hoar,	Patton,
Alexander,	Cooper,	Holman,	Paynter,
Allen,	Cowles,	Hooker, Miss.	Pearson,
Amerman,	Cox, N. Y.	Houk, Ohio	Peel,
Andrew,	Cox, Tenn.	Johnson, Ohio	Pierce,
Arnold,	Crawford,	Johnstone, S. C.	Powers,
Babbitt,	Crosby,	Kendall,	Price,
Bacon,	Culberson,	Kribbs,	Reilly,
Bailey,	Cummings,	Lagan,	Richardson,
Baker,	Daniell,	Lanham,	Robertson,
Bankhead,	Davis,	Lapham,	Sayers,
Barwig,	De Armond,	Layton,	Scott,
Beeman,	De Forest,	Lester, Ga.	Seerley,
Beltzhoover,	Dickerson,	Lewis,	Shell,
Bentley,	Dingley,	Livingston,	Shively,
Bland,	Dixon,	Long,	Shonk,
Blount,	Doan,	Lynch,	Simpson,
Boatner,	Dockery,	Mallory,	Sperry,
Bowman,	Donovan,	Mansur,	Springer,
Branch,	Dungan,	Martin,	Stackhouse,
Brawley,	Durborow,	McAleer,	Steward, Ill.
Breckinridge, Ark.	Edmunds,	McClellan,	Stone, Ky.
Breckinridge, Ky.	Elliott,	McCreary,	Stump,
Bretz,	Ellis,	McGann,	Tarsney,
Brickner,	English,	McMillin,	Terry,
Brookshire,	Enloe,	McRae,	Tucker,
Brunner,	Epes,	Meredith,	Turner,
Bryan,	Everett,	Meyer,	Turpin,
Buchanan, Va	Fithian,	Miller,	Van Horn,
Bunting,	Forman,	Mills,	Warner,
Bushnell,	Forney,	Mitchell,	Washington,
Butler,	Gantz,	Montgomery,	Watson,
Bynum,	Geary,	Moore,	Wheeler, Mich.
Caminetti,	Gillespie,	Moses,	Wheeler, Ala.
Capehart,	Goodnight,	Mutchler,	White,
Caruth,	Gorman,	Newberry,	Whiting,
Castle,	Grady,	Norton,	Wike,
Catchings,	Greenleaf,	Oates,	Wilcox,
Cate,	Hallowell,	O'Ferrall,	Williams, N. C.
Causey,	Hamilton,	O'Neil, Mass.	Williams, Ill.
Chipman,	Harries,	Otis,	Wilson, Mo.
Clarke, Ala.	Hatch,	Outhwaite,	Wilson, W. Va.
Clover	Hayes,	Owens,	Youmans.
Cobb, Ala.	Heard,	Page, Md.	
Cobb, Mo.	Henderson, N. C.	Parrett,	

NAYS—27.

Bartine,	Flick,	Morse,	Robinson,
Brosius,	Griswold,	Payne,	Smith,
Buchanan, N. C.	Haugen,	Pickler,	Storer,
Burrows,	Henderson, Iowa	Post,	Townsend,
Caldwell,	Johnson, N. Dak.	Raines,	Walker,
Cheatham,	Lodge,	Reed,	Wever.
Cogswell,	McKenna,	Reyburn,	

NOT VOTING—122.

Atkinson,	Fellows,	Lawson, Va.	Snow,
Belden,	Fitch,	Lawson, Ga.	Stahlnecker,
Belknap,	Fowler,	Lester, Va.	Stephenson,
Bergen,	Funston,	Lind,	Stevens,
Bingham,	Fyan,	Little,	Stewart, Pa.
Blanchard,	Geissenhainer,	Lockwood,	Stewart, Tex.
Boutelle,	Grout,	Loud,	Stockdale,
Bowers,	Hall,	Magner,	Stone, C. W.
Broderick,	Halvorsen,	McDonald,	Stone, W. A.
Brown,	Hare,	McKaig,	Stout,
Bullock,	Harmer,	McKeighan,	Sweet,
Bunn,	Harter,	McKinney,	Taylor, Ill.
Busey,	Haynes,	Milliken,	Taylor, Tenn.
Byrnes,	Hemphill,	O'Donnell,	Taylor, E. B.
Cable,	Henderson, Ill.	O'Neill, Pa.	Taylor, J. D.
Cadmus,	Hermann,	O'Neill, Mo.	Taylor, V. A.
Campbell,	Hitt,	Page, R. I.	Tillman,
Chapin,	Hooker, N. Y.	Pattison, Ohio	Tracey,
Clancy,	Hopkins, Pa.	Pendleton,	Wadsworth,
Clark, Wyo.	Hopkins, Ill.	Perkins,	Warwick,
Coburn,	Houk, Tenn.	Quackenbush,	Waugh,
Compton,	Huff,	Randall,	Weadock,
Coombs,	Hull,	Ray,	Williams, Mass.
Covert,	Johnson, Ind.	Rayner,	Wilson, Ky.
Crain,	Jolley,	Rife,	Wilson, Wash.
Curtis,	Jones,	Rockwell,	Winn,
Cutting,	Kem,	Rusk,	Wise,
Dalzell,	Ketcham,	Russell,	Wolverton,
Dolliver,	Kilgore,	Sanford,	Wright.
Dunphy,	Kyle,	Scull,	
Enochs,	Lane,	Snodgrass,	

So the motion to lay on the table was agreed to.

The following pairs were announced on all political questions until further notice:

Mr. KILGORE with Mr. HOPKINS of Illinois.

Mr. BUNN with Mr. ATKINSON.

Mr. STEVENS with Mr. RANDALL.

Mr. CRANE with Mr. MILLIKEN.

Mr. HEMPHILL with Mr. GROUT.

Mr. CADMUS with Mr. CUTTING, until Tuesday next.

Mr. FELLOWS with Mr. BELDEN, until Monday next.

Mr. GEISSENHAINER with Mr. BERGEN, until 12 o'clock on Tuesday.

Mr. WISE with Mr. HITT, for this day.

Mr. SCOTT with Mr. WILSON of Washington, for to-day.

Mr. FOWLER with Mr. O'NEILL of Pennsylvania, for this day.

Mr. CULBERSON. Mr. Speaker, my colleague, Mr. KILGORE, is detained from the House on account of sickness.

The result of the vote was then announced as above recorded.

DEATH OF HON. L. C. HOUK.

The SPEAKER. The Clerk will read from the RECORD the special order fixed for to-day.

The Clerk read as follows:

Mr. TAYLOR of Tennessee. Mr. Speaker, I ask for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

"*Resolved*, That Saturday, January 30, beginning at 1 o'clock p. m., be set apart for paying tribute to the memory of Hon. Leonidas Campbell Houk, late a member of the House of Representatives from the Second district of the State of Tennessee."

Mr. TAYLOR of Tennessee. Mr. Speaker, I offer the resolutions I send to the desk.

The Clerk read as follows:

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. Leonidas Campbell Houk, late a member from the State of Tennessee.

Resolved, As a further mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, that the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Mr. TAYLOR of Tennessee. Mr. Speaker, Death stands sentinel, grim and inexorable, hostile and implacable, on the boundary line of the unknown. There is no countersign, no password, for he is a foe to all who come, and all must come. His only command is "Halt!" In this stern word is the authority of God's decree, the infrangible seal of Fate! From obedience there is no escape, from that seal there is no exemption; for clemency there is no bribe, no parley, no persuasion. Time can grant no procrastination, no respite, eternity urge no argument. The Court of Heaven hears no appeal, grants no stay.

The Angel Mercy pleads in vain. His fell stroke must descend upon all flesh. The voice of merit but invites his aim, the brightness of virtue only attracts his arrow. Infancy and youth wither and fade as the severed violet, the plucked rose. Manhood, womanhood, rich with the ripeness of mature years, falls as the laden fruit tree uprooted in the full season of its fruitage. Age bows and crashes to earth like the decayed and storm-riven oak. Time is the pale harvest field of death, the world is his charnel house, and the history of the race is but the record of his mournful tragedies. When kindred and companions, friends and comrades, fall around us, love, grief, and tears bid us suspend for a season the cares and occupations of life and yield to them the last tribute of the heart's best incense.

In the death of my late colleague, the Hon. Leonidas C. Houk, the State of Tennessee has lost one of her most distinguished citizens, the Republican party one of its ablest leaders, and the Second Congressional district a zealous and devoted Representative and guardian of every interest of its people.

Judge Houk was born the 8th day of June, 1836, in a log cabin among the mountains of Sevier County, East Tennessee. His early life was passed in poverty and obscurity, unattended with educational advantages. But he was endowed with no ordinary mind. Nature had bestowed upon him rare intellectual powers which would not brook the restraints and fetters of adversity. He was reënforced with an aspiring ambition and an indomitable will which were destined to conquer opposing circumstances and create opportunities.

He caught the inspiration of his native mountains. To him every gorge and pass symbolized an intellectual Thermopylæ with its triumph, and every towering peak a scaling ladder to the heights of light and liberty!

At an early age he learned the trade of cabinet-maker; and it was while engaged in this avocation he developed an insatiable thirst for knowledge and those liberal acquirements which would enable him to rise in the world. For several years he consumed the day in toil and half the night in study. I have heard him frequently assert that three months would cover the entire period of his attendance at school. Having thus acquired, without a teacher, a fair English education, he next undertook the study of law, and by the same process and without the aid of a tutor, mastered its principles. He was at length admitted to the bar and immediately entered the practice. He soon took rank among the foremost jurists of the country, and became noted as an advocate without a superior in his State.

In the Presidential campaign of 1860 he made his first appearance in politics, when he entered the lists for Bell and Everett, on the platform of "the Union, the Constitution, and the enforcement of the laws." In 1861, pending the passage of the ordinance of secession, he was a delegate to two memorable Union conventions, now historical in our State, one held at Knoxville in May of that year and the other at Greeneville in the following June. The purpose of these conventions was to protest against the ordinance of secession, and he suggested and urged bold and aggressive measures for the prevention of that fatal step which afterwards brought disaster upon Tennessee and the South.

In 1864 he was on Lincoln and Johnson's electoral ticket. In 1865 he was elected a member of the constitutional convention which reorganized the State government. He served as a delegate to the Chicago convention of 1868 which nominated Gen. Grant for President. With but one exception he has taken part in every succeeding national convention, and in that of 1880 was one of the famous 306 who stood firm and voted to the last for Gen. Grant's nomination for a third term.

At the breaking out of the civil war, and just as he was entering a lucrative law practice, he volunteered in the Union Army and was soon promoted to the colonelcy of the Third Tennessee Infantry, and in this capacity rendered to his country honorable service. In 1866 he was chosen judge of his judicial circuit and served four years with distinction. In 1873 he was elected to the State Legislature, where he was at once recognized as the leader of his party, lacking only one vote of election as speaker in a Democratic house and against the Democratic caucus nominee. He was next triumphantly elected, after a prolonged struggle, to the Forty-sixth Congress, and was afterwards elected consecutively to the Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, and Fifty-second Congresses.

In this long career in the House he was always recognized as a faithful Representative and an able and conscientious legislator. Diligent, energetic, active, aggressive, and vigilant, he was a conspicuous figure in every Congress of which he was a member. He stood as a champion of the people, and his voice was heard on every question involving or affecting their sacred rights and interests. His love of his country was coextensive with its boundaries, and its growth, prosperity, peace, and welfare were ever the paramount objects of his hope and labors.

He was magnanimous and forgiving. He knew not how to cultivate hatred or to perpetuate enmity in his heart. Though a staunch Unionist from the first day of the civil war, joining in the struggle as a Federal soldier, and during its course was embittered with all the terrible animosities of that stormy and perilous period, yet at its conclusion he was among the first to cast aside and forget those animosities and to hold out the olive branch. And when, after the close of hostilities, the Confederates of Tennessee, as a result of the war, were temporarily deprived of the right of suffrage, he was the first Unionist of East Tennessee to publicly advocate their restoration to the elective franchise and to all the rights of citizenship.

He was not exempt from the frailties of our common humanity. He had his faults—who has them not?—wounding himself rather than others; but his virtues plead for them as the roses plead for the thorns they cover. As we crave the charity of our fellow men for our own faults, so let us cheerfully and lovingly drop its gracious mantle over his, remembering only his virtues.

Steadfast in his principles, firm in his convictions, unwavering in his faith, fearless and eloquent in the advocacy of any cause he espoused, forceful and incisive in argument, he was a formidable antagonist in debate; yet by his manly and courteous demeanor and his fair treatment of the question at issue he always won and retained the confidence and respect of his adversary.

He was an indefatigable worker; he never ate idle bread; his success in life rested upon the merits of honest and persistent toil coupled with unusual mental powers. A child of poverty and obscurity, a common laborer on a farm, an apprentice, a tradesman, a student without a tutor, self-taught and self-supported, rising step by step by his own unaided efforts to the profession of law, to the dignity of the judicial ermine, to honorable position in the military service, to high political preferments as a statesman of recognized ability, to the noble and enviable distinction of a useful and universally respected citizen, his career presents one of the most striking illustrations of the possibilities offered to men under our institutions and our system of government.

In the life and career of this distinguished American statesman and citizen we recognize the glorious fact that here the foot of the ladder rests; not on the higher level (there are no higher levels), but on the common level of mankind; that the humblest, the poorest, the most obscure may climb to the top, and that the divine right to rule inheres not in the few, but the many; not in descent, but in merit; not in blood, but in brains!

"Green grow the grass above his grave," and ever fresh and green be his memory in the hearts of his countrymen. [Applause.]

Mr. ENLOE. Mr. Speaker, the only compensation for the brevity of human life is the hope of immortality. Life is a boon unsought and death a mystery unsolved, except by faith. To-day we are zealously pursuing our cherished plans and eagerly pressing forward to some earthly goal where hope whispers we shall find happiness. To-morrow death enters, the unfinished life-work is laid aside, the busy hands are folded, the tired brain rests, and words of praise and of censure alike fail to stir the pulseless heart. We have seen many of our colleagues, who entered this theater of political strife and patriotic endeavor, seeking a deathless fame, through self-sacrifice and devotion to public duty, go hence to answer the mysterious summons.

In the presence of death how pitiful the passions, how delusive the hopes, how insignificant the aims of men appear. When one dies who has done his public duty as best he could, and has made enemies as he must in doing it, the fashion of the times is either to pay just tribute too long withheld to him who can not receive it, or, as if to cancel the debt perforce, to overbalance the account with fulsome eulogy. More kindness for the living and less praise for the dead would better square the account with conscience. It is not any more the legitimate province of those who pronounce funeral orations here or elsewhere to indulge in exaggerated praise of the virtues of the dead than it would be to criticise their shortcomings, or to censure their faults. The story of a man's life is his best eulogy. My acquaintance with my late colleague, Judge Houk, dates back to 1873, but I never knew him until the beginning of the Fiftieth Congress.

To the story of his life so eloquently told by his neighbor and colleague [Mr. TAYLOR] I could add nothing, except my personal tribute to the manly qualities he always exhibited in his official and personal intercourse with me.

Differing with him in politics and being a comparative stranger to him personally, I candidly confess that I had not understood his real character, and that I met him with a certain degree of prejudice and distrust. He was a man who neither gave nor asked quarter in the heat of conflict.

His convictions were positive, his language was always vigorous and emphatic, and when he entered the arena of debate he aimed at the vital points; but when the political gladiators met in social intercourse after the conflict was over, he was always genial and kind, and he was generous enough to forget that blows had been given and received.

I always found him ready and willing to hear the reasons in support of measures brought to his attention, and when he gave a promise to help he kept it. He admired a bold and manly opposition, and the stronger and more aggressive his political antagonist the greater his admiration for him. He was devoted to the people who gave him such loyal support. Coming from the ranks of the masses, having struggled upward unaided, he knew the hearts of the common people, and always kept in touch with them.

No member ever watched over local matters and promoted the

personal interests of his constituents with greater vigilance than he did. He had bound them to him with a thousand ties, and when I stood beside his bier at his home in Knoxville, Tenn., and looked upon the thousands of people of all classes, who came from all parts of his district to place a flower or to drop a tear upon his grave, I was more than ever convinced that he occupied the highest place in the affections of his people.

Sharp and often bitter as the political conflicts had been in his district he had endeared himself personally to many of his political opponents, and they joined with his political friends in paying their silent tribute of respect to his memory.

There may be little significance in the crowds that follow the triumphant leader to celebrate a victory, but when multitudes turn out to follow the dead leader whose hand holds no rewards to distribute among his followers, it is the heartfelt eulogy of a grateful people.

Judge Houk demonstrated more elements of successful leadership than any man of his party in Tennessee, and during his life I always regarded him as its ablest leader.

The estimate of his abilities among his colleagues on this floor was always high, and on all occasions his public utterances justified that estimate. He was justly regarded as the ablest Representative of his party in Congress from the South.

His death was an irreparable loss to his party in Tennessee and a great loss to his party here, and it was a personal loss to every one who knew the value of his friendship. The bereaved family have our profound sympathy in their affliction.

The resurrection is the silver lining to the dark clouds of death, and we know the sun is shining beyond.

'Tis immortality—'tis that alone—
Amid life's pains, abasements, emptiness,
The soul can comfort, elevate, and fill
That only, and that amply, this performs.

Mr. WASHINGTON. Mr. Speaker, on the 25th day of May, 1891, in the prime of life, in the full vigor of manhood, in the midst of an active and useful career as a member of this House, Leonidas Campbell Houk was accidentally and suddenly stricken down by the remorseless hand of Death. Lacking but fourteen days of having completed fifty-five years of life, he had crowded a century of work into that period of time. His proud spirit brooked no restraint. His wonderful energy never tired.

Of poor and obscure parentage, he had neither riches nor influential friends to push his fortunes; but by an indomitable will worked out his own education, carved out his own career. From the humble barefoot plow boy in homespun breeches, he became, in turn, advocate, soldier, jurist, politician, legislator, and statesman in that rapid and unimpeded succession which genius can alone command. His life affords us one of the most striking exemplifications of the fact so often asserted that to the American youth, regardless of the accident of birth and of family, the highest honors are accessible, and that merit alone can command success. Born and reared in East Tennessee, amid those beautiful mountains whose green tops stand forever wreathed in fleecy clouds, his ardent nature took much of its coloring from his early surroundings.

The frugal fare and the unconfined life of the wild nature about him, dominated only by the fierce conflict of the elements, made him from boyhood an ardent lover of liberty and a stubborn foe to slavery.

When the civil war began he naturally took his stand on the side of the Union with his accustomed zeal and force. When the war cloud had passed and peace was restored his hand and voice were ever ready to defend the unfortunate. A bitter partisan in politics where his party principles were at stake, he never allowed party feeling to warp his judgment in a matter where individual rights were concerned, and in him those Southern war claimants whose cause was just ever found a faithful friend and advocate.

An intense Republican from honest conviction, he never pretended to what he did not believe. Fierce in denunciation of political wrongdoing, he never posed in the pharisaical rôle of "I am holier than thou," so common, alas, with many to-day. When he gave his promise to a political adversary in this House it could be absolutely relied upon. So that though he fought hard, he always fought honorably. In debate he was strong, in repartee he was to be feared. A quaint humor marked many a savage thrust. His course in this House was characterized by a diligence, tact, and unfailing courtesy which brought him into most agreeable relations with his colleagues.

To his party in Tennessee and in the South he was a well-nigh irreparable loss. Courageous, aggressive, effective, and sturdy. His friends loved, his enemies had cause to fear him. Had his party more leaders of his character, caliber, and potency its influence in the South would be greater. Some one has well said of him, "To the superior quality of Republicanism in his State, Judge Houk contributed by zealous and constant endeavor."

His efforts in that commendable direction were never more earnest than at national conventions. With splendid eloquence and withering scorn he exposed and denounced the wretched creatures who, while acting as delegates, make merchandise of their votes. The corruption of the Southern delegates at national Republican conventions has been a crying abuse ever since the second candidacy of Gen. Grant. To abate or suppress the evil was Judge Houk's laudable ambition and desire. While he never succeeded in eradicating the wrong, he did much to modify its effects. Politics in his State and in the country at large was the better by reason of his connection with it. His departure will be mourned sincerely by his constituents in the State which gave "Old Hickory" to the nation, and conferred upon it in after years the striking personalities of Andrew Johnson and "Parson" Brownlow. Sorrow for his untimely and tragic death will extend beyond geographical and party lines, and even his bitterest partisan adversary will not hesitate to lay a token of remembrance upon his grave.

Mr. HENDERSON of Illinois. Mr. Speaker, for twelve years I had the honor of serving as a member of this body with the late Hon. Leonidas C. Houk, of the State of Tennessee, and it was with deep sorrow and regret that I heard of his death, and of the sad circumstances under which it occurred.

Judge Houk represented the Congressional district in the State of Tennessee in which he was born in the Forty-sixth, Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, and Fifty-first Congresses, and was elected in November, 1890, a member of the Fifty-second Congress, but died from accidental poisoning on the 26th of May last at his home in Knoxville before taking his seat, deeply lamented by his constituents and friends who had honored him by seven successive elections as a member of this body.

Mr. Speaker, there is no better illustration of the character of our country and its institutions and of the possibilities presented to the American youth than is found in the life of Judge Houk, to whose memory we pay tribute to-day. Born in a cabin, of poor parents, so far as this world's goods are concerned, he was left fatherless at the age of 3 years, and when old enough, was placed at work on a farm. Still this boy of pluck and energy worked his way up in life, studied law while supporting himself by the labor of his own hands, was admitted to the bar in the twenty-third year of his age, and at once became a successful lawyer. At the age of 24 years he entered the political arena and took the stump in the Presidential campaign of 1860 for Bell and Everett, on a platform which declared in favor of "the Union, the Constitution, and the enforcement of the laws."

At the age of twenty-five he was already widely known in East Tennessee, and, arraying himself on the side of the Union, he took a conspicuous part in the discussion which preceded the civil war. He was a prominent member of Union conventions held at Knoxville and at Greeneville, Tenn., in 1861, in which he declared himself firmly and unalterably opposed to secession, and in August of the same year he abandoned his profession and entered the service of his country as a soldier; a service in which he rose to the command of a regiment and rendered gallant service, for he was a man of courage and of earnest, ardent patriotism.

Mr. Speaker, having served as a soldier in the war for the preservation of the Union in East Tennessee, and in the county in which Judge Houk was born, and having been associated with the soldiers of East Tennessee much of the time during my service, I will say in this connection that there were no people in any section of our country more loyal to the Union than were the great body of the people of East Tennessee, nor were there any soldiers in the Union Army more brave, gallant, and patriotic than were the soldiers of the same section. I have sometimes thought there was something in the very air of the mountains and valleys of East Tennessee which made the people who inhabited them loyal to the Government of their fathers.

At one time I sent two hundred men of my regiment under Gen. Sanders, in what was known as the Sanders' raid, into East Tennessee, and on their return I asked one of the men how they found the people in East Tennessee, whether loyal to the Union or not. He replied, "So loyal, Colonel, that you could feel it in the atmosphere as soon as you got into the State."

Compelled to leave the service on account of ill-health, after serving nearly two years, he resumed the practice of his profession; but in 1865 he was elected a member of the constitutional convention which reorganized the State government of the State of Tennessee.

In 1866 he was elected judge of the circuit court of the seventeenth judicial circuit, which office he held for four years. But he was more inclined to political life, and in 1872 was elected a member of the State Legislature, and in 1878, as I have already stated, was elected a Representative of this body; and held that office until the day of his death.

What a noble example the life of Judge Houk furnishes to the young men of the country who are of humble birth and fortune.

But, Mr. Speaker, it is not my purpose in speaking of the life and character of Judge Houk to occupy the attention of the House but a few moments; and I must leave to others the duty of speaking more particularly of the distinguished services which as a Representative in Congress he rendered to his constituents and the country.

I will, however, say that Judge Houk was an able and faithful Representative, and during his long service as such took a prominent part in the proceedings of Congress, and was ever watchful and zealous in looking after the interests of his constituents and of his State. I well remember with what great earnestness he urged liberal appropriations to improve the rivers of East Tennessee, and with what pride he spoke of the great benefits which his constituents derived from their improvement. Being a native of the State of Tennessee, I was, perhaps, on that account early brought into close and friendly relations with him after he became a member of the House, and serving on a committee which had in charge the improvement of rivers and harbors, he often appealed to me earnestly as a Tennesseean to see that the water ways of his State were not permitted to suffer for the want of necessary appropriations to improve them.

But Judge Houk, while he loved his native State, her mountains, her valleys, and her beautiful rivers, and rejoiced in her prosperity, was a broad-minded Representative, as broad in his nationality and in his patriotism as the boundaries of the entire country, and was neither narrow nor sectional in his legislative action. On the contrary, he earnestly desired and took the greatest possible pride in the prosperity of the whole country and of each and every section of it.

Judge Houk was an earnest, devoted Republican. He had an abiding faith in the party and its principles, and never for a moment in all my association with him did he falter in his loyalty to it, nor in his efforts to promote its success. In his defense of the party he gave his strongest, severest blows; but, Mr. Speaker, he was always honorable and manly, as he was always honest and sincere in his political convictions. When he died the Southern Republicans lost a bold, fearless, and able, if not their ablest, leader.

Mr. Speaker, it is well for us to cherish the memory of such men as Leonidas C. Houk. Speaking for myself to-day, with the feeling that I have lost a friend, I deeply deplore his death, and am sure that all of us who knew him warmly sympathize with his bereaved family, and with his constituents, who have lost an able Representative.

Mr. HOOKER of Mississippi. Mr. Speaker, according to a custom that has prevailed from time immemorial in this House, when one of our members has been removed by death, the public business of the state is suspended in order that the surviving members may pay just and proper tributes to the memory of the dead. We have assembled to-day, in accordance with the resolutions introduced by the gentleman from Tennessee [Mr. TAYLOR], for the purpose of paying the last sad tribute of humanity to the memory of one of our members. It was not my fortune to be intimately associated with the deceased member, Judge Houk, and I must, therefore, leave to gentlemen from his own State more intimately acquainted with him, and such as were brought into close relations with him, like my friend. Judge HENDERSON of Illinois, who has just so feelingly spoken of him, to spread upon the records of this House tribute to him as a citizen, a neighbor, and a friend. I will speak more especially of his public career, and of the temper and spirit in which he discharged the duties which devolved upon him in that capacity.

Death came to him, Mr. Speaker, with unusual suddenness. It never comes with unequivocal warning to any of us. Nowhere is there a more striking illustration of the suddenness with which it comes and can come to all mortals than in the case of the death of Judge Houk. In the fullness of ripened manhood, in the midst of a useful career, and in the city in which he lived, he was sick, I believe, for not more than twelve hours before death. It never comes except its tread be like those who tread on velvet, though its clutch be of iron. There is no warning to the man who is marked. No such warning came to the regal reveler when the unseen hand wrote on the wall, "Mene, mene, tekel, upharsin." It comes alike to all classes, all ranks, and all grades of humanity. The old Latin poet, whose classic words are familiar to most of us, properly described its approach in the memorable passage in which he says:

Pallida mors, æquo pulsat pede pauperum tabernas, regumque turres.

It passes none—the lofty and the humble are alike its objects. In this instance there has fallen a man whose public career has been remarkable. I never knew Judge Houk until I met him in these halls. He sat upon the opposite side of the Chamber. He was a Republican in principle. He was devoted to the principles of the party to which he belonged.

He was an earnest, honest, zealous partisan; always armed in defense of the cause which he believed to be right; and it remained with him, whether among his people at home, in that beautiful region of country that has been referred to by those who knew him better than I, amidst her mountains, or here. He always manifested that earnest strength of character, whether he stood amid his own native mountains, sometimes glassed in sunshine, sometimes covered with shadow, and sometimes the home of the storm god, or whether he stood here in this oftentime tumultuous Chamber; he stood up politically with the courage of his convictions for the principles to which he was endeared. He was emphatically a partisan—a partisan deeply devoted to the principles he believed to be right; and I do not mean to say that he was less a patriot because he was a partisan. In his career as a public man, in the defense of the principles he believed to be right; in his conduct in this House of Representatives, he reminded me of the character of those stern men who followed the lead of the great republican, Cromwell, in England, who, whether in conventicle, church, or state, were always armed cap-a-pie for the cause to which they were endeared and the leader whom they followed.

He sprung, as has been said by his comrades, from the humbler walks of life. I believe he was admitted to the bar when only 23 years of age. He at once took high rank among the members of the profession at a bar where such men as Judge John and Horace Maynard and other men of equal ability were accustomed to practice. When the war between the States came on, following his convictions, he became, first a private soldier, enlisting in one of the companies raised in his own county, and in a short time afterwards was made colonel of the Third Infantry Regiment from Tennessee. He served until 1863, when his health required that he should leave the Army.

After the war was over, he became a member of the convention of Tennessee, which was intended and designed to restore her to the Union—one of those conventions to rehabilitate the States after the war was over. He saw, in common with other sensible men of their region of country, that there could be no rehabilitation that was not predicated on the consent of the people who were to be governed; and therefore that it must be a rehabilitation of the Union upon that great and immortal principle, declared by the Supreme Court of the United States in that memorable case that afterward went to it, in which they made the declaration "that, while this is an indissoluble Union, it is yet composed of indestructible States."

He was a member of that memorable convention that restored Tennessee to the Union, and soon after he came here as a member of this House. I was here when he came. I watched his course during the whole time that he was in Congress, save the period when I myself was not here, and in every instance he manifested an earnest, outspoken, and zealous advocacy of the principles which he believed to be right. He took conspicuous rank in this body. The House contained then, as always, many gentlemen who had had the advantages of a splendid education, both in the common schools of the country and in its colleges and universities, yet in debate he was strong and powerful and took high rank among them, although he had had only the advantages of a common-school education, and that in a region of country where, from the sparsity of the population and the infrequency with which the schools were kept open, he could attend school for only two or three months during the year.

Though he was, as has been said, a laborer upon the farm, and a laborer as a mechanic, he conceived the idea of entering the profession of the law, and was indebted to a kindly gentleman, Hon. O. P. Temple, who lived in his immediate neighborhood, for the loan of the books which enabled him to master at night, by a pine-torch light, that wonderfully intricate profession and become prominent in it. But it was toward political life that he had the strongest tendency, and, as I have already said, he took rank here with men who had had superior advantages to those which he had enjoyed.

He was at school but a very short time; he was his own educator, his own teacher; but he developed into a man of remarkable strength and power in this House. He was a member, and I believe that in the Forty-seventh Congress he was chairman, of the Committee on Elections, one of the most important committees of this House. He also served upon other committees of the House, and always with ability and fidelity to the trust which was reposed in him. Despite the slimness of the educational advantages which he had enjoyed, he developed into a man of mark, as was evidenced by the fact that he never at any time failed to command the support of the district which, for so many long years, he represented in this House; and had he lived until the end of the term, which has now devolved upon his son, he would

have been for fourteen years consecutively a member of the House of Representatives.

He has left his mark upon the statutes that have been enacted into law during the time he served here. He has left his mark amongst the people in the midst of whom he lived, and who knew him best, as a man of wonderful energy, of great enthusiasm, and of a disposition to stand up at all times and in all places and speak the honest convictions of his mind. I take great pleasure, sir, in paying this, my very humble tribute, in common with other members, to the memory of our deceased brother.

Mr. HENDERSON of Iowa. Mr. Speaker, in 1882 it was my privilege to first know Judge Houk. My first meeting with him made me his friend, a friendship that continued and strengthened until his death.

In estimating the character of men after they have gone, the opportunities that they may have had in life should be, it seems to me, one of the leading elements that should enter into consideration. Many men in their youth have the advantages of wealth and the earnest appeals and support of potential parents and friends to secure for them education and advancement. Throughout this country, now grown rich, how many homes there are where untiring efforts are being put forth by men of ample means to give their sons collegiate education and other high training, and yet how many of those young men seem to be entirely indifferent to their opportunities.

And, sir, while that is true, and the sons of great men are being turned down by the plowshare of time, the wheel seemingly turning so that the giants of to-day seldom leave in their children true representatives of their own power—while that, I say, is true, how often does it happen that from some simple corner of the country, some little nook of earth, in a quiet farm home, in a little woodland lot in the forest, or in some mechanic's simple, honest home, is being formed a powerful, conquering mind which almost from birth has to grapple with poverty and to fight a brave battle for all the knowledge which it obtains. And yet such are the men that turn out the Websters and Lincolns, and such are the men that represent the great surging activities of life. I sometimes think that no greater curse can fall to the lot of a boy than wealth, and that the greatest blessing for a child is to have poverty and an honest parentage.

The subject of our thoughts this afternoon was born to poverty, but he was cradled in the arms of honesty. Think of the picture! Left fatherless at 3, only three months in the public schools, yet we find him as a little boy seated, with his cheap taper, away far into the nighttime, reading, reading, reading. Ah, what a school was there for such a mind as his! I see that some one in speaking of him says, that "he was an omniverous reader." I suppose it is meant by that that he read almost everything, good or bad. You can not have a truly skillful physician unless he knows the good and the bad, health and disease. He was an omniverous reader; but he who ever sat down for a cozy hour with Judge Houk soon found out that he had drawn inspiration from the grandest interpreters of the human heart—the poets. He had lived much in the company of those gifted men and women who fill our homes with romance; those who, kindred to the poets, live in the clouds, so to speak, but can not carry you to the clouds unless they have been in the dark places of earth, at least in honest, earnest thought.

To sympathize with poverty one must have tasted of its stern realities. To comprehend the needs of the toilers of earth one must have been under the whip of necessity and felt his every muscle strained to secure the needed things of life. The poet and the novelist must first taste of life's realities before they can interpret the wonderful longings of the human soul. Judge Houk had been much with such poets and such novelists, and few men with whom I have conversed showed a larger knowledge of the historians.

It is true he had no diploma; he never attended a college or university; and we may say that he was a stranger to the public school; but he had the training which comes from honest work, earnest action, deep thought, and real experience. Viewed in the light of those opportunities, I think that great credit is due to the man who, working on the farm and in the shop, without a tutor, is found admitted to the bar at the age of 24, a colonel soon after, a judge on the bench at 26, and a potential leader of men from his early manhood until death retired him from life's busy, useful field of action.

His lines of thought and study and the tendencies of his own warm and hopeful heart and mind made him, in my judgment, an orator. You may not all agree with me in that view. Some may measure oratory by the rules laid down by the schools. Judge Houk's oratory was not manufactured. It was that kind of oratory that comes from the sounding sea and the thrilling voices of nature. He gathered it from the clouds, the mountains, and from human heartbeats. It was perhaps rugged and unpolished; but who ever saw Judge Houk rise on this floor who was not at once held and thrilled by his earnest, honest, burning words? He was an orator, and he was a debater too. He had, Mr. Speaker, that wonderful gift of striking down an adversary and at the same instant making him his friend. Few men can kill the body and not wound the soul. This man could do it.

In many of his attributes he reminded me strikingly of Mr. Lincoln. A story is told—and a true one—how when Lincoln was working in a little store in Illinois his great size and physical strength attracted the hatred of some bully in the vicinity—a giant in his way, who had given out that he was going to thrash this young Kentuckian. Abe had heard of it a good many times, but paid no attention to it. One day the bully came into the grocery store where Lincoln was lying stretched on the counter, upon his breast, reading a book. The bully came in and began to talk in an ugly, threatening way. Finally Lincoln raised himself, closed his book, and said, "I suppose I have got to thrash you; and I may as well do it at once." They went out, and were soon closed in physical conflict. The young Kentuckian soon threw the bully to the ground, rolled him in the mud, and, pulling up a handful of smartweed, rubbed it into the eyes of his opponent until he roared. Instantly the simple son of the woods of Kentucky hastened for a bucket of water, and with his own handkerchief sponged out the pain from the eyes of his adversary. It is a simple, rude story; but it is a story showing a characteristic of great hearts and great minds. And just such a character and heart had Leonidas C. Houk.

As a stumper he was greater than as an orator or debater, although both of these qualities were utilized by him on the hustings. When he came before the people of his district then his power was truly seen and felt. His humor, his kindness, his large knowledge of history and of human experiences, especially among the poor, made him an irresistible power. Perhaps no man who has ever occupied a seat on this floor was more tenderly, truly, and enthusiastically followed by his constituents than Judge Houk. And one of the great secrets of this was that he was always approachable to all the people. No other man in his district could be more freely approached and counseled with and talked to by the poorest of the people than Judge Houk. To learn of trouble was to command all of his powers to serve and dispel it.

He is dead; and when he was carried to his last resting place, Tennessee turned out to carry him there. On the day of his funeral the city of his residence was crowded, as we are faithfully told by every class of citizens; and as in the affectionate eulogies here to-day, from both sides of this Chamber, there was at that funeral no North, no South, no East, no West, but his countrymen were there to shed tears over his bier. Resolutions of sorrow were passed by the Grand Army of the Republic, by the bar of his State, and by many Republican organizations. Tributes of respect and admiration came from every hand, and to-day the Congress of the greatest nation on earth suspends all its business to pay homage to his memory.

The true historian must not paint the subject which he delineates with sunlight only. Judge Houk's nature had its lights and its shadows. He had his strong qualities, and he had his weak ones. But the shadows of his character fell only on himself, while the sunlight of his nature poured forth upon all who knew him, warming the hearts that came within his genial influence. If he had faults they were like those described by a tender writer when referring to the character of Robert Burns; they were faults that "leaned to virtue's side." They poured out of the great storehouse of his big warm heart and social nature.

I will add nothing more except to say that I profoundly regret his going, and that his achievements can be pointed to as an example for the young men of the country, an example worthy of imitation, if they would rise from obscurity and win a powerful place in the councils of their countrymen.

Mr. CUMMINGS. Mr. Speaker, grand are the mountains of East Tennessee. Their peaks and ridges mark the line of the land of the skies. The air there is soft and pure. The blue haze around them mellows their grandeur and adds to their charm. Well did the Indians name them Chilhowie (beautiful smoke). But there is substance with the charm. They are rich in material wealth. Ribbed with iron and veined with coal and marble, they are covered with timber firm in fiber and rare in quality. These mountains, however, are far richer in the spirit that quickened into being this mighty people, that has preserved their national life, and that has led to the development of their wealth and influence. They exhale the air of freedom.

Col. Benton once said "Truth comes from the sources of rivers." I say, the true spirit of liberty has always dwelt in the mountains. William Tell came from the Alps, Hofer slept on the cold slopes of the Tyrol, Owen Glendower's fires burned on the peaks of Snowden, and John of Ziska died in the mountain gorges of Bohemia.

Andorra, the oldest republic in the world, is cradled in the Pyrenees, San Marino sleeps in the Apennines, and Switzerland stands on its alpine gateway, the true sentinel of European freedom. This same spirit of liberty has a home in the mountains of East Tennessee. It animated the Creeks, Cherokees, and Chickasaws, ere they were forced from their mountain homes and driven across the Mississippi. It inspirited Shelby and Sevier, when descending from their cabins, like mountain lions, they fell upon Ferguson at King's Mountain. It nerved the loyalists of East Tennessee, when at Knoxville they repulsed Longstreet's famous assault.

Leonidas C. Houk was a true son of liberty. Born in the mountainous district of Tennessee, he breathed the pure air of freedom. The eagle that soared in the skies above him and the stag that paraded the leafy dells around him taught him self-reliance. Like Andrew Jackson and Abraham Lincoln, was he nurtured in poverty and schooled by adversity. He was the child of nature, tempered in the shadow of advancing civilization. Read the brief biographical sketch in the Congressional Directory. Concise, simple, admirable—a sketch that may well put the glow of hope into the eye of every American youth, however humble. Twenty-four lines, yet the epitome of the possibilities that await every waif in this great Republic.

The typical American youth of the olden time—barefoot, clad in Kentucky jean, linsey woolsey, or the product of the home spinning wheel, but with the fire of intellect in his eyes and a face indicating all the intuitions and aspirations of a boy born in the days of Andrew Jackson and Henry Clay. After three months instruction in an old-field school he becomes his own tutor. Andrew Johnson, then a tailor in a town not far away, had just learned to read and write under the tuition of his devoted wife. Abraham Lincoln, after a year of rail-splitting and his volunteer service in the Black Hawk war, had placed his feet upon the threshold of his eventful career. James A. Garfield was preaching in Campbellite churches after driving mules upon the towpath of an Ohio canal. Seated upon a low bench in the chimney corner of a log cabin, young Houk draws his knowledge from books conned by the light of flaming pine knots. He has a natural ingenuity which blossoms into cabinet-making. Yet, with the aspirations of an intellectual pioneer, he blazes his way into the domain of the law.

Blackstone, Coke, and Kent are digested while shoving his plane at the bench. He practices his profession less than two years when the war of the rebellion breaks out. In an instant his soul is aflame. Imbued with the unionism of Clay and the unswerving fidelity of Jackson he turns a deaf ear to the siren of secession. Imbued with the patriotism of Shelby and Sevier he loves not only his native State but the whole country, North and South, East and West. Upon the floor in the loyal convention of East Tennessee and in the field with deadly rifle he fights to preserve its autonomy and to perpetuate its grandeur and blessings. His native hills reëcho the roar of artillery in one of the world's great battles for freedom. Entering the Union Army as a private, within less than a year he wears the straps of a colonel.

Nor does his activity in behalf of his country cease with the war. As an editor he upheld the authority of that quaint-cut, but rare gem from the old mine of patriotism, William G. Brownlow. He does more than this. He becomes a member of the convention charged with amending the State constitution, and takes a leading part in the reorganization of the State government, and all his actions are tempered with magnanimity. Forgetting the peculiar ferocity that characterized the war in East Tennessee, his was the first voice raised on Tennessee soil in favor of the restoration of the Confederate soldier to the rights of citizenship.

The Union again thoroughly cemented, he is elected to the judicial bench. For four years is he the judge in the seventeenth circuit. Meantime, as a delegate to the national Republican convention, he favors the nomination for the Presidency of that illustrious and generous soldier, Ulysses S. Grant. Anon, elected as a Republican to the lower branch of the Tennessee Legislature, he receives a striking tribute from his associates. He comes within one vote of being elected speaker in a house strongly Democratic.

Mr. Houk was first elected to Congress thirteen years ago last November. From that time to the hour of his death this House was his home. His activity, industry, and ability were universally acknowledged. His integrity was unquestioned, his courage unchallenged. As rugged in character as his native hills, his spirit was as free as the mountain air. He was of the old school of statesmen, now, alas, rapidly passing away. He had the tenacity of Andrew Johnson, the iron will of Sevier, the fiery nature of Parson Brownlow, and the simplicity, courage, and commonsense of Davy Crockett. He was aggressive, yet magnanimous; fearless, but forbearing; unbending, yet generous; prophetic, yet reminiscent; overbearing, but tender; firm, yet genial; quaint, gritty, witty, and original. His arguments were direct and convincing, and there were windrows of logic in his oratory. His syllogisms were compact, his imagery iridescent, and his comparisons trite and delightful. He was quick and quaint at repartee, handling his tongue like a rapier. His aphorisms reflected the glow of his fervor, and his argument was replete with wit and humor.

There was neither haze nor fog in the atmosphere of his intellectuality. His statements were as clear as crystal and his gestures as unique and vigorous as his Anglo-Saxon. A strong anecdotal strain enlivened his logic. His metaphors were as sparkling and refreshing as the morning dew, and his perorations as prismatic as his Cumberland rainbows. Indeed, his speeches recalled scenes in his native mountains. While listening to his diction you saw vivid flashes of lightning and heard reverberations of thunder in crag-bound gorges; the rain poured from the skies and the mountain streams were swollen to torrents. Anon there were gentle showers. Then the light of the sun streamed through rifts in the clouds. Twilight darkened the dells, and night came on apace. The light of the moon softened the upland scenery. Strains of sweet music arose from secluded cabins, and there was the patter of joyous feet upon the floor. Later on, the merry jest, the mountain song, the clinking cup, and a wild hurrah were heard, with possibly angry words and the sharp crack of a rifle. But with the dawn the birds again twittered in the chinquapins, the rivers in the valleys again mirrored the mountains above them, and the work of another day had begun.

The comparison is not overdrawn. No speeches more telling, more sparkling, and more picturesque than those of the patriot from East Tennessee were ever delivered upon the floor of this House.

Mr. Houk was as natural a product of her mountains as the ash, oak, and hickory that shade their slopes. He had the solidity of the oak, the elasticity of the hickory, and the toughness of the ash. His nature was as firm in fiber and equally as rare in quality. His mind was as rich in resources as the ridges themselves. Like the mountains, he was ligneous as well as ferruginous. There was iron, coal, and marble in his composition—strength, warmth, and beauty. But above all was his almost peerless patriotism, loyalty, and love of liberty.

Leonidas! the very name is redolent with memories of Thermopylæ. This Leonidas of East Tennessee is worthy of comparison with his Spartan namesake. He was Spartan in nature as well as Spartan in name and fame. Each exhibited the same spirit. Each stood at his own mountain pass, and held back the invader. There was no dross in the loyalty that inspired the little band at Thermopylæ. There was no dross in the loyalty that filled the Union regiments in East Tennessee. It was not death in battle that alone confronted these patriots. It was the ignominious death that awaited them if captured in the fluctuations of the war; for many of them were Confederate conscripts. Listen to the words of Leonidas C. Houk, delivered upon this floor in the Fiftieth Congress:

> It was an easy thing to be loyal in Ohio [turning toward Gen. Grosvenor]. It was easy to be loyal in Michigan [turning to Col. BURROWS]. It was a mighty easy thing to be loyal in Vermont [turning to Judge STEWART]. But when it comes to where we live in East Tennessee, where we were in the grip of a great military organization, where all the influences of social life and all the machinery of a State were brought to bear upon us to crush out all human hopes, it was not so easy. Yet the loyal sentiment burned even more brightly in my part of the country throughout the entire war. Sir, I have the honor to represent a district in Congress, although it belongs to the Solid South, that gave more soldiers to the Union Army, according to population, than any other district in the United States. I speak from the record. I dare you to go to the War Department and investigate it. The First and Second districts of Tennessee gave more soldiers to the Union Army than any other two districts in the United States.

Mr. Houk was warm in his friendships. His personal qualities were most endearing. There was no malevolence in his disposition. His heart throbbed with generosity. He treasured no wrongs. He loved his people as he loved his mountain home. Goldsmith well said:

> Dear was the cot to which his soul conforms,
> And dear that hill that lifts him to the storms.

The interests of his constituents were his interests. On their behalf he never hesitated to fly even in the face of his party. There are men in this House who saw his indignation flame when an attempt to throttle the consideration of the claims of loyal Southerners was made in a House controlled by his political friends. Side by side with men who had been Confederate soldiers he stood arrayed against the attitude of his party. He detested hypocrisy and never made his bed with Pharisees. He believed in hard fighting on the basis of eternal truth and in his right to secure what was won in the fight.

Mr. Speaker, the death of such a man is a public calamity. He may not have won the fame of a Grundy or of a Clay, but he is full as close to the hearts of the people. His virtues were far greater than his faults. His inspirations were national. He

acted well his part in the drama of American life. He came from the land of the skies. He has gone to the land of the skies. The universal amnesty he so generously advocated on earth will there be freely extended to all who are entitled to it. His good deeds are the milestones that mark the pathway of his life. They are plainly visible.

> Others have made roads for us; we make them for still others;
> Christ made a road to the stars for us all.

[Applause.]

Mr. LANHAM. Mr. Speaker, "Kind words can never die," and a noble, generous deed is imperishable. True sympathy for human misfortune, and a hand ready and willing to help in affliction, are among the pure and undefiled elements which make the world better, and contribute to render moral conduct unspotted. We shall never behold the perfect man, but there are virtues and graces in the lives and characters of all true men which shine forth like the stars.

Certain kind words and a certain generous act of Mr. Houk, uttered and done long before I became acquainted with him, and of which I had information through a friend who was the beneficiary thereof, first fastened my attention upon him and commended him to my respect and admiration. There resides in the town where I live, an ex-Tennesseean, a worthy man, from the page of whose memory and gratitude the name of Leonidas Campbell Houk will never be obliterated. What I am about to relate occurred during that unhappy period in our history when the storms of war swept over the land, when the tide of passion and prejudice was at its highest mark, when people of the same State were arrayed in deadly hostility against each other, when even brothers followed different banners "in the focal and foremost fire."

Convictions of patriotic duty impelled these Tennesseans to espouse different causes—the one to enlist in the Union, and the other in the Confederate army. It happened in the fates of war, that the latter was captured, and while en route to a Federal prison was seen by Col. Houk. The prisoner was poor and helpless and hopeless. Col. Houk talked to him kindly, sympathetically, and tenderly—commiserated his misfortune with that chivalric spirit which prompts the true soldier to "raise the foe, when in battle laid low"—inquired as to his necessities, and proffered him substantial aid in the shape of money, to alleviate the privations of prison life.

This was at first declined for the reason that it might never be possible to repay it—that they might never meet again; but this noble and generous man would take no denial of his charity and would listen to no declination of his kindness. He took from his pocket a liberal amount of current money of the United States, and over all remonstrance insisted upon its acceptance. How useful that money was, what a real benison it brought to the long and weary days of subsequent incarceration, only that prisoner and those who have undergone a similar experience can describe. I have frequently borne grateful messages to Mr. Houk from this recipient of his generosity, assured him of the continued appreciation of his kindness, and how lasting were the personal esteem and affectionate remembrance in which he was held. These messages he would receive with satisfaction, but exceeding modesty, reflecting in his words and manner the grand and glorious rule of conduct, "It is more blessed to give than to receive."

My subsequent acquaintance with Mr. Houk and my observation of his course convinced me that this was but an illustration of the gentleness and kindliness of his nature. I have often listened to his earnest and eloquent appeals upon this floor in behalf of his unfortunate countrymen in the South who had lost their property by the ravages of war. Strong as was his devotion to the Union cause, he was ever ready to speak kindly and deal gently with those who differed from him, and he seemed never to forget that they were of and among his people.

Mr. Houk was a conspicuous figure in the House, as he was one of the most prominent Republicans in the whole South. He always received attention when he participated in discussion. There was a directness and positiveness about his methods and mannerism which challenged respectful notice even from those who disagreed with him. His history and record testify that he was a remarkable and extraordinary man. Contending, as he had to do, in his youth with adversity, prosecuting his studies, rudimentary and professional, under great difficulties, he was wonderfully successful, and demonstrated in his career, to an unusual degree, the possibilities of typical American manhood. His achievements are object lessons to the ambitious youth of our country, and teach them what energy and industry and unyielding purpose, fostered by the genius of our institutions, may accomplish.

I must leave it to others better qualified to portray the general excellencies of his character and to suitably describe the elements that combined to make him a man of note and merit. My purpose is to perpetuate the fact that he observed and obeyed the "new commandment, that ye love one another;" to record a magnanimous trait, charming and beautiful, which distinguished his life and conduct; to show that he had a warm and compassionate heart, easily touched at the sight of the calamity of his brother man, and quick to respond in relief. Such a virtue is worthy of all commemoration.

What nobler, sublimer attribute can attach to humanity than that which leads its possessor "to feel another's woe" and minister to its necessity? What higher type of duty discharged can adorn the life of any man than the exemplification of practical benevolence?

> "What writest thou?" The vision raised its head,
> And, with a look made of all sweet accord,
> Answered, "The names of those who love the Lord."
> "And is mine one?" said Abou. "Nay, not so,"
> Replied the angel.
> Abou spoke more low,
> But cheerily still, and said, "I pray thee, then,
> Write me as one who loves his fellow-men."
> The angel wrote, and vanished. The next night
> It came again with a great wakening light,
> And showed the names whom love of God had blessed,
> And, lo! Ben Adhem's name led all the rest.

[Applause.]

Mr. O'FERRALL. Mr. Speaker, for eight years I served in this House with Leonidas C. Houk; for four years I was associated with him on the Committee on Elections.

Service on this floor with a fellow member, however long, may not enable you to form an intelligent opinion of his character or ability, but the intimate relations which necessarily spring up in the committee room of one of the leading committees of this House, where day after day running through an entire Congress you are brought in close association with him, gives you an opportunity to study him as an open book before you and place your estimate upon him.

And thus it was in the committee room where I served so long with this distinguished man, more than in this Hall, that I studied him and learned to know him, and I think to know him well.

In the early part of that service I was impressed with his quick perception, and the high order of his ability. His mind was always active, never sluggish. He reached his conclusions with rapidity and then maintained them with great power.

In debate he was aggressive, but always fair; strong, yet just to his adversary; he hit hard blows, but always in a manly way; he was adroit, but took only such advantages as were legitimate and proper.

He was a Republican of the most earnest kind—his nature was earnest, his manner was earnest, he was the personification of earnestness—and while at times I thought, as one differing with him politically, that his zeal for his party principles led him into extreme positions, I never for a moment questioned his sincerity and honesty.

He was at all times open, frank, and candid. He was a stranger to duplicity and scorned in his very soul the ways of deceit and dissimulation. He feared not power and cringed not at its feet, and despised the sycophant. He was brave, courageous, and chivalrous.

He loved his people and guarded with jealous care their interests. The rights of the lowliest constituent were as sacred in his eyes as those of the loftiest. He would battle as valiantly for the humble cottager as for the princely lord of broad acres.

He was not only watchful of the interests of his own district, but time and again have I seen him rushing to the support of his colleagues when they were engaged in contests over matters affecting their districts, and, as other gentlemen have already said, in all claims for relief which came up from the Southern section of this land—a land blighted by the hot sirocco of war, desolated by the ravages of civil strife—the energies of Leonidas C. Houk were exerted and his strong voice was raised in their behalf.

Sir, though we traveled political paths as wide apart as the poles, I regarded this distinguished Tennessean as a model Representative and worthy of all the honors which his people showered upon him.

Passing now from him as a Representative, I wish to speak briefly of him as a man. I say briefly, for my time is short.

In disposition he was all sunshine; his face was radiant with good nature, and he ever met you with a cheerful greeting and kind word. His heart was all warmth, and his breast was filled with the milk of human kindness. He delighted in helping others, and no friend ever sought a favor at his hands without receiving it if in his power, and if impelled to decline, his manner was so gracious as to make even his refusal delightful.

It is no wonder, Mr. Speaker, that those of us who knew him as a member of this House miss him; we miss his familiar figure and genial face; we miss him in debate; we miss him as a Representative and a friend.

It is no wonder that the bar, of which he was long a member, should declare in resolutions that "he was, and of necessity must have been, a remarkable man," and that "he was esteemed and honored by his political brethren as a brilliant member of his party, and his intellect and ability were always respected by his opponents."

He had represented his district for six consecutive terms and had been elected for his seventh term to this Congress when suddenly he was cut down, and we now lay aside our public duties, calm the tempest of debate, forget the acrimony of political strife, obliterate party lines, and, with our minds filled with the most pleasant recollections of him, we gather here in this Hall, where his voice, now stilled, was so often heard, to pay our tributes to his memory.

When I parted with him at the close of the second session of the Fifty-first Congress little did I think, as he grasped my hand and bade me good-bye, that I was parting with him forever. He seemed to be in excellent health and his spirits were buoyant, while his eye beamed with friendship and in his face were reflected the rays of the sunshine that ever lit up his big heart.

Sir, God's ways we know not. His ways are not man's ways. If we could have averted the blow, or turned aside the death shaft, or dashed the poisoned cup from him before, unconscious of its deadly contents, he pressed it to his lips, oh, how gladly we would have done so. But God willed it otherwise, and there was no human hand to rescue him and no human voice to warn him. He quaffed unconsciously the poisoned potion and with it death, and in a few fleeting hours his spirit winged its flight to the throne above—love could not stay it, tears could not arrest it, prayers could not hold it—God took it.

Mr. Speaker, another has said:

There is a voice from the tomb sweeter than song; there is a remembrance of the dead to which we turn even from the charms of the living: these we would not exchange for the pleasures or the bursts of revelry.

And so while we mourn the loss of our brother, there comes back to us from his grave, lately strewn with love's flowers, bedecked with love's garlands, and watered with love's tears, a sweet remembrance of his brilliant intellect, his sturdy character, his genial nature, his generous bearing, and his manly life. We will cherish his virtues and chisel deep his memory upon the tablets of our hearts.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, the life and career of our late colleague are only possible in a free country; and yet they are so frequent in our country that they excite no special remark. It is not that an humble man, from poor beginnings, makes distinction that marks it as unique, for that is common in all countries. There are no barriers so high and so strong that can not be surmounted or broken through by him who is endowed with natural power and ambitious aspirations; but that a man should be mechanic, soldier, lawyer, judge, and statesman in a comparatively short life, is only possible in a community where manhood is the sole requisite for recognition, and in a country that has not been divided into special pursuits—separated into fixed classes.

We reproduce in our country and in our generation the peculiarity of Grecian and Roman liberty, that the Senate is full of soldiers and the soldiery crowded with Senators; that he who is able to lead men, not merely in battle but in the discipline of the army, to care for them in camp, to provide for their wants, minister to their necessities, inspire their courage, keep alive their enthusiasm, can carry into civil life the qualities which give success, can organize party following, can make means sufficient to accomplish ends, can succeed in the contests upon the floors of deliberative bodies, as well as in the charge where belching cannon resists victory. In other words, in a country where every man is free, opportunity is given to merit in every walk of life, and that is all that merit has the right to ask or needs to have conferred upon it.

The life of our late colleague was not the life that can be led by a weak man. Success does not come in a strong country, among stalwart people, to the weak. He may have had faults; they were not faults of weakness. In a country like East Tennessee, that beautiful and exquisite country, with those landscapes which fill their valleys with sunshine and beauty, with those mountains that demonstrate the power and the glory of the Creator, no man rises to leadership save he who is blessed with strength of brain and brawn. They may follow him who has faults; they will not follow a coward, a weakling, or a palterer.

That a poor orphan boy, left to the heritage of obscurity and poverty, making a stride upward in becoming a cabinet-maker, should dominate those people for fourteen years, receiving with increased majorities the renewed commission of their approbation and confidence, demonstrates more than any words of his colleagues that he was a man of vigor, of resource, of courage, of sincerity, of power.

It is somewhat curious how often the Lord gives the great work of the world into the hands of the orphan. If we take the lives of the workers of mankind, we must be struck with the fact how often it is to the hands of the fatherless that the heaviest and most skillful work has been committed.

Whether it is that in some mysterious but real way He takes the place of the father, or whether it is that the woman is more mighty than we presume, and that she in her loneliness is given an added power by having taken away from her the limitations of wifehood and put upon her in increased burden the duty of motherhood, I do not undertake to determine; but it is true that there is something in orphanage of itself that is developing, inspiring, and stimulating, something that gives to early boyhood the resolution of manhood and to early manhood the intrepidity of heroism.

It is in itself a great educator, and we who have had the benefit of college and of school, who have been blessed with libraries from our earliest youth, whose sweetest memories go back to the crowded shelves of a great library which a venerable and learned man illumined with his love and his learning, sometimes belittle that higher education which, in the buffetings of adverse fortune, by the struggles of adversity, though the counteracting influences and agencies that poverty creates, fits the man for the highest work in life.

What is it to be educated, save to be fit to do that which under the providence of God we are called to do? It may be that we are fashioned and tempered in the best forms of factories. It may be that we are hammered into qualifications amid the storms of adversity upon the anvil of poverty. I sometimes hear of self-made men. There are no other sort of men that do anything in life. Opportunities may be given for quicker and better workmanship; but in the end and in the substance each man makes himself, and upon each man is put the responsibility of his life and his work.

In looking, too, at the life of this our colleague there is to me another affecting fact. I believe in the dignity of human labor. I believe in the glory of the coronal of honest sweat; and if there be any mechanical labor that is more than any other touching to me, it is that of him who works in wood. There is one honest shop that is in history the perfection of integrity—the carpenter shop at Galilee. He who works in wood must, if he be inspired of higher and spiritual truths, take on something of that life which gave itself for others.

In the day of division he adhered to the Union.

It was easy to be loyal elsewhere, as he said. I know something of how hard it was to be loyal in East Tennessee. In that land, where the very hearthstone was broken by the terrible plowshare of civil strife and the backlog splintered by the cannon ball of civil combat, it was often hard for a man to follow his convictions.

And in the troublous times that followed the war, in the times that were sadder and harsher because there was only silent submission, which is infinitely more painful than armed resistance, in those sad days it was a hard place to live. During all those years, in war and peace, he followed his convictions, giving up no principle, always earnest in utterance, holding the confidence of the people among whom he lived and having before him the hope of a closer Union. That closer Union we will turn over to our children: and the principles on which it is based we give to the world. Not merely Union, but liberty and equality.

Standing to-day in this august Hall of the Representatives of sixty-five millions of people, what is the best plea for our existence? Not that we should be free, not that our civilization should be preserved to us only, but that in a sense that is real we are making for the world a better freedom, a higher civilization, a nobler life, and that we will render possible to all nations that which rendered his career possible, binding the world together in the bonds of brotherly freedom upon the simple but sublime principle of the equality of manhood. [Applause.]

Mr. DOLLIVER. Mr. Speaker, it is not a vain service that we render here to-day. It is true that the words we speak here and the tributes of affection we bring here may speedily pass away. The tragedy of human life is made all the more pathetic by the certain dealing of time with all we do and all we say. Of the hundreds who in a century have been enrolled in this House nearly all are forgotten, and, living or dead, have literally passed from the memory of the world. There are a score of portraits and statues in this Capitol which already need the research of the curious student to recall the statesmen and popular leaders whom an earlier generation thought worthy of an historic place in marble and on the canvas. They are almost as helpless as the figures of the great of other ages that are dug up in the débris of ruined cities. They illustrate the impressive lesson that all the transient dignities of earth must put off the robes of worldly distinction in the presence of the grave. Yet we ought not to

withhold from the record of our proceedings the words of eulogy with which we are accustomed to show our sense of loss in the death of our associates.

I leave to others to collect from the history of his times the memorials of Judge Houk's activity and influence in public affairs. It was given to him to bear an honorable part in those memorable years when the nation was brought to trial for its life. The region in which he lived was torn by civil strife in a sense unknown on either side of the border States. In the mountains of Tennessee, Kentucky, Maryland, and Virginia, where loyalty was not diseased by the infection of slavery, the war came to the very doors of the people, dividing churches, estranging families, and adding to the horror of blood the nameless bitterness of civil passion. It was an ordeal that tested the manhood of the mountains, and I never look up the summits of my native Alleghanies without a sense of gratitude to God that in the hour of the national trial they stood like a wall of solid rock for the national unity and the emancipation of the slave.

The State of Tennessee, like Virginia, was torn from the Union by questionable methods and was attached to the Confederacy. But the mountaineers of East Tennessee, like the mountaineers of West Virginia, refused to participate in the lawless proceedings. They loved liberty, hated slavery, and by an instinct shared by the humble and lowly of the whole world they clung to the Union and followed the national armies with a faith that never faltered. The times produced an array of fearless men, who comprehended with clear sagacity the direction of events. Often in the progress of the nations the things that are hidden from the wise and prudent are revealed to faithful and devoted hearts. So that it is no miracle that the cabins of Tennessee and Virginia had a more perfect understanding of the question at stake than the colonial palaces of the South, where the eyes of men were holden, that they could see neither the future of the slave nor the manifest destiny of their country.

Judge Houk, already risen from the servitude of hard surroundings to a position of influence at the bar and before the people, early enlisted in the Union Army and was shortly afterwards commissioned as colonel of a regiment which he recruited among the neighbors who lived about him. His record as a soldier was full of gallant service. His public career on the national field lay in a time and place that called for definite ideas and fixed convictions. He was lacking in neither. He was always ready to give a reason for his faith. He was a partisan and a believer in free and open speech. He gave the people the best thoughts that were in him in a style which, if it lacked the artifice of the schools, was never wanting in the nervous force of natural eloquence. His people trusted him with a confidence that neither doubted his abilities nor suspected his motives, as his majorities, increasing steadily year by year, sufficiently attest.

He was an ideal popular orator, speaking to his people in the common metaphors of their daily speech and bringing to the level of the humblest firesides the largest questions of national politics. Not infrequently he entertained the House by his quaint figures, drawn from the life of his own people, as in the last Congress, when he pronounced the argument of his colleague in an election case as "hog tight and horse high." It had the unmistakable flavor of the stump, but it easily caught the attention of the House. He was not a despiser of the stump—that peculiar institution which takes us back to primitive backwoods days. He shared with Horace Greeley the opinion of the stump expressed in a recent publication in the Century Magazine of an old lecture on Abraham Lincoln:

> In the absence of the stump I doubt the feasibility of maintaining institutions more than nominally republican. But the stump brings the people face to face with their rulers and aspirants to rule, compels an exhibition and scrutiny of accounts and projects, and makes almost every citizen, however heedless and selfish, an arbiter in our political controversies, enlisting his interest and arousing his patriotism. The allowance of a monarch, exorbitant as it is, falls far below the cost of choosing a President. But the acquaintance with public affairs diffused through a canvass is worth far more than it costs.

Judge Houk brought into this House the skill of a trained debater. His tongue was sharp as a sword, and while he never poisoned his words, he was for years a recognized master of all the arts of parliamentary warfare. His personal relations on both sides of the House were inspired by a kindly sentiment which, as is happily so often the case here, forgot the differences of politics and the acrimony of partisan contentions. Possibly this is only characteristic of American politics, for Max O'Rell, that amiable critic of nations, has been pleased to find our public life free from the touch of the universal malice which turns the politics of his own country into a standing quarrel.

I have many reasons to remember the cordial good will with which Judge Houk took my hand when I came here a stranger and entered upon the perplexing business in which we are engaged. He was a friend, ready in sympathy and disinterested in counsel. The news of his death brought to my heart a personal affliction and I have taken a part in the exercises of this hour because I wish to leave in the record of this memorial ceremony a public tribute to one whose memory I cherish with a sincere admiration.

Death has already begun to do for this Congress the fatal work that in the last filled so many days with the signs of mourning. As these solemn announcements are made from time to time, I often think of a venerable figure now gone from the noise of life, who, when the death of an eminent statesman was announced here, sadly recalled with profound feeling the words of the old monk, in Southey's narrative, as he showed to a serious traveler in the Escurial Titian's famous picture of the Last Supper. "I have sat," said he, "daily in sight of that picture for now nearly three score years. During that time my companions have dropped off, one after another, all who were my seniors, all who were my contemporaries, and many or most of those who were younger than myself. More than one generation has passed away, and there the figures in the picture have remained unchanged. I look at these until I sometimes think that they are the realities and we are the shadows." [Applause.]

Mr. HAUGEN. Mr. Speaker, it is a laudable custom that calls us together this afternoon to pay a passing tribute to the memory, the service, the friendship of our departed associate.

Leonidas Campbell Houk led an eventful life; eventful to himself, to his State, and to the nation. Born in a humble home and spending his early years among the honest yeomanry of Tennessee, earning his livelihood by the sweat of his brow, he became from childhood imbued with those sympathies for the humbler walks of life, and that respect and consideration for that large majority of our citizens, the toiling masses, which was ever present to his mind in his legislative work. He was a true representative of the people. There was no false pride about him, and I have heard him on this floor allude touchingly to the struggles of his early life and his humble surroundings.

He was too loyal to himself to seek to appear in any but his true character. He indulged in no shams. He was ever true and loyal to that large majority who can neither live in palaces nor dress sumptuously, but who are the creators of wealth, and who form that substantial basis upon which our whole social and political fabric rests. He was in touch with the masses from the day of his birth.

Learning early to respect labor, he instinctively abhorred and detested slavery, and when it came to the arbitrament of arms to keep that institution alive, there was but one choice for a man of his natural convictions to pursue.

Surrounded on all sides with disloyalty, Freedom mustered a gallant band of East Tennesseeans, devoted to liberty and humanity, and in that band of noble and immortal patriots young Houk became a leader of thought and of action.

It can not be estimated how valuable was this assistance, from within the very ranks of the Confederacy, to the Northern cause. To them Tennessee owes the credit of retaining, at least as far as their section of the State went, loyalty to the Union.

We are still too near the time of the conflict and the political struggles which followed to look with impartial eyes upon the leaders in that important drama. But when the great struggle for liberty and for the preservation of the Union shall assume that position in our history, as does Scotch-English border warfare in the history of Great Britain, some Walter Scott will immortalize that band of noble patriots, who, breaking through the prejudices of their surroundings, saved the honor of East Tennessee.

Mr. Houk was a natural leader among men. He was instinctively a "Democrat," using that word in its primary and noble sense. He led men, not by imperiousness, but because he was in full and complete sympathy with them. They knew they could trust him at all times, for their cause was his, and his very heart and being were devoted to the elevation and improvement of their conditions, as far as legislation can effect that purpose. He was not chimerical, but practical. He possessed a sound judgment and indomitable courage in execution. He was of a genial and generous disposition and forgetful of himself to serve a friend. And to him there was no dearth of warm and enthusiastic friends.

Serving with him on the Committee on Elections of the last Congress, I learned to love and admire him for his devotion to what he believed to be right, and the generosity with which he met those whose opinions differed from his own.

Mr. Houk was a partisan. In public life he could not be otherwise. But his party contentions on this floor, although at times earnest and even heated, never approached personal animosity, and never followed him beyond the doors of this Chamber. He attacked the principles of his adversary, not his person.

He was an earnest and at the same time entertaining speaker, zealous for his cause and of his rights. No man had a higher sense of national honor than he, and he was an impassioned ad-

vocate of the rights of those who held legal claims against the Government, and severely rebuked that economy which could be attained only by doing injustice to individuals. To him a refusal on the part of Congress to make necessary provision for the payment of honest and unquestioned claims was a disgrace to the country.

Simple in manner and approachable at all times, he kept in close touch with his friends and neighbors, and his death was lamented by thousands of his constituents, who wept, we are told, at his open grave as they would at the grave of a brother.

Mr. Houk had for years before his death been in feeble health. But he was a cheerful sufferer, uncomplaining, devoted to his duties, and with that hopefulness of the future which accompanies a just and upright life.

To such men as our departed friend the dissolution of the mortal body is merely the release of that soul, which—

> * * * Secured in her existence, smiles
> At the drawn dagger, and defies its point.
> The stars shall fade away, the sun himself
> Grow dim with age, and Nature sink in years;
> But thou shalt flourish in immortal youth,
> Unhurt amidst the war of elements,
> The wrecks of matter and the crush of worlds.

[Applause.]

Mr. COVERT. Mr. Speaker, in the great sisterhood of States constituting the Republic, the Commonwealth of Tennessee stands out prominently in exceptional directions. Nature has been most lavish in the dispensation of her gifts to this favored region.

Her natural resources have given her an exceptional present prosperity and the added promise of a still more successful future.

But rich as Tennessee is in her mineral and agricultural resources, she is richer still in the character of her people.

Her citizenship is composed of a strong and sturdy race of men, whose progressive spirit has successfully supplemented the work which nature so generously commenced.

The character of a people may very readily be determined by the manner of men who are sent to act for them at the national capital.

The State of Tennessee has been represented here ever since I have had any knowledge of the conditions by a delegation of thoroughly equipped men, alert in action, earnest in endeavor, and patriotic in purpose. Of such mold and of such character was he who for so many years represented the Knoxville district, and through whom the needs and wishes of his people were so eloquently and so effectively voiced in this Chamber.

It is not my purpose to speak in detail of the life and public services of him who, living we greeted as a friend, and whose memory we are met to-day to honor. This task has been most graciously and lovingly performed by his colleagues on both sides of this House.

We find from what they have told us that the lives of some men have about them the elements of romance; and the career of him who up to the close of the last Congress was a familiar figure in this Hall, is an illustration of the truth of this statement.

His cramped and straitened boyhood among the mountains of East Tennessee; his studious young manhood; his single-handed battle against "those twin jailers of the human heart, obscure birth and iron fortune;" his success at the bar; his career in the Legislature of his State; his elevation to a judgeship; his prompt and patriotic service in the field, when, torn and disrupted by the civil war, East Tennessee stood loyal to the Union, and finally, his long and distinguished career in this House—all have been detailed to us to-day by those who knew him best, and so knowing, loved and honored him most.

The life record of Leonidas C. Houk has about it not only the element of romance, but, more than this, it has about it all the distinctive elements of the best and truest heroism.

I shall detain this House to-day while I speak only of one element in a character which embodied very much of what was admirable—that of deep and earnest sincerity—a quality somewhat lacking in some, at least of those who hold official position to-day. Judge Houk was, above all else, if I judged him correctly, an eminently sincere man.

He felt deeply and gave honest expression to his feelings. He was a Republican from sincere conviction, and he never hesitated to make an honest fight against his political opponents.

If he had enemies to punish, the chastisement was inflicted in the open field, and without any empty prior negative declaration. In reaching any one of the various positions of honor he was called upon to fill, no prior mortgages upon his official action were ever given as means of attaining success, and no places or positions were used by him as personal possessions to be bestowed simply as rewards for personal support. If he ever made a voluntary pledge to be absolutely fair and just in the discharge of any official duty (and I doubt if he ever regarded it as at all necessary to make such a declaration), that pledge was not an empty form, but was an obligation to be most sacredly observed.

He fought for the substantial advancement of his party upon what he believed to be the higher and better lines of action, and he was not of those who think a faction triumph, resulting in personal success, better and more important than a party victory resulting in a supposed general good.

The death of any man would fail in one of its greatest purposes if it failed to lead the living into processes of examination and comparison.

Here, then, comes one of the chiefest lessons taught by the death of this sincere and outspoken Tennesseean.

Here, then, is the test. Let the public man of to-day, however exalted his official position, ask himself if he has the manly honesty, the simple sincerity, which characterized him of whom I speak.

Let him look into the clear mirror of our dead friend's character, and see if that mirror reflects back his own likeness.

> His words were bonds, his oaths were oracles,
> His love sincere, his thoughts immaculate,
> His heart as far from fraud as heaven from earth.

And now the curtain has fallen upon this stirring life drama, which, commencing in the mountains of Tennessee, had its action alike in the crowded court room, amid scenes of blood and carnage upon the battlefield, and closed with the exacting duties of legislation at the Federal capital. That all of Judge Houk's official obligations were well and worthily performed is abundantly proven by his long retention in the public service. That these services were gratefully appreciated and that he who rendered them was loved and respected is more than demonstrated by the universal sorrow felt at the announcement of his sudden death.

The State of Tennessee has lost one of her bravest, manliest sons, and the Congress of the United States one of its most zealous and faithful members.

There is a grief too sacred almost to be publicly alluded to, and I shall not speak of the nearer and deeper personal loss sustained by the widow and the fatherless, whose only heritage is the record of honor bequeathed to them by the devoted husband and fond father, who is to-day so deeply mourned.

Under the sod of the State he loved so well and to whose service he ungrudgingly gave the best years of his manhood, lies all that is mortal of our late associate.

An active, earnest life is ended. The shock of the battlefield and the sharp conflicts of professional and political strife are over; and the jurist, the soldier, and the statesman at last finds rest and peace in an honored grave.

> Here lurks no treason, here no envy swells,
> Here grow no damned grudges, here no storms,
> No noise—but silence and eternal sleep.

[Applause.]

Mr. BROSIUS. Mr. Speaker, I comply all the more cheerfully with the request with which the friends of the deceased have honored me to make some observations on this occasion, to which many others might perhaps with greater propriety address themselves, because I felt a sincere respect for our friend when living, and, dead, I venerate his memory.

When I first saw him on this floor with his powers in a state of exertion—in action on his chosen field—and noted the vigor of his mind, the celerity of his thought, and the clear-cut, incisive character of his debate, in connection with the peculiar and grotesque elements in his style, which embroidered the web of his argument, I thought he was a singularly interesting and picturesque character. When I learned something of his career—how firm his convictions, and how loyal he was to them; his love of justice and equality and his splendid fidelity to these principles—I found so much in him to admire that he never ceased to engage my interest and command my respect.

Born in a cabin, cradled in poverty, schooled in adversity, apprenticed to toil, spurred by the incentive of difficulties, succeeding by tireless endeavor, winning esteem and confidence by stainless probity, until by bearing the cross of hard circumstances he won the victor's crown of just applause for having deserved well of his country.

Beginning a career by gazing at the stars of night through rifts in the roof that sheltered his pillow, and ending it with stars of nobleness glittering on his brow, has been largely the story of American greatness, and such is the history of the friend whom we mourn to-day.

How instructive the lesson of such a life. To contemplate it and emulate it is the only way to make it profitable to us. Death comes like a faithful schoolmaster with the open book of a closed life, and assigns the lesson which we must study or lose its teaching. In contributing one little flower of affectionate re-

membrance to the chaplet with which the appreciation and esteem of those who knew him longer and better than I have garlanded his memory, I can not do better than to emphasize the pregnant lesson of his life. In doing so, I will seek nothing in his character or career, if anything there be, that does not command my respect and deserve my praise. In the presence of death all voices are silent save those of sincere sorrow and respectful eulogy. Criticism is mute. Censure has no tongue. This is the immunity of the grave.

No finer tribute can ever be paid to our system of free institutions, founded upon the equality of man, than such a career as this occasion presents for our contemplation. Among the glories of American political and social life which our history will illustrate and perpetuate there is not one that will shine down the ages with a more supernal splendor than that distinguishing character of our institutions which saves us from the fixed horizontal strata common in the Old World, through which few ever pass from below upward, and gives us instead a social formation as mobile as the sea, where the lowest drop, winged with merit, may rise until it glitters on the topmost crest.

This is attested in a most striking manner by the great number of aggressive and effective men by whom our public life has been adorned who were of humble origin and scanty scholarship, with no degrees to boast of and no diplomas to show.

From its first meeting, in 1774, to its last, in 1788, it is said 354 men sat in the Continental Congress, and two-thirds of them were self-made men. Of the seven or eight thousand men who have sat in Congress since 1789, many more than half rose from obscurity to eminence by their own unaided exertions.

Our departed friend is only the latest of a long and distinguished roll who have made our history luminous with a glow that only comes from characters which have had all base alloys melted out in the forge fires of adversity. No adventitious aids—neither birth, nor rank, nor fortune—helped him upward toward the clear-aired heights he reached and kept. His allies were parts and poverty. He climbed with beak and claw. The spurs he wore in the tournament of life were fashioned by his own effort and buckled to his heels with his own hands.

He early learned that the genius of success was the genius of toil. The only Aladdin's lamp he ever knew was a heroic soul, that no difficulty could ever daunt. His courage never sank before an adverse cast of fortune. His fortitude never failed to honor the heaviest draft made upon it. His industry was all-conquering, and his ambition invincible.

He stood so high in the hearts of the rugged mountaineers of East Tennessee, whom he so long represented, and whom he generously helped in ways which gratitude will preserve in perennial green, because of the splendid cluster of heroic qualities which were seen and admired by all his people.

In this elevated arena, which was the scene of his latest exertions and most enduring triumphs, his characteristic attributes, the virile qualities which made him a strong personality were observed and felt by all. When inspired by conviction and commanded by duty he turned neither to the right nor the left, but straight as an arrow in its flight went he to the task before him. He was a hard fighter, but an honest one. The man who broke a lance with him was sure

> To know the joy that warriors feel
> In foemen worthy of their steel.

The fiercer the onset and the deeper the combat the better the field was suited to his powers. The greater the issues involved, the stronger the passions aroused, the more tempestuous the debate, the more he delighted in the encounter. He was rigged for storms. And herein is the trial proof of man's mettle.

> The sea being smooth,
> How many shallow bauble boats dare sail
> Upon her patient breast, making their way
> With those of nobler bulk?
> But let the ruffian Boreas once enrage
> The gentle Thetis, and, anon, behold
> The strong-ribbed bark through liquid mountains cut.
> * * * * *
> Where then's the saucy boat
> Whose weak untimbered sides but even now
> Co-rival'd greatness? Either to harbor fled,
> Or made a toast for Neptune.

He was a strong-ribbed bark, and the sea was wild and raging indeed if he did not outride the storm.

But he had none of the pride that is ashamed to yield when convicted of error; none of the obstinacy that delights in contention for its own sake.

If he was fierce toward his antagonist, it was only while the battle was on. If he was quick with the retort, it was only when much enforced that he emitted the spark and was straightway cold again. If the keen lash of his sarcasm sometimes drew blood, it was only from those whom he believed were cringing sycophants of injustice and wrong. If he sometimes showed the heat of passion, he never betrayed the poison of malice. The antagonist whom he fought he could afterward love like a brother. He never nursed contention, nor sought fresh cause of enmity.

As the old Saxons covered their hearth fires at the sound of the evening curfew, so was he always ready at the end of each day to cover the embers of its struggle and strife. I have heard it said he had charity enough to love the man that hated him and to forgive an enemy. It is one of the high tests of a great soul that it foregoes revenge and dares to forgive an injury. He would touch palms and hearts with men of all views as long as they were sincere, and he was apt to cultivate the flowers that bloom over the walls of party politics. I have mistaken the man if he did not feel, in the calms that followed the storms of controversy, toward all men, friends and foes, that beautiful sentiment which holds the human family in the bonds of unity and love—

> That we are children of the same father, traveling toward the same home, and hoping to sit down at last at the same banquet, and therefore we should love one another.

It is thus seen what an instructive career has closed on earth. He did not live man's appointed time. The mysterious clock, which the Angel of Life wound up to run three score years and ten before handing the key to the Angel of the Resurrection, ran down before the lapse of the allotted time. But the bounds that are fixed to the duration of life do not always measure its worth. This career, though cut off in the midst of its usefulness, has not failed to teach that the path of duty is the upward way, that—

> Not once or twice in our fair land's story,
> The path of duty was the way to glory.

Is there yet a word that I can add that will carry on its wings solace to the bruised hearts of those who knew our friend best and loved him most? There is a tradition that among the Seneca Indians a singularly beautiful belief prevailed, that when a loved one died if they caught a singing bird and, binding it with messages of love and affection, released it over the grave of the departed, it would not fold its wings or close its eyes until it reached the spirit land and delivered the messages to the loved and lost. So may the friends who mourn to-day bind with messages of love the birds that are singing in their hearts songs of homage and affection, and, releasing them at the grave of the departed, may enjoy the solace of believing that they will not fold their wings until they reach the spirit land and deliver the messages to the loved and lost. [Applause.]

Mr. TOWNSEND. Mr. Speaker, in the death of Judge Houk the people of his district and the State of Tennessee lost an able and efficient Representative in the Congress of the United States, the whole country lost an eloquent and patriotic statesman, and the Republican party the leader of its forces and the most formidable champion of its principles in the Southern States.

Starting in life without any of the advantages that wealth is supposed to give, without influential friends, his early education a blank, his career furnishes another example of those who have achieved distinction and won success by their own courage, energy, and determination in this free Republic. His early manhood was spent amid the stirring scenes and incidents of the war of the rebellion. He espoused the cause of the Government with all the zeal and ardor of a patriot, and at 26 years of age was colonel of a Tennessee regiment in the Union Army.

In no section was there engendered more bitterness of feeling, nor more implacable hatred than in East Tennessee at that period. Neighbors, and not unfrequently families, were divided, and as the armies swept over that section, the bitter personal animosities found expression in murders, assassinations, and the wanton and willful destruction of private property. The outrages and wrongs perpetrated upon the Union people of East Tennessee will never be fully written.

Judge Houk emerged from that struggle a recognized leader and one of the foremost men of his section. He was elected seven times to a seat on this floor and by large majorities, which testify to the confidence and trust in which he was held by his own people.

His greatest usefulness to his country was in his service upon this floor. He was thoroughly American, and loved liberty and freedom as much as he loved the free air of his native mountains. His highest services were given for free speech, free ballots, and free men. He was admirably equipped for legislative duties. He had a pungent and humorous wit, a bitter sarcasm, a trenchant invective combined with the closest logic and great eloquence, all of which he called to his ready use in debate. He believed in the Republican party, and believed that its doctrines were essential to the peace, prosperity, and happiness of the citizens of the Republic. Protection to American industries and protection to the wages of American labor he believed to be inherited by the Republicans from the Whigs, and his admiration was unbounded for the gallant Whig leaders of his native State. John Bell, Meredith P. Gentry, Neill S. Brown, Gustavus A.

Henry, Emerson Etheridge, Bailie Peyton, Nathaniel G. Taylor, Thomas A. R. Nelson, Horace Maynard, and their associate Whig leaders were his ideals of broad and progressive statesmen, and his highest ambition was to be a worthy descendant and representative of the Silver Gray Whigs of Tennessee. He believed in the people of Tennessee, and no representative of that State was ever closer to the people than he. He was a manly man. No shadow ever crossed his personal on political integrity. His love for and confidence in the people of his State, together with his profound conviction and attachment to the Republican party, made him, *ipso facto*, a power in its councils. It would have been better for that party had they had more men of like character and influence in the Southern States.

The emancipation of the slave and the extension of suffrage to the colored man, as a result of the war, produced a political convulsion in the South that was incomprehensible to any other than a resident of that section. It aroused the most bitter and relentless antagonisms to the Republican party. It developed a feeling of caste that was the outgrowth of two hundred years of heredity in the relation of master and servant. Not considering for an instant that the colored man, by reason of fidelity to the Union cause and as a means for his future protection, was entitled to some consideration, his enfranchisement was regarded as a personal insult and humiliation to each individual who had sustained the rebellion.

To make the upholding of republican principles more difficult, much was done in the matter of administration that would seem to justify the direful predictions that were proclaimed from the rostrum, the press, and the pulpit. Many who were not native and to the manner born were clothed with the power and dignity of officials as representatives of the Federal Government under Republican Administrations, and while, as a rule, they were good men and efficient officers, they utterly failed to comprehend the actual social, economic, and political conditions of the South. They became widely known as the Federal ring throughout the Southern States, and undoubtedly hindered, embarrassed, and delayed the extension of Republican principles and the growth and well-being of the Republican party.

Judge Houk, with his familiarity and personal knowledge of existing conditions, boldly and fearlessly protested against all Federal rings in his own party, and sought to make his party strong by reason of its advocacy of honest and economical government and its liberal, wise, and humane policy toward all classes, upon a basis of absolute and exact justice without regard to race or color. While protesting against Federal rings on the one hand he raised his voice with equal power and force against all intimidation, violence, rascality, and fraud in elections upon the colored people on the other. He denounced with bitter invective all devices of fraud and suppression of votes.

He, with great eloquence and earnestness, appealed to the people of his section to lay aside their prejudices against an innocent race and recognize their legal rights, to treat them kindly, advise them, impart knowledge and instruction of their political rights and duties; to banish dishonest elections, and bring up their young people to believe that honest government could only be secured by honest elections, to hold the ballot box sacred that the liberties of our people should be perpetuated and endure.

The eloquent voice of Judge Houk was heard for the Republican party upon this floor and wherever his duty called him at all times in the advocacy of honest government, local, State, and national, and the rule of honest majorities secured by a free ballot and a fair count. And his sudden and untimely death in the prime of life is a loss to that party that is nearly, if not quite, irreparable. [Applause.]

Mr. PEEL. Mr. Speaker, the cause of the sad gloom we see resting upon the faces of all present, and the apparent gloom upon the walls of this Chamber, is known to us all. There is one conspicuous and well-known member of this body gone, and gone forever; that one is Leonidas Campbell Houk, of Tennessee. He died at his home in Knoxville May 25, 1891. The life and character of this distinguished fellow citizen is as remarkable as honorable. He was born in Sevier County, Tenn., June 8, 1836. His father, a poor mechanic, died when he was but 3 years old. His mother in a few years married again, but did not increase her financial fortune. Therefore, his early education was much neglected, only going to common country schools three months.

Notwithstanding all these embarrassments and obstacles, we find him educated, not by the polished teacher in the school room, but by the more rugged road of self-reliance and determination. God had given him a well-balanced brain and a will that knew no defeat. His heart and soul were inspired by that love of character and country which marked his long and useful career. Though fatherless and penniless, he resolved to rise among men. His young mind fed upon all useful literature that his scanty means would afford.

Scarcely in his teens we find him toiling in the field and shop for support. When night came, though tired and weary, the oil lamp was soon lighted, and his new labors began. Night after night he grappled with the dry and complex maxims of the law, until his mind was tired as his body. Knowing no failure, he pushed on until 1859, when he was admitted to the bar of his native State. His practice grew with the man; the lawyer who met him in a case was soon reminded of the old adage, "Beware of the lawyer with but one book." He continued his chosen profession with courtesy and success until the muttering thunders of war were heard. The time soon came when the public heart was troubled, when all ears were listening for words of wisdom and all eyes were looking for leaders.

It was then that young Houk was chosen to the loyal convention of his State, where he distinguished himself for his wisdom and loyalty to the old flag. And when the fierce clash of arms came, he did not wait for high-sounding titles or sparkling uniforms, but shouldered his musket and joined the army for the Union as a private. But it was not long until those over him saw that God had made him for something more than to shoot, and he was promoted to lieutenant in the First Tennessee Infantry. His loyalty to the service and gallantry in the field soon placed him at the head of the Third Tennessee as colonel, in which place he served with like fidelity until compelled to resign on account of ill health.

Not willing to cease his usefulness to the cause of the Union, he connected himself with the press. His writings, like his character, were vigorous, courteous, and strong. In 1864 he again was placed in the field as elector upon the Lincoln and Johnson ticket: was next elected to the State convention that reorganized his State government. When the smoke of the last battle had cleared away and the last soldier had stacked his gun Col. Houk was elected judge of the seventeenth judicial district of Tennessee, where he served with ability and satisfaction for four years; then he moved to Knoxville and resumed the practice of law. His great public service in the council chamber, in the field, and upon the bench so endeared him to the people of East Tennessee, that he was again called from that profession that he so dearly loved and learned by the midnight lamp to serve his country as a member of the Southern Claims Commission.

From that we find him serving his people as State legislator, in national Republican conventions, elector, etc., until he was elected a member of this body, commencing in the Forty-sixth Congress, succeeding himself to the Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, and Fifty-second Congresses. This long and varied public service shows how he was dearly loved by those who knew him best. He was their adviser, leader, and friend. He was the pride of his people, the idol of his party, and a faithful public servant. Judge Houk, as he was called, was a Republican in politics; he was not a Republican because he disliked Democrats, but because he believed in the principles of his party. He was a strong advocate at the bar, upon the hustings, or upon this floor; bold and aggressive in his views, yet tolerant, courteous, and kind. His heart was as warm as it was big. He loved his friends; nothing was too good for them that was his. He was a good husband, an affectionate father, an honest man.

Mr. Speaker, East Tennessee was loyal to the Union in our late civil war, while the balance of the State cast her fortunes with the South. The feeling between those who served in the contending armies was bitter and strong. When peace came the Union soldiery in that section largely predominated. The ex-Confederate felt that he had no friend except his comrades in defeat—ostracized, disfranchised, and outlawed. Indeed these were dark days for him. Judge Houk, like the brave and noble man he was, was the first in all Tennessee to proclaim from the house top in favor of equal rights for the ex-Confederate. He was the first man to take him by the hand and say, "We are American citizens, under the same flag, entitled to equal rights, legal and political, before the law."

This one act should endear his memory to all mankind. Tennessee, you have lost a true friend, an efficient, faithful servant. He is gone. With you we mourn, and accept his honored son. His death came when least expected; in usual health, at home with those he loved most tenderly, in the beautiful month of May, when all nature bloomed with full life, by the sad result of accidental poisoning, within a few brief hours he died. So sudden, so quick, that we are forcibly reminded of the lines written by some one:

Life, I know not who thou art;
But this I know, you and I must part.
How, when, and where first we met
I own to me is a secret yet.

It's hard to part with friends so dear;
'Twill cause a sigh, a tear.
Then steal away; give little warning;
Say not good night, but in some brighter clime, good morning.

[Applause.]

Mr. RUSSELL. Mr. Speaker, I came almost immediately from the burial of a beloved father to take a part in this service. My so recent experience impresses me with the sorrow and the sympathy of this occasion. The spoken word can only faintly express the pathos of feeling. But I gladly give brief speech as a tribute to the memory of a distinguished member of this House, with whom I was intimately associated in two former Congresses. The feeling I would cherish as kind and tender, almost as intimate, towards the son, the younger Mr. HOUK, who has become our associate in this Congress. We mourn the departure of the Hon. Leonidas C. Houk, the soldier, the jurist, the statesman, whose patriotism and valor, experience and ability, principle and fidelity gave him the respect and the reward of merit. We assuage sorrow in the presence and the fellowship of the son, whose worth surely has the example, the counsel, and the emulation of a noble sire. So this service appeals to me, as perhaps it may to others, as somewhat singular and duplex in its significance. I join in the expressions of peace and honor to the father, and at the same time in expressions of condolence and recognition to the son.

To me, as one of the youngest members of the Fiftieth Congress, the presence and prestige of the great Unionist from Tennessee were interesting. His acquaintance was sought, his friendship cultivated. He seemed to a young New Englander to represent the sturdy frontiersman of loyalty, and to possess that rugged character, which, joining ability and persistent effort, conquered obstacles and accomplished good, wise and large work for the benefit of his country. And with it all, the kind heart, the tender feeling, the noble emotions of mankind never became calloused or shriveled.

There is not an overabundance of unselfishness among Congressmen. It is sometimes doubted if there is always a surplus of genuineness in political action. Younger members can attest the consideration, the helpfulness, and the encouragement which come to them from their elders in service. Leonidas Houk was one who rightfully receives the acknowledgment of ready and cheerful aid to those associates who sought his counsel. If he had more or less—less as it seems to me—of the individual selfishness which governs in political places, he unmistakably had more than the ordinary degree of genuineness in public action. It was sometimes brusque and aggressive; it was fearless always. It left an impress of conscientious action on an honest belief. It sometimes took a course which might shock the trimming calculator in policy, but it gave to our friend the name of a stalwart in action on his political principle, as he saw the right and as he saw his duty. That one characteristic lives with me as a memory of Leonidas Houk—genuine courage of action in fidelity to his personal political belief in all matters, great or small. [Applause.]

Mr. MCMILLIN. Mr. Speaker, it is not my purpose at this late hour, after the exercises have been prolonged, to speak at great length on this occasion. Yet I do not feel inclined to let the opportunity pass of offering my humble tribute to one to whom in life I extended friendship, whose friendship in life I could boast, and whose death I sincerely mourn.

Thirteen years ago Judge Houk and I came to this Hall together. It saddens my heart, Mr. Speaker, when I think of the changes that have been wrought by the thirteen intervening years. At that time, at one end of this Capitol or the other, there were those great orators, since dead, Ben Hill, Roscoe Conkling, Matt Carpenter, Zack Chandler, Burnside, Beck, and a long line of others who might be mentioned, who have preceded our friend to the tomb. There were still others who have since left these halls, among whom might be mentioned Judge Thurman, McDonald, Kernan, and other illustrious statesmen. I say the scenes have changed since then, and we come now by these exercises to emphasize the fact that after all, and inevitably, our destiny will be that of our dead friend—the tomb.

Judge Houk came from the State called the "Volunteer State," because of the spirit of her sons, that sent them into the forefront of every conflict where the American citizen was called upon to convert himself into an American soldier. He came from that beautiful and picturesque portion of the State where the mountains rise to the clouds; a region that can boast that it was the inspiration of the sweetest of all nonscriptural songs ever written, for I have it indirectly from two persons, from John Howard Payne himself, that the inspiration of that incomparable song that has delighted so many hearts and dampened so many eyes, Home, Sweet Home, was seeing the Indians moving back and forth across the river before they were sent westward to their new reservation.

Judge Houk was a poor boy, as has been said by more than one speaker this evening. When I look at the long line of those who have become illustrious from an humble and poverty-stricken beginning, I begin to conclude that against which humanity struggles so very strenuously—Poverty—is a blessing rather than a curse to a young man. How many young men do you see who have the ability to satisfy every wish, to gratify every ambition, living without exertion, ever come to that prominence which characterized one who, like the eagle, is shaken off to dare the dangers and the glories of the skies.

Judge Houk came from Tennessee, noted for her heroism during the Revolutionary war; for it will be remembered by the student of history that when Ferguson sent across the mountains, then a portion of Western North Carolina, a statement that if they did not behave themselves he would send over the troops and chastise them, that great governor of Tennessee, and great soldier, Sevier, got with his friend Shelby. They sat down on a fallen log, and there, with that spirit which has been the strength of the American people in the past and is destined to be its bulwark in the future, determined that instead of waiting for Ferguson to send over his troops, they would go and capture Ferguson and his troops; and they did it at King's Mountain, thus making Revolutionary success possible. It is a region that has sent many poor young men to preëminence.

It is a State where poverty can not impede a young man in his march to preëminence and power, and where wealth has never yet succeeded in aiding any man to preferment.

What record is that of Judge Houk? Although it has been recounted, let me epitomize it. Born in 1836 and left an orphan, as stated by my distinguished friend [Mr. BRECKINRIDGE of Kentucky] at 3 years old; a lawyer, without the benefit of a prior education, except such as research gave without academics or colleges, at 23; a soldier at 25; colonel of his regiment at 26; member of the State constitutional convention at 29; judge of the circuit court at 31; member of the Legislature at 36; elected to Congress when 42, and serving six full terms and elected to his seventh before his death. This is a record of which his State, his family, and all poor young men in this country may be proud.

But, Mr. Speaker, there is one incident in the life of Judge Houk to which I desire to call attention, and upon which I would place special emphasis. We who were either lads or soldiers during the late war know how hard it was to shake off the prejudices that came with or lingered after it.

I remember the first time I saw Judge Houk. He was then, as he was before and after, a strong believer in the doctrines of the Republican party, and a strenuous advocate of its principles. But there was a conflict raging at that time in Tennessee. One of the questions involved, indeed the main question I may say, was whether those who had borne arms against the Government should have the right to vote restored to them, or should be forever excluded from the polls. If there were nothing else in his history, if there were nothing else to show the strength of the man and the magnanimity of his nature, the very fact that he stood up then against his party and spoke from one end of the State to the other and assisted greatly in carrying through the proposition to reënfranchise those who had been disfranchised and to make voters of those against whom he had fought, would be sufficient to make the grass grow greener over his tomb as long as I have a heart with which to be grateful. [Applause.]

You may say he was a partisan, and he was. You may say he was a fierce fighter in a political conflict, and he was. I like the partisan; I like the strenuous fighter; I like the man who, in the first place, has intelligence enough to have opinions, but I also like the man who has courage to avow them. It is no discredit of Judge Houk in my estimation that he had strong convictions and stood by them. He was not only a strenuous antagonist, but he was as bold as any lion that ever left lair. There never could be any doubt as to where he stood; but after the conflict was ended he was gentle, and then he had a feeling of brotherhood that rose above all politics and a patriotism that stood by him ever. Thus much I know of Judge Houk, and thus much I know better than any man in this House concerning his action in favor of enfranchisement, for I happened, when I was a law student in 1869, to be present at one of his speeches when he advocated the broad rights of man and put forth the doctrine that, where the strongest efforts had been made to enfranchise those who had recently been in slavery, the men who had done that could never justify themselves in the eyes of their countrymen or of posterity if they at the same time withheld from those who had formerly been free, whose fathers had fought the war of the Revolution and established the Constitution and carried our country to glory—that they could never justify themselves if they kept those men from the polls whilst others were permitted to go there.

But, Mr. Speaker, having said thus much, I will close by saying that those who knew Judge Houk best loved him best, and whoever knew him well will say amen when I declare that in all this House and in all the region that knew him, or knew of him, there goes forth a sympathetic palpitation of the heart to those loved ones who are left with a home darkened by his death. [Applause.]

Mr. CHEATHAM. Mr. Speaker, there have already been so many grand and truthful things said about the distinguished deceased that I shall find it difficult to steer clear of the same channels in order to avoid repetition. However, the removal of the name of Hon. Leonidas C. Houk from the membership of this body by the great hand of death was not only a sad and deplorable event with the great State of Tennessee, that had so wisely seen fit to honor him, but his brave, though conservative and eventful national career, together with the sad manner by which he came to his death, caused the whole country to feel keenly his untimely death. Judge Houk was in many respects a wonderful man; he did not only manage, with his limited means and opportunities, to elevate himself from the humble walks and conditions of life to a more honorable and exalted plane and there remained with contentment and ease, but he ventured further.

In his struggles along the rugged and thorny pursuits of time, seeking a share of the honors and laurels of this life, he soon reached the station of usefulness where he had a chance to convince men of the moral and intellectual powers which he possessed. He became an able advocate at the bar, in which sphere he gained for himself a lasting and imperishable reputation, and step by step he ascended the arena of responsibilities and public trust in his State. After serving upon the circuit court bench and in the State Legislature with peculiar adaptation and distinction, he was then honored with thirteen consecutive years in this body. Here he tied and endeared to him the hearts of not only his party friends, but all lovers of fair and just legislation, for upon all such issues, in Congress, he was positive, forcible, and outspoken, and on account of his ardent and unqualified devotion to the best interest of the common people of his district and State he was always more than a match for any scheme or combined political forces to defeat him before the people.

I have been familiarly acquainted with Judge Houk for several years, and there was one particular and grand trait of character about him which I very much admired; out of his broad and liberal heart always poured forth indications of sympathy and willingness to encourage and assist the poor and needy classes of the people, and as such they always looked to him for kind words and protection. The humblest peasant upon the streets could approach him with ease. He was perfectly friendly, courteous, and conservative in his views; he often expressed to me his desire to see our Government assist in some way in the elevation of the poor white and black people of our land. He thought it could best be accomplished through some educational measure by Congress, and although he was thoroughly conversant and alive upon all great issues before this body and the country, he was, nevertheless, awakened and mindful of the small and minor interests of the people.

He always argued with great force and clearness that the black man of this country had rights as an American citizen, and as such they should be respected and protected, and for further example of his interest in the welfare of the colored people, he thoroughly believed that the United States Government should reimburse the depositors the $3,000,000 which they lost in the United States Freedman's Savings Bank. For these liberal and just views the colored people in his district and State and in the United States, as far as they knew him, wish to pay through me this tribute of respect to his memory. They believe with me that such noble-hearted men, such lovers of right and justice to all classes and conditions of men, can not miss their reward in the great and sublime hereafter. [Applause.]

Mr. TAYLOR of Tennessee. Mr. Speaker, I move the adoption of the pending resolutions.

The resolutions were adopted; and the House then (at 4 o'clock and 30 minutes p. m.) adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. BRANCH: A bill (H. R. 5032) for the relief of E. W. Pelliter—to the Committee on War Claims.

Also, a bill (H. R. 5033) for the relief of Zaddock Meadors—to the Committee on War Claims.

By Mr. BRICKNER: A bill (H. R. 5034) to increase the pension of Michael Lahey—to the Committee on Invalid Pensions.

By Mr. CAPEHART: A bill (H. R. 5035) referring the claim of John Burns against the United States to Court of Claims—to to the Committee on Claims.

By Mr. CUTTING: A bill (H. R. 5036) authorizing and directing the proper accounting officers of the Treasury to audit and pay the claims of certain laborers in the custom-house at San Francisco, Cal.—to the Committee on Claims.

By Mr. FITHIAN: A bill (H. R. 5037) for the relief of Mason Hedrick—to the Committee on War Claims.

By Mr. GOODNIGHT: A bill (H. R. 5038) to pension Hector W. Summers, of Auburn, Ky.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5039) for the relief of W. H. Denham, of Barren County, Ky.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5040) for the relief of John W. Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5041) for the relief of William H. Flowers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5042) for the relief of James P. McIntyre, removing charge of desertion—to the Committee on Military Affairs.

By Mr. HENDERSON of North Carolina: A bill (H. R. 5043) for the relief of P. B. Kennedy, surviving partner of Dalton & Kennedy—to the Committee on Claims.

By Mr. MEREDITH: A bill (H. R. 5044) for the relief of Henrietta O. Marshall, administratrix of Louisa Summers—to the Committee on War Claims.

By Mr. RUSK: A bill (H. R. 5045) to increase the pension of Jane Boswell Moore Bristor—to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 5046) for the relief of Burks Fitzgerald—to the Committee on War Claims.

Also, a bill (H. R. 5047) for the relief of George O'Donnell—to the Committee on War Claims.

Also, a bill (H. R. 5048) for the removal of the charge of desertion against the name of Frank S. Stuart, alias Francis Sharkey—to the Committee on Military Affairs.

Also, a bill (H. R. 5049) to remove the charge of desertion against Lucius L. Dyer—to the Committee on Military Affairs.

Also, a bill (H. R. 5050) for the relief of Daniel C. Rodman and others, sureties on the bond of Ozias Morgan—to the Committee on Claims.

Also, a bill (H. R. 5051) to pay to holders of Kaw or Kansas Indian scrip the balance of interest due upon said scrip—to the Committee on Indian Affairs.

By Mr. SAYERS (by request): A bill (H. R. 5052) granting a pension to James Champlain—to the Committee on Invalid Pensions.

By Mr. SHONK: A bill (H. R. 5053) for the relief of Owen Lee, late private of Company B, Tenth Regiment New Hampshire Volunteers—to the Committee on Invalid Pensions.

By Mr. STUMP: A bill (H. R. 5054) for the relief of Jacob Ruff—to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 5055) for the relief of Arterberry Chapman—to the Committee on Military Affairs.

PETITIONS, ETC.

Petitions and resolutions were, under the order adopted by the House January 5, delivered to the Clerk and referred as follows:

By Mr. BLAND: Account or demand of R. B. V. Nipper, for $4,840 against the United States Government for services rendered the Government during the war of the rebellion—to the Committee on War Claims.

By Mr. BRANCH: Petition of Josiah L. Bell, of Carteret County, N. C., praying for the reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. BRICKNER: Petition of the Board of Trade of Arcadia, Wis., asking for a reduction of letter postage to 1 cent per ounce—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER: Two petitions of citizens of Floyd County, Iowa, and petition of citizens of Worth County, Iowa, praying the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

Also, petition of citizens of Worth County, and of citizens of Floyd County, Iowa, praying the passage of the so-called Conger lard bill—to the Committee on Agriculture.

By Mr. COMPTON: Papers in the matter of the United States against Cement D. Hill—to the Committee on Claims.

By Mr. DAVIS: Petition of citizens of Kansas, urging the passage of House bill 5353 of the Fifty-first Congress, known as the option bill—to the Committee on Agriculture.

Also, petition of citizens of Kansas, urging the passage of the Conger lard bill of the Fifty-first Congress—to the Committee on Agriculture.

By Mr. ENGLISH: Petition of C. H. Mann and of David A. Kenedy, in favor of adopting the metric system in the customs service—to the Committee on Coinage, Weights, and Measures.

By Mr. HARTER: Petition of John Sheeley, Company D, Fifteenth Ohio, for arrears of bounty, transportation, and commutations of rations—to the Committee on Claims.

By Mr. HAYES: Petition of citizens of Butler Township, Jackson County, Iowa, in favor of the option bill—to the Committee on Agriculture.

Also, petition of citizens of Butler Township, Jackson County, in favor of lard bill—to the Committee on Agriculture.

Also, petition of citizens of Jackson County, Iowa, in favor of the option bill—to the Committee on Agriculture.

By Mr. HERBERT: Resolution by Rescue Harbor, No. 14, American Brotherhood of Steamboat Pilots of the United States, approving of the passage of a bill to transfer the revenue marine to the United States naval establishment—to the Committee on Naval Affairs.

By Mr. HOLMAN: Petition of Jackson Newkirk, for increase of pension—to the Committee on Invalid Pensions.

Also, petition of Nancy Smith, for a mother's pension—to the Committee on Invalid Pensions.

By Mr. KETCHAM: Petition of Rev. Dr. Lyall and 4 others, of Millbrook, N. Y., for the establishment of an international court for the settlement of differences between nations—to the Committee on Foreign Affairs.

Also, petition of Smith L. Philips and 23 others, of East Chatham, N. J., against any appropriation for the World's Fair unless provision is make for closing the Exposition on Sundays and the sale of intoxicating drinks is prohibited on the grounds at all times—to the Select Committee on the Columbian Exposition.

By Mr. McCREARY: Petition accompanying House bill for the relief of the Three Forks Battalion of the State of Kentucky—to the Committee on Invalid Pensions.

Also, petition accompanying House bill for the relief of William K. Denny—to the Committee on War Claims.

By Mr. MUTCHLER: Six petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. O'FERRALL: Petition of James and Virginia Thockmorton, of Clark County, Va., praying that their claims for stores and supplies may be referred to the Court of Claims under the provisions of the act of March 3, 1887, commonly known as the Tucker act—to the Committee on War Claims.

By Mr. RAYNER: Papers in the matter of James M. Trotter, of Hyde Park, Mass.—to the Committee on the District of Columbia.

By Mr. RUSSELL: Petition of citizens of Norwich, Conn., for pension to Mary Ann Tracy, daughter of David Tracy, an officer in the Mexican war—to the Committee on Pensions.

Also, petition of citizens of Norwich Conn., for free delivery of mails in country districts; of citizens of Franklin County, for the same purpose—to the Committee on the Post-Office and Post-Roads.

By Mr. SAYERS: Petition of James Champlin, for a pension—to the Committee on Invalid Pensions.

By Mr. STONE of Kentucky: Memorial of citizens of Hickman County, Ky., praying for the passage of the bill known as the Butterworth option bill—to the Committee on Agriculture.

Also, petition of citizens of Hickman County, Ky., praying for the passage of the law placing a revenue tax on compound lard—to the Committee on Ways and Means.

By Mr. STEWARD of Illinois: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congresss shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. STUMP: Memorial of the American Defense Association, asking for a strict enforcement of immigration laws, and for further legislation—to the Select Committee on Immigration and Naturalization.

By Mr. TOWNSEND: Resolutions of the city council of Pueblo, Colo., indorsing the resolutions of the Irrigation Congress held at Salt Lake, Utah, September 17, 1891—to the Select Committee on the Irrigation of Arid Lands in the United States.

Also, resolutions of the Longfellow Republican Club, of Denver, Colo., in favor of excluding the Chinese by legislation—to the Committee on Immigration and Naturalization.

By Mr. WEADOCK: Petitions of citizens of Jackson, Mich., for improvements in Mackinac Park—to the Committee on Public Buildings and Grounds.

Also, petition of Edson, Moore & Co., and others, for the improvement of National Park, at Mackinac, Mich.—to the Committee on Public Buildings and Grounds.

Also, petition of George N. Weadock and others, for improvement of Mackinac National Park—to the Committee on Public Buildings and Grounds.

By Mr. WIKE: Petition of Mister Highfill and others, of Jersey County, Ill., for the enactment of the Conger lard bill—to the Committee on Agriculture.

Also, petition of C. P. Stafford and others, of Jersey County, Ill., for a law to prohibit dealings in futures and options—to the Committee on Agriculture.

By Mr. WISE: Petition of Richard Fox, of the city of Richmond—to the Committee on War Claims.

By Mr. WRIGHT: Memorial of the Young People's Society of Christian Endeavor, of Ulster, Pa., protesting against the exportation of alcoholic liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, a petition against the selling of liquors, Sabbath breaking, and impurity of art in the World's Fair Exposition—to the Select Committee on the Columbian Exposition.

SENATE.

MONDAY, *February 1, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 25th ultimo, a report of the Chief of Engineers relative to the completion of the tunnel in process of construction between the two reservoirs in the District of Columbia, and the estimated cost thereof, etc.; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in compliance with law, an abstract of the militia force of the United States, organized and unorganized, according to the latest returns received at the office of the Adjutant-General for the year 1891; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

REPORT OF THE COMMISSIONER OF PATENTS.

The VICE-PRESIDENT laid before the Senate the annual report of the Commissioner of Patents for the calendar year 1891; which, with the accompanying papers, was referred to the Committee on Patents, and ordered to be printed.

ROCK CREEK RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting the report of the Rock Creek Railway Company, giving names of stockholders and receipts and expenditures to December 31, 1891; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a resolution adopted by the Board of Trade of Baltimore, Md., reaffirming its action approving the transfer of the Revenue Marine Service to the Navy; which was referred to the Committee on Naval Affairs.

He also presented a petition of Sanctuary Local Assembly No. 2672, Knights of Labor, of Washington, D. C., praying for the passage of a bill to authorize the collection of statistics relative to the slums of cities having a population of 200,000 and over; which was referred to the Committee on Education and Labor.

He also presented the petition of Mrs. C. J. Homiston, of Brooklyn, N. Y., praying to be allowed a widow's pension; which was referred to the Committee on Pensions.

Mr. TURPIE presented additional papers to accompany the bill for the relief of Margaret M. Rice; which were referred to the Committee on Pensions.

He also presented additional papers to accompany the bill granting a pension to Samuel Campbell; which were referred to the Committee on Pensions.

He also presented additional papers to accompany the bill granting a pension to William C. Tartington; which were referred to the Committee on Pensions.

He also presented the petition of George M. Wright, guardian of the estate of Martin Jones and Viola Jones, of Shelby County, Ind., praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. DAWES presented a petition of the Chamber of Commerce, of Boston, Mass., praying for the transfer of the Revenue Cutter Service to the Navy Department; which was referred to the Committee on Naval Affairs.

Mr. DAWES. I present a petition of the Cambridge Branch of the Massachusetts Indian Rights Association, praying for appropriate legislation for maintaining the Indian schools and for the establishment of a system of courts of law for Indians upon reservations; and also expressing their opposition to the removal of the Southern Utes. As the petition pertains to subjects which are under the jurisdiction of three separate committees,

I do not know exactly where it should be referred, but I think it should be referred to the Committee on Appropriations. I make that motion.

The motion was agreed to.

Mr. ALLISON presented the petition of Arthur B. Wilson and other citizens of Decorah, Iowa; the petition of Bessie Beard and 63 other citizens of Iowa, and the petition of C. L. Brown and 112 other citizens of Iowa, praying that the World's Columbian Fair be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Young People's Society, Swedish Mission Church, of Boone, Iowa, praying that the World's Columbian Fair be closed on Sunday, that the sale of liquor thereat be prohibited, and that the art department be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Stewart Bell and other citizens of Greene County, Iowa; the petition of Walter Jamison and other citizens of Brandon, Iowa; the petition of Thomas Cowley and other citizens of Clayton County, Iowa, and the petition of Robert Sterling and other citizens of New Hartford, Iowa, praying for the passage of what is commonly known as the option bill; which were referred to the Committee on the Judiciary.

He also presented petitions of representatives of the Young People's Society of Christian Endeavor and citizens of the State of Iowa, praying for the enactment of such laws as will suppress the exportation of alcoholic liquors from the United States to Africa; which were referred to the Committee on Foreign Relations, as follows:

Petition of Carrie McKay and 7 others.
Petition of Naomi Reed and 19 others.
Petition of Mrs. N. R. Clift and 41 others.
Petition of A. J. Pemberton and 32 others.
Petition of L. W. Morgan and 48 others.
Petition of F. A. Hizer and 29 others.
Petition of Peter D. McCormack and 24 others.
Petition of Jennie Gilbert and 14 others.
Petition of W. H. Clark and 14 others.
Petition of P. S. Van Horn and 22 others.
Petition of Alva Lynde and 64 others.
Petition of P. G. Miller and 7 others.
Petition of Ella Reinking and 52 others.
Petition of J. J. Grove and 31 others.
Petition of Joel Myers and 31 others.
Petition of Daniel McPherson and 36 others.
Petition of Cora Weston and 10 others.
Petition of Winifred Carpenter and 30 others.
Petition of J. B. Griffith and 16 others.
Petition of May Hoskins and 8 others.
Petition of H. H. Bush and 16 others.
Petition of John Moore and 29 others.
Petition of Otto C. Bechman and 22 others.
Petition of W. D. Conn and 16 others.
Petition of H. L. Chatterton and 10 others.
Petition of Mrs. Peter Stelle and 49 others.
Petition of Bertha L. Mitchell and 12 others.
Petition of E. Kluckhohn and 16 others.
Petition of Maude McManus and 25 others.
Petition of Paul Wendt and 29 others.
Petition of Mrs. Annie W. Hand and 11 others.
Petition of E. D. Brown and 27 others.
Petition of D. W. Fahs and 33 others.
Petition of T. N. Buchanan and 29 others.
Petition of H. K. Greenman and 29 others.
Petition of Sarah Hassinger and 124 others.
Petition of A. C. Taylor and 33 others.
Petition of A. E. Barnes and 27 others.
Petition of C. E. Fitch and 9 others.
Petition of Gertrude McMillan and 16 others.
Petition of Charles W. Major and 30 others.
Petition of Florence A. Glover and 24 others.
Petition of Jessie J. Voorhees.
Petition of Lizzie M. Ellis and 15 others.
Petition of E. F. McCartney and 6 others.
Petition of Elizabeth Lynch and 9 others.
Petition of Laurence Mather and 20 others.
Petition of W. J. Colbert and 27 others.
Petition of Grace Lawshe and 36 others.
Petition of Lutie M. Craft and 29 others.
Petition of E. W. Bisbee and 49 others.
Petition of W. G. Rice and 42 others.
Petition of Essie Lumm and 13 others.
Petition of S. C. Hunter and 15 others.
Petition of J. F. Difenbaugh and 13 others.
Petition of May R. Foote and 18 others.
Petition of Lillian Cox and 15 others.
Petition of Sarah Martin and 14 others.
Petition of W. H. Linfor and 14 others.
Petition of Mamie L. Smith and 46 others.
Petition of Lucile Park and 18 others.
Petition of Fred W. Long and 24 others.
Petition of Myrtle Williams and 40 others.
Petition of C. W. Buchanan and 21 others.
Petition of A. W. Brownlie and 31 others.
Petition of Lizzie Duerr and 11 others.
Petition of E. B. Chase and 23 others.
Petition of W. Burns Ryder and 18 others.
Petition of Willie Cummings and 38 others.
Petition of J. B. Little and 20 others.
Petition of O. E. Payne and 26 others.
Petition of Laura Davis and 78 others.
Petition of Laura Gordon and 65 others.
Petition of Eva Kerns and 29 others.
Petition of Jessie Tuple and 26 others.
Petition of Abbie Brown and 20 others.
Petition of J. F. Robberts and 8 others.
Petition of M. Johnson and 23 others.
Petition of Paul Winter and 21 others.
Petition of Myrtle Drew and 20 others.
Petition of James L. McIlrath and 14 others.
Petition of C. W. Failor and 31 others.
Petition of S. Judd and 53 others.
Petition of Rev. A. H. Martin and 18 others.
Petition of W. D. Raumaker and 11 others.
Petition of D. B. Harrison and 42 others.
Petition of S. C. Sheets and 43 others.
Petition of T. A. Williams and 100 others.
Petition of Olive Shockley and 12 others.
Petition of Louise Wendt and 11 others.
Petition of B. F. Grenoble and 4 others.
Petition of G. D. Findley and 35 others.
Petition of C. H. Wright and 21 others.
Petition of Carl Nelson and 11 others.
Petition of George Cheever and 17 others.
Petition of H. F. Moore and 23 others.
Petition of O. Harrison and 21 others.
Petition of S. A. Martin and 29 others.
Petition of Ed Ellsworth and 35 others.
Petition of A. J. Cowley and 25 others.
Petition of M. P. Dickey and 22 others.
Petition of T. R. Baker and 17 others.
Petition of Bessie Gates and 25 others.
Petition of Rev. William E. Davidson and 11 others.
Petition of Fidelia Skinner and 12 others.

Mr. CULLOM presented the petition of ex-Senator C. B. Farwell and 111 other prominent merchants of Chicago, Ill., praying that Congress authorize the Secretary of War to contract with Charles Stoughton for the completion of the Harlem River improvement and for the construction of the Harlem Kills Canal, both works to be completed May 31, 1893; which was referred to the Committee on Commerce.

He also presented the petition of Mary Cassell, of Adams County, Ill., widow of Thomas Cassell, praying to be allowed a widow's pension; which was referred to the Committee on Pensions.

He also presented a petition of members of the Presbyterian Church, citizens of Brown County, Ill., praying for an appropriation by Congress in aid of the World's Columbian Fair on condition of the closing of the Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Farmers' Mutual Benefit Association, of Hamilton County, Ill., praying for the free delivery of mail in small towns and rural districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. DAVIS presented a petition of the Young People's Society of Christian Endeavor of the Presbyterian Church, and the Congregational Society of Christian Endeavor, of Rochester, Minn., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Duluth (Minn.) Board of Trade, praying Congress to defeat any bill for the suppression of dealing in futures on farm products; which was referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Duluth, Minn., praying for a reduction of letter postage to 1 cent per ounce, and requesting the representatives of Minnesota in Congress to support legislation necessary for that purpose; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Chamber of Commerce of Duluth, Minn., praying for the passage of the bill to repeal section 4 of the act entitled "An act to repeal the timber-culture law, and for other purposes," and also asking the representatives of Minnesota in Congress to favor its passage; which was referred to the Committee on Public Lands.

He also presented a petition of the Chamber of Commerce of Duluth, Minn., praying for the passage of a bill for the construction of a ship canal around Niagara Falls, and requesting the representatives in Congress, and the commercial bodies of the United States to favor its passage; which was referred to the Committee on Commerce.

He also presented a resolution adopted by the Duluth (Minn.) Chamber of Commerce, January 19, 1892, concurring in the accompanying resolutions of the river improvement convention held at Kansas City, Mo., December 15 and 16, 1891, and requesting the representatives of Minnesota in Congress to support measures for the improvement of the Mississippi and Missouri Rivers, etc.; which was referred to the Committee en Commerce.

He also presented a petition of the Chamber of Commere of Duluth, Minn., praying Congress to enact legislation for the improvement of the river and harbor at Savannah, Ga.; which was referred to the Committee on Commerce.

Mr. PADDOCK presented a petition of citizens of Hayes County, Nebr., praying for the enactment of a law to restore the free bimetallic coinage of silver and gold; which was referred to the Committee on Finance.

Mr. PEFFER presented a petition of citizens of Eldorado, Kans., praying Congress to vote down every proposition to declare war against Chile; which was referred to the Committee on Foreign Relations.

He also presented a petition of the United Presbyterian Church of Americus, Kans., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Missouri River Improvement Association of Kansas City, Mo., praying for Congressional aid in the improvement of the Missouri River; which was referred to the Committee on Commerce.

He also presented a petition of Local Assembly No. 5809, Knights of Labor, of Washington, D. C., praying for the passage of a bill to authorize the collection of statistics relative to the slums of cities having 200,000 population or over; which was referred to the Committee on Education and Labor.

Mr. FELTON presented a petition of the National Woman's Christian Temperance Union of Woodbridge, Cal., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the California River Improvement Convention, praying that an appropriation be made for the improvement of certain rivers in California; which was referred to the Committee on Commerce.

He also presented a petition of citizens of Oakland and Alameda, Cal., praying that an appropriation be made sufficient to complete the improvement of Oakland Harbor; which was referred to the Committee on Commerce.

Mr. PERKINS. I present a memorial in the form of a protest on behalf of the people of Brookland, D. C., protesting against the extension of the Eckington and Soldiers' Home Railway system. I present the memorial by request, and move that it be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. MORRILL presented a petition of citizens of Windham County, Vt., praying for the passage of a law to prevent dealing in futures; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Windham County, Vt., praying for the passage of the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. CAMERON presented a joint petition of the Board of Trade, the Maritime Exchange, the Commercial Exchange, the Drug Exchange, the Manufacturers' Club, the Grocers and Importers' Exchange, the Board of Port Wardens, and the Vessel Owners and Captains' Association of Philadelphia, Pa., praying for the enactment of Senate joint resolution No. 23 relative to the improvement of the harbor of Philadelphia; which was referred to the Committee on Commerce.

He also presented a petition signed by 197 citizens and 5 churches of Pennsylvania, a petition of the members of the Kensington Methodist Episcopal Church of Philadelphia, Pa., a petition of the Young People's Christian Endeavor Society of Birmingham, Pa., and a petition of the Young People's Christian Endeavor Society of Camptown, Pa., praying that the World's Columbian Fair be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Young People's Christian Endeavor Society of Neath, Pa., a petition of the Young People's Christian Endeavor Society of East Smithfield, Pa., and a petition of the Young People's Christian Endeavor Society of Troy, Pa., praying for legislation to prevent the exportation of liquor to Africa; which were referred to the Committee on Foreign Relations.

Mr. DOLPH. I present a petition of the Indian war veterans of Oregon, who served in the Indian wars since the 3d day of March, 1855, praying that the act of Congress in force prior to the 3d day of March, 1855, granting land warrants to persons who served in the Indian wars, be extended or made applicable to the period between the 3d day of March, 1855, and the 1st day of December, 1857. I shall at an early day introduce a bill to carry out the prayer of the petition. I move that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. SAWYER presented a petition of citizens of Rock County, Wis., praying for the enactment of laws to suppress the exportation of alcoholic liquors to Africa; which was referred to the Committee on Foreign Relations.

Mr. WASHBURN presented resolutions adopted by the Chamber of Commerce of Duluth, Minn., favoring the resolutions adopted by the river improvement convention held in Kansas City, Mo., December 15, 1891; which were referred to the Committee on Commerce.

He also presented resolutions adopted by the Chamber of Commerce of Duluth, Minn., favoring the passage of the bill for the construction of a ship canal around Niagara Falls; which were referred to the Committee on Commerce.

He also presented a memorial of the Board of Trade of Duluth, Minn., remonstrating against the passage of what is known as the option bill; which was referred to the Committee on the Judiciary.

He also presented the petition of J. W. Stoddard and 97 other citizens of North Dakota, praying for the passage of what is known as the option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Duluth, Minn., praying for the reduction of letter postage to 1 cent per ounce; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a resolution of the Chamber of Commerce, of Duluth, Minn., favoring the repeal of section 24 of the timber-culture law; which was referred to the Committee on Public Lands.

Mr. WILSON presented a petition of 29 citizens of Jones County, Iowa, praying for the passage of a bill similar to the one known in the Fifty-first Congress as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of 29 citizens of Jones County, Iowa, and a petition of 11 citizens of Cherokee County, Iowa, praying for the passage of a bill similar to the one known in the Fifty-first Congress as the Butterworth option bill; which were referred to the Committee on the Judiciary.

Mr. GIBSON of Louisiana presented a petition of the American Medical Association praying Congress to create a cabinet officer to be known as medical secretary of public health; which was referred to the Committee on Epidemic Diseases.

Mr. DANIEL presented a petition of the General Assembly of Virginia, praying Congress to compensate the State of Virginia for property destroyed at the Virginia Military Institute by the Federal troops during the late war; which was referred to the Committee on Military Affairs.

He also presented the petition of the J. B. Pace Tobacco Company and other tobacco firms, of Richmond Va., praying for the passage of certain amendments to the tariff and tax act; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. VANCE, from the Committee on the District of Columbia, to whom was referred the bill (S. 1759) for the relief of the heirs of Nathaniel Magruder, reported it without amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Public Lands, to whom was referred the bill (S. 124) to provide for a building for the use of the post-office, the office of the superintendent of the Hot Springs Reservation, and the Government offices, asked to be discharged from its further consideration, and that it be referred to the Committee on Public Buildings and Grounds; which was agreed to.

Mr. WILSON, from the Committee on the Judiciary, to whom was referred the bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1612) to compensate Thomas G. Hayes for legal services

rendered under direction of the Attorney-General, reported it without amendment.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1105) to incorporate the Washington and Deanwood Railway Company in the District of Columbia, reported adversely thereon, and the bill was postponed indefinitely.

Mr. MCMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1492) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1884) to prevent fraud upon the water revenues of the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Public Lands, to whom was referred the bill (S. 218) granting to the county of Clallam, State of Washington, certain public lands in trust, and for other purposes, reported it with an amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 44) for the relief of William Clift, reported it without amendment, and submitted a report thereon.

Mr. DOLPH. By direction of a majority of the Committee on Public Lands I submit a favorable report on the bill (S. 622) to amend an act entitled "An act for the relief of certain settlers on the public lands and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands."

Mr. BERRY. Is that the bill in regard to refunding money about forfeited lands?

Mr. DOLPH. It is.

Mr. BERRY. I desire to state that there is a minority report. There is no written report, but I wish it to be noted that there is a minority of the committee who do not agree to the favorable report.

Mr. DOLPH. I stated to the Senate that it is a majority report, and of course that carried the implication that a minority of the committee are opposed to the bill.

Mr. BERRY. All my purpose was to have it appear on the Calendar that there is a minority of the committee opposed to the bill, that the bill might not be passed in the absence of members of the committee. I did not hear the statement of the Senator from Oregon.

The VICE-PRESIDENT. It will not appear on the Calendar that there is a minority opposed to the bill, as there is no written report by majority or minority.

Mr. DOLPH. It is a bill that was early reported in the Senate during the last Congress and remained on the Calendar, never having been considered. Sometimes it was passed over when reached because it was understood that the Senator from Arkansas [Mr. BERRY] opposed the bill and desired to be heard upon it, and action upon it was postponed until so late that it was never taken up for consideration.

Mr. COCKRELL. I should like to suggest to the Senator from Arkansas that it can not appear on the Calendar that there is a minority report unless there is some writing filed to that effect.

Mr. BERRY. There is no written report submitted by the majority, I understand, and therefore the views of the minority will not be submitted in writing.

The VICE-PRESIDENT. The statement as to the views of the minority will appear in the the RECORD, of course. The bill will be placed on the Calendar.

Mr. DOLPH. From the same committee I report adversely on the bill (S. 217) for the relief of the purchasers from the United States of land in even-numbered sections within the forfeited portions of railroad grants, and the bill (S. 733) to reimburse settlers and purchasers of even-numbered sections of public lands within the limits of Congressional grants in cases of forfeiture of odd-numbered sections. These bills are reported adversely because, there being three bills on the subject, the majority of the committee prefer the bill which has been reported favorably.

The bills were postponed indefinitely.

Mr. VEST, from the Committee on the Judiciary, to whom was referred the bill (S. 1934) to amend an act entitled "An act to establish a court of private land claims, and to provide for the settlement of private land claims in certain States and Territories," approved March 3, 1891, asked to be discharged from its further consideration, and that it be referred to the Committee on Private Land Claims; which was agreed to.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 621) to provide for the collection, custody, and arrangement of the records of the American Revolution, reported it with amendments, and submitted a report thereon.

SENATOR FROM FLORIDA.

Mr. TURPIE, from the Committee on Privileges and Elections, to whom were referred the papers in the case of R. H. M. Davidson, contestant, against Wilkinson Call, contestee, concerning the right to a seat in the Senate from the State of Florida, submitted a report expressing "the opinion that Mr. Call was duly elected;" which was ordered to lie on the table and be printed.

DISTRICT FIRE INSURANCE COMPANIES.

Mr. VANCE. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882, to report it with an amendment, and to ask for its present consideration, for the reason that the purpose of the bill is to extend to the corporate existence of certain fire-insurance companies here which are about to expire, to their great injury and the injury of their policy-holders, and to place them upon an equality with the foreign fire insurance corporations which do business in this District, and which have an unlimited existence. As it is necessary to incorporate an amendment in the bill, in order to save time and to secure to these corporations a continued existence for the benefit of the present policy-holders, I am requested to ask that the bill be considered now.

The VICE-PRESIDENT. The bill will be read for information, subject to objection.

The Chief Clerk read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The VICE-PRESIDENT. The amendment of the Committee on the District of Columbia will be stated.

The CHIEF CLERK. The committee report to add a new section as follows:

SEC. 3. Congress may at any time alter, amend, or repeal this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

COURTS IN NEW HAMPSHIRE.

Mr. WILSON. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 821) to provide for a term of the circuit and district court at Littleton, N. H., to report it favorably, without amendment.

Mr. CHANDLER. I ask for the present consideration of the bill.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COURTS IN ARKANSAS.

Mr. WILSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas, to report it favorably, without amendment.

Mr. BERRY. Inasmuch as early action is necessary on account of the time the courts are held there, I ask that the bill just reported favorably by the Senator from Iowa be considered now. It is a very important measure, and there is no objection from any quarter to the bill.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

UMATILLA INDIAN RESERVATION LANDS.

Mr. DOLPH. By direction of the Committee on Public Lands, to whom was referred the bill (S. 1134) for the relief of purchasers of lands within the limits of the Umatilla Indian Reservation, I report it favorably, without amendment. It is a very short bill, and is the unanimous report of the committee. It is a matter to which no one will object, and it is important that it should be acted upon at once. I ask for the immediate consideration of the bill. Let it be read for information.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that hereafter all necessary affidavits

and proofs required by law of any purchaser of lands within the limits of the Umatilla Indian Reservation, in the State of Oregon, in order to perfect his title to the lands, may be made before any officer qualified to take proof in homestead cases.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. SAWYER introduced a bill (S. 1959) to promote the efficiency of the Revenue Cutter Service; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FAULKNER (by request) introduced a bill (S. 1960) relating to the office of the recorder of deeds of the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1961) relating to the office of the register of wills of the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FRYE introduced a bill (S. 1962) granting an honorable discharge to William Pierce; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. WASHBURN introduced a bill (S. 1963) to incorporate the Yellowstone Park Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. ALLISON introduced a bill (S. 1964) to remove the charge of desertion from the military record of G. J. Shaffer; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 1965) to reimburse James M. Trotter, late recorder of deeds of the District of Columbia, for amount expended for record books of the office of recorder of deeds in said District; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1966) granting a pension to Susan E. Linderman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1967) granting a pension to Mrs. Susan Craig; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1968) for the relief of Dr. James Madison; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1969) to provide for the disbursement of money appropriated by the acts of 1874 and 1878, making appropriation for the payment of workingmen who worked on public improvements under the late board of public works of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HAWLEY introduced a bill (S. 1970) for the relief of Daniel C. Rodman and others, sureties on the bond of Ozias Morgan; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 1971) providing for the appointment of representatives from the United States to the Columbian Historical Exposition at Madrid in 1892; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 1972) granting a pension to Frederick Robertson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1973) granting a pension to Mary Ann Beasley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1974) granting a pension to Harvey Evans; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 1975) for the protection of livery-stable-keepers and other persons keeping horses at livery within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DAVIS (by request) introduced a bill (S. 1976) for the relief of Charles Banzhaf; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PEFFER introduced a bill (S. 1977) to amend an act entitled "An act to provide additional regulations for homestead and preëmption entries of public lands," approved March 3, 1879; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FELTON introduced a bill (S. 1978) to provide additional artillery for the National Guard; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1979) to provide for the examination and survey for the improvement of navigable slough and the harbor thereof in the Bay of San Francisco, California; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CAMERON introduced a bill (S. 1980) to increase the pension of Mary A. Roder; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1981) for the relief of B. F. Dowell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1982) for the relief of Avery D. Babcock and wife, of Oregon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 1983) to provide for the purchase of a site and the erection of a public building thereon at Exeter, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. COCKRELL introduced a bill (S. 1984) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Select Committtee on Indian Depredations.

Mr. VANCE introduced a bill (S. 1985) for the relief of T. W. Knight, administrator of R. B. Knight; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. KYLE introduced a bill (S. 1986) to authorize the erection of post-office buildings, and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WALTHALL introduced a bill (S. 1987) for the relief of Samuel Collins; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WILSON introduced a bill (S. 1988) to amend sections 2139, 2140, and 2141 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also (by request) introduced a bill (S. 1989) for the redemption of the outstanding certificates of the board of audit of the District of Columbia, and of sewerage certificates authorized by the Legislative Assembly; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BUTLER introduced a bill (S. 1990) for the relief of Henry E. Young, administrator of Thomas Aston Coffin, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Louisiana introduced a bill (S. 1991) granting a pension to Jane M. Anderson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 1992) to reimburse the Indiana Miami Indians for money improperly withheld from them; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PALMER. At the request of Capt. John Cowden, a citizen of Illinois, I introduce a bill.

The bill (S. 1993) to develop and facilitate the interstate commerce of the whole country, and more especially that of the twenty-two States and two Territories which are in whole or in part drained by the Mississippi River and its tributaries, that has an area of 1,575,092 square miles and a present population of 35,946,901 and a total property value of $11,874,442,264, when the total population of all the balance of the States and Territories is but 26,407,966, and their total property valuation is $11,353,194,387, was read twice by its title.

Mr. PALMER. I ask that the bill lie on the table.

The VICE-PRESIDENT. It will be so ordered.

Mr. DANIEL. I introduce two bills at the request of my colleague [Mr. BARBOUR], who is detained from the Senate by sickness.

The bill (S. 1994) for the relief of John H. Redman, a citizen of King George County, Va., was read twice by its title, and referred to the Committee on Claims.

The bill (S. 1995) for the relief of Mrs. Agnes B. Jeter was read twice by its title, and referred to the Committee on Claims.

Mr. VEST introduced a bill (S. 1996) to provide for the purchase of a site, and the erection of a public building thereon, at Joplin, in the State of Missouri; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WARREN introduced a bill (S. 1997) to increase the efficiency of the infantry, Army of the United States of America; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1998) to provide for the sale of stone lands in Wyoming, as provided in the States of California, Oregon, Nevada, and Washington under chapter 151 of the Sup-

plement to the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McPHERSON introduced a bill (S. 1999) for the relief of John G. Rose; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. MANDERSON introduced a bill (S. 2000) to increase the pension of Lila L. Egbert, widow of the late Capt. Augustus R. Egbert, United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS. Early last month I had read at this desk a communication from our minister at Mexico, addressed to my late distinguished predecessor, Mr. Plumb, and it was referred to the Committee on Foreign Relations. I have now a joint resolution which I introduce, and there is also a communication accompanying it from Hon. William E. Curtis, of the State Department, which I should like to have read, to be referred with the joint resolution to the Committee on Foreign Relations or the Committee on Military Affairs; I am not certain as to which committee the reference should be made.

The joint resolution (S. R. 36) authorizing the President to return certain battle flags to the Republic of Mexico was read twice by its title.

The VICE-PRESIDENT. The letter accompanying the joint resolution will be read, if there be no objection.

The Chief Clerk read as follows:

BUREAU OF THE AMERICAN REPUBLICS,
DEPARTMENT OF STATE,
Washington, U. S. A., January 28, 1892.

DEAR SIR: According to a letter from the Secretary of War, dated January 19, 1889 (House Executive Document No. 102, Fiftieth Congress, second session), it appears that there are in the museum of the United States Military Academy at West Point, twenty-one flags, captured by the United States Army in the war with Mexico. These flags were presented to the Military Academy by the President of the United States, December 28, 1848.

I beg to suggest that the return of these trophies to the Government of Mexico, as advocated by your lamented predecessor, would be a most generous act on the part of the United States, and I submit herewith the draft of a joint resolution for that purpose.

Very truly, yours,

WILLIAM E. CURTIS.

To the Hon. BISHOP W. PERKINS,
United States Senate.

Mr. SHERMAN. I move that the joint resolution, with the accompanying papers, be referred to the Committee on Foreign Relations.

The motion was agreed to.

AMENDMENT TO A BILL.

Mr. CAMERON submitted an amendment intended to be proposed by him to the agricultural appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Agriculture and Forestry.

PATENT OFFICE FUNDS.

Mr. FAULKNER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be requested to furnish the Senate, at as early a date as practicable, with a statement of the amount of all moneys received by the United States Patent Office from inventors since the establishment of that Bureau up to the present time; what disposition has been made of the same; the amount of the surplus on hand, if any, and how, and in what manner it is invested.

POTTAWATOMIE INDIAN AGREEMENT.

Mr. PERKINS submitted the following resolution; which was referred to the Committee on Indian Affairs, and ordered to be printed:

Resolved by the United States Senate, etc., That whereas the provisions of the articles of agreement by and between the United States and the citizen band of Pottawatomie Indians residing in Oklahoma Territory and elsewhere, ratified by Congress March 3, 1891, require that large sums of money be paid to them in said tract of country, which is construed to mean said Territory of Oklahoma; and whereas many members of said band of Indians reside in Kansas who through age, poverty, and sickness suffer great hardships by being compelled to go to said Territory to receive their payments: Therefore,

Resolved, That article 4 of said agreement b and the same is hereby construed so as to authorize and direct the proper officers of the Department of the Interior to make the payments as they fall due to the members of said band residing in Kansas at some point in their original reservation in said State as will accommodate the greatest number of said Indians.

DISTRICT SEWERAGE.

Mr. McMILLAN submitted the following resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 700 additional copies of the report of the Board of Sanitary Engineers of the District of Columbia upon the sewerage of the District for the official use of the Commissioners of the District of Columbia.

EXECUTIVE BUSINESS.

Mr. MORGAN. I ask for the adoption of the following order:

Ordered, That Executive Document No. 23, Fifty-second Congress, first session, be withdrawn from the legislative files of the Senate and placed on the files of the executive clerk.

The VICE-PRESIDENT. The order will be agreed to, if there be no objection.

Mr. SHERMAN. What is the subject-matter of the document?

Mr. MORGAN. It is a message from the President of the United States relating to a claim of one of our citizens against a foreign government. It ought to be considered in executive session.

Mr. SHERMAN. Very well. The order does not describe it at all.

The order was agreed to.

ENTRANCE TO YAQUINA BAY, OREGON.

Mr. MITCHELL. I offer the following resolution simply calling for information, and I ask for its present consideration:

Resolved, That the Secretary of War be, and he is hereby, directed to furnish for the use of the Senate a copy of the report of Maj. G. L. Gillespie, United States Engineers, dated December 11, 1880, with the accompanying report of Assistant Engineer J. S. Polhemus, to the Chief of Engineers, on the subject of improving the entrance to Yaquina Bay, Oregon.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. COCKRELL. I ask if that information is not already in the report of the engineers?

Mr. MITCHELL. It is not and has never been printed. That is the reason why I offer the resolution.

The resolution was agreed to.

MARRIAGE AND DIVORCE.

Mr. KYLE. I give notice that on Wednesday next I shall ask the courtesy of the Senate to make some remarks upon the joint resolution (S. R. 29) proposing an amendment to the Constitution of the United States, relating to marriage and divorce.

PUBLIC BUILDING AT RENO, NEV.

The VICE-PRESIDENT. If there be no further morning business that order is closed, and the consideration of the Calendar under Rule VIII is in order.

The Senate as in Committee of the Whole resumed the consideration of the bill (S. 56) for the erection of a public building at Reno, State of Nevada, the pending question being on the amendments reported by the Committee on Public Buildings and Grounds, in line 11, before the word "thousand," strike out "one hundred" and insert the word "seventy-five;" so as to make the amount of the appropriation $75,000.

Mr. STEWART. During the discussion the other day I suggested that I would consent to reduce the amount of the appropriation to $60,000. I think with $60,000 we might get along. I want to be as economical as possible in regard to it. I think it is very essential that we should have a public building at that point. We need it very much. Reno is a growing town, and it will be undoubtedly the largest town between Sacramento and Salt Lake. I move to amend the amendment of the committee by striking out "seventy-five" and inserting "sixty."

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In line 11 it is proposed to strike out "seventy-five," before the word "thousand," which was reported as an amendment by the Committee on Public Buildings and Grounds, and insert in lieu thereof "sixty;" so as to read:

The sum of $60,000, etc.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. STEWART. I wish to say before the bill is passed that when it was under consideration the other day some remarks were made by the Senator from New Jersey [Mr. McPHERSON] with regard to the large appropriations asked for by California in the bills which are pending on the Calendar. I was about to remark or did remark then that California had been put off from time to time and had not received the necessary appropriations for public buildings, particularly in San Francisco. Since that matter has been brought to the attention of the Senate, I think it is but fair that the Senator from California [Mr. FELTON] should be allowed to make a statement as to how California has been dealt with in regard to these appropriations, and I yield to him to make such a statement.

Mr. FELTON. Mr. President, in this connection I desire to say that I listened with some attention to the remarks of the Senator from New Jersey [Mr. McPHERSON] the other day in reference to the appropriations for public buildings in California, and it occurred to me if the facts as stated by the Senator were left unaccompanied by other facts relative thereto that the situation existing there might be misapprehended, that an impression might go abroad to the country and pervade the Senate that the State of California had been discriminated in favor of. Therefore I have gathered some statistics in relation to the matter which I desire to present to the Senate, and I apprehend that they

will be sufficient to prove that the statement made by the Senator from New Jersey in relation to the State of California is not founded on fact. To say the least, it would be misleading.

I find that up to the year 1885 the appropriations for public buildings in the State of California amounted to $2,119,512.67. In the State of Illinois alone they amounted to $11,939,258.10 for two public buildings, and in the State of Louisiana to $4,808,202.06. It will be noted that the appropriations for Illinois for two public buildings were over five and a half times the amount of the appropriations for California, and that the appropriation for Louisiana of $4,808,202.06 is twice that of California.

In Massachusetts for one building the amount appropriated was $5,994,083, or two and a half times the amount appropriated for California. In the State of New York for two buildings there was appropriated $19,311,567.96, over nine times that of California. In Philadelphia for a post-office building alone there was appropriated $5,191,854, or nearly two and a half times the amount appropriated for California.

In the statement I have prepared will be found, in detail, the various buildings for which appropriations were made, and they are as follows:

Expenditures for public buildings to 1885.

CALIFORNIA.		
San Francisco appraiser's stores	$839,968.13	
	99,598.14	
San Francisco custom-house		774,389.75
San Francisco marine hospital		298,790.11
San Francisco subtreasury		106,994.20
		2,119,749.33
ILLINOIS.		
Chicago post-office		6,064,764.10
Custom-house alone cost		5,874,494.00
		11,939,258.10
LOUISIANA.		
New Orleans custom-house		4,278,392.06
Marine hospital		529,810.00
		4,808,202.06
MASSACHUSETTS.		
Boston post-office		5,994,083.00
NEW YORK.		
New York custom-house		9,311,567.96
New York post-office, near		10,000,000.00
		19,311,567.96
PENNSYLVANIA.		
Philadelphia post-office		5,191,854.00

At the risk of repeating myself, I will say that while the foregoing figures include all the appropriations for public buildings in California, save the United States mint, to the date named, it does not in the States subsequently mentioned, as there have been erected in them numerous buildings not specified and a number of them involving large expenditures of public moneys. I have simply used those that I deemed sufficient to demonstrate that there has been no discrimination in favor of California, but to the contrary.

I find that the money expended in nine States, with a less mileage of seacoast than that of California, on rivers and harbors, from 1789 to 1892, amounted to $42,090,765.60; whereas in the State of California for all the time up to 1882 there was appropriated for these purposes $1,493,428.58, and since that time $2,365,324, amounting to $3,858,752.54, or less than 10 per cent of the appropriations for the States above mentioned, as will be seen by the following statement, which I submit:

Money expended on rivers and harbors from 1789 to 1892.

Maine, to 1882	$1,404,889.36	
Maine, to 1892	1,076,813.00	
		$2,481,702.36
Massachusetts, to 1882	2,928,779.88	
Massachusetts, to 1892	1,736,644.00	
		4,665,423.88
New Jersey, to 1882	987,496.58	
New Jersey, to 1892	1,362,188.00	
		2,349,684.58
New York, to 1882	9,539,973.95	
New York, to 1892	6,579,683.00	
		16,119,656.95
Rhode Island, to 1882	733,613.06	
Rhode Island, to 1892	851,917.00	
		1,585,530.06
Connecticut, to 1882	1,527,448.57	
Connecticut, to 1892	1,086,191.00	
		2,613,639.57
Delaware, to 1882	3,043,636.20	
Delaware, to 1892	787,449.00	
		3,831,085.20
Pennsylvania, to 1882	1,067,101.30	
Pennsylvania, to 1892	2,167,674.00	
		3,234,775.30
Maryland, to 1882	1,485,769.70	
Maryland, to 1892	3,723,498.00	
		5,209,267.70
		42,090,765.60
California, to 1882	1,493,428.54	
California, to 1892	2,365,324.00	
		3,858,752.54

I find also that in the appropriations for the harbor of Galveston, in Texas, there was appropriated $4,068,218, or more than the entire appropriations for the State of California, including both rivers and harbors.

Texas: Galveston Harbor (alone), $4,068,218. (More than the entire appropriations for the State of California, including both rivers and harbors.)

I also find that the appropriations for the Mississippi River from 1881 to 1891 were as follows:

Appropriations for the Mississippi River, 1881–1891.

1881	$960,860.02
1882	2,142,995.60
1883	4,430,300.55
1884	2,517,480.79
1885	2,831,580.73
1886	423,563.29
1887	1,469,721.64
1888	$1,608,004.67
1889	2,456,312.67
1890	2,809,692.76
1891	2,894,689.00
	24,436,201.72

Total amount expended during the same period on the rivers in California, $726,736; less than 3 per cent.

Light-house appropriations made during the Fifty-first Congress.

1890	$1,017,100.00
1891	440,400.00
	1,457,500.00
1890—California	250.00
1891—California	30,000.00
	30,250.00

Or 2.06 per cent of the total, including a seacoast of nearly 1,000 miles.

For fortifications and buildings for military posts for sixteen years ending 1889.

Atlantic and Missouri Divisions	$20,501,769.37
Pacific Division	994,748.72
	21,496,518.09
	Per cent.
Atlantic and Missouri	95.79
Pacific	4.21
	100.00

The area of the Pacific Division is one-third that of the United States, 1,291,455 square miles, and there is not a protected harbor in 1,400 miles of coast.

I also find that from 1881 to 1891 California has paid into the Treasury of the United States nearly $118,000,000, as will be seen by the following statement.

Total receipts from customs and internal revenue paid into the United States Treasury from 1881 to 1892 by the State of California.

1881	$9,940,825.94
1882	12,036,828.75
1883	14,426,510.74
1884	10,443,498.05
1885	9,309,881.83
1886	8,033,961.13
1887	8,945,204.14
1888	11,651,280.55
1889	12,502,419.62
1890	10,518,209.67
1891	10,098,394.60
	117,937,015.82

This amounts to nearly ten and three-fourths millions per annum. One-half of the last year's payment, or 4½ per cent of the eleven years' payments, would be more than enough to pay for all the public buildings which California has asked for.

Mr. President, it is not my intention to take up the time of the Senate to discuss the merits of the bills which led to the remarks of the Senator from New Jersey. There will be time enough for that when the respective bills shall be under consideration by the Senate; but I will say that appropriations should be and usually are made for the necessities of the Government and for the benefit of the people at large. The nation has wealth enough to distribute in such shape as will be of advantage to the commercial interests of the country. I have instanced the case of Galveston and the Mississippi River, with no invidious purpose whatsoever, for I believe that these appropriations were wise. No Senator, I think, will contend that the preservation of that great valley and its great water ways for commercial purposes and to prevent a monopoly of transportation was unwise or that the great State of Texas and the commerce which goes to it should not be entitled to aid and to the advantages of a harbor which will let the products of that country out to the sea and to the world. Sir, in my opinion the amount of appropriations or the especial point or place of expenditure is measurably of less consequence than that the emergencies and necessities

of the Government and the people be provided for, that the prosperity of both should not be impeded, but advanced.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDINGS AT GRAND FORKS AND BISMARCK, N. DAK.

The bill (S. 591) to provide for the erection of a public building in the city of Grand Forks, N. Dak., was announced as next in order on the Calendar.

Mr. CASEY. I ask that the bill may go over without prejudice in the absence of my colleague [Mr. HANSBROUGH], who introduced it, and I make the same request with regard to the next bill on the Calendar, being the bill (S. 593) to provide for the erection of a public building in the city of Bismarck, N. Dak.

The VICE-PRESIDENT. The bills will be passed over, retaining their places on the Calendar, in the absence of objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed resolutions commemorative of the life and services of Hon. Leonidas Campbell Houk, late a Representative from the State of Tennessee.

The message also communicated to the Senate the intelligence of the death of Hon. Francis B. Spinola, late a Representative from the State of New York, and transmitted the resolutions of the House thereon.

PUBLIC BUILDING AT KANSAS CITY, KANS.

The bill (S. 1270) to provide for the purchase of a site and the erection of a public building thereon at Kansas City, in the State of Kansas, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 12, after the words "sum of," to strike out "three" and insert "two;" and in line 13, before the word "hundred," to strike out "three" and insert "two; "so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office, custom-house, and other Government offices, in the city of Kansas City and State of Kansas, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $200,000, which said sum of $200,000 is hereby appropriated for said purpose out of any moneys in the Treasury not otherwise appropriated.

Mr. COCKRELL. Mr. President, I see there is no written report with this bill. I should like to hear some explanation of it. What is the population of this town and the necessity for a public building there?

Mr. PEFFER. Mr. President, there was a report, but it was not printed. The report proposed to amend the bill by striking out the word "three" where it precedes the words "hundred thousand" and to insert the word "two," so as to make the proposed appropriation $200,000 instead of $300,000, and with that amendment recommending the passage of the bill, as I understand.

A bill substantially the same passed the Senate during the last session, but by reason of the pressure of other business failed to pass the other House.

Kansas City is made up of three towns incorporated by a special act of the Legislature of Kansas in 1886. The population of the place is something over 38,000, as shown by the national census of 1890. The amount of business done by the post-office, in dollars and cents, the last year was something over $30,000. But that, as I am informed, does not state accurately all of the business done, for the reason that a portion of the city is without very good transportation facilities and station aids, and on account of that difficulty part of the business that properly belongs there is transacted on the other side of the line, and goes to the post-office at Kansas City, Mo.

We have twenty-six school buildings at Kansas City, Kans.; we have six of the seven large packing houses there; we have six of the seven large elevators, and indeed share very largely the wonderful business that concentrates at that point between Kansas City, Mo., and Kansas City, Kans.; and we are without a public building of any sort. I understand that my colleague [Mr. PERKINS], who is temporarily absent, will be glad to say something on the bill, and in order that he may have an opportunity to do so, I ask that the bill may be passed over for the present, retaining its place on the Calendar.

The VICE-PRESIDENT. The bill will be passed over without prejudice, retaining its place on the Calendar.

Mr. PERKINS subsequently said: I ask unanimous consent that the Senate return to the consideration of Senate bill 1270, which was temporarily laid aside.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1270) to provide for the purchase of a site, and the erection of a public building thereon, at Kansas City, in the State of Kansas.

Mr. PERKINS. Mr. President, I desire to say in addition to what has been said that Kansas City, Kans., is an old historic city, on the opposite side of the Kansas River from Kansas City, Mo., and is the largest city in our State and is a growing, thriving commercial city. This bill passed the Senate at the first session of the Fiftieth Congress and has been reported twice favorably by the Committee on Public Buildings and Grounds in the House of Representatives. However, on the recommendation of that committee it was reported back for $150,000 rather than $200,000 in the House of Representatives, but the amount that is asked for now is the same as was given by the bill as it was passed by the Senate in the last Congress. Taking into consideration the commercial and business interests of that city, its population, its growth and importance, I think the amount covered by the bill as recommended for amendment by the committee is not an extravagant or exorbitant amount, and I hope that the bill will be passed.

The VICE-PRESIDENT. The question is on the amendment reported by the Committee on Public Buildings and Grounds, which has been stated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OBE SUTHERLAND.

The bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Volunteer Army, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6 before the word "dollars," to strike out "one hundred" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Obe Sutherland, late a teamster in the Quartermaster's Department of the United State Volunteer Army, a pension of $50 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. VEST subsequently said: I notice that there was a mistake in the verbiage of the bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Volunteer Army, which I did not know of until a few moments ago, and I ask for a reconsideration of the vote by which the bill was passed for the purpose of amending it.

The PRESIDING OFFICER (Mr. PASCO in the chair). If there be no objection the vote by which the bill was passed and also the vote by which it was ordered to be engrossed for a third reading will be regarded as reconsidered, and the bill opened to amendment. The Chair hears no objection.

Mr. VEST. I now offer the amendments which I send to the desk.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. In line 3, in lieu of the word "Treasury," it is proposed to insert "Interior;" and in line 4, after the words "directed to," to strike out "pay" and insert "place the name of;" and after the word "army," in line 6, to insert "on the pension roll and pay him;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Obe Sutherland, late a teamster in the Quartermaster's Department of the United States volunteer army, on the pension roll and pay him a pension of $50 per month.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT-HOUSE ON NORTH HEAD, WASHINGTON.

The bill (S. 1503) to establish a first-order light-house on North Head, Cape Disappointment, in the State of Washington, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT PENSACOLA, FLA.

The bill (S. 80) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDIAN HOSTILITIES IN NEVADA.

The bill (S. 53) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada was considered as in Committee of the Whole.

Mr. ALLISON. Let the report be read in that case.

The VICE-PRESIDENT. The report will be read.

Mr. COCKRELL. The Senator from Iowa has called for the reading of the report; but it is a very voluminous report, I discover, and will consume the remainder of the time of the morning hour, and probably it will be as satisfactory to the Senator from Iowa and to the Senate that the Senator from Nevada [Mr. STEWART] who made the report should explain the bill. A great deal of time can be saved by an explanation.

Mr. STEWART. I can make an explanation in a few words. In the spring of 1860 an Indian war broke out in Nevada. The settlers were attacked and they raised a company of about seventy-five or one hundred men, who pursued the Indians. A battle ensued, and some sixty of our best citizens were killed in that battle and but fifteen or twenty of the officers who went out to fight escaped. The snow was very deep and the mountains almost impassable. Volunteers came from California, and Capt. Stewart brought a strong company of regulars. The volunteers organized under Col. Hayes, a celebrated Texan ranger, who understood the business thoroughly. Col. Hayes's services were accepted by Capt. Stewart of the regular Army. There was no possibility of getting supplies over the mountains, which were practically impassable. The snow was soft and very deep, and it became necessary for the Nevadians to supply the volunteer army and also the regular Army, but the supplies for the regular Army were paid for at the time but the supplies for the volunteer army were not paid for.

This bill is not for the Indian depredations, but is for supplies furnished and labor which was employed by Col. Hayes in this expedition for which about three hundred men were raised. They pursued the Indians, had several skirmishes, and a number of men were killed. When the Indians saw the number of whites arrayed against them they made peace, which has ever since been maintained.

This claim was presented to Congress by me soon after Nevada was admitted as a State, but the testimony in it was very voluminous as to these various items, as will be seen, and I advised the State to pass a law and to call witnesses and to have these claims examined individually, as it would be a very long and difficult undertaking to examine them here. So the State passed a law authorizing a board of examiners, which examined all the claims in that State, consisting of the governor, the secretary of state, and the attorney-general. The parties were notified, they appeared with their witnesses, and the testimony was taken as to each one of these claims.

There were contained in their report some items for Indian depredations, but the committee in the Fiftieth Congress examined the report and eliminated all the items for Indian depredations, confining it simply to supplies and labor furnished to Col. Hayes's army, which was assisting the United States forces.

The same bill was reported favorably in the Fiftieth Congress and passed the Senate. It was again reported favorably by the Senator from Oregon in the Fifty-first Congress and passed. It has passed the Senate twice. It has been reported favorably twice in the other House, and has been thoroughly examined. The evidence as to each item is contained in the testimony in addition to the reports of the board of examiners, so I think there was no item in the bill but what is a legitimate claim against the United States.

The precedents for this are not very numerous, but they cover all the cases where like transactions occurred in Montana and several other States and Territories, where the services of volunteer soldiers had been accepted by the regular Army, and where they had coöperated with them and supplies were furnished to them that could not be paid for by the regular Army officers, although they paid for the supplies of the regular Army. They could not, however, pay for the others. Congress has in each case when a claim of that kind has been presented paid it.

So we have brought this case entirely within the ordinary precedents for payment, because there is no reason why those who furnished supplies to the volunteer forces coöperating with the regular Army should not be paid any more than those who furnished supplies to the regular Army. They acted together in this case as one army, and did effective service and obtained peace, and the Government has been at no expense of any Indian war there since that time.

Mr. COCKRELL. I should like to ask if there is—though I believe there is not—any allowance of interest?

Mr. STEWART. There is no allowance of interest.

Mr. COCKRELL. I see the board that met there in the State of Nevada to adjudicate these claims reported interest much larger than the claims.

Mr. STEWART. We cut off all the interest. There is no interest allowed.

Mr. COCKRELL. No interest allowed?

Mr. STEWART. There is no interest allowed.

Mr. COCKRELL. Is Mr. Stivers's claim for boarding regular Army officers included in this?

Mr. STEWART. No.

Mr. CHANDLER. I notice this bill appropriates $29,144. I should like to ask the Senator from Nevada whether there was not a great deal more money expended by citizens of Nevada and others in this outbreak for which no reimbursement has been asked for?

Mr. STEWART. Oh, yes; several hundred thousand dollars.

Mr. CHANDLER. Is it or is it not his intention to have this as a settlement of all the claims by his State?

Mr. STEWART. So far as these claims are concerned, it is a settlement. There are few others of a similar character that may be presented in the course of time, but they do not amount to very much. The great majority of the contributions were made voluntarily and without any expectation of any return. I contributed myself a thousand dollars.

Mr. CHANDLER. Furnished by citizens who have no idea of presenting a claim?

Mr. STEWART. I have no idea whatever as to that. The great mass of citizens of California who contributed kept no account of the money they contributed. The claims presented to Congress will not amount to 25 per cent of the money actually expended, because the great mass of the people gave the money on subscription without regard to reimbursement. But this bill provides for persons in Nevada who were poor people and furnished all they had.

Mr. CHANDLER. The Senator has introduced a bill for the Indian depredation claims, this claims of private citizens for losses happening in the outbreak, which has been referred to the Committee on Indian Depredations. I understand the Senator that those claims grew out of this same affair.

Mr. STEWART. There were Indian depredations in that case and others, but they are different altogether.

Mr. CHANDLER. But when these cases are disposed of and this bill passes, I understand the Senator that it is not expected that other claims will be presented for the large sums expended.

Mr. STEWART. No. I say there are a few claims that have been adjusted as I understand by the board—very few—which perhaps are not included in this bill. They were adjusted afterwards, but they will amount to very little. The business of the board is closed. I have not got them, or I should put them in this bill, but the great mass of expenditures made on that occasion Congress will never be called upon to pay, because no account was kept of them and nobody expected any return. The money was given for a public purpose entirely at the time, and no account was kept. Those claims which have not been presented and investigated up to this time will not be presented at all. It is now too late.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT CHEYENNE, WYO.

The bill (S. 522) for the erection of a public building at Cheyenne, Wyo., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with amendments. The first amendment was, in line 12, before the word "hundred," to strike out "two" and insert "one;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fire-proof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States courts, post-office, and other Government offices in the city of Cheyenne, and State of Wyoming, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $150,000, which said sum is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated.

The amendment was agreed to.

The next amendment was, on line 67, after "United States," to insert:

nor until the State of Wyoming shall have ceded to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

So as to read:

No money appropriated by this act shall be available, except as hereinbefore provided, until a valid title to the site for said building shall be vested in the United States, nor until the State of Wyoming shall have ceded to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof, for all purposes except

the administration of the criminal laws of said State and the service of civil process therein.

The amendment was agreed to.

Mr. CAREY. I offer an amendment which I send to the desk.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The amendment will be stated.

The SECRETARY. On page 1, line 12, it is proposed to amend by striking out "one" and inserting "two;" and in line 13 by striking out "fifty" before "thousand;" so as to read:

Two hundred thousand dollars.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Wyoming to the fact that one of the amendments on the subject of which he offers an amendment has been agreed to in Committee of the Whole, and the amendment that he offers will not be in order until the bill has been reported to the Senate.

The bill was reported to the Senate as amended.

Mr. COCKRELL. What is the amendment proposed by the Senator from Wyoming?

The PRESIDING OFFICER (Mr. PASCO in the chair). The amendment made as in Committee of the Whole will first be stated.

Mr. COCKRELL. What was the amendment made in Committee of the Whole?

The PRESIDING OFFICER. The amendment made in Committee of the Whole will be stated.

The SECRETARY. In line 12, before the word "hundred" the Senate as in Committee of the Whole struck out "two" and inserted "one" so as to make the amount $150,000.

Mr. COCKRELL. That is right.

The SECRETARY. It is proposed to amend the amendment in line 12, by striking out the word "one" before "hundred" and inserting "two;" and in line 13, by striking out the words "and fifty" before "thousand," so as to make the appropriation read "$200,000."

Mr. PLATT. Is that the way the bill was originally reported?

Mr. COCKRELL. No, it was reported at $150,000. We ought to have an explanation of why this $50,000 additional is wanted.

Mr. CAREY. I will state to the Senator that I was not present when the bill was ordered to be reported by the Committee on Public Buildings and Grounds. The bill was introduced providing for an appropriation of $250,000.

I will say to the Senate that Cheyenne had, according to the last census, a population of 12,600. The United States is paying rents in the town of about $8,000 per annum. United States courts are held there. The Government, I think, is paying $1,800 per annum for a post-office. There is a land office in the town; there is a signal station there, and the Government is paying rent for the surveyor-general's office. I do not believe that $200,000 is more than sufficient to erect a proper building in that city, which is the capital of the State. For these reasons I have moved the amendment.

Mr. COCKRELL. I should like to ask if those reasons were presented to the Committee on Public Buildings and Grounds, and, if so, what action that committee took? We certainly ought to pay some attention to the reports of that committee, for I am certain they are liberal, to say the least.

Mr. CAREY. I will state to the Senator from Missouri that when the committee made up their report I was not present. The report was made at the last Congress when the State was a Territory, on a basis of population 25 per cent less than the census of two years ago shows. I believe, taking the rule which governs in the reporting of these bills, that this city is entitled to an appropriation of the full amount of $250,000 originally provided for in the bill as introduced. Now I have moved an amendment to make the amount $200,000.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole, in line 12, before the word "hundred," to strike out "two" and insert "one." If that amendment is adopted, it will leave the amount $150,000.

Mr. PLATT. Mr. President, I should like to inquire about the parliamentary condition of this matter. As I understand, the bill as originally introduced provided for an appropriation of $250,000. The committee reported an amendment, which would make it $150,000, and in the Committee of the Whole that has been acted upon.

The PRESIDING OFFICER. The question now is on concurring in that amendment.

Mr. PLATT. Now the Senator from Wyoming has offered an amendment making the sum $200,000. Should not that be acted upon as an amendment to the amendment made as in Committee of the Whole? Does it not come up in that form? I am not entirely familiar with the parliamentary way of proceeding, but it seems to me that is the proper method.

The PRESIDING OFFICER. The general practice is to act first upon the committee amendments. The same result will be reached by concurring or nonconcurring in the committee amendments.

Mr. PLATT. Then the amendment of the Senator from Wyoming will be in order.

The PRESIDING OFFICER. Then the amendment of the Senator from Wyoming will come up. The question is on concurring in the amendments of the committee.

Mr. CAREY. When I wished to offer the amendment in the first instance, it was stated by the Chair that the proper time for that amendment would be when the bill had been reported to the Senate after the amendments of the committee had been considered.

The PRESIDING OFFICER. The amendments of the committee are now being considered in the Senate. After the amendments of the committee have been considered, then the amendment of the Senator from Wyoming will be in order.

Mr. CAREY. Now I should like to ask if an amendment is order to the amendment proposed by the committee?

The PRESIDING OFFICER. If the Senator desires to move an amendment in that form, he can do so.

Mr. CAREY. I will make that motion.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 12, it is proposed to strike out the word "one," before "hundred," and insert "two;" and in line 13, before the word "thousand," to strike out "fifty;" so as to read: "$200,000."

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Wyoming to the amendment made as in Committee of the Whole.

Mr. COCKRELL. I hope the Senator will not press that amendment. Here we have a committee of the Senate who have deliberately considered this bill, and they have reported $150,000 instead of $250,000. Now, without any action on the part of that committee, the Senator moves to change that to $200,000, increasing it $50,000 above what the committee recommend, without any information at all as to the views of the committee or the propriety or impropriety of it. We might just as well have no committee at all.

I would suggest that the Senator allow this bill to remain on the Calendar and that he go before the committee and see if they will sanction his amendment. I think that would be fairer. It places Senators in a very awkward situation for those representing States whenever a public building bill comes up from their States to get up and move a change in the amount which the committee report without any recommendation from the committee. It places every Senator in an awkward position, and I think it is due to the Senate that the course I have suggested hould be pursued.

Mr. CAREY. I am not very familiar with the rules of the Senate. I ask if the bill is passed over by consent at this time, will it be at all prejudiced?

The PRESIDING OFFICER. It will be without prejudice.

Mr. COCKRELL. I have no objection, but I suggest that the Senator let the bill retain its place on the Calendar, that it be passed over without objection. Then it can be called up at any time in the morning hour and be under the same rule as it is now.

Mr. CAREY. I have no objection to that course.

The PRESIDING OFFICER. At the request of the Senator from Wyoming the bill will be passed over without prejudice, retaining its place on the Calendar.

DENNIS MURPHY.

The bill (S. 211) for the relief of the sureties of Dennis Murphy was considered as in Committee of the Whole. It proposes to release the sureties of Dennis Murphy, who was formerly paymaster and military storekeeper at the national armory at Harpers Ferry, Va., upon his official bond to the United States, executed April 28, 1858.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FOOD AND DRUG ADULTERATION.

The bill (S. 1) for preventing the adulteration and misbranding of food and drugs, and for other purposes, was announced as next in order.

Mr. PADDOCK. I ask that the amendment which I reported, being in the nature of a substitute for the bill, may be read and considered in connection with the original bill.

The PRESIDING OFFICER. The amendment reported by the committee will be stated.

The amendment reported by the Committee on Agriculture and Forestry was, to strike out all after the enacting clause of the bill and insert:

That, for the purpose of protecting the commerce in food products and drugs between the several States and Territories of the United States and

foreign countries, the Secretary of Agriculture shall organize in the Department of Agriculture a section to be known as the food section of the chemical division, and make necessary rules governing the same, to carry out the provisions of this act under direction of the chief chemist, whose duty it shall be to procure from time to time, under rules and regulations to be prescribed by the Secretary of Agriculture, and analyze or cause to be analyzed or examined samples of food and drugs sold or offered for sale in any State or Territory other than where manufactured. The Secretary of Agriculture is hereby authorized to employ such chemists, inspectors, clerks, laborers, and other employés as may be necessary to carry out the provisions of this act.

SEC. 2. That the introduction into any State or Territory from any other State or Territory or foreign country of any article of food or drugs which is adulterated or misbranded within the meaning of this act is hereby prohibited, and any person who shall knowingly ship or deliver for shipment from any State or Territory or foreign country to any other State or Territory, or who shall knowingly receive in any State or Territory from any other State or Territory or foreign country, or who, having so received, shall knowingly deliver, for pay or otherwise, or offer to deliver to any other person, any such article so adulterated or misbranded within the meaning of this act, shall be guilty of a misdemeanor, and for such offense be fined not exceeding $200 for the first offense, and for each subsequent offense not exceeding $300, or be imprisoned not exceeding one year, or both, in the discretion of the court.

SEC. 3. That the chief chemist shall make, or cause to be made, under rules and regulations to be prescribed by the Secretary of Agriculture, examinations of specimens of food and drugs which may be collected from time to time, under rules and regulations to be prescribed by the Secretary of Agriculture, and under his direction in various parts of the country, and publish in bulletins the results of such analyses. But the names of manufacturers or venders of such foods or drugs analyzed shall in no case be published in such bulletins until after conviction in the courts of violation of this act. If it shall appear from such examination that any of the provisions of this act have been violated the Secretary of Agriculture shall at once cause a report of the fact to be made to the proper United States district attorney, with a copy of the results of the analysis duly authenticated by the analyst under oath.

SEC. 4. That it shall be the duty of every district attorney to whom the food section shall report any violation of this act to cause proceedings to be commenced and prosecuted without delay for the fines and penalties in such case provided, unless, upon inquiry and examination, he shall decide that such proceedings can not probably be sustained, in which case he shall report the facts to the food section.

SEC. 5. That the term "drug," as used in this act, shall include all medicines for internal or external use. The term "food," as used herein, shall include all articles used for food or drink by man, whether simple, mixed, or compound. The term "misbranded," as used herein, shall include all drugs, or articles of food, or which enter into the composition of food, the package or label of which shall bear any statement purporting to name any ingredients or substances as not being contained in such article, which statement shall be false in any particular; or any statement purporting to name the substances of which such article is made, which statement shall not fully give the names of all the substances contained in such article in any measurable quantities.

SEC. 6. That for the purposes of this act an article shall be deemed to be adulterated—

In case of drugs:

First. If when sold under or by a name recognized in the United States Pharmacopœia it differs from the standard of strength, quality, or purity according to the tests laid down therein.

Second. If when sold under or by a name not recognized in the United States Pharmacopœia, but which is found in some other pharmacopœia or other standard work on materia medica, it differs materially from the standard of strength, quality, or purity, according to the tests laid down in said work.

Third. If its strength or purity fall below the professed standard under which it is sold.

Fourth. If it be an imitation of and sold under the specific name of another article.

In case of food or drink:

First. If any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, so that such product, when offered for sale, shall be calculated and shall tend to deceive the purchaser.

Second. If any inferior substance or substances has or have been substituted wholly or in part for the article, so that the product, when sold, shall tend to deceive the purchaser.

Third. If any valuable constituent of the article has been wholly or in part abstracted, so that the product, when sold, shall tend to deceive the purchaser.

Fourth. If it be an imitation of and sold under the specific name of another article.

Fifth. If it be mixed, colored, powdered, or stained in a manner whereby damage is concealed, so that such product, when sold, shall tend to deceive the purchaser.

Sixth. If it contain any added poisonous ingredient or any ingredient which may render such article injurious to the health of the person consuming it.

Seventh. If it consists of the whole or any part of a diseased, filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or of an animal that has died otherwise than by slaughter: *Provided*, That an article of food or drug which does not contain any added poisonous ingredient shall not be deemed to be adulterated—

First, in the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not included in definition fourth of this section;

Second, in the case of articles labeled, branded, or tagged, so as to plainly indicate that they are mixtures, compounds, combinations, or blends;

Third, when any matter or ingredient has been added to the food or drug because the same is required for the production or preparation thereof as an article of commerce in a state fit for carriage for consumption, and not fraudulently to increase the bulk, weight, or measure of the food or drug, or conceal the inferior quality thereof: *Provided*, That the same shall be labeled, branded, or tagged, as prescribed by the Secretary of Agriculture, so as to show them to be compounds and the exact character thereof: *And provided further*, That nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary medicines to disclose their trade formulas;

Fourth, where the food or drug is unavoidably mixed with some extraneous matter in the process of collection or preparation.

SEC. 7. That every person manufacturing or exposing for sale or delivering to a purchaser any drug or article of food included in the provisions of this act shall furnish a sample of such drugs or articles of food to any person duly authorized by the Secretary of Agriculture to receive the same, and who shall apply to such manufacturer or vender, or person delivering to a purchaser such drug or article of food for such sample for such use, in sufficient quantity for the analysis of any such article or articles in his possession, and shall tender him the full value thereof. And in the presence of such dealer and an agent of the food section, if so desired by either party, said sample shall be divided into three parts and each part shall be sealed by the seal of the food section. One part shall be left with the dealer, one delivered to the food section, and one deposited with the United States district attorney for the district in which the sample is taken. Said manufacturer or dealer may have the sample left with him analyzed at his own expense, and if the results of said analysis differ from those of the food section, the sample in the hands of the district attorney shall be analyzed by a third chemist, who shall be appointed by the president of the Association of Official Agricultural Chemists of the United States, in the presence of the chemist of the food section and the chemist representing the dealer, and the whole evidence shall be laid before the court.

SEC. 8. That whoever refuses to comply, upon demand, with the requirements of section 7 of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not exceeding one hundred nor less than ten dollars or imprisoned not exceeding one hundred nor less than thirty days, or both, And any person found guilty of manufacturing, or knowingly offering for sale, or selling an adulterated, impure, or misbranded article of food or drug under the provisions of this act shall be adjudged to pay, in addition to the penalties heretofore provided for, all the necessary costs and expenses incurred in inspecting and analyzing such adulterated articles which said person may have been found guilty of manufacturing, selling, or offering for sale.

SEC. 9. That in prosecutions for violations of any of the provisions of this act proof of the act done shall be held to imply knowledge and intent on the part of the accused, unless such knowledge and intent shall be disproved on the trial. If it be shown that said dealer is innocent of any intentional fraud, then the action in court shall lie against the dealers having furnished the accused the articles in question, and these dealers shall be parties to the suit.

SEC. 10. That this act shall not be construed to interfere with commerce wholly internal in any State, nor with the exercise of their police powers by the several States.

SEC. 11. That for the purpose of enabling the Secretary of Agriculture to carry this law into effect, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $100,000.

Mr. COKE. That bill should not be taken up during the morning hour. It is a bill of too much importance and will require too much discussion to be disposed of hastily. I therefore object to its consideration during the morning hour.

The PRESIDING OFFICER. Objection is made to the present consideration of the bill.

Mr. PADDOCK. I hope the Senator will withdraw his objection for a moment.

Mr. COKE. I will withdraw the objection in order that the Senator may make a statement.

Mr. PADDOCK. Two weeks ago I gave notice to the Senate that when this bill was reached regularly on the Calendar, I should move that its consideration be proceeded with and its consideration continued until the bill should be disposed of.

I do not wish now, however, to interject this important measure into the morning order of business. I do not wish to antagonize bills which, because they are not important enough to be strongly antagonized, may with brief consideration be passed in the morning hour. Besides, as I understand my friend from Texas [Mr. COKE] is not well, and desires to speak upon this bill briefly, I do not care to press the consideration of it at this time, even without objection, in the morning hour, but I do desire, inasmuch as the amendment has been partially read, that the reading may be completed so that it may appear in the RECORD, and then I will consent to an agreement about its future consideration. I shall ask that the bill be made the special order immediately after the conclusion of the consideration of the printing bill, so called, which follows immediately after the bill which is the the order at 2 o'clock to-day.

Mr. COKE. I shall make no objection to that, but——

Mr. PADDOCK. That is all I desire, but I shall be obliged to the Senator if he will allow the reading of the amendment to be concluded now.

Mr. COKE. I ask the Senator if he can not name a day when the question shall come up.

Mr. PADDOCK. I can name a day, and it is the very day and the very hour when the consideration of the printing bill, which is the next special order, shall have reached a conclusion; but I can not consent, and the Senator from Texas ought not to appeal to me to put this bill off a single minute longer that that, which may and probably will carry it over three or four days.

I do not know how long it will take to consider the printing bill. It will lead to some discussion, I have no doubt. The bill now before the Senate, however, has been before the country for a great many months, and it has been before the Senate for a good many months. It was considered, not very much at length, to be sure, at the last session of Congress, and I spoke quite at length upon it on the last day of the session. I have no speech to make upon it myself now, and I shall consume no time in its consideration except in answering what may be said by its opponents very briefly. But the country wants this legislation, and the need of it is apparent to every man, woman, and child of intelligence in the country. There is a universal demand for it from the State and county agricultural associations of the whole country.

Reputable people who are engaged in the various vocations which are to be specially affected by it—the National Dairy Association, the National Association of Druggists—have signified their desire that Congress pass the bill.

The National Grocers' Association has made a similar appeal, and appeals have come from honorable dealers, manufacturers, and others, and from every part of the country. The great army of consumers have universally demanded its passage. The bill ought to have taken precedence of many bills which have been already considered here this session. I can consent to no arrangement other than that the measure shall be placed for consideration immediately after the consideration of the printing bill shall be concluded. Beyond this I am unwilling to make any agreement whatever. The Senate can vote the bill up or down as it may please, but I must insist on the opportunity being presented for such vote; and it will have to be given, or refused to be given, very soon.

Mr. COKE. I regard the bill as a very vicious one, indeed. I do not think there is a worse bill on the Calendar than this, and I know of no public sentiment that demands it. The sentiment the Senator from Nebraska refers to may exist, but, if it does, I have never heard of it.

Mr. PADDOCK. Ten thousand petitions have come before Congress in favor of it.

Mr. COKE. It is a very important bill, one that ought to be thoroughly considered and discussed, and I think the Senate ought to be allowed sufficient time in which to do it.

Mr. PADDOCK. I am ready to accede to that. I do not deny for a moment that Senators, like my friend from Texas, who may wish to discuss this bill should have full and ample opportunity to do so, but I do insist that that time shall commence speedily.

Mr. PLATT. I wish to make a suggestion to the Senator from Nebraska. I think if he will ask that the pending bill be made the special order of the day for Wednesday—we can not consider it before—then it will stand on the Calendar as being the next business after the printing bill.

Mr. PADDOCK. I will very cheerfully agree to that.

Mr. BATE. I do not think that will answer. That is only the day after to-morrow. I do not know how long the printing bill will take, but this is certainly a bill of vast importance. As has been said by the Senator from Nebraska, it is a bill that was here at the last session and he made his speech upon it on the last day of the session. I remember that very distinctly. The bill, however, has been brought in at this session with material changes, which ought to be understood and ought to be investigated. I think there ought to be a written report upon it, but it has not come into the Senate at this session with a written majority and minority report as it did last session. The other bill had both a majority and minority report with it, and there is no report here, so far as I know, to enlighten the Senate as to the opinion of the committee. The bill, as I have said, is now submitted without any report and without, I believe, the Senator having spoken upon it at this session. I belong to that committee——

Mr. PADDOCK. Mr. President——

Mr. BATE. Excuse me. I believe at the last session, when it was a matter of so much interest here, as it is now, there was a majority report made and there was likewise a minority report, and I was one of the members of the committee who signed the latter. Now the bill is here with some material changes, as I understand, though I have not had an opportunity to compare the bills. I think we ought to have time to investigate the matter, and I ask for nothing else, because we have to meet the question. I state frankly that I oppose the bill myself, and I have reasons for that opposition which I expect to be able to give at the proper time.

Mr. PADDOCK. The bill is here reported favorably by the majority of the Committee on Agriculture and Forestry. It was reported in the same way at the last session when a very reasonable report was made on behalf of the majority by myself, and a very able, a very learned, and very exhaustive minority report was made by my distinguished friend from Tennessee [Mr. BATE]. It is understood that my report on behalf of the majority of the committee which was made at the last session will be the majority report for this session. There are no material changes in the bill, but whatever changes have occurred in it are in the direction of the better protection of the interests which my friend on the other side may happen to represent. If there is any change it has been to liberalize the bill on lines which he has adopted as his lines of antagonism to legislation of this character whatever its form may be. So that his minority report, a very able report from his standpoint, made at the last session, can very properly be considered as being made now, as the majority report made at the last session is to be so considered.

Before I take my seat I will make the motion that the pending bill, Senate bill No. 1, be made the special order for Wednesday next.

Mr. BATE. I object to that for the reasons I have stated.

Mr. PADDOCK. I make the motion that Senate bill No. 1 be made the special order for Wednesday next immediately after the completion of the consideration of the printing bill.

The PRESIDING OFFICER. Senate bill No. 1, being under consideration, the Senator from Nebraska moves that it be made the special order for Wednesday next at 2 o'clock. The Chair understands that it takes a two-thirds vote to do that.

Mr. BATE. If the motion is insisted upon, I shall, under the circumstances, call for the yeas and nays.

Mr. PLATT. Is debate in order on that motion?

The PRESIDING OFFICER. The Chair understands that debate is in order.

Mr. PLATT. If not, I trust I may have unanimous consent to say a word.

I do not know whether I am in favor of this bill or not, but it is a bill in which there is a large public interest and which is entitled to a hearing. I made the suggestion to the Senator from Nebraska that to get a hearing at any reasonable time during this session it would be well to make a motion to have the bill made the special order of the day for Wednesday next. Manifestly it will not be heard then, but it will take its place after the present unfinished business shall have been disposed of and the printing bill shall have been disposed of, and, as things have been going on here in the Senate, it will be a good many days before this bill will be reached for consideration. I suppose that enough time will elapse so that all the Senators desiring to consider the bill and to get ready for its consideration will have ample opportunity.

The La Abra claim bill is to be disposed of to-day, I suppose. The printing bill will take some days. By the time that is out of the way I should suppose that all members of the Senate could be ready to consider this bill. I think it is entitled to consideration. That was my only reason for making the suggestion to the Senator. I do not know whether I am in favor of the bill as a whole, or not.

Mr. PADDOCK. My motion was made in pursuance of the suggestion of the Senator from Connecticut [Mr. PLATT].

I desire to say to our friends upon the other side who wish to antagonize this bill, that if they will allow it to be taken up and allow the order to be made as proposed, as far as I am concerned I will yield to the convenience of any one on the other side who may wish to have a little time to discuss it. If any Senator is not prepared to discuss the bill I shall be willing to yield reasonably, as I have generally done all the way through, with this bill. There is no bill whose friends have exercised greater courtesy or who have made greater concessions than have been made as to this bill. All I wish is that the bill shall have its due and proper place, the place to which it is so justly entitled by its very great importance. I will consent at all times to consult the convenience of our friends on the other side as to their discussion, so long as such discussions are not indulged simply to obstruct its passage; and I am sure this will not be attempted.

MEXICAN COMMISSION AWARDS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868, the pending question being on the amendment of the Senator from Massachusetts [Mr. HOAR] to strike out section 3 of the bill, on which the Senator from Mississippi [Mr. GEORGE] is entitled to the floor.

Mr. GEORGE. Mr. President, in the absence of the Senator from Massachusetts [Mr. HOAR], the duty devolves on me to present some considerations to the Senate why the third section of the bill, which provides for an appeal to the Supreme Court of the United States, should be stricken out. To go into that matter and into all the law which is applicable to that question would take more time than is allotted to me this morning. Only one more hour remains for debate on this question. The Senator from Virginia [Mr. DANIEL] desires also to address the Senate, and I shall therefore present my views as briefly as I can.

At the outset I desire to say that I have listened to the debates upon the merits of these two claims for two or three times. I have heard the evidence upon which it is relied to show that these claims are insincere and fraudulent discussed with great ability and with great clearness by the Senators who have spoken in favor of this bill, and I am satisfied that both claims are utterly without foundation; that the honor of the Government of the United States requires that these claims should be investigated and that restitution be made to Mexico. I am so fully satisfied upon the evidence as produced that there is neither equity nor justice in either claim that I should be willing to vote for a bill, without any further investigation, returning the money

which has thus been unlawfully and iniquitously gotten from the Republic of Mexico; but it has been deemed proper by the committee in charge of this measure to provide for a further investigation, and I vote for that.

In order that my position may be accurately understood, I ought to state to the Senate the attitude in which these cases stand so far as the Government of the United States is concerned. It is to protect the honor and the good faith of the Government of the United States that any legislation is needed. That Mexico in any proceeding of a purely municipal nature could not succeed in setting aside the award, I agree. The terms of the convention in the strongest possible language fix the finality and conclusiveness of the decisions of the Joint Commission, and if it were a proceeding in a court of equity on the part of Mexico to set aside this award upon the ground of fraud, I admit that such a bill could not be maintained; but that is not the attitude of the question before the Senate. The preamble to the bill rightly states——

Mr. SHERMAN. I shall probably be called out in a few minutes on a matter of public business, and if the Senator will allow me five minutes upon this question, we can then resume the floor, if it will not interrupt him in his argument.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Ohio.

Mr. GEORGE. I do.

Mr. SHERMAN. Mr. President, as a matter of justice to a constituent of mine, and to present fairly upon the record one of the matters which has been brought out in the La Abra case, I have taken the liberty of asking the indulgence of my friend to allow this gentleman to set himself and his firm right. He is of the firm of Shellabarger & Wilson, who are known to be a very respectable firm, both being ex-members of the House of Representatives, and both feel that some injustice has been done to them by the Senator from Alabama [Mr. MORGAN], to whom I have mentioned this matter.

All I wish is to have a paragraph or two read from a letter, so that it will go into the RECORD, to correct what these gentlemen consider a personal injustice to them. If the Senator will allow this to be read, I then merely wish to say a word about it, and will not further encroach upon his time.

The PRESIDING OFFICER. The paper will be read.

The Secretary read as follows:

I see by the CONGRESSIONAL RECORD, page 630, that Senator MORGAN presented to the Senate the tabulated statement obtained from the State Department of the payments out by that Department of moneys received under the Abra award, and prefaced this with the remark, "Now, I will turn to La Abra case, and let us see who got the money for this," and thus sought to make the Senate believe that our firm received as fees all the moneys, or rather, checks, which that tabulated statement shows were delivered to us.

* * * * * * *

The only importance there is in this is not in the fact that it tends to put us in a false position, but is in the fact of this statement, and others like it, being used to persuade the Senate that the lawyers are getting all of this award and the company none. Now, the truth is, so far as said table shows the delivery of checks to us in said matter, that, of all the checks or moneys ever received by us from the State Department, not a dollar of it was received as our own for fees, except $5,000, which is all we have ever been paid for the seven or eight years of most laborious and vexatious service rendered to said company; and, with the exception of said $5,000 received as fees, every dollar which said return from the State Department shows that we received was received by us, or rather one of us, as mere attorney in fact, to be by us handed over, as it all was, to the treasurer of the company and to the attorneys who represented the company before the umpire, Sir Edward Thornton, and we now hold the receipts of the said treasurer and others for said payments to them, amounting to between $70,000 and $80,000.

* * * * * * *

It would be gratifying to us if you could in some way make this statement known to the Senate, in order to counteract the erroneous impressions created by Senator MORGAN'S remarks.

* * * * * * *

SHELLABARGER & WILSON.

Mr. SHERMAN. All I wish to say in addition is that I have participated somewhat in the past in the discussion of these claims, but I do not intend to do so now. My opinion is still, as it was before, that the Weil case seems to be a fraud from beginning to end, and, therefore, any measure of justice that may be done to Mexico I should be willing to vote for.

Mr. BUTLER. We can not hear the Senator.

Mr. SHERMAN. I repeat that so far as the Weil case is concerned I have always stated that that was a clear case of deliberate fraud founded upon perjury, and therefore I would have no hesitation in voting for the refunding of the money in that case.

In regard to the La Abra case I have taken a somewhat different view. I believe it a case of exaggerated damages, but it seems to me the Government of Mexico ought to have taken the pains to have established these facts, which they could have done. With all the power of a government there and being perfectly familiar with the local matters, they should have made their defense before Sir Edward Thornton, and thus avoided this controversy. As they did not do it, I believe it would be better for the public interests and better as an example of international arbitration that the award should stand and be executed in full faith. I have no other feeling on that question. If present at the time when the vote is taken (and I regret to say that I fear I shall not be) I should probably vote against the refunding of the award in the La Abra case for the reason I have given.

All I rose for now was simply to have the statement of these gentlemen spread upon the RECORD, who I know are very reputable lawyers and very able men, that while they receive their fee of $5,000, they did not receive any other money of this award, but it was paid over by them to the proper officers and proper agents of the company. That is all I desire to say.

Mr. MORGAN. I suppose the Senator refers to something I stated in my remarks on this case. I made no reference at all to how much money these gentlemen had received, except so far as was shown in the report that was sent in here by the President of the United States, and that shows distinctly that while they received $5,000 in their own right as a fee, the remainder of what they received was under some power of attorney or assignment.

Mr. SHERMAN. They simply wish it spread upon the RECORD that they did not receive that money themselves, but paid it over to the company or its agents.

Mr. MORGAN. That is all right.

Mr. GEORGE. Now, Mr. President, in order to do justice to the Senator from Virginia [Mr. DANIEL], I ask that, as some minutes have been taken up by this interruption, the time for taking the vote by unanimous consent be put at quarter past 3 o'clock, so as to give the Senator from Virginia his full time.

Mr. BUTLER. There is no objection to that.

The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent that the vote upon this bill be taken at a quarter past 3 o'clock to-day, instead of at 3 o'clock, as heretofore agreed upon.

Mr. FAULKNER. I ask if there has been any time fixed for taking the vote?

Mr. GEORGE. It was fixed for 3 o'clock to-day.

The PRESIDING OFFICER. If there objection to the request of the Senator from Mississippi? The Chair hears none, and it will be so ordered.

Mr. GEORGE. Mr. President, having secured the Senator from Virginia what I regard as his rights in the matter, I proceed in a very short way to present to the Senate the reasons why I consider that the third section of the bill is unconstitutional, and if it were enacted it would be a very serious obstacle in the way of the settlement of this long litigated and contested claim.

The Senate ought to consider some very salient facts connected with this case, so as to know exactly the attitude in which it now stands before this body. In the first place, we ought to discard all idea that the claimants in these cases have any rights to be protected by the judgment and the action of the Senate outside of the rights and the duties of the United States itself. The convention under which this award was made provided that no case should be submitted to the arbitrament of the Joint Commission except cases which were presented by either one of the two Governments.

In the next place, no evidence, no information upon which that Joint Commission were to act was to be presented to them except by the respective Governments.

In the third place, no lawyer, no agent, had a right to appear before that Joint Commission in the advocacy of the claims or in answer to any claim, except an agent appointed by the respective Governments.

So then, Mr. President, as was held by the Supreme Court of the United States in the first case which went before them, each Government became impliedly a guarantor of the good faith and the sincerity not only of a claim, but of the evidence that was introduced in support of a claim. Let the Senate understand that, and let the Senate also understand that this was a litigation before that Joint Commission between the respective Governments of the United States and Mexico, and not between the citizens of the respective Republics asserting their claims. It was a proceeding in which the United States and the Republic of Mexico were parties, and nobody else was a party.

It has been held by the Supreme Court that when a citizen applies to his Government to present his claim against a foreign government, he agrees to submit the management of that case to the discretion of his Government, and when the award is made it is not made in favor of the respective claimants, but in favor of the respective governments, the provision being that the awards on the one side should be added up and those on the other side should be added up, and that the lesser amount should be subtracted from the larger amount and the balance only paid by the government owing the larger amount to the other government.

That was the attitude of the case. There was no provision in the treaty even for a distribution of the award. That was not done until the year 1878. Before that time Mexico had discovered and complained to the United States Government that there had been fraud and perjury submitted to the Joint Commission in the establishment of these claims prior to the year 1878.

In that year Mr. Evarts—and I desire to call the attention of Senators especially to that—reported to the President, and through him to Congress, that the evidence already taken had raised serious doubts as to the justice and validity of these claims; that an investigation ought to be made, and that the executive department of the Government had not sufficient powers to summon and examine witnesses to make a complete examination, and recommended that Congress do that thing and put it upon the ground, as the Supreme Court afterwards did, that the honor of the United States required that we should not be made the instrument of enforcing a fraudulent and unjust claim against our sister Republic.

Then the act of 1878 was passed before any installment of this award had been paid. That act required a distribution of the fund among the several claimants, with the exception of these two cases, and as to them, it required the President to refrain from payment until, on further investigation, he should be satisfied. I desire to read a sentence or two from the act of 1878:

SEC. 5. And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing: Therefore, *Be it enacted*, That the President of the United States be, and he is hereby, requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law, or considerations of justice and equity, require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, etc.

I read that for the purpose of showing, first, that the Government of Mexico was prompt in making complaint to the United States of the fraudulent character of these claims, and, secondly, for the purpose of showing that Congress, by the act which I have read in the hearing of the Senate, recognized the obligation of the United States to investigate these charges of the Mexican Government and to decide upon the question of restitution or not as "the honor of the United States, the principles of public law, or considerations of justice and equity require."

The Senate ought not to forget that in the very first act which Congress took upon the subject, as well as the action of the executive department, the claim was allowed that Mexico should have r. .ditution of this money if the honor of the United States, or the principles of public law, or considerations of justice required.

After that, Congress having taken no action for some years, Mr. Garfield's Administration paid five installments out of the thirteen, being nearly one-half of the awards to these fraudulent claimants. President Arthur's Administration refused to make any further payment upon a conclusion reached by it that the awards were fraudulent, were obtained by perjury, and that it was in accord with the principles of justice and honor that restitution should be made, and that we should act when we come to make restitution, not upon the strict principles, the technical principles of municipal law, but upon the broad ground stated in the statute, stated in Mr. Evarts's report to the President, and stated in the action of the Arthur Administration, that we should do what was right and proper between nations.

Mr. MCPHERSON. Will the Senator allow me to ask him a question?

Mr. GEORGE. Yes, sir.

Mr. MCPHERSON. He refers to the act of 1878 passed by Congress. It seems to be obligatory upon the President to investigate the matter. Can the Senator inform me whether any investigation was made by President Garfield or any other President prior to the payment of any one of these awards?

Mr. GEORGE. I do not know, Mr. President. The Senator from Alabama [Mr. MORGAN] can answer that question. I hope I shall not be interrupted any more, for the reason that I want to give some of the hour remaining to the Senator from Virginia [Mr. DANIEL].

Mr. MORGAN. Where am I to come in to answer the question?

Mr. GEORGE. You can not come in at all unless you get an extension of time.

Mr. MORGAN. Will the Senator yield to me a moment?

Mr. GEORGE. No; I will not without the consent of the Senator from Virginia. Let the Senator ask him.

Mr. DANIEL. I am willing to yield to the Senator from Alabama.

Mr. MORGAN. I do not want two Senators to have the right to farm out the floor. If I can get the floor after the Senator from Mississippi, I shall reply to the question.

Mr. GEORGE. But you can not get the floor now.

Mr. MORGAN. I say if I do.

The PRESIDING OFFICER. The Senator from Mississippi [Mr. GEORGE] has the floor.

Mr. GEORGE. The Senator from Virginia yields, I understand, to the Senator from Alabama to go on.

Mr. MORGAN. The Senator from Virgina has been acquainted with the case a long time and comes in at the eleventh, twelfth, or thirteenth hour, when a question is put to the Senator from Mississippi, such as we have just heard from the Senator from New Jersey. If he will look at the RECORD he will find that it has been answered twenty-five times.

The PRESIDING OFFICER. The Chair understands the Senator from Mississippi [Mr. GEORGE] to decline to yield.

Mr. MORGAN. As a matter of course, I supposed I should have had a chance to reply and give the information.

Mr. GEORGE. I want the Senator from Alabama to go on, particularly as the Senator from Virginia is willing to yield, and I should like to hear what the Senator has to say.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Alabama?

Mr. DANIEL. Permit me to ask the Senator from Alabama or the Senator from Mississippi if the time may not be extended by his assent? I was not aware that there had been any unanimous consent as to the time for taking the vote.

Mr. MORGAN. The Senator from Oregon [Mr. DOLPH] and myself have been here——

Mr. DANIEL. I have not quite finished my remark. The Senator from Alabama will be kind enough to allow me to conclude.

Mr. MORGAN. I beg pardon.

The PRESIDING OFFICER. The Chair understands that the Senator from Mississippi is entitled to the floor.

Mr. GEORGE. I desire that the Senator from Alabama, with the consent of the Senator from Virginia, may be heard.

Mr. DANIEL. I wanted to get through with my remark. I asked the Senator from Alabama if he would not consent that the time might be extended beyond 3 o'clock. I was not aware that that time had been fixed.

Mr. GEORGE. It has been extended to a quarter after 3.

Mr. DANIEL. Unanimous consent being given to the conclusion of the debate at that time. While it is true that I came in at the eleventh hour, I beg to say that about ten and a half of the hours have been consumed by the Senator from Alabama and the Senator from Oregon upon the other side, and there was nowhere else to come in.

Mr. MORGAN. That is very true; but the point I was going to make was that about the time the Senator from Oregon and myself had been trying to explain this very important and very delicate matter to the Senate and to the country we have not, as a rule, had an audience of half a dozen Senators during the whole week of debate, and now that the time for debate by unanimous consent is about to close I think that I should not be cut off from making an answer to the Senator from New Jersey of a question as important as the one he put to me, and which the Senator can inform himself of if he will only look at the record. I believe he is not here now.

Mr. MCPHERSON. I am here.

Mr. MORGAN. I beg pardon.

Mr. GEORGE. What is the answer?

Mr. MORGAN. The answer is this: Mr. Evarts, when Secretary of State, under the act of Congress, took the papers that were submitted by both sides and heard counsel for days and days together. He made his report to the President of the United States that the honor of the United States and the public law and public morality required the Government of the United States to investigate this matter through one of its own tribunals. The evidence he had before him at that time has been reported back here, printed and spread in the reports that come from the different committees of the two Houses during the last ten or twelve years. Frequent allusion has been made to it, and it has always been accessible to everybody. Then the Senate instructed the Committee on Foreign Relations as to the La Abra case to make a still further examination, which has been done, and in a report of five or six hundred pages made by the Senator from Oregon the whole case has been again elaborated. Four Presidents and four Secretaries of State have concurred in the action that has been taken in this matter and have stated in almost every form in which it could be stated that the honor of the United States and justice and public morals required that this case should be examined. That is the situation.

Mr. GEORGE. Now that is settled. I referred that question to the Senator from Alabama because he is more familiar with it than I am. He says that these cases were not only examined by one Administration, by one Secretary of State, by one President, but by four Presidents and by four Secretaries of State, all reaching the same identical conclusion, that these claims were fraudulent.

I remarked some time ago that I was so thoroughly satisfied of the fraudulent character of these claims that if the Committee on Foreign Relations had reported a bill to pay back the money to the Government of Mexico without any further trial I should have been bound to vote for it, because the question involved, as

I shall show, is a political and not a judicial one, and the obligation of the United States to pay back this money rests upon political considerations and not upon the adjudication of courts with reference to municipal law. But as the committee have reported in favor of further investigation, of course I shall vote for the bill if the third section be stricken out.

It is now understood, I suppose, that the duty we owe to Mexico is not one to be determined by the strict technical rules of municipal law, but, in the language of the Supreme Court of the United States—I quote—

> No technical rules of pleading as applied in municipal courts ought ever to be allowed to stand in the way of the national power to do what is right under all the circumstances.

That is the obligation which rests upon this Government, to do that which is right, to do that which the national honor requires to be done, and it is not an obligation to execute a judgment which may be rendered according to the rules of municipal law. I want the Senate to bear in mind that this case is not a case of law, but a case of conscience and right.

Now, Mr. President, that is established, and it is also recognized in the preamble to the bill, which I will read; and I will base upon that the argument that that question can not be submitted to the Supreme Court. I read now from the preamble of the bill:

> Whereas the Secretary of State, after investigating the charge of fraud presented by the Mexican Government as to the case of La Abra Silver Mining Company, has heretofore reported that the "honor of the United States requires" that said case "should be further investigated by the United States to ascertain whether this Government has been made the means of enforcing upon a friendly power claims of our citizens based upon or exaggerated by fraud," but that "the executive Government is not furnished with the means of instituting and pursuing methods of investigation which can coerce the production of evidence or compel the examination of parties and witnesses," and that "the authority for such an investigation must proceed from Congress."

That is the statement of the reason for the passage of the bill. It is to ascertain what the Government of the United States ought to do in honor, in justice, and in equity. That is what the Supreme Court of the United States said we had a right to do, notwithstanding the adverse claims of the parties in whose favor these awards were made. Then we come to the enacting part of the bill, and we find in section 2 the following:

> That full jurisdiction is hereby conferred on the Court of Claims to hear and determine such suit and to make all interlocutory and final decrees therein, as the evidence may warrant, according to the principles of equity and justice, and to enforce the same by injunction.

I take it, therefore, that the meaning of the bill is not to have this case decided according to the technical rules of municipal law, which the Supreme Court of the United States said ought not to govern in a case of this sort, but it is for the purpose of ascertaining what the Government of the United States ought to do in the premises in honor and according to the principles of public law and considerations of equity and good faith, to use the language of the Supreme Court.

That being established, the next question is, can we confer upon the Supreme Court the power to decide what the Government of the United States ought to do in honor, or, as expressed in the bill, according to the principles of equity and justice? That is the precise question before the Senate in the motion to strike out the third section of the bill. Upon that I propose to submit some authority to the Senate, as well as to make a short argument.

In the first place, only judicial power can be conferred upon the Supreme Court of the United States. That is settled by a long series of decisions, commencing with Hepburn's case, in 2 Dallas, and running down to a very great judgment pronounced by Chief Justice Taney in Gordon *vs.* The United States. Although I am making a very large concession when I make the admission, I admit for the purposes of this argument that a clause in the judgment of Chief Justice Taney in Gordon *vs.* The United States will warrant us in conferring this jurisdiction upon the Court of Claims, because in that case, whilst the Supreme Court decided that the jurisdiction could not be conferred upon the Supreme Court of the United States, it did concede that it was rightfully conferred upon the Court of Claims.

Only judicial power can be conferred upon the Supreme Court of the United States. What is judicial power? That is the next question. There is no need for controversy or for mistake on that point. If anything has been settled by the adjudications of the Supreme Court of the United States and the supreme courts of the various States in the Union, it is what is judicial power. I read from some cases upon that subject which I collected on a former occasion:

> The kind of authority that is judicial in its nature relates to acts on rights of person and property not created by this authority, but under existing law.

It relates to acts on rights of person and property not created by its authority but under existing law. So, it is the very essence of judicial authority that the right shall not be created by the court itself. The court acts upon acts and circumstances already performed, and ascertains from existing law what rights the parties have growing out of these acts.

In this case we discard the rules of law; we leave to the court the power of its own mind, according to its own conscience, to say for the political department of the Government what is for the honor of the United States, what justice and equity require us to do. These, sir, are all political questions; they are all to be resolved by the political department of the Government. The Government can not call in the Supreme Court, which can only have judicial power, and invest that court with authority to say what this Government ought to do with reference to a foreign nation according to the principles of honor and justice and equity. I will read a little further:

> This authority—
>
> That is, judicial authority—
>
> "in specific controversies" between parties, determines these rights as they exist—

Not as the court may create them, but it determines them as they exist—

> and does so at the instance of a party. These qualities distinguish judicial power from what is simply executive or legislative. (Spear on Const., page 3.)

The foreign affairs department of this Government is conferred by the Constitution on the Executive. What the United States owes to a foreign government in honor and according to the principles of law and equity are political questions, and must be decided finally by the political department of the Government, the Congress, and the Executive.

Now, Mr. President, have we a right to transfer the high duty of conducting our foreign relations from the executive department of this Government to the judicial department of the Government, a department which, as I have shown, has no power to take into consideration anything in rendering its judgments except the existing law at the time the transaction took place and to apply that law to that transaction? I take it, there can be no serious doubt of that. Whatever may be done by the Court of Claims, it is clear that you can not confer upon the Supreme Court of the United States any power but judicial power, and that power is always to apply existing law to past transactions. The Supreme Court of the United States, in the very case to which I have called attention, decided that the controversy was not to be decided by the rules of municipal law but by considerations of justice and equity.

Mr. President, I do not think it is necessary to go any further than that, except to say that I want restitution made to Mexico. I believe the Government of the United States has been made the instrument (quoting from the Supreme Court) of a great wrong to a sister republic. I believe we ought to make restitution. I believe that so far as Congress is concerned we ought to pass such a law as will effect restitution.

If the third section be unconstitutional, as I am sure it is, what will be the effect of incorporating that section in the bill? It is not always easy to define whether the whole law will fall or only that part which is unconstitutional. If, however, the court finds that part which is unconstitutional is an essential part of the scheme provided for by the law, the court will never undertake to separate that part which is unconstitutional from that part which is constitutional, because, as the courts have declared, they can not say whether Congress would have enacted so much of the law as is constitutional unaccompanied by the unconstitutional part. They can not determine, and so they say if it be an essential part of the scheme fixed by the statute the whole provision must fall.

So, Mr. President, I fear that after the lapse of so many years of laborious investigation, after having found out, as I believe we have found out, that the grossest frauds have been perpetrated upon our sister Republic of Mexico, and then undertaking to make restitution, we do it in a way which will prove futile; the whole scheme will fail, and then at the end of that litigation we are to commence *de novo*. I am opposed to that.

Nor is it at all necessary with any just scheme to make restitution that the powers of the Supreme Court should be invoked. First, the questions submitted to the Supreme Court are not judicial questions, but political questions. Second, when the facts are ascertained, the political department of the Government, which has jurisdiction of our foreign relations, is entirely competent to decide the important question what is due from the United States as a matter of honor to a foreign government. It is not only competent to do it, but it is the only power within our Government which is competent to do it except the joint action of Congress and the Executive.

There is another danger, Mr. President. It is a rule of the Supreme Court, as it is of every court, when they come to decide whether a law is constitutional or not, that if the language will possibly bear any construction which will make the act constitutional, the court will give the language that meaning. Then we come to decide what justice and equity mean in this statute and

we find that there is ambiguity. We find it will be argued to the court, and the court may take that view of it, that equity does not mean that which is merely right and honorable between nations, but that, according to the system of equity jurisprudence as understood in this country, an equitable obligation is created in favor of the Government of Mexico. If they take that view of it, then we have reduced this great question of doing what our honor requires to a sister Republic to the case of a litigation in a court governed by municipal law only.

What will they do when that comes? Suppose we discard considerations of honesty and of honor, and the court in order to maintain jurisdiction and in order to maintain the constitutionality of the third section of this proposed act should hold that the validity of these awards shall be determined solely by municipal law, can any body predict that they can be set aside upon any question of that sort? Sir, it is proven that Mexico, when the case was before the umpire, had in her possession evidence which she said would set aside the award and declined to produce it. In a case of that sort under municipal law, discarding considerations of honor and what is right between nations, there is no municipal court in the world that would not hold that the failure to produce the evidence at the time was a waiver of any ground of complaint against the judgment. There has been a maxim from the very earliest period of common law, and in equity the same maxim prevails, the Latin form of which is, *vigilantibus et non dormientibus leges subveniunt*—the laws relieve or succor those who are vigilant, not those who sleep upon their rights. There is nothing more common in a court of equity than to turn the complainant out of court upon the ground that he had lost his rights by negligence.

So I say, Mr. President, if we are to decide this case as the Supreme Court of the United States say we ought not to decide it, according to the principles of municipal law, there is danger that in following municipal law we shall fail to do what the Supreme Court of the United States say we ought to do, that which the honor of this Government requires us to do.

For these reasons I shall vote to strike out the third section, and being so confident that the third section is unconstitutional, if it remains in the bill, notwithstanding I desire with all my heart to render justice, to do that which honor and good faith require us to the Republic of Mexico, I shall be compelled to vote against the proposed enactment.

Mr. DANIEL. Mr. President, I have reached a conclusion in this case different from that which has been so ably advocated by the Senator from Oregon [Mr. DOLPH] and the Senator from Alabama [Mr. MORGAN]. In my judgment, in this La Abra claim no sufficient considerations have been deduced before the Senate to justify us in aspersing the decree of an international court—not a domestic tribunal, not a national tribunal in any sense of the word, but an international tribunal, by the decisions of which Mexico is as much bound as the United States, and in which all parties had agreed to submit to a final and conclusive trial.

I do not deny that the Government of the United States has sovereign power to set aside this award in so far as to refuse to execute it. I believe it is a matter that is necessarily an attribute of sovereign power, not controlled, as the Senator from Mississippi [Mr. GEORGE] has said, by positive municipal law, but controlled solely by the enlightened conscience of the nation.

The Senator from Alabama has referred to me as one who long ago was familiar with this case. It was so long ago, Mr. President, that what I knew of it has for the most part been long since forgotten. This La Abra claim is an old customer. It is one of the standing claims upon the docket of Congress, and in every form that Congress can be addressed in its behalf it has heretofore refused to set it aside for considerations satisfactory to itself.

The decision of the Supreme Court of the United States in the Boynton case lays down, as I conceived long before it was decided, the just principles which should control this Government, and asserts, as I had had the honor to do in a committee of the House of Representatives of the Forty-ninth Congress, that it is a matter which rests solely within the discretion of Congress.

Mr. President, there are three aspects to this case which address themselves in my mind in no favorable attitude. While it must be conceded that the Government is sovereign and has an undisputed right to do as it pleases about this matter, the power and its exercise are two very different things. We may have the power to do it, and yet it may be inequitable and unjust that we should do it. When we take up the treaty of 1868, under which these claims were adjudicated by an international court, we find in that treaty these words:

> The President of the United States of America and the President of the Mexican Republic hereby solemnly and sincerely engage to consider the decision of the commissioners conjointly, or of the umpire, as the case may be, as absolutely final and conclusive upon each claim decided upon by them or him, respectively, and to give full effect to such decisions without any objection, evasion, or delay whatsoever.

Has that treaty been complied with in so far as the American citizens are concerned who submitted to it? They had a claim against the Government of Mexico. They might have gone to the capital of Mexico and summoned their Mexican witnesses before the Government of Mexico, and there laid their claim upon the ground where the transactions occurred and where the Mexican witnesses were known. By a compact entered into between the United States and Mexico they were anxious to confide their claims into the hands of their own Government, and that Government, not presuming to judge for itself of these rights of its own citizens, entered into a treaty by which an international court was established in which their citizens were represented by but one-third of the power of that tribunal. That tribunal was one-third Mexican; it was one-third English; it was only one-third American; and they themselves were invited to understand that both Governments had agreed that here should be an absolute, final, and conclusive arbitrament of the matter.

Notwithstanding these absolute terms, I can conceive that there are conditions in which this Government of its own motion, from a sense of conscience, might say, "I have determined that I will not permit my citizens to accept the benefit of this award, because facts patent to perception, cogent in conviction, conclusive in logic, have appeared before me by which I discern that an imposition has been practiced upon that court: and it would be a moral theft, so to speak, to permit anyone to accept the fruits of their imposition upon it." But in no case where honest and fair men can see that the case is not a clear one is this Government justified in impugning an award of this dignity under such circumstances rendered. While much has been said by the Senator from Alabama, the Senator from Oregon, and others, which shows that there is grave doubt as to the integrity of this award, yet, although it has been before all the different agencies of this Government that could deal with it for more than a decade of years, it is curious enough that not one of those agencies has yet decided that it was fraudulent, but only that there were matters of grave doubt upon it.

The Senator from Mississippi says that four different Administrations have reached the conclusion that this was a matter of fraud. I beg leave to differ with that honorable gentleman. If they had reached the conclusion and upon their own responsibility had decided that this was a fraud, then why do they want further investigation to ascertain what has already been by them concluded? On the contrary, they have only determined that there are circumstances which in their mind make them suspect the integrity of this award. If it is unjust, and is so apparently so that their consciences are shocked to accept its fruits, why are we invited at the end of now sixteen years to initiate an investigation?

Furthermore, Mr. President, I do not discover from my perusal of this record that either the Secretaries of State or the counsel of the Mexican Government have agreed as to what the issue is which they invite Congress to investigate. I have before me the message of President Cleveland to the Fiftieth Congress of the United States, in which he lays before Congress a communication from Hon. Thomas F. Bayard, the Secretary of State, on this subject. Does the Secretary of State say in this communication to Congress that this was a patent, plain, egregious fraud which calls upon the Government to make restitution? Far from it. I will read a few lines of his communication.

> Since the allegations of fraud in relation thereto—

The La Abra claim he is speaking of—

> affects only the measure of damages, and not, as in the Weil case, the question whether any ground of claim ever existed.

On the contrary, so far from this being a fraud cut out of the whole cloth, the Secretary of State of that Administration informs Congress that there is no dispute as to the validity of this claim, but only a question as to the sincerity of the measure of damages. And we are invited now, at the end of sixteen years, to set aside the final and conclusive decree of an international tribunal which all parties had stipulated should be conclusive, when it is admitted by the State Department which sends us the message to have been founded upon a firm foundation, and when, as the Secretary of State himself esteems, it is only a question of the measure of damages which have been awarded by a fair Commission for an acknowledged wrong.

While much criticism has been made, and justly made, for I shall seek—

> Nothing to extenuate,
> Nor set down aught in malice—

concerning many of the witnesses who have appeared in this case—while much just criticism has been pronounced upon many of the witnesses who appeared before the international tribunal, let me say, in the first place, that those criticisms were made there, were made to the umpire, were heard by him on a motion for a new trial, and he, a fair and enlightened publicist, overruled the considerations which were suggested concerning them.

Furthermore, let me say that I do not conceive that the Republic of Mexico stands in this forum with any right of justice, or conscience, or propriety to ask anything at our hands.

In broad terms, this has been the conclusion of all the Secretaries of State. Mr. Evarts said, when he was invited to consider this matter, that so far as Mexico was concerned she had no status to complain.

Now, then, in respect to her conduct, I do not think it is consistent with the proprieties of this international award or with the propriety of asking the United States to set aside this decree upon an appeal to conscience. Notwithstanding the clear, conclusive, absolute terms of the submission, we find that soon after the decree was published to the world the Mexican Government did not act, in my judgment, consistently with its obligation to accept it as a finality. On the 21st of November, 1876, about a year after the decree was entered, the agent of Mexico before the Commission addressed a letter to the Mexican minister at Washington in which he used the following language:

The Mexican Government, in fulfillment of article 5 of the convention of July 4, 1868, considers the result of the proceedings of this Commission as a full, perfect, and final settlement of all claims referred to in said convention, reserving, nevertheless, the right to show, at some future time and before the proper authority of the United States, that the claims of Benjamin Weil, No. 447, and "La Abra Silver Mining Company," No. 489, both on the American docket, are fraudulent and based on affidavits of perjured witnesses; this with a view of appealing to the sentiments of justice and equity of the United States Government, in order that the awards made in favor of claimants should be set aside.

What right, let me ask the Senate, had the Mexican Government, after getting her own claims paid without dispute through the agency of this Commission, after entering into a solemn covenant, as solemn as any which can be made between nations of men, to exercise the power of her representation in the city of Washington to make pleas before our Government to set aside a matter which she had agreed should be absolute, conclusive, and forever ended? Notwithstanding this importunity, the administration of General Grant answered the Mexican Government with a clear perception of the international rights in this case, which were set forth in a communication of Secretary Fish. On the 4th of December, 1876, Secretary Fish, in a letter acknowledging the receipt of the letter from Señor Mariscal which includes that of Señor Vallarta, said:

I must decline, however, to entertain the consideration of any question which may contemplate any violation of or departure from the provisions of the convention as to the final and binding nature of the awards, or to pass upon, or, by silence, to be considered as acquiescing in, any attempt to determine the effect of any particular award.

With your appreciation of the objects in contemplation in this method of settlement of difference between two governments, and with your intimate acquaintance with the particular provisions of this convention as with reference to the binding character of the awards made by the commissioners or by the umpire, you will readily appreciate my extreme unwillingness to consider that at the moment when the proceedings relating to the Commission have been brought to a close, and the obligations upon each Government to consider the result in each case as absolutely final and conclusive becomes perfect, the Government of Mexico has taken or purposes to take any steps which would impair this obligation.

Let him that hath clean hands stand in the court of equity, and let not a sister republic, which had bound herself by the most solemn engagement that men can enter into through the power of that Government, set aside a matter which she had agreed to to be final and of which she herself had accepted so much of the fruits as were apportioned to her without dispute or objection.

Mr. President, this does not seem to have satisfied the Mexican Government. A hint to the wise man may be sufficient. A proper delicacy in dealing with this Government would have compelled Mexico to say to the United States, "We have nothing to ask of you; you have had this decree rendered according to my agreement; I accept it. Here are certain papers which concern you, not me; let your honor and let your conscience act upon them without suggestion of mine." But instead of that the Republic of Mexico plied with its importunities our Department of State, and here we have away in 1877 from Señor Vallarta, chief of the bureau of America of the Mexican department of foreign affairs, addressed to the minister at Washington, a letter from which I read the following extract:

With the intention of making the appeal to the sentiments of justice and equity of the United States Government, announced by the Mexican agent at the close of the proceedings of the Mixed Claims Commission in regard to the claim of Benjamin Weil, No. 447, and to that of La Abra Mining Company, No. 489, both against Mexico, the Government has had printed in two pamphlets some important documents bearing on these claims, and I forward you 400 copies of each one of said pamphlets.

Be pleased to have them distributed among the public officials and other persons to whom, in your opinion, it might be convenient to make known the reasons we have to make the appeal above referred to, as also the true attitude of the Mexican Government in the matter,

The VICE-PRESIDENT (at 3 o'clock and 15 minutes p. m.). The Chair will call the attention of the Senator from Virginia to the agreement entered into by unanimous consent that a vote should be taken at this time upon the pending measure.

Mr. VEST. I ask that the Senator from Virginia be permitted to conclude his remarks.

The VICE-PRESIDENT. Is there objection?

Mr. MORGAN. Agreements of this kind are of no value unless they stand.

Mr. DANIEL. They do not bind persons who are not parties to them, do they?

Mr. MORGAN. No, sir.

Mr. DANIEL. I was not a party to it. I have the floor.

Mr. MORGAN. I do not mean to insist. It has always been the rule of the Senate that any Senator could violate an agreement of the Senate when he chose to do so.

Mr. DANIEL. I withdraw that suggestion, sir. I am informed that there is an understanding among Senators that we shall yield, and I withdraw any objection. If it is not the wish of the Senate, I do not desire to proceed.

The VICE-PRESIDENT. The pending question——

Mr. DANIEL. But I may be permitted to state, I hope, sir, that I was not aware of this unanimous consent agreement, and if I had supposed that gentlemen on the other side intended to close the debate as soon as they had made their own arguments, I would have been a little more alert to have occupied the attention of the Chair earlier than this.

Mr. MORGAN. I do not wish to cut off the Senator from Virginia from saying anything in the world he wishes to say about this case, but it has been on for a long time. We agreed last Thursday that 3 o'clock to-day should be the time for taking the vote, and to indulge the Senator from Mississippi in his disquisition upon the law fifteen minutes were added this morning by unanimous consent, and the Senator from Virginia was here, I suppose. I shall not be a party to breaking up the arrangement of the Senate. I have never done such a thing as that, and I do not expect ever to do it. We have always, without any sort of dissent, executed the orders of the Senate taken in this way. The Senator from Virginia said he did not know of this agreement. There is a good deal about this matter he does not know. He did not know that Mr. DOLPH'S report was in the committee room this morning. He did not know he had ever made it——

Mr. DANIEL. I decline to yield to the Senator to assail my knowledge of this case. I think I shall show him before I get through, if he does not cut me off, that there are many things about it that he does not know, or which if he does know he has kept very much to himself in the course of his argument.

Mr. MORGAN. If the debate is to go on in this manner let the Senate indulge us, and let us go right through without any further restriction in the world. I shall not be a party in breaking up the arrangement of the Senate.

The VICE-PRESIDENT. The Chief Clerk will state the pending question, which is the amendment of the Senator from Massachusetts [Mr. HOAR].

The CHIEF CLERK. It is proposed to strike out section 3 of the bill in the following words:

SEC. 3. That an appeal from any final decision in such cause to the Supreme Court of the United States may be taken by either party within ninety days from the rendition of such final decree, under the rules of practice which govern appeals from said court, and the Supreme Court of the United States is hereby authorized to take jurisdiction thereof and decide the same.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Massachusetts.

Mr. VEST. What is that amendment? Let us hear it.

The VICE-PRESIDENT. The amendment will be again read.

The Chief Clerk again read the section proposed to be stricken out.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment was rejected.

Mr. PLATT. I should like to inquire whether the amendments which were suggested the other day by the Senator from Wisconsin [Mr. VILAS] have been acted on or accepted by the committee? There was some talk to the effect that those amendments would be accepted.

Mr. MORGAN. They have not been acted upon. The members of the committee who have been conferred with about them are willing to accept the amendments of the Senator from Wisconsin, considering that they materially improve the perspicacity of the language of the bill.

Mr. CHANDLER. The last amendment moved by the Senator from Wisconsin is to section 5 instead of section 3, as printed.

Mr. PALMER. I did not hear distinctly the remark of the Senator from Alabama as to the amendments of the Senator from Wisconsin.

The VICE-PRESIDENT. The Chair understands the Senator from Alabama to state that the committee accept the amendments presented by the Senator from Wisconsin.

Mr. PALMER. I did not understand whether the amendments were accepted or not.

Mr. MORGAN. The Chair will allow me to state that the committee have not accepted the amendments. I said that those members of the committee with whom I have had an opportunity

to confer are of opinion that the language employed by the Senator from Wisconsin improves the clearness of the bill.

Mr. DOLPH. Let the amendments be read, and then the sense of the Senate can be taken on them in their order. Perhaps the Senator from Wisconsin does not understand that it is necessary to move the amendments; that they can not be brought before the Senate without a motion.

Mr. VILAS. I was about to address the Chair for that purpose. If it be in order, I will move the amendments as they have been printed, calling attention to a correction which is necessary to be made to the second amendment, at the foot of the first page of amendments as printed, by striking out lines 10 and 11, so that the second amendment will read:

And, in case it be so determined, to bar and foreclose all claim in law or equity on the part of said La Abra Silver Mining Company, its legal representatives or assigns, to the money, or any such part thereof, received from the Republic of Mexico for or on account of such award.

The fourth amendment I will move as printed, except to strike out the words, in line 21, "as was made upon the claim of said company." Those words I omit upon the suggestion of the Senator from Oregon. I understand that the amendments have received the approbation of those members of the committee who have been consulted in respect to them.

Mr. DOLPH. Let the amendments be stated in their order.

Mr. MORGAN. Yes, let the amendments be reported and considered in their order.

The VICE-PRESIDENT. The amendments will be read and considered in their order. The first amendment moved by the Senator from Wisconsin will be stated.

The CHIEF CLERK. In section 1, line 13, it is proposed to strike out the word "or," where it occurs between the words "fraud" and "false," and insert in lieu thereof the words "effectuated by means of," so as to read:

And all persons making any claim to the award or any part thereof in this act mentioned, to determine whether the award made by the United States and Mexican Mixed Commission in respect to the claim of the said La Abra Silver Mining Company was obtained, as to the whole sum included therein or as to any part thereof, by fraud effectuated by means of false swearing or other false and fraudulent practices, etc.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment in order will be stated.

The CHIEF CLERK. It is proposed, in section 1, line 15, after the word "assigns," to insert the following:

And, in case it be so determined, to bar and foreclose all claim in law or equity on the part of said La Abra Silver Mining Company, its legal representatives or assigns, to the money, or any such part thereof, received from the Republic of Mexico for or on account of such award.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment will be stated.

The CHIEF CLERK. In section 4, line 4, it is proposed to strike out the words "based upon or," and also in the same line strike out the word "or," where it occurs between the words "fraud" and "false," and insert in lieu thereof the words "effectuated by means of;" so as to read:

That in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of La Abra Silver Mining Company, was obtained through fraud effectuated by means of false swearing or other false and fraudulent practices of said company or its assigns, or by their procurement, the President of the United States is hereby authorized to release the Government of Mexico, etc.

Mr. CHILTON. Mr. President——

Mr. MORGAN. Before the Senator from Texas proceeds, I desire to move to strike out the words following the word "to," in line 7 of section 4, on page 4, being the words "release the Government of Mexico from the further payment thereof, to the extent that the same is so declared fraudulent, and to;" so as to read:

The President of the United States is hereby authorized to return to said Government any money paid by the Government of Mexico on account of said award, etc.

Mr. PLATT. It has all been paid?

Mr. MORGAN. It has all been paid up. I move that as an amendment to the amendment of the Senator from Wisconsin.

Mr. CHILTON. By consent of the Senator from Alabama, who has charge of the bill, in view of the action which has been taken upon the motion to strike out the clause providing for an appeal, and in order to cover any contingency which might arise if all the sections of this proposed law were held to be interdependent, I propose an amendment to the amendment which has been made. In section 5, line 25, after the words "and in case it shall be finally adjudged in said cause," I move to insert:

Either in the Court of Claims or in the Supreme Court of the United States.

The VICE-PRESIDENT. The Chair will call the attention of the Senator from Texas to the fact that the amendment proposed to section 4 has not yet been acted upon, and that is first in order.

Mr. GEORGE. I should like to inquire if the vote has been taken upon the amendment of the Senator from Massachusetts to strike out the third section?

The VICE-PRESIDENT. It has been taken.

Mr. GEORGE. The third section has been stricken out?

The VICE-PRESIDENT. The amendment was not agreed to. The pending question is on the amendment proposed by the Senator from Alabama to the amendment of the Senator from Wisconsin.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas is now in order.

Mr. CHILTON. I move after the words "shall be finally adjudged in said cause" to insert "either in the Court of Claims or in the Supreme Court of the United States."

Mr. DOLPH. I should like to suggest to the Senator from Texas that that would be a little equivocal. Suppose it should be adjudged in the Court of Claims that the award was fraudulent and on appeal to the Supreme Court it was reversed, then the Secretary of State would undertake to return the money in the face of a judgment of the Supreme Court of the United States.

Mr. CHILTON. It is to be finally adjudged, the Senator will understand. The words I propose to insert are used in connection with the preceding language.

The VICE-PRESIDENT. The amendment submitted by the Senator from Wisconsin to the fourth section is first in order, and will be stated.

The CHIEF CLERK. In section 4, line 6, after the word "procurement," it is proposed to insert the words:

And that the said La Abra Silver Mining Company, its legal representatives or assigns, be barred and foreclosed of all claim to the money or any part thereof so paid by the Republic of Mexico for or on account of such award.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Wisconsin to the fourth section of the bill.

The amendment was agreed to.

Mr. DOLPH. Now let the amendment of the Senator from Texas be stated.

The VICE-PRESIDENT. The amendment of the Senator from Texas is in order as an amendment to the amendment of the Senator from Wisconsin to the fifth section of the bill. The amendment of the Senator from Wisconsin will be stated.

The CHIEF CLERK. In section 5 it is proposed to strike out from and including the words "and in case said court" to the end of the section, and insert in lieu thereof the words:

And in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of La Abra Silver Mining Company, or any definable and severable part thereof, was not obtained through fraud as aforesaid, then the Secretary of State shall proceed to distribute so much of the said award as shall be found not so obtained through fraud, or the proceeds thereof remaining for distribution, if any, to the persons entitled thereto.

Mr. CHILTON. I move to amend the amendment by inserting after the words "finally adjudged in said cause," in line 25, the words:

Either in the Court of Claims or in the Supreme Court of the United States.

So as to read:

And in case it shall be finally adjudged in said cause, either in the Court of Claims or in the Supreme Court of the United States, that the award made by said Mixed Commission, so far as it relates to the claim of La Abra Silver Mining Company, or any definable and severable part thereof, was not obtained through fraud as aforesaid, then the Secretary of State shall proceed to distribute so much of the said award as shall be found not so obtained through fraud, or the proceeds thereof remaining for distribution, if any, to the persons entitled thereto.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. If there are no further amendments as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. VANCE. Let us have the yeas and nays upon the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. I do not know how he would vote, but if he were present I should vote "nay."

Mr. DAWES (when Mr. HOAR'S name was called). My colleague [Mr. HOAR] is detained from the Senate by sickness, and is paired with the Senator from Alabama [Mr. PUGH], who is also

detained by sickness. I do not know how either of them would vote.

Mr. MORGAN. My colleague [Mr. PUGH] is paired with the Senator from Virginia [Mr. DANIEL], but the Senator from Virginia voted "yea," as my colleague would have voted, and therefore the pair stands with the Senator from Massachusetts.

Mr. DAWES. My colleague did not intimate how he would vote; but he is detained on account of sickness.

Mr. KENNA (when his name was called). I am paired on all questions with the Senator from Colorado [Mr. WOLCOTT].

Mr. MITCHELL (when his name was called). I have a general pair with the junior Senator from New York [Mr. HILL]. I suppose this is not a political question, and I should be glad to vote.

Mr. FAULKNER and others [to Mr. MITCHELL]. You can vote.

Mr. MITCHELL. I vote "yea."

Mr. TURPIE (when his name was called). I am paired with the senior Senator from Minnesota [Mr. DAVIS], who is absent, and therefore I withhold my vote.

Mr. WALTHALL (when his name was called). I am paired with the Senator from Ohio [Mr. SHERMAN]. If he were here I should vote "yea."

The roll call was concluded.

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. I therefore withhold my vote. I should vote "yea" if he were present,

Mr. BUTLER. I am paired with the Senator from Indiana [Mr. VOORHEES]. If he were present I should vote "yea," and I understand he would vote "nay."

Mr. ALLISON (after having voted in the affirmative). I have a pair usually with the Senator from Missouri [Mr. COCKRELL]. I do not see him in his seat, and therefore, having voted in the affirmative, I will withdraw my vote.

Mr. FRYE. I have a general pair with the senior Senator from Maryland [Mr. GORMAN]; but I feel at liberty in this case to vote, and I vote "yea."

Mr. ALLEN (after having voted in the affirmative). I should have announced, before voting, that I have a pair with the Senator from Tennessee [Mr. BATE], who was necessarily called from the Chamber. Before going out, however, he gave me the privilege of voting if I saw fit.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present I should vote "yea."

Mr. PLATT. I have a pair with the Senator from Virginia [Mr. BARBOUR]. If he were present I should vote "yea."

The result was announced—yeas 43, nays 5; as follows:

YEAS—43.

Allen,	Dawes,	Irby,	Peffer,
Berry,	Dixon,	Jones, Ark.	Proctor,
Call,	Dolph,	Kyle,	Ransom,
Cameron,	Frye,	McMillan,	Sawyer,
Carey,	Gallinger,	McPherson,	Stockbridge,
Casey,	Gibson, La.	Mitchell,	Teller,
Chandler,	Gordon,	Morgan,	Vilas,
Chilton,	Hale,	Morrill,	Washburn,
Coke,	Harris,	Paddock,	White,
Colquitt,	Hawley,	Palmer,	Wilson.
Daniel,	Hiscock,	Pasco,	

NAYS—5.

George,	Power,	Vance,	Vest.
Higgins,			

NOT VOTING—40.

Aldrich,	Cullom,	Hoar,	Sherman,
Allison,	Davis,	Jones, Nev.	Shoup,
Barbour,	Dubois,	Kenna,	Squire,
Bate,	Faulkner,	Manderson,	Stanford,
Blackburn,	Felton,	Perkins,	Stewart,
Blodgett,	Gibson, Md.	Pettigrew,	Turpie,
Brice,	Gorman,	Platt,	Voorhees,
Butler,	Gray,	Pugh,	Walthall,
Carlisle,	Hansbrough,	Quay,	Warren,
Cockrell,	Hill,	Sanders,	Wolcott.

So the bill was passed.

The VICE-PRESIDENT. The question is on agreeing to the preamble.

The preamble was agreed to.

The VICE-PRESIDENT. By unanimous consent Senate bill 606 was agreed to be taken up upon the conclusion of the bill just passed.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 606) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1868.

Mr. MORGAN. I have some amendments to offer to the bill. In line 12, of section 1, I move to strike out the word "or," where it occurs the second time in that line, between the words "fraud" and "false," and to insert "effectuated by means of;" so as to read:

Or as to any part thereof, by fraud effectuated by means of false swearing, or other false and fraudulent practices.

The amendment was agreed to.

Mr. MORGAN. In line 14 of the same section, I move to insert after the word "assigns"——

Mr. VILAS. If the Senator from Alabama will permit me, I will state that those amendments to the bill have been already printed.

Mr. MORGAN. I have them in print here. I move to insert after the word "assigns" the following:

And, in case it be so determined, to bar and foreclose all claim in law or equity on the part of said Weil, his legal representatives or assigns, to the money, or any such part thereof, received from the Republic of Mexico for or on account of such award as was made by said Mexican Mixed Commission upon the said claim.

Mr. VILAS. I call the attention of the Senator from Alabama to the fact that those last words, "was made by said Mexican Mixed Commission upon the said claim," were omitted from the provisions of the other bill as being perhaps somewhat misdescriptive.

Mr. MORGAN. I will modify the amendment by striking out the words indicated by the Senator from Wisconsin.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Alabama, as modified.

The amendment was agreed to.

Mr. MORGAN. In section 4, lines 3 and 4, I move to strike out the words "based upon or obtained through," and after the word "fraud," in line 4, to strike out the word "or" and insert "effectuated by means of;" so as to read:

That in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of Benjamin Weil, was effectuated by means of fraud, false swearing, or other false and fraudulent practices of said Benjamin Weil, or his assigns, etc.

The amendment was agreed to.

Mr. MORGAN. In section 4, line 6, after the word "procurement," I move to insert:

And that the said Weil, his legal representatives or assigns, be barred and foreclosed of all claim to the money or any part thereof so paid by the Republic of Mexico for or on account of such award as was made upon the claim of said Weil.

Mr. VILAS. I again call the attention of the Senator from Alabama to the fact that in the La Abra bill the similar amendment stopped at the words "such awards," and that the subsequent words were omitted.

Mr. MORGAN. I remember that now, and I will modify my amendment according to the suggestion of the Senator from Wisconsin.

The VICE-PRESIDENT. The amendment will stated as modified.

The CHIEF CLERK. In section 4, line 6, after the word "procurement," it is proposed to insert:

And that the said Weil, his legal representatives or assigns, be barred and foreclosed of all claim to the money or any part thereof so paid by the Republic of Mexico for or on account of such award.

The amendment was agreed to.

Mr. MORGAN. In section 4, line 7, after the word "to," I move to strike out the words "release the Government of Mexico from the further payment thereof to the extent that the same is so declared fraudulent, and to;" so as to read:

The President of the United States is hereby authorized to return to said Government any money paid by the Government of Mexico on account of said award remaining in the custody of the United States.

The amendment was agreed to.

Mr. MORGAN. I will ask the Senator from Wisconsin and the Senator from Texas if they will offer the amendment to the first part of section 4 in the form in which it was adopted on the preceding bill.

Mr. CHILTON. In section 4, line 2, after the word "cause," the first word in the line, I move to insert:

Either in the Court of Claims or in the Supreme Court of the United States.

So as to read:

That in case that it shall be finally adjudged in said cause, either in the Court of Claims or in the Supreme Court of the United States, that the award made by said Mixed Commission, so far as it relates to the claim of Benjamin Weil, etc.

The VICE-PRESIDENT. The question is on agreeing to the amendment moved by the Senator from Texas.

The amendment was agreed to.

Mr. CHILTON. The same clause should be inserted in the amendment offered by the Senator from Wisconsin, I understand.

Mr. MORGAN. I suggest to the Senator from Texas that that is hardly necessary, after having expressed it once in the section.

Mr. CHILTON. I presume not, only the other clause refers to the negative, that the decree was not obtained by fraud.

Mr. MORGAN. If I can have the ear of the Senator from

Wisconsin a moment, I will ask him, as I do not think I have a correct memorandum of the amendment he proposed to section 5, if he will be good enough to present it.

The VICE-PRESIDENT. The Chair understands that the Clerks have the amendment at the desk. It will be read.

The CHIEF CLERK. In section 5, line 5, it is proposed to strike out from and including the words "and in case said court" to the end of the section, and to insert in lieu thereof the words:

And in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of Benjamin Weil, or any definable or severable part thereof, was not obtained through fraud, as aforesaid, then the Secretary of State shall proceed to distribute so much of the said award as shall be found not so obtained through fraud, or the proceeds thereof remaining for distribution, if any, to the persons entitled thereto.

Mr. VILAS. I call the attention of the clerks to the fact that in the printed amendments that is printed section 3 instead of section 5. It should be section 5. I suggest also to the Senator from Alabama that in moving this amendment he now incorporate with it the words adopted in the La Abra bill on the motion of the Senator from Texas, so as to read "in case it shall be finally adjudged in said cause, either in the Court of Claims or, upon appeal, by the Supreme Court."

Mr. MORGAN. I will offer the amendment in that form. I move to amend section 5 by inserting, after the word "cause," the words "either in the Court of Claims or in the Supreme Court of the United States."

The VICE-PRESIDENT. The amendment will be stated as modified.

The CHIEF CLERK. In section 5, line 5, after the word "assigns," strike out all down to and including the word "thereto," in line 10, being the remainder of the section, and insert in lieu thereof the following:

And in case it shall be finally adjudged in said cause, either in the Court of Claims or in the Supreme Court of the United States that the award made by said Mixed Commission, so far as it relates to the claim of Benjamin Weil, or any definable and severable part thereof, was not obtained through fraud, as aforesaid, then the Secretary of State shall proceed to distribute so much of the said award as shall be found not so obtained through fraud, or the proceeds thereof remaining of distribution, if any, to the persons entitled thereto.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

PRINTING AND DISTRIBUTION OF PUBLIC DOCUMENTS.

Mr. MANDERSON. I ask that the special order be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the special order, which is Senate bill 1549.

The CHIEF CLERK. A bill (S. 1549) providing for the public printing and binding and the distribution of public documents.

Mr. DANIEL. Is that the special order which now comes before the Senate?

The VICE-PRESIDENT. It is the special order.

Mr. MANDERSON. I ask unanimous consent that the reading of the bill at length he dispensed with, and that the bill be read by sections for amendment.

The VICE-PRESIDENT. The bill will be read by sections for amendment, if there be no objection.

Mr. DANIEL. Before that matter comes up, I should like to move to reconsider the vote by which the La Abra bill was passed, and to submit a few remarks in reference thereto.

The VICE-PRESIDENT. The printing bill will remain as the unfinished business.

MEXICAN COMMISSION AWARDS.

Mr. DANIEL. I move that the vote by which Senate bill 539, known as the La Abra bill, was passed be reconsidered.

Mr. President, when I was cut off by the Senator from Alabama from the remarks which I was making respecting this bill, I was referring to the peculiar and, to my mind, the very improper attitude which the Mexican Government occupied in regard to this arbitration. I had read from a communication which was sent to the Mexican minister to the United States, by which its protest against the decree was requested to be printed and 400 copies circulated broadcast among the officials of this Government in order to disquiet their minds as to the integrity of that award, and to create a public sentiment in favor of the State of Mexico whose lips, by her convention, had been silenced.

This importunity of the Mexican Government extended from 1876 to 1877 and for a series of years, and meantime it became the subject of investigation in Congress in 1878, when Hon. Henry Wilson of Massachusetts was a member of the Committee on Foreign Relations, and that committee was composed of a body of publicists who had as enlightened views about the responsibilities of international law as almost any committee that has ever held that position in the Senate. Mr. Sumner, I believe, was the chairman of that committee. In a report which they made to the Senate they declined to intervene on the part of the United States Government, and in the course of their remarks, after summing up the considerations for that conclusion, they said:

Viewing the subject in the light of the foregoing, the committee are of the opinion that Mexico is entitled to no relief at the hands of Congress.

Again they say:

It is the opinion of the committee that the question presented, in so far as it relates to payment of money under the awards received from Mexico, is entirely within the jurisdiction and discretion of the treaty-making power under the Constitution, and that the Executive is, with the concurrence of the Senate, fully empowered to open negotiations with Mexico by further treaty, if the two powers can concur therein, to accomplish the relief asked for; and if, in the opinion of the President, such frauds have been practiced as to entitle Mexico to relief, this committee would be gratified to know that proper steps would be taken to that end.

There was a propriety and a wisdom in this judgment which it seems to me commends itself to us. If there were a further convention with Mexico with a view to rectifying an apparent wrong which had grown out of one, Mexico might be placed upon conditions to rehear cases which had been decided against our own citizens, and we would not appear before the world in the attitude of attacking our own citizens in our own courts with no corresponding rights for them should they see fit to have a corresponding advantage.

Being denied by the Secretary of State and being denied at the bar of the Senate in 1878, we find again in 1880 that a bill very much of the nature of the bill which is now before the Senate appeared here, when Allen G. Thurman was chairman of the Committee of the Judiciary of the Senate, when Roscoe Conkling and Joseph E. McDonald and Matt Carpenter were members thereof.

I may, indeed, be erroneous in my own conclusions, but surely I need make no apology when I find them vindicated by the opinions of men of as high character as those who occupied positions both upon the Committee on Foreign Relations of the Senate and who were members later of its Judicial Committee. This committee came to a conclusion very much in the line of the remarks which have been made to-day by the Senator from Mississippi [Mr. GEORGE], that it was a matter for the political department of this Government to act upon; and if that department had been under any such conviction of conscience as animates many to-day upon this floor, have they not had full powers, when witnesses were alive and when facts were fresh, to have investigated them years and years ago when an investigation might be hoped to lead to the very truth of the matter?

Mr. President, twelve years ago in this very body a bill of the nature of that which is before us to-day was reported against and defeated. Twice after that treaties offered here for the purpose of entering into a new convention with Mexico were defeated. In the meantime the tardy process of law has held up much of this fund in the office of the Secretary of State. The main persons who figured in this transaction have gone to—

The undiscovered country, from whose bourn
No traveler returns,

and we are asked to-day, at the instance and at the importunity of a government who in equity and conscience have no right to open their lips, to turn over the characters of our own people to the tender mercies of interested witnesses against whom they are powerless.

Mr. President, there is another aspect in which it appears to me that the Government of Mexico does not stand in any high attitude before this tribunal. In the year 1876, and under the Administration of that period, the Government of the United States was represented at the court of Mexico by Hon. John W. Foster, a diplomatist who is well known. That gentleman is, as I have heard, to-day occupying relations with the State Department of the United States in some way connected with its reciprocity treaties and conventions with other nations. Does it seem to be an appropriate and a becoming thing that one who had been our minister at the court of the foreign government between whom and us this convention exists, and who, if I am not to-day misinformed, has access to the State Department of our own country, should appear here in the Senate Chamber or at the doors of our committee as the paid attorney of Mexico to belittle and to drag down the claims of our own citizens, when he has occupied this varied public relation to the two Governments between whom this matter depends?

Mr. President, I hold in my hand a document known as the Foreign Relations of the United States of the year 1878. In that document I find a letter from Hon. John W. Foster, addressed from the legation of the United States in the City of Mexico on October 9, 1878, in which he draws a picture of the condition of affairs in that country and of the outrageous treatment which American citizens had received at the hands of governmental authorities and of its people, which I am sure would disincline anyone

to relax a judgment which had been entered in favor of anyone of our own citizens when suing in a fair court for redress and restitution. I beg leave to put before the Senate a picture of Mexico as drawn by her own counsellor here, by her own counsellor in a cause in which she had plighted her sacred faith, to say no more.

The Hon. John W. Foster wrote this letter, addressing it to Mr. Mason, of Chicago, in answer to an invitation to visit that city and to give any views that he might have gained through his residence in the City of Mexico on the subject of American visitation and investment in that country. The letter is a long one. The minister of the United States evidently wrote it when he had a keen sense of the wrongs which American citizens had suffered at the hands of that people.

American capitalists—

Said he—

can not lose sight of the half century of disorder and revolution in Mexico, and there is a general conviction among them that they can not safely invest their money in a large railroad enterprise in this country, unless the protection of the Government of the United States, by some treaty stipulation or other convention, goes with it.

* * * * * * *

At the last session of Congress, Senator MORGAN of Alabama, with the most friendly disposition toward Mexico, offered a series of resolutions in regard to our political and commercial relations. Accepting the prevailing view entertained by American capitalists mentioned above, one of the Senator's resolutions was that "It is expedient to provide by treaty for the protection and encouragement of such citizens of either country as shall, with the consent of the Government of Mexico, build and equip a line of railroad from the City of Mexico to the Rio Grande," etc.

This resolution—

A friendly invitation of the people of the United States to our adjoining Republic—

This resolution—

Says the diplomatic counselor for Mexico before the Senate—

being published here was denounced as a proposition to establish an American protectorate over Mexico, with the ultimate aim of its annexation.

Then Mr. President, this gentleman proceeds to draw a picture of affairs in Mexico—

The distinguished gentleman—

Señor Zamacona he refers to—

The distinguished gentleman who made the address of welcome to Señor Zamacona at his reception in your city scouted the charge of the insecurity of life and property in this country as a "slander," and styled the authors as "malicious detractors." I will not deny his assertion that life is as safe in the City of Mexico as in Chicago, for there is a good police system in this city, and the order and quiet of its streets will compare favorably with that of other civilized cities of the world.

But the manufacturer and merchant of Chicago hope, in following the suggestions made at said reception, to have not only this city but the whole republic as a field of commercial enterprise. At the risk of subjecting myself to the serious charge referred above, I feel it my duty to cite some facts which have come under my notice and which are well known in this country.

Not a single passenger train leaves this city or Vera Cruz, the termini of the only completed railroad in the country, without being escorted by a company of soldiers to protect it from assault and robbery. The manufacturers of this city who own factories in the valley within sight of it, in sending out money to pay the weekly wages of the operatives, always accompany it with an armed guard; and it has repeatedly occurred during the past twelve months that the street railway cars from this city to the suburban villages have been seized by bands of robbers and the money of the manufacturers stolen. Every mining company which sends its metal to this city to be coined or shipped abroad always accompanies it by a strong guard of picked men; and the planters or others who send money or valuables out of the city do likewise.

But if these things occur within sight of the capital, it is natural to suppose that they are more frequent in distant parts of the Republic.

He then goes on to cite an outrage upon a Belgian citizen and then to speak of outrages to American citizens. He calls attention to his communication, which President Grant caused to be published, in which this language is used:

During the short time that I have been in charge of this legation, I have been officially informed by the consuls of my Government, residing in the different localities of the Republic of Mexico, of the death of thirteen American citizens by violence and outrage, some of them murders of the most brutal character and revolting to our common civilization. In addition to these, I have also received official intelligence of several brutal assaults and personal outrages upon American citizens, not resulting in loss of life.

* * * * * * *

Murder and personal outrage are bad enough, but, while it may appear strange, it is nevertheless true that capital and property are more sensitive to protection than life itself.

* * * * * * *

I give the experience of one American banker and mining capitalist in Chihuahua during the recent revolution as a sample of the rest. The Diaz partisans captured the city of Chihuahua and held it for a few weeks in the fall of 1876. Their first act was to levy a forced loan, and $3,500 was apportioned to the American banker as his share. He was at the time absent from the city on his hacienda (plantation). An armed guard was sent to collect it. As he had already paid considerable sums for the same purpose he thought that he had contributed his full share, and therefore he declined to pay. The guard made him a prisoner, and started with him to the city; but meanwhile the Lerdo forces had recaptured the place, and he was instead carried off to the mountains, and notice was sent to his family that $50,000 would be required for his ransom. He refused to advise his family to pay so dearly for his release, so he was carried around with this roving band of revolutionists, from one mountain fastness to another, as they were driven about by the government troops, compelled to sleep on the bare ground in the cold mountain air, several times exposed to the fire of the enemy, and in imminent peril of his life, until, after thirty days of hardships, he was finally released upon the payment of the original sum demanded, $3,500.

The whole paper, Mr. President, contains an elaborate picture of the condition of affairs in Mexico in which American citizens were outraged, murdered, subjected to forced loans, and otherwise ill-treated. The minister who draws this picture, which is too long for me to paint either by quotation or by description, goes on to state that that condition of affairs had existed in Mexico for fifty years; and now, when one of our own citizens under a fair international tribunal has been awarded damages against the Mexican nation, which has solemnly pledged itself to abide by the award, he appears as counsel for that Government to tell us that the damages were too great and that he was constrained to initiate proceedings to diminish or to abolish them.

Furthermore, Mr. President, there is another circumstance in this case which has been adverted to more than once, but which I desire to put before the Senate in an aspect which strikes my mind as cogent and convincing.

In the course of the proceedings taken before the Senate Committee on Foreign Relations, when this subject was being investigated, the counsel for this claimant was examining a witness, and in the course of his examination—it was Gen. Slaughter, of Mobile, Ala.—he asked this question:

Now, did you have any written agreement with Green as to what he was to do?

Green was a subagent of Gen. Slaughter.

Mr. FOSTER. I object. I think we have got to a point where we must object. We consent very cheerfully to their developing the arrangement made between the Mexican Government and Gen. Slaughter, but I think, in view of the attitude which these claimants have assumed before this committee, that we must object to their going into a detailed examination of what arrangement Gen. Slaughter has made with other persons on his own account in the execution of this contract.

What was the contract? I ask that that contract may be spread in full in this RECORD. It is an agreement entered into in 1877.

Mr. MORGAN. That is already in the record.

Mr. DANIEL. I want it put it with my remarks.

Mr. MORGAN. The committee put it in the record.

Mr. DANIEL. I know it is in the record in the case, but I want it in the RECORD of Congress.

It is an agreement entered into in 1877 between James E. Slaughter, of Alabama, and Ignacio Mariscal, the Mexican minister at Washington. It is not an engagement of professional services for the purpose of enlightening the conscience of this nation by argument. The nature of the engagement and the method of compensation for it will appear from its text. It provides:

This agreement made this 29th day of March, A. D. 1877, by and between Gen. James E. Slaughter, of Mobile, Ala., party of the first part, and Señor Don Ignacio Mariscal, minister of Mexico to the United States, party of the second part:

Witnesseth, that the said party of the first part agrees, for the considerations hereinafter named, to undertake the proof of fraud in the claim of the La Abra Mining Company against the Government of Mexico, which claim is numbered 489 on the docket of the Joint Commission of the United States and Mexico, and has been adjudicated by the umpire of said Commission.

To this end the said party of the first part agrees to send an agent to Mexico for the purpose of securing testimony in proof of the fraudulent character of said claim; to pay the expenses of such agent as far as the City of Mexico, and to secure such assistance as may be necessary in preparing the evidence so obtained, and presenting the same to the proper authorities of the Government of the United States.

The said party of the second part, acting for and in behalf of the Government of Mexico, hereby agrees to secure the payment by said Government of all expenses incurred by the said agent of the party of the first part after he shall have arrived in the City of Mexico; to see that all facilities are furnished by said Government to enable him to secure the necessary testimony, and to pay, by draft payable as hereinafter specified, one-half of the expense incurred by the said party of the first part in the preparation of evidence and the presentation of the same to the proper authorities of the Government of the United States; provided, that such expenses shall not exceed the sum of $3,000 American currency.

And the said party of the second part further agrees, in consideration of the services above named, to pay to the said party of the first part, by drafts upon the national treasury of Mexico, payable in Mexican gold ten months after presentation at said treasury, a sum equal to 10 per cent of any portion of said claim which may be waived or finally withdrawn by the proper authorities of the Government of the United States, or of its total amount if it be waived or withdrawn in the same manner; said drafts to be drawn by the minister of Mexico at Washington immediately upon the final waiver or withdrawal of said claim or any portion thereof, as the case may be, by said authorities of the United States Government.

In witness whereof we have hereunto set our respective hands and seals seals this 29th day of March, A. D. 1877.

JAMES E. SLAUGHTER.
IGNACIO MARISCAL.

Mr. President, if this is the manner in which international arbitration is going to be conducted hereafter by the Government of the United States, it will stink in the nostrils of mankind. Talk to me about the conscience of this country being smitten to make restitution to a government which dares to stand in the vestibule of the Senate, having broken its plighted faith and hired our own citizens and given them contingent fees out of funds which have been dedicated to our payment! There is not a respectable chancellor of the English-speaking race in Christendom who, if such a contract as that was to appear at the bar of his court, would not throw out any case that came there with it.

I can not understand how gentlemen can appeal to my conscience to do the right thing under a solemn engagement of honor when

at the very moment the party who entered into the engagement with me has spat contemptuously upon my sense of honor and has hired my own people and given them part and lot of the fruits of proving fraud upon one of our citizens.

That contract is not a good contract in common law. Can any man hire himself out to another to go about through the world to prove that another is a fraud and to furnish the testimony thereof? Is the stake of honor which has been confided to the stakeholder a fit subject to be parted in contingent fees and another party interested to get possession of it, when it belongs in equity and conscience to the parties who sued for it and claimed it?

Mr. President, there are two questions involved in this case: The one is the honor of the United States, the other is the rights of our citizens. Our citizens may occupy such a relation to this matter that it would be improper to withhold from them or from their assignees this award fairly earned; and yet it might be becoming in the United States, *noblesse oblige*, to take out of our own pocket the money, to hand it back to our sister Republic of Mexico as an indication of that high and lofty spirit which will disdain to receive fruits which are shadowed with suspicion. But you can not address yourself to the honor of a nation and to the cupidity of its people at the same time. You can not ask an apology at the mouth of a cannon or with the clink of a dollar. If the restitution comes, it must be our act, unmoved by the importunity of one whose lips are silenced, unprovoked and uninfluenced by the gold which has been put up as the stake and pledge of honor.

We are looking to the period in the development of civilization when international arbitration shall take the place of the sword. In order that it may take the place of the sword it must be as final in its decrees as a decree of the sword. More than that, it must not be subjected to the paltry considerations of contingent fees and of local counsel and of lobbyists around the Congress of the United States, such as might exist in a small two-penny claim before a committee or in a case before a justice of the peace.

If, in my judgment, after reading the documents in this case, that money were all paid over and the Republic of Mexico had simply laid the facts before this Government, folded its arms, shut its lips, and gone its way confiding in our integrity—if, in my judgment, one dollar of that fund had been procured from her by improper influences, there is nothing that would afford me more pleasure and more satisfaction than to do my part toward putting the hand of Congress into the Treasury of the United States and saying, "We disdain to receive a dollar that is under the shadow of suspicion."

But, Mr. President, this case is attended with more suspicion than the arbitrament itself. Can we in justice to our citizen, when he has submitted to an international arbitration, permit his money to be pledged to those who have got a contract to prove him a fraud and who do not get compensation unless they can demonstrate a crime? Are these agencies of justice, or are they agencies of cupidity and of falsehood and of wrong? So much, then, for the attitude of Mexico.

Now, this case, in my judgment, differs *toto cœlo* from the case of Weil, which succeeds it. There I think is a plain, palpable, open, unquestioned fraud. I have not yet seen the first man who read the record in that case who did not, upon seeing the disclosures and exposures there, shrink back from it as a thing which to the naked eye of conscience was a palpable wrong out of the whole cloth. I shall vote to set it aside, and when the proper time shall come I would restore to Mexico every dollar of it, whether we recover it or no. It would be dishonest; it would be shameful; it would be inconsistent with the character of an honest nation either to receive or, having received, to keep a dollar so obtained.

But, Mr. President, this is a totally different case. The Secretary of State under the administration of Mr. Cleveland informed Congress that the only question in this case was the amount of damages. The Hon. William M. Evarts, Secretary of State of an anterior administration, came to the same conclusion. We have, then, the gravamen of the offense against our citizen acknowledged, proved, demonstrated, confessed. I find in the award and in the facts the *rationale* of the award made by Sir Edward Thornton its own best intrinsic vindication.

Much has been said in debate as to the circumstances attending the Weil case. The minutiæ of testimony in the La Abra case have also been much commented upon and displayed at great length in the record and have engaged much of the attention of the Senate. When you come to analyze that case you will discover, however, this most important and controlling fact: that the arbitrator in delivering his judgment did not cover those controverted points by his decision. In other words, although you might admit, for the sake of the argument, that the authorities of Mexico and the revolutionists did not capture any of the mule trains of the La Abra Company; although you may admit that it is not true, as was originally asserted, that there was a forced loan levied upon the La Abra Company; although you may admit that there was no seizure by the troops of $1,200 from one of its employés; although you may admit that Grove, who was murdered, was not murdered by any agency for which Mexico might be held responsible; although you may admit that the imprisonment of Exall was exaggerated or did not exist, and though you may admit that none of the ores were carried off, as alleged, nevertheless, under the judgment of Sir Edward Thornton, none of these circumstances which have been so much relied upon were considered, but it was based on grounds which are independent and separate from them.

Here, Mr. President, is the judgment, and by reading what Sir Edward Thornton says one will see at once the comprehensive light in which he regarded this case and the equitable principles upon which he ascertained the damages.

There is no doubt—

He said—

that the Mexican Government was very desirous of attracting foreigners to the Republic, and of inducing them to bring their capital into it and raising up industrial establishments of all kinds. With this view it issued proclamations encouraging the immigration of foreigners and promising them certain advantages and full protection. It can not be denied that the claimants were justified in placing confidence in these promises.

This La Abra Mining Company did not consist of irresponsible adventurers. One of its directors and its president, Mr. Baldwin, and many of its stockholders were amongst the most reputable of the citizens of the United States, and, if indeed one or two of its employés did not prove worthy of its trust, I shall show presently that you may discard all the testimony of those employés and that the Mexican testimony here supports this claim.

Now, Mr. President, going on with the text of this award of Sir Edward Thornton, and speaking of the invitation and of its acceptance and of their right to rely for full protection upon the Mexican Government, he says this as to the character of the evidence adduced before him:

The evidence on the part of the claimants is, in the umpire's opinion, of great weight; the witnesses are for the most part highly respectable, and men of intelligence; and their testimony bears the impress of truth. Notwithstanding what is stated to the contrary by the witnesses produced by the defense, the umpire is constrained to believe that the local authorities at Tayoltita and San Dimas, far from affording to the claimants that protection and assistance which had been promised them by the Mexican Government, and to which they were entitled by treaty, not only showed themselves a spirit of bitter hostility to the company, but encouraged their countrymen who were employed by the claimants in similar behavior, and even frightened them into refusing to work for their American employers. The conduct of these authorities was such, and the incessant annoyance of and interference with the claimants was so vexatious and unjustifiable, that the umpire is not surprised that they considered it useless to attempt to carry on their operations, and that for this reason, as well as from the well-grounded fear that their lives were in danger, they resolved to abandon the enterprise. These facts are not, in the umpire's opinion, at all refuted or even weakened by the evidence submitted by the defense; on the contrary, he believes that the local authorities were determined to drive the claimants out of the country.

Much has been said of Exall. He was at one time the local manager of this company in Mexico. He wrote many letters from Mexico, and I have no desire either to mitigate or to pervert in any degree my sense of the duplicity with which he acted. In my judgment his letters, which are now disclosed in this case and are spread upon the record, are inconsistent with the statements which he had formerly made, and put him most seriously upon explanation, if indeed they were possible to be explained in their contradictory relations.

Exall has been dead for many years. That is a circumstance to be weighed, but I admit that it can not destroy utterly the right of Mexico to prove her case as she will. She examined her own witnesses upon that point, and Sir Edward Thornton says that, by their own witnesses, they did not refute those facts, which he regarded as beyond disputation; and in the State Department of the United States, whether we consider it when Mr. Fish gave the whole matter the go-by whether when Mr. Evarts said the only question here is the measure of damages, not that of the wrong, whether yesterday when Mr. Bayard repeated the same sentiment in different language, you have this matter before the Senate, that an American enterprise and American citizens were broken up in Mexico by outrage, and that, at the end of seventeen years, we are asked to set aside a fair, impartial, just, and enlightened arbitrament, which was claimed to be final, merely because it is now alleged the damages were excessive.

Now, I propose to show by the very inherent force of this opinion of Sir Edward Thornton, and by the facts in this case, which rest upon the testimony of witnesses who are not impugned, that these damages were not excessive, or, if excessive, so little so in a matter of this magnitude that for such a proceeding as this the maxim of the law would apply *de minimis non exerat lex*. Let us see how Sir Edward Thornton arrived at the damages which should be paid by Mexico. Three million dollars, I believe, were the damages claimed, and if all the circumstances which I have previously related, the capture of mule trains, forced loans, the seizure of money, the murder of an employé, the imprisonment

of Exall, the carrying off of rich ores—for all these things damages were claimed and assessed in the minds of the claimants at $3,000,000. Now let us see what this umpire did when the American commissioner and the Mexican commissioner differed.

What the amount of this compensation should be—

Says he—

it is very difficult to decide. The umpire is of opinion that the claimants should be reimbursed the amount of their expenditures and also the value of the ores extracted which they were forced to abandon, with interest upon both these sums. He can not consent to make any award on account of prospective gains, nor on account of the so-called value of the mines. Mining is proverbially the most uncertain of undertakings; mines of the very best reputation and character suddenly come to an end, either from the exhaustion of the veins, or from flooding, or from some of the innumerable difficulties which cross the miner's path. A certain interest upon the money invested is a much surer compensation than prospective gains; the latter are, in fact, the interest upon the sums invested; they may be greater or less, or none at all, and there may even be great losses of capital.

To award both interest and prospective gains would be to award the same thing twice over. The so-called value of the mines must depend upon the prospective gains. It may be great, small, or nothing, and may be but a mere snare to lead one on to utter ruin. It is, in the opinion of the umpire, equally admissible that the Mexican Government can be called upon to pay a value the amount of which, even approximately, it is impossible to decide. A moderate interest on the amount invested in the business, and upon the amount of the ores reduced and of those extracted and deposited at the reduction work, is a further compensation which, in the opinion of the umpire, that Government ought to pay.

* * * * * * *

Any so-called "forced loans" and contributions must have been paid out of this amount. To charge them therefore separately is to make the same charge twice over.

Then he goes on to advert upon these various circumstances:

The umpire is satisfied, from the respectable evidence produced, that a large quantity of valuable ore has been extracted from the mines and deposited at the company's mill, and that it was there when the superintendent was compelled, by the conduct of the local authorities, to abandon the mines and cease working them.

What are the items in which he sums up these damages? In the first place he takes the evidence of George C. Collins, not of Exall, not of anyone who is impugned by these records and by these arguments; he takes the "evidence of George C. Collins with regard to the amount invested," which he says—

is straightforward, and, according to it, said amount consisted in the following:

From subscriptions and sale of shares	$235,000.00
From loans and advances	64,291.06
Due for rents, salaries, and law expenses	42,500.00
	341,791.06

Then follow the words "at $100,000," and he gives a decree for that amount, not going off into speculation, not following mule trains or murders, or any of the things which have been paraded in the record as a refutation of these claims, but taking the facts in this case, which have not been and can not be denied, and which even the State Department of the United States in its various messages to-day concedes that here was an outrage in which American citizens were broken up in their enterprise, their mines destroyed, their money made nil. He simply gives them back that of which they were deprived; and I should like to ask where in this record is that judgment impugned and where is the testimony upon which it rests successfully overthrown?

Concede that Exall was full of duplicity, that he said one thing in one place and another thing in another; here were Mexican witnesses, some twenty or thirty in number; here was an array of American witnesses, and not one of them has yet been followed or treated by Mexico as if he had done her any wrong in the testimony which he gave on oath before this court. What became of these Mexican witnesses down at the La Abra mine? Mexico is there with her full sovereign power exercised over that mine. Has she had any of them arrested for perjury and tried them in her courts? Here were these Mexicans living for years; one, two, three, four, five, or six years in the United States. Were any proceedings instituted against them? Now the time has gone by, the men have gone by, and Exall and Bartholow and Cryder and the long list of them are resting in the silence of the tomb.

It is said that the British arbiter valued the silver ore upon the ground a little too high upon testimony which was only cumulative, and that, notwithstanding the body of testimony in that record before him, the arbitrament must be set aside at the importunity and insistence of a State, which promised to say nothing else, but to let it stand.

Sir, if international arbitration in its very conception and birth is to sink into this contemptuous attitude in the Senate of the United States, the nations had better open their gunshops and arsenals again, for it will prove no substitute for the sword. It will only invite it by its criminations and its recriminations and its prolongation of strife, and in the end all the bitterness engendered by broken treaties and by lobbies, and by agreements, which would not be tolerated by an honest chancellor in a court of justice, the edge of the sword, and the point of it would be keener than if such a substitute had never been attempted or known.

For one, Mr. President, I shall not vote to open this award. It is not satisfactory to me, I confess. If I had heard this case as a juryman I might have given a different judgment, but no court will ever set aside a verdict which has been rendered by a jury because one part of the testimony is impugned, or because he would have rendered a different verdict if there had been enough of solid matter left before the court upon which a verdict might have been predicated. No one can read this plain, sensible, honest, common sense opinion of Sir Edward Thornton without seeing in it the mind of the enlightened lawyer and the hand of a chancellor who knew how to hold the scales. He did not go off in any sky-scraping speculation. He did not follow the vicissitudes of the revolution. He only said, "Your revolutionists in Mexico have broken up this American camp and destroyed their business. Give them back what they put into it, without any prospective damages at all, and we will call it even and quit. You have not denied nor shown nor is there any fair testimony in this record from which the inference could be drawn that three hundred and odd thousand dollars were not put there." It is admitted that its usefulness was destroyed, and, on behalf of our citizens, I do not feel conscience-smitten to restore to a Government, at her importunity, a sum which she has paid in recompense, and which, in my opinion, she justly owed.

The PRESIDING OFFICER (Mr. TURPIE in the chair). The question is on the motion of the Senator from Virginia [Mr. DANIEL], to reconsider the vote by which the bill was passed.

The motion was not agreed to.

PRINTING AND DISTRIBUTION OF DOCUMENTS.

The PRESIDING OFFICER. What is the further pleasure of the Senate?

Mr. MANDERSON. The special order has been placed before the Senate, I believe.

The PRESIDING OFFICER. It will be stated.

The SECRETARY. A bill (S. 1549) providing for the public printing and binding and the distribution of public documents.

Mr. FAULKNER. If the Senator from Nebraska does not desire to proceed with that bill this evening, I shall move that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 2, 1892, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate, January 23, 1892.

BOARD OF ORDNANCE AND FORTIFICATIONS.

Byron M. Cutcheon, of Michigan, to be a civilian member of the Board of Ordnance and Fortifications.

POSTMASTER.

Cadwallader J. Pride, to be postmaster at Rock Hill, in the county of York and State of South Carolina.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 1, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of Saturday's proceedings was read and approved.

CORRECTION.

Mr. HOAR. Mr. Speaker——

The SPEAKER. The gentleman from Massachusetts rises, as the Chair understands, to a correction of the RECORD.

Mr. HOAR. Mr. Speaker, as I understand the rules under which we have been acting, a member can not extend his remarks in the RECORD unless he has the permission of the House so to do, although he can make a reasonable revision of his remarks. I desire to call the attention of the House to a speech made by my colleague from Massachusetts [Mr. MORSE] as it appears on pages 670 and 671 of the RECORD. In that speech I interrupted to ask that my colleague be granted further time, as I said, "for the benefit of the Democratic party in Massachusetts." The written speech of my colleague which he handed to the Reporters did not contain any of the remarks which I now desire to read to the House.

My friend from Massachusetts [Mr. HOAR] will need benefit and assistance the next time he is a candidate on the Democratic ticket in his district. But, Mr. Speaker, I want to call attention to these fish-peddlers, and perhaps the gentleman from Massachusetts [Mr. HOAR] can tell the House where the funds came from to carry on that kind of a campaign. [Laughter on the Republican side.]

Now, Mr. Speaker, if I did not want to defend the Republican side of the House in this matter I should not speak, but they have

never laughed at that old fish-peddler story since the day when they sprung it on the country and it did not work. I wish to say that I hold in my hand the original manuscript of my colleague, and also what he dictated in the office of the official stenographer afterward. The manuscript contains none of those last words which I have just read, nor does this report which he dictated to the official stenographer. But even that last report did not satisfy him, and he amended it by adding in his own handwriting, "Laughter on the Republican side." [Laughter.] I desire further to say that his imagination was perfectly truthful, for the punctuation of applause that he ascribes to the Republican party is that in regard to remarks which he never delivered; and I know the gentleman from Massachusetts well enough to know that remarks which he never delivers are sure to obtain Republican applause. [Laughter on the Democratic side.]

Mr. MORSE. Mr. Speaker, I desire to say, in reply to the remarks of my colleague [Mr. HOAR], that the statement just made by him is largely and substantially false. The words which he quoted as not delivered by me, in which I said I desired to speak about these fish-peddlers, etc., are from the report of the stenographer and appear in his report; and they were incident to the interruption made by the gentleman himself; and where "applause" occurs there was applause, as is well known to every member on this side.

In what I interjected into that speech, I simply exercised the privilege which is allowed to every member of the House to revise his manuscript to finish a subject or to supply omissions.

It was remarked to me in this connection by one of the Reporters' assistants that I spoke so fast on that occasion that it would be difficult for the stenographers to take down and transcribe what I did say. [Derisive laughter on the Democratic side.]

Now, Mr. Speaker, my young friend from Massachusetts will be wiser when he is older. He is reported to have shed tears over your election. [Laughter on the Republican side.] He is reported to have wet his couch with tears because his candidate for Speaker was defeated. He had seen in the distance a chairmanship and a clerk and honor and fame and celebrity throughout the extent of the country, and especially in his district in Massachusetts. Those fond hopes were dashed to the ground by the defeat of his candidate for Speaker and by your election, Mr. Speaker.

Once more: That young gentleman, through the campaign in which he was elected, declared that the Democratic party of the country stood for honest money, and that the Republican party was the party of cheap money. He will be wiser when he is older. He belongs to the "kindergarten class" at present. [Laughter on the Republican side.] By the time this Congress has closed he will understand the position of the Democratic party in regard to the "free and unlimited coinage of silver," and with reference to the tariff, "free raw material," and other great economic questions. I repeat once more, Mr. Speaker, that the statement made by the gentleman from Massachusetts in regard to certain statements which I put into my speech are substantially untrue; and the stenographers will bear me out in the statement that they were largely incident to the interruption made by the gentleman himself.

Mr. HOAR. Mr. Speaker, I merely want to say in addition to what I did say (not replying to such of the remarks of the gentleman from Massachusetts as are not pertinent to this question), that I hold in my hand the official stenographer's report of the part of his speech now under criticism; and from that I have quoted. I have the official stenographer's word that the gentleman came into his office and said he did not want that report to appear in print; and he then dictated to the typewriter the words which I have quoted from the RECORD; and then, not content with having that alteration made, he added in his own handwriting, "Laughter on the Republican side." I desire, Mr. Speaker, simply to make that statement as coming from the official stenographer of the House.

I never reply to the remarks of any gentleman when they are personal and impertinent to myself. [Applause on the Democratic side.]

BOUNDARY LINE BETWEEN ALASKA AND BRITISH COLUMBIA.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of State, with inclosures, submitting estimate for an appropriation to complete the survey of boundary line between Alaska and British Columbia, as defined by the treaty of March 30, 1867, with Russia; which was referred to the Committee on Appropriations.

INTERPRETER UNITED STATES LEGATION, CONSTANTINOPLE.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of State, transmitting an estimate of appropriation for the salary of a second interpreter at the United States legation in Constantinople; which was referred to the Committee on Foreign Affairs.

FISH AND FISHERIES.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a letter from the Commissioner of Fish and Fisheries, submitting estimates of appropriation for consideration in connection with the urgent deficiency bill; which was referred to the Committee on Appropriations.

ANNUAL REPORT OF THE PATENT OFFICE.

The SPEAKER also laid before the House a letter from the Commissioner of Patents, transmitting the annual report of the Patent Office for the calendar year 1891; which was referred to the Committee on Patents.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BRODERICK indefinitely, on account of sickness.

CALL OF STATES, ETC.

Mr. McMILLIN. Mr. Speaker, I move that there be a call of States and Territories for the introduction of bills and joint resolutions under the rule heretofore adopted.

The motion was agreed to.

The Speaker proceeded to call the States and Territories, when bills and joint resolutions were severally introduced, read twice, ordered to be printed, and referred as indicated below:

BOUNTY TO CERTAIN ALABAMA TROOPS.

By Mr. WHEELER of Alabama (by request): A bill (H. R. 5056) authorizing the payment of $100 bounty to the honorably discharged members of the First Regiment Alabama Volunteer Cavalry who were enlisted for twelve months—to the Committee on Invalid Pensions.

AMENDMENT OF PENSION LAWS.

By Mr. WHEELER of Alabama (by request): A bill (H. R. 5057) to amend the act amending the pension laws so as to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the Army of the United States and become disabled—to the Committee on Pensions.

REDUCTION OF TAXATION, ETC.

By Mr. TERRY: A bill (H. R. 5058) to reduce taxation, increase the volume of the currency, encourage American shipbuilding, and extend American commerce—to the Committee on Ways and Means.

SALE OF CERTAIN PROPERTY, HOT SPRINGS.

By Mr. TERRY: A bill (H. R. 5059) to authorize sale of lot 8, block 93, city of Hot Springs, by school directors thereof, and use of proceeds for school purposes—to the Committee on Public Buildings and Grounds.

HOME FOR FRIENDLESS WOMEN, HOT SPRINGS.

By Mr. TERRY: A bill (H. R. 5060) to donate certain lots of land now held for sale on the Government reservation of Hot Springs, Ark., for a site for a home for friendless women and orphans—to the Committee on Public Buildings and Grounds.

DEFENSES OF SAN DIEGO HARBOR.

By Mr. BOWERS: A bill (H. R. 5061) authorizing the Secretary of War to obtain land for sites for harbor defenses at San Diego, Cal.—to the Committee on Military Affairs.

ARTILLERY FOR NATIONAL GUARD.

By Mr. CUTTING: A bill (H. R. 5062) to provide additional artillery for the National Guard—to the Committee on the Militia.

IMPROVEMENT OF SAN FRANCISCO BAY.

By Mr. LOUD: A bill (H. R. 5063) to provide for the examination and survey for the improvements of navigable slough in the Bay of San Francisco—to the Committee on Rivers and Harbors.

POSTAGE ON SECOND-CLASS MATTER.

By Mr. SCOTT: A bill (H. R. 5064) to amend the postal laws relating to second-class matter, and fixing rates thereon—to the Committee on the Post-Office and Post-Roads.

PUBLIC BUILDING, ALTON, ILL.

By Mr. FORMAN: A bill (H. R. 5065) for the erection of a public building at the city of Alton, Ill.—to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, EAST ST. LOUIS, ILL.

By Mr. FORMAN: A bill (H. R. 5066) for the erection of a public building at the city of East St. Louis, Ill.—to the Committee on Public Buildings and Grounds.

RESTRICTION OF CERTAIN MAIL MATTER.

By Mr. SCOTT: A bill (H. R. 5067) to amend the postal laws so as to prevent certain classes of books from being transmitted

through the mails as second-class matter—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 5068) to amend the postal laws so as to prohibit advertising sheets from being transmitted as second-class matter and limiting the number of sample copies that may be mailed at second-class rates—to the Committee on the Post-Office and Post-Roads.

TAXATION OF BANK CIRCULATION.

By Mr. SHIVELY: A bill (H. R. 5069) to permit State taxation of circulating notes of national-banking associations and United States legal-tender notes—to the Committee on Banking and Currency.

THE PUBLIC REVENUES.

By Mr. PARRETT: A bill (H. R. 5070) to amend section 19 of an act to simplify the collection of the revenues, by repealing so much thereof as adds to the duitable value of imported merchandise the cost of cartons, cases, crates, boxes, sacks, coverings, and the expenses incident to putting such imports in condition for shipment—to the Committee on Ways and Means.

INDIAN INDUSTRIAL SCHOOL IN IOWA.

By Mr. HAMILTON: A bill (H. R. 5071) for the construction and completion of suitable school buildings for an Indian industrial school in Iowa—to the Committee on Public Buildings and Grounds.

PENSIONS.

By Mr. OTIS (by request): A bill (H. R. 5072) granting service and disability pensions to officers, soldiers, sailors, and marines in the Army and Navy of the United States of the war of the rebellion, 1861 to 1865, their widows and orphans, and for other purposes—to the Committee on Invalid Pensions.

AGRICULTURE.

By Mr. SIMPSON: A bill (H. R. 5073) to provide for the relief of the agricultural population of the United States and to promote and encourage agriculture—to the Committee on Agriculture.

PUBLIC BUILDING, KANSAS CITY, KANS.

By Mr. SIMPSON: A bill (H. R. 5074) to provide for the purchase of a site, and the erection of a public building thereon, at Kansas City, in the State of Kansas—to the Committee on Public Buildings and Grounds.

CLAIMS IN CERTAIN CASES.

By Mr. DAVIS: A bill (H. R. 5075) to provide for the settlement of accounts and claims in certain cases—to the Committee on Claims.

THE CURRENCY.

By Mr. DAVIS: A bill (H. R. 5076) to prevent contraction of the currency by a withdrawal of national-bank notes from circulation—to the Committee on Banking and Currency.

UNITED STATES BONDS.

By Mr. CLOVER: A bill (H. R. 5077) to restrict the purchase of United States bonds—to the Committee on Ways and Means.

ADDITIONAL CLERK.

By Mr. BRECKINRIDGE of Kentucky: A resolution providing for the appointment of an additional clerk to prepare for publication a list of private bills—to the Committee on Accounts.

MARINE CORPS.

By Mr. MEYER: A bill (H. R. 5078) to provide for the examination of certain officers of the Marine Corps and to regulate promotions therein—to the Committee on Naval Affairs.

BAYOU LA FOURCHE, LOUISIANA.

By Mr. PRICE: A bill (H. R. 5079) making an appropriation for the improvement of Bayou La Fourche, Louisiana—to the Committee on Rivers and Harbors.

BAYOU PLAQUEMINE, LOUISIANA.

By Mr. PRICE: A bill (H. R. 5080) making an appropriation for the improvement of Bayou Plaquemine, Louisiana—to the Committee on Rivers and Harbors.

BAYOU TECHE, LOUISIANA.

By Mr. PRICE: A bill (H. R. 5081) for the survey of Bayou Teche from St. Martinsville up to Port Barre—to the Committee on Rivers and Harbors.

VERMILLION RIVER AND VERMILLION BAY PASSES, LOUISIANA.

By Mr. PRICE: A bill (H. R. 5082) for the improvement of Vermillion River and Vermillion Bay Passes, Louisiana—to the Committee on Rivers and Harbors.

CALCASIEU RIVER AND PASSES, LOUISIANA.

By Mr. PRICE: A bill (H. R. 5083) for the improvement of Calcasieu River and Passes, Louisiana—to the Committee on Rivers and Harbors.

ASSISTANT CLERK.

By Mr. STUMP: A resolution authorizing the Clerk of the House to appoint a clerk to file private bills and assist the file clerk—to the Committee on Accounts.

ST. TIMOTHY'S CHURCH, CATONSVILLE, MD.

By Mr. COMPTON: A bill (H. R. 5084) authorizing the refunding of duty on a clock and chime of bells for St. Timothy's Church, of Catonsville, Baltimore County, Md.—to the Committee on Ways and Means.

REGISTER OF WILLS, ETC., DISTRICT OF COLUMBIA.

By Mr. COMPTON: A bill (H. R. 5085) to abolish the offices of register of wills and recorder of deeds for the District of Columbia, and to provide for the performance of the duties now performed by said officers by the clerk of the superior court of the District—to the Committee on the District of Columbia.

ARMY NURSES.

By Mr. COGSWELL: A bill (H. R. 5086) for the relief of women enrolled as army nurses—to the Committee on Invalid Pensions.

THE CIVIL SERVICE.

By Mr. ANDREW: A bill (H. R. 5087) to exclude political influence in the employment of laborers under the authority of the United States—to the Select Committee on Reform in the Civil Service.

FORLORN HOPE STORMING PARTY OF PORT HUDSON.

By Mr. CROSBY: A bill (H. R. 5088) authorizing the Secretary of War to procure and present suitable medals to the survivors of the "forlorn hope storming party" of Port Hudson—to the Committee on Military Affairs.

EIGHT-HOUR LAW.

By Mr. CROSBY: A bill (H. R. 5089) providing for the adjustment and payment of the accounts of laborers and mechanics arising under the eight-hour law—to the Committee on Labor.

BRONZE DOORS FOR SOUTH WING OF THE CAPITOL.

By Mr. CROSBY: A joint resolution (H. Res. 75) to provide for the completion of bronze doors for the south wing of the Capitol—to the Committee on Public Buildings and Grounds.

COURTS FOR INDIAN RESERVATIONS.

By Mr. WILLIAMS of Massachusetts: A bill (H. R. 5090) to supply courts for the Indian reservations and to supplement the act approved February 8, 1887—to the Committee on Indian Affairs.

FREE COPPER.

By Mr. STOUT: A bill (H. R. 5091) to provide for the free admission of copper in certain forms and to reduce import duties upon certain manufactures thereof—to the Committee on Ways and Means.

INDIAN INDUSTRIAL SCHOOL AT MOUNT PLEASANT, MICH.

By Mr. YOUMANS: A bill (H. R. 5092) for the construction and completion of additional suitable school buildings for the Indian industrial school at Mount Pleasant, Mich.—to the Committee on Public Buildings and Grounds.

MESSENGER TO THE COMMITTEE ON AGRICULTURE.

By Mr. HATCH: The following resolution:

Resolved, That the Doorkeeper of the House is hereby authorized to appoint for the remainder of this session a messenger to the Committee on Agriculture at a salary of $100 per month, to be paid out of the contingent fund of the House.

—to the Committee on Accounts.

RECALL OF MINISTER EGAN.

By Mr. ARNOLD: A resolution requesting the recall of Minister Egan, to the end that reciprocity of amicable relations between this Government and Chile may be maintained—to the Committee on Foreign Affairs.

MAKING GOLD AND SILVER COINS AND UNITED STATES NOTES LEGAL TENDER IN PAYMENT OF DEBTS AGAINST THE UNITED STATES.

By Mr. KEM: A bill (H. R. 5093) to make all gold and silver coins and all United States notes a legal tender in payment of all debts—to the Committee on Coinage, Weights, and Measures.

TRANSCRIPTS OF JUDGMENTS OF UNITED STATES COURTS.

By Mr. BRYAN: A bill (H. R. 5094) requiring transcripts of judgments obtained in United States courts to be filed with county officers having charge of judgment records in certain cases—to the Committee on the Judiciary.

COAST DEFENSE.

By Mr. CUMMINGS: A bill (H. R. 5095) for the purpose of increasing the efficiency of the coast defense—to the Committee on Naval Affairs.

APOTHECARIES OF THE NAVY.

By Mr. CAMPBELL: A bill (H. R. 5096) to raise the professional standing of the apothecaries of the United States Navy—to the Committee on Naval Affairs.

MEDALS TO OFFICERS AND CREW OF THE UNITED STATES STEAMER BALTIMORE.

By Mr. CAMPBELL: A joint resolution (H. Res. —) authorizing the acceptance of medals presented to the officers and crew of the United States steamer Baltimore by the King of Sweden.

Mr. CAMPBELL. I call for the reading of that joint resolution, Mr. Speaker.

The joint resolution was read at length.

Mr. CAMPBELL. I ask unanimous consent for the present consideration of the resolution.

The SPEAKER. The Chair will state that that is not now in order. The call is restricted to the introduction and reference of bills and joint resolutions; but the gentleman can withdraw it and offer it at another time.

Mr. CAMPBELL. I withdraw it.

HOUSE OF DETENTION, WASHINGTON, D. C.

By Mr. CURTIS: A bill (H. R. 5097) for the erection of a reformatory and house of detention for women charged with and convicted of crimes and misdemeanors in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

PREFERENCE TO VETERANS OF LATE WAR IN CIVIL SERVICE.

By Mr. RAINES: A bill (H. R. 5098) to insure preference in appointment, employment, and retention in the public service of the United States to veterans of the late war—to the Select Committee on Reform in the Civil Service.

PUBLIC BUILDING AT WINSTON-SALEM, N. C.

By Mr. WILLIAMS of North Carolina: A bill (H. R. 5099) to provide for the erection of a public building at Winston-Salem, N. C.—to the Committee on Public Buildings and Grounds.

DURHAM CREEK, NORTH CAROLINA.

By Mr. BRANCH: A bill (H. R. 5100) making an appropriation for the improvement of Durham Creek, North Carolina—to the Committee on Rivers and Harbors.

SPECIAL JURISDICTION TO COMMISSIONERS OF CIRCUIT COURTS.

By Mr. BRANCH: A bill (H. R. 5101) to confer on commissioners of the circuit courts special jurisdiction in certain cases—to the Committee on the Judiciary.

REDUCTION OF EXPENDITURES.

By Mr. GRADY: A bill (H. R. 5102) to reduce expenditures from the Treasury of the United States, and for other purposes—to the Committee on Appropriations.

COMMERCE.

By Mr. GRADY: A bill (H. R. 5103) to regulate one species of "commerce between the States" and "with foreign nations," and for other purposes—to the Committee on Interstate and Foreign Commerce.

NORTHEAST BRANCH OF CAPE FEAR RIVER, NORTH CAROLINA.

By Mr. GRADY: A bill (H. R. 5104) making an appropriation for the improvement of Northeast Branch of Cape Fear River in North Carolina—to the Committee on Rivers and Harbors.

STREET IMPROVEMENTS, CINCINNATI.

By Mr. STORER: A bill (H. R. 5105) fixing the proportion of the United States of the cost of improved streets in Cincinnati, and authorizing the Secretary of the Treasury to pay the same.

The SPEAKER. This bill, the Chair thinks, should go to the Committee on Public Buildings and Grounds.

Mr. STORER. Mr. Speaker, my own opinion is that it ought to go to the Committee on the Judiciary, as the question involved is purely a legal one.

The SPEAKER. From such examination as the Chair has been able to give the bill, it appears to provide that the United States shall pay for certain pavement in front of the public building in Cincinnati, and therefore the Chair thinks that it should go to the Committee on Public Buildings and Grounds.

Mr. STORER. I would remind the Speaker that a similar bill introduced by a gentleman from Nebraska was withdrawn from the Committee on Public Buildings and Grounds and referred to the Committee on Appropriations. I thought at the time that that was not in accordance with the rules, and therefore I ask that this bill be referred to the Committee on the Judiciary.

Mr. DOCKERY. If the Chair will permit me a remark in that connection, I will suggest that there is no law authorizing the Committee on Appropriations to provide for such an object, and therefore I think the bill ought to go to the Committee on Public Buildings and Grounds, or to the Committee on the Judiciary.

The SPEAKER. The Chair does not see how, under the rule, this bill can properly go to the Committee on the Judiciary; but if the gentleman from Ohio [Mr. STORER] makes that motion, the Chair will put it to the House.

Mr. STORER. Then I make that motion, Mr. Speaker.

The SPEAKER. The gentleman from Ohio [Mr. STORER] moves that the bill, the title of which has been read and which the Chair thinks ought to be referred to the Committee on Public Buildings and Grounds, be referred to the Committee on the Judiciary. Is the House ready for the question?

Mr. REILLY. Mr. Speaker, I ask that the bill be read.

The bill was read in full.

Mr. BLOUNT. Mr. Speaker, is it in order to move to refer that bill to the Committee on the Judiciary? I make that inquiry for the reason that my recollection is that the Government of the United States has never undertaken to make appropriations for such an object as is contemplated in that bill.

The SPEAKER. The Chair held that the bill should properly go to the Committee on Public Buildings and Grounds, and that it ought not to go to the Committee on Appropriations, because there was no law authorizing such an appropriation to be made.

Mr. BLOUNT. I understand that; but I ask whether it would not be in order to move to refer the bill to the Committee on the Judiciary in order that that committee might report to the House in relation to the policy adopted, or to be adopted, in this class of claims. The bill proposes, I think, to inaugurate an entirely new policy.

The SPEAKER. Under the rule, as the Chair understands it, any gentleman may move the reference of a bill to a different committee from that to which the Chair thinks it should go, and the question must be decided without debate.

Mr. HOLMAN. Mr. Speaker, matters of that character, so far as I know, have always been referred to the Committee on Appropriations—that is to say, such propositions as the one contained in the latter portion of this bill. The matter in the first part of the bill might perhaps go to the Committee on Public Buildings and Grounds, but the part proposing an appropriation should go to the Appropriations Committee, and I move that reference.

Mr. DOCKERY. If I may be allowed a suggestion——

The SPEAKER. This debate is proceeding by unanimous consent.

Mr. DOCKERY. I was going to suggest that, from the reading of the second paragraph of the bill, it seems to be in the nature of a claim, and therefore ought to go to the Committee on Claims.

The SPEAKER. The gentleman from Ohio [Mr. STORER] moves to refer this bill to the Committee on the Judiciary, and the gentleman from Indiana [Mr. HOLMAN] moves to amend so as to refer the bill to the Committee on Appropriations.

Mr. HOLMAN. I withdraw my amendment.

The motion of Mr. STORER was then agreed to, and the bill was referred to the Committee on the Judiciary.

MONUMENT AT FORT RECOVERY, OHIO.

By Mr. GANTZ: A bill (H. R. 5106) to provide for the erection of a monument at Fort Recovery, Mercer County, Ohio—to the Committee on the Library.

IMPROVEMENT OF SCIOTO RIVER.

By Mr. HARE: A bill (H. R. 5107) to provide for the improvement of the Scioto River—to the Committee on Rivers and Harbors.

MILITARY POST NEAR HELENA, MONT.

By Mr. OUTHWAITE: A bill (H. R. 5108) to establish a military post at or near the city of Helena, in Lewis and Clarke County, in the State of Montana—to the Committee on Military Affairs.

SERVICE CORPS, UNITED STATES ARMY.

By Mr. OUTHWAITE (by request): A bill (H. R. 5109) to organize a service corps in the United States Army and to increase the efficiency of the enlisted men of the line of the Army—to the Committee on Military Affairs.

AMENDMENT OF LAND GRANT FORFEITURE LAW.

By Mr. HERMANN: A bill (H. R. 5110) to amend an act entitled "An act to forfeit certain land heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes—to the Committee on the Public Lands.

LAND SCRIP.

By Mr. HERMANN: A bill (H. R. 5111) supplementary to the act of Congress approved January 28, 1879, entitled "An act defining the manner in which certain land scrip may be assigned or located or applied by actual settlers, and providing for the issue of patents in the name of the locator or his legal representatives—to the Committee on the Public Lands.

PRACTICE IN GRANTING PENSIONS.

By Mr. AMERMAN: A House resolution instructing the Committee on Invalid Pensions to inquire into and investigate the practice in considering and granting pensions, and for other purposes—to the Committee on Invalid Pensions.

ELECTION OF ELECTORS.

By Mr. McALEER (by request): A bill (H. R. 5112) to provide for the election of electors—to the Select Committee on the Election of President and Vice-President and Representatives in Congress.

RANK AND PAY OF CERTAIN NAVAL OFFICERS.

By Mr. McALEER: A bill (H. R. 5113) concerning the rank and pay of certain officers of the Navy having served a full term as chief of a bureau in the Navy Department—to the Committee on Naval Affairs.

SECTION 1556, REVISED STATUTES.

By Mr. McALEER: A bill (H. R. 5114) to amend section 1556 of the Revised Statutes of the United States—to the Committee on the Judiciary.

PUBLIC BUILDING AT LEBANON, PA.

By Mr. RIFE: A bill (H. R. 5115) to provide for a public building at Lebanon, Pa.—to the Committee on Public Buildings and Grounds.

RETIRED LIST OF THE ARMY.

By Mr. BINGHAM (by request): A bill (H. R. 5116) to amend the act approved February 14, 1885, entitled "An act to authorize a retired list for private, and noncommissioned officers of the United States Army who have served for a period of thirty years and upwards"—to the Committee on Military Affairs.

PENSIONS.

By Mr. BINGHAM: A bill (H. R. 5117) supplementary to an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing pensions to widows, minor children, and dependent parents," approved June 27, 1890—to the Committee on Invalid Pensions.

DISTRICT OF COLUMBIA.

By Mr. HEMPHILL: A bill (H. R. 5118) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1892, and for other purposes," approved March 3, 1881—to the Committee on the District of Columbia.

Also, a bill (H. R. 5119) to prevent the building of houses along certain alleys in the city of Washington, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 5120) to establish a hospital and home for inebriates and dipsomaniacs in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 5121) for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia—to the Committee on the District of Columbia.

SOLDIERS' HOME.

By Mr. SNODGRASS: A bill (H. R. 5122) directing the establishment of a branch of the Soldiers' Home on the Chickamauga and Chattanooga military park—to the Committee on Military Affairs.

BULLETINS OF BUREAU OF AMERICAN REPUBLICS.

By Mr. RICHARDSON: A concurrent resolution providing for printing the bulletins of the Bureau of American Republics—to the Committee on Printing.

PENSIONS.

By Mr. SNODGRASS: A bill (H. R. 5123) providing that the pensions of all pensioners who are inmates of a soldiers' home shall cease so long as they shall remain inmates of such homes—to the Committee on Invalid Pensions.

LOANS BY NATIONAL BANKS.

By Mr. COX of Tennessee: A bill (H. R. 5124) to authorize national banks to loan money on real-estate security—to the Committee on Banking and Currency.

INCREASE OF CIRCULATING MEDIUM.

By Mr. COX of Tennessee: A bill (H. R. 5125) to increase the circulating medium by deposit of United States bonds—to the Committee on Banking and Currency.

FOUNDRY AT NORFOLK NAVY-YARD.

By Mr. O'FERRALL: A joint resolution of the senate and house of delegates of Virginia, requesting the United States Government to locate a foundry at, and extend the limits of, the Norfolk navy-yard, etc.—referred to the Committee on Naval Affairs, and by unanimous consent ordered to be printed in the RECORD, as follows:

Whereas two modern steel vessels, the United States battle ship Texas and the United States cruiser Raleigh, are now rapidly approaching completion at the Norfolk navy-yard, attesting the efficiency of our Virginia mechanics and skilled laborers, and superior advantages of the location for steel shipbuilding: and

Whereas it has been demonstrated that the State of Virginia contains unlimited supply of coal and iron ore for the economical making of steel of the highest grades: Therefore,

Be it resolved by the house of delegates of Virginia (the senate concurring), That the Government of the United States be, and is hereby, requested to locate a foundry at, and extend the limits of, said Norfolk navy-yard so as to make it complete in every respect for constructing the most improved, powerful, and efficient steel battle ships, and to make appropriations for, and to order, as soon as the aforesaid Texas and Raleigh are off the ways, the construction of other steel ships at the said navy-yard, instead of letting them to contractors.

Resolved, further, That our Senators and Representatives in the Congress of the United States be, and they are hereby, requested to take such action in the premises as they may deem requisite for the accomplishment of the object of these resolutions, and the clerks of both houses are hereby directed to transmit to the President and Secretaries of War and Navy of the United States, and to our Senators and Representatives in Congress, certified copies of these resolutions.

Agreed to by house of delegates January 20, 1892.

J. BELL BIGGER, *C. H. D.*

Agreed to by the Senate January 26, 1892.

J. D PENDLETON, *C. S.*

PASSAGE OF APPROPRIATION BILLS, ETC.

By Mr. BUCHANAN of Virginia: A joint resolution (H. Res. 76) proposing an amendment to the Constitution requiring an aye and no vote upon the passage of every act appropriating public money, and that no act shall become law unless a majority of all the members elected to each House shall vote for such act—to the Committee on the Judiciary.

JUDGMENTS OF UNITED STATES COURTS.

By Mr. BUCHANAN of Virginia: A bill (H. R. 5126) to repeal section 3 of an act entitled "An act to regulate the liens of judgments and decrees of the courts of the United States"—to the Committee on the Judiciary.

COMPENSATION TO VIRGINIA.

By Mr. WISE: A joint resolution of the General Assembly of Virginia, memorializing Congress to compensate the State of Virginia for property destroyed during the late war—to the Committee on War Claims.

MONUMENT TO MATTHEW F. MAURY.

By Mr. WISE: A joint resolution of the General Assembly of Virginia, memorializing Congress for the construction of a monument to Matthew F. Maury—to the Committee on the Library.

MOUNT VERNON AVENUE.

By Mr. WISE: A joint resolution of the General Assembly of Virginia in favor of the construction of Mount Vernon avenue—to the Committee on Public Buildings and Grounds.

EXTENSION OF NORFOLK NAVY-YARD.

By Mr. WISE: A joint resolution of the General Assembly of Virginia, in favor of the establishment of a foundry at, and the extension of the limits of, the Norfolk navy-yard—to the Committee on Naval Affairs.

BRANDY DISTILLED FROM FRUITS.

By Mr. EPES: A bill (H. R. 5127) to repeal all internal-revenue taxes on brandies distilled from apples, peaches, and other fruits, and to refund such taxes as may have been assessed and collected on such brandies as remain unconsumed—to the Committee on Ways and Means.

TAX ON TOBACCO.

By Mr. EPES: A bill (H. R. 5128) to repeal all internal-revenue taxes on tobacco in any and all of its forms, and to refund such taxes as may have been assessed and collected on such tobacco as remains unconsumed—to the Committee on Ways and Means.

COINAGE OF SILVER DOLLARS.

By Mr. EPES: A bill (H. R. 5129) to repeal the limitation upon the coinage of the silver dollar, etc., and restore same to its former uses and powers—to the Committee on Coinage, Weights, and Measures.

IMPROVEMENT, APPOMATTOX RIVER, VIRGINIA.

By Mr. EPES: A bill (H. R. 5130) to improve Appomattox River, in the State of Virginia, in accordance with report of Lieut. G. J. Fiebeger, of Corps of Engineers, dated July 10, 1889—to the Committee on Rivers and Harbors.

NATIONAL CEMETERY, POPLAR GROVE, VA.

By Mr. EPES: A bill (H. R. 5131) to construct a road from the city of Petersburg, Va., to the national cemetery at Poplar Grove, in the county of Dinwiddie—to the Committee on Military Affairs.

PUBLIC BUILDING, FARMVILLE, VA.

By Mr. EPES: A bill (H. R. 5132) for the erection of a public

building at the town of Farmville, Va.—to the Committee on Public Buildings and Grounds.

MARINETTE AND WESTERN RAILROAD COMPANY.

By Mr. LYNCH: A bill (H. R. 5133) to authorize the Marinette and Western Railroad Company to construct a railroad through the Menominee Reservation, in the State of Wisconsin—to the Committee on Indian Affairs.

POLYGAMY.

By Mr. BUSHNELL: A joint resolution (H. Res. 77) proposing an amendment to the Constitution prohibiting polygamy within the United States and all places subject to their jurisdiction, to be known as the sixteenth amendment—to the Committee on the Judiciary.

PROTECTION OF RAILROAD EMPLOYÉS.

By Mr. BUSHNELL: A bill (H. R. 5134) to protect railroad employés engaged in operating cars used in carrying on interstate commerce and not provided with automatic couplers—to the Committee on Interstate and Foreign Commerce.

EFFICIENCY OF THE REVENUE CUTTER SERVICE.

By Mr. MILLER (by request): A bill (H. R. 5135) to promote the efficiency of the Revenue Cutter Service—to the Committee on Interstate and Foreign Commerce.

FEES OF JURORS, ETC.

By Mr. CLARK of Wyoming: A bill (H. R. 5136) to fix the fees of jurors and witnesses in United States courts in the State of Wyoming—to the Committee on the Judiciary.

SECTION 5339, REVISED STATUTES.

By Mr. CLARK of Wyoming: A bill (H. R. 5137) defining the crimes of murder in the first degree and murder in the second degree, and repealing section 5339 of the Revised Statutes of the United States—to the Committee on the Judiciary.

REGISTERS AND RECEIVERS OF LAND OFFICES.

By Mr. CLARK of Wyoming: A bill (H. R. 5138) to amend section 2237 of chapter 2 of the Revised Statutes of the United States, relating to registers and receivers of land offices—to the Committee on the Public Lands.

PRICE OF CERTAIN PUBLIC LANDS.

By Mr. CLARK of Wyoming: A bill (H. R. 5139) to fix the price of public lands lying within the limits of railway and telegraph land grants—to the Committee on the Public Lands.

INFANTRY, ARMY OF THE UNITED STATES.

By Mr. CLARK of Wyoming: A bill (H. R. 5140) to increase the efficiency of the infantry, Army of the United States of America—to the Committee on Military Affairs.

BRANCH HOME FOR DISABLED VOLUNTEERS.

By Mr. CLARK of Wyoming: A bill (H. R. 5141) to authorize the location of a branch home for volunteer disabled soldiers on Fort D. A. Russell military reservation, in Laramie County, in the State of Wyoming, and for other purposes—to the Committee on Military Affairs.

SALE OF CERTAIN STONE LANDS.

By Mr. CLARK of Wyoming: A bill (H. R. 5142) to provide for the sale of stone lands in Wyoming, as provided in the States of California, Oregon, Nevada, and Washington, under chapter 151 of the Supplement to the Revised Statutes of the United States—to the Committee on the Public Lands.

LEVEE ON SALT RIVER, ARIZONA.

By Mr. SMITH of Arizona: A bill (H. R. 5143) to provide for the construction of a levee on the Salt River, in Maricopa County, Ariz., near the city of Phœnix—to the Committee on Rivers and Harbors.

SOUTHERN KANSAS RAILWAY COMPANY.

By Mr. HARVEY: A bill (H. R. 5144) to authorize the Southern Kansas Railway Company to construct and maintain a pipe line from the North Fork of the Canadian River, Indian Territory, to said railroad—to the Committee on the Public Lands.

FUNDING OF COUNTY INDEBTEDNESS, OKLAHOMA TERRITORY.

By Mr. HARVEY: A bill (H. R. 5145) to ratify and approve an act of the Legislature of the Territory of Oklahoma providing for the funding of the debt of the counties of said Territory—to the Committee on the Territories.

MINERAL LANDS.

By Mr. STOCKDALE: A bill (H. R. 5146) to withdraw from sale the mineral lands of the Government and to lease them upon royalty and apply the proceeds to the improvement of the water ways, including levees of the Mississippi and irrigation—to the Committee on the Public Lands.

OWNERSHIP OF LANDS BY ALIENS.

By Mr. OATES: A bill (H. R. 5147) to restrict the right of aliens to own lands within the United States—to the Committee on the Judiciary.

ACCOMMODATION FOR PASSENGERS ON STREET CARS, ETC., DISTRICT OF COLUMBIA.

By Mr. OATES: A bill (H. R. 5148) to provide for the better accommodation of passengers on street cars and herdics in the District of Columbia—to the Committee on the District of Columbia.

INVESTIGATION OF CERTAIN OFFICERS OF UNITED STATES COURTS.

By Mr. OATES: A resolution for the investigation of complaints against certain officials of the courts of the United States—to the Committee on the Judiciary.

OAKLAND HARBOR, CAL.

By Mr. McKENNA: A bill (H. R. 5149) to provide for the completion of the improvement of Oakland Harbor, in the State of California—to the Committee on Rivers and Harbors.

COLUMBIAN HISTORICAL EXPOSITION, MADRID.

By Mr. BLOUNT: A bill (H. R. 5150) providing for the appointment of representatives from the United States to the Columbian Historical Exposition at Madrid in 1892—to the Committee on Foreign Affairs.

STATUTE OF LIMITATIONS, DISTRICT OF COLUMBIA.

By Mr. RAYNER: A bill (H. R. 5151) to suspend the operation in certain cases of the statute of limitations in force in the District of Columbia—to the Committee on the District of Columbia.

NAVAL VETERAN ASSOCIATION OF MARYLAND.

By Mr. RAYNER: A bill (H. R. 5152) authorizing the Secretary of the Navy to donate certain cannon to the Naval Veteran Association of Maryland—to the Committee on Naval Affairs.

CHANGE OF REFERENCE.

On motion of Mr. BANKHEAD, the Committee on Public Buildings and Grounds were discharged from the further consideration of the bill (S. 81) to relinquish the interests of the United States in a certain parcel of land in the city of Pensacola, Fla., to Escambia Lodge, No. 15, Free and Accepted Masons, and the same was referred to the Committee on Public Lands.

INTRODUCTION OF BILLS.

The introduction and reference of bills was then continued under the order above stated, as follows:

MARRIAGES, DISTRICT OF COLUMBIA.

By Mr. ELLIOTT: A bill (H. R. 5153) to regulate marriages in District of Columbia—to the Committee on the District of Columbia.

PORT BYRON, MISSISSIPPI RIVER.

By Mr. CABLE: A bill (H. R. 5154) providing for the completion of the improvements at Port Byron, on the Mississippi River—to the Committee on Rivers and Harbors.

METRIC SYSTEM OF WEIGHTS AND MEASURES.

By Mr. CABLE: A bill (H. R. 5155) providing for the use of the metric system of weights and measures in the customs service of the United States—to the Committee on Coinage, Weights, and and Measures.

EIGHT-HOUR LAW.

By Mr. CABLE: A bill (H. R. 5156) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law—to the Committee on Labor.

HARBOR AT MOLINE, ILL.

By Mr. CABLE: A bill (H. R. 5157) providing for the improvement of the harbor at Moline, Ill.—to the Committee on Rivers and Harbors.

HARBOR AT ROCK ISLAND, ILL.

By Mr. CABLE: A bill (H. R. 5158) providing for the improvement of the harbor at Rock Island, Ill.—to the Committee on Rivers and Harbors.

HORSE RAILWAY, ROCK ISLAND, ILL.

By Mr. CABLE: A bill (H. R. 5159) to amend an act entitled "An act to empower the Secretary of War to permit the establishment, under certain conditions, of a horse railway upon and over the island of Rock Island and the bridges erected by the United States connecting the cities of Davenport and Rock Island therewith"—to the Committee on Military Affairs.

PUBLIC BUILDING, FITCHBURG, MASS.

By Mr. COOLIDGE: A bill (H. R. 5160) to erect a public building at Fitchburg, in the State of Massachusetts—to the Committee on Public Buildings and Grounds.

MINES AND MINING.

By Mr. CAMINETTI: A bill (H. R. 5161) to create an executive department of mines and mining—to the Committee on Mines and Mining.

RIVER IMPROVEMENT, CALIFORNIA.

By Mr. CAMINETTI: A bill (H. R. 5162) providing for certain surveys and estimates and the adoption of a comprehensive system of river improvement in the State of California—to the Committee on Rivers and Harbors.

SACRAMENTO AND FEATHER RIVERS, CALIFORNIA.

By Mr. CAMINETTI: A bill (H. R. 5163) making an appropriation for the improvement of the Sacramento and Feather Rivers, in the State of California—to the Committee on Rivers and Harbors.

IMPROVEMENT OF MOKELUMNE RIVER, CALIFORNIA.

By Mr. CAMINETTI: A bill (H. R. 5164) making appropriations for the improvement of Mokelumne River, in the State of California—to the Committee on Rivers and Harbors.

MINING DÉBRIS IN CALIFORNIA.

By Mr. CAMINETTI: Joint resolution (H. Res. 78) concerning mining débris in California, and requesting certain estimates from the Secretary of War—to the Committee on Mines and Mining.

IMPROVEMENT OF HARBOR, SOUTH HAVEN, MICH.

By Mr. BURROWS: A bill (H. R. 5165) making an appropriation for the improvement of the harbor at South Haven, Mich.—to the Committee on Rivers and Harbors.

REFUND OF CERTAIN IMPORT DUTIES.

By Mr. BURROWS: A bill (H. R. 5166) to refund certain import duties—to the Committee on Ways and Means.

CHARLES H. PERRY AND PHILANDER SMITH.

Mr. VAN HORN. Mr. Speaker, I am directed by the Committee on Invalid Pensions to ask that that committee be discharged from the further consideration of the bill (H. R. 3744) granting a pension to Charles H. Perry and Philander Smith, and that the same be referred to the Committee on Pensions.

The SPEAKER. If there be no objection, the change of reference will be made.

LIFE-SAVING STATION AT OR NEAR EAST MARION, LONG ISLAND, NEW YORK.

By Mr. COVERT: A bill (H. R. 5167) to authorize the construction of a life-saving service at or near East Marion, Long Island, New York, and making an appropriation therefor—to the Committee on Interstate and Foreign Commerce.

ESTABLISHMENT OF A BUOY LIGHT AT SHAGWONG REEF, LONG ISLAND, NEW YORK.

By Mr. COVERT: A bill (H. R. 5168) for the establishment of a buoy light at or near the vicinity of Shagwong Reef, Long Island, New York—to the Committee on Interstate and Foreign Commerce.

LOAN OF CONDEMNED CANNON TO CITY OF PORTLAND, ME.

By Mr. REED: A bill (H. R. 5169) to authorize the Secretary of War to loan four condemned cannon to the city of Portland, Me.—to the Committee on Military Affairs.

PUBLIC BUILDING AT NORWICH, CONN.

By Mr. RUSSELL: A bill (H. R. 5170) for the erection of a public building at Norwich, Conn.—to the Committee on Public Buildings and Grounds.

ARTIFICIAL LIMBS TO DISABLED SOLDIERS AND SEAMEN.

By Mr. McCLELLAN: A bill (H. R. 5171) amending section 1 of "An act to regulate the issue of artificial limbs to disabled soldiers, seamen, and others"—to the Committee on Invalid Pensions.

ELECTION OF UNITED STATES SENATORS BY POPULAR VOTE.

By Mr. MARTIN: A joint resolution (H. Res. 79) proposing an amendment to the Constitution of the United States to authorize election of United States Senators by popular vote—to the Committee on the Judiciary.

DISTRIBUTION OF CONGRESSIONAL RECORD.

By Mr. COOPER: A bill (H. R. 5172) to provide for the more efficient distribution of the CONGRESSIONAL RECORD, by requiring at least one copy thereof to be deposited in each county seat in the United States, where the public may have access thereto—to the Committee on Printing.

FREE COINAGE OF SILVER.

By Mr. PEEL: A bill (H. R. 5173) for the free coinage of silver, and for other purposes—to the Committee on Coinage, Weights, and Measures.

RATE OF POSTAGE ON SEMIWEEKLY AND TRIWEEKLY PUBLICATIONS.

By Mr. HAYES: A bill (H. R. 5174) fixing the rate of postage on semiweekly and triweekly publications mailed at certain free-delivery offices—to the Committee on the Post-Office and Post-Roads.

STATE CANALS.

By Mr. CURTIS: A bill (H. R. 5175) for sharing with the several States the expense of State canals providing free transportation to interstate and foreign commerce—to the Committee on Railways and Canals.

APPOINTMENT OF FOURTH-CLASS POSTMASTERS.

Mr. HENDERSON of North Carolina. Mr. Speaker, I am directed by the Committee on the Post-Office and Post-Roads to report back the bill (H. R. 581) to regulate the appointment of fourth-class postmasters, to ask that that committee be discharged from the further consideration of the bill, and that it be referred to the Committee on Reform in the Civil Service.

The SPEAKER. The Committee on the Post-Office and Post-Roads will be discharged from the further consideration of the bill and it will be referred to the Committee on Reform in the Civil Service, without objection.

MEDAL TO OFFICERS AND CREW OF THE UNITED STATES STEAMER BALTIMORE.

Mr. CAMPBELL. Mr. Speaker, I offer the resolution which I send to the Clerk's desk, and ask that it be read.

The Clerk read as follows:

A joint resolution (H. Res. 80) authorizing the acceptance of medals presented to the officers and crew of the United States steamer Baltimore by the King of Sweden.

Mr. CAMPBELL. Now, Mr, Speaker, I ask unanimous consent for its present consideration. It is a small matter, and I trust there will be no objection to it.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the resolution which will be read by the Clerk.

Mr. CUMMINGS. Mr. Speaker, I call for the regular order. I think bills should be introduced first. I have a resolution which I should like to introduce.

Mr. CAMPBELL. Then I ask that it be referred to the Committee on Naval Affairs.

The SPEAKER. The joint resolution will be referred to the Committee on Naval Affairs.

REPORTS AND OTHER PUBLIC DOCUMENTS OF THE DEPARTMENTS.

By Mr. CUMMINGS: A resolution asking for information as to the publication of reports and other public documents by the State, Treasury, War, Interior, and Agricultural Departments—to the Committee on Rules.

EASTERN JUDICIAL DISTRICT, TEXAS.

By Mr. CULBERSON: A bill (H. R. 5176) to change the time of holding the courts in the eastern judicial district of Texas—to the Committee on the Judiciary.

INCREASED PENSION FOR DEAFNESS IN CERTAIN CASES.

By Mr. HOLMAN: A bill (H. R. 5177) to increase the pension rate in certain cases of deafness—to the Committee on Invalid Pensions.

ORDER OF BUSINESS.

Mr. CATCHINGS. Mr. Speaker, I desire to call up for consideration the report of the Committee on Rules.

Mr. COCKRAN. I ask the gentleman to withhold that for a moment while I present a resolution for present consideration.

Mr. CATCHINGS. I yield for that purpose.

Mr. COCKRAN. I offer the resolution which I send to the desk, and ask for its adoption.

The resolution was read, as follows:

Resolved, That Saturday, February 13, beginning at 2 o'clock p. m., be set apart for paying tribute to the memory of Hon. Francis B. Spinola, late a member of the House of Representatives from the Tenth district of the State of New York.

The resolution was adopted.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas.

It also announced that the Senate had passed with an amendment the bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882.

It also announced that the Senate had passed bills of the following titles; in which concurrence was requested:

A bill (S. 53) to reimburse certain persons who expended moneys

and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada;

A bill (S. 56) for the erection of a public building at Reno, State of Nevada;

A bill (S. 80) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed;

A bill (S. 211) for the relief of the sureties of Dennis Murphy;

A bill (S 821) to provide for a term of the circuit and district court at Littleton N. H.;

A bill (S. 1134) for the relief of purchasers of land within the limits of the Umatilla Indian Reservation;

A bill (S. 1270) to provide for the purchase of a site and the erection of a public thereon at Kansas City, in the State of Kansas;

A bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States volunteer army; and

A bill (S. 1503) to establish a first-order light-house on North Head, Cape Disappointment, in the State of Washington.

THE RULES.

Mr. CATCHINGS. Mr. Speaker, I now call up for consideration the report of the Committee on Rules.

The SPEAKER. The Clerk will read the pending amendments.

The Clerk read as follows:

Amendment by Mr. HOOKER: Amend paragraph 51 by striking out the following:

"It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall not entertain any other dilatory motion until the said report shall have been fully disposed of."

Amendment by Mr. OATES: Paragraph 51, amend the amendment of the gentleman from Mississippi [Mr. HOOKER] by adding:

"And insert the following:

"'That there shall be a Committee on Order of Business, to consist of fifteen members; ten of said members, including the Speaker, shall be Democrats, and five of said members shall be of the opposition. The members of said committee shall be selected by their respective caucuses, and the Speaker shall be *ex officio* chairman of said committee. Its jurisdiction shall be to consider and report upon all propositions as to the order, consideration, and precedence of business other than that prescribed by the rules of the House, and said committee shall have the right to report at any time.'"

Mr. CATCHINGS. I move the previous question on the adoption of paragraph 51 of Rule XI and all pending amendments.

Mr. PICKLER. Mr. Speaker, I desire to inquire whether we are considering Rule XI.

The SPEAKER. Yes; paragraph 51 of Rule XI.

Mr. PICKLER. I desire to offer an amendment to that paragraph.

The SPEAKER. That is the paragraph upon which the gentleman from Mississippi [Mr. CATCHINGS] has just demanded the previous question. If that demand is sustained no amendment is in order.

Mr. PICKLER. I ask for the reading of my amendment.

Mr. CATCHINGS. I object, Mr. Speaker. I call for the regular order.

The SPEAKER. The gentleman from Mississippi [Mr. CATCHINGS] demands the previous question upon paragraph 51 of Rule XI and all pending amendments.

Mr. HOOKER of Mississippi. Mr. Speaker——

The SPEAKER. The question is not debatable.

Mr. HOOKER of Mississippi. I do not rise to debate, but simply to appeal to my colleague [Mr. CATCHINGS] to withdraw his demand for the previous question, in order that I may be heard upon the amendment, as I had the honor to make the motion to strike out.

The question was taken on ordering the previous question; and there were—ayes 70, noes 20, and the Speaker declared that the ayes seemed to have it.

Mr. HOOKER of Mississippi. I call for a division.

The House divided; and there were—ayes 70, noes 20.

Mr. PICKLER. No quorum, Mr. Speaker.

The SPEAKER. The point having been made that no quorum has voted, the Chair will appoint tellers.

Mr. CATCHINGS. I call for the yeas and nays.

The yeas and nays were ordered; 57 members voting in favor thereof.

Mr. BURROWS. Mr. Speaker, I suggest that time might be saved in this way. I understand that the gentleman from Dakota [Mr. PICKLER] simply desires to have his amendment considered, not debated; and I think the gentleman from Mississippi will save time by letting that be done.

Mr. PICKLER. I will say to the gentleman in charge of this report that I find that by that report the Committee on Invalid Pensions is excluded from being a privileged committee, and I wish to offer an amendment to make the rule conform in that respect to the rule of the Fifty-first Congress.

The SPEAKER. Debate is not in order.

Mr. CATCHINGS. Regular order, Mr. Speaker.

The question was taken; and there were—yeas 153, nays 79, not voting 99; as follows:

YEAS—153.

Alderson,	Compton,	Kendall,	Reilly,
Alexander,	Coombs,	Kribbs,	Richardson,
Amerman,	Cooper,	Lagan,	Robertson,
Andrew,	Covert,	Lanham,	Robinson,
Arnold,	Cowles,	Lapham,	Rockwell,
Babbitt,	Cox, N. Y.	Lawson, Ga.	Sayers,
Bacon,	Crawford,	Layton,	Seerley,
Bankhead,	Crosby,	Lester, Ga.	Shell,
Barwig,	Culberson,	Livingston,	Shively,
Belden,	Cummings,	Long,	Sperry,
Bentley,	Daniell,	Lynch,	Springer,
Blanchard,	De Armond,	Mallory,	Stackhouse,
Bland,	Dockery,	Mansur,	Steward, Ill.
Boatner,	Edmunds,	Martin,	Stewart, Tex.
Bowman,	Elliott,	McAleer,	Stockdale,
Branch,	Ellis,	McClellan,	Stone, Ky.
Brawley,	Enloe,	McCreary,	Stump,
Breckinridge, Ark.	Epes,	McGann,	Tarsney,
Bretz,	Everett,	McRae,	Terry,
Brickner,	Fellows,	Meyer,	Tillman,
Brunner,	Fithian,	Mills,	Turpin,
Bryan,	Forney,	Mitchell,	Van Horn.
Buchanan, Va.	Fyan,	Montgomery,	Warwick,
Bunting,	Gantz,	Moore,	Washington,
Bushnell,	Geary,	Newberry,	Watson,
Bynum,	Goodnight,	Norton,	Weadock,
Byrnes,	Gorman,	O'Ferrall,	White,
Cable,	Grady,	O'Neil, Mass.	Whiting,
Caminetti,	Hall,	Outhwaite,	Wike,
Campbell,	Hamilton,	Owens,	Williams, N. C.
Capehart,	Harter,	Page, R. I.	Williams, Mass.
Caruth,	Hatch,	Parrett,	Wilson, Mo.
Castle,	Haynes,	Patterson, Tenn.	Wilson, W. Va.
Catchings,	Hemphill,	Patton,	Winn,
Cate,	Henderson, N. C.	Paynter,	Wise,
Causey,	Herbert,	Pearson,	Youmans.
Clarke, Ala.	Hoar,	Peel,	
Cobb, Mo.	Holman,	Pendleton,	
Cockran,	Houk, Ohio	Pierce,	

NAYS—79.

Abbott,	Dingley,	Kilgore,	Ray,
Bailey,	Doan,	Kyle,	Reyburn,
Baker,	Dolliver,	Lind,	Rife,
Belknap,	Dungan,	Lodge,	Shonk,
Bingham,	Enochs,	Loud,	Simpson,
Boutelle,	Forman,	McKenna,	Smith,
Bowers,	Funston,	Miller,	Snodgrass,
Brookshire,	Griswold,	Morse,	Snow,
Brosius,	Hallowell,	Mutchler,	Stone, C. W.
Brown,	Harmer,	Oates,	Stone, W. A.
Bullock,	Harries,	O'Donnell,	Stout,
Burrows,	Henderson, Iowa	O'Neill, Pa.	Taylor, Ill.
Busey,	Henderson, Ill.	Otis,	Taylor, Tenn.
Butler,	Hooker, Miss.	Payne,	Townsend,
Caldwell,	Houk, Tenn.	Perkins,	Turner,
Clark, Wyo.	Hull,	Pickler,	Walker,
Clover,	Johnson, Ind.	Post,	Waugh,
Cox, Tenn.	Johnson, N. D.	Powers,	Williams, Ill.
Crain.	Johnstone, S. C.	Price,	Wright.
Dickerson,	Jolley,	Raines,	

NOT VOTING—99.

Allen,	Dixon,	Kem,	Russell,
Atkinson,	Donovan,	Ketcham,	Sanford,
Bartine,	Dunphy,	Lane,	Scott,
Beeman,	Durborow,	Lawson, Va.	Scull,
Beltzhoover,	English,	Lester, Va.	Stahlnecker,
Bergen,	Fitch,	Lewis,	Stephenson,
Blount,	Flick,	Little,	Stevens,
Breckinridge, Ky.	Fowler,	Lockwood,	Stewart, Pa.
Broderick,	Geissenhainer,	Magner,	Storer,
Buchanan, N. J.	Gillespie,	McDonald,	Sweet,
Bunn,	Greenleaf,	McKaig,	Taylor, E. B.
Cadmus,	Grout,	McKeighan,	Taylor, J. D.
Cheatham,	Halvorsen,	McKinney,	Taylor, V. A.
Chapin,	Hare,	McMillin,	Tracey,
Chipman,	Haugen,	Meredith,	Tucker,
Clancy,	Hayes,	Milliken,	Wadsworth,
Cobb, Ala.	Heard,	Moses,	Warner,
Coburn,	Hermann,	O'Neill, Mo.	Wever,
Cogswell,	Hitt,	Page, Md.	Wheeler, Mich.
Coolidge,	Hooker, N. Y.	Pattison, Ohio.	Wheeler, Ala.
Curtis,	Hopkins, Pa.	Quackenbush,	Willcox,
Cutting,	Hopkins, Ill.	Randall,	Wilson, Ky.
Dalzell,	Huff.	Rayner,	Wilson, Wash.
Davis,	Johnson, Ohio	Reed,	Wolverton.
De Forest,	Jones,	Rusk,	

So the previous question was ordered.

The following pairs were announced:

Until further notice:

Mr. BUNN with Mr. ATKINSON.

Mr. STEVENS with Mr. RANDALL.

Mr. COBB of Alabama with Mr. HOPKINS of Illinois.

For this day:

Mr. SCOTT with Mr. HITT.

Mr. MOSES with Mr. MILLIKEN.

Mr. FOWLER with Mr. RUSSELL.

Mr. HARE with Mr. EZRA B. TAYLOR, on this vote.

Mr. CADMUS with Mr. CUTTING, until Tuesday next.

Mr. GEISSENHAINER with Mr. BERGEN, from half past 3 to-day until 12 o'clock Tuesday.

Mr. HEMPHILL with Mr. GROUT, on all political questions except the rules until further notice.

Mr. PICKLER. I ask for a verification of the roll call.

The SPEAKER. Has the gentleman any reason to think that it is not correct? There is no rule providing for such verification, but if the gentleman has any reason to apprehend——

Mr. PICKLER. I think that in this general running fire of voting it is very uncertain whether all gentlemen voted as they desired to do.

The SPEAKER. If the gentleman thinks there is any inaccuracy, the Chair will order the recapitulation with pleasure.

Mr. PICKLER. I ask for the verification.

The SPEAKER. The gentleman does not come up to the rule as stated by the Chair. The Chair will not order the recapitulation unless the gentleman states that he has reason to apprehend some inaccuracy. If he does so, the Chair will order it.

Mr. PICKLER. There has been a great deal of confusion, and a great many gentlemen have voted out of the regular order.

The SPEAKER. There is no rule——

Mr. PICKLER. There is no rule for gentlemen coming in and voting on a second roll call, but they have done so.

The SPEAKER. There is no rule preventing it.

Mr. PICKLER. I demand a verification of the roll call, owing to the great confusion there has been in the voting.

The SPEAKER. The Clerk will hand the Chair the result of the vote. [A pause.] On this question the yeas are 153, the nays 79. The yeas have it, and the previous question is ordered.

Mr. PICKLER. Mr. Speaker——

The SPEAKER. The previous question having been ordered, no debate is in order.

Mr. PICKLER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. PICKLER. I move that the House do now adjourn.

The question being taken on the motion to adjourn, it was not agreed to; there being on a division—ayes 3, noes 139.

The SPEAKER. The question is upon the amendment proposed by the gentleman from Alabama [Mr. OATES], which the Clerk will report.

The Clerk again read the amendment of Mr. OATES, as published in the previous proceedings.

The SPEAKER (having put the question on agreeing to the amendment) said: The "noes" seem to have it.

Mr. PICKLER. I call for a division.

The question being again taken, there were—ayes 28, noes 103.

Mr. PICKLER. No quorum, Mr. Speaker.

The SPEAKER. The gentleman makes the point that no quorum has voted——

Mr. PICKLER. When pension legislation—— [Cries of "Regular order!"]

The SPEAKER. The gentleman must be in order.

Mr. PICKLER again tried to make himself heard amid cries of "Regular order!"

The SPEAKER. The gentleman can accomplish nothing by the course he is pursuing.

Mr. PICKLER again endeavored to speak, amid the rapping of the Speaker's gavel and cries of "Order!"

The SPEAKER. The Reporters will not put in the RECORD any remarks of the gentleman thus made out of order.

Mr. PICKLER still endeavored to make himself heard amid confusion and shouts of "Order!"

The SPEAKER. The Sergeant-at-Arms will preserve order on the floor. The gentleman from South Dakota is out of order and will please take his seat.

Mr. PICKLER resumed his seat, as the Deputy Sergeant-at-Arms, bearing the mace, was approaching him.

The SPEAKER. The gentleman from Mississippi [Mr. CATCHINGS] and the gentleman from South Dakota [Mr. PICKLER] will please take their places as tellers.

Mr. OATES. I submit that the two tellers voted on the same side of the question.

The SPEAKER. The gentleman from South Dakota made the point that no quorum voted.

Mr. OATES. He made the point, but he voted on the same side as the gentleman from Mississippi.

The SPEAKER. That may be true, but the gentleman made the point——

Mr. PICKLER. The gentleman is mistaken. I might have been standing up at the time the count was taken, but I voted on the other side.

The SPEAKER. The Chair thought the gentleman ought to be appointed a teller, he having made the point of no quorum.

Mr. PICKLER. I voted as I shot. I always do.

Mr. BUTLER. He shot as he was ordered, and votes the same way.

Mr. ALDERSON. The shooting ended, my friends, about thirty years ago. [Laughter.]

The House again divided; and the tellers reported—ayes 19, noes 155.

So the amendment was rejected.

The question recurred upon the amendment of Mr. HOOKER of Mississippi.

Mr. LIVINGSTON. I ask that the amendment be read.

The SPEAKER. The Clerk will report the amendment suggested by the gentleman from Mississippi.

The Clerk read as follows:

Strike out of clause 51, Rule XI: It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration the Speaker may entertain one motion that the House adjourn; but after the result is announced, he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

The question was taken; and on a division there were—ayes 21, noes 139.

Mr. HOOKER of Mississippi. I ask for the yeas and nays on that proposition.

The yeas and nays were not ordered.

So (no further count being demanded) the amendment was rejected.

Mr. HOOKER of Mississippi. Mr. Speaker, I ask unanimous consent to have the privilege of extending some remarks in the RECORD upon this question, not having been able to secure an opportunity of debating it on the floor of the House.

Mr. OATES. I would like, Mr. Speaker, that the permission should be made general, as there are some points to which I desire also to refer.

Mr. OWENS. I object.

The SPEAKER. The Clerk will read the next paragraph of the rule.

The Clerk read as follows:

52. No committee shall sit during the sittings of the House without special leave.

Mr. McCREARY. I desire to offer an amendment to follow this clause of the rule.

The Clerk read as follows:

It shall be the duty of the several committees having jurisdiction of the general appropriation bills to report said appropriation bills (except the general deficiency bill) within eighty days after the committees are announced in a long session, and within forty days after the commencement of a short session; and if any committee fail to so report, the reasons of such failure shall be privileged for consideration when called for by any member of the House.

Mr. McCREARY. Mr. Speaker, in regard to this amendment——

Mr. CATCHINGS. If my friend from Kentucky will allow me to interrupt him, I desire to state that I am willing to accept the amendment, as far as I am concerned.

Mr. McCREARY. I understand, Mr. Speaker, the gentleman in charge of the report of the Committee on Rules will accept the amendment, and unless there is some other objection I shall not make any additional remarks, only to say that this rule was in force for forty-two years, in twenty-one Congresses, and it is not necessary for me to say anything further unless objection is made or some gentleman takes the floor in opposition.

Mr. DINGLEY. Before the vote is taken I should like to inquire of the gentleman offering the amendment as to whether it is intended to mean eighty days—in this session—from the date of the announcement of the committees, or eighty days after the adoption of the rule?

Mr. McCREARY. I would agree that it should only take effect after the adoption of the rules.

Mr. DINGLEY. If that is the understanding I think there would be no difficulty about it. But I call the attention of the chairman of the Committee on Appropriations to the fact that it would be absolutely impossible to report all of the general appropriation bills within twenty or thirty days from to-day, which would be required according to one construction of the rule.

Mr. McCREARY. The gentleman from Maine, I think, is mistaken in the construction he places upon it. It provides that the appropriation bills shall be reported within eighty days from the commencement of the session in a long session, and within forty days from the commencement of a short session. But provision is also made that if the committee fails to do that, upon a statement of the chairman of the committee in charge of the appropriation bills, giving sufficient reasons for the failure, further time may be granted by the House. The object is simply to have these bills reported within the first eighty days of the session of Congress, and, as I have said, if there is a failure to do so it is for the House to determine whether the reason for the failure is satisfactory or otherwise.

I have just stated, Mr. Speaker, that this was the rule of the House for forty-two years, operating through twenty-one Congresses.

Mr. DINGLEY. Undoubtedly it could be done without difficulty in the earlier days of the country, and it probably can be done now if the construction is eighty days from to-day.

Mr. McCREARY. I would suggest to the gentleman from Maine that the Committee on Appropriations was first appointed

in 1865, and from that time down to 1880 the general appropriation bills were reported usually, nearly all of them, in January and February, but in later years, in the last ten or twelve years, the appropriation bills have many of them been reported in June, July, or August.

Now, if there is good cause at any time why the general appropriation bills are not reported within the eighty days, or in the short session within the forty days, there will be no trouble in getting an extension of the time. The object is simply to hasten the reporting of the appropriation bills; and that is particularly necessary since a rule will be passed allowing new legislation on such bills.

I believe the rule is in the interest not only of economy and short sessions, but in the interest of the transaction of the public business by allowing every member of the House to have an opportunity to examine and understand the composition of the general appropriation bills.

Mr. DINGLEY. I am entirely in favor of it.

Mr. BURROWS. Everybody is for it.

Mr. McCREARY. Then I ask for a vote upon it.

The amendment was agreed to.

The Clerk read as follows:

RULE XII.

DELEGATES.

The Speaker shall appoint from among the Delegates one additional member on each of the following committees, viz: Coinage, Weights, and Measures; Agriculture; Military Affairs; Post-Office and Post-Roads; Public Lands; Indian Affairs; Territories; Private Land Claims; and Mines and Mining; and they shall possess in their respective committees the same powers and privileges as in the House, and may make any motion except to reconsider.

Mr. BRYAN. I move to strike out the last word. It is not because I have any special dislike for that last word, but I desire at this time and under this motion to convey to the House an item of news, which I am sure it will be glad to receive. In 1890 the people of Nebraska, by a plurality of more than 1,000 votes, elected Hon. James E. Boyd as governor of that State.

Mr. DINGLEY. Mr. Speaker, I rise to inquire if this is in order.

The SPEAKER. The Chair thinks not, if the gentleman makes the point.

Mr. BRYAN. If the gentleman will wait a moment——

The SPEAKER. The gentleman from Maine makes the point that the gentleman confine himself in his remarks to the pending amendment.

Mr. BRYAN. The gentleman will see the propriety of my remarks later.

Mr. DINGLEY. I will withdraw the point. I had the point made on myself on Saturday, and I only desired to know whether the other gentlemen were allowed to speak out of order.

The SPEAKER. The Chair thinks, the point being made, that the gentleman must confine himself to the question before the House.

Mr. BRYAN. The ex-governor contested the election, on the ground that Mr. Boyd, although for forty years a resident of Nebraska, twice mayor of Omaha, and a member of two constitutional conventions, was not a citizen of the State within the provisions of the Constitution. The State court by a vote of two to one declared Mr. Boyd not a citizen. I wish to announce to the House that the United States Supreme Court has just declared Governor Boyd a citizen and entitled to the office. The news is thus conveyed to you that this House may join with the people of Nebraska in rejoicing over the restoration of popular government in that State. [Applause on the Democratic side.] In view, however, of the objection made, I will withdraw the proposed amendment.

Mr. SMITH of Arizona. I wish to offer an amendment to Rule XII, which I ask the Clerk to read.

The Clerk read as follows:

Amend Rule XII by striking out the word "Territories," where it occurs, and after the word "mining" insert the words "and two on the Committee on Territories."

Mr. SMITH of Arizona. Mr. Speaker, the object of that amendment is simply to place two Delegates from the Territories upon the Committee on Territories. I do not think there can be any objection to it, and certainly none from the committee itself. Those Territories are now seeking to be heard on the question of statehood, and it seems to me only fair that at least two of the Delegates should be represented upon that committee. I have consulted members of the Committee on Rules as I could get to see them, and they have expressed no objection whatever to this amendment.

Mr. McMILLIN. As stated by the gentleman from Arizona, he did consult with me and I think consulted with my colleague [Mr. CATCHINGS] on the question, and we have thought that if it is the will of the House to concur in that idea, that there was nothing unreasonable in this demand, especially in view of the fact that the question of admission of the Territories to statehood is of such great importance to the Territories; and having no power to vote, they should have power to consult.

Mr. PICKLER. Mr. Speaker, I am in favor of this amendment. I live in a State which was very lately a Territory, and I know what are the feelings of the people in a Territory. I am in favor of this resolution, further, for the following reasons: I see that the majority of the Committee on Rules in reporting Rule XI, which I was seeking a few minutes ago to amend by reinstating the Committee on Invalid Pensions as a privileged committee, that the Committee on Rules have not only cut out of the rules of the Fifty-first Congress the right of this committee as a privileged committee, but they have also cut out the Committee on the Territories from the right to report at any time bills for the admission of States.

Mr. BUTLER. I rise to a point of order.

The SPEAKER. The gentleman from Iowa will state it.

Mr. BUTLER. We have passed Rule XI, and it was closed before several members had opportunity to present amendments, and I think arguments on Rule XI are not in order.

Mr. PICKLER. That is no information to this side of the House that we have passed Rule XI. I ascertained myself that Rule XI was passed; but what I was saying is directly in point. I am in favor of giving the Territories this additional Delegate upon the committee, especially for the reason that the Committee on Rules have debarred the Committee on Territories from reporting at any time upon the admission of States, thus changing the provision in the rule of the Fifty-first Congress. I agree with my friend that the amendment should be adopted.

Mr. McMILLIN. It is only necessary to state, in response to one remark of the gentleman from South Dakota [Mr. PICKLER], in order that there should be no mistake about it, that the rules provide what has been the rule all along heretofore, until the last Congress, concerning night sessions for the consideration of pension bills. It is the object of the committee to do it again, and the gentleman need not vex his soul with the fear as to their being no consideration of that subject. I ask for a vote on the question.

Mr. PICKLER. It is a good time to get the cakes when they are passing them.

The amendment was agreed to.

The Clerk read as follows:

RULE XIII.

CALENDARS.

1. There shall be three Calendars of business reported from the committees, viz:

First. A Calendar of the Committee of the Whole House on the state of the Union: to which shall be referred bills raising revenue, general appropriation bills, and bills of a public character, directly or indirectly appropriating money or property;

Second. A House Calendar, to which shall be referred all bills of a public character not raising revenue nor directly or indirectly appropriating money or property; and

Third. A Calendar of the Committee of the Whole House, to which shall be referred all bills of a private character.

2. The question of reference of any proposition, other than that reported from a committee, shall be decided without debate, in the following order, viz: a standing committee, a select committee; but the reference of a proposition reported by a committee, when demanded, shall be decided according to its character, without debate, in the following order, viz: House Calendar, Committee of the Whole House on the state of the Union, Committee of the Whole House, a standing committee, a select committee.

Mr. ENLOE. Mr. Speaker, I have an amendment which I desire to offer to that section.

The Clerk read as follows:

Amend Rule XIII by adding the following:

"All reports of committees on private bills, together with the views of the minority, shall be delivered to the Clerk for printing and reference to the proper Calendar under the direction of the Speaker in accordance with the foregoing clause, and the titles or subjects thereof shall be entered on the Journal and printed in the RECORD."

Mr. ENLOE. I offer this amendment in order to make the practice in respect to reports from committees on bills of a private nature correspond with the rule in respect to the introduction of private bills and memorials.

There is no reason why the time of the House should be consumed in calling the roll of committees every morning, to have reports submitted upon the numerous private bills that are before the various committees of the House. This was the rule of the Fifty-first Congress on all reports, and we found it a very convenient one; it aided very greatly in expediting the business of the House.

I hope that the House will adopt this amendment. I will ask at the proper time that Rule XXII be made to conform to this amendment with reference to submitting these reports. I think these amendments will prove a great saving of the time of the House. So far as public bills are concerned it is proposed to have them read at the desk, so that gentlemen may know what bills of a public character have been introduced in the House without having to refer to the RECORD, though I think the later rule on that subject is the better one. For the same reason some

gentlemen desire that the reports on bills of a public character shall be announced to the House, so that they may be heard, and save members the trouble of looking them up in the RECORD. But no one desires, as I understand, that that course shall be pursued with reference to private bills. Therefore, I hope the amendment will be adopted, and that the House will make the provision of Rule XXII conform to it when we reach that rule.

Mr. MCMILLIN. Mr. Speaker, the course pursued by the Fifty-first Congress was not recommended to this House, because we thought that the question of the introduction of bills and their reference to appropriate calendars was a proper matter for the House to determine for itself. Then as to this suggestion of my colleague as to how the committees have to be called under the general rule, we have recommended a return to the old rule on that subject, going far back in the history of the Government, I believe, as to the call of committees for reports. Now, that has to be done whether they report a private or a public bill.

Mr. REED. Will the gentleman from Tennessee [Mr. MCMILLIN] permit me to make the suggestion to him that it was not the custom to call the committees for reports simply at any time before the Forty-ninth Congress?

Mr. MCMILLIN. I will not be certain how it was in the Forty-sixth and Forty-seventh Congresses, but I do know it was the rule for a number of Congresses until the last Congress.

Mr. REED. Not until since the Forty-ninth Congress. From the early history of this Government the committees could report for action; and until Mr. Randall was Speaker the morning hour could be extended over the whole day, as was the case in the Fifty-first Congress; so that the action of the Fifty-first Congress was a return to the ancient practice. The rule reported by the gentleman from Tennessee is a resistance of the old rules, and a temporary modern innovation; and as the gentleman is very much in favor of standing by precedent, I hope he will select a model one.

Mr. MCMILLIN. I will stand by the precedents that are best, and would not give preference to the precedents of the last Congress. Mr. Speaker, in the Forty-sixth Congress I know there was a revision of the rules, and in the main we have adopted or codified their proposition on this subject. I will not be certain about that, but I do know that there was a change in this regard by the Fifty-first Congress. That change we have not followed. We think the question of reference to the Calendar should be determined by the House, if the House sees fit so to determine.

Mr. ENLOE. Mr. Speaker, I want to say that I have great reverence for the ancient customs and usages of the House and great respect for precedents when they happen to be founded on some good reason; but when there is no reason given that is satisfactory to my mind why we should adhere to a precedent I have no respect for its age. This House has passed judgment before in adopting a resolution upon the question of the introduction and reference of private bills and petitions, and has directed them to be introduced through the petition box. The Committee on Rules has conformed to that recommendation of the House, and that is the course they will take when this code of rules is adopted. Therefore, I can not see where the business of the House would be promoted, or where any public interest would be promoted by adhering to the old custom and consuming the time of this House for a half or three-quarters of an hour every morning by calling every committee on the list to report every private bill that is before the House, and for that reason I am in favor of the rule of the Fifty-first Congress, or the older rule, as the gentleman from Maine [Mr. REED] suggests.

Mr. MCMILLIN. Will my friend from Tennessee answer this question? Does he not think, even if his amendment should be adopted to this rule, that there should be call of committees for reports?

Mr. ENLOE. There will be a call of committees for reports, but gentlemen will not be standing up here and sending bundles of reports, of from ten to forty in number, and having the Clerk read those reports to the House. To prevent that will save time, and that much will be accomplished.

Mr. MCMILLIN. The course that you suggest was pursued in the last Congress, and that body sat here until the 1st of October, as the gentleman well knows.

Mr. ENLOE. Oh, it sat here a great deal of that time trying to give me an opportunity to address the House. [Laughter.]

Mr. MCMILLIN. And the gentleman, if I remember correctly, when he got an opportunity to address the House, addressed it against the innovations that he is now lauding.

Mr. ENLOE. Against the innovations that were wrong; not against the innovations that were right.

Mr. SMITH of Illinois. Mr. Speaker, I desire to say that I am heartily in favor of the amendment offered by the gentleman from Tennessee [Mr. ENLOE]. I believe it is in the interest of good government, and such a rule as this House ought to adopt for the proper and decent dispatch of business. I know that from the committees of which I have the honor to be a member many reports are made by myself and my colleagues, but I have never thought it necessary that I should rise and address the Chair and obtain recognition simply to say, "Mr. Speaker, I present the following report," and then to have the report read by title and the reading not listened to by anybody in the House. [Laughter.] I think the better practice would be, as suggested by the gentleman from Tennessee [Mr. ENLOE], to let the reports be presented, as was done during the Fifty-first Congress. Indeed, I congratulate by friend from Tennessee upon the fact that he is taking a step forward; that he is getting himself worked up to the idea of attending to business and preventing unnecessary waste of the time of the House. I repeat, Mr. Speaker, I am heartily in favor of the adoption of his amendment and shall vote for it.

The question was taken on the amendment of Mr. ENLOE; and the Speaker *pro tempore* [Mr. SPRINGER] announced that the noes seemed to have it.

Mr. ENLOE. I ask for a division.

The House divided; and there were—ayes 94, noes 72.

Mr. MCMILLIN. Let us have the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

Mr. MCCREARY. Will the Chair be kind enough to state the question?

The SPEAKER *pro tempore*. The question is on the amendment offered by the gentleman from Tennessee [Mr. ENLOE], which the Clerk will read.

The amendment was again read.

Mr. BURROWS. Mr. Speaker, I ask unanimous consent to state to the House the number of private reports made in the last Congress.

Mr. MCMILLIN. I believe, Mr. Speaker, that argument is not in order after the yeas and nays have been ordered.

Mr. BURROWS. It is not, if objection is made.

Mr. MCMILLIN. The yeas and nays have been ordered and I call for the regular order.

The question was taken; and there were—yeas 170, nays 74, not voting 87; as follows:

YEAS—170.

Allen,	Culberson,	Kyle,	Rife,
Andrew,	Curtis,	Lagan,	Robertson,
Bacon,	Dalzell,	Lanham,	Robinson,
Baker,	Davis,	Lapham,	Rockwell,
Bankhead,	Dingley,	Layton,	Rusk,
Bartine,	Doan,	Lewis,	Sayers,
Beeman,	Dockery,	Lodge,	Shell,
Belden,	Dolliver,	Long,	Shonk,
Belknap,	Donovan,	Loud,	Simpson,
Bingham,	Dungan,	Lynch,	Smith,
Bland,	Durborow,	Mansur,	Snodgrass,
Blount,	Ellis,	McClellan,	Springer,
Boatner,	English,	McGann,	Stephenson,
Boutelle,	Enloe,	McKenna,	Stevens,
Bowers,	Forney,	McRae,	Stewart, Pa.
Bowman,	Funston,	Miller,	Stone, C. W.
Branch,	Gantz,	Mitchell,	Storer,
Brosius,	Geary,	Moore,	Stump,
Brunner,	Gorman,	Morse,	Sweet,
Buchanan, Va.	Grady,	Newberry,	Tarsney,
Bullock,	Greenleaf,	Norton,	Taylor, Ill.
Burrows,	Griswold,	Oates,	Taylor, Tenn.
Bynum,	Hall,	O'Donnell,	Taylor, V. A.
Cable,	Hamilton,	O'Neil, Mass.	Tillman,
Caldwell,	Harmer,	O'Neill, Pa.	Townsend,
Capehart,	Harries,	Otis,	Turner,
Caruth,	Harter,	Outhwaite,	Turpin,
Castle,	Hatch,	Owens,	Walker,
Cate,	Haugen,	Patterson, Tenn.	Washington.
Causey,	Hayes,	Payne,	Watson,
Chipman,	Haynes,	Paynter,	Waugh,
Clark, Wyo.	Hemphill,	Pearson,	Weadock,
Clover,	Henderson, Iowa.	Pendleton,	Wever,
Cobb, Mo.	Henderson, Ill.	Perkins,	White,
Cockran,	Hoar,	Pickler,	Whiting,
Cogswell,	Hooker, N. Y.	Powers,	Williams, N. C.
Coolidge,	Houk, Ohio	Price,	Williams, Mass.
Coombs,	Houk, Tenn.	Raines,	Wilson, Wash.
Cowles,	Hull,	Randall,	Wilson, Mo.
Cox, Tenn.	Johnson, Ind.	Ray,	Wilson, W. Va.
Crain,	Johnson, N. D.	Reed,	Winn.
Crawford,	Johnson, Ohio	Reilly,	
Crosby,	Jolley,	Reyburn,	

NAYS—74.

Alderson,	Clarke, Ala.	Herbert,	Mutchler,
Abbott,	Coburn,	Holman,	O'Ferrall,
Alexander,	Compton,	Hooker, Miss.	Page, R. I.
Amerman,	Cooper,	Johnstone, S. C.	Parrett,
Arnold,	Cummings,	Kendall,	Pierce,
Babbitt,	Daniell,	Kilgore,	Richardson,
Bailey,	De Armond,	Kribbs,	Seerley,
Barwig,	De Forest,	Lester, Va.	Shively,
Bentley,	Dickerson,	Livingston,	Sperry,
Bretz,	Edmunds,	Lockwood,	Stockdale,
Brickner,	Elliott,	Mallory,	Stone, Ky.
Brookshire,	Epes,	Martin,	Stout,
Brown,	Everett,	McAleer,	Terry,
Bunting,	Fellows,	McCreary,	Wike,
Busey,	Fithian,	McKaig,	Williams, Ill.
Bushnell,	Fyan,	McMillin,	Wise,
Butler,	Goodnight,	Meyer,	Youmans.
Byrnes,	Hallowell,	Mills,	
Caminetti,	Henderson, N. C.	Montgomery,	

NOT VOTING—87.

Atkinson,	Dunphy,	Lawson, Ga.	Scull,
Beltzhoover,	Enochs,	Lester, Ga.	Snow.
Bergen,	Fitch,	Lind,	Stackhouse,
Blanchard,	Flick,	Little,	Stahlnecker,
Brawley,	Forman,	Magner,	Steward, Ill.
Breckinridge, Ark.	Fowler,	McDonald,	Stewart, Tex.
Breckinridge, Ky.	Geissenhainer,	McKeighan,	Stone, W. A.
Broderick,	Gillespie,	McKinney,	Taylor, E. B.
Bryan,	Grout,	Meredith,	Taylor, J. D.
Buchanan, N. J.	Halvorsen,	Milliken,	Tracey,
Bunn,	Hare,	Moses,	Tucker,
Cadmus,	Heard,	O'Neill, Mo.	Van Horn.
Campbell,	Hermann,	Page, Md.	Wadsworth,
Catchings,	Hitt,	Pattison, Ohio	Warner,
Cheatham,	Hopkins, Pa.	Patton,	Warwick,
Chapin,	Hopkins, Ill.	Peel,	Wheeler, Mich.
Clancy,	Huff,	Post,	Wheeler, Ala.
Cobb, Ala.	Jones,	Quackenbush,	Willcox.
Covert,	Kem,	Rayner,	Wilson, Ky.
Cox, N. Y.	Ketcham,	Russell,	Wolverton,
Cutting,	Lane,	Sanford,	Wright.
Dixon,	Lawson, Va.	Scott,	

So the amendment was adopted.

The following additional pair was announced:

Mr. HARE with Mr. EZRA B. TAYLOR, for the rest of the day.

The result of the vote was then announced as above recorded.

The SPEAKER *pro tempore*. The Clerk will read the next rule.

The Clerk read as follows:

RULE XIV.

OF DECORUM AND DEBATE.

1. When any member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personalities.

2. When two or more members rise at once, the Speaker shall name the member who is first to speak; and no member shall occupy more than one hour in debate on any question in the House or in the committee, except as further provided in this rule.

3. The member reporting the measure under consideration from a committee may open and close, where general debate has been had thereon; and if it shall extend beyond one day, he shall be entitled to one hour to close, notwithstanding he may have used an hour in opening.

4. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted, on motion of another member, to explain, and the House shall, if appealed to, decide on the case without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and, if the case require it, he shall be liable to censure or such punishment as the House may deem proper.

5. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the House; but he shall not be held to answer, nor be subject to the censure of the House therefor, if further debate or other business has intervened.

6. No member shall speak more than once to the same question without leave of the House, unless he be the mover, proposer, or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

7. While the Speaker is putting a question or addressing the House no member shall walk out of or across the Hall, nor, when a member is speaking, pass between him and the Chair; and during the session of the House no member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots, or smoke upon the floor of the House; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause.

Mr. MILLER. Mr. Speaker, I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend Rule XIV, sections 2 and 3, by inserting "half an hour" wherever the words "one hour" occur in said sections.

Mr. MILLER. Mr. Speaker, there are a great many good talkers in this House, and this is a pretty extensive body, and it strikes me that it is very desirable that upon every important occasion we should hear the views of gentlemen who have had large experience in this Hall. It certainly gives me personally a great deal of pleasure to hear the views of gentlemen who have been here for several years, and I think it is advantageous to new members generally, as aiding them to form correct ideas upon the various subjects presented to us.

But, Mr. Speaker, in order to secure this result in the fullest measure, it is desirable that we should hear the views, not merely of a few, but of many of the members of this House. It has been said that there is wisdom in a multitude of counsel, and I think that saying applies to this case. Now, if an hour is permitted to open and close, and if members occupy that time, necessarily only a few men comparatively can be heard. In fact, as gentlemen will remember, our time so far has been taken up here by a very few men in discussing the subjects that have come before this body. I, for one, would like to hear a general expression from all the members of the House, or as general an expression as we can get. We ought to bear in mind we have been here now for two months and that we are being criticised by the mouth pieces of public opinion, the newspapers, on the ground that we have not been so industrious as we ought to have been, and have not done all that we should have done in the interest of the public service. It is said that we should have devoted ourselves to business instead of occupying the time with speeches and frequent adjournments. Now, it is to save the time of the House, which would otherwise be taken up by unnecessarily long speeches, that I have offered this amendment.

The question being taken on the amendment of Mr. MILLER, it was not agreed to.

The Clerk read as follows:

2. In the absence of a quorum, fifteen members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent members, and in all calls of the House the names of the members shall be called by the Clerk, and the absentees noted; the doors shall then be closed, and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured; and the House shall determine upon what condition they shall be discharged.

Members who voluntarily appear shall, unless the House otherwise direct, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present.

Mr. BURROWS. I move to amend by adding to the clause just read the paragraph which I send to the desk.

The Clerk read as follows:

3. On the demand of any member, or at the suggestion of the Speaker before the second roll call is entered upon, the names of members sufficient to make a quorum in the Hall of the House who do not vote, shall be noted by the Clerk and recorded in the Journal, and reported to the Speaker with the names of the members voting, and be counted and announced in determining the presence of a quorum to do business.

Mr. BURROWS. Mr. Speaker, this proposition has been pretty thoroughly debated, and I do not care to prolong the discussion; but I wish to take the sense of the House on the proposition.

Mr. ALDERSON. Mr. Speaker, is an amendment to this proposition in order?

The SPEAKER. An amendment to the amendment is in order.

Mr. ALDERSON. I move then to add at the end of the proposed amendment this language: "But in no case shall the hat or coat or umbrella of a member in the cloakroom be counted." [Laughter on the Democratic side.]

Mr. BOUTELLE. I suppose that is differentiating the value of membership on the other side.

Mr. REED. I desire to be heard on that amendment. [Laughter.]

The SPEAKER. The gentleman from Maine will proceed.

Mr. REED. Mr. Speaker, the amendment just proposed by the gentleman on the other side shows very clearly the kind of mind which has been at work upon this subject. I noticed with very great regret that my colleague on the Committee on Rules [Mr. CATCHINGS], while entirely willing to believe—upon my personal assurance, I presume—that no person was counted simply because his hat was present, had nevertheless to tell the story, because he was really reluctant to give up the idea, it had so fastened itself upon his mind. This is another survival of that idea.

My own impression is that the officers of this House elected by any party are quite capable of honestly carrying out the rules of the House as they understand them; and it seems to me it would be a great mistake for us in our proceedings to omit to take notice of what I think is the constitutional requirement with reference to a quorum. In other words, I desire to call the attention of the House to what seems to me to be a fact, that if this House has a majority of its members actually present, it is then and there constituted a body to do business, that it has not itself any right to obscure that fact, or to refuse to admit it, or to decline to take any reasonable method for ascertaining it.

Of course, if any gentleman sincerely believes it to be necessary that every member of the quorum should participate in the business, then, of course, it is his duty to stand by the ancient methods. But if he believes, as I do, that the presence of a majority of the members constitutes a quorum, then I do not think he has any right to refuse to recognize that fact and take the proper means for ascertaining it. Now, the amendment proposed by the gentleman from Michigan [Mr. BURROWS] proposes to ascertain that. As this proposition has had the sanction of every court to which the question has been presented, I think it ought to have the sanction of the House of Representatives.

Mr. BURROWS. Mr. Speaker, if the gentleman who offered the amendment to my amendment is entirely sincere in his proposition, I trust he will renew it when we reach, on the next page, clause 2 of Rule XVII, where it is provided—

A call of the House shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the Speaker that a quorum is not present.

At that point the gentleman's amendment providing that no hat, or coat, or umbrella shall be counted under such circumstances would be very appropriate. The Committee on Rules have already provided for the counting of a quorum by the Speaker after the previous question is ordered, and to propose the amendment which the gentleman has offered is simply to cast reflection upon the Committee on Rules.

Now, as has been very properly said, the Constitution of the United States provides that a majority of the members of this House shall constitute a quorum. How that quorum is to be ascertained is not declared; but no one can deny for one moment that so soon as the presence of a quorum is discovered in this body—I do not care how it is ascertained—that moment the body has legislative capacity.

I have offered this amendment for the purpose of facilitating business. Two or three times already during this session the question of no quorum has been made in this House when there was a quorum present, and a roll call has been forced which might have been avoided by simply adopting the provision embraced in my amendment (which corresponds with the provision embraced in the very next proposed rule reported by the Committee), that the Speaker shall count the quorum.

Mr. DOCKERY. Mr. Speaker, it is not my purpose to detain the House at any length in the discussion of this amendment, but in view of the statement just made by the gentleman from Maine, I desire to read his views in respect to a quorum as expressed in debate on this floor in 1880. The gentleman from Maine at that time said:

> The constitutional idea of a quorum is not the presence of a majority of all the members of the House, but a majority of the members present and participating in the business of the House.

Mr. REED. I am sure the gentleman from Missouri will read the whole sentence and not a part of it.

Mr. DOCKERY. I have not the whole of it at hand or I would do so with pleasure. I am quoting the gentleman as his remarks appear in some observations I made during the last session.

Mr. REED. Then I ask the gentleman to read the whole sentence.

Mr. DOCKERY. I will read the remainder of it.

Mr. REED. Read the beginning of it.

Mr. DOCKERY (reading).

> It is not the visible presence of members, but their judgment and votes the Constitution calls for.

Mr. REED. Read the beginning of it.

Mr. DOCKERY. I have not the beginning or it would afford me pleasure to comply with the request of the gentleman from Maine.

Now, Mr. Speaker, I understand that the opinion of the gentleman from Maine I have just quoted was the opinion he entertained in 1880, and my purpose is simply to show that he has materially changed his views in respect to this question.

Mr. ALDERSON. Mr. Speaker, I make no issue with the gentleman from Maine in his suggestion that the officers of this House are faithful, and that they will do their work honestly and well. But, sir, it will not be disputed that during the sessions of the Fifty-first Congress, when the gentleman from Maine himself presided over this body as its Speaker, gentlemen who were downstairs in bath tubs, and gentlemen who were down street and not present at all, were counted to make up a quorum, in order that the Republican majority might be able to carry out what it desired to accomplish against the wishes and the will of the people expressed upon the subject before such action was taken.

There were numerous cases which might be cited of a character similar to that which I shall now state if there had been opportunity given to members here to make personal explanation on the floor of the House. Take the case of the gentleman from Illinois [Mr. FORMAN], who was counted as present when not here at all—not even in the city. The record states it as true. It stands there on the record uncontradicted, that he was counted here on one occasion to make a quorum when he was not even in the District of Columbia, but was at home in his own State.

Mr. REED. To what gentleman do you allude?

Mr. ALDERSON. To Mr. FORMAN.

Mr. REED. I remember the incident.

Mr. ALDERSON. I am not here, sir, to say that hats and umbrellas and overshoes and coats were counted during the sessions of the Fifty-first Congress in order to make up quorums; but I am here to say that empty seats were counted time and again in order that quorums might be constituted. I am here to say that the records of the Fifty-first Congress show that gentlemen not present were counted as present, and were not even permitted subsequently to have the privilege of stating in the RECORD that they were not present.

I understand that the gentleman now presiding over the deliberations of this body was once counted as present when he was not in the Capitol, but was in his own room at the Metropolitan Hotel.

So far as are concerned the remarks made by the gentleman to the effect that my amendment is a reflection upon the Committee on Rules of this body, I state now and to this House that there has been no such purpose, that no reflection was intended, nor is any such reflection made. I will say, however, Mr. Speaker, in so far as I may be permitted under the rules to say it, that I have intended this motion for amendment as a reflection upon the doings and acts and utterances, the arbitrary will and power as it was exercised by the Speaker of the last House of Representatives [applause on the Democratic side] and his Republican brethren who stood at his back and accorded him always their support in his actions.

The people of this country, Mr. Speaker, have passed upon this question, and the people of this country have said by an overwhelming majority that they will have no counting of quorums as was done in the Fifty-first Congress. [Applause on the Democratic side.]

Mr. REED. Mr. Speaker, to the general declamation which is made I do not purpose to make any reply. To that kind no reply can be made, from the very nature of the case. But wherever specific statement is made I do purpose to make reply to that.

The specific statement which has just been made here is that Mr. FORMAN of Illinois arose in the House and stated that he was counted as a part of a quorum when he was in Illinois. That statement is correct. The gentleman from Illinois [Mr. Payson], then a member, was occupying the chair, and he made an error in the count. Now, there is no method of counting a vote or the presence of a member which is not liable to error and mistake; and there have been repeated instances under the rules of this House by which the votes of members were recorded when they did not vote, and also where they have been recorded upon the opposite side to which they did vote; and, unlike the case of Mr. FORMAN, which made no difference whatever, there being a quorum present without him, some of those instances absolutely changed the effect of votes of the House.

There are two instances, which I have already stated in public prints, which I have found in the RECORD myself, where by the RECORD, years before the Fifty-first Congress was in existence, it is shown that there was an error made which absolutely changed the whole vote. I remember that Mr. Plaisted, from my own State, declared that he had come down to the front and repeatedly voted in one way, and his statement was supported by the statements of members of the House, and yet the Clerk of that Democratic House—and it might have been the Clerk of a Republican House as well—had recorded him the other way; and accordingly the Speaker declared the vote to be void. Now, those errors have happened under any and every system. They are simply mistakes of the kind which exist and are common to human nature. They are not to be charged to the method of counting a quorum which has been in vogue in parliaments ever since a parliament was invented.

Mr. BLAND. Mr. Speaker, the Constitution of the United States provides that in certain cases, when demanded by one-fifth of the members present, a roll call shall be taken. If the gentleman means anything by his argument, he means that this constitutional provision itself might be abolished. There would be no necessity for it if the Speaker can count a quorum in the way specified. There is some meaning to that provision of the Constitution, intended for a certain purpose, a purpose to have a roll call and a record made, not by the Speaker, but by the members themselves in answering to that roll call; and there is a distinction between the count by the Speaker and the count contemplated by the Constitution of the United States. It is that each member shall make his own record.

There may be some mistake made, it is true, but the Constitution requiring it, is it not by the sense of this House and of the country admitted that the record on roll calls, when each member present makes answer one way or the other, or refuses, as he chooses, that record so made up by the member on the floor is the record that ought to go to the country? Is not a safer record made upon a roll call when each member of this House has the right to answer to his name when it is called, when his answer is taken down by the Clerk, when that vote is recapitulated in the presence of the House? Is it not more likely to be an accurate record than one that is made simply by the Speaker casting his eye over the House and counting, or sending out in the cloakrooms to ascertain the presence of members?

Now, what the courts may decide is not the question here. If the courts should say that we have a right to make rules for our own government and to ascertain what a quorum shall be, or how that quorum shall be ascertained, that is one thing. The next question is, what is the safest rule to adopt for this House? What is the honest rule? What is the safe rule for the government of this House and to secure the integrity of its proceedings and its legislation? I say the safest rule is that we shall have a roll call to show that there is a quorum, upon the answer of gentlemen who are present to answer to that roll call, and who are responsible to their constituents whether they answer or not. That being the safest rule, and under the Constitution we having power to adopt rules, I say that, independent of any constitutional provision with regard to it, we ought to adopt a rule requiring a roll

call in order to ascertain when a quorum is present, provided that point is made and insisted upon.

[Mr. WHEELER of Alabama addressed the House. See Appendix.]

Mr. WALKER. Mr. Speaker, it is very easy to suggest untruthfulness and dishonor upon the part of any gentleman who may be elected to serve this House either as Speaker or in any other office. I submit that authority must rest somewhere. I submit further, Mr. Speaker, that where authority has been vested, from the origin of parliamentary assemblies down to the present time, wherever there is a record of such authority the action upon the part of the Speaker and the means of ascertaining a quorum have been in one direction and uniform. It is not becoming to say that it is not safe to trust the Speaker of this House with the authority which every presiding officer has over every body in this country outside of this and a few legislative assemblies that have followed the example of this House.

Mr. Speaker, I challenge any man in this House to find a scintilla of authority outside of the record of this House for any authority or any means of discovering whether a quorum is present in any legislative body, in any board of directors, in any corporation whatever, in any Legislative Assembly, except upon a count of the Speaker. In the rules we are called upon to adopt to-day, in the very first rule, it is provided that—

1. The Speaker shall take the chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting, immediately call the members to order, and on the appearance of a quorum, etc.

There is no way of his determining whether a quorum is present, whether he is justified in taking the chair, or whether the fifteen are present, by whose authority a call of the House can be taken, except by the count of the Speaker; and as the gentleman from Wisconsin has called attention to it, section 2 of Rule XVII also provides for a count by the Speaker.

Jefferson's Manual provides that—

Any member may call for the House to be counted.

It is the only provision for discovering a quorum, that is in Jefferson's Manual from the beginning of the Government. In Cushing's Manual, page 97, paragraph 253 reads as follows:

In some of the ways above mentioned.

Having described the ways and the provision of how a quorum shall be constituted, it goes on to say—

The quorum of each Legislative Assembly becomes established as a fixed number; the presence or absence of which can always be ascertained by counting. This is usually done, after the assembly is constituted, by its presiding officer, who announces or reports the result.

Furthermore, paragraph 260 reads:

When the number necessary to constitute a quorum is fixed absolutely, as in Massachusetts, it is only necessary to count the members present in order to ascertain whether the requisite number is in attendance.

Now, I have only one other remark to offer, in reference to this amendment to the rules, and that is, that it is remarkable that it should be necessary to offer such an amendment. The practice which this amendment is designed to correct was inaugurated in this House because a minority of the States and of the people were guarantied under the Constitution an institution in part of the States which was thought to be endangered by the majority of this House; and this system was inaugurated, contrary to the practice of all parliamentary assemblies in the world, to protect human slavery, and has lingered to the present time.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. SPRINGER. Mr. Speaker, it has been stated several times in the newspapers of the country, and was stated also, I believe, by the gentleman from Maine [Mr. REED] a few days ago, that I had on a former occasion, in the House, approved the method of counting a quorum which was adopted by the Fifty-first Congress. The facts, so far as my record on that point is concerned, grew out of the discussion in the Forty-sixth Congress of an amendment offered to the rules at that time by the gentleman from Virginia [Mr. Tucker].

Mr. Tucker offered the following as an independent rule:

2. Whenever a quorum fails to vote on any question, and objection is made for that cause, there shall be a call of the House, and the yeas and nays on the pending question shall at the same time be ordered. The Clerk shall call the roll, and each member as he answers to his name, or is brought before the House under the proceedings of the call of the House, shall vote on the pending question. If those voting on the question and those who are present and decline to vote shall together make a majority of the House, the Speaker shall declare that a quorum is constituted; and the pending question shall be decided as the majority of those voting shall appear.

It will be seen from this proposed rule that a call of the House was to be ordered when a quorum failed to appear, and if members did not answer under the call, proceedings were to be instituted to bring absentees to the bar of the House, and, when they appeared there, the question as to whether they should be excused or not for their absence was to be presented and passed upon by the House. Under the rule, their presence was to be ascertained by the call, and they were to be personally brought to the bar of the House. In discussing that rule I made these remarks, showing the interpretation which was then put upon the rule by me:

One of the greatest absurdities imaginable to me is this: it is within the power of a less number of members than a quorum of this House to issue a mandate and send it to the Pacific coast, to the far-off State of Oregon, to bring in a member to this body, and when we have got him here at an expense of weeks of time and thousands of dollars, the man is not here at last unless he voluntarily opens his mouth and says "I am here"—and votes "ay" or "no" on the pending question. I say there can be no greater absurdity than to presume our fathers made a constitution and gave that power to a less number than a quorum, and after we have exhausted it the man was not here at last unless he chose to be. He did not choose to be here or we would not have sent for him, and when he is brought here he is not here unless he chooses to be. What an absurdity.

That is what I said at that time, and it had reference to obtaining a quorum under an order for a call of the House, involving the arrest of absent members and the bringing of them to the bar of the House to have the question whether they should be excused or not determined.

[Here the hammer fell.]

Mr. REED. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SPRINGER] be allowed five minutes more.

There was no objection, and it was so ordered.

Mr. SPRINGER. I am obliged to the gentleman from Maine, but I shall not occupy all that time. I simply desire to add that the power here contemplated is an entirely different power from that which was conferred upon the Speaker by the rules of the last Congress to himself determine the personal presence of members. If this had been the rule in the last House there should have been none of those mistakes that did occur, because no member would have been recorded as present who had not been brought to the bar of the House and had his presence reported by an officer of the House, his excuse heard, and the question whether he should be excused or not determined by the House.

Mr. REED. Will the gentleman permit me to interrupt him?

Mr. SPRINGER. In one moment. But, Mr. Speaker, that rule having been offered and debated at some length, there was a consultation of members on both sides in regard to it, and it was then opposed by the Republicans. The gentleman from Ohio [Mr. Garfield] opposed it. The gentleman from Michigan [Mr. Conger], then one of the leaders of the Republican party, opposed it as unconstitutional. There was a Democratic majority here at that time and the Republicans were in the minority, and, after consultation upon both sides of the House, the gentleman from Virginia [Mr. Tucker] agreed to withdraw his proposition.

A difficulty was suggested to him which had not occurred to anybody during the debate, namely, that in performing our legislative duty under the provision of the Constitution which provides that the vote shall be taken by yeas and nays, there was but one mode of determining who were present and that was the official record of the yea and nay vote, and when that feature of the question was brought to the attention of the gentleman from Virginia he withdrew the proposition. It was not a feature of the rule that had been considered at the time of the debate, nor had the difficulty occurred to any member. There was, however, much reason in the proposition of the gentleman from Virginia [Mr. Tucker], and in fact, I believe it was entirely sound, except as to cases that might arise where a yea-and-nay vote is required by the Constitution.

Mr. REED. Then the gentleman from Illinois still believes that upon a vote that is not a yea and nay vote, if a quorum can be ascertained to be present, that constitutes the body to do business?

Mr. SPRINGER. I do, when it is ascertained in this way.

Mr. REED. Then, if this House should determine that the count should be made by the Speaker, in any case where there was not a yea and nay vote required, the gentleman would think the body constituted for business?

Mr. SPRINGER. That has been the practice.

Mr. REED. Counting by the Speaker?

Mr. SPRINGER. Yes; that has been the practice for many years where no yea and nay vote is required.

Mr. BLOUNT. Mr. Speaker, until the last Congress it was, I believe, universally held that whenever the presence of a quorum on a yea-and-nay vote was raised resort must be had to the roll call to ascertain it. Without reading section 5 of the Constitution, which is so familiar, I invite attention to section 7, in relation to the action of the House where there has been a bill vetoed by the President, which section, in my judgment, aids in construing the clause to which I have referred. The provision is as follows:

Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it.

If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays.

It seems to me, Mr. Speaker, that this provision takes the question out of the domain of inference, by prescribing positively that there shall be no other way of taking the vote. It is a call of the yeas and nays that determines the whole question.

Mr. REED. What whole question?

Mr. BLOUNT. That determines the action of the House as to whether a bill is or is not passed.

Mr. REED. Does the gentleman think it determines the question of a quorum?

Mr. BLOUNT. I certainly do think it determines the question of a quorum. The only way by which the House can determine that matter at all is by a yea-and-nay vote.

But, sir, I am not concerned only about this constitutional question. I want the House to consider whether or not it is wise in this body to declare that the Speaker may count a quorum. We had some experience in the last Congress upon that question. The exigencies of the Republican party were great. Their majority was small. The passage of certain measures was contemplated and was actually consummated by the exercise on the part of the Speaker of this unprecedented power of counting a quorum. In that way were passed measures which to my mind were extremely dangerous, and which in my judgment have been repudiated by the country. It was thought at the time that the action of the members of the then minority of the House in leaving it would not meet the approval of the country. The distinguished gentleman from Massachusetts (Mr. WALKER) had a picture of the House of Representatives taken on a certain occasion, illustrating it, and that picture was sent to the country. The opinion of the country can perhaps be ascertained in the results of the election.

There was presented here in the last Congress a proposition which in my judgment radically changed our whole institutions, destroying the power of the States in the matter of electing Representatives to this body. It was necessary——

[Here the hammer fell.]

Mr. BLOUNT. I hope I may be allowed two or three minutes more.

Mr. WALKER. I move to extend the gentleman's time for so long as he may desire.

Mr. BLOUNT. I do not want a great deal of time.

The SPEAKER *pro tempore* (Mr. MCCREARY). If there be no objection the gentleman from Georgia will proceed for five minutes longer.

There was no objection.

Mr. BLOUNT. Mr. Speaker, in order to consummate the measure to which I have referred it was deemed necessary by the party then in control here to adopt orders in that House which prevented that body from debating or amending the measure. A few amendments were allowed; but the proceeding was merely a travesty on the right to amend. Some little debate was permitted; but it was only a travesty on debate. Then after the use of methods like this, the power on the part of the Speaker to count a quorum was utilized and the measure passed this body, and but for the conservatism of the Senate our institutions as understood by our fathers would be to-day a wreck.

In the presence of an example like this—upon a review also of the methods adopted for the passage of the McKinley bill in regard to which debate and amendment were restrained beyond everything that had been witnessed before—in view of all the action which in the stress of extreme party exigency was adopted by the majority at that time, I ask whether when we recall the history of the operation of this power on the part of the Speaker—I will not undertake to say whether he counted fairly or unfairly—is it possible that this House can entertain for a single moment a proposition which would put the Democratic party here on record as declaring that at the expense of the constitutional powers of this House, this prerogative shall be transferred to any Speaker.

[Here the hammer fell.]

Mr. RAINES addressed the Chair.

Mr. CATCHINGS. Mr. Speaker, I think we have had enough debate on this question.

Mr. OATES (to Mr. CATCHINGS). It was understood I was to have five minutes upon the question.

Mr. CATCHINGS. Very well; I will yield to any gentleman who may wish to speak, but I was going to suggest that we come to a vote.

The SPEAKER *pro tempore*. The gentleman from New York [Mr. RAINES] addressed the Chair and will be recognized.

Mr. RAINES. Mr. Speaker, on most questions this House is perfectly willing to trust the count of the Speaker; but when it comes to the question of declaring a quorum on a yea-and-nay vote, there seems to be objection; and it seems to be assumed that in such a case a member can quietly filibuster by refusing to vote, and so break a quorum. The last House, Mr. Speaker, took issue with that position, and by its rules prevented such a proceeding. But contrary to what has been stated by the gentleman from Georgia [Mr. BLOUNT] that was not the first time that this thing had been done.

The first gentleman to bring to the notice of the public the propriety of the presiding officer counting a quorum was the prospective candidate of the Democratic party for the Presidency—the late governor of the State of New York—Mr. Hill, who, as presiding officer of the senate of that State, said to certain members of that body: "You can not sit in your seats and break a quorum; while you sit there I will count you." He led the way in which the Republican party of the last House followed. That is one question upon which we know exactly where David B. Hill stands. You may be at sea as to how he stands on the silver question, or the tariff question, but upon the question of the right of the presiding officer of a legislative body to count a quorum, you know exactly where he is.

Another reason that has been advanced why the Speaker should not be permitted to count a quorum is that such a proceeding may impair the accuracy of the count. Now, I admit it is a little easier to be accurate in regard to the count of a quorum on a roll call than it is when you have to catch the members "on the fly," so to speak. But even the roll call is not always accurate.

Why, Mr. Speaker, only on Saturday last I find my name recorded as voting in the negative on a question put to the House on which there was a roll call taken, when, as a matter of fact, on Saturday I was not in the Capitol at all.

Mr. BOUTELLE. Oh, what an outrage.

Mr. REED. In this session?

Mr. RAINES. In this session.

Mr. BOUTELLE. What an invasion of the rights of the citizen! [Laughter.]

Mr. RAINES. That is only one illustration. But what is worse than that, or at least almost as bad, I find on another occasion, I am recorded as having moved that the House adjourn, a motion which I never have made in the House, which I never shall make for the purpose of interrupting the delightful harmony which exists on the other side of the House.

Now, Mr. Speaker, for one I believe the precedent set by Governor Hill was a good one, and that in following it in the last House of Representatives we followed a proper precedent, although it is the only thing I am disposed to give him credit for in the whole course of his political career. [Applause on the Republican side.]

[Mr. OATES addressed the House. See Appendix.]

Mr. PENDLETON. Mr. Speaker, naturally I am not very fond of this business of counting quorums, as I believe that I once had to travel out of the House rather unceremoniously, by virtue of the Speaker's exercise of that power; so that it may be easily surmised that I am not in favor of any rule that will authorize the Speaker to count one. Those who have been here but a short time, myself included, can observe the mistakes that are made almost every day by the Speaker's count. You nearly always distrust the Speaker's count, when there is a call for a division and a vote is taken. Then you have the yeas and nays, and there never has been a time in my recollection when the yeas and nays did not reveal a different vote from the count that was made by the Speaker on the division.

That alone, I should think, would prove to the House that it was highly important that no such power as this should be intrusted to the Speaker. And if the majority had not intrusted power of that character to the Speaker in the last House, Democratic members can well recount the evils that would have been avoided. When our Republican friends assembled here they found that they had a majority of only eight; and with that majority they could not have placed upon our statute books a single measure of Republican legislation. Upon the force bill there were Republicans in revolt, and that bill was passed because Democratic members, under this system of counting a quorum, had been turned out of this House by wholesale, and a larger Republican majority created, so that that bill might pass through the House.

If Speaker REED had not had the power of counting a quorum, the country would not be laboring under the inflictions and rascalities of the McKinley bill to-day. If the power of counting a quorum had not been granted, $1,048,000,000 would not have represented the expenditures of the Fifty-first Congress. And furthermore, gentlemen, if the power to count a quorum had not been granted by that House, half of the members upon the Republican side would not have lost their seats, and the former Speaker would probably be presiding to-day. So, while it did a

great deal of good in this latter respect, it inflicted a vast amount of evil in other respects, which we do not care to repeat.

But if we look at this from another standpoint, if the smallest bill that we pass may have the yeas and nays demanded upon it, why should it not be that upon the important question of ascertaining whether there is a majority of this House present to do business upon that question, above and beyond all, the yeas and nays should be the highest test and the sole test, a count made by the members of the House themselves, a count which can be corrected easily enough the next day, if any mistakes be made, by the RECORD itself? Now, I do not approve of Governor Hill's method, wherein he imitates the Republican party, but I apprehend——

Mr. BOATNER. You make a mistake. The Republican party undertook to follow Governor Hill's example.

Mr. PENDLETON. Well, they followed a bad policy and a bad example in this regard, but I was about to say that I apprehend the constitution of the State of New York is a different document and a different instrument from the Constitution of the United States. I desire to submit to my friend from New York [Mr. RAINES] that if Governor Hill stands upon that platform, and if he stands upon other platforms that may be incorrect, still he stands upon one thing that my friend failed to mention, and that is, he stands upon the corpse of the Republican party in the State of New York. [Laughter and applause on the Democratic side.]

Mr. COCKRAN. Mr. Speaker, I propose to vote against this amendment. I propose to vote against it because I recognize the right of a majority to ascertain the existence of a quorum or perform any other function of the House in any method that seems to it proper. I agree with the gentleman from Alabama [Mr. OATES], that if the House thought proper to ascertain the presence of a quorum by any method of counting that to it seemed proper, the constitutional power to do so is not doubtful.

Reference has been made by the gentleman from New York to the precedent that was made by Governor Hill in the senate of that State. The constitution of the State of New York requires a roll call upon the passage of every bill, and it requires that a majority of all the members elected to each House shall vote in favor of a measure before it can become a law. It also requires that in certain cases there must be three-fifths of the whole number of members present to give validity to a measure; and the filibustering which was attempted by the Republican members of the senate when Governor Hill as presiding officer counted a quorum consisted in their remaining silent so as to defeat that particular provision which required the presence of three-fifths. Governor Hill acted in obedience to elementary parliamentary law, holding that the right of the House to ascertain the presence of its own members was inherent in it, and he counted those present, submitting his action to the house; and the next day the State senate approved of his action, thus adopting it and making it the action of the senate itself.

Mr. OATES. Will the gentleman allow me to make a suggestion?

Mr. COCKRAN. Yes, sir.

Mr. OATES. In the one case the constitution required that they should vote; in the other the requirement was that the two-thirds majority should be present.

Mr. COCKRAN. Undoubtedly, that was the difference.

Mr. REED. That was a quorum.

Mr. RAINES. Will the gentleman allow me to make a statement?

Mr. COCKRAN. Yes, sir.

Mr. RAINES. The constitution of the State of New York, as he has stated, required that on the passage of certain bills they should be passed by a majority vote, but that a certain number should also be present.

Mr. COCKRAN. Undoubtedly.

Mr. RAINES. Two-thirds on some bills and three-fifths on others. So here, in the passage of a bill, it is required that a majority shall be present, and we argue that that provision entitled the Speaker to declare, by means of a count, the presence of a majority, exactly as Governor Hill declared the presence of two-thirds by a count made by himself.

Mr. COCKRAN. Mr. Speaker, it was for the purpose of emphasizing that that I took the floor. It is to show the progress that Republican members are making. It is to show that the Republican party in adopting this principle has been forced to accept a standard set for it by a Democratic statesman. And it is because Democratic statesmanship has been vindicated by the attitude of the Republican minority here that I rise to acknowledge, on behalf of the Democratic party, the enlightened progress of the Republican machine. [Applause.]

Mr. RAINES. Then do not repudiate it.

Mr. COCKRAN. O, Mr. Speaker, I am repudiating nothing. The gentleman mistakes my attitude if he thinks it is one of repudiation. I am always glad to observe progress, even on the part of a minority whose principles have been repudiated by the people; and that leads me to say one word upon the powers of the House to count a quorum in any way that it may deem proper to adopt. Many of us, Mr. Speaker, were present in the Fiftieth Congress when a contest was made here against a gentleman who then occupied the chair, and who presided impartially, faithfully, and successfully over the deliberations of this House. The contest affected his right to be a member of this House. For five days, as I recollect, the business of the House was suspended by gentlemen on the Republican side sitting silent during the roll call, and at its conclusion raising the question of no quorum against the consideration of the report of the Committee on Elections which confirmed him in his seat.

I believe that then it was claimed that this right to secure exemption from the quorum by silence was the right of a minority; that it was a sacred and inherent right; that it was another of these extraordinary rights of minorities which you hear asserted in various expressions through the deliberations of this House. I would like to ask somebody on either side of this House to define these rights of a minority, which appear to be limitless in their scope. If the minority possess such extraordinary rights, who would be willing to remain in a majority, and how would the minority maintain its separate existence and the exclusive enjoyment of its mysterious privileges, when the whole membership of the House would be zealously contending for an opportunity to be enrolled among its numbers? Do not gentlemen see that the very moment they succeed in securing special privileges for the minority, that moment it would cease to be a minority? But as I understand parliamentary procedure, there can be neither a majority nor a minority on any proposition until a vote of the House has been taken and its sense ascertained. But the member who, though present in the House, attempts by silence to defeat a quorum, is filibustering to prevent the taking of a vote, and is therefore laboring to nullify the only procedure by which the existence of a minority can be ascertained.

[Here the hammer fell.]

The SPEAKER *pro tempore*. The time of the gentleman from New York has expired.

Mr. DOCKERY. I ask unanimous consent that the time of the gentleman from New York be extended five minutes.

Mr. OATES. I ask unanimous consent that the time of the gentleman from New York be extended.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Missouri and the gentleman from Alabama? [After a pause.] The Chair hears none.

Mr. COCKRAN. Now, Mr. Speaker, I desire to say one word in reply to the gentleman from Georgia [Mr. BLOUNT]. He claims that because the Constitution provides that if the House decide to override the veto of a President the vote shall be taken by a call of the roll, therefore, when the House desires to ascertain the presence of a quorum it is bound to proceed in the same way. I confess I am unable to see the force of this reasoning.

Sir, it must be patent to everybody that when the provision allowing Congress to enact a law over the President's veto was incorporated in the Constitution the object of it was to limit the veto power as it then existed in the crown, a power by which, under the English constitution, the king could prevent all legislation by simply repeating the old formula, "Le roi s'en avisera." That was a power that had remained in "innocuous desuetude" since the time of William III, and had not been used for a hundred years when this provision was incorporated in the Constitution. When our Constitution was formed, when its framers came to consider the propriety of vesting the veto power in the Executive, they provided that it should have only partial existence in our scheme of government.

They provided that the veto might be interposed, but that the Legislature should have the power to override it. And they also provided that where a veto was overridden the vote of the House should be taken by yeas and nays, because they deemed it fitting that a certain solemnity should attend the exercise of the power by which the action of the Executive was overruled by the legislative branch of the Government. But surely it would be ridiculous to contend that the discharge by the House of an inherent function, such as the counting of its own members, is in any way analogous to the assertion of the supremacy of Congress over the Executive.

Where is the advantage of having a majority if a minority can by merely sitting silent in their seats defeat a quorum and prevent the majority from transacting business? It is absolutely essential to the existence of a parliamentary body that it possess the power to ascertain the presence of a quorum. That provision in our Constitution which permits one-fifth of the members present to demand a vote by yeas and nays was inserted in it in order

to fix the responsibility of the representative to his constituency, and by making his proceedings public to stimulate him to greater industry in the public service and to hold him to a stricter loyalty to the House itself. It never was intended to enable any minority to arrest the proceedings of the House, to paralyze its action, and bring it into disrepute.

I confess, sir, that there have been errors in the count of the Speaker in the past, and therefore I recognize the force of the gentleman's statement that the Speaker's count is liable to error in the future.

There ought to be a rule by which we could properly determine the existence of a quorum. Some method of counting should be prescribed that can not be questioned, the accuracy of which can never be impeached. I think power should be lodged somewhere to bring a recalcitrant member before the House, either through the intervention of the Speaker or on the motion of any member, and to place him at the bar, and there, in the presence of the whole House, to note his presence and to count him as of the quorum.

Mr. Speaker, in the very nature of things this power must exist. Suppose a member were to leave this Hall; suppose he go to the farthest limit of this Union; you have the power to take him by force and compel his attendance here. You have a right to demand an explanation for his absence. You have the right to punish him. Is not that counting him? Is that not holding him to be present for one purpose? And if you can count him as present for one purpose can you not count him as present for another? If you hold he is present for disciplinary purposes, is he not present for all purposes?

The power to compel the attendance of members granted to you by the Constitution is different from the power to punish a member for absence or for any other disorder. When you exercise that power to compel attendance, when you bring the member here is it pretended that you can not count him, and if you can not count him as of the quorum how can you decide that he is present, how can you proceed either to punish him or discharge him? And can he sit here in his chair and remain in open contempt of the House, although, if he leave the House you can pursue him and again exercise the power to bring him back?

Sir, we must go back to the original principles of parliamentary government in order to decide what powers this House possesses and what powers it can enforce. No man familiar with parliamentary history can doubt that it has the power to count the members present at its sessions in whatever way it thinks proper, and that its judgment as to the method is binding upon the other departments of the Government. I will vote for the rule as it was reported from the Committee on Rules. I will support it, because it embodies the views of the majority as to the government of the House. But I do not desire to have it understood that if at any future time the House shall decide to count a quorum by any other method I shall be debarred by this vote of mine from supporting that other method, whatever it may be. [Applause on the Republican side.]

The SPEAKER *pro tempore*. The question is on the amendment of the gentleman from West Virginia [Mr. ALDERSON].

Mr. ALDERSON. I withdraw that amendment, Mr. Speaker.

The SPEAKER *pro tempore*. The amendment of the gentleman from West Virginia is withdrawn, and the question is upon the amendment of the gentleman from Michigan [Mr. BURROWS].

Mr. REED. Upon that I call for the yeas and nays.

Mr. REILLY. I ask that the amendment be again reported.

The amendment was again read.

The yeas and nays were ordered.

Mr. CATCHINGS. Mr. Speaker, pending the roll call I move that the House do now adjourn.

The motion was agreed to; and the House accordingly (at 4 o'clock and 55 minutes p. m.) adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. BELKNAP (by request): A bill (H. R. 5178) granting a pension to Adeline Kinzie Evans, an army nurse—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 5179) granting a pension to Mrs. E. C. Steele, formerly Mrs. E. C. Washburn, an army nurse—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 5180) granting a pension to Harlet E. Grogan, formerly Hariet E. Parton, an army nurse—to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 5181) increasing the pension of Patrick H. Jewett, late captain of Company H, Twenty-second Regiment of Indiana Volunteers—to the Committee in Invalid Pensions.

By Mr. BYNUM (by request): A bill (H. R. 5182) for relief of Thomas Cox—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5183) granting a pension to Mary J. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5184) granting a pension to Minnie Agnolla Ruse—to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 5185) to grant a pension to Charlotte A. Heavilin, mother of Joseph Heavilin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5186) to grant a pension to William Kemper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5187) to grant a pension to Henry C. Huff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5188) to grant a pension to Martha Swigert, widow of Robert J. Swigert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5189) to grant a pension to Nancy Bond, widow of John C. Bond—to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 5190) to restore to the pension rolls the name of Amanda Sherman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5191) increasing the pension of Enos J. Searles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5192) to remove the charge of desertion from John Gleason—to the Committee on Military Affairs.

Also (by request, a bill (H. R. 5193) for the relief of Sophia G. Mitchell and Eliza Jane Mahon—to the Committee on War Claims.

Also, a bill (H. R. 5194) for the relief of Robert Clarke & Co.—to the Committee on Claims.

Also, a bill (H. R. 5195) granting a pension to Catharine Bierbaum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5196) granting a pension to Ellen Day, stepmother of Albert L. Day—to the Committee on Invalid Pensions.

By Mr. COVERT: A bill (H. R. 5197) for the relief of J. H. Merrill—to the Committee on Claims.

By Mr. CRAIN: A bill (H. R. 5198) for the relief of the estate of A. Underwood—to the Committee on War Claims.

By Mr. CHIPMAN: A bill (H. R. 5199) for the relief of Francis Palms and others—to the Committee on Private Land Claims.

By Mr. CROSBY: A bill (H. R. 5200) for the relief of Betsey Worthington—to the Committee on Pensions.

By Mr. COOMBS: A bill (H. R. 5201) of relief for Henry E. Frankenberg, of New York, N. Y.—to the Committee on Claims.

By Mr. CULBERSON: A bill (H. R. 5202) for the relief of the heirs or legal representatives of the estate of John M. Aycock, deceased—to the Committee on War Claims.

By Mr. DALZELL: A bill (H. R. 5203) for the relief of Samuel Morris—to the Committee on Military Affairs.

Also, a bill (H. R. 5204) for the relief of Charles Bryson—to the Committee on Military Affairs.

By Mr. DAVIS: A bill (H. R. 5205) for the relief of Margaret E. Lowe, of Junction City, Kans.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5206) to remove the charge of desertion from the military record of John Willoughby, of Washington, Kans.—to the Committee on Military Affairs.

Also, a bill (H. R. 5207) for the relief of Mrs. Mary Zabel, of Marshall County, Kans.—to the Committee on Claims.

By Mr. DE FOREST: A bill (H. R. 5208) to remove the charge of desertion from the military record of Jesse H. Sprague—to the Committee on Military Affairs.

By Mr. DOAN: A bill (H. R. 5209) for the relief of Robert F. Thompson—to the Committee on Claims.

By Mr. DONOVAN: A bill (H. R. 5210) for the relief of J. E. Coburn—to the Committee on Ways and Means.

By Mr. ENLOE (by request): A bill (H. R. 5211) for the relief of Monroe Stephens—to the Committee on Invalid Pensions.

By Mr. FITHIAN: A bill (H. R. 5212) for the relief of Aaron E. Welty, of Olney, Ill.—to the Committee on Military Affairs.

By Mr. FYAN: A bill (H. R. 5213) to authorize the accounting officers of the Treasury to pay to Joshua Bishop, commander United States Navy, the sum of $8,024.79—to the Committee on Claims.

By Mr. GANTZ: A bill (H. R. 5214) correcting the military record of and granting an honorable discharge to Ferdinand Tobe—to the Committee on Military Affairs.

By Mr. HARE: A bill (H. R. 5215) granting a pension to Conrad Stephan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5216) for the relief of Matthew R. Fuller—to the Committee on Military Affairs.

By Mr. HARMER: A bill (H. R. 5217) granting a pension to John V. French—to the Committee on Invalid Pensions.

By Mr. HATCH: A bill (H. R. 5218) granting a pension to Richard Green—to the Committee on Invalid Pensions.

By Mr. HOLMAN: A bill (H. R. 5219) for the relief of Mary Stuart Lasselle—to the Committee on Claims.

By Mr. HOOKER of New York: A bill (H. R. 5220) granting an increase of pension to Daniel Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5221) for the relief of Henry W. Dorsey—to the Committee on Invalid Pensions.

By Mr. HOUK of Ohio: A bill (H. R. 5222) to correct the military record of and grant an honorable discharge to Michael Mahar—to the Committee on Military Affairs.

Also, a bill (H. R. 5223) to correct the military record of and grant an honorable discharge to Jacob Hundobler—to the Committee on Military Affairs.

By Mr. HOUK of Tennessee: A bill (H. R. 5224) for the relief of James White and the legal representatives of William White, deceased—to the Committee on War Claims.

By Mr. HUFF: A bill (H. R. 5225) to increase the pension of David Keller, late of Company G, One hundred and fifth Pennsylvania Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. LAGAN: A bill (H. R. 5226) for the relief of William Drury—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 5227) for the relief of Mary A. Swift—to the Committee on Invalid Pensions.

By Mr. McCLELLAN: A bill (H. R. 5228) to amend the military record of Michael E. Bricker, late a private in Company D, Tenth Regiment Ohio Volunteer Cavalry—to the Committee on Military Affairs.

By Mr. MANSUR: A bill (H. R. 5229) for the relief of Sidney T. Dupuy and George R. Dupuy, the only surviving heirs of George R. Dupuy, deceased—to the Committee on War Claims.

By Mr. MILLS: A bill (H. R. 5230) for the relief of certain persons therein named—to the Committee on Claims.

By Mr. O'DONNELL: A bill (H. R. 5231) to relieve Mathew Lynch of the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 5232) removing the charge of desertion from the record of Joseph W. Marsh—to the Committee on Military Affairs.

Also, a bill (H. R. 5233) to remove from the record of Francis McKinney the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 5234) granting a pension to Abrina M. Lovejoy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5235) granting a pension to Horace Hay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5236) to increase the pension of Maggie E. Calhoun—to the Committee on Pensions.

By Mr. PATTON: A bill (H. R. 5237) to correct the accounts of Charles W. E. Welty, Fourteenth Pennsylvania Cavalry Volunteers, in the late war—to the Committee on Military Affairs.

By Mr. PEARSON: A bill (H. R. 5238) granting a pension to Andrew Maden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5239) granting a pension to Caroline Zeh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5240) granting a pension to John M. H. Sims—to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 5241) for the relief of James Caler—to the Committee on Claims.

Also, a bill (H. R. 5242) for the relief of the estate of Horace Capron—to the Committee on Claims.

By Mr. PRICE: A bill (H. R. 5243) for the relief of J. M. Charpentier, of St. Marys Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 5244) for the relief of Mrs. E. H. Briant, of La Fourche Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 5245) for the relief of Pierre Breaux, of Terre Bonne Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 5246) for the relief of E. W. Goude—to the Committee on War Claims.

Also, a bill (H. R. 5247) for the relief of the estate of O. L. Blanchard—to the Committee on War Claims.

Also, a bill (H. R. 5248) for the relief John A. Sigur, of Iberville Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 5249) for relief of estate of Henry E. Ledet—to the Committee on War Claims.

Also, a bill (H. R. 5250) for relief of estate of Romain Verdin—to the Committee on War Claims.

Also, a bill (H. R. 5251) for the relief of Corrinne Perrett Fusilier—to the Committee on War Claims.

Also, a bill (H. R. 5252) to confirm certain lands to Mrs. Zenon Boutte, in the State of Louisiana—to the Committee on Private Land Claims.

Also, a bill (H. R. 5253) for the relief of Rafael Seguro—to the Committee on Private Land Claims.

Also, a bill (H. R. 5254) granting a pension to Jane M. Anderson—to the Committee on Pensions.

Also, a bill (H. R. 5255) for the relief of Armand Duplantier—to the Committee on War Claims.

By Mr. ROBINSON: A bill (H. R. 5256) for the relief of Esther Clevenger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5257) for the relief of Charles M. Rhodes, of Delaware County, Pa.—to the Committee on Claims.

Also, a bill (H. R. 5258) for the relief of Assistant Engineer Howard D. Potts, United States Navy—to the Committee on Naval Affairs.

By Mr. RUSSELL: A bill (H. R. 5259) granting a pension to Mary Ann Tracy—to the Committee on Pensions.

Also, a bill (H. R. 5260) granting a pension to Clara V. Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5261) granting a pension to Ann E. Pitcher—to the Committee on Invalid Pensions.

By Mr. SHELL: A bill (H. R. 5262) for the relief of Mount Zion Society—to the Committee on Claims.

By Mr. SNOW (by request): A bill (H. R. 5263) granting increase of pension to Mrs. Adelaide H. Woodall—to the Committee on Invalid Pensions.

By Mr. STONE of Kentucky (by request): A bill (H. R. 5264) for the relief of the estate of Benjamin Britten, deceased, late of New York City, N. Y.—to the Committee on War Claims.

By Mr. STORER: A bill (H. R. 5265) granting a pension to Peter Eichels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5266) for the relief of Barbara Berger—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Illinois: A bill (H. R. 5267) to remove the charge of desertion against the name of Carl Understein—to the Committee on Military Affairs.

By Mr. WHEELER of Alabama: A bill (H. R. 5268) for the relief of P. S. Townsend—to the Committee on War Claims.

Also, a bill (H. R. 5269) for the relief of Polly Scott—to the Committee on War Claims.

Also, a bill (H. R. 5270) for the relief of James M. Bradford, of Morgan County, Ala.—to the Committee on War Claims.

By Mr. WILSON of Washington: A bill (H. R. 5271) for the relief of the heirs of the late Mrs. Catherine P. Culver—to the Committee on Claims.

By Mr. WISE: A bill (H. R. 5272) for the relief of Charles S. Mills—to the Committee on Claims.

PETITIONS, ETC.

Petitions and resolutions were, under the order adopted by the House January 5, delivered to the Clerk and referred as follows:

By Mr. ATKINSON: Petition of Joseph B. Orner, for the removal of the charge of desertion and an honorable discharge as private, Company C, Seventy-eighth Regiment Pennsylvania Volunteers—to the Committee on Military Affairs.

By Mr. BELKNAP: Petition of Mr. F. D. McVean and others, residents of Allegan County, Mich., for free mail delivery—to the Committee on the Post-Office and Post-Roads.

By Mr. BRECKINRIDGE of Arkansas: Petition of 46 citizens of Faulkner County, Ark., in favor of the improvement of the Arkansas River from Kansas to the Mississippi—to the Committee on Rivers and Harbors.

Also, petition of Roseville, Ark., for the same purpose—to the Committee on Rivers and Harbors.

Also, petition of 31 citizens of Fort Gibson, Ind. T., in favor of the improvement of the Arkansas River from Kansas to the Indian Territory—to the Committee on Rivers and Harbors.

Also, petition of 32 citizens of Morrillton, Ark., in favor of the improvement of the Arkansas River from Kansas to the Mississippi River—to the Committee on Rivers and Harbors.

By Mr. BRICKNER: Petition of Charles Pick and 100 others, praying for an increase of pension for Michael Sealy, accompanying House bill—to the Committee on Pensions.

Also, petition of citizens of Two Rivers, Wis., asking to allow the keepers of life-saving stations $1,000 per year and crew $75 per month—to the Committee on Interstate and Foreign Commerce.

By Mr. BUTLER: Petition of Clayton County, Iowa, praying for the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

Also, for the Conger lard bill, so called—to the Committee on Agriculture.

By Mr. CABLE: Three petitions for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition to close the World's Fair on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, petition to close the World's Fair on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. CAINE: Petition of the mayor, city counselors, officers, and 83 other citizens of Ephraim, San Pete County, Utah—to the Select Committee on Irrigation of Arid Lands in the United States.

Also, petition of 80 citizens of Richmond, Cache County, Utah—to the Select Committee on Irrigation of Arid Lands in the United States.

Also, petition of 38 citizens of Willard City, Box Elder County, Utah—to the Select Committee on Irrigation of Arid Lands in the United States.

By Mr. CAMPBELL: Memorial of Arthur L. Robbins and 91 other citizens of New York, praying that this Congress will authorize the Secretary of War to contract with Charles Stoughton for the completion of the Harlem River improvement, and for the construction of the Harlem Kills Canal, both works to be completed May 31, 1893—to the Committee on Rivers and Harbors.

By Mr. CASTLE: Resolution of Duluth Chamber of Commerce in favor of Niagara Ship Canal—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Duluth Chamber of Commerce in favor of reprinting section 24 of act repealing timber-culture laws—to the Committee on the Public Lands.

Also, resolution of Duluth Chamber of Commerce with reference to improving the harbor of Savannah—to the Committee on Rivers and Harbors.

Also, resolution of Kansas River Improvement Company with reference to improvement of the Mississippi River, and of the Duluth Chamber of Commerce indorsing the same—to the Committee on Rivers and Harbors.

Also, twenty-six petitions of citizens of Minnesota, against exportation of alcoholic liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. COOPER: Papers to accompany House bill in favor of P. R. Irael—to the Committee on Pensions.

Also, papers to accompany House bill 4864 in favor of John W. Morgan—to the Committee on Military Affairs.

By Mr. CULBERSON: Petition of Sabinia Aycock, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. DALZELL: Petition of letter-carriers of Pittsburg for increase of salary—to the Committee on the Post-Office and Post-Roads.

Also, petition of Samuel Y. Morris, for relief from the charge of desertion—to the Committee on Military Affairs.

By Mr. ENGLISH: Petition of J. W. Egbert and others, for an appropriation or a loan to the Columbian Exposition, provided the exhibition is closed on the Lord's Day—to the Select Committee on the Columbian Exposition.

By Mr. ENLOE: Papers to accompany the bill for the relief of Monroe Stephens—to the Committee on Invalid Pensions.

By Mr. FUNSTON: Petitions collected by the National Woman's Christian Temperance Union, department of Sabbath observance, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HARE: Petition of Enoch Hoch and 70 others, of Marion County, Ohio, to accompany House bill to provide for the improvement of the Scioto River—to the Committee on Rivers and Harbors.

By Mr. HARMER: Memorial of citizens of the United States, of the Kenonington Methodist Episcopal Church of Philadelphia, Pa., in favor of financial aid to the Columbian Exposition, conditioned upon the closing of the exposition to visitors on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HATCH: Petition in case of Richard Green, late corporal of Company A, Sixty-ninth Missouri Militia—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 4702, of Metzger, for removal of the charge of desertion—to the Committee on Military Affairs.

By Mr. HAYES: Petition of citizens of Clinton County, Iowa, for closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of liverymen of Washington, in favor of a bill for their protection—to the Committee on the District of Columbia.

By Mr. HOLMAN: Memorial of Mary Stuart Lassell—to the Committee on Claims.

By Mr. JOHNSON of North Dakota: Petition of J. W. Stoddard and 100 others of North Dakota, against option trading—to the Committee on Agriculture.

By Mr. LAYTON: Petition of Rudolph Gesler and 32 other citizens of Auglaize County, Ohio, praying for the passage of a bill similar to the Conger lard bill introduced in the Fifty-first Congress—to the Committee on Agriculture.

By Mr. LEWIS: Petition to accompany House bill 4968, Fifty-second Congress, first session—to the Committee on Invalid Pensions.

By Mr. LODGE: Resolutions of the Cambridge Branches of the Indian Right Association and of the Massachusetts Indian Association—to the Committee on Indian Affairs.

Also, resolutions of Boston Chamber of Commerce, in behalf of transfer of Revenue Marine—to the Committee on Naval Affairs.

By Mr. McCLELLAN: Petition of E. S. Olmstead and 35 others of Steuben County, Ind., respectfully urging the passage of what was known in the Fifty-first Congress as the Butterworth option bill—to the Committee on Agriculture.

By Mr. McKENNA: Memorial of the citizens of Oakland and Alameda and vicinity, of California, for the passage of a bill to provide for the completion of the improvement of Oakland Harbor—to the Committee on Rivers and Harbors.

Also, memorial of Angola Goat Breeder's Association of California—to the Committee on Agriculture.

Also, resolutions of the California River Improvement Company, California—to the Committee on Rivers and Harbors.

By Mr. MALLORY: Petition of Young People's Society of Christian Endeavor, citizens of Florida, praying for the abolition of the exportation of alcoholic liquor from the United States to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of citizens of Johnson County, Iowa, in favor of the option bill—to the Committee on Agriculture.

Also, petition of citizens of Long Grove, Scott County, Iowa, in favor of option bill—to the Committee on Agriculture.

By Mr. MILLS: Petition for the relief of J. Y. Carpenter—to the Committee on Claims.

By Mr. MONTGOMERY: Petition of D. T. Applegate, for loss of flatboats—to the Committee on War Claims.

By Mr. O'DONNELL: Petition of 8 citizens of Jackson, Mich., praying for an appropriation to improve, beautify, and maintain the national park at Mackinaw Island, Michigan—to the Committee on Public Buildings and Grounds.

By Mr. O'FERRALL: Joint resolution of the senate and house of delegates of Virginia, requesting the United States Government to locate a foundry at and to extend the limits of the Norfolk navy-yard—to the Committee on Naval Affairs.

By Mr. O'NEIL of Massachusetts: Resolutions of the Boston Chamber of Commerce, in favor of the transfer of the Revenue Cutter Service from the Treasury Department to the naval service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Massachusetts Indian Rights Association, in favor of the proposed legislation in behalf of the Indians—to the Committee on Indian Affairs.

By Mr. O'NEILL of Pennsylvania: Memorial of the Commercial, Maritime, and Trade Association of Philadelphia, urging the passage of a joint resolution relative to the improvement of the harbor of Philadelphia, directing a change in the removal and depositing the material taken from Smith's and Petty's Islands to the League Island navy-yard—to the Committee on Rivers and Harbors.

By Mr. OTIS: Petition of the United Presbyterian Church of Americus, Kans., asking for the closing of the Columbian Exposition on the Sabbath and that the sale of liquor shall be prohibited; also, that the management of the art gallery accord with the American standard of purity in art—to the Select Committee on the Columbian Exposition.

By Mr. PATTERSON of Tennessee: Petitions of the National Woman's Christian Temperance Union, asking that no exhibition for which appropriations are made by Congress shall be opened on Sunday— to the Select Committee on the Columbian Exposition.

By Mr. PRICE: Memorial of the Board of Trade of the city of Lake Charles, La., asking for the improvement of Calcasieu River and Pass—to the Committee on Rivers and Harbors.

By Mr. RAINES: Petition of W. P. Durfee, for use of metric system of weights and measures in custom-house—to the Committee on Coinage, Weights, and Measures.

Also, petition of taxpayers of Dansville, N. Y., for free delivery of mail matter in the country—to the Committee on the Post-Office and Post-Roads.

By Mr. REED: Petition of George True, of Portland, Me., and others, for the loan of condemned cannon—to the Committee on Military Affairs.

By Mr. ROBINSON: Joint memorial of organizations representing the trade, commercial, manufacturing, and maritime, of the city and port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. ROCKWELL: Petition of George K. Marshall and others of Waterloo, N. Y., for free delivery of mail in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. RUSSELL: Memorial of the New London Commercial Board of Trade, in favor of the transfer of the Revenue Marine Service to the Navy Department—to the Committee on Naval Affairs.

Also, petition of citizens of Norwich, Conn., for pension to Clara U. Shaw—to the Committee on Invalid Pensions.

Also, petition of citizens of North Stonington, Conn., in favor of a pension for Ann E. Pitcher—to the Committee on Invalid Pensions.

Also, petitions of residents of Connecticut, against the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition from Woodstock, Conn., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. SHIVELY: Resolution by Shiloh Field Post Grand Army of the Republic of Elkhart, Ind., praying legislation suppressing the use of the United States flag for commercial advertising purposes—to the Committee on Military Affairs.

Also, petition of John H. Baker, of Goshen, Ind., in the case of Mrs. Alberta J. M. Cory—to the Committee on Invalid Pensions.

By Mr. STOUT: Petition of citizens of Oakland County, Mich., to accompany House bill, asking a correction of the military record of Charles Murray—to the Committee on Military Affairs.

By Mr. TERRY: Petitions to accompany House bill 5059, of school districts, city of Hot Springs, Ark., for authority to sell lot 8, block 93, of said city, and use proceeds for common school purposes, to accompany any bill introduced for that purpose—to the Committee on Public Buildings and Grounds.

Also, petition of citizens of Van Buren and citizens of Fort Smith, Ark., for improvement of Arkansas River—to the Committee on Rivers and Harbors.

By Mr. WHEELER of Alabama: Two petitions for the relief of James M. Bradford, Morgan & Co., Alabama—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: Claim of Edwin Chipman and affidavit of T. D. Ray—to the Committee on Pensions.

By Mr. WINN (by request): Petition of various citizens of the Ninth district of Georgia—to the Committee on Manufactures.

By Mr. WISE: Petition in favor of the use of the metric system of weights and measures after July 7, 1893—to the Committee on Coinage, Weights, and Measures.

Also, joint resolution of the General Assembly of Virginia, memoralizing Congress to compensate the State of Virginia for property destroyed during the late war—to the Committee on Claims.

Also, joint resolution of the General Assembly of Virginia, memoralizing Congress for the construction of a monument to Mathew F. Maury—to the Committee on the Library.

Also, joint resolution of the General Assembly of Virginia, in favor of Mount Vernon avenue—to the Committee on the Library.

Also, joint resolution of the General Assembly of Virginia, for the establishment of a foundry at and the extension of the limits of Norfolk navy-yard—to the Committee on Naval Affairs.

By Mr. WRIGHT: Memorial of the Young People's Society of Christain Endeavor, of Neath, Bradford County, Pa., against exportation of alcoholic liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, memorial of the Young People's Society of Christian Endeavor, of Camptown, Pa., for the same purpose—to the Select Committee on the Alcoholic Liquor Traffic.

Also, memorial of the Young People's Society of Christian Endeavor, of East Smithfield, Pa., for the same purpose—to the Select Committee on the Alcoholic Liquor Traffic.

Also, memorial of the Young People's Society of Christian Endeavor, of Troy, Pa., against exportation of alcoholic liquor to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, three memorials of the Young People's Society of Christian Endeavor, of Pennsylvania, against exportation of alcoholic liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, thirty-three petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargerine to the provisions of the laws of the several States—to the Committee on Agriculture.

SENATE.

TUESDAY, *February 2, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. QUAY presented a petition of letter-carriers of Allegheny, Pa., and a petition of letter-carriers of Pittsburg, Pa., praying for the passage of a bill increasing their compensation in certain cases; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Presbytery of the United Presbyterian Church of North America, of Mercer, Pa., praying that no loan be granted to the World's Columbian Fair except upon the express condition that it be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Allegheny County, Pa., praying for the closing on Sunday of any exposition where appropriations of the United States are expended; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the congregation of the Presbyterian Church of Coraopolis, Pa., and a petition of the Woman's Missionary Society of Beaver Valley, Pa., of the United Presbyterian Church of North America, praying for the closing of the World's Columbian Fair on Sunday, the prevention of the sale of liquor within its gates, and that the art department be managed according to the American standard of purity in art; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Local Assembly No. 6401, Knights of Labor, of Philadelphia, Pa., praying for the enactment of an anti-Chinese law; which was referred to the Committee on Foreign Relations.

He also presented additional papers to accompany Senate bill 915 for the correction of the military record of Patrick Moss; which were referred to the Committee on Military Affairs.

Mr. PEFFER presented a memorial of John Cowden of Washington, D. C., remonstrating against the passage of Senate bill 429, relating to the construction of bridges; which was referred to the Committee on Commerce.

He also presented the petition of John H. Clark, of Greenwood, Ark., praying for the adoption of his system of "pocket levees" for the improvement of the Mississippi River; which was referred to the Committee on Commerce.

Mr. CASEY presented a petition of J. S. Weiser, State senator; J. F. Walker, president of the Valley City Farmers' Alliance, and 35 other citizens of Valley City, N. Dak., praying for the passage of what is known as the Washburn option bill; which was referred to the Committee on the Judiciary.

Mr. MCMILLAN presented a petition signed by 397 citizens of Michigan, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. VANCE presented a petition of sundry private citizens and church organizations of North Carolina, praying for the passage of a law forbidding the Sunday opening of the Columbian Exposition; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HAWLEY presented a petition of the Plymouth (Connecticut) Christian Endeavor Union and associated organizations, representing more than 100 citizens of Connecticut, praying for the passage of a law requiring the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HAWLEY. I have received a certified copy of a resolution of the Connecticut State Grange, supporting the existing tariff duties on imported tobacco, addressed to the State delegation, in the nature of a petition. I move that it be referred to the Committee on Finance.

The motion was agreed to.

Mr. SHERMAN presented a petition of 33 citizens of Auglaize County, Ohio, praying for the passage of what is known as the Butterworth option bill; which was referred to the Committee on the Judiciary.

Mr. CAMERON presented a petition of the Naval Veterans' Legion of Philadelphia, Pa., praying for the transfer of the Revenue Cutter Service to the naval establishment; which was referred to the Committee on Naval Affairs.

Mr. ALLISON presented the petition of S. S. Robinson and other citizens of Greene County, Iowa; the petition of J. G. Beck and other citizens of Madison County, Iowa, and the petition of W. A. Harris and other citizens of Dallas County, Iowa, for the passage of what is commonly known as the option bill; which were referred to the Committee on the Judiciary.

He also presented the petition of J. S. Lenocker and other citizens of Dallas County, Iowa, praying for the passage of what is commonly known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. CULLOM presented the petition of Mallory Sons & Co. and 100 other citizens of Chicago, Ill., praying Congress to authorize the Secretary of War to contract with Charles Stoughton for the completion of the Harlem River improvement and for the construction of the Harlem Kills Canal; which was referred to the Committee on Commerce.

Mr. PLATT presented the petition of E. A. Darling and 106 other citizens of New York, praying Congress to authorize the Secretary of War to contract with Charles Stoughton for the completion of the Harlem River improvement and for the construction of the Harlem Kills Canal; which were referred to the Committee on Commerce.

He also presented a petition of citizens of Connecticut, interested in business in Florida, praying for the improvement of the harbor at the bight of Canaveral, in the State of Florida; which was referred to the Committee on Commerce.

Mr. STANFORD presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the prompt construction of the Nicaragua Canal; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that appropriations be made for signal lights at sundry places on the Pacific coast; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for increased harbor defenses; which was referred to the Committee on Coast Defenses.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that further appropriations be made for the hydrographic office at San Francisco, and for the publication of the monthly Pilot Chart; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the improvement by dredging of the Alviso and Cavote Sloughs in Santa Clara County, Cal.; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the purchase of army and navy supplies on the Pacific coast; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the transfer of the Revenue Marine Service to the Navy; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the laying of a submarine cable to the Hawaiian Islands; which was referred to the Committee on Foreign Relations.

Mr. DANIEL presented a joint resolution of the Legislature of Virginia, praying that an appropriation of $100,000 be made for the purpose of commencing the construction of Mount Vernon avenue; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Business Men's Association of Norfolk, Va., praying for the transfer of the Revenue Marine to the Navy Department; which was referred to the Committee on Naval Affairs.

He also presented the petition of J. P. Millner, postmaster at Brosville, Va., praying to be allowed compensation for services as postmaster at that place; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PALMER presented the petition of John Patterson & Son and 96 other members of the Union Stock Yard of Illinois, praying Congress to authorize the Secretary of War to contract with Charles Stoughton for the completion of the Harlem River improvement and for the construction of the Harlem Kills Canal; which was referred to the Committee on Commerce.

Mr. CHILTON presented a petition of Concord Grange, Patrons of Husbandry, of Lee County, Tex., and a petition of the Pleasant Grove Grange, Patrons of Husbandry, of Robertson County, Tex., praying for the passage of an act declaratory of the true purpose of the forfeiture act of September 29, 1890, and for the benefit of settlers on the line of the Northern Pacific Railroad between Wallula, Wash., and Portland, Oregon; which were referred to the Committee on Public Lands.

Mr. VILAS presented a petition of the Christian Endeavor Union of Milwaukee, Wis., praying that the World's Columbian Fair be closed on Sunday, and that the sale of liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of William J. Clark and other citizens of Clinton, Wis., praying for the passage of a law to prevent the exportation of alcoholic liquors to Africa; which was ordered to lie on the table.

He also presented the petition of John Donahue and other citizens of St. Croix County, Wis., praying for the enactment of a law to restore the free bimetallic coinage of silver and gold; which was referred to the Committee on Finance.

JOHN G. WILLIAMS.

Mr. DANIEL. I present the petition of John G. Williams, administrator *de bonis non* of Col. Francis Taylor, of Orange County, Va., praying for relief.

A few days ago I introduced a bill (S. 1863) for the relief of John G. Williams, administrator *de bonis non* of Col. Francis Taylor, of the Virginia Line on Continental establishment of the war of the Revolution, to accomplish the purpose set forth in this petition and had it referred to the Committee on Claims. I think the more proper reference of the bill would be to the Committee on Revolutionary Claims, and I ask leave to withdraw the bill from the Committee on Claims and that it be referred with the petition I now present to the Committee on Revolutionary Claims.

The VICE-PRESIDENT. The bill will be withdrawn, and referred with the petition to the Committee on Revolutionary Claims, if there be no objection. The Chair hears none.

REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 331) to provide for the settlement of accounts and claims in certain cases, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 99) to provide for the settlement of accounts and claims in certain cases, reported adversely thereon, and the bill was postponed indefinitely.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 370) granting an increase of pension to James H. Osgood, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 371) granting a pension to John Chamberlain, reported it with an amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 620) to amend an act entitled "An act to promote the administration of justice in the Army," approved October 1, 1890, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Mines and Mining, to whom was referred the bill (S. 54) to amend chapter 6, of Title XXXII, of the Revised Statutes, relating to mineral lands and mining resources, reported it with amendments.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 839) granting a right of way to the Jamestown and Northern Railway Company through the Devils Lake Indian Reservation, in the State of North Dakota, reported it without amendment.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 1663) for the relief of the sufferers by the wreck of the United States revenue cutter Gallatin off the coast of Massachusetts, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 2001) for the relief of the sufferers by the wreck of the United States revenue cutter Gallatin off the coast of Massachusetts; which was read twice by its title.

Mr. FRYE. I present a letter from the Assistant Secretary of the Treasury to accompany the bill as a partial report.

The VICE-PRESIDENT. The paper will be so filed.

REVISED SENATE MANUAL FOR 1892.

Mr. MANDERSON. I am instructed by the Committee on Printing to report back favorably the resolution for printing the Revised Senate Manual for 1892, and I ask for its present consideration. After the resolution is read I shall offer an amendment to it.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution, submitted by Mr. ALDRICH January 11, 1892, as follows:

Resolved, That there be printed for the use of the Senate, under the direction of the Committee on Rules, 1,500 copies of the Revised Senate Manual for 1892, with corrections to January 1, 1892.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. MANDERSON. In the third line of the resolution I move to strike out "1,500" and insert "830;" so as to read:

Eight hundred and thirty copies of the Revised Senate Manual.

I do this for the reason that that is the number which can be printed for $500, which is within the limit.

The amendment was agreed to.

The resolution as amended was agreed to.

MISSISSIPPI RIVER BRIDGE AT SOUTH ST. PAUL.

Mr. WASHBURN. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890. I ask unanimous consent for the present consideration of the bill.

Mr. COCKRELL. Let it be read for information.

Mr. WASHBURN. I will simply state that it is the amendment of an act passed in the last Congress for the construction of a bridge at South St. Paul, changing the location from one section to another and extending the time. The bill has passed the other House, and the report of the House committee accompanies the bill with the confirmation of the War Department. As the time expires very shortly, it is desirable that the bill shall be passed promptly.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. WASHBURN. I ask for the reading of the report of the House committee.

The VICE-PRESIDENT. The report will be read.

The Chief Clerk read as follows:

Mr. LIND, from the Committee on Interstate and Foreign Commerce, submitted the following report (to accompany H. R. 217):

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890, submit the following report:

The only effect of this amendment is to extend the time for the commencement and completion of the bridge authorized by the act, and to change its location from points in section 10 to section 2 in the same town and range, less than 1 mile.

The United States Engineer Department reports that there is no objection to the passage of the bill.

Your committee therefore recommends that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SENATOR FROM IDAHO.

Mr. MITCHELL. In the matter of the contest initiated by Mr. William H. Clagett, involving a right to a seat in the Senate for the full term commencing March 4, 1891, now occupied by Senator Fred. T. Dubois, the Committee on Privileges and Elections have instructed me to submit a report. Accompanying the report, as a part of it, I am instructed to present two resolutions, numbered respectively 1 and 2, and to recommend their adoption.

I ask that the report and the resolutions may lie on the table for the present and that they be printed. I ask, however, that the resolutions be read at this time, and I give notice that at a very early date I shall call the matter up for consideration.

The VICE-PRESIDENT. The resolutions will be read.

The Chief Clerk read the resolutions, as follows:

1. *Resolved*, That Fred. T. Dubois is entitled to retain the seat he now holds as Senator from the State of Idaho for the full term commencing March 4, 1891.

2. *Resolved*, That William H. Clagett is not entitled to be admitted to a seat in the Senate from the State of Idaho for the term commencing March 4, A. D. 1891.

Mr. VANCE. I wish to have the resolutions lie on the table for a day or two, as there will be a minority report submitted as to the right of Mr. Dubois to the seat.

Mr. MITCHELL. That is satisfactory; and I ask when the views of the minority are submitted that they be printed in connection with the report of the committee.

The VICE-PRESIDENT. It will be so ordered.

BILLS INTRODUCED.

Mr. HALE introduced a bill (S. 2002) for the erection of a public building at Biddeford, York County, Me.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. FAULKNER (by request) introduced a bill (S. 2003) to incorporate the Washington Central Street Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. KENNA introduced a bill (S. 2004) granting a pension to Mary Clare Kelly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES of Arkansas (by request) introduced a bill (S. 2005) to pension Alexander Mackey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VILAS (by request) introduced a bill (S. 2006) for the relief of Samuel G. Cabell; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 2007) for a public building at Altoona, Pa., and appropriating money therefor; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2008) granting an increase of pension to J. C. Burke; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2009) granting an increase of pension to Marie A. Birney; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2010) granting an increase of pension to William H. Riland; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 2011) for the relief of Eugene A. Bancroft; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT introduced a bill (S. 2012) to correct the military record of Jesse H. Sprague; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 2013) to grant arrears of pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2014) granting a pension to M. E. Wood; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MCMILLAN introduced a bill (S. 2015) to amend the act incorporating the Washington and Georgetown Railroad Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL introduced a bill (S. 2016) for the relief of Jacob Swofford; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2017) granting a pension to Gabrilla P. Moody; which was read twice by its title.

Mr. COCKRELL. I desire, in connection with the bill, to present a petition numerously signed, the discharge of her son, Elish Estes, and two letters from the Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. VOORHEES introduced a bill (S. 2018) granting a pension to Mary E. Law, widow of Capt. Richard L. Law, United States Navy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAWES introduced a bill (S. 2019) for the relief of Horace Brown, alias Magruder; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2020) to remove the charge of desertion now standing against Michael Keefe, deceased; which was read twice by its title, and, with the accompanying, papers referred to the Committee on Military Affairs.

Mr. CALL introduced a bill (S. 2021) granting the right and authority to the Mexican Gulf, Pacific and Puget Sound Railroad Company, a company organized under the laws of the States of Florida and Alabama, to build one bridge over each of the following-named rivers in the State of Alabama, viz: The Alabama River, the Warrior River, the Sipsey River, and the Tennessee River; the said bridges to be used, operated for, and in behalf the said the Mexican Gulf, Pacific and Puget Sound Railroad Company to carry freight and passengers by rail and otherwise; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2022) granting the right of way to the Mexican Gulf, Pacific and Puget Sound Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DANIEL introduced a bill (S. 2023) to authorize the Norfolk and Western Railroad Company of Virginia to extend its line of road into and within the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PETTIGREW introduced a bill (S. 2024) authorizing the President to appoint and retire John W. Hines with the rank and grade of second lieutenant; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 2025) granting an increase of pension to Nathaniel P. Dodge; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TURPIE (by request) introduced a bill (S. 2026) for the re-

lief of Mary Stuart Lasselle; which was read twice by its title, and, with accompanying papers, referred to the Committee on Claims.

Mr. VANCE introduced a bill (S. 2027) to repeal all acts and part of acts discriminating in taxation against the circulating notes of State banks and State banking associations; which was read twice by its title, and referred to the Committee on Finance.

Mr. CAREY introduced a bill (S. 2028) for the erection of a reformatory and house of detention for women charged with and convicted of crimes and misdemeanors in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 2029) to provide for the sale of surplus or unallotted lands of the western Miami Indians of the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PALMER introduced a joint resolution (S. R. 37) proposing an amendment to the Constitution of the United States, relating to the election of Senators by the people; which was read twice by its title.

Mr. PALMER. I ask that the joint resolution lie upon the table, as I propose at some convenient day to address the Senate on the subject.

The VICE-PRESIDENT. The joint resolution will lie on the table.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. PROCTOR, it was

Ordered, That the petition and papers in the case of Mary A. Sands be taken from the files of the Secretary of the Senate and referred to the Committee on Pensions.

On motion of Mr. TELLER, it was

Ordered, That Mrs. Mary Jewett Telford have leave to withdraw the papers filed by her with the Committee on Pensions.

PRINTING OF INTERNATIONAL MARINE CONFERENCE BILL AND REPORT.

Mr. FRYE. I ask for the present consideration of the order which I send to the desk.

The order was read, as follows:

Ordered, That there be printed for the use of the Senate 300 additional copies of Senate bill 1755, to amend certain sections of Title LII of the Revised Statutes of the United States, and to carry into effect certain recommendations of the United States delegates to the International Marine Conference, and the report accompanying the same.

Mr. FRYE. I will simply say that the number printed before has been entirely exhausted.

Mr. MANDERSON. The proposed order includes not only the bill, but the report?

Mr. FRYE. It includes the bill and report.

Mr. MANDERSON. Is the Senator aware whether the cost will be less than $500?

Mr. FRYE. It will surely be less than $500, I should think.

Mr. MANDERSON. I have no objection to the order, except that I feared it might infringe the law.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

PERSONAL EXPLANATION.

Mr. VOORHEES. Mr. President, I hope that the Senate will indulge me a few moments in a matter personal to myself. I ask the Chief Clerk to read the matter marked in the Philadelphia Press of last Saturday, which I send to the desk. Read the headlines and the matter that is there marked.

The VICE-PRESIDENT. The matter will be read.

The Chief Clerk read as follows:

[Philadelphia Press, Saturday, January 30, 1892.]

WASHINGTON—THE SENATE WASTING TIME IN OBEDIENCE TO SENATORIAL COURTESY—MR. VOORHEES FAILS TO SUSTAIN HIS CHARGES—HIS SCHEME TO DEFEAT JUDGE WOODS'S NOMINATION NOT SUPPORTED BY THE REPUBLICANS HE HAD COUNTED UPON.

[Special dispatch to the Press.]

WASHINGTON, *January 29*.

The Senate Judiciary Committee wasted another session to-day, out of "Senatorial courtesy" to Senator VOORHEES of Indiana. The time was taken up in the examination of witnesses brought on here from the Hoosier State to prove that Judge Woods, nominated by President Harrison for the circuit bench, was a scoundrel because he had sent Sim Coy, the Democratic heeler and repeater, to prison, and had not sustained trumped-up charges against Col. W. W. Dudley. Not a single fact was proven. "Senatorial courtesy" was again exercised by adjourning until Monday, without action, in order that VOORHEES may have two more witnesses here. It is not at all certain that the witnesses will be here, but it is tolerably certain that if they do come they will have nothing to add to the useless testimony of those already examined.

The committee will undoubtedly take up their judicial nominations on Monday and report them favorably. Not a Republican will vote against the confirmation of Judge Woods. The opposition of Senators VOORHEES and TURPIE has been a mere farce, and illustrates to what ridiculous lengths that indefinite quality, "Senatorial courtesy," will go. A whole month has been wasted simply because VOORHEES was not in the city, and it would have been contrary to "Senatorial courtesy" to consider the case until he got back. Witnesses were summoned whose fees and mileage will amount to about $600.

The attempt of Senator VOORHEES to form a coalition with the Republicans was a flat failure. He knew that some of the Republicans like QUAY, CAMERON, and HIGGINS were opposed to the nomination of George M. Dallas, and he made the proposition that if these disgruntled Republicans would induce enough of their party to aid the Democrats in defeating Judge Woods's nomination, the Democrats would reciprocate and aid in defeating Dallas. The plan would not work, however, and it is now reasonably certain that all the nominations will be confirmed next Monday without a dissenting vote among the Republicans.

Mr. VOORHEES. Mr. President, on the subject of the Senatorial courtesy which prevails in this body I have nothing to say, and nothing need be said. Senatorial courtesy, sneered at by blackguards and scurrilous people, is simply, I believe, the decencies of life which obtain among gentlemen. Some of this courtesy has been extended to me by the Committee on the Judiciary, for which I make my profound acknowledgments, but for not more than a week or ten days at the outside.

I have nothing either at this time to say about the case of Judge Woods. It is still under investigation; witnesses are yet to be examined; and how this newspaper man knows what the decision of that committee will be passes my understanding.

My principal object, however, in having the article read to which we have listened relates to the last paragraph. In the last paragraph the statement is made explicitly and unqualifiedly that I made a proposition to certain Senators, naming Senator QUAY of Pennsylvania, Senator CAMERON of the same State, and Senator HIGGINS of Delaware, that for their assistance in the defeat of the confirmation of Judge Woods, now here as an appointee for one of the United States circuit judgeships, I was in favor of joining in a movement on this side of the Chamber to defeat Judge Dallas, of Philadelphia.

A grosser lie than this statement would hardly be possible for his satanic majesty to conceive. Such a word or thought or suggestion, of course, has never emanated from my lips. On the contrary, bad as I think the appointment of Judge Woods, improper and unfit as I conceive and know him to be for a judicial position, I would feel myself dishonored and disgraced beyond redemption to receive a suggestion, let alone to make one, to defeat an honest, upright, and competent man like Judge Dallas for the sake of getting clear of him.

If there are Senators in this body, those named or anybody else, who can say they have ever heard from me a single suggestion or thought of such a corrupt combination, I want that statement to be made now. If I were capable of making such a suggestion I should be a proper subject for expulsion from this body; and the miserable falsifier and scoundrel who makes such an accusation from that gallery ought to be expelled from the privileges of the Senate.

I call the attention of the Committee on Rules to this as one of the most flagrant outrages that have occurred in the long years that I have been a member of this body. I shall offer no resolution on the subject, for it is personal to myself, but it does create a question in every mind of how long and how much we are to stand of this kind of business.

I see that some men were yesterday put in prison by a court in a neighboring State for libeling a member of this body, and if the same rule and with the same severity were put in operation against a correspondent capable of concocting and publishing such a calumny as we have here, it would be better for public morals and better for the decencies and order of this country.

I simply wanted to brand this miserable creation of a dishonest heart and brain as I have, and with that I am done.

Mr. CAMERON. Mr. President, I had not read the article in the Philadelphia Press, for I scarcely ever read that paper, but I can say that, so far as my name is connected with it, it is a lie from beginning to end. The Senator from Indiana [Mr. VOORHEES] never spoke to me upon the subject of the judgeship or as to the confirmation of Judge Woods or as to the rejection of Mr. Dallas.

Mr. QUAY. I desire merely to add to what my colleague has said my own statement of the absolute falsity of the charge made in relation to the alleged combination said to have been made between the Senator from Indiana [Mr. VOORHEES] and the Senators from Pennsylvania. It is utterly false and without any foundation. I have never heard of such a suggestion from the Senator from Indiana.

Instead of the senior Senator from Pennsylvania [Mr. CAMERON] and myself being willing or ready to enter into a combination of that kind, the fact is that we are both in favor, as I always have been in favor, of confirming the nomination of Mr. Dallas as judge.

Mr. HIGGINS. As disclaimers seem to be in order, Mr. President, I feel bound to say that there is no truth in the statement which has been read and no justification for its publication. I never heard a word from the Senator from Indiana or his colleague or any member of this body respecting any such subject whatever.

Mr. WILSON. I wish to say in behalf of the Committee on the

Judiciary, which has been referred to, that in its treatment of this case it has not departed in any way from its usual conservative course, and it will not depart therefrom. The case will be treated as it should be without disguising anything concerning the subject-matter thereof, and a report will be made in due time.

Any reflections that may be cast upon that committee divulging any feature of the case, I think are wholly without foundation. The case will be reported in due time after the conservative order of procedure shall have brought the committee to a conclusion, and that is only delayed by the fact that some parties who were requested to appear before the committee were absent from the city and time had to be given in order for them to appear; but there has been no departure from the orderly course pursued by that committee in this case more than any other that it has to deal with.

PUBLIC BUILDING AT GRAND FORKS, N. DAK.

The VICE-PRESIDENT. The morning business having been concluded, the first case on the Calendar will be stated.

Mr. HANSBROUGH. I call for the consideration of Order of Business 54 on the Calendar, which was passed over yesterday without prejudice, being the bill (S. 591) to provide for the erection of a public building in the city of Grand Forks, N. Dak.

The VICE-PRESIDENT. The bill having been passed over without prejudice is now in order.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 13, before the word "thousand," to strike out the words "and fifty;" so as to make the appropriation $100,000.

The amendment was agreed to.

Mr. COCKRELL. I see there is no report accompanying the bill, and I should like to have some explanation of the necessity of a public building at that place.

Mr. HANSBROUGH. Mr. President, the bill reported from the committee was passed at the last session of Congress by the Senate, and again reported by the Committee on Public Buildings and Grounds at this session of Congress. There is a United States district court held at Grand Forks, N. Dak., and they are paying at the present time about $3,500 rent for court purposes. There is also at the city of Grand Forks a United States land office, for which a considerable rent is being paid. I believe that the Government is also paying $1,200 per year for post-office purposes there. Altogether the amount of rent which the Government is now paying for Federal purposes in that city is equal to at least 5 per cent of the amount asked for in this bill.

The only difficulty with the bill is that the appropriation is not large enough. It ought to be $250,000 instead of $100,000.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FOOD AND DRUG ADULTERATION.

The bill (S. 1) for preventing the adulteration and misbranding of food and drugs, and for other purposes, was announced as next in order.

Mr. PADDOCK. I ask that that bill be laid aside without prejudice, retaining its place on the Calendar.

The VICE-PRESIDENT. The bill will be passed over without prejudice, retaining its place.

EZRA S. HAVENS.

The bill (S. 2) for the relief of Ezra S. Havens was considered as in Committee of the Whole.

It provides for the payment to Ezra S. Havens, late captain of Company G, Eighteenth Regiment Missouri Volunteer Infantry, of the pay and allowances of a captain of infantry in the late volunteer service from the 11th of March, 1862, to the 2d of February, 1863.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAPOLEON B. GIDDINGS.

The bill (S. 3) for the relief of Napoleon B. Giddings was considered as in Committee of the Whole.

It proposes to direct the Secretary of War to cause to be investigated the circumstances of the alleged taking from Napoleon B. Giddings, in January, 1847, at Santa Fé, N. Mex., and depositing with A. B. Dyer, lieutenant of ordnance, United States Army, by order of Sterling Price, colonel commanding the army in New Mexico at that time, of 140 kegs of gunpowder, and to ascertain and determine the reasonable market value of the powder at that time and place, and whether the same, or any part thereof, was ever returned or delivered back to Giddings, and the final disposition of the powder; and if the same, or any part thereof, was never returned to or delivered back to Giddings, then to certify to the Secretary of the Treasury the amount of the reasonable market value at that time and place of the powder so never returned or delivered back to Giddings; and the Secretary of the Treasury is authorized to cause to be paid to Giddings the amount so certified by the Secretary of War to be the reasonable market value of such powder.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALFRED J. WORCESTER.

The bill (S. 4) for the relief of Alfred J. Worcester was considered as in Committee of the Whole.

It proposes to direct the Secretary of War to correct the muster roll of Alfred J. Worcester so as to show him to have been the first lieutenant of Company G, Fourteenth Regiment of Illinois Volunteers, from December 23, 1863, to June 11, 1864, and the Secretary of the Treasury is directed to pay him the pay and allowances of first lieutenant of that company from December 23, 1863, to June 11, 1864, deducting therefrom any and all sums of money paid to him during that period.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN S. NEET, JR.

The bill (S. 5) for the relief of John S. Neet, jr., was considered as in Committee of the Whole.

It provides for the payment to John S. Neet, jr., late a private in Company C, Third Regiment Missouri State Militia Cavalry, afterward Company L, Sixth Missouri State Militia Cavalry, of $100, in full payment of the sum allowed him in October, 1878, by the Third Auditor of the Treasury Department.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH W. CARMACK.

The bill (S. 6) for the relief of Joseph Carmack was considered as in Committee of the Whole.

It provides for payment to Joseph W. Carmack, late of Company A, Sixth Missouri Cavalry, of the pay and allowances of a first sergeant of cavalry from May 1, 1862, to September 30, 1862, less any pay received by him during such period.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOUISIANA STATE UNIVERSITY.

Mr. WHITE. I beg leave to call up Order of Business 25, being Senate bill 143, which was passed over without prejudice. It ranks on the Calendar with the bills now being acted on.

The VICE-PRESIDENT. The title of the bill will be stated.

The CHIEF CLERK. A bill (S. 143) to increase the endowment of the Louisiana State University and Agricultural College, and for the Southern University of Louisiana.

The VICE-PRESIDENT. The bill has been read at length and is before the Senate, as in Committee of the Whole, and open to amendment.

Mr. WHITE. I offer as a substitute for this bill the bill included in Order of Business No. 158, being Senate bill 1610, which I reported a few days ago.

The VICE-PRESIDENT. The bill last referred to by the Senator from Louisiana will be considered as the original bill in the absence of objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1610) to increase the endowment of the Louisiana State University and Agricultural and Mechanical College and for the Southern University of Louisiana.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The VICE-PRESIDENT. Senate bill 143 on the same subject will be indefinitely postponed in the absence of objection.

PUBLIC BUILDING AT ALLENTOWN, PA.

The bill (S. 901) to provide for the purchase of a site and the erection of a public building thereon, at Allentown, in the State of Pennsylvania, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. QUAY. My attention was diverted at the moment the last bill was passed. I move to reconsider the vote on its final passage.

The VICE-PRESIDENT. The motion to reconsider will be

regarded as agreed to if there be no objection. The Chair hears none.

Mr. QUAY. I ask that the bill may go over for the present without prejudice.

Mr. COCKRELL. What is the motion, Mr. President? We did not hear it.

The VICE-PRESIDENT. To reconsider the vote by which the Senate passed the bill (S. 901) to provide for the purchase of a site and the erection of a public building thereon at Allentown, in the State of Pennsylvania.

Mr. QUAY. I ask that the bill may be passed over without prejudice.

The VICE-PRESIDENT. The bill will be passed over without prejudice and retain its place on the Calendar, if there be no objection.

PUBLIC BUILDING AT FERNANDINA, FLA.

The bill (S. 408) to provide for the purchase of a site for and the erection of a public building at Fernandina, in the State of Florida, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds, with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States custom-house, post-office, and other Government offices, in the city of Fernandina and State of Florida, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $100,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money shall be used for the purpose mentioned until a valid title to the site for said building shall be vested in the United States, nor until the State of Florida shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment was agreed to.

Mr. CHANDLER. I should like to ask the Senator from Florida, whom I see in his seat, to make a statement with reference to this bill, whether a building of the style specified and of this cost is required for the town of Fernandina in his State?

Mr. PASCO. Mr. President, this bill was before the Senate at the last session. It then received the recommendation of the proper officers of the Treasury. The report was published at the time, and the bill passed the Senate and went over to the House of Representatives, and was there slumbering at the close of the session. I think if the Senator from New Hampshire will read the report, which is on file, he will see that there is abundant necessity for this building.

Fernandina is the terminus of the Florida Central and Peninsular Railroad, and there is a large amount of phosphate business that is developed along the line of that railroad, and this is the terminus of that business. There is also a very large lumber business done there. It is the largest lumber port of the South Atlantic coast. The building is needed for post-office purposes, and also for custom-house purposes, and the other public offices that are usual in seaport cities.

I will say that the matter was carefully considered by the committee; the bill met the approval of the Department, and a similar bill at a previous session was passed by the Senate.

Mr. CHANDLER. I should like the Senator to state the population of Fernandina, and give us some information in relation to it.

Mr. PASCO. I do not think the population is over 5,000, but in my judgment and the judgment of the committee and of the Department that is not always the criterion by which these matters are to be judged. The necessity for a public building depends upon the demands of the public business rather than upon the population.

Fernandina is a point at which a very large amount of commerce has its outlet. It may be well for me to read briefly what is said in the committee's report as to the amount of business that is done there:

The custom-house business, according to the official statements submitted with the foregoing letter, is as follows:

From 1879 to 1889: Coastwise clearances, 2,452 vessels, 1,579,760 tonnage; foreign clearances, 656 vessels, 251,895 tonnage.

In 1879: Coastwise clearances, vessels 298, tonnage 181,075; foreign clearances, vessels 91, tonnage 29,776; total vessels 389, tonnage 210,851.

The business of Fernandina is now about to be greatly increased by the development of the phosphate industry, large deposits of which mineral have been found in the State of Florida during the past twelve or fifteen months, and some of it has already sought an outlet through this harbor. It is confidently expected that a large proportion of it will be exported hence to home ports in other States and to foreign countries. And the shipping which goes there for cargoes will increase the importations and add largely to the business and customs receipts of the port.

This report was made a year ago and the expectations with reference to the phosphate business have been fully realized. I will state that 54,271 tons of phosphate have been shipped through this port during the past year, and it is estimated that it will be increased to 100,000 tons during the present year.

I have recently been in Fernandina, and everything indicates the enterprise of the people and the prosperity and the continued development of the resources and business of the city and the section of which it is the outlet.

I think the necessities of the place fully require a building of this character to be erected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read "A bill to provide for the purchase of a site and the erection of a public building thereon at Fernandina, in the State of Florida."

F. F. WHITE.

The bill (S. 1030) for the relief of F. F. White was considered as in Committee of the Whole.

It provides for the payment to F. F. White, of Philadelphia, Pa., the sum of $530 for his house at Juneau, Alaska, taken by the United States Government for military purposes.

Mr. COCKRELL. I should like to call the attention of the Senate to the report in this case, and I desire to call the attention particularly of the Senator making the report, the Senator from Washington [Mr. ALLEN]. This is to pay, the bill says, $530 for a house in Juneau, Alaska, that was taken by military authority.

I have read over the report, and I can not see that any military authority took it. Some of the United States officers there took it, and they do not claim to have had any authority about it. In the report of C. S. Johnson, United States district attorney, I find this language:

From all the facts I believe the parties ought to be given their respective houses, and as Henning suggests, they could, without injury to the Government, be permitted to occupy the reservation until such time as the Government had use for it.

Now, why not give these parties their property there? There has been no formal reservation of this land. It has not been done, as I understand it, by any Department or military commander, nor has it been done by the President; but a few officers who were up there claimed that this square ought to be reserved. It is true they have in the United States courts dispossessed these parties, but we have the power to reverse them so far as restoring the land is concerned, and why not give all these parties their land, because this is only the entering wedge and you will have to pay every one of them. I do not know how many there are, but there are quite a number of others, and it seems to me the better way would be for us to pass a law requiring this property to be delivered back to the respective claimants. That would end the matter and keep us from paying for a whole parcel of buildings that may be of no earthly benefit in the world.

Mr. ALLEN. In answer to the Senator from Missouri, I will say this: I think there is very little danger of a precedent being established by this bill, for the reason that the entire ground in controversy is only a block in the city of Juneau about 300 feet square.

The reason why the bill was reported in this way was that this party had gone to the little town of Juneau along with others and attempted to comply with the custom or usage there prevailing of entering lots and making an actual occupancy of them under a proceeding analagous to that under the town-site act. He had taken a lot in the block, built a residence for himself and family, of three rooms, fitting up the house, in a very cozy manner

for that country, at the actual cost stated in this bill. Shortly after taking his family into his house as a place of residence, without any apparent authority for it at all, proceedings were instituted against him as a trespasser upon the public lands of the United States. A claim was put forward that this was a military reservation, or that it was reserved for that purpose. There was no legal foundation for that claim. Ejectment proceedings were instituted against him in the court. The Attorney-General directed the action suspended, attempted to control it, but, notwithstanding the direction from the Attorney-General's office, the action went forward to judgment.

It was said this man could interpose no defense whatever, because he was upon the land as a trespasser, the land laws of the United States not having been extended over Alaska. It was also said that he had no redress by way of appeal, because the amount involved did not equal $5,000. Although the proper Department of the Government attempted and gave the direct command that these proceedings should terminate, as I say, they went forward, judgment was entered, and the party was ousted, and property was taken possession of by the collector of customs for Alaska.

After thus taking possession of the property, the Government used it and has continued to use it as a common prison or jail for the prisoners of the United States who were arrested and held there in confinement to be transported to Sitka.

The man's condition was entirely changed by this conduct of the Government. He was thrown out of his house, which was destroyed for the purposes of a residence by reason of this use to which it was put by the Government through its officer, having taken possession of it as he did, and it was practically destroyed for the purposes of a residence. This man's entire situation was changed, and it would not be doing him justice in any sense of the term, or even approximately doing him justice, to return him the possession of his premises after they had thus been degraded by the use to which they were placed.

Therefore it is considered nothing more than just and equitable that the party be paid for this house which has been confiscated and taken away from him and converted by the Government into a common prison.

Mr. COCKRELL. It is remarkable, Mr. President, that the court should have decided as they did in this case. Here is the history of a so-called military reservation; this is from the present United States district attorney, as I understand, who makes this report.

You ask me to give you—

This is to C. S. Johnson—

You ask me to give you such information at my command which may tend to clear up the disturbing question (at Juneau, Alaska) "of military reservation or not."

In order to make the matter plain I must go back some years. In October, 1880, gold was first discovered in the locality and vicinity where now is situated the town of Juneau (formerly called Rockwell, Alaska). In the month of December following many miners came from Sitka, Fort Wrangel, and other points to this place. The United States steamer Jamestown, Henry Glass, commander, was stationed at Sitka, Alaska. Commander Glass and many of his officers, with some of their marines, also came here from Sitka at the time of the "gold stampede." The officers at once interested themselves in the new discoveries and decided to camp here.

As you will see, by referring to the annexed certified copies of record, Commander Glass, on May 2, 1881, wrote out a "notice of reservation," reserving for garrison purposes lots 1, 2, and 3, in block 7—

After the town had been laid out, after the settlers had gone there and laid out the streets and blocks, then this officer comes and writes out a little notice, and calls it a reservation—

reserving for garrison purposes lots 1, 2, and 3, in block 7; but for some reason the notice was never posted on the ground, nor was it recorded here in the recorder's office until May 23, 1885.

Four years afterwards—

on said 23d day of May, 1885, H. E. Nichols, lieutenant-commander, United States Navy, made an additional record of this so-called military reservation, claiming for the Government all of block 7 in the town of Juneau, Alaska, excepting lots 4, 5, and 6, that is to say, lots 1, 2, 3, 7, and 8 of said block 7.

The public had no notice of a reservation claimed by the Government, and no one here knows of any expenditure upon said reservation made by the Government. * * *

The most claimed by any one settler upon the tract of land in question is 50 by 100 feet. The parties residing upon this tract of land entered upon it in good faith, erected their cabins, as is customary on the frontier, for the purpose of residing therein. They expended their money in good faith, believing in the established policy of the Government to, in all cases, protect the interests of the early settlers on the frontier.

* * * * * * *

The settlers referred to are all good, law-abiding citizens. They attempted to establish their claims in Judge Keatly's court in suits brought against them by your predecessor, Whit. M. Grant, formerly United States district attorney; but Judge Keatly would not allow the cases to come to a question of fact, but ruled that, since the land laws of the United States had not been extended over the district of Alaska, they were all trespassers; the amount involved in each case being less than $5,000 no appeal would lie, and the consequence is that their homes were taken away from them without, I might say, a hearing.

In other words, the United States court in Alaska determined that a United States officer can dispossess any man from any piece of land he is on, regardless of his buildings or anything else. Is this monstrosity to be approved by the action of the Senate? Is this proceeding to be confirmed by sustaining such a bill as this? Why, Mr. President, I think no such case has ever occurred in the history of this Government from its foundation.

The case of Mr. Henning stands upon the same footing with the rest.

Now, you must remember that there are a number. There are the cases of Aaron Ware, Henry States, H. F. White, H. J. McDonald, W. J. Henning, and Lewis Nado, all these parties living upon the land and all having put their buildings there but States, and he is living in a Government building.

I do not think the tract of land in question in the first instance is large enough for a military reservation, being 150 by 150 feet in size; and then, again, it is a question if the Government desires to establish a military post here.

There, Mr. President, is the case. Now, why shall we confirm this outrageous proceeding and take away this property from this man? There is something back of this. This is not all of it. There is something back of it. A few officers attempting to reserve a block there after it has been laid out by the citizens of the town and they have taken possession and put their buildings on it without any law or authority, and they come into court and dispossess the owners of the property simply because there is no land law extended over that country and nobody has any right to the public land there. That is the principle of it. You can not take an appeal; and now we are to confirm that.

I say we ought not to pass this kind of a bill. This man ought to have reparation for the wrongful act in taking possession of his property, but we ought not by our action to confirm these unlawful acts and wipe them out. We ought to do justice to all of these parties, but we ought to let the people there know that the officers can not go there and kick a man off from any piece of land he has settled upon, although the general land laws of the United States are not extended over that country.

Mr. ALLEN. Mr. President——

Mr. FAULKNER. If the Senator from Washington will permit me I wish to ask the Senator from Missouri if he does not think that on the question of law the decision of the court was correct? In other words, were not these parties mere trespassers, as decided by the court, having no title to the land whatever; and erecting their buildings upon it when the property was recovered in an action of ejectment, of course the buildings went with it.

Mr. COCKRELL. No, Mr. President, I do not admit that. Where the land was public property of the United States and belonged to the masses of the people, an individual citizen it is true having a very small invisible right to go and settle upon it, I say that the common law of this country is that he has a better right than anybody else, and it has always been sanctioned, unless the Government takes the land for a reservation. It has been the practice of the Government from the foundation of it to recognize these rights. All that great Western country has been settled up in recognition of that priority of right. Here these parties go there as they have been doing from time immemorial, time whereof the mind of man runneth not to the contrary. They have been going and laying out town lots and locating upon them, and the Government has always confirmed them, and thereby recognized the inchoate right which they had. Here they have done the same thing. They have gone there, they have settled upon the land, they have laid the town out in lots and blocks, and they have taken possession of them; they have erected their buildings upon them. A naval officer comes along, a lieutenant, and sticks up a notice that he will reserve a certain one of these lots upon which these people had erected their buildings, and a United States officer comes in and brings suit against them, and the United States court say there is no land law extended over this country, and everybody is a trespasser, and so the court is a trespasser there just as much as these parties are, so far as that is concerned.

Mr. FAULKNER. The Senator from Missouri, I think, is admitting the whole proposition that I have suggested on which the committee acted, which was that the party was in law a trespasser and the fact that all of these former acts of individual settlers had to be confirmed in order to obtain the title by an act of Congress, simply demonstrates that the action of the court from a legal standpoint was correct.

Mr. ALLEN. Mr. President, I agree with almost every word the Senator from Missouri has uttered. It seems to me he has taken exactly the right view of the facts of this case throughout. It is only with his conclusions that I differ.

It seems to me that no greater outrage could have been perpetrated than was inflicted upon this man under the form or pretext of a legal suit. The Senator from Missouri does not too strongly state the case.

A man goes into a frontier community and conforms to custom, regulates his conduct by the course that controls other citizens, takes possession of a lot in good faith, and makes it his home, his place of abode. He is dispossessed of the land in the manner shown in the report, on the mere pretext that it was a

military reservation, as shown by the Senator from Missouri—a high-handed piece of work. It was a gross outrage perpetrated in the name of law and against the protest of the Department of Justice. I would agree with the Senator from Missouri, if this party under the circumstances wanted to be placed back again in the possession of these premises he should be placed there; but when the outrage had been consummated, when his property had thus been confiscated and taken away from him, and after the Government of the United States has used it and used it to its ruin in making it a common jail for the criminals of that country, I say that when the man who has thus been the victim of abuse comes and asks that he be indemnified for his house, he ought not to be turned aside by the Senate of the United States.

This is his attitude. He says, "I have received this treatment, and being the victim of such conduct I now ask that I may be paid for this building which has cost me $530. It is no longer a home to me; it has no home association whatever to me; it is the common jail of this country. I do not want it again. It is ruined; it is valueless to me for the purposes for which I builded it, and I ask that the Government indemnify me by paying me the $530 which I expended in constructing it." It is not equitable or just when he comes and asks for this humble indemnity that it be withheld from him.

I fully agree, as I said, with every utterance of the Senator from Missouri as to this transaction. I only differ from him in the conclusion he has drawn. This is the choice of this man after having been placed in this position, and I hope the Senate will respect it.

Mr. COCKRELL. The Senator has stated the case properly so far as this individual is concerned, but we have the whole case in our hands now, and there are some others here, and are we to take up these cases one after another indefinitely and consider them? The whole subject is before us. We have got the facts. This man's property has been taken and converted to another use, and he ought to have compensation for it, the Senator says. Now, let us make the officers there understand that there is a power above them that will not permit them to trample upon the rights of the citizen who goes there. Let an amendment be made to this bill restoring these other lots. The whole matter is now within our jurisdiction.

Mr. ALLEN. I shall be very glad to accede to a proposition of that kind if the Senator pleases, but because three or four other persons have not asked for restitution I do not want this man to be deprived of it.

Mr. PLATT. Could not the Attorney-General direct that they shall be put back in possession of their lots?

Mr. COCKRELL. It seems the Attorney-General has not had the power yet to override the little naval officers there and the United States district judge. It seems he has been protesting against it as earnestly as he could, but he has not had the power to stop this infamous outrage.

Mr. ALLEN. If the Senator will pardon me, he will see that this particular man has gone away from Alaska.

Mr. COCKRELL. I understand that. It is perfectly right to make him compensation, but as this case is before us we ought to dispose of the whole matter, and not apparently confirm the unauthorized and outrageous actions of the officers there.

Mr. MITCHELL. May I ask what information the Senator has that the other parties claim any indemnity whatever?

Mr. COCKRELL. We know that they do.

Mr. MITCHELL. We have before us simply the report of the committee, and there is no one else than this claimant before us.

Mr. COCKRELL. Does the Senator suppose that any citizen of Oregon who has gone upon a piece of public land and made improvements and built a house would be kicked off by a United States officer without asking for anything? Has he got a constituent that would be so thick-skulled as that?

Mr. MITCHELL. I do not know what a constituent of mine might do, but I do know that the parties whom the Senator has referred to have made no application to Congress, so far as I am advised. Mr. White has made an application and has brought his case here. The Senator admits that the facts have been properly stated in the report of the committee submitted by the Senator from Washington [Mr. ALLEN]. Now, are we to hesitate and refuse to do what the Senator would seem to admit is an act of justice and equity to this man, and wait for somebody else to come in?

Mr. COCKRELL. No, do not let us wait at all. I do not want to have to drag in four or five other men in the same condition and have their cases brought up when the whole subject is here, every bit of it. There it is. It is just as much the case of the others as this. Now, let us require the officers there to do their duty and give up the land to the other owners if we have taken possession of it. In the other cases they will come in, but there is no evidence that they have done so. On the contrary, the whole case is stated in the report; one man has gone there and occupied a Government building.

> The others had erected their own houses. Suits were instituted and all were ousted except States. (The McDonald suit was dismissed upon your instructions.)

They have all been dismissed by the same process. This is only the forerunner to the others.

Mr. MITCHELL. Mr. White has applied, and the others have not.

Mr. COCKRELL. The others are bound to come in. They have built their houses and they have been kicked out. Are they going to submit? Are they going to permit Mr. White to get pay for his building and they ask for nothing?

Mr. MITCHELL. The most remarkable argument I have ever heard made in the Senate the Senator from Missouri is now making. He admits that the bill is correct as far as it goes; that it is correct so far as this individual claimant is concerned; and yet he refuses to have it adopted simply because three or four more other persons whom he believes to be in the same position are not here.

Mr. COCKRELL. They are here in the official record of the committee, and their claims will be made.

Mr. MITCHELL. They have never presented their bills to Congress and have never asked for any relief.

The Department of Justice says in regard to this case—Mr. Cotton, who represents the Department of Justice, after quoting what the United States attorney, Mr. Johnson, has said in regard to it, says this:

> The district attorney seems to agree that an injustice has been done to these parties, but that the decree of the court having become absolute, it is too late to have the same reopened. If this should be the case, is there any other relief except through Congress?
>
> I am, yours, very truly,
>
> JOHN B. COTTON.

There seems to be no question so far as this case is concerned that it is a very meritorious case and one in reference to which Congress ought to grant relief. It is a very small amount, some $500.

Mr. PALMER. Mr. President, I have not been able to get at the exact facts in this case and I have not had access to the report, but I should like a brief statement of the facts to be made.

Mr. MITCHELL. The Senator from Washington [Mr. ALLEN] made the report and will make the statement.

Mr. ALLEN. Mr. President——

Mr. WHITE. Will the Senator yield to me a moment?

Mr. ALLEN. Certainly.

Mr. WHITE. I call the attention of the Senator from Missouri [Mr. COCKRELL] to the fact that this bill does not provide for adjusting the title to the land. The bill only provides to pay for buildings, and therefore this land is not brought into the category of the other persons to whom the Senator refers.

The controlling fact in the minds of the gentlemen of the committee was this: It appears as to this particular case that the man erected a building; when that land was taken possession of the authorities of the Territory took possession of that building, and are using it to-day for governmental purposes, and that is the only case of the kind, and the purpose of this bill solely is to pay for the building which is now being used for governmental purposes. This is the only case, as I understand, in that category, and therefore it seems to me it is taken out of the rule to which the Senator from Missouri refers.

Mr. COCKRELL. I am very sorry that my good friend from Louisiana [Mr. WHITE] is wholly mistaken about it. He has stated the case exactly, but unfortunately the record shows that the others are all in exactly the same condition as this man. Now let me read it. I call the attention of the Senator from Illinois [Mr. PALMER] to this fact. The Senator from Illinois will observe, on page 1 of the report of the committee, the report of the United States district attorney, in which he says:

> It seems that Aaron Ware, Henry States, F. F. White, H. J. McDonald, W. J. Henning, and Lewis Nado were living on the piece of ground claimed as a reservation. States was living in a house erected by the soldiers and owned by the Government, but he had made extensive additions to it. The others had erected their own houses. Suits were instituted and all were ousted except States. (The McDonald suit was dismissed upon your instructions.) The decree of the court was absolute and carried the buildings with the real estate. These buildings were placed in the hands of the collector and are now under his control.

Every one of them is in possession of the Government to-day and precisely in the same condition as this man's building. There is no evasion of it. There it is. It was one proceeding. They were all kicked out of their buildings, just as this man was, and every one except McDonald, whose suit was dismissed at the instance of the Attorney-General, stands exactly in the same situation as this man.

Mr. MITCHELL. Do I understand the Senator to favor the payment of this man or not?

Mr. COCKRELL. I want to pay him, yes, and I want to settle the claim against the owners and disavow this wrongful and

outrageous act of the officers of the Government and recognize some right in an humble citizen in that Territory. That is the point I want.

Mr. MITCHELL. I understood the Senator from Missouri to have argued for a half hour together against paying the claim at all.

Mr. COCKRELL. Not at all. I am in favor of the disposal of all the cases, and not to have them acted upon by piecemeal. Here are these other parties whom the Senator from Louisiana will see are exactly in the condition of this man. They had their buildings as he had. The suits were instituted against him and them, and they were dispossessed under the same decree and the same United States officer taking possession of all their buildings.

Mr. WHITE. I beg the Senator's pardon. I do not think there is anything in the report as I read it that justifies the construction which he puts upon it. As I understand, the only building which has been taken and used by the Government as a jail is the building of this particular man, and in that respect the cases of the others differ *toto cœlo* from this one.

Mr. COCKRELL. How can you make that out? Here is the United States district attorney—the distinguished lawyer from Louisiana is, say, United States district attorney for Alaska, and is reporting to the Government what he has done in this case. He says:

> The others had erected their own houses. Suits were instituted and all were ousted except States. (The McDonald suit was dismissed upon your instructions.) The decree of the court was absolute and carried the buildings with the real estate. These buildings were placed in the hands of the collector and are now under his control.
>
> From all the facts I believe the parties ought to be given their respective houses, and, as Henning suggests, they could, without injury to the Government, be permitted to occupy the reservation until such time as the Government had use for it. But the decrees having been executed, and the buildings having passed into the hands of the collector—

There they are all of them having passed into the hands of the collector—

> I can think of no legal means by which either the court or attorney can give the claimants any relief.

Mr. MITCHELL. May I ask the Senator whether there is anything in the documents or whether he has any information on the subject showing the value of the improvements of these other parties?

Mr. COCKRELL. None at all.

Mr. MITCHELL. We have that information in full in reference to Mr. White's case.

Mr. COCKRELL. We can restore this property. If the others do not want it, we can take possession and convert it to our own use and pay them. I am tired of hearing that every man whom the United States Government has anything to do with has to employ a claim agent or attorney to prosecute proceedings against the United States when we have the facts before us in relation to the dealings between a citizen and our officials, and knowing what is justice in the case we are bound to see that justice is done without compelling the claimant to come in and at any expense prosecute a bill before Congress.

Here they are all in the same condition. Why not amend this bill so as to do justice to these parties and not apparently confirm and ratify these wrongful acts?

Mr. ALLEN. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Chair would remind the Senate that this proceeding is under Rule VIII, which limits debate to one argument on the part of each Senator, and to five minutes.

Mr. COCKRELL. I hope we shall not enforce the rule at this late hour. If we do, I shall have to object to the bill, and I do not want to do that. I think we can settle it, and I desire to do so.

The PRESIDING OFFICER. The Chair simply calls attention to the rule. So far as this case is concerned, the present occupant of the chair will not enforce the rule, but so far as the Senate is proceeding under Rule VIII hereafter in respect to all other cases he will enforce the rule.

Mr. COCKRELL. That is all right. Nobody objects to that.

Mr. ALLEN. Mr. President——

Mr. DOLPH. If the Senator from Washington will permit me I should like to make an inquiry before he proceeds in this case.

I have had some correspondence with one of the parties interested in this so-called Government reservation, Mr. Henry States, who was a commissioner of the United States circuit court appointed from Oregon, the gentleman mentioned in this correspondence. He took a vacant house there, a small shanty which had been constructed by some soldiers stationed there, and repaired it and occupied it as a residence for himself and his family. It will be observed by the correspondence that he in common with others was evicted from his house on the ground that it was a Government reservation and as the United States land laws had not been extended over Alaska; these parties were mere trespassers or squatters on the land, but for some reason Mr. States has been allowed to occupy the property ever since and is now in occupation of it.

I do not know whether the committee understood or considered the fact that the last Congress passed a law in regard to Alaska which provided for the entry of town sites, and the people of Juneau and Sitka are now moving to secure title to tracts of land in Juneau and Sitka as town sites. Whenever a commissioner is appointed there to execute the law the question of title to all the town lots will of course come up before the commissioner, as their rights are provided for in the act extending the town-site law in a modified form over Alaska.

Mr. States has been recently in correspondence with me to see if I could not do something for him to get rid of the judgment of the Government which had been rendered to dispossess him. I should like to know whether it has been ascertained by the committee or whether it can be ascertained in this correspondence that this land is in reality a Government reservation.

Mr. COCKRELL. Unquestionably it is not.

Mr. DOLPH. And whether there has ever been any law or any action on the part of the Executive Departments to make to make it a Government reservation?

Mr. COCKRELL. As I understand, there has been no pretense of a legal reservation.

Mr. DOLPH. If not, whenever the town-site law is extended over Alaska and a commissioner is appointed, the parties will have a right to go before that commissioner to establish their claims. If it shall then appear that the Government is not the owner of this land, as this is not a military reservation, I should suppose that, notwithstanding the judgment of the court in regard to the possession of the land, the Government would fail and these parties would be entitled to take the title to the land under the grant for town-site purposes.

I merely make this suggestion so as to learn what the committee contemplate in regard these claims, and with a view to use that information to ascertain Mr. States's position and secure his title to his lot in case it is not a Government reservation.

Mr. MITCHELL. In this case I will show my colleague that Mr. White's house has been effectually destroyed by the use to which it has been put, namely, that of a jail, so that even should the land be restored to him the house, which is all he claims compensation for, would be of no use to him.

Mr. DOLPH. I understand that; but is there anything in all this testimony—I have not had time to read it all—which shows that this is a Government reservation, or whether it is not a mere claim by certain officers of the Government in the Territory?

Mr. ALLEN. I will answer the Senator from Oregon by stating that the only evidence we have of this being a military reservation was the act of the commandant of the ship who went to Juneau, in the spring of 1885, I think it was, and occupied this block and put some shanties and cabins upon it and remained until fall when he went away and abandoned the possession and never even complied with the local usage of filing any notice or claim upon it.

Mr. DOLPH. But was there not a judgment of a court?

Mr. ALLEN. The effect of that judgment was to absolutely and unconditionally oust all of these occupants as trespassers upon that land; so that from the time of the execution of the judgment until this time they have been dispossessed of their respective lots.

Mr. DOLPH. This bill proceeds upon the theory that they were wrongfully ousted?

Mr. ALLEN. Yes.

Mr. DOLPH. Would it not be a good idea now by legislation to set aside the effect of that judgment and allow these parties to present their claims with other citizens under the town-site law? Ought not that be a remedy to the other parties? Would not that be a good idea?

Mr. ALLEN. As far as I am concerned, I should be glad to see relief given to all these parties, but their claims have only come in incidentally as the claim of Mr. White has been dealt with. Whether these parties are in such a situation that they wish to go back and take possession of their lots, I do not know. Whether they will want to be paid for the buildings they have been deprived of, I do not know.

Mr. FRYE. Will the Senator yield to me for one moment?

Mr. ALLEN. I will.

Mr. FRYE. This Mr. White and his wife were formerly residents of my town and well known to me. When they were dispossessed of their house in Alaska they returned to the State of Maine, and the remedy which the Senator talks of would now be utterly useless to them.

The only objection made to this claim that I have ever heard is that there are others equally meritorious. I wish simply to

say in relation to that, that when I learned from Mrs. White the condition of things I went to the Attorney-General's Department to see what remedy could be provided and found that they could provide none, but thought one ought to be provided by Congress. I sent for the necessary papers, introduced a bill, and had the bill referred to the Committee on Claims. The Committee on Claims have investigated and reported in favor of it, and I do not think now on any of these technicalities or sentimentalities that this woman should be deprived of compensation for her little property which has been taken by the Government.

Mr. ALLEN. The fact has been called to the attention of the Senate that this person is a resident of Philadelphia.

Mr. PALMER. I do not quite understand this matter. As I understand, White entered upon a public reservation, either knowingly or without knowing; he built a house; the United States Government has taken possession of it, and is now using it. Is there anything more in the case than that?

Mr. ALLEN. I think that is the case in a nutshell, except that there was no justification whatever for taking the house.

Mr. PALMER. It was the property of the United States and I suppose he was a squatter, as many men have been from the beginning of time in this country.

Mr. ALLEN. I will state to the Senator that the man was a squatter upon the land, in accordance with the known history of the settlement of the frontier. These people had gone to Juneau, had established a provisional government, and had established rules for the entrance of town lots precisely analagous to those under the town-site acts of the United States, and where the land laws are extended.

Mr. COCKRELL. They had laid the land off into town lots and blocks.

Mr. ALLEN. Yes; and the whole community were respecting each other's rights under that arrangement.

Mr. PALMER. As I understand the Senator from Missouri, his objection is not to paying this man, but it is because he thinks we ought to pay some other people besides.

Mr. COCKRELL. Oh, no.

Mr. FRYE. These people were removed, and the lots would not be worth anything to them, for they are back in the States.

Mr. COCKRELL. What I wish to do is to have the Government disavow the unlawful act of its officers. That should be done emphatically.

Mr. ALLEN. I hope the Senator from Missouri will not object to this person having justice done to him because the others are not included in the bill.

Mr. COCKRELL. It does seem to me that it would strengthen the case and hasten final action upon the passage of the bill to put in the provision that the United States officers should restore the remaining lots in this block to the respective owners, those who built upon the land. That would be a very small matter. Then if they do not want the land, and we occupy it, we should have to adjust the compensation in an entirely different manner; but that would be a distinct disavowal of these wrongful acts. As we have converted this man's property to an entirely different use and destroyed its value largely for a residence hereafter, let us keep it and use it for Government purposes and turn back the land to the other parties.

Mr. ALLEN. I will suggest that the bill be passed over without prejudice, and if such an amendment can be attached to it I think no friend of the bill will object to it.

Mr. COCKRELL. I was going to suggest that as the hour of 2 o'clock has already arrived, practically the bill retains its place on the Calendar of unobjected cases.

The PRESIDING OFFICER. The bill goes over without prejudice, retaining its place on the Calendar.

Mr. DOLPH subsequently said: I desire to present an amendment to the bill that was under discussion at 2 o'clock and went over. I ask to have it printed in the RECORD, so that when the bill comes up to-morrow it may be examined by Senators.

The PRESIDING OFFICER. It will be so ordered without objection.

The amendment is as follows:

Add at the end of section 1 the following:

"That neither the judgments heretofore rendered for the possession of lots, at the time occupied by Aaron Ware, Henry States, F. F. White, H. J. McDonald, W. J. Hennings, and Lewis Nado, in the town of Juneau, in favor of the United States and against said parties, respectively, nor the execution thereof, shall bar or affect the respective rights of said parties to said lots under the provisions of an act extending the town-site laws of the United States to the district of Alaska, approved March 3, 1891, when the site of said town shall have been entered under said law or any amendment thereof, but the rights of said parties and of the United States to said lots shall be open to inquiry and determination upon application to enter such lots under said law."

PRINTING AND DISTRIBUTION OF DOCUMENTS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the bill (S. 1549) providing for the public printing and binding, and the distribution of public documents.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. MANDERSON. I call the attention of the Chair to the fact that by unanimous consent of the Senate the bill was to be read by sections and the amendments of the committee were to be acted upon as they were reached in the reading of the bill.

Mr. PADDOCK. I ask the indulgence of my colleague for a moment while I give notice to the Senate that immediately after the conclusion of the consideration of the pending bill I shall move to take up the bill known as the pure-food bill.

Mr. CULLOM. I thought that was set for to-morrow.

Mr. PADDOCK. No, it has not been set.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary proceeded to read the bill and read from section 1 to section 17.

Mr. MANDERSON. Mr. President, this bill, so far as its first seventeen sections are concerned, relates entirely to the duties of the Joint Committee on Printing. They compose in very large degree the duties of that committee as they exist under the present law. The changes that have been made, while not very material, are, it is believed by the committee, very essential for the better performance of the duties of the committee. Experience has shown that the safeguards which have been thrown about the purchase of material for the Public Printing Office have been such as have produced very excellent results.

Mr. COCKRELL. What section is the Senator referring to now?

Mr. MANDERSON. I refer now to the first seventeen sections of the bill. If Senators who are interested in the subject will turn to the report of the committee they will find, commencing on page 428 of the bill as it is presented to the Senate, annotations to each section showing exactly what the existing law is and what changes are proposed.

The changes in the first seventeen sections, as I have said, are not very material. One is to make more definite and certain that control of the CONGRESSIONAL RECORD which has so frequently been desired by members of this body. I make these suggestions simply because criticisms have been made elsewhere upon this and some other portions of the first seventeen sections of the bill.

It has frequently been suggested that there should be some method of editing the CONGRESSIONAL RECORD; that some plan should be devised by which that very voluminous document could be reduced in bulk. The committee, having that in consideration, thought that they could devise a plan, if the power was given to them, by which, without destroying the accuracy of the CONGRESSIONAL RECORD, and without taking one syllable or one word from any speech delivered in either House of Congress, they could save a great deal of space by condensing much of the matter therein contained.

I shall not take the time of the Senate by going into that matter in detail, but will simply refer to page 416 of the report, where, in a letter prepared by Mr. White, one of the official reporters of the House, many suggestions are made that can be adopted by a rule or order of the Joint Committee on Printing if the power recognized in section 13 of the bill shall be granted to the committee by the passage of this proposed act. It is that the joint committee shall have control of the arrangement and style of the CONGRESSIONAL RECORD, and while providing that it shall be substantially a *verbatim* report of proceedings that they shall take all needed action for the reduction of unnecessary bulk and shall provide for the publication of a semimonthly index. In the letter sent to the committee by Mr. White he shows some of the abuses of space in the RECORD, and he makes some very interesting calculations to show the vast amount of room taken up by that which is certainly unnecessary. For instance, one of the usual methods of reports is the following extract from the CONGRESSIONAL RECORD:

Mr. KERNAN. I move that the Senate now proceed to the consideration of executive business.

The PRESIDING OFFICER. The Senator from New York moves that the Senate proceed to the consideration of executive business.

Or as in the House of Representatives:

Mr. ANDERSON. I move that the House resolve itself into Committee of the Whole for the purpose of considering the Private Calendar.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole for the purpose of considering bills upon the Private Calendar.

How very unnecessary this amount of room thus taken is! Far better form certainly would it be simply to say that on motion of Mr. KERNAN the Senate proceeded to the consideration of executive business, taking one line where four are now used, or, in the other House, on motion of Mr. ANDERSON the House resolved itself into Committee of the Whole for the purpose of considering the Private Calendar. A calculation made by this gentleman, which will be found on page 418, says of the needless use of words in the RECORD:

As an illustration of this take the single item of "reconsideration," referred to on page 4, and apply it only to the bills and joint resolutions passed by the

last Congress (and I refer now to House proceedings alone), and leaving entirely out of the count the thousands of times when this form is used with reference to simple motions, resolutions, or routine matters, or even amendments, and we find as follows:

Bills and joint resolutions which have actually become laws	2,189
Six lines of the RECORD to reconsideration of each	6
Giving a total number of lines of	13,134

or 131½ columns of the RECORD—

Needlessly used for this purpose. I might go on and call attention to other abuses of this character. It is to correct this sort of thing that the joint committee ask that they be given undoubted powers, not to mutilate the RECORD, not to cut from the speech of any man one word that he has delivered, but to so control the RECORD that such abuses can be hereafter prevented.

The only other important change with reference to the duties of the joint committee is to be found in section 17.

Mr. HALE. Let me ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Maine?

Mr. MANDERSON. Certainly.

Mr. HALE. Would this control and management of the RECORD be practically applied? Would some one member of the Committee on Printing have to look over every daily issue of the RECORD before it was printed?

Mr. MANDERSON. No, I think that could be reached by this method—in fact the joint committee have already this subject under consideration—to issue an order providing, for instance, that "in motions to reconsider and to table that motion," quite frequently used in the other House, "the wording shall be as follows," according to a form given. Take, for instance, the space that is devoted daily in the RECORD to the introduction of petitions. Very much room might be saved there by simply stating—the Joint Committee on Printing prescribing the form—"The following petitions were presented and referred: Mr. SHERMAN, petition in general terms as follows—referred to the Committee on Printing," or whatever committee.

Mr. HALE. Then the Senator's idea is that this could all be done under rules and general regulations, which would be followed by the employés of the Senate and House in making up the RECORD?

Mr. MANDERSON. Yes, in making up the RECORD. On page 795 of the DAILY RECORD of this session will be found rules for the publication of the RECORD heretofore prescribed by the Joint Committee on Printing, prescribing, for instance, as to the arrangement of the RECORD, that where the copy is received by the Public Printer in time so to do, the RECORD shall first show the Senate proceedings, to be followed by the House proceedings, so as to have an orderly arrangement. But the committee have felt that they have gone as far as their power authorized them to go in making rules of this character, and that in order to enter into this matter of the reform of the RECORD, so as to prevent abuse of space, some more definite authorization by law is required.

Section 17 is the only other section that makes any decided change in the duties of the joint committee, and it simply provides that when there is no Committee on Printing of the House of Representatives, the powers and duties which, under the law, devolve upon the Joint Committee on Printing shall be exercised and performed by the Senate Committee on Printing.

Mr. HALE. That will be during the vacation?

Mr. MANDERSON. It will be during the vacation or during the time which elapses at the commencement of every Congress between the first day of its session and when the committees are appointed by the Speaker of the House of Representatives. It is simply for the purpose of reaching a difficulty which now exists. There are many contracts that are provided to be approved by the Joint Committee on Printing, and that sort of work must stop during such intervals under the existing conditions.

The following sections of the bill up to section 54 pertain to the duties of the Public Printer, and where there are very material changes from the existing condition I will call the attention of the Senate to the fact.

The PRESIDING OFFICER. The Secretary will resume the reading of the bill.

Mr. COCKRELL. Mr. President, wait one moment. Sections 13 and 14 authorize the joint committee to control the arrangement and style of the RECORD, etc., and the preparation of the index. That I understand is the existing law?

Mr. MANDERSON. It is almost the existing law, but if the Senator will compare the two he will find that this proposed law is a little more explicit in providing that they shall have control of the arrangement and style. The existing law is substantially that the CONGRESSIONAL RECORD shall be printed under the direction of the Joint Committee on Printing. It seems to be a very indefinite sort of power.

Mr. COCKRELL. Do I understand the Senator that the committee now recognize or feel that they have not the authority under existing law to make the changes which are referred to on pages 416, 417, 418, and 419 of the report? Have they not the power to make these changes without additional legislation?

Mr. MANDERSON. There has been doubt in the minds of the committee as to whether they could go so far as that. Each House, of course, controls its own record of proceedings, and under the existing condition I doubt very much whether an order issued by the Joint Committee on Printing with reference to the arrangement or the style of the RECORD would have controlling effect if either House should direct differently.

Mr. COCKRELL. I agree fully with the remarks made in this report and in giving the committee this authority, because I am satisfied that they can make many reductions in the space that the proceedings of the Senate and House occupy in the RECORD by abbreviating them, and yet omitting nothing that the law requires in the passage of a bill.

The purchase of material is a very important question. There are hundreds of thousands of dollars' worth, I suppose, that have to be purchased there every year. As I understand this provision, it takes that away from the Secretary of the Interior, practically, and gives it to the Joint Committee on Printing.

Mr. MANDERSON. The supervision of purchases?

Mr. COCKRELL. Yes.

Mr. MANDERSON. Oh, no.

Mr. COCKRELL. The paper?

Mr. MANDERSON. There is no change in that regard. The provision of the existing law is retained. For many years all paper used in the Public Printing Office has been purchased after advertisement in newspapers directed by the Joint Committee on Printing, and proposals received and bids opened under the direction of the Joint Committee on Printing. The duty of the Secretary of the Interior comes in during a vacation when Congress is not in session and there shall be failure to perform a contract.

Mr. COCKRELL. That is a point I refer to. When Congress is not in session has it not heretofore been the case that the Secretary of the Interior acted upon these contracts?

Mr. MANDERSON. Certainly, and it is so proposed now. There is no change proposed in that regard in the law.

Mr. COCKRELL. Is not section 17 a change of the law? It provides that—

At all times when there is no Committee on Printing of the House of Representatives the powers and duties under the law devolving upon the Joint Committee on Printing shall be exercised and performed by the Senate Committee on Printing.

That takes away the whole thing.

Mr. MANDERSON. That provision is to be taken in connection with other sections of the bill; for instance, section 9, which provides that—

If any contractor shall fail to comply with his contract, the Public Printer shall report such default to the Joint Committee on Printing, when Congress is in session, or to the Secretary of the Interior when Congress is not in session; and he shall, under the direction of the committee, or of the Secretary of the Interior, as the case may be, enter into a new contract with the lowest and best bidder for the interest of the Government among those whose proposals were rejected at the last opening of bids, or he shall advertise for new proposals, under the regulations hereinbefore stated; and during the interval which may thus occur he shall, under the direction of the Joint Committee on Printing, or of the Secretary of the Interior, purchase in open market, at the lowest market price, all paper necessary for the public printing.

So construing the two sections, section 9 and section 17 together, it is quite evident that both can stand. It certainly was not the intention of the committee to make any change in the existing law in that regard, and I do not think we have done so.

Mr. COCKRELL. The note to section 17, on page 430 of the committee's report, says:

This section is new, and is urged for the reason that the interests of the public service require the existence and action of a committee when there is no Committee on Printing on the part of the House; for example, during the time existing between the opening of Congress and the appointment of committees of the House.

Mr. MANDERSON. Yes.

Mr. COCKRELL. Taking the bill as it now stands, what would this Senate committee be able to do as and for the joint committee? It would practically be the joint committee during the vacation. Now, what jurisdiction would it have?

Mr. MANDERSON. It would have this jurisdiction, for instance: There is a provision in the existing law, and it is retained in the proposed law, that the Public Printer shall in all cases advertise for bids or proposals for lithographic work, but where the amount is small (I believe the limit is $200; that is my recollection) he can make his contracts without such advertisement, under the direction of the Joint Committee on Printing. There are other cases.

Mr. COCKRELL. It would be the Senate Committee on Printing, not the joint committee. The section says not the Joint Committee on Printing, but simply the Senate committee alone. The whole power would be exclusively in the Senate committee

and not in the joint committee. Now, what has the Committee on Printing heretofore been doing in vacation practically?

Mr. MANDERSON. That has been one of the very embarrassing matters that have come to the notice of the committee. The committee, where the necessities of the public service have compelled, have acted as a joint committee, to have their action afterwards ratified by the joint committee when organized. That seems to have been necessary at times.

Mr. HALE. In matters touching both Houses?

Mr. MANDERSON. Yes, in matters touching both Houses. Here is the publication of some work that would cease because the necessary ratification or authorization by the joint committee to the Public Printer could not be had during vacation unless the Senate committee would to a certain extent usurp the power of a joint committee. There would be no joint committee in existence, but there is the Senate Committee on Printing, and the Public Printer has taken their authorization frequently in matters of emergency, that action to be afterwards ratified by the Joint Committee on Printing. It is to prevent just that sort of ignoring of the law that this change is proposed.

Mr. COCKRELL. Then the idea of this bill is that the Senate Committee on Printing will be in session all the time.

Mr. MANDERSON. Oh, not at all.

Mr. COCKRELL. They would have to be in session nearly the whole vacation if they had these powers.

Mr. MANDERSON. I call the attention of the Senator to the fact that I do not think he can recall any session of the Senate when the Committee on Printing have not been authorized to sit at their pleasure during the vacation of the Senate.

Mr. COCKRELL. I know that has been the custom.

Mr. MANDERSON. That has always been the custom, so that the committee could be called together for the purpose of performing their work.

Mr. COCKRELL. But practically how often has the committee been called together as a committee?

Mr. MANDERSON. Very seldom, indeed.

Mr. COCKRELL. That is what I wanted to get at.

Mr. CULLOM. I should like to make an inquiry of the Senator, though not exactly as to the bill before the Senate. Knowing that the Senator is familiar with the rule as well as the law, I should like to ascertain whether there is any joint rule or statute which requires the Committee on Printing to be a joint committee. I see the rule provides for "a Committee on Printing, to consist of three Senators, which shall have power to act jointly with the same committee of the House of Representatives," simply authorizing it to act with that committee, I suppose, if it chooses to do so. This question was brought to my attention upon a suggestion of an increase of the membership of the Committee on Printing, and I should like to have the Senator state whether there is any law which controls the appointment of this committee, making it a joint committee, so that any action taken by the Senate in reference to it would have to be acted upon also by the other House.

Mr. MANDERSON. If the Senator will turn to section 3756 of the Revised Statutes of 1878, he will find that the law for many years has absolutely required that there should be a Joint Committee on Printing, composed of three members of the Senate and three members of the House of Representatives. We do not change this law at all, except that we strike from it the provision that the Joint Committee on Printing shall be appointed by the President of the Senate and Speaker of the House. That is in the existing law, and we strike those words out of the bill before us for the reason that it did not seem to be necessary that we should state how these committees should be appointed. They are appointed under the rules of their respective bodies.

Mr. CULLOM. That information is what I desired. I had not looked up the statute, and I desired to know whether it was a statutory provision or whether it was a mere rule of the Senate.

Mr. MANDERSON. I might say that the only other change from section 3756 of the Revised Statutes is that we strike out the word "public," and we follow that all through the bill, making it now a Joint Committee on Printing instead of a Joint Committee on Public Printing, which is the language of the old law.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read sections 18, 19, and 20.

Mr. COCKRELL. I should like to have some explanation of section 20. That last seems to be a new section.

Mr. MANDERSON. It was considered very proper legislation by the committee, so that Congress might have some knowledge of the extent and character of the printing done upon requisitions of the Departments.

Mr. COCKRELL. Do they make no report of that now? Is there no record of what is done now under the law?

Mr. MANDERSON. No, except what is found in the Public Printer's report, which is frequently extremely vague, and he makes it in detail or not at his pleasure. Sometimes it has been made, and sometimes it has not been made; and we feel that the provision of law should require that in his annual report he should specify in detail concerning the departmental printing. The advantage will be that we shall not only see how the appropriations made for the departmental printing have been used, but it will also give to members of Congress a list of books of all sorts that issue from the Departments and frequently do not come to Congress at all.

The latter part of the section is simply that we may have some idea by the report of the Public Printer as to what books are bound on requisition for members of Congress. It has been called to the attention of the committee that sometimes there has been gross abuse in the binding of books for members of Congress. The law as it exists, and we propose its reënactment, is that any member may have bound at the Public Printing Office for his personal use one copy of any document to which he is entitled; that is to say, books that come to him, that are printed during his term of office. He may have these bound for his private use. It was thought well that we should have some report from the Public Printer as to what books were bound and the cost therof.

Mr. COCKRELL. Would that interefere, for example, with this case: A Senator wants to make a volume of separate publications of the Government on a kindred subject—small documents, reports, and things of that kind—and have his own label put upon the back of it, or an indication of what its contents are. Would this prevent that from being done?

Mr. MANDERSON. I do not think it would in the least. I do not see how it would.

Mr. COCKRELL. I ask because some of the most valuable books a Senator can get for his own use are composed of various reports gotten together and put into one book, so that he will have them in a form where he can refer to them readily instead of having them bound separately in half a dozen different books.

Mr. MANDERSON. Certainly this section would not interfere with that.

Mr. COCKRELL. Another thing I have been looking over in this bill. The question is, can a committee have bound for each member of the committee a copy of all the reports made by that committee? It was for years, and I presume it is now, the custom of the Committee on Claims to have bound for each Senator on the committee all the reports made at a session of Congress. It has been the case ever since the Forty-fourth or the Forty-fifth Congress to have all the Military Committee reports bound. I believe we commenced it in the Forty-fourth or Forty-fifth Congress, and now all the reports made by all the members of that committee are bound at the end of each session and each Senator on the committee is furnished with a copy of the record. It is the only way we can understand what the committee is doing and utilize the labor at one session of what was done at a preceding session. It is very important that we should have that privilege.

Mr. MANDERSON. It is not proposed to interfere with that in the least degree. When we get further on in the bill the Senator will find a section to which I shall propose an amendment that will reach that very proposition. If, when we come to it, the language should not be considered such as will warrant that sort of binding, it can very easily be changed so as to meet his views.

Mr. HAWLEY. My colleague on the committee used an expression which led me to reflect upon my right to get bound a book that was printed, say, before I was a member of Congress. My colleague said that we might have bound books to which we were entitled. I am not entitled to a report made ten, fifteen, or twenty years ago; yet I have had several of those things collected and bound up. I want to know whether, technically, I was wrong, or whether the existing law does restrict us to books that are issued to us during our terms.

Mr. MANDERSON. That seems to be the existing law.

Mr. HAWLEY. I think it ought to be changed, then.

Mr. MANDERSON. It is a law—

More honored in the breach than the observance.

Mr. HAWLEY. I know it has been construed that a member might have any book ever published by the Government bound for his own use, and I have acted upon that supposition. I should like to have the law changed now so as to condone my past offenses.

Mr. COCKRELL. I know I have had a number thus bound. For example, I got together all the documents in regard to Indian depredation claims—the whole history of them as far as I could get them from the foundation up, and I had them bound in one volume. So I got all the documents in regard to the direct tax and all the reports that had been made upon that subject. Some few of them, small documents, were issued, as a matter of course, before my term began in the Senate, but I had them all bound

together so that I could have the whole question before me. I did the same in regard to captured and abandoned property, and the purchase and sale of vessels, and all that. I tried to get together every report that had been made from the beginning of the war up to the present time, so that I could have them for reference. They have proved of very great value.

In the same way I have collected a list of all the claims that have ever been presented to Congress from the beginning of the Government. I did not have them rebound simply because they were in large enough volumes and they had already been bound, but I gathered them together and had the later ones bound that had not been, so that I could in a few moments refer to these, and in the case of any claim that ever had been presented to the Government from the foundation of it up the present time I could in a few minutes trace its entire history. These things are absolutely necessary as efficient implements of successful work in the Senate, and certainly we ought to be allowed to procure them in that way. As a matter of course the privilege ought not to be abused, however.

The PRESIDING OFFICER. The reading of the bill will be resumed.

The Chief Clerk read section 21 of the bill, as follows:

SEC. 21. The chief clerk, the foreman of printing, and a person designated by the Joint Committee on Printing, shall constitute a board of condemnation, who, upon the call of the Public Printer, shall determine the condition of presses and other machinery and material used in the Government Printing Office, with a view to condemnation.

In case ruling machines, stitching machines, or other machinery or material used in the bindery shall become the subject of inquiry, with a view to condemnation, the foreman of binding shall be substituted on the board in place of the foreman of printing.

Mr. COCKRELL. I wish to make an inquiry in regard to the first portion of the section:

The chief clerk, the foreman of printing, and a person designated by the Joint Committee on Printing, shall constitute a board of condemnation.

Would that be a permanent designation or just a designation for the time being? This is a new section, and there has been no action, as a matter of course, under it or under any similar law. What was the intention? Is this to be an officer of the Government or an outsider?

Mr. MANDERSON. Oh, no; it is to be some one in the Public Printing Office; that would be the natural action of the Joint Committee on Printing. This is simply putting in the form of law that which under the best management of the Public Printing Office has existed in practice.

Mr. COCKRELL. That is what I wanted to get at.

Mr. MANDERSON. I have not the page of the testimony, but from the testimony of the Public Printer and the foreman of binding and the foreman of printing it will be found that there has been, under the present Public Printer and I think also under Mr. Benedict, a board of this character in the Public Printing Office for the purpose of preventing the improper disposition of worn material that was in the Printing Office, and also that the Government Printer might have some warrant for his action when he came to dispose of a press or machinery of any description. The idea of the committee simply was that the chief clerk, the foreman of printing, and some person designated by the joint committee, who would naturally, I think, be an employé of the Printing Office, should constitute this board of condemnation to decide whether a machine or press was so worn that it should be condemned and sold.

Mr. HAWLEY. My colleague referred to some testimony upon which he could not lay his finger at the moment. I have found it, if the Senator from Missouri will kindly listen.

Mr. COCKRELL. Yes, I hear.

Mr. HAWLEY. Mr. RICHARDSON, a House member——

Mr. MANDERSON. On what page?

Mr. HAWLEY. On page 17. Mr. RICHARDSON was on the Printing Committee in the last House, but during the recess, when the committee had been holding a session for investigation, he acted as a sort of voluntary member, thinking he would probably be on the committee in this Congress.

Mr. MANDERSON. He was a member of our committee.

Mr. HAWLEY. He was a member of the old committee.

Mr. MANDERSON. He was a member of the special committee.

Mr. HAWLEY. He was made so by law.

Mr. MANDERSON. He was made so by a concurrent resolution of the two Houses.

Mr. HAWLEY. There was no Committee on Printing of the other House in existence while this investigation was conducted.

Mr. RICHARDSON. In respect to the condemnation of machinery, what is your process of getting rid of machinery when you deem it useless?

Mr. PALMER. We advertise it. We send circulars to all dealers in second-hand printing machinery, as well as the manufacturers of presses and machinery, giving a list of the articles, and inviting proposals for their purchase.

Mr. RICHARDSON. Who condemns it?

Mr. PALMER. In the case of printing presses, the foreman of printing, Capt. Brian, and the foreman of the press room, who in this case is Mr. Auer, condemn the machinery, subject to my indorsement of their judgment.

Mr. RICHARDSON. Have you any board of condemnation, or is the condemnation made by those gentlemen in their discretion?

Mr. PALMER. It is done by the three persons I have named.

Mr. RICHARDSON. Who fixes the price at which the condemned material shall be sold?

Mr. PALMER. I offer it to the public, to the highest bidder, and the man who bids the highest gets the property, provided the bid is considered advantageous to the Government.

Mr. RICHARDSON. It is sold, then, upon the judgment of the gentlemen you have named, to the highest bidder?

Mr. PALMER. Yes, sir.

Mr. RICHARDSON. Do you reserve the right to reject bids and not sell, or do you make the sale absolutely?

Mr. PALMER. We require competition by several bidders; but if there should be practically no competition, and we should consider the bids too low, we should reject them, as we have done in some instances.

Further inquiry was made about the process of exchange, which they did not feel that they had the right to make, but out of which private printers and publishers get considerable advantage. They have an old press which would sell for nothing by itself which the manufacturer of a new press will make a very considerable allowance for; he will allow a much larger sum than the thing can be sold for in the market.

Mr. COCKRELL. The question of exchanging old for new presses, while it is an important one——

Mr. HAWLEY. Is dangerous.

Mr. COCKRELL. Is very dangerous. The Senator from Iowa [Mr. ALLISON] may recall a little instance once where there was an exchange of buggies in the Treasury Department and $175 disappeared in the transaction that we could never get any trace of by the closest scrutiny. Still it may be necessary sometimes really to prevent a sacrifice of old machinery that persons will not bid upon.

Mr. MANDERSON. If I may interrupt the Senator——

Mr. COCKRELL. It is no interruption.

Mr. MANDERSON. I call his attention to the testimony of the Public Printer on page 18, commencing at the foot of page 17:

The CHAIRMAN. Have you any process of exchange by which, in the event of a press becoming obsolete—I do not mean worthless, but if you can economize by getting a different sort of press—you can trade that press in part payment for a new one?

Mr. PALMER. We have no authority to do that.

The CHAIRMAN. Would not that be advisable?

Mr. PALMER. I made a recommendation for that in the first report I sent to Congress, in which I stated that it would be an advantage to the Government Printing Office if we could have the authority to make such exchanges.

Mr. HAWLEY. Is it not the uniform custom of private printing establishments to make such exchanges?

Mr. PALMER. Yes, sir; and sometimes with advantage to themselves.

Now I call the attention of the Senator to the following section, section 22, which provides that when these articles are condemned as unserviceable, then the Public Printer may sell the same to the highest bidder for cash, and he is allowed to exchange them only when in his opinion the sums offered for the advertised property shall be deemed too low. So we throw upon him the burden of first making the effort to sell, and only in the event that the property is about to be sacrificed for some insignificant amount is he permitted to exchange the old material in part payment for new.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Chief Clerk read sections 22 and 23.

Mr. COCKRELL. I should like to know for what period of time the Public Printer's report is to be made.

Mr. MANDERSON. Naturally I should say that, being made the first day of each regular session of Congress, it would be for the year preceding. It is exactly the present law under which we have had the Public Printer to make reports.

Mr. COCKRELL. How has he been making his reports? Has he been making them for the fiscal year?

Mr. MANDERSON. For the fiscal year.

Mr. COCKRELL. This is more directly under the control of Congress than any other branch of the service, and it strikes me that instead of the report being for the fiscal year it ought to come up to the end of the first quarter, to the 30th of September. That could be very readily done, and it would give Congress a great deal better idea of what had been done near the meeting of Congress and give it better information than to let the report date back only to the 30th of June. We have been heretofore appropriating money and requiring only a certain amount to be expended in each quarter or each half of the year.

Mr. ALLISON. In each half.

Mr. COCKRELL. The Public Printer could very readily render his account up to the 1st of October. That would be three months longer, and it would simply give Congress that much more information. That is the only suggestion I make.

Mr. MANDERSON. The Senator from Missouri is far more familiar with that subject than I am. The joint committee, finding that the reports had been made up to the end of each fiscal year, at the commencement of each session of Congress, did not

think it desirable to make any change, as there seemed to have been no complaint in regard to the matter. I think myself perhaps it would be far more valuable as a report to Congress if it were brought up to the first day of the session as to the general conduct of affairs in the Public Printing Office. I think the Public Printer would naturally do that thing; but as to his accounts, I do not know whether it is desirable to make an exception in his case to the rule which I think obtains as to all officers of the Government, that they shall make their accounts of receipts and disbursements to the end of the fiscal year. I certainly have no objection, if the Senator thinks it desirable to make the Public Printer an exception to the general rule, that the bill should be so amended.

Mr. COCKRELL. It would simply give Congress more specific information in regard to the progress of the work. We frequently do not know when a document is to come out. Sometimes it is delayed, as the Senator well knows. For example, take volume 1 of the United States Geological and Geographical Surveys by Wheeler west of the one hundredth meridian, I believe. Of those volumes, 2, 3, 4, 5, 6, and, I believe, 7 or 8, whatever the exact number was, were issued, and volume 1 came out in the past year. Evidently it was in the course of preparation when it was given the number of volume 1, and I suppose every Senator probably has had a dozen applications for it, supposing, as a matter of course, that as volumes 2, 3, 4, and 5 had been printed, certainly volume 1 had been printed, when it had not been actually printed and issued by the Government Printing Office. So it is sometimes with other publications. This would enable us to know exactly the progress that had been made. As a matter of course it would be information which the Committee on Appropriations always has to obtain before it passes upon any of these appropriation items.

Mr. ALLISON. I suggest to the Senator in charge of the bill that I think this section ought to be more definite and significant. Whilst it may be, as is stated, I see, in the report, substantially a reprint of the existing law, it seems to me that the Public Printer should be required to make full statements, such as are required here for the past fiscal year; and then under the latter clause of the section he should be required to give such other information touching the matters connected with the Printing Office as may be in his possession. That would cover a portion of the current fiscal year, showing, if you please, the amount of printing which had been done since the last fiscal year closed, and on what account, the probabilities as respects the work in hand, etc. That information is usually imparted by the Public Printer to the committees of this body in making up the appropriations for the fiscal year, and especially has it been imparted for the last two years, because usually there has been a deficiency in the regular annual appropriations for the public printing.

The Committee on Appropriations has usually called the Public Printer before it or required the Public Printer to make a statement of the exact condition of the printing for the first six months of the current fiscal year. So I suggest to the chairman that he provide for a full, specific, and definite report as respects the fiscal year closed and then that the Public Printer shall give such other and additional information respecting the current work as may be practicable at the time. It seems to me that would make this perfectly clear.

Mr. MANDERSON. I should be very glad if the Senator would suggest any amendment that will reach that result. As I have said, this is, I think, the identical language of the existing law.

Mr. ALLISON. So I see.

Mr. MANDERSON. The law was passed originally in 1860 and was amended in 1861, 1864, 1865, 1866, and 1872. We have been acting under this law since 1872 as it now reads.

Mr. ALLISON. What is section 3821 of the Revised Statutes?

Mr. MANDERSON. I will read it, and the Senator will follow section 23.

The Congressional Printer—

We change of course to the present appellation of Public Printer—

shall, on the first day of each session, or as soon thereafter as may be practicable, report to Congress the exact condition, and the amount and cost of the public printing, binding, lithographing, and engraving; the amount and cost of all paper purchased for the same; a detailed statement of proposals made and contracts entered into for the purchase of paper and other materials, and for lithographing and engraving; of all payments made, during the preceding year, under his direction; of the amount of work ordered and done, with a general classification thereof, for each Department, and a detailed statement of each account with the Departments or public officers; a detailed statement of the number of hands employed in the establishment, and the time each has been employed; and such further information, touching all matters connected with the Printing Office, as may be in his possession.

I do not think the changes are at all material. We strike out, as I recall it now, the words "as soon thereafter as may be practicable," so as to absolutely require that this report shall come in on the first day of the session.

Mr. ALLISON. It may be that the present phraseology is definite enough to cover what is required in the report; but I think in any report there should be a distinction drawn between a report as respects a fiscal year closed and one current. If that distinction could be drawn here in a way to make it clear, I think it might be wise to do it; but I have no doubt that the Public Printer under this section would give a detailed statement of the affairs of the office for the last fiscal year, and, if required, certainly would give the condition of the Printing Office at the moment of making his report.

Mr. MANDERSON. I think that has been his practice in his reports.

Mr. ALLISON. It has been, I know.

Mr. MANDERSON. That is to say, in his detailed statements. In his financial statements he confines himself to the fiscal year passed, but when he comes to his report proper he makes comments upon the current business.

Mr. ALLISON. We might say, on page 9, line 2, "shall report to Congress for the last fiscal year." That would make it clear.

Mr. MANDERSON. I do not object to the change.

Mr. ALLISON. In the eighth line the phrase is used, "during the preceding year," of course meaning the fiscal year, as respects accounts. I do not suggest that modification unless it is perfectly acceptable to the Senator, because I think probably the present phraseology is sufficient.

Mr. MANDERSON. He is doing now and has been for many years exactly that same thing.

Mr. ALLISON. Then perhaps it is wise to leave it as it is.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Chief Clerk read section 24, as follows:

SEC. 24. The employés of the Government Printing Office, whether employed by the piece or otherwise, shall be allowed leaves of absence with pay to the extent of not exceeding thirty days in any one fiscal year under such regulations and at such times as the Public Printer may designate. Such employés as are engaged on piecework shall receive the same rate of pay for the said thirty days' leave as will be paid to day hands: *Provided*, That those regularly employed on the CONGRESSIONAL RECORD shall receive leave, with pay at the close of each session pro rata for the time of such employment: *And further provided*, That it shall be lawful to allow pro rata leave to those serving fractional parts of the year.

Mr. COCKRELL. As I understand that leave of absence matter it is just as the existing law is.

Mr. MANDERSON. Exactly, except a change which I do not think is at all material, but it was thought well to insert it—the words "shall be allowed leave of absence with pay to the extent of not exceeding thirty days in any one fiscal year."

The PRESIDING OFFICER. The reading of the bill will be continued.

The Chief Clerk read section 25, as follows:

SEC. 25. There shall be reserved by the Public Printer from the quota of each Member of Congress and Delegate one copy of the CONGRESSIONAL RECORD in unstitched form, to be delivered upon demand of each Member or Delegate; and there shall be furnished to each standing committee of Congress one copy, which shall be bound promptly in paper when each semimonthly index shall be issued and shall be delivered without delay; and the Public Printer shall supply, at the end of each session, to each standing committee, filing requisition therefor, one set of the permanent RECORD bound in half Russia, with the name of the committee printed on the back.

Mr. COCKRELL. I should like to have the Senator explain what is the difference now; what change does this make? What is meant by the RECORD in unstitched form?

Mr. MANDERSON. This action is taken at the suggestion of the very efficient foreman of printing, Capt. Brian, and is in the direction of economy. Nearly every member of Congress sends to the Public Printer every two weeks during the session the stitched copies of the RECORD, that they may be put in bound form for his convenience. Now, the proposition is that one copy shall be retained at the Government Printing Office unstitched, and that whenever the index shall be published, every two weeks, there shall be sent to him a bound copy with the index. It saves the expense of stitching and then tearing apart again for the purpose of rebinding. In the testimony, I think of Capt. Brian, will be found a statement of how large an amount of money this means when you take the large number of RECORDS that are thus sent to the Public Printing Office.

Mr. COCKRELL. On what page is Mr. Brian's testimony?

Mr. MANDERSON. At page 25 the testimony begins. It is the testimony of Mr. White, who is the foreman of binding, on page 81. On page 83 of the report will be found what is meant by it:

The CHAIRMAN. Have you any suggestions to make as to any proper change to be made in the binding of Government publications?

Mr. WHITE. Yes, sir; I have given this matter some little thought since I was told that I would be called before this committee. There is one change which should be made at once, and that is in reference to the binding of the CONGRESSIONAL RECORD for Senators and Members. Each Senator and Member has a copy of the RECORD bound up to date about every two weeks, as the index appears, and the RECORDS are sent to the bindery with the wire stitches in them. Those wires have to be taken out and the RECORDS pressed, making the expense of binding them about $1.25 a volume. If the Public Printer were authorized to retain a sufficient number of copies, unstitched,

to be bound up as called for by Senators and Members, they could easily be bound for 75 cents a volume.

The CHAIRMAN. The difference in cost being the expense of taking out the wire stitches?

Mr. WHITE. Yes, sir; taking the old stitches out and preparing the RECORDS for binding. The RECORD for the Fifty-first Congress made about 28 volumes.

The CHAIRMAN. That is, the two sessions?

Mr. WHITE. Yes, sir. I find that the saving by the plan I suggest would be about $6,000 in binding the number of volumes composing the proceedings of the Fifty-first Congress.

The CHAIRMAN. Your idea is that each member of Congress should be furnished, in the first instance, with the RECORD every morning, placed upon his desk or delivered at his house, as he prefers, and that from his quota another copy should be retained at the Government Printing Office, unstitched, to be bound when the index comes out, which is every two weeks?

Mr. WHITE. Yes, sir; to be bound and delivered to each Senator and Member with his name on it.

So it is to save that expense that this proposition is adopted.

Mr. GORMAN. I suggest to the chairman of the committee that he had better strike out the words "upon demand of" before "each Member or Delegate," and insert "to;" so as to provide that these volumes shall be delivered to them the same as to the committees.

Mr. MANDERSON. I certainly have no objection to that. The idea was that perhaps there might be some who would not need them, and if so, the expense of binding those copies would be saved.

The VICE-PRESIDENT. The amendment proposed by the Senator from Maryland will be stated.

The CHIEF CLERK. In section 25, line 4, it is proposed to strike out the words "upon demand of" and insert in lieu thereof the word "to;" so as to read:

To be delivered to each Member or Delegate.

Mr. MANDERSON. I certainly have no objection to that amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALLISON. May I ask the Senator in charge of the bill whether these provisions change in any way the present custom. I understood from the reading of the testimony that it is proposed to furnish to each Member and Senator only one copy. The present custom is to furnish to each Senator a copy at his place of lodging or house and also a copy on his desk.

Mr. MANDERSON. That is not changed. Further on in the bill we provide for that, when we come to the distribution of the CONGRESSIONAL RECORD. This part of the bill simply applies to the duties of the Public Printer, and I will say here what perhaps I should have said before. The effort of the committee has been to make a complete codification of the printing law and repeal in set terms all provisions of law that now exist with reference to the public printing. When we came to make this examination we found a most lamentable condition of the law. The public printing was being done not only by general law, in laws found in appropriation acts, but much printing was being done for which there seemed to be no warrant whatever in the law. It had grown up upon orders from committees, orders from officers of the two Houses or from the Departments, and it was considered well to make a repeal of all existing statutes, and in this bill to make such codification of the law that one could turn to it and find warrant for whatever it was thought well to do in the way of public printing. So when we come to the proper place in the bill the matter of the distribution of the CONGRESSIONAL RECORD will be found.

Mr. COCKRELL. Has this question been considered by the committee?

There shall be reserved by the Public Printer from the quota of each Member of Congress and Delegate one copy of the CONGRESSIONAL RECORD in unstitched form, to be delivered to each Member or Delegate; and there shall be furnished to each standing committee of Congress one copy, which shall be bound promptly in paper when each semimonthly index shall be issued and shall be delivered without delay; and the Public Printer shall supply, at the end of each session, to each standing committee, filing requisition therefor, one set of the permanent RECORD bound in half Russia, with the name of the committee printed on the back.

Now, is that to be additional to the one copy that is furnished?

Mr. MANDERSON. Yes, and for the reason which I shall state. This will be the practical working of this section, I understand. In the unstitched form there will be retained at the Public Printing Office of the quota of each member of Congress one set that will be sent to him every two weeks when the index of the RECORD is printed.

Mr. COCKRELL. But it does not say so.

Mr. MANDERSON. Why not?

Mr. COCKRELL. This section does not say so.

Mr. MANDERSON. Why not?

Mr. COCKRELL. How does it?

Mr. MANDERSON.—

There shall be reserved by the Public Printer from the quota of each Member of Congress and Delegate one copy of the CONGRESSIONAL RECORD in unstitched form, to be delivered to each Member or Delegate.

Mr. COCKRELL. Delivered when? When would that copy be delivered?

Mr. MANDERSON. "When each semimonthly index shall be issued."

Mr. COCKRELL. But it does not say so.

Mr. MANDERSON. Let us make it say so if that is not sufficiently explicit.

Mr. COCKRELL. That is the point exactly. That is what it does not say when you read it and analyze it.

Mr. MANDERSON. That is the purpose.

Mr. COCKRELL. That is the end. There is a semicolon there, and then follow the words "and there shall be furnished," etc. It is a new sentence practically—

and there shall be furnished to each standing committee of Congress one copy, which shall be bound promptly in paper when each semimonthly index shall be issued—

That is the one copy reserved for the committee—

and shall be delivered without delay.

Mr. MANDERSON. The language may be somewhat ambiguous. I suggest to the Senator in order to reach certainty in the matter, and that is all we want, to insert, in line 6, after the word "which," the words "copies for members and committees;" so as to read:

And there shall be furnished to each standing committee of Congress one copy, which copies for members and committees shall be bound promptly in paper when each semi-monthly index shall be issued.

Mr. COCKRELL. That will do.

Mr. MANDERSON. That will reach it.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. COCKRELL. Now, Mr. President, I want to appeal to the Senator. What is the necessity for furnishing all the standing committees of the Senate with a bound set of the CONGRESSIONAL RECORD, with the name of the committee upon it, as the property of the committee.

We have from six to ten volumes of the RECORD at a session. Already there is scarcely a committee room that has space enough in it for the books it has, and we are here constituting every standing committee a library of the whole CONGRESSIONAL RECORD. How many years will it be until there will not be a committee room here that will hold the bound volumes of the CONGRESSIONAL RECORD? I do not think the standing committees ought to have any bound copies of the RECORD. They have no right to it; it is of no benefit to them. They get a copy during the session of the Senate. That is necessary. We have a certain number of copies here in the Senate library that every Senator has access to. Why shall we have in each standing committee room a library containing all these volumes? It seems to me that it is just that much absolute waste. I do not think it is of any benefit at all.

Mr. MANDERSON. I quite agree with the Senator in his criticism upon that subject, but the committee found that under the existing law or under the custom, I do not know which it is, there is regularly bound at the end of each session in half Russia a full set of the permanent RECORD, and it is delivered to the committee rooms. The Committee on Printing were somewhat loth to depart from this custom, but they did so to this extent, and I call the attention of the Senator to the language of the section:

The Public Printer shall supply, at the end of each session, to each standing committee, filing requisition therefor.

So the new departure proposed by the committee is that a set of the permanent RECORD shall only be furnished to such committees as make requisition upon the Public Printer for it, and those that do not need it (and I confess that I think very few do need it) need not make requisition and need not have the RECORD in permanent form.

Mr. COCKRELL. I was chairman once or twice of a standing committee, and I have had the honor of being on the committee of which the distinguished Senator from Iowa [Mr. ALLISON] has been chairman for many years. I never have seen any bound copy of the CONGRESSIONAL RECORD furnished the Committee on Appropriations, and it never has been furnished to any committee that I have been chairman of. I confess that when I read this provision last night I was considerably astonished to find that it was said here that all the standing committees of the Senate had had a complete set of the CONGRESSIONAL RECORD bound in this way with the name of the committee upon it. I have no recollection of anything of that kind. It has not been thus bound for the committee of which I have been chairman, and it has not been furnished to it.

Mr. PLATT. Bound in what way; in the ordinary way or some other way?

Mr. COCKRELL. Bound in any way. I have had furnished to the committee during the session copies of the RECORD every morning. The committee gets that, but then at the end to have

a complete bound set furnished to the committee I think is a terrible waste, and there is no occasion for it, because there is not a committee here that has room enough to keep these bound volumes for more than a few sessions. I can not recall these bound volumes of the CONGRESSIONAL RECORD in any committee room of the Senate.

Mr. VEST. Are they charged for?

Mr. COCKRELL. That is the question. That is the very point I am calling to the attention of the chairman of the Committee on Printing. If these things are charged for I should like to see where they have gone. I do not understand that they have been furnished. I do not think that the information is correct, and if it is correct I doubt very seriously whether the committee have ever received these bound volumes, and if they ever have received them they have no use for them, and we ought to stop it and put an end to it by express legislation.

Mr. MANDERSON. I have personal knowledge only of the one committee of which I am chairman, and I know there is delivered every year one set of the permanent RECORD, on the back of which is marked "The Committee on Printing."

Mr. COCKRELL. That I think is very proper. It is probable that that is done for the Committee on Printing, but I can not believe that it is done for all the other standing committees.

Mr. MANDERSON. That is the understanding I have had.

Mr. COCKRELL. I should like to have some Senators who are chairmen of committees state what is the fact in regard to that matter.

Mr. ALLISON. I do not see the chairman of the Committee on Finance here, but I think that committee receives a copy. Certainly the Committee on Appropriations does not, or if it does we have no place to deposit the copy. Our committee room is filled with documents and papers relating to current affairs. We have a few decisions of the Court of Claims there, etc., but we certainly have not a set of the RECORD.

Mr. MANDERSON. Not of the permanent RECORD?

Mr. ALLISON. Not the permanent RECORD, and never have had to my knowledge.

Mr. PLATT. I do not speak with a great deal of certainty on the subject, but it is certainly my impression that I have taken from those copies which are awarded to me as a Senator during the session, and which may be bound up at the end of the session if any remain which are not sent out, and have obtained a set for my committee room. I have taken my own personal set for my committee room.

Mr. COCKRELL. Then your committee has been furnished with a copy?

Mr. PLATT. Not as I understand it.

Mr. MANDERSON. There may be no uniformity of action in the matter. We all know what has been the course with reference to books in committee rooms. They have become, as is suggested by the Senator from Missouri, a burden to the committee rooms, and many committee rooms have been stripped entirely of Government publications; some of them have bare walls that used to be lined with shelves of books. I know that this permanent RECORD has come to the Committee on Printing. I am informed by the chairman of the Committee on Foreign Relations that it has come regularly to his committee. But whether it be true or not as to all, the question now is——

Mr. COCKRELL. One moment. Does the chairman of the Committee on Foreign Relations say that at the close of the session a bound set of the volumes of the RECORD has been sent to the Committee on Foreign Relations with the name of that committee on it?

Mr. MANDERSON. Yes, I so understand.

Mr. SHERMAN. I certainly receive copies periodically in the Committee on Foreign Relations.

Mr. COCKRELL. Oh, the Committee on Foreign Relations receive every morning a copy of the RECORD.

Mr. SHERMAN. Oh, no; we get a regularly bound set every two or three weeks. It is very convenient indeed, and very necessary for the committee.

Mr. MANDERSON. No, but we are speaking of the permanent RECORD.

Mr. SHERMAN. I mean the permanent RECORD. The CONGRESSIONAL RECORD; is that what you mean?

Mr. COCKRELL. You mean that it is bound semimonthly with the index to it?

Mr. SHERMAN. Yes, sir.

Mr. COCKRELL. Now, after the session closes is your committee furnished with a complete bound set of nine or ten volumes, with the name of the committee on it?

Mr. SHERMAN. No; we have the one that is furnished to us. It is generally indexed through. We have it there always.

Mr. COCKRELL. That is a very different matter. That this bill provides for. Then the question is whether at the end of the session a bound set is furnished to the committee.

Mr. SHERMAN. Oh, no; I did not say that.

Mr. COCKRELL. The question is whether complete bound volumes of the CONGRESSIONAL RECORD are furnished to the standing committees with the name of the committee upon the back.

Mr. SHERMAN. No; there is simply one copy furnished from time to time, bound in a very convenient form, about half the size of the ordinary volume.

Mr. COCKRELL. I understand that is what the law provides for. We have a semimonthly index, and the RECORD is attached to it. Those are all bound together and furnished. I have never had them bound, but last session I was furnished one or two. I never got them, and if they were ever furnished to my committee I never saw them.

Mr. ALLISON. On further inquiry I am able to say that the Committee on Appropriations does not receive bound copies of the RECORD, nor does it receive bound copies of any public document.

Mr. MANDERSON. Does the Senator say that the Committee on Appropriations, as one of the standing committees of the Senate, has not received the bound documents known as reserve?

Mr. ALLISON. I so understand.

Mr. MANDERSON. Then it must be because some order has been made that they shall not be delivered to the committee rooms.

Mr. ALLISON. I think it originates from the fact that the Committee on Appropriations, with a good many other committees of this body, are committees of recent organization, and that this set is furnished under some old order only to the older standing committees of the body that have been in existence for a long time. It does not apply to new committees. I am informed by the clerk of the committee, who knows about everything as respects these matters, that the committee does not receive bound copies of the RECORD or of any public document.

Mr. MANDERSON. That simply emphasizes what I said a while ago as to the great difficulty that the Committee on Printing labored under in ascertaining under what law or custom the printing and binding and the distribution and delivery of books had been made. The committee certainly were under the impression that the permanent RECORD was furnished to each committee as the reserve documents, so-called, are furnished to each committee.

The question, however, that is important now is to know whether it is advisable to permit any committee that may want the permanent RECORD and will file a requisition therefor to have it. I certainly, so far as any committee that I am connected with may be concerned, have no desire for it. As the Senator from Missouri says, it can very easily be obtained at any time by sending to the Senate library for it; and if it is considered best to strike out the provision that upon the requisition of a committee a set of the permanent RECORD shall be furnished, let us strike it out. The Committee on Printing certainly are not tenacious for anything there is in the bill.

Mr. COCKRELL. I understand that.

Mr. MANDERSON. The committee have simply tried to perform the duty with which they were charged by the Senate and bring this bill here for consideration, making such economical changes in the existing law as they deem advisable. If in the further interest of economy it is well to strike this out, let us strike it out. All it needs is a motion.

Mr. COCKRELL. Here is the point: Is there any testimony in the report of the committee which indicates that these copies have been furnished? That is the question that I want the committee to look into. That is the reason why I raised the point.

Mr. MANDERSON. I was under the impression——

Mr. COCKRELL. If there is any evidence which has been furnished the committee I should like to have it traced, for I certainly have misunderstood the whole question if the permanent RECORD is so furnished. I think it very natural and very probable that they would furnish the Committee on Printing with a set, but certainly I can not think it has ever been furnished to any other committee. I do not believe it is necessary to furnish it to any committee. That is my judgment clearly.

There is no committee in the Senate that has a room large enough to hold the RECORD for any considerable length of time. We have 25 or 50 copies here in the Senate library under our own control, and the library is on the same floor with one-third of the committee rooms, and the committees can very readily get the RECORD there. If one committee makes a requisition and gets it, some other committee may get it for two or three sessions and it will take up a good deal of space, and then the next chairman will abandon it and it will amount to nothing. Certainly I do not believe Congress will undertake to furnish room to store the bound volumes of the RECORD for every standing committee that may undertake to get it.

Mr. MANDERSON. The Senator can very easily reach what

he desires by moving to strike out these lines. There is no one tenacious for them. I certainly am not.

Mr. VEST. I agree with my colleague; my experience makes me very positive on this subject. Any Senator, whether he is chairman of a committee or not, who desires to refer to the CONGRESSIONAL RECORD sends to the document room or the Senate library. It is simply impossible that we should keep these bound public documents in our committee rooms.

The statement made to-day by the chairman of the Committee on Appropriations is a most significant one. I called attention to this matter some years ago, but without any success, I believe. He states that he does not know of any bound public documents coming to the Committee on Appropriations, one of the first committees of the Senate. He will find upon examination that all these documents have been sent there and carted to the basement of the Capitol or wheeled there in a wheelbarrow. I have not visited it this session, but I did last, and the basement of the Capitol to-day, I undertake to say, is crowded with old débris in the shape of bound documents and unbound documents sent from the Printing Office that are rotting and producing foul air; and we hear complaints daily in regard to the atmosphere of this Chamber. All these documents are necessarily carried there. There has been a struggle between the Printing Office and the officers of the Senate as to getting rid of them. The Public Printer says he has no place for them. The officers of the Senate say they have no place to store them. There is no room in the committee rooms for them.

Nothing can be better evidence of the necessity of reform than this simple statement. There is no necessity for issuing these bound copies of the CONGRESSIONAL RECORD to committees. I have been chairman of regular committees, and I am chairman now of a special committee. If I want a volume of the CONGRESSIONAL RECORD I send to Amzi Smith for it, and so does every other Senator. It is only rarely that a Senator wants a copy of the CONGRESSIONAL RECORD to take to his residence or to his committee room, and then he sends for it, and it is charged to him out of the 30 copies that are there for the use of Senators.

If we ever propose to commence anything like reform in this printing business, it must be right upon such items as this. I am decidedly in favor of striking out the whole provision.

Mr. COCKRELL. While we are on this question, in view of what my colleague has said, I should like the Senator from Nebraska to answer whether any complete sets of the bound documents are furnished to standing committees, as it is said that the RECORD has been furnished. I think that is a very important question. If they are furnished, as the Senator from Iowa has said, and they are not furnished to the Committee on Appropriations—there is no room for them and they are not wanted. Now, where are they?

Mr. ALLISON. I did not say that the Committee on Appropriations was furnished with them. On the contrary, I said the Committee on Appropriations, from its inception and organization, as I understand, has never been supplied with a copy of the bound volume of the RECORD or with a bound copy of any public document issued by Congress.

Mr. COCKRELL. I am only saying that the committee has not been furnished. Is it charged that it has been furnished? That is the question I want to know.

Mr. ALLISON. That I do not know.

Mr. COCKRELL. That is the question I am after. That brings it right down to the point. I want to know whether it is charged that the Public Printing Office has furnished the Committee on Appropriations with a complete set of the bound volumes, and whether it is charged that it has furnished other standing committees; because this is not a new question; it is a question of long standing. We want to know what has been the record in the Public Printing Office as to whether these charges have been made of a complete set of all the bound documents being delivered to each standing committee of the Senate and also a set of the bound volumes of the RECORD. It is a very important question. I am certain you can not go to a committee room here and find such volumes there; and if they are not there, where are they? There is not room enough to hold them, and I never supposed that they were furnished.

Mr. CULLOM. I suppose in the case of any committee if the committee asks for them it could have them furnished. They are in the building for that purpose, are they not?

Mr. VEST. There are 30 copies of the bound RECORD in the document room.

Mr. CULLOM. I do not know anything about it myself, but I have supposed always that a set was furnished for every committee of the Senate, and that it was given to that committee. I do not know whether that is the case or not.

Mr. VEST. The reports of the bureaus and the Departments are furnished to the committees. I understand that they have been furnished for years.

Mr. COCKRELL. Bound?

Mr. VEST. Yes, bound. There is no room for them in the committee rooms. Where do all the documents come from that are in the basement of the Capitol?

Mr. CULLOM. That is the difficulty. There is no place to put them.

Mr. VEST. Where does all this débris come from?

Mr. COCKRELL. My good friend from Iowa shakes his head. I suppose very few Senators are more closely in their committee rooms than the Senator from Iowa. He has been chairman of the Committee on Appropriations about as long as any Senator has been chairman of a committee, and he ought to know about it. I was chairman for a short time, two years, of one committee, and two years of another standing committee, and I did not know anything about it. If they were furnished I never heard of it.

I am directing the attention of the chairman of the Committee on Printing to that particular inquiry, because he has the facilities for ascertaining specifically, so that we may know exactly. I propose, if that is the case, that the amendment I shall offer to this section shall not only prevent the furnishing of the RECORD in bound form after the close of the session to each standing committee, but also all the other documents. Then each committee can get it at any time it wants. The chairman of a standing committee of the Senate, if any book be absolutely necessary for the transaction of the public business, has authority to make a requisition and have it furnished, even if it is not a public document. If it is a public document, we have whatever number of copies there may be in the Senate library, 25 or 50 copies, and they can always be had there, to be charged to the committee and returned when they are through with it.

Mr. VEST. Mr. President, I want to state one single fact. The ex-clerk of the Committee on Commerce, of which I have been a member for ten or twelve years, has just stated to me that at one time he took out from our committee room twenty-five bags of public documents and put them in the basement of the Capitol—twenty-five bags for which there was no earthly use or place.

Mr. CULLOM. They were old, were they not?

Mr. VEST. No; they had been sent there from week to week and from month to month from the Public Printing Office. The books are rotting now in the basement of the Capitol, and the leather on the books and the paper; and we complain of foul air here. The upper portion of the Capitol was last session crowded with public documents, until the Architect of the Capitol came to our Committee on Public Buildings and Grounds and said that unless something was done a fire might originate which would blow off the roof of the Capitol. It would not destroy the walls——

Mr. COCKRELL. They were unbound documents.

Mr. VEST. They were unbound documents, but down in the basement are the bound documents. It is damp in the basement and they can not burn there, but they will rot there if they are not taken out. They are there with the tags on them, with the names of the committees. That has been the case for years. I called attention to it some five or six years ago. It did no good, and it has gone on increasing. I have not visited there this session, for it is not a pleasant place to visit, but as a member of the Committee on Public Buildings and Grounds I made a personal investigation a year ago and found that state of things to exist.

Mr. MANDERSON. I do not think that the Senator from Missouri who last addressed the Senate [Mr. VEST] need lose heart. The desirable result that he wishes will be accomplished by the passage of this bill. His frequent efforts in behalf of a more economical administration of affairs and a proper disposition of this vast accumulation of plunder that he refers to will all be reached by the passage of this bill.

Mr. VEST. I am not attacking the bill.

Mr. MANDERSON. I do not understand that the Senator is; but take the very statement that he made. My impression certainly has been (perhaps I reached that conclusion because of the experience in my own committee room) that not only was this permanent RECORD, but what we know as the reserved documents which contain every publication that has been made by Congress, sent regularly to every committee room that would receive them. The vast accumulation that the Senator refers to in the basement of the Capitol was the output from the committee rooms that were crowded in their capacity by this vast collection of public documents.

Now, we propose to reach that very evil. It is true that in this Capitol, by this refuse material that has been sent to the basement from the committee rooms, from abandoned quotas of members of the two Houses of Congress and from many sources, from the overflow of the document room and of the folding room, there are hundreds of thousands of documents that seem to be without an owner. There is no power under the present condition of af-

fairs to dispose of them. They are not the private property of the chairmen of committees. A chairman finds them in his committee room, and he sends them to the basement of the Capitol, and there they are put in bags, tagged with the name of the committee. He does not feel that he has any right to distribute them or to sell them and put the money into the Treasury of the Government. This bill proposes to reach that accumulation. Turning to section 70 of the bill I read, so as to show that we are at least trying to accomplish some reform in this direction:

All documents at present remaining in charge of the several Executive Departments, bureaus, and offices of the Government not required for official use shall be delivered to the superintendent of documents, and hereafter all public documents accumulating in said Departments, bureaus, and offices not needed for official use shall be annually turned over to the superintendent of documents for distribution or sale.

Under the provisions of this proposed act. That is designed to meet the great accumulation of documents in the Departments. In the Executive Departments the same condition of affairs exists. We propose to take them out, if we can, and have an annual house-cleaning hereafter. Now, the next provision is as follows:

The Secretary and Sergeant-at-Arms of the Senate, and the Clerk and Doorkeeper of the House, shall cause an invoice to be made of all books stored in and about the Capitol other than those belonging to the quota of Members of Congress and Delegates; and all such documents, unless ordered to be retained by the chairmen of committees by which they have been stored, shall be transferred to the superintendent of documents for distribution and sale, as provided in this act, and such invoicing and transfer shall be made annually hereafter.

The object of this measure is to take this rotting stuff referred to by the Senator from Missouri [Mr. VEST] and give it its proper distribution among the people. So we are trying to reach many of the evils. We can not reach them all in the section under consideration.

As to the matter in question here which has been raised by the Senator from Missouri [Mr. COCKRELL], I have no desire, and no member of the committee has any desire, to force the permanent RECORD or any documents upon the committees. We found, or supposed we had found, that the practice was as I have stated, that these books were sent to the standing committees, and now we do not want them forced upon the committees, but we say they shall be sent there only upon the requisition of the chairmen.

Mr. HAWLEY. I think I can relieve the Senate on this question very largely. I have consulted the distinguished keeper of the Senate document room, whom we affectionately call Amzi, and he tells me there has been assigned to him, under some old rule, whereof the memory of man runneth not to the contrary, 36 copies. Eighteen he has kept for that consulting library to which reference has been made. That is where you get a book at any time you want it—a certain number of a certain Congress of that 18. Of the other 18, under this old rule, it was the habit to give bound sets to committees. Some committees have been formed since that rule—nobody knows when—was made, and they have not had them; and of the eighteen who are entitled to them many refuse them, and those who took them in many cases have ordered them to the basement.

Now, the Senate Committee on Printing had reason to suppose that the committees had them. We did not know why all should not have a right to that set because some chairman had at some time or other a set and he did not want it any more. That is true as to a few of the old original committees, but not true as a general thing. Our Committee on Printing proposes to reduce the evil so that no committee need have it unless it should order it sent. If it is well, as my colleague, the chairman, says, that we should not even give the privilege to a committee—and I do not know that it is a privilege—of having a bound set, we have no objection. It requires but to strike out a single line here. I know that so far as the committee room is concerned of which I have the control I long ago cleared out from it, so far as I could, every book that did not pertain strictly to the business of the committee.

Mr. SHERMAN. Mr. President, I had a little experience in regard to these public documents some years ago which probably might be duplicated by several other committees. When I first became chairman of the Committee on Foreign Relations I found that the vast mass of books which had been sent to that committee room, three volumes deep in great cases, were so disarranged that we could not by possibility find a book that we wanted on any subject. I had a very excellent clerk, and during one vacation I got him to clean out the whole of those books and put them in bags, wrapped in the best possible way, and send them down, I do not know where; I have never seen them since. There are, I suppose, somewhere in the basement of the Capitol thousands of volumes; but we selected from these all that related to diplomatic intercourse, including the American State Papers and American Archives and several other books of reference that had been purchased in the beginning of the Government almost by the Committee on Foreign Relations.

Now, we have a large library, easily accessible, so that anyone at any time can find the volume of diplomatic correspondence for any year, or he can find any letter or question that has been discussed in our diplomatic intercourse. It is a comparatively small library and that is kept up. The diplomatic correspondence is still sent to us, and as to the other documents I do not know where they are sent.

I know the abuse in the accumulation of public documents. I have in my house at home the public documents that have been furnished for thirty-six years. They fill case after case in the garret, and in the cellar sometimes, being the accumulation of a single person. I do not know how many volumes there are; I would not undertake to guess. There are about one hundred a year issued, are there not?

Mr. MANDERSON. Yes, at least that number of reserved documents; more than that now, I think.

Mr. SHERMAN. Those are sent; and they are of no value to a member of Congress; very few members of Congress could find a place to store them. Certainly with the accumulation I have I shall have to either burn them up or get rid of them in some way.

The old method of distributing documents no doubt commenced at the beginning of the Government, when the number distributed would be eight or ten volumes. Indeed, when I first entered public life the Globe was in one or two volumes during a session; three volumes would be a large edition of the Globe for a session. It was cut down a great deal. Now the RECORD itself goes up to eight and ten volumes on an average a year, and it is a vast accumulation which in a very few years would fill almost any house.

In my opinion, as I told my friend on my right here, I think he ought to go a great deal further, not only in decreasing the number of volumes but in cutting down the debates. I believe we ought to have an editor of what is called the RECORD of Congress. There is a vast mass of matter——

Mr. MANDERSON. How long do you think he would live? [Laughter.]

Mr. SHERMAN. I do not know. You say that he would be killed off within a week. I do not want anybody killed off.

Mr. COCKRELL. How would the Senator have that editor selected?

Mr. SHERMAN. I would have selected the most courageous man in America [laughter], and I would give him free latitude to cut and improve my speeches whenever he wanted to do so, provided he reduced them in volume.

Mr. President, I know it is pretty difficult to undertake to do this task, but it ought to be done. In our kindred countries abroad it is done. The debates in the English Parliament, Hansard's Debates, are conducted by a private enterprise and they are really admirable, in volumes of reasonable size and easily handled. It is so also with the Chamber of Deputies in Paris. I do not think that the effete monarchies, as we used to call them, some of them getting to be republics, should have to set us an example about such things; and if we had the RECORD reduced to three volumes a year, as it used to be under the wise management of Blair & Rives—or rather of Mr. Rives, because I think Mr. Blair had nothing to do with the Congressional Globe; if we had some prudent and careful management that would not be interested in swelling the volumes to great numbers it would be a very good thing to do.

I see that my friend on my right is very anxious about this bill. I suppose it will reduce the expenditures of the Government three or four hundred thousand dollars, a considerable sum; but in my judgment if he would cut a little deeper and print less volumes, and distribute less, he might cut off the expenses of the printing for the Government of the United States from one to two million dollars a year. I suppose it now reaches more than that, does it not?

Mr. ALLISON. Nearly $3,000,000.

Mr. SHERMAN. The expenditures reach nearly $3,000,000 now for printing. If there is any desire to promote economy I hope the honorable gentleman of the House of Representatives, who is said to be the great disciple now of economy, will take hold of this matter and put an end to this extravagance. I for one will join with him in doing it.

This effort of my friend from Nebraska to bring order out of this chaos and if possible to reduce the expenses of the printing, and especially to reduce the amount to be printed, would be a great benefit. Here every day Senators, without thinking, involve the Government in a considerable expenditure by an order to print matters that need not be printed at all, which are lost out of sight. Of the thousands of bills that are introduced into this Congress not more than one-fourth will ever be read by a single Senator. It is so much waste money, waste labor; and in my judgment no bill ought to be printed unless it is clearly of a character which requires printing, or unless it is printed upon the report of a committee. Bills printed a dozen times always involve unnecessary

expense. I do not propose to start to be a reformer at this period in my life, and I do not intend to try to stop this little wasting at the spigot, but it seems to me that here would be a very good field for some careful, prudent man who would render no doubt a great service to the country if he would see that these unnecessary expenses are lopped off or reduced as much as possible.

With this statement I shall stand by my friend from Nebraska in almost anything he desires to do about this bill. I have read it sufficiently to know that it is an improvement. So far as I know, it does not in any measure or in any direction increase the expenses of the Government, and, while it does not go as far as I should like to have it go, I believe it ought to be passed very much as reported. Then let it be tested by the experience of a year or two, and I have no doubt it will be further improved upon.

Mr. GALLINGER. I move to strike out of section 25 the words:

> And the Public Printer shall supply, at the end of each session, to each standing committee filing a requisition therefor, one set of the permanent RECORD bound in half Russia, with the name of the committee printed on the back.

Mr. President, I desire simply to occupy the attention of the Senate a moment in saying that I am fully in accord with the views entertained by the Senator from Missouri as well as those expressed by the distinguished Senator from Ohio. It seems to me that this committee has done good work, but has not gone far enough in reforming the matter of the issuance of public documents to members of the House of Representatives and to members of this body. If I had my way I should entirely dispense with what is called "the reserve" of Congress. I happened to be a member of the House of Representatives for four years, and I have a room full of books, and they are even now coming to my home, although I left the other House more than two years ago: they are coming there in bagfuls, books that are of no earthly account to me or anybody else. Yet I have either to burn them up at the expense of the Government, or give them storage room at my own expense. I would go, however, in the line suggested——

Mr. MANDERSON. If the Senator will permit me to interrupt him, this bill does dispense with it.

Mr. GALLINGER. Entirely?

Mr. MANDERSON. As to the reserve it does not attempt to force any books upon anybody, as under the present system. I shall call attention to that, however, subsequently.

Mr. GALLINGER. I have an idea that it does to a certain extent dispense with the reserve, but not wholly. I would cut it off root and branch.

Furthermore, as the Senator from Ohio suggested, we are printing vast numbers of bills that are of no earthly account to anybody. In the last Congress the Blair educational bill, which was a very elaborate document, was printed seventeen times in the House of Representatives, having been offered by seventeen different members who wanted to make a little political capital for themselves, perhaps. It ought not to be so. The printing once of a bill in either House ought to be enough, and the further printing ought to be prevented in some way.

Mr. President, the adoption of the amendment that I have offered is in the line of economy. It would prevent the storage of books that nobody wants in the committee rooms of the Senate. I trust the amendment may be adopted, and that as we progress in the consideration of the bill every possible reform in that direction will be inaugurated by the adoption of amendments calculated to reduce the bulk of printing, which certainly has become a great burden upon members of Congress as well as upon the finances of the Government.

Mr. HAWLEY. Mr. President, I am sure it must be a satisfaction to my colleague, the chairman of this committee, who gave many laborious weeks, and I do not know but months altogether, during the vacation, to this investigation, I assisting him in spirit but not always in body, to find gentlemen rising here and pointing out evils and suggesting remedies, when they will discover that they will find those remedies in the bill as a rule. They are approving sections of the bill in advance.

We provide for a large reduction in the number of bills to be printed. The abuse is obvious. It has gone on long enough.

We have reduced it so far as we think it can be done safely with regard to the good of the public business. It is not well, in my judgment, to refuse to print any bill or to leave any bill without printing a certain number of copies, for in that way mischief sometimes escapes from public examination. If a bill is printed somebody will discover the foolishness or wickedness of it. Any bill that goes to a committee ought to be printed, for how is a committee to get through with one manuscript copy, and such manuscript as some of us make? It is obviously for the good of the public service to print a limited number of copies of all bills, and this is not a very heavy expense; but if you print a thousand copies more than are necessary, if you print 1,950 copies, or whatever the old limit was, you do make an enormous aggregate of bound volumes, the size of which would frighten anybody.

For one I fully agree with my colleague on the committee in making no objection whatever to striking out the provision here which would give even upon requisition a continuous supply of bound copies of the RECORD to each committee. I do not think it is needed, and everybody knows that. I would strike out entirely what the Senator from New Hampshire suggests should be stricken out, and, of course, as a consequence, also the words just above, "there shall be furnished to each standing committee of Congress one copy."

Mr. SANDERS. Mr. President——

Mr. COCKRELL. I do not want to interrupt the Senator from Montana, but I wished to ask the Senator from Connecticut a question before he concluded, as I believe he is familiar with the newspaper business, and therefore somewhat familiar with printing. Now, we print bills, and we have to reprint some of them. It is useless to refer a bill to a committee unless it is printed, and even then the committee will probably not be able to read all the bills referred to them, and they will certainly never touch a bill that is referred in a bad handwriting.

Suppose you print 100 or 200 or 500 copies, then suppose you add 200 more, what additional expense is that 200 comparatively? Is not that an insignificant and infinitesimal item in the aggregate expenditure for the Public Printing Office? The few additional copies which are furnished, it seems to me, can only cost the paper and ink used in printing them.

Mr. HAWLEY. It is not, as the Senator suggests, 300 or 400 copies of a bill only of one or two or three pages, but many of them run much beyond that, and when you come to take 10,000 bills—and the other House alone, I think, had about 10,000 at the last Congress—does any Senator know the figures exactly?

Mr. MANDERSON. My recollection is that nearly 14,000 were introduced.

Mr. ALLISON. There were over 10,000.

Mr. HAWLEY. I think my colleague is right, that there were about 14,000. When you take 14,000 bills and suppose them to average four pages apiece——

Mr. COCKRELL. A great many are only one page. Hundreds and thousands of them are pension bills.

Mr. HAWLEY. Fourteen thousand bills averaging four pages would make 56,000 pages. Then suppose, instead of 1,000 copies you print 1,950; suppose you reduce 1,950 to 950, then you save a thousand copies each of 14,000 bills. If you will figure up the number of bills and put them in bound volumes, you will find you have got a very respectable load for a train of cars, and a few cents on each makes a big sum. You have to put the form on the press, and whether you run out 300 or 500 copies in a particular case, of course, is a very small figure.

Mr. SANDERS. Mr. President, some portions of this discussion accord with my own views upon the matter, and as to some portions of it I dissent.

Democracy costs something. It can no longer be run on a corncob pipe and barley coffee. The books which we publish and the debates which we distribute are the eyes with which the people of the country see that which is here in their name done, and, for myself, I should oppose this bill if I believed that it was curtailing their observation of the things that are here said and are here done.

I know the CONGRESSIONAL RECORD could be very much curtailed in the number of volumes, but I do not believe it is for the public interest that we shall lay our hands in silence upon the mouth of anybody who speaks here in the name of any of the people. Whatever may be said of folly or of wisdom, they are entitled to know, and, therefore, simply because around this Hall, which occupies 250 feet square of the geographical area of this country, there is a congestion of public documents, is no reason why we should undertake to blind the eyes or stop the ears of the sixty-five millions of people whose business is here done.

All my life I have been made conscious that the distribution of the public documents of the United States was begun in folly and has been perpetuated on the same line. I believe these public documents are invaluable upon the subject to which they appertain. They are not always exhaustless, but they are suggestive and generally wise. The misfortune of those works has been that they have been placed in the wrong hands, and, therefore, we hear them referred to in this debate as "plunder" and other minimizing and diminutive and contemptuous phrases, whereas, as a matter of fact, if they could be placed where those people interested in the various subjects to which they appertain could get hold of them, they would be a part and parcel of the great school wherein our people learn how to govern themselves.

I am glad to know that in and around this building and in and around the Printing Office and in the other offices of the Gov-

ernment here there is a surplus of these books. We have recently admitted into the American Union, upon an equal footing with the original States, six new States. We have from four to six more that at an early day, let us hope and trust, will also be admitted here. Those States are destined to contain in a very near future a very large proportion of the citizens of this great country. To them the boon of these public documents has been not wholly, but largely denied. There is not a volume of these books but that has in some portion of the country a fitting and an appropriate and a useful place in the economy of the Government which our fathers founded. I therefore agree with Milton, that we have as much right to destroy a human life as we have a good book, and I submit that none of these which have been published have been published uselessly or in vain.

I have been myself somewhat surprised at the quality of the bills which have been introduced in the two Houses of Congress, bills which, I undertake in this presence to say, in a multitude of instances no man sitting in this Chamber or in the other House would think for a moment of favoring, bills that encumber the records and occupy the time and confuse the minds of those who come here with serious intent, and this has been done upon a theory not wholly to be condemned, that if Tom or Dick or Harry, or other people more thoughtless than they, think something particularly and unduly absurd ought to be done, he prepares a bill and forwards it to his Representative, and it is put in here, not as having been indorsed by any person who could be elected to the Senate of the United States or to the other House, but as the petition of the nobody who prepares it.

While I do not think it would be fair for a Senator to decline to introduce a bill simply because in his own judgment it were not wise to be passed in the form in which it was presented, I still do think that he ought to vouch to his brother Senators that he believes that in it and around it and about it there is some merit which, if its form should be changed, it would be well to weave into law. And generally, I think it can be said that the form of repression of public speech that is to find expression in exorcising and diminishing what is said and done is not the wise thing. I think the great pressure of this voluminous printing is itself a potent force in curtailing somewhat the exuberance of speech and inducing us all to confine our remarks to those things that in our view will promote the public good.

As is well said by the chairman of this committee, several of these considerations are precipitated upon a section of the bill to which they do not appertain; but I do think that we ought to keep pace with the growing population of the country, with the growing commerce of the country, and with the growing intelligence of the country in the publication of public documents and in the parliamentary history of what occurs here. Thinking that, I rose simply to enter my protest against diminishing at this period of our history the publication of documents which constitute, I believe I may say, the most perfect and complete parliamentary history that the world has ever seen. It does not do to refer us to what is done in Great Britain or France, for not every Frenchman or Briton is a politician, as is true in the United States, at least in some portions of it, Nebraska, for instance [laughter], and, therefore, it seems that we ought to halt.

While I agree entirely that with from 18 to 40 copies of many of these publications within reach of the members of the Senate for their official use, it is idle to continue to furnish them to the committees, I still do not think it is wise, therefore, to discontinue the publication of them.

The honorable Senator from Missouri [Mr. COCKRELL] was pleased to say that there was not a committee room large enough to hold the accumulated and accumulating volumes that are furnished to the various committees of the Senate. I beg leave to proffer to him for that use the room of the Committee on Enrolled Bills, which is ample for that purpose, for its dome is the sky. [Laughter.]

Mr. MANDERSON. Mr. President, I have no objection to the proposed amendment of the Senator from New Hampshire [Mr. GALLINGER]. I think it is better that the words read should be stricken out, but as I have a matter now in hand that will be important in a later stage of the bill, I shall be glad to give it to the Senate.

My colleague on the committee [Mr. HAWLEY] referred to the number of bills introduced at the last Congress. I find that there were introduced during the Fifty-first Congress in the Senate 5,130 bills and 169 joint resolutions, making a total of 5,299 in the Senate. There were introduced in the House 14,033 bills and 298 joint resolutions, making a total of 14,331, or a grand total of about 20,000 bills introduced during one Congress in the two Houses.

I find by referring to the testimony of Mr. Penicks, who is in the Printing Office and has charge of this sort of printing, that the total number of pages of printed matter of these bills was 97,294, different bills and House resolutions. The number of each bill, whether public or private, which has been printed has been 925. That has been by virtue of resolutions of the Senate at different times. We propose in section 56 of the bill (on page 440 of the report it will be found) to reduce that number from 925 to 625 copies of public bills, and of private bills to 250. So that when one considers the large number of bills which are introduced, and the vast amount of paper it takes to print them, the enormous saving by this section alone will be apparent.

I do not agree to the proposition that it will do to leave certain bills unprinted, no matter what their character may be. It may be simply a bill for private relief and not one that is important to the general public. As has been suggested, committees can not consider them nor can there be a proper file kept of the business of the Senate unless these bills are printed. They certainly have been printed in excessive amounts; and this number, as will be shown by the reading of the report, will be ample for all purposes—625 copies of bills of a public character and 250 copies of private bills.

Mr. COCKRELL. I call the attention of the Senator to the statement in relation to the 97,000 pages, that the House Calendar took up 4,261 pages in the first session. The Senate Calendar is not put down here, but necessarily a great many pages of that is included in the statement.

I see the House reprint bills took up 9,247 and the Senate reprint bills 5,162 pages in the first session; in the second session the House reprinted 3,000 and the Senate reprinted 978. That shows that, notwithstanding the number which was then printed, there was a reprint of a very large number of bills, amounting to nearly 18,000 pages. I think that the number probably provided by the Senate report will be sufficient, but I am satisfied the Senator will find that there will be many orders to reprint bills. That will be the result of it.

Mr. MANDERSON. I call the attention of the Senator to the fact that in another section of this bill there is a provision giving the Committee on Printing of either House the power to direct the printing of 300 additional copies of any bill that may be exhausted in the document room.

Mr. COCKRELL. That is true, that is all provided for; but I am simply saying that the enormous saving anticipated will not be realized or materialize, for it is comparatively a very small sum. The additional expense of printing three or four hundred copies of a bill or of all the bills is a very small part of the expenditure. The type has to be set, the paper has to be furnished, the copies to be struck off, and the additional expense of a few hundred copies is not much of a saving. The paper, ink, and presswork are all the saving effected, and that can not amount to much.

Mr. MANDERSON. If the Senator will allow me, I think the proposed reduction of the number of bills printed from 925 to 625 of public bills, and from 925 to 250 of private bills—private bills composing a very large proportion of bills that are presented——

Mr. COCKRELL. But they are very short bills, as a rule.

Mr. MANDERSON. The saving of presswork and the saving of paper will save an enormous amount of money; how much I have not calculated.

Mr. COCKRELL. I know it will save a considerable sum, but it will be a mere bagatelle compared with the whole.

Mr. MANDERSON. But a bagatelle that will run into a great many thousand dollars.

Mr. COCKRELL. The private bills are, as a rule, only one page. The great bulk of the private bills are short bills. The reformatory measures, as they are frequently called, are the long bills.

I understand the chairman of the committee has amended that so that it now reads—I ask him to see if I am correct in it, for I want to make no mistake about it—

SEC. 25. There shall be reserved by the Public Printer from the quota of each Member of Congress and Delegate one copy of the CONGRESSIONAL RECORD in unstitched form, to be delivered to each Member or Delegate; and there shall be furnished to each standing committee of Congress one copy, which copies for members and committees shall be bound promptly in paper when each semimonthly index shall be issued, and shall be delivered without delay.

Mr. MANDERSON. That is correct.

Mr. COCKRELL. The Senator from New Hampshire, as I understand, has moved to strike out the remainder of the section.

Mr. MANDERSON. Yes.

Mr. COCKRELL. In that I fully concur, and hope it will be stricken out; but I did not understand from the explanation of the Senator in charge of the bill whether we were to first act upon the amendments suggested by the committee, and then that other Senators should come in with their amendments, or whether we were to amend each section as we went along. I have been going on the supposition that the committee would first offer their amendments, and when they were finished the bill would be open to general amendment. How is that?

Mr. MANDERSON. I think the bill had better be read for committee amendments, but so far as the amendment proposed

by the Senator from New Hampshire is concerned, two members of the committee, at least—and I think the Senator from Maryland [Mr. GORMAN] will coincide with us—agree to adopt it as a committee amendment.

The VICE-PRESIDENT. The question is on the amendment of the Senator from New Hampshire [Mr. GALLINGER], which will be stated.

The SECRETARY. In line 8, section 25, after the word "delay," it is proposed to strike out the remainder of the section, as follows:

And the Public Printer shall supply, at the end of each session, to each standing committee, filing requisition therefor, one set of the permanent RECORD bound in half Russia, with the name of the committee printed on the back.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. The question now is on the amendment submitted by the chairman of the committee, the Senator from Nebraska [Mr. MANDERSON].

Mr. ALLISON. I desire to ask the Senator from Nebraska a question affecting the matter of the RECORD, and that is, whether or not there is any section in this bill which provides for the total number of copies of the RECORD to be printed, or is that to be found in the details of the bill? Having struck out the provision relating to committees, which, I believe, are forty-five in number, I wish to know whether we have cut off 45 copies of the RECORD.

Mr. HAWLEY. We have cut off 18.

Mr. MANDERSON. We have cut off 18 from the existing law, but we will cut off 45 copies by the change proposed of the RECORDS to be printed under this bill.

Mr. ALLISON. Then there is no separate provision detailing or stating specifically the number of copies of the RECORD that are to be printed?

Mr. MANDERSON. Not in gross amount.

The VICE-PRESIDENT. The amendment submitted by the chairman of the committee will be stated.

The SECRETARY. In section 25, line 6, after the word "which," it is proposed to insert the words "copies for members and committees;" so as to read:

And there shall be furnished to each standing committee of Congress 1 copy, which copies for members and committees shall be bound promptly in paper when each semimonthly index shall be issued, and shall be delivered without delay.

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

The Secretary read section 26, as follows:

SEC. 26. The Public Printer shall cause to be stereotyped all matter when there is a reason to believe that it will be needed a second time.

Mr. COCKRELL. How is that? This is new and gives warrant of law to a practice of the Government Printing Office to stereotype all matter. Do they not do that now?

Mr. MANDERSON. They do that in every instance where they presume the matter will be used again. Take bills and joint resolutions that are printed in bill form. They are never stereotyped, as it is not presumed they will be used again, and so the electrotype process is not used, but for all the reports and public documents generally the matter is electrotyped.

Mr. COCKRELL. Take the report of the Commissioner of the General Land Office, for example, or the report of any one of the bureaus. Such reports are made to the head of the Department and he transmits them to the President with his report. The report is then transmitted by the President to Congress. Now, I want to know if the type for the printing of that special report is set up each time separately that that report appears in the different documents?

Mr. MANDERSON. No, I understand not. That is a report likely to be printed again. Take, for instance, the pamphlet report of the Commissioner of the General Land Office. That would be electrotyped as to all its matter except the paging, the paging of course would have to be changed, and that matter with the plates would be used for the reprinting. In such a case composition, as I understand from the Public Printer, is never charged a second time unless there is an actual setting up of the type; that is to say, when the type is set and the form electrotyped that electrotype plate is used and composition is not again charged for.

Mr. COCKRELL. Would a document like the President's message be electrotyped?

Mr. MANDERSON. It would be perhaps in the form in which it would go in the executive documents.

Mr. COCKRELL. I mean the annual message of the President.

Mr. MANDERSON. The President's message is somewhat of an exception to the general rule of documents, because, my impression is, that it is set up at the request or order of the President in quarto form. I imagine that that would not be electrotyped, because it would not be again printed in that form, but in the form in which it would go in the messages and documents it would be electrotyped.

Mr. COCKRELL. I wanted to know specifically whether the composition, the setting up of the type in these documents was charged for more than once. I have heard it intimated that it was, and that is the reason I asked the question.

Mr. MANDERSON. I will state, in response to the question of the Senator from Missouri, that on page 23 of the report will be found the testimony of the Public Printer with reference to the matter of stereotyping. The question was asked by Mr. RICHARDSON of the witness:

How much stereotyping do you do in the Government Printing Office?

Mr. PALMER. All of the matter that is set up, where the editions are large, is stereotyped.

Mr. RICHARDSON. How small an edition would you stereotype?

Mr. PALMER. That depends upon what the matter is to be used for. If we have an idea the matter is to be used again in something else, we would stereotype it anyway. It is safe to say that three-fourths of all the matter is stereotyped.

The CHAIRMAN. In making your estimates of cost of printing are there any instances in which the estimate is twice made for composition?

Mr. PALMER. No, sir.

The CHAIRMAN. If you bring the stereotype plates back after they are once taken from the press, for the purpose of printing a second edition of a work, is there a second charge for composition?

Mr. PALMER. There never has been under my administration, and I presume not under that of my predecessors.

Mr. HAWLEY. Is such second charge for composition made in the case of speeches?

Mr. PALMER. No, sir; unless the type is actually reset.

Mr. RICHARDSON. Is it ever made in any case?

Mr. PALMER. No, sir; composition is not charged for a second time unless, as I said, the type is actually reset.

The Secretary read from section 27 to section 32, inclusive.

Mr. MANDERSON. The second comma in line 2 of section 32 should be stricken out. After the word "operation," in that line, I move to strike out the comma.

The PRESIDING OFFICER (Mr. PASCO in the chair). That will be the order if there be no objection.

Mr. MANDERSON. I move to insert, after the word "law," in the same line, the words "except those heretofore provided for by law for special purposes." I will send the amendment to the desk.

Mr. HAWLEY. I understand my colleague proposes to allow one of these branch offices to remain independent of the Public Printer.

Mr. MANDERSON. I will explain the purpose of the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the word "law," in line 2 of section 32, it is proposed to insert "except those heretofore provided for by law for special purposes."

Mr. MANDERSON. This amendment came to me from the Census Office. I submitted it to the chairman of the Committee on the Census [Mr. HALE]. It seems that this is the condition. Under the provision of the census law the Census Office was permitted to use a part of the appropriation in doing printing. Under the operation of that law there was started a small printing office in the Census Bureau. The work of that printing office is nearly completed, but there are still a few bulletins, I understand, which they propose to issue. It hardly seems worth while to place that small printing office under the direction of the Public Printer for the short space of time it is yet to continue, and this amendment is for the purpose of reaching that case.

Mr. COCKRELL. I give notice that I shall at the proper time offer another amendment to except another printing office here, which is of far more importance to the public service than the one the Senator refers to, and which may not possibly be covered by this bill. That is the type and machinery of a very small establishment used in the record and pension division of the War Department. It is used there by the clerks alone. There are no printers there. When a clerk comes to copying a record and finds certain remarks repeated fifty or one hundred times, instead of writing them out and taking a day or two to do it, he just goes down there, sets the type up, and prints it on fifty or seventy-five cards, or as often as may be necessary, and then he goes back and fills up the blanks. They have no printing office there except the material which they purchased and which they use for that purpose. It saves hundreds of clerks and it saves months and months of time in completing the work there.

Mr. MANDERSON. I certainly have no objection to the purpose the Senator has in view, but wish before he prepares the proposed amendment that he would refer to pages 6 and 7 of the last report of the Public Printer, where will be seen a communication from the Secretary of War that bears upon the subject to which the Senator refers.

Mr. COCKRELL. I am not sure but that the amendment which the Senator from Nebraska has moved will cover the establishment to which I referred, because there is a special provision of law which provides for it.

Mr. MANDERSON. Perhaps there is.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska [Mr. MANDERSON.]

The amendment was agreed to.

Sections 33, 34, and 35 were read.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

RECOMITTAL OF A BILL.

Mr. TELLER. I ask the Senator to withhold that motion for a moment.

Mr. ALLISON. Very well.

Mr. TELLER. I ask that Order of Business No. 143 on our Calendar, being the bill (H. R. 9) to define and punish blackmailing, may be recommitted to the Committee on the Judiciary. The bill evidently got out of the committee without such attention as it should have received.

The PRESIDING OFFICER. The bill will be recommitted to the committee in the absence of objection.

TELEGRAPHIC CABLE TO HONOLULU.

The PRESIDING OFFICER laid before the Senate a message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed, as follows:

To the Senate of the United States:

In reply to a resolution of the Senate of the 27th ultimo, requesting the President to advise the Senate as to what action, if any, has been taken * * * to cause careful soundings to be made between San Francisco, Cal., and Honolulu * * * for the purpose of determining the practicability of laying a telegraphic cable between those two points, or between any point on the Pacific coast and the Kingdom of the Hawaiian Islands, I inclose herewith a communication from the Secretary of the Navy, dated January 30, 1892.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 2, 1892.*

EXECUTIVE SESSION.

Mr. ALLISON. I now renew my motion.

The PRESIDING OFFICER. The Senator from Iowa moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 3, 1892, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 2, 1892.

PROMOTIONS IN THE ARMY.

Cavalry arm.

Lieut. Col. Caleb H. Carlton, Seventh Cavalry, to be colonel, January 30, 1892, vice Upham, Eighth Cavalry, retired from active service.

Maj. Guy V. Henry, Ninth Cavalry, to be lieutenant-colonel, January 30, 1892, vice Carlton, Seventh Cavalry, promoted.

Capt. Charles S. Ilsley, Seventh Cavalry, to be major, January 30, 1892, vice Henry, Ninth Cavalry, promoted.

First Lieut. John W. Wilkinson, Seventh Cavalry, to be captain, January 30, 1892, vice Ilsley, Seventh Cavalry, promoted.

Second Lieut. Philip A. Bettens, jr., Ninth Cavalry, to be first lieutenant, January 30, 1892, vice Wilkinson, Seventh Cavalry, promoted.

Infantry arm.

First Lieut. William J. Turner, regimental quartermaster, Second Infantry, to be captain, January 22, 1892, vice Haines, Second Infantry, deceased.

Second Lieut. Frank De W. Ramsey, Ninth Infantry, to be first lieutenant, January 25, 1892, vice Webster, Second Infantry, appointed regimental quartermaster.

PROMOTION IN MARINE HOSPITAL SERVICE.

Assistant Surg. George T. Vaughan, of Virginia, to be passed assistant surgeon in the Marine Hospital Service of the United States.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 2, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

HARBOR OF REFUGE, DELAWARE BAY.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting a letter from the Chief of Engineers, together with a copy of a report of a commission of officers of the Corps of Engineers of an examination, with project and estimate of cost of construction, for a harbor of refuge suitable for deep-draft vessels near the mouth of Delaware Bay; which was referred to the Committee on Rivers and Harbors.

THE MILITIA.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting an abstract of the organized and unorganized militia forces of the United States; which was referred to the Committee on the Militia.

GENERAL INCORPORATION LAW OF THE DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House a bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia, approved May 17, 1882," with an amendment of the Senate thereto.

Mr. HEMPHILL. Mr. Speaker, I wish to ask the House to consider that bill now and to agree to the Senate amendment.

The SPEAKER. The amendment will be read, after which the Chair will ask if there be objection.

The Senate amendment was read, as follows:

Resolved, That the bill from the House of Representatives (H. R. 2785), an act to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," etc., do pass with the following amendment:

After line 19, insert: "Section 3. Congress may at any time alter, amend, or repeal this act."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina that the Senate amendment be now concurred in?

There was no objection, and it was so ordered.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally referred as indicated below:

A bill (S. 53) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada—to the Committee on War Claims.

A bill (S. 56) for the erection of a public building at Reno, State of Nevada—to the Committee on Public Buildings and Grounds.

A bill (S. 80) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed—to the Committee on Public Buildings and Grounds.

A bill (S. 211) for the relief of the sureties of Dennis Murphy—to the Committee on Claims.

A bill (S. 821) to provide for a term of the circuit and district court at Littleton, N. H.—to the Committee on the Judiciary.

A bill (S. 1134) for the relief of purchasers of land within the limits of the Umatilla Indian Reservation—to the Committee on Public Lands.

A bill (S. 1270) to provide for the purchase of a site and the erection of a public building thereon at Kansas City, in the State of Kansas—to the Committee on Public Buildings and Grounds.

A bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States volunteer army—to the Committee on Invalid Pensions.

A bill (S. 1503) to establish a first-order light-house on North Head, Cape Disappointment, in the State of Washington—to the Committee on Interstate and Foreign Commerce.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STAHLNECKER, for one week, on account of important business.

To Mr. SANFORD, indefinitely, on account of important business.

PERSONAL EXPLANATION.

The SPEAKER. The gentleman from Massachusetts [Mr. MORSE] rises, as the Chair understands, to a question of privilege. He will state it.

Mr. MORSE. I rise to a personal explanation.

The SPEAKER. The gentleman will proceed.

Mr. MORSE. Mr. Speaker, a most extraordinary proceeding was enacted in this House by my colleague [Mr. HOAR] on yesterday, of which I deem it my duty to take further notice. I claim that this young gentleman violated the proprieties that should obtain among gentlemen. Who gave him my manuscript, and by what authority does he carry it away from the Public Printing Office? Some of the oldest members of this House tell me that this proceeding of this young gentleman is without precedent in the history of this body. The reports of the stenographers are undoubtedly the property of this House; but my manuscript is undoubtedly my property if it is anybody's, and I deny the right of the gentleman from Massachusetts to remove Government property or documents or my manuscript from the Public Printing Office, and bring it into this House for exhibition, or to carry it around in his pocket.

The facts in regard to this matter are not as explicitly set forth in my hasty explanation of yesterday as I deem proper. The exact truth is this: My remarks substantially as delivered were in manuscript form before they were delivered (a very common thing in this House), and I so informed the stenographers before speaking. And I understand my remarks were not taken down at all, but only the interruptions of the young gentleman from Massachusetts, "applause," etc., and the changes incident thereto; and when he said he held in his hand the stenographer's report of my speech he said what was absolutely false and untrue. He had and there was no report beyond what I have stated. At the close of my speech a messenger came to my desk for the manuscript. At a later hour I conferred with the assistant stenographer as to where the applause which occurred on this side and interruptions of the gentleman from Massachusetts came in, with additional remarks——

Mr. BOUTELLE. Mr. Speaker, the disorder is so great we can not tell what is transpiring.

The SPEAKER. The House will please be in order.

Mr. BOUTELLE. There are indications that this may be a matter of interest to the House of Representatives.

Mr. ANDREW. Oh, I think not. [Laughter.]

The SPEAKER. The gentleman is making a personal explanation to the House, and is entitled to order.

Mr. MORSE. At a later hour, Mr. Speaker, I conferred with the assistant stenographer as to where the interruptions of the gentleman from Massachusetts came in, with additional remarks by me incident thereto that were not in my manuscript. I also conferred with him as to where the applause came in that occurred on this side during the delivery of my speech, which, of course, was not in the manuscript. I do not deny having availed myself of the privilege allowed every member of this House from time immemorial to revise his speech and make slight and unimportant changes thereto.

Now, Mr. Speaker, that is all the basis there is for the personal and abusive attack which the gentleman from Massachusetts saw fit to make upon me here upon the floor of this House on yesterday.

But, Mr. Speaker, do not let the House be deceived. All this is not intended for you, but it is intended by my colleague [Mr. HOAR] for home consumption. If you could believe the accounts furnished the Boston Globe of his exploits here you would have a right to suppose that this young man was to indicate the economic and financial policy of his party on this floor, and that you, Mr. Speaker, and Mr. HOLMAN, Mr. MCMILLIN, Mr. SPRINGER, Mr. HATCH, Mr. BLOUNT, Mr. DOCKERY, Governor MCCREARY, and others, men who were in public life long before this young gentleman was born, to use a slang expression, "were not in it."

Why, I have in my hand a copy of the Boston Globe which contains half a column describing exactly fifteen words by the RECORD that the young man uttered on this floor last Friday. Yesterday's speech will probably take two columns in the Boston Globe. It says that Mr. HOAR'S interruption of my speech of last Friday (consisting, as I have said, of fifteen words) "was followed by prolonged and great applause on both sides of the House." [Laughter and applause on the Republican side.] That, Mr. Speaker, is not in the RECORD. There was no applause on either side of the House; that was intended for home consumption, where it will do the gentleman more good than in the RECORD.

Mr. Speaker, I fear you do not appreciate this young gentleman from Massachusetts. Only think of it. This young man who was to indicate the economic and financial policy of the Democratic party and is believed now to be doing so by his admiring constituents at home; this young gentleman who wept over the defeat of his candidate for Speaker—only think of it, Mr. Speaker—he was placed by you on a committee that never had a meeting during the Fifty-first Congress except to elect a clerk! That was the "unkindest cut of all."

But Mr. HOAR is investigating the "sweating system" now, and every committee meeting and every act of his is noted at length in the columns of the Boston Globe. He will know more about the "sweating system" next autumn; he will have his heaviest perspiration when he receives the returns from the old Fifth district. If he has tears to shed he should save them and "prepare to shed them" then. [Laughter on the Republican side.] I think the presence of this young gentleman, who, I repeat, has deliberately and with malice (and not in the heat of any debate)—he has, I say, violated the proprieties that obtain among gentlemen. The young man is an accident here, and I think the accident is not likely to occur again in Gen. Banks's old district. [Applause on the Republican side.]

Mr. HOAR. Mr. Speaker, I think that the gentleman from Massachusetts has been advertised enough. [Laughter on the Democratic side.]

Mr. DOLLIVER. Which "gentleman from Massachusetts?" [Laughter on the Republican side.]

RULES.

Mr. CATCHINGS. I call up for further consideration the report of the Committee on Rules.

The SPEAKER. The Clerk will report the pending amendment, on which the yeas and nays have been ordered.

The Clerk read as follows:

Mr. BURROWS moves to amend by adding to the pending paragraph the following:

"3. On the demand of any member, or at the suggestion of the Speaker, before the second roll call is entered upon, the names of members (sufficient to make a quorum) in the Hall of the House who do not vote, shall be noted by the Clerk and recorded in the Journal, and reported to the Speaker with the names of the members voting, and be counted and announced in determining the presence of a quorum to do business."

Mr. REED. I suggest that by unanimous consent the yea and nay vote be omitted. The result desired on this side—that is, to show that the minority in the present Congress are willing to present the same system of rules that they had when they were in the majority in the Fifty-first Congress—can be reached by a vote upon the substitute offered on the part of the minority, just as well as by having a roll call upon this amendment; and in this way we may save half an hour of the time of the House, because I have no reason to suppose that this amendment will carry.

The SPEAKER. The gentleman from Maine [Mr. REED] asks unanimous consent that the vote by which the yeas and nays were ordered be reconsidered. Is there objection? The Chair hears none, and the roll call will be dispensed with. The question is on agreeing to the amendment of the gentleman from Michigan [Mr. BURROWS] which has just been read by the Clerk.

The question being taken, the amendment was rejected.

Mr. REED. I desire to offer as an additional clause the amendment which I send to the desk.

The Clerk read as follows:

Whenever a quorum fails to vote on any question, and objection is made, there shall be a call of the House, and the yeas and nays on the pending question shall at the same time be ordered. The Clerk shall call the roll, and each member as he answers to his name, or is brought before the House under the proceedings of the call of the House, shall vote on the pending question. If those voting on the question and those who are present and decline to vote, shall together make a majority of the House, the Speaker shall declare that a quorum is constituted, and the pending question shall be decided as the majority of those voting shall appear.

Mr. REED. Mr. Speaker, I desire that the House may understand the amendment which has been offered. It was found in the last Congress, was found in previous Congresses, and perhaps will continue to be found, that the ordinary rules which existed for some time have not sufficient stringency to cause the presence of a quorum and induce action by a quorum when there is a desire on the part of some members to stay out. The process under the rules as proposed here for adoption by the House requires that in such cases the proceedings under the call shall be discontinued before the business which was under consideration by the House shall go on. This gives an opportunity for the reopening of the doors and the disappearance of members. Whether we ought to exercise our constitutional power of compelling the attendance of members or not, is something for the House to consider; but if we do intend to exercise that power, then we ought to exercise it effectually.

I have accordingly proposed an amendment which was originally suggested by Mr. Tucker of Virginia, a member of the Democratic party, and at that time a member of this House—an amendment which received then the full and enthusiastic support of the present chairman of the Committee on Ways and Means [Mr. SPRINGER], and which I have no doubt will receive his support now. It provides that whenever it is ascertained that no quorum is present, there shall be a call of the House, and at the same time the yeas and nays shall be regarded as pending; and as each member is brought into the presence of the House, when he visibly appears before it, he shall be offered an opportunity to vote, and shall by the rules of the House be required to vote. But if he does not vote, his presence shall then be counted to make a part of a quorum.

It will be perceived that this does away with every one of those objections which have been suggested as to the power given to the Speaker, or, as I should say, as to the duty imposed upon him. It brings the member directly before the House; and there is no possibility of even such a mistake as happened the other day in the case of the gentleman from New York [Mr. RAINES], who was not only recorded as voting on the yeas and nays when he was in New York, but was recorded upon the wrong side.

This frees it from all criticism of that kind, and I am unable to see how a House that is in earnest in its work can refrain from adopting the amendment; because it has the very highest Democratic sanction, namely, the chairman of the Committee on Ways and Means of the present House, a distinguished Democratic member of Congress from Virginia, and also the sanction of the present Senator from Kentucky [Mr. BLACKBURN]. It did not at the time have mine, but that has been changed. [Laughter.]

Mr. MOORE. Let us have the amendment reported.

The amendment was again read.

Mr. McMILLIN. Mr. Speaker, I hardly think that this matter should go to a vote without a statement of the result that would necessarily flow from it if adopted, and which to my mind are sufficient reasons why it should not be adopted.

The effect of the amendment proposed by the gentleman from Maine would be to have legislative action taken while the House was yet closed, and possibly while members to be counted were yet under arrest. That, it seems to me, would be the inevitable consequence; legislation and the roll call would be going on behind closed doors, and while a call of the House was in progress.

A man is caught and held while you count him, and that is called "legislative action." Mr. Speaker, that is the action taken by the last Congress intensified. In the last Congress a distinguished gentleman who did not agree to this kind of proceeding refused, and very properly refused, to be locked up here and kept locked up.

The country knows very well, Mr. Speaker, that when that proceeding was instituted, it had always theretofore been the custom that during a call of the House members who were present were permitted to go out of the Hall on their parole of honor that they would return, the doors being closed at the time. On this occasion in the last Congress, when this proceeding was being conducted, the distinguished gentleman from Texas [Mr. KILGORE] determined that he would enforce that rule or custom, and did it, and properly.

Mr. REED. And violated the rule.

Mr. McMILLIN. And that custom had always prevailed in all calls of the House before that time.

Mr. REED. I hope the gentleman from Tennessee will not shift from rule to custom. The rule required the doors to be closed. The gentleman from Texas kicked the door open.

Mr. McMILLIN. The doors had always been closed but not locked. On the occasion to which I refer the doors were not only closed but locked, and the gentleman from Texas determined that as far as he was concerned there should be a return to the old custom.

Mr. REED. It was a violation of the rule. The rule required that the doors should be closed. All I ask the gentleman is not to make confusion between the rule and custom, and not to pass from one to the other of them, so that the House may not inadvertently get an impression that he is talking of the same thing, when they are very different from each other.

Mr. McMILLIN. Then I will state to the gentleman from Maine so that there can be no confusion, that it has been the custom since the organization of the Government to permit members during a call of the House to go in and out of the Hall at their will, simply giving their word of honor that they would return. The gentleman from Texas enforced that custom by breaking open the door which prevented him from exercising that privilege, and he did it right. [Applause on the Democratic side.]

Furthermore, Mr. Speaker, in reply to what the gentleman from Maine has stated, I may be permitted to say—as this amendment contemplates that the doors shall be closed and the members required to legislate behind closed doors, and with force in actual application upon them to detain them here—that the man who would suffer himself to be forced to legislate for this country under such circumstances would not deserve to be a custodian of freedom, but ought to be put in the penitentiary and locked up himself. [Applause on the Democratic side.] That is the contention that I make on the question. And I hope, as one of the majority of this House, that the time will never come when the representatives of the people here will legislate, or pretend to legislate, behind locked doors and under coercion.

Mr. KILGORE. Will the gentleman from Tennessee yield to me for one moment?

Mr. McMILLIN. Certainly.

Mr. KILGORE. I simply wish to say, by way of explanation in connection with the remarks of the gentleman from Tennessee, that on the occasion referred to there was a call of the House, and a quorum had appeared and answered. I had answered to my name, and I assumed then, as I assume now, that on that occasion the Speaker had no authority to direct the closing of the doors for all time to keep me and other members in the House that he might count us to make a quorum after I had answered to my name and a quorum was found to be present. Hence the door of the House was forced open.

Mr. BOUTELLE. Will the gentleman from Tennessee permit me to ask him a question? I wish to ask if the gentleman from Tennessee understands the rule of the House to be that the doors shall be closed for the purpose of enabling people to pass through, in and out? [Laughter.]

Mr. McMILLIN. I would state in reply——

Mr. BOUTELLE. That is what I would like, a reply.

Mr. McMILLIN. That the door is closed for the purpose of enabling the officers of the House to find who is in the House and who are absent, and to send for them, but not to force action under lock or force. Of course the object of closing doors is not usually to facilitate exit. [Laughter.] But the gentleman knows full well that it has always been the custom to construe that rule as allowing members to go in and out after leaving their names with some officer of the House under a declaration that it was their purpose to return. He knows that as well as I do. And I will not be shifted from the point that is before the House actually by being interrogated in this indirect manner.

Mr. MILLS rose.

Mr. BOUTELLE. Mr. Speaker——

The SPEAKER. The time of the gentleman has expired. The gentleman from Texas [Mr. MILLS] is recognized.

Mr. BOUTELLE. I hope the gentleman from Tennessee [Mr. McMILLIN] will answer my question. It is a very——

The SPEAKER. The gentleman's time has expired.

Mr. BOUTELLE. Well, I know, but he ought to answer a simple question directly bearing upon the subject-matter of his statement.

The SPEAKER. The gentleman from Texas [Mr. MILLS] has the floor.

Mr. McMILLIN. Mr. Speaker, I can not give the gentleman understanding. [Laughter].

Mr. BOUTELLE. I would like to ask the gentleman if he understands himself that a rule providing for the closing of the doors is for the purpose of allowing gentlemen to pass in and out?

The SPEAKER. The gentleman from Texas [Mr. MILLS] has been recognized.

Mr. MILLS. Mr. Speaker, the pending amendment, as I understand it, though I could not hear it very distinctly when it was read, is substantially an amendment offered by Mr. Tucker in a former Congress. It is a fact, Mr. Speaker, that that amendment was provoked by the long and persistent filibustering on the part of our friends on the other side of the House. And notwithstanding this side of the House had been laboring for a long time to reach a conclusion, and notwithstanding the deservedly great influence of Mr. Tucker in this House, he being recognized as one of the ablest men in the nation, one of the greatest lawyers and a man of great personal influence with everyone with whom he came in contact, yet I do not recall another supporter of the proposition on that floor, except the present chairman of the Committee on Ways and Means, and perhaps a few others. But it shows that the administration of this House was so thoroughly in accord with the true principles of Democracy that even as great a man as John Randolph Tucker could not induce them, under great provocation, to depart from a fundamental principle of government.

The vote of a Representative is a weapon placed in his hands by his constituents to protect, guard, and defend their rights. It is a power not to be taken from him, and it is within his discretion to sit within a legislative assembly, where their rights are imperiled, and use it or not use it, as he may think he can best defend and guard the interests committed to him. A distinguished illustration of this was the case of old Nathaniel Macon, who sat where you now sit, Mr. Speaker, and when a two-thirds vote was required to submit an amendment to the Constitution of the United States, and that two-thirds could only be procured by his vote, when there was a rule of the House providing that the Speaker of the House of Representatives should not vote, he said the question whether he should vote or not belonged to him and his constituents, and not to the House of Representatives. He did vote, in defiance of the rules of the House, the resolution was passed, and the amendment was submitted to the people of the United States.

Another distinguished instance in the history of this country was that of the venerable John Quincy Adams, who, after he had been President of the United States, sitting in the old hall of the House, refused to vote because he believed he could best vindicate the rights of his people by withholding that power, and that he alone was to be the judge. He alone was responsible for the trust committed by his constituents. He sat still, in defiance of the vote of this entire House, and for two days refused to vote, notwithstanding the House commanded him to vote. [Applause on the Democratic side.] And after this House had played with the subject for two days, to see if they could bring one refractory American citizen to the bar and compel him to surrender the high trust with which he had been invested, then like children that had been playing with toys, they laid down the subject and dismissed it.

This House, sir, has no right to take from a Representative the power with which he has been invested under a free government to guard and protect and secure the rights of his constituents. If I feel that I can best guard those rights by sitting still and refusing to make a quorum in a legislative assembly that I believe

is going to trample on those rights, the sacred duty that I bear to those who have intrusted it to me will compel me to sit in my chair and refuse to obey the mandates of this House. [Applause on the Democratic side.] I am a Democrat, sir. [Renewed applause.] I go back to the fundamental principles of this Government, and our fathers have over and over again taught us that you can only secure the liberties of the people by frequently going back and recurring to them.

What is the fundamental truth that underlies the whole system of our Government? It is that this is a government not of force but of consent. [Applause on the Democratic side.] Its power comes from the will of the people. Are you going to compel the people to vote? I have seen that discussed and advocated by schemers and dreamers, that you should make a law compelling every voter in the land to go to the ballot box and vote. You have the same right to do that as you have to compel a Representative to vote against the interest of his people. The answer to that is old-fashioned Jeffersonian Democracy; the government by the consent of the people, and the legislation of the country by the consent of the representatives. [Applause.]

Mr. REED. Mr. Speaker, I desire to divest this debate as much as possible from the partisan character which some gentlemen here seem desirous to give it. [Derisive laughter on the Democratic side.] And as I am proposing a Democratic amendment, supported by a first-rate Democratic authority, I am quite sure that the House will not permit itself to be lashed into a state of mind, because there is nothing more desirable than that we should approach these subjects without feeling and without fervor. If this were a Congress where a fight was going on, as in the last Congress, I should feel like pardoning something to the spirit if liberty, as I have always felt about the last Congress. I have never been disposed to be cross about what gentlemen have said and the outcries which people have made, because that was an occasion when there was a political conflict, and striking sometimes happened below the belt—not on our side, of course, because we were in the majority. [Laughter.]

But this is a Congress where the Democracy are 3 to 1; hence they can afford to approach this question without anything in the nature of ill temper. They can afford to require what is for the good of the country. I would not have a single member of that party suppose that what I have proposed is a Republican measure upon which we have any patent upon which the Democratic party has no right to infringe.

On page 575 of the CONGRESSIONAL RECORD, second session of Forty-sixth Congress, volume 10, I read what Mr. Tucker of Virginia said on proposing this identical amendment:

A majority of the members of this House if present constitute a quorum to do business. The Constitution does not say that a majority voting shall constitute a quorum, but that a majority of the House shall constitute a quorum to do business; and the practice of the English Parliament, from which most of our rules upon this subject have been taken, is that whenever the House of Commons meets the Speaker counts the members who are present and announces that a quorum is present if there is a sufficient number; so that the Speaker of the House of Commons may, as the Speaker here, by ocular demonstration become satisfied that there is a quorum present. And the purpose of this amendment is not to make any member vote when he does not choose to vote—

And that is an answer to the objection of the gentleman from Texas—

but to have a call of the House when a quorum is disclosed as not present upon a division on a pending question; and then, as each member's name is called and he answers to his name, he is noted as present. He may vote or not, as he pleases. If he does not answer to his name the Sergeant-at-Arms under the call is sent for him; if he is in the House he is brought to the bar, and by ocular demonstration is proved to be present. And thus we may have an ascertained quorum of the House though there may not be a quorum voting.

The rest of Mr. Tucker's remarks are valuable reading, like everything else he said in this House.

I now turn to the remarks of the honorable gentleman who now so worthily leads the House. [Laughter.]

Mr. SPRINGER. The gentleman from Michigan has stated that this rule is unconstitutional and partisan in its character. In my judgment—

Mark the words—

In my judgment, Mr. Chairman, it is neither. One of the greatest absurdities imaginable to me is this: it is within the power of a less number of members than a quorum of this House to issue a mandate and send it to the Pacific coast, to the far-off State of Oregon, to bring in a member to this body, and when we have got him here at an expense of weeks of time and thousands of dollars, the man is not here at last unless he voluntarily opens his mouth and says "I am here"—and votes "ay" or "no" on the pending question. I say there can be no greater absurdity than to presume our fathers made a Constitution and gave that power to a less number than a quorum, and after we have exhausted it the man was not here at last unless he chose to be. He did not choose to be here or we would not have sent for him, and when he is brought here he is not here unless he chooses to be. What an absurdity.

[Laughter.]

Now, I do not, of course, charge that the gentleman from Illinois, chairman of the Committee on Ways and Means, entertains that opinion now. I read it to the House upon account of its inherent beauty, and to have the continued weight of his authority.

The SPEAKER. The time of the gentleman from Maine has expired.

Mr. REED. I ask the House to give me a little more time, so that I may read another extract.

Mr. SPRINGER. I ask unanimous consent that the time of the gentleman from Maine be extended five minutes.

Mr. MILLS. I also request that the time of the gentleman may be extended.

The SPEAKER. Is there objection to the request that the time of the gentleman from Maine be extended for five minutes? [After a pause.] The Chair hears none.

Mr. REED. Mr. Speaker, I repeat that I did not in the least quote this language of the gentleman from Illinois without his consent as an authority, but I quoted it on account of the good sense there is in it, and it has the approval, as I have had the honor repeatedly to say in this House, of every supreme court of every State, and of every judge of every supreme court that has passed upon the question.

Mr. HEMPHILL. What did the House do with that?

Mr. REED. It was withdrawn. I will come to that later. Here is the statement of another gentleman, Mr. BLACKBURN of Kentucky, and I would like special attention to this language, because it covers more than the others:

Does not the gentleman from Ohio know that in the present existing rules of this House, as well as that proposed revision which he, as a very efficient member of the Committee on Rules, has submitted for your adoption, supplemented and supported by parliamentary law from the older countries and also by practice both in England and America, always and everywhere the power has been recognized and vested in the Speaker or presiding officer to make an actual count of the persons present?

Mark the words "always and everywhere."

I will read from Cushing's Digest of Parliamentary Law, accepted the world over as authority, in which it is provided—

"If, therefore, it appears upon division, or if notice is taken by any member, that a quorum is not present, it then becomes the immediate duty of the presiding officer to count the members, and if they do not amount to a quorum to suspend all further proceedings."

That is the authority laid down by Mr. Cushing. The present rule so recognizes it, and makes it the Speaker's duty. The proposed rule of the House, if amended as proposed by the gentleman from Virginia, instead of consolidating power in the hands of one man, takes it from him, and requires a call of the House to be had, and only those persons present noted that either respond to their names upon the call of the roll, or appear at the bar of the House in the custody of the Sergeant-at-Arms.

Mr. HOOKER of Mississippi. Will the gentleman from Maine allow me to ask him a question?

Mr. REED. With pleasure.

Mr. HOOKER of Mississippi. Is it not a fact that the volume which you hold in your hand also contains a statement that Mr. Garfield of Ohio arose and appealed to the gentleman from Virginia [Mr. Tucker] to withdraw his proposition, because it would receive the unanimous opposition of that side of the House; and that Mr. Tucker did withdraw it, and there was no vote on the amendment?

Mr. REED. That is not quite accurate, but it is substantially so. It was withdrawn, as I was about to state when the gentleman from Mississippi thought he could state it better than I could.

Mr. HOOKER of Mississippi. Not at all.

Mr. REED. I was about to state to the House that that amendment was withdrawn. I had promised the House, before the gentleman from Mississippi arose, that I would state what was done with it. It was withdrawn for the very simple reason, I think, that the Democratic party were afraid they would not stay in power so long as they have stayed, and the Republican party was very much afraid that the Democratic party would undertake to repeal what was known as "war legislation;" and they desired to have an opportunity to prevent it. Both parties, being desirous at that time of not doing any business, refused to adopt this rule.

Now, if this House wants to occupy the attitude of not doing any business, the rule reported by the committee is one way of not doing business; but if they desire to do business, that rule proposed by Mr. Tucker is one of the ways in which they could do it. I believe it is for the general interest of this country that this House shall be equipped to do business as the Constitution says it shall. I urge it while in the minority as earnestly as I should in the majority, if my views had been called for at the time that course was suggested.

Now, let me say one word in reference to the adoption of the rules of the Fifty-first Congress. Before they were adopted there were Republicans who said, "Do you not remember that in adopting these rules you are adopting rules when three times to one the House is Democratic; and if you place the power where you propose to do they will follow." I stated that I wanted them to follow it whenever in the majority of this House, and that I wanted them to have the power the people intended to give them. I believe that is the true way to look on this; and I believe also that if this proposed rule was adopted all filibustering would end except that which we all agree is legitimate, namely, that by which time is secured for debate instead of being wasted in roll calls.

If we adopt that rule we shall get back to the principles of the fathers.

Mr. BYNUM. Will the gentleman answer a question?

Mr. REED. With pleasure.

Mr. BYNUM. Will he tell us why it was, then, that in the different Congresses in which he was in a minority he was always found among the filibusters?

Mr. REED. Simply because I exercised the power that was given me by the House; and, as the gentleman from New York [Mr. COCKRAN] has suggested, it may be done again. [Laughter.] Do you not see that if the House gives permission for piracy some gentleman may choose to go into that interesting and lucrative business? [Laughter.]

Mr. BYNUM. That is, you want the rule to keep you from being bad? [Laughter.]

Mr. REED. I want it not only to keep me from being bad (for I shall need it), but also to keep a good many other gentlemen from being bad who will need it a good deal more. [Laughter.]

Mr. MILLS. Mr. Speaker, I owe a debt of gratitude to my friend from Maine [Mr. REED] for correcting my memory in reference to what the resolution or the amendment was that was offered in a former Congress by my friend from Virginia, and I apologize to Mr. Tucker for having inadvertently misstated the entire scope of his amendment. He was and is one of the greatest, one of the justest, and, altogether, one of the most lovable men I have ever known; a man who would not do injustice or wrong to any person living, and I am glad to know that he did not contend for the power in this House to compel a refractory member to vote against his convictions.

To return to the question which my friend from Maine [Mr. REED] discusses, about the power of the Speaker to count members present in order to make a quorum, and to the authorities which he cites, the acts and decisions of the Legislative Assemblies of the various States, my friend knows, because he is an able lawyer, that the power of this body is not like the power of the legislative bodies existing under the constitutions of the States of this Union. This House has no power except that which is granted to it as a delegated body, while on the other hand the Legislatures of the various States have the power to do whatever they choose to do that is not actually forbidden to them under the State constitutions. What power has this House? Just whatever power the Constitution of the United States gives it.

It is said that the Constitution gives the House the power to make rules. It does; but the power to make rules must be construed and exercised with reference to every other provision contained in the Constitution. This House can punish its members, but it can not try them by court-martial. There are many things that it can not do, and whatever power is vested in it is and must be limited by the prohibitions contained in the other parts of the Constitution. This House may make rules, certainly; and it has made rules. What are those rules, and what has been the construction of them by the judges who have sat where you now sit, Mr. Speaker? From Speaker Muhlenburg down to yourself there has never been a Speaker in that Chair, except one, who has ever claimed that he had the right to supplement the count ordained by the Constitution, and to determine for himself who was present and voting.

A distinguished citizen of the gentleman's own State sat there in the Forty-third Congress for more than seventy hours and resisted the pressure of almost a two-thirds majority in this House, angry, warlike, led by the ablest and bravest men of the Republican party, threatening him, beseeching him, urging him to count as present men that he saw before him but who had not voted upon the record. He replied to them that he had no power to add to the record; that the record must speak for itself.

Mr. Speaker, there are three kinds of votes recognized by our parliamentary rules in this House. One is a vote taken by the Speaker, counted by him; another is a vote counted by the House itself; and the third is a vote counted and ascertained by the written record. When the Speaker puts a question to this House he decides the result first by the sound. If he doubts or if the accuracy of his decision is challenged he may call for a division, or any member of the House may rise and demand a division, and then the Speaker counts again. When he announces the result of that vote his count is finished. If the House is still unsatisfied, then a count is made by the House itself, one member on each side taking his place as a teller and counting the members as they pass. Then the result is announced, a result ascertained and announced by the House itself, and not by the Speaker.

But there is still a further appeal to the court of last resort, to that court beyond which there is no appeal, to that court whose judgment can not be supplemented by parol evidence, whose written record can not be contradicted. That court the Constitution of the United States itself provides for, and any one-fifth of the members present may call for that record vote. When that vote is taken by the record it is final and conclusive, and the Speaker can not add to it. If he can add to it then the judgment itself is worthless. What court is there in the United States or anywhere else that would permit the parol evidence of a sheriff or any other officer to add to the judgment of the tribunal? The record speaks for itself, and it imports absolute verity, and can not be questioned when it is the record of a court of last resort.

Mr. SPRINGER. Mr. Speaker, the gentleman from Maine has called the attention of the House to the position which I took upon the Tucker resolution in the Forty-sixth Congress. He has endeavored to show that my position at this time is entirely inconsistent with the position I then held. I regret that the gentleman from Maine did not at the same time call the attention of the House to the position which he took when the Tucker amendment was pending.

A gentleman from Kentucky, a member at that time, Mr. Phister, had made some remarks in favor of the Tucker rule. The gentleman from Maine then proceeded to reply as follows:

> Mr. Chairman, if it was my purpose to reply to the gentleman who has just taken his seat [Mr. Phister], it seems to me that it would be a suitable and proper reply to say to him that the constitutional idea of a quorum is not the presence of a majority of the members of the House, but a majority of the members present and participating in the business of the House. It is not the visible presence of members but their judgments and votes that the Constitution calls for.

This speech, I desire to remark, Mr. Speaker, is to be found on page 578 of volume 10 of the CONGRESSIONAL RECORD, from which the gentleman himself read. Proceeding to discuss this proposition still further, he said:

> I prefer, however, in the short time which I have, to discuss this question upon a different basis. This privilege—

That is to say, the privilege of breaking a quorum by refusing to vote, which was then under consideration—

> This privilege, which the minority of the House at the last session availed itself of, is a privilege which every minority has availed itself of since the foundation of this Government.

The minority referred to there by the gentleman was the minority of the Republicans in the Forty-fifth Congress.

Mr. REED. That could hardly have been the main idea, because it speaks of minorities ever since the foundation of the Constitution. That has not always been Republican.

Mr. SPRINGER. You were referring to the minority in that Congress. This was the first session of the Forty-sixth Congress.

But let me continue this extract:

> By pure accident, in looking over an index of the RECORD this morning, I found the account of a resolution, which was drawn up by a distinguished member of this House from Massachusetts [Mr. Butler], to cause the arrest of a distinguished member from Pennsylvania [Mr. Randall] for not voting. I believe, however, nothing ever came of that resolution.
>
> Now, what is the practical upshot of the present practice? It is that the members of the minority of this House upon great occasions demand that every bill which is passed shall receive the absolute vote of a majority of the members elected. They do this in the face and eyes of the country. If they demand upon any frivolous occasion that there shall be such an extraordinary vote as that, they do it subject to the censure of the people of this land. This practice has hitherto kept this House in proper condition upon this subject, so that there has been no improper impeding of the public business.
>
> It is a valuable privilege for the country that the minority shall have the right by this extraordinary mode of proceeding to call the attention of the country to measures which a party in a moment of madness and of party feeling is endeavoring to enforce upon the citizens of this land. And it works equally well with regard to all parties, for all parties have their times when they need to be checked, so that they may receive the opinions of the people who are their constituents and who are interested in the results of their legislation.
>
> I say that, as a practical matter, the results hitherto throughout all our history have justified the construction which those upon this side of the House have put upon this matter, and which has been put equally by members of the other side in times past. I must say that I am glad to see that this question is being discussed not by divisions of party, but that gentlemen are taking views upon it with reference to its whole bearing, past and future, as well as present.

[Here the hammer fell.]

Mr. REILLY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois be permitted to proceed for five minutes longer.

There was no objection.

Mr. SPRINGER. When, Mr. Speaker, the gentleman from Maine called the attention of the House to my inconsistency at the time to which he refers, and with reference to the speech I made on that occasion, he entirely left out of view the importance of his persuasive argument and its influence upon me after I had submitted the remarks in question. [Laughter.] He assumed that what he was saying would have no weight, I presume, with anyone; but I must be permitted to assure the distinguished gentleman from Maine that his argument had a powerful effect on my mind at least.

I have not, so far as the proposition is concerned, changed my mind in reference to obtaining a quorum where the yea-and-nay vote is not required. That fact was not called to my attention at the time I made the remarks to which he has referred, nor on the day the rule was discussed. But afterwards it was called to my attention (and the facts brought out in reference to a yea-and-nay vote as required by the Constitution on the demand of one-

fifth of the members present), that when it was to be done under the Constitution that record so made would seem to be the only constitutional evidence of those who were present and voting; and those voting in the affirmative and negative were to determine, as the Constitution requires, whether the bill had received the necessary two-thirds vote to override the Presidential veto. When that was called to my attention I conceded the weight of the argument, and I coincided with the view, which was general on this side of the House, that the proposition should not be pressed, and subsequently it was withdrawn by Mr. Tucker.

Mr. REED. Where is the provision in the Constitution requiring that a quorum shall vote?

Mr. SPRINGER. I had reference to that provision of the Constitution which requires a vote of two-thirds of the members present to override a Presidential veto.

Mr. REED. But how do you know that it means two-thirds of a majority? That is the question; I hope the gentleman will not beg it.

Mr. SPRINGER. The Constitution fixes the majority which is required to pass a bill over the Presidential veto in these words:

But in all cases the votes of both Houses shall be determined by yeas and nays——

Mr. REED. But that is not a quorum.

Mr. SPRINGER (continuing)—

and the names of the members for and against the bill shall be entered on the Journal of each House respectively.

A number less than a quorum has no power, except to adjourn from day to day and to compel the attendance of absent members. Hence, the passage of a bill requires a quorum to be present. The names so entered upon the Journal are the only evidence that can be presented as to whether the majority required by the Constitution had voted upon the measure or not.

Mr. REED. The only evidence is that there was a two-thirds vote in its favor. But the question of a quorum is not presented in that connection.

Mr. SPRINGER. The House, or the Speaker of the House, its presiding officer, will take cognizance of the fact whether or not a quorum was present. The Chair will of necessity take cognizance of that fact. It is a fluctuating number, depending, of course, on the number of members elected to that particular House.

Mr. REED. But the Constitution does not require a quorum to vote. It only requires that those who vote shall vote by yea and nay; that is all.

Mr. SPRINGER. The Constitution requires that a quorum shall be present to do business.

Mr. REED. Present, yes.

Mr. SPRINGER. And in the absence of a quorum nothing can be done except send for absent members and adjourn from day to day.

Mr. REED. Yes, in the absence of a quorum.

Mr. SPRINGER. Though a quorum of the House is always presumed to be present when business is being done.

Mr. REED. But if a quorum is present, is it necessary that they should all vote in order to pass a bill over the President's veto? Does the gentleman hold that to be true?

Mr. SPRINGER. I do. A yea-and-nay vote must be taken under the Constitution, and that yea-and-nay vote must show that two-thirds of a quorum of the House have voted on that question or that bill would not pass.

Mr. REED. That is begging the question.

Mr. SPRINGER. I think not; and that yea-and-nay vote is to be the only record evidence of the fact as to whether the bill passed.

Mr. REED. But the Constitution says that it shall simply be evidence of the vote.

Mr. SPRINGER. And the vote is evidence that the bill passes.

Mr. REED. But it is not the evidence of a quorum.

Mr. ALLEN. Will the gentleman permit me to make a suggestion? I do it merely in the interest of saving time. Would it not be well, in order to stop this controversy between the gentleman from Illinois [Mr. SPRINGER] and the gentleman from Maine [Mr. REED], that the gentleman from Illinois adopt the speech made years ago by the gentleman from Maine and the gentleman from Maine adopt the speech made by the gentleman from Illinois. [Laughter.]

Mr. SPRINGER. I will accept that.

Mr. WALKER. Mr. Speaker, I desire to call the attention of the House to the fact that the doctrine of the gentleman from Texas [Mr. MILLS] is simple disunion, pure and unadulterated. [Derisive laughter on the Democratic side.] It was the purpose of the Constitution to constitute a legislative body. It was the purpose of the Constitution to guaranty the right of every Congressional district of this country to have, through the Representatives of every other district of this country, the opinion of every district in the country upon every question that was brought before this country in legislation. The doctrine of the gentleman from Texas is that the members of this House are responsible to their constituents alone, to the inhabitants of their districts, and them only, for their acts. That when members take the oath to support the Constitution of the United States; when they take the oath to obey the laws of the United States; when they take their seats here and take the oath to obey the rules of this House, that it has no significance; that the members of this House individually are under no obligations to the other members of this House. This simply means disorganization and disunion.

The Constitution provides that this House shall be constituted in a certain way for legislation for the whole country, and that the members of this House shall express their opinion by their vote. That is the practical significance and meaning of every provision of the Constitution touching legislation; while the doctrine of some gentlemen on the other side of this House, and the doctrine taught by the gentleman from Texas [Mr. MILLS], and acted upon in the last Congress by the minority, was that each man, regardless of the Constitution, regardless of his oath, regardless of the laws of the country, and regardless of the rules of the House, shall do that which is right in his own eyes. That he is responsible only to the little section of this country which sends him to this Congress. I maintain that all parliamentary law and all judicial decisions are to the effect that the duty of each member of this House is to the country as a whole and not to his particular district, except as a part of the country, and not the disunion sentiment of the gentleman from Texas [Mr. MILLS] that Congress is simply an aggregation of ambassadors from three hundred and thirty-two separate political units.

Mr. HOOKER of Mississippi. Mr. Speaker, while this discussion was going on I had the pleasure of hearing a portion of the speech of the gentleman from Maine [Mr. REED], in which he made certain quotations from a previous debate in this House; and I want to say that in the same volume he read from is an opinion expressed by a man whose judgment upon matters of this kind we were accustomed to listen to, when he was here, with a great deal of respect. Mr. Speaker, he was from your own State of Georgia, and he left behind him a fame as great as that of any man probably who ever sat in this House. While the very discussion was going on referred to by the gentleman from Maine this distinguished citizen from Georgia gave expression to his opinion in a few interruptions which he made in the speech of my friend Mr. McLane of Maryland. Mr. Stephens asked the question:

Allow me to call the gentleman's attention to this fact, that the object of this amendment is to give a constructive vote to those who actually do not vote.

Mr. MCLANE. I do not so understand it.

Mr. STEPHENS. If not, what would it do? It requires a majority of a quorum on the record—that is, on the Journal—to constitute a vote of the House. If the object of this proposition is not to establish a system of constructive voting as to those who are absent or not voting, what do you gain?

He is referring to the proposition made by Mr. Tucker of Virginia, and he proceeds:

But when you take the yeas and nays upon the passage of a bill, it is never passed unless a majority of the House, a quorum, vote upon its passage. If there be not a majority of those thus voting, after leaving out the excused, the measure can not be carried. If this amendment means anything practical, it must be to provide for a constructive vote.

I have stated that this proposition was withdrawn by the mover himself, Mr. John Randolph Tucker, of Virginia.

Now, sir, a few days ago you adopted as a portion of the rules of this House a rule clothing the Speaker of this House with power to determine what is a dilatory motion, the very thing which my honorable friend from Illinois [Mr. SPRINGER] protested against last session. I suppose it is upon the same idea under which the populace proceed when the king is dead, in saying, "The king is dead," while with reference to the succeeding monarch they exclaim, "Long live the king." I was opposed to this power when it was exercised in this House, and I am opposed in principle to its exercise now. Two such motions were made by the present occupant of the chair and defeated in the last Congress, and my honorable friend from Illinois, when interrupted in the course of his speech and asked if he wanted it amended, said, "No, it is so bad that it can not be amended."

Now, are you going to put in these rules, besides this power which has been adopted, the additional power to clothe the Speaker, in any form, or in any shape of words, with the power to determine whether a man shall vote or not, the Constitution having provided in terms so explicit that all who run can read, and it can not be denied, that a majority of the members elected alone shall possess the power to do business here? It matters not whether the distinguished gentleman from Illinois was right or whether the distinguished gentleman from Maine was right in his speech. If you intend to put in any form of words clothing the Speaker or the assistants at the Clerk's desk with power

to do that which a member has the right to do, you are virtually adopting the same rule which was adopted in the last Congress, giving the officers the power to do that which no man on earth can do save the Representative. He is responsible to his constituents. The gentleman from New York [Mr. COCKRAN] says, "You are giving the minority such very great power that I am tempted to go over from the majority to the minority in order to obtain some of the powers that you are giving them." Does the gentleman forget that if his illustrious example were followed by members of the majority, the minority would soon be swelled to a majority, and then the effect would be to put him in the same predicament when he has two-thirds majority that he would be in if he were in the minority?

The SPEAKER. The time of the gentleman has expired.

Mr. CATCHINGS. I demand the previous question on the amendment submitted by the gentleman from Maine.

The previous question was ordered.

Mr. CHIPMAN. Can we not have the amendment read again?

The amendment was again reported.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

RULE XVI.

ON MOTIONS, THEIR PRECEDENCE, ETC.

1. Every motion made to the House and entertained by the Speaker shall be reduced to writing on the demand of any member, and shall be entered on the Journal with the name of the member making it, unless it is withdrawn the same day.

2. When a motion has been made the Speaker shall state it, or (if it be in writing) cause it to be read aloud by the Clerk before being debated, and it shall then be in possession of the House, but may be withdrawn at any time before a decision or amendment.

3. When any motion or proposition is made, the question, Will the House now consider it? shall not be put unless demanded by a member.

4. When a question is under debate, no motion shall be received but to fix the day to which the House shall adjourn, to adjourn, to take a recess, to lay on the table, for the previous question (which motion shall be decided without debate), to postpone to a day certain, to refer or amend, or to postpone indefinitely, which several motions shall have precedence in the foregoing order; and no motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question.

Mr. BYNUM. Mr. Speaker, I desire to offer an amendment to section 4.

The amendment was read, as follows:

Amend section 4 of Rule XVI as follows:

Insert, in line 1, after the words "when a," the words "motion is pending, or a," and strike out, in the same line, the word "debate" and insert instead thereof the word "consideration." Also strike out, in line 2, the following words: "to fix the day to which the House shall adjourn." Also strike out, in line 3, the following words: "to take a recess;" so that it will read:

"SEC. 4. When a motion is pending, or a question under consideration, no motion shall be received but to adjourn, to lay on the table, for the previous question (which motions shall be decided without debate), to postpone to a day certain, to refer or amend, or to postpone indefinitely, which several motions shall have precedence in the foregoing order; and no motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question."

Mr. BYNUM. Mr. Speaker, I do not think it is necessary that I should take up any great length of time in explaining the effect of this amendment. This rule is the one under which was carried on all the filibustering in preceding Congresses, which proved so unpopular. This rule, in connection with the clause following it, section 5 of the same rule, makes a motion to adjourn, a motion to fix a day to which the House shall adjourn, and a motion to take a recess privileged motions of the highest character. It was, I believe, under the régime of Speaker Blaine, when the force bill was under consideration, that a construction was given to these questions, so that a motion to fix a day to which the House shall adjourn, and a motion to take a recess, were held to be intervening business and could be alternated with a motion to adjourn. Under that construction filibustering became very simple. With the construction that has been given to it one member can filibuster without the yeas and nays being taken. He can move that the House adjourn, and while that motion is pending move to fix a day to which the House shall adjourn, and an amendment to that motion, and while these are pending move to take a recess. So that a vote upon one of these motions makes the others in order, and without the yeas and nays he will be able to worry the House until a majority retires and leaves the House without a quorum. The House would therefore, of course, be compelled to adjourn.

Now, I see no good reason for preserving these motions. It has been said that the Committee on Rules can report a resolution that will stop filibustering. Now I, like the gentleman from Maine, am perfectly willing to trust the Committee on Rules; but I am unwilling to trust myself. I have generally been found among the filibusterers, and, as has been well said by the gentleman from Maine, filibustering has not always been on political questions. It has been more upon other questions. It might be that the Representatives from Chicago, as in the last Congress, might undertake to prevent the passage of the pure-lard bill, and it might be that in retaliation some gentleman upon the other side of the question might undertake to prevent the passage of a World's Fair bill. It is upon these questions, and not upon political questions, that filibustering has been carried to an unwarranted extent in this House.

It was upon the pure-lard bill that there was filibustering in the last Congress; it was against the oleomargarine bill in the Forty-ninth Congress that obstructive tactics were resorted to, and it is generally on questions which are unpopular in one section and popular in another that filibustering takes place. In the Forty-eighth Congress the Committee on Public Buildings and Grounds had a continuing order that would have enabled them to take up the whole session in the consideration of bills upon the Calendar, yet it is a fact that that committee was unable to pass one single measure because of the filibustering practiced by members who were opposed to the appropriations for public buildings, and after three or four days the attempt was abandoned.

Mr. EZRA B TAYLOR. Does not the gentleman think it probable that the "rights of the minority" might be infringed by this proposition which he offers?

Mr. BYNUM. Well, Mr. Speaker, I do not know that the gentleman asks that question in the utmost good faith. However, I will not raise any question about that. But I say, as was said by the gentleman from Maine [Mr. REED] the other day, that if any respectable number of members in this House determine to block legislation they will block it in spite of all the rules that you can adopt.

Mr. REED. Not in spite of rules that you might adopt.

Mr. BYNUM. It is a fact, Mr. Speaker, that if a minority of members determine that there shall be no legislation upon any question they have absolute power to prevent it under the rules as they will exist even after this amendment is adopted. Now, it is said that we ought to preserve these rules as they are, and then if filibustering is practiced to an unwarranted extent, the Committee on Rules will report a rule which will enable us to proceed. But the case is simply this: No one ever saw a majority in this House filibuster upon any question. Filibustering is always by a minority; and if it is wrong to filibuster for a great length of time, it is wrong to clothe the minority with the power to filibuster for any length of time. Therefore, whenever, in the course of business, a majority in the House determine that a measure ought to be considered and adopted, I do not believe that they ought to be compelled to stop and go to the Committee on Rules and ask to be allowed to proceed with the measure. I believe they ought to be allowed to proceed then and there, and the amendment that I have proposed will have no other effect. It will be possible after the adoption of this amendment to delay for a certain length of time, but not for an unreasonable period, the passage of a measure. In the end the majority of the House will be able to proceed without being compelled to go to any committee and ask for power of doing so. The amendment, in the interest of legitimate legislation, ought to be adopted.

Mr. BLAND. Mr. Speaker, the objection that I have to the amendment of the gentleman from Indiana [Mr. BYNUM], as I understand it, is this: I think every gentleman who has been here any length of time knows that it not infrequently happens that very important bills, bills that ought to receive the attention of this House, are rushed through without due consideration. I have seen measures, which I thought bad measures, on which the previous question was ordered, and the passage of which could not possibly have been stopped except by resorting to dilatory motions—in some cases bills that probably would disgrace the House. Why is it that such things occur here? It is because we all know that members frequently become weary and leave their seats and go into the cloakrooms or into their committee rooms, so that there may not be fifty members of the House present when an attempt is made to put such a bill through in that way.

Mr. BYNUM. Will the gentleman permit a question?

Mr. BLAND. Yes, sir.

Mr. BYNUM. I wish to ask the gentleman whether there is not more danger of that happening by allowing filibustering to be carried on to such an extent as to compel the bringing in of a new rule fixing the time at which a vote shall be taken, instead of having the question considered under the rules as regularly framed?

Mr. BLAND. In answer to the gentleman's question I will say that I have seen the previous question ordered here upon bills that ought not to pass, but which would have passed then and there if some gentleman apprehending, perhaps without knowledge of the contents of the bill, but merely from the title, that it was an improper measure, had not moved an adjournment or made some other dilatory motion in order to gain time to bring members back to their seats.

The right to make these motions is a means of defeating measures of that kind which ought to be defeated. Furthermore, it often happens that the majority want to have a bill passed without due consideration, that they are not willing to give the minority an opportunity to discuss it, and I say that it is legitimate filibustering for the minority to move an adjournment, or to make any other dilatory motion, to compel justice to be done to them. So far as these filibustering motions are concerned, when they are exercised in that way they are just and proper, and the exercise of them conduces to the public benefit; and I am opposed to going any further than we have already gone in curtailing the rights of members in that direction. We are secure against any unreasonable delay. Why, then, go any further?

Mr. WILSON of West Virginia. Mr. Speaker, the method of doing business under a free government is just as vital a part of freedom as anything else, and I think, sir, that the theory of free government is that the great thing to be protected is the rights of minorities. I confess that I have not been able to understand—certainly I have not been able at all to approve or sympathize with—the views expressed in this debate as to the absolute rights of majorities in a body like this. Why, our written Constitution, most of the laws upon our statute books, and the rules of procedure in this House likewise, have at bottom the idea of protecting the equal rights of the minority; and, while the rule of a majority is the working rule of free government, Mr. Jefferson well said that it is no part of the theory of free institutions that you should obliterate minorities.

Now, Mr. Speaker, I am not one of those who believe that it is either politic or necessary to smooth the way in this House for lawmaking beyond what has been done in the past. I do not believe that this country ever has suffered from the want of legislation. I believe, with Mr. Hamilton, that the danger, the natural disease, of popular government is the facility and the excess of legislation. And I believe, with Mr. Jefferson, that there is a constant watchfulness needed against such facility and such excess. Mr. Jefferson himself said that a law should be proposed one year in advance of its decision; that it should be fully debated and deliberately examined before it was placed upon the statute book; and I do not believe that we could let loose on this House or on the country a greater scourge or a more dangerous one than "the art of legislation made easy."

Now, Mr. Speaker, gentlemen have debated this question as if we accomplished nothing in the Forty-eighth and the Forty-ninth and the Fiftieth Congresses—as if, to use the language of one gentleman on the other side, wherever we attempted to go we found the sign "No thoroughfare." Let gentlemen look back to the history of those Congresses; and let them tell us what popular measures, what measures for the benefit of the American people, what measures demanded by an intelligent public sentiment in this country were defeated in those Congresses by any defect in the rules or by any power conferred upon the minority to stay legislation. [Applause on the Democratic side.]

Mr. COCKRAN. Mr. Speaker, I take it that the question of the character of the rules to be adopted in this House ought to be, as far as possible, nonpartisan. As I understand it, the decision of the great questions that divide the parties constitutes the stakes which must be played for in the presence of the American people; and the rules governing this House are little more than the methods in which the game of politics must be played. I confess that I am somewhat surprised to find a gentleman who bears the high character of the gentleman from West Virginia [Mr. WILSON] discussing here as an original proposition the right of a minority under a constitutional government to the enjoyment of its property and its liberty, and making that right the standard of the right of a minority in a legislative body. I can not understand the confusion of thought which would place the right of a single member of the populace, whether he be in the majority or in the minority on political questions, upon the same level with the right of a minority or a member of the minority in a legislative body.

I agree with the gentleman that hasty legislation is to be deplored, and that it has been the fruitful parent of evil. I agree with the principles enunciated by Mr. Jefferson that it might be well if every law were proposed a year in advance of the time when it is to be considered. Nay, more; I believe that that tribe mentioned, I believe, by Gibbon, had the best political institution ever known in that one which provided that any person proposing a change in their ancient laws should be brought into the council with a rope round his neck, the rope to be pulled if the proposed law were rejected, and he to be crowned as chief among the tribe if the law should be adopted. I believe that of the mass of legislation precipitated upon this country in Congress and in all the States the vast majority is vicious, and might well be defeated.

But if we are to establish the principle that a minority can block legislation, it may be a valuable one, but it not in accordance with a system of parliamentary government. It may be that there is a better form of government than the parliamentary one; that is a proposition which I can assume the House will not now discuss. For if a majority can not control the legislative body then there is absolute paralysis of the legislative machinery, and the gentleman from West Virginia must know that this attempt to buttress the rights of the minority into such a degree of absolute impregnability that the proceedings of the House can be blocked by them is tantamount to placing the House at the mercy of the minority, and is therefore a complete subversion of parliamentary government.

Now, Mr. Speaker, pardon me a moment further that I may state what I consider ought to be the main object before us in adopting all these rules. We have just established the right of the majority to count its quorum in any way it may think proper. We have equipped the House with the power, through the Committee on Rules, to stop filibustering whenever the House wants to stop it and permit it whenever the House wants to permit it. This rule now under discussion has been reported by the Committee on Rules, and as it now stands I shall support it. I shall support it because the House is already protected from the practice of filibustering so far as protection has seemed necessary to it. I should not support it if I thought it tended to interfere at all with the power of the House, or to establish any other rule for the regulation of its proceedings than the will of the majority.

Mr. HOLMAN. Mr. Speaker, I am very reluctant to occupy any of the time of the House, for I think it exceedingly important that these rules be adopted promptly so that the House may proceed at once to business. But, Mr. Speaker, I can not allow this debate to close without saying a word in regard to the proposition of my friend and colleague [Mr. BYNUM]. I regret to differ from him in opinion upon this or any other subject; but I should be exceedingly sorry to see the amendment proposed by him adopted. Notwithstanding the brilliant utterances of the gentleman from New York [Mr. COCKRAN], and notwithstanding all that has been said in derogation of the rights of minorities, I do not wish to see the minority unduly trammeled. The gentleman from West Virginia [Mr. WILSON], whose views I cordially indorse, speaks truly when he says that the rules are more important to give vigor and vigilance to a minority than for any other purpose.

I have never known a valuable measure to be defeated by the exercise of this right, but I can recall to mind a long list of pernicious measures which have been defeated by the minority. The loss of a few days in this House, the matter of the inconvenience to ourselves, perhaps, is nothing, Mr. Speaker, in comparison with the importance of preventing the passage through Congress of pernicious measures.

The gentleman from West Virginia says that one of the perils, the actual perils to free institutions in this country, is the very great mass of legislation in all legislative bodies that is accumulating year after year. This is the condition in almost every State throughout the Union, and every State almost, perhaps every State, has sought to impose restrictions upon legislation, because the same condition that prevails in the Congress of the United States has prevailed and is prevailing in all legislative bodies throughout this country. Perhaps it prevails to a greater extent here than elsewhere, and a restriction has been imposed in many of the States, requiring that certain measures of legislation shall lie over after their introduction for a limited time before consideration. This restriction has been of marked benefit.

I trust, therefore, that the motion of my colleague will not be adopted. Why should it be adopted after adopting, as we have done, this provision in the fifty-first clause of the rule, which confers certain powers upon the Committee on Rules? After adopting that provision, I think it would be exceedingly unfortunate to restrict gentlemen who may propose to secure only fair debate or their right to amend by proposing to postpone for the time being action upon the pending measure.

Mr. COMPTON. Mr. Speaker, I dislike exceedingly to detain the House with any further discussion of this matter, because I know gentlemen are weary and anxious to conclude the business now in hand. I want to say in the outset of my remarks that I subscribe with my best judgment and whole heart to the declarations so clearly and forcibly set forth by the distinguished gentleman from Texas on the general propositions in all of these amendments to the rules, particularly to the amendment presented by the gentleman from Maine [Mr. REED].

Now, Mr. Speaker, progress is a tempting word, a tempting consideration, but particularly so with young Americans. But, Mr. Speaker, progress, to be valuable, must be in the right direction; and progress, when in the wrong direction, is subversive and destructive of everything an American should hold dear. The gentleman from Maine, panoplied in the impenetrable robe of

his own colossal self-esteem, has sought to transfer his mysterious declarations, metaphors, metaphysics, and sophistries from the North American Review to the forum of this House. He seeks to capture the judgment of men here by covering his proposition with a general veneering, which he calls "progress!" Progress! Mr. Speaker, I am sorry to say right here that, as the record of that gentleman discloses, he seeks on this floor to play the baby act in defense of the only record and declaration that ever fell from his lips, so far as the records of the American Congress show, in which he advocated, like a man, the rights of the American Representative and the liberties of the people whom he represents.

But, sir, the gentleman talks of "progress." Think for a moment of the philosophical wisdom concentrated in that standard of parliamentary law, Jefferson's Manual, coming as it did from the brain and the experience of the greatest tribune of all of the great tribunes of the people. Think of the interpretation, the enforcement of its cardinal doctrines, as illustrated and enforced by the illustrious predecessors of the gentleman from Maine, who have occupied that chair. Think of the interpretation of the parliamentary principles and rules, founded thereon, by a Clay, by a Winthrop, by a Polk, by a Banks, by a Blaine, by a Carlisle, and by a Randall, and then contrast the propositions submitted by the gentleman from Maine with that historic record, and tell me if that is "progress." If that be progress, Mr. Speaker, may the American Congress and the American people be forever delivered from such progress, if it tends in the direction that the gentleman from Maine is going.

Progress! I have no doubt, sir, that when the tyrant Cæsar crossed the Rubicon and the liberties of Rome were destroyed, he would have inscribed upon his banners as he marched to the destruction of the liberties of the Republic that same word, "Progress." I have no doubt that when Napoleon Bonaparte assumed the purple, and put the diadem upon the heads of his followers, he would have claimed that that also was in the line of progress. I know that the illustrious predecessors of the gentleman from Maine who controlled the course of the party which he represents, and of which he is a distinguished member, when they blotted out the last vestige of the rights of the people and took possession with bayonets of the ballot boxes in the South, encircling them with a cordon of bayonets, when they inaugurated governors in opposition to the expressed will of the people and assaulted legislative authority by the force of Federal arms, while the Old World looked on in amazement, they thought or claimed that they also were in the line of progress. And I believe that when, blinded in his conscience and judgment by partisanship, he occupied that chair, and by virtue of the code of rules under which he was acting, forced through this body a bill certainly in violation of the best provisions of the Constitution, wiping out the last vestige of State lines and turning over the whole of the election machinery of this country into the hands of Federal supervisors, partisans *per se*, he thought he was in the line of progress. But, Mr. Speaker, for one, as a Democrat, I want no such progress. I stand by the doctrines affecting personal rights and liberty as interpreted by the fathers, and God grant that no spirit of progress shall ever wipe out the essence of American liberty as embodied in those provisions. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. CATCHINGS. Mr. Speaker, without regard to the merits or the demerits of the proposed amendment, I desire to say that I hope the House will not adopt it, because in Rule IX, which has already been adopted, we have recognized these identical motions as motions of the highest privilege. Rule IX is as follows:

> Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only; and shall have precedence of all other questions, except motions to fix the day to which the House shall adjourn, to adjourn, and for a recess.

So the House has already passed upon this question and has adopted these motions which the amendment seeks to strike out, as motions of the highest privilege, and to adopt the amendment suggested by my friend from Indiana would simply beget an apparent repugnance between two different rules and might invite confusion in their construction. I hope my friend will withdraw the amendment and let us go on with the rules.

Mr. BYNUM. Mr. Speaker, I do not wish to trespass on the time of the House at any great length, and yet I feel that I ought to say a few words in addition to what I have already said.

Mr. Speaker, I yield to no one a greater respect for the rights of a minority than I have; and while I say that I am not so hidebound as to believe that a minority are always possessed of all the intelligence, virtue, and patriotism, I believe that the rights of a majority are entitled to equal respect and to equal dignity. The gentleman from West Virginia says that no one can mention a bill defeated by filibustering which was for the benefit of the general welfare.

Mr. Speaker, the gentleman is very ingenious in taking such a position. He knows full well that no one can show the benefits of a bill that has not become a law.

In all history nothing of the kind can be cited. It is only the success of a measure which demonstrates its practicability and its beneficial results; and unless it is enacted in the law it is easy to say that it would have been injurious, and proof to the contrary is impossible. Now, I want to call attention to the fact that the Committee on Rules, when it brings in a special rule for the consideration of a measure, must necessarily couple with that resolution a provision that at a certain time a vote shall be taken. In other words, the resolution of a committee fixing the consideration of a measure must necessarily incorporate in it a provision which to a certain degree will restrict this House under the regular rules, or these filibustering motions will still be in order. After you fix a day for the consideration of a measure, as well as before, these dilatory motions will be in order.

In brief, if the Committee on Rules give a day for the consideration of a measure, you have not stopped filibustering by so doing. You have not enabled the House to proceed without interruption. The committee must go further, and say that at a certain time the previous question shall be ordered and a vote taken, before you have stopped filibustering. If you allow consideration under the rules as they have been reported, without cutting off debate, without cutting off the power of amendment, then these filibustering motions will be used, and we may and no doubt will be forced to abandon our rules and do business as was done in the last Congress, almost wholly under special order. Mr. Speaker, the unjust demands of a minority has led the majority of this House to restrict the power of amendment, to restrict the power of debate, more than anything else. The rules amply guard and preserve the rights of a minority without conferring upon that minority the right to absolutely check and prohibit all legislation.

When a few members of a minority undertake to block legislation, bad blood is always developed, and the majority looses patience; and when it comes to fixing a rule for the consideration of the bill, will more likely fix an unreasonable rule, cutting off amendments and cutting off debate, than if left to proceed under the general rules of the House. The rules, as I have said, amply protect the minority. After the introduction of a bill, it goes to a committee composed of a majority and a minority representation. It receives due consideration in that committee. A report is prepared upon it, published, and sent to every member. It is considered here. There is a motion to adjourn, and a roll call upon that. There is a motion to lay upon the table. There is a motion to postpone indefinitely; a motion to recommit it. The opposition to any measure can block legislation upon it for a reasonable length of time, in order that the attention of every member of the House and the country may be called to it. The rule that I have proposed simply seeks to protect the majority of this House from unreasonable delay and factious opposition.

The SPEAKER. The question is on the adoption of the amendment proposed by the gentleman from Indiana.

The question was taken; and the Speaker announced that the "noes" seemed to have it.

Mr. BYNUM. I ask for the yeas and nays, in order to obviate loss of time.

The yeas and nays were ordered.

Mr. HOOKER of Mississippi. Before the roll call is commenced, Mr. Speaker, there are a number of gentlemen in the neighborhood of my seat who say they do not understand the amendment, and I ask that it be read again.

The amendment was again reported.

The question was taken; and there were—yeas 87, nays 164, not voting 80, as follows:

YEAS—87.

Abbott,	Crawford,	Lanham,	Randall,
Andrew,	Cutting,	Lind,	Ray,
Bartine,	Dingley,	Lodge,	Reed,
Belden,	Doan,	Loud,	Robinson,
Belknap,	Dolliver,	Lynch,	Sperry,
Bergen,	Enloe,	McKenna,	Stone, C. W.
Bingham,	Enochs,	McRae,	Storer,
Boutelle,	Flick,	Morse,	Stout,
Bowers,	Griswold,	Newberry,	Taylor, Ill.
Bowman,	Hall,	Oates,	Taylor, Tenn.
Breckinridge, Ky.	Haugen,	O'Donnell,	Taylor, E. B.
Brosius,	Henderson, Iowa	O'Neill, Pa.	Taylor, V. A.
Brunner,	Hitt,	O'Neill, Mo.	Terry,
Buchanan, N. J.	Hoar,	Outhwaite,	Townsend,
Bullock,	Hopkins, Pa.	Page, Md.	Walker,
Burrows,	Houk, Tenn.	Patton,	Waugh,
Bynum,	Huff,	Payne,	Wever,
Cable,	Hull,	Peel,	White,
Cadmus,	Johnson, Ind.	Perkins,	Williams, Mass.
Cate,	Johnson, N. Dak.	Post,	Wilson, Ky.
Clark, Wyo.	Johnson, Ohio	Powers,	Wilson, Wash.
Coolidge,	Jolley,	Raines,	

NAYS—164.

Alderson,	Culberson,	Houk, Ohio	Price,
Alexander,	Cummings,	Kendall,	Reilly,
Amerman,	Daniell,	Kilgore,	Richardson,
Arnold,	De Armond,	Kribbs,	Robertson,
Babbitt,	De Forest,	Kyle,	Rockwell,
Bacon,	Dickerson,	Lagan,	Sayers,
Bailey,	Dockery,	Lapham,	Seerley,
Baker,	Dungan,	Lawson, Ga.	Shell,
Bankhead,	Dunphy,	Layton,	Shively,
Barwig,	Durborow,	Lester, Ga.	Simpson,
Beeman,	Edmunds,	Lewis,	Smith,
Bentley,	Elliott,	Little,	Snodgrass,
Bland,	Ellis,	Livingston,	Snow,
Blount,	Epes,	Lockwood,	Springer,
Boatner,	Everett,	Long,	Stackhouse,
Breckinridge, Ark.	Fitch,	Mallory,	Stevens,
Bretz,	Fithian,	Mansur,	Steward, Ill.
Brickner,	Forman,	Martin,	Stewart, Tex.
Brookshire,	Forney,	McCreary,	Stockdale,
Brown,	Fowler,	McKaig,	Stone, Ky.
Bryan,	Fyan,	McMillin,	Stump,
Buchanan, Va.	Gantz,	Meredith,	Tarsney,
Bunting,	Geary,	Meyer,	Tillman,
Busey,	Geissenhainer,	Mills,	Turner,
Bushnell,	Gillespie,	Mitchell,	Turpin,
Butler,	Goodnight,	Montgomery,	Van Horn,
Byrnes,	Gorman,	Moore,	Warwick,
Capehart,	Grady,	Moses,	Washington,
Caruth,	Greenleaf,	Mutchler,	Watson,
Catchings,	Hallowell,	Norton,	Wheeler, Mich.
Chipman,	Halvorsen,	O'Ferrall,	Wheeler, Ala.
Clarke, Ala.	Hare,	O'Neil, Mass.	Whiting,
Clover,	Harmer,	Otis,	Wike,
Cobb, Mo.	Harries,	Owens,	Willcox,
Cockran,	Hatch,	Page, R. I.	Williams, Ill.
Cogswell,	Hayes,	Parrett,	Wilson, Mo.
Compton,	Haynes,	Patterson, Tenn.	Wilson, W. Va.
Coombs,	Henderson, N. C.	Paynter,	Winn,
Covert,	Herbert,	Pearson,	Wise,
Cowles,	Holman,	Pendleton,	Wolverton,
Cox, Tenn.	Hooker, Miss.	Pierce,	Youmans.

NOT VOTING—80.

Allen,	Crain,	Jones,	Rife,
Atkinson,	Crosby,	Kem,	Rusk,
Beltzhoover,	Curtis,	Ketcham,	Russell,
Blanchard,	Dalzell,	Lane,	Sanford,
Branch,	Davis,	Lawson, Va.	Scott,
Brawley,	Dixon,	Lester, Va.	Scull,
Broderick,	Donovan,	Magner,	Shonk,
Bunn,	English,	McAleer,	Stahlnecker,
Caldwell,	Fellows,	McClellan,	Stephenson,
Caminetti,	Funston,	McDonald,	Stewart, Pa.
Campbell,	Grout,	McGann,	Stone, W. A.
Castle,	Hamilton,	McKeighan,	Sweet,
Causey,	Harter,	McKinney,	Taylor, J. D
Cheatham,	Heard,	Miller,	Tracey,
Chapin,	Hemphill,	Milliken,	Tucker,
Clancy,	Henderson, Ill.	Pattison, Ohio	Wadsworth,
Cobb, Ala.	Hermann,	Pickler,	Warner,
Coburn,	Hooker, N. Y.	Quackenbush,	Weadock,
Cooper,	Hopkins, Ill.	Rayner,	Williams, N. C.
Cox, N. Y.	Johnstone, S. C.	Reyburn,	Wright.

So the amendment was rejected.

Mr. REILLY. Mr. Speaker, I desire to ask leave of absence for my colleague [Mr. MCALEER] for to-day and to-morrow. He is paired with his colleague [Mr. SHONK].

Mr. DOCKERY. Mr. Speaker, my colleague [Mr. HEARD] was absent yesterday from the House on account of sickness, and is absent to-day for the same reason. I desire leave for him.

The SPEAKER *pro tempore* (Mr. RICHARDSON). Without objection these leaves will be granted.

The following pairs were announced:

Until further notice:

Mr. WEADOCK with Mr. RUSSELL.

Mr. MCALEER with Mr. SHONK.

Mr. COBB of Alabama with Mr. HOPKINS of Illinois.

Mr. BUNN with Mr. ATKINSON.

Mr. HEMPHILL with Mr. GROUT, until further notice, except on the rules.

For this day:

Mr. CROSBY with Mr. CURTIS.

Mr. HEARD with Mr. REYBURN.

Mr. TUCKER with Mr. PICKLER.

Mr. SCOTT with Mr. SANFORD.

Mr. MCKINNEY with Mr. CALDWELL, for the rest of this day.

Mr. RUSK with Mr. MILLIKEN, on this vote.

Mr. CATCHINGS. Mr. Speaker, the word "motion," in the fourth line of clause 4, should be in the plural, "motions;" and I ask that that correction be made.

The SPEAKER *pro tempore*. The gentleman from Mississippi asks unanimous consent for a verbal amendment to be made to this clause. If there be no objection the amendment will be made.

There was no objection, and the amendment was made.

The Clerk read as follows:

5. A motion to fix the day to which the House shall adjourn, a motion to adjourn, and to take a recess shall always be in order, and the hour at which the House adjourns shall be entered on the Journal.

Mr. BURROWS. I move to strike from that clause the words:

A motion to fix the day to which the House shall adjourn, * * * to take a recess.

The SPEAKER *pro tempore*. Does the gentleman desire to be heard?

Mr. BURROWS. I do not.

The question was taken, and the amendment was rejected.

Mr. REED. I move to strike out the whole clause.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

9. At any time after the expiration of the morning hour it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue or general appropriation bills.

Mr. BURROWS. I offer as an additional clause to Rule XVI, to be known as clause 10, the amendment which I send to the Clerk's desk.

The Clerk read as follows:

No dilatory motion shall be entertained by the Speaker.

Mr. BURROWS. Mr. Speaker, by the code of rules so far considered and passed upon by this House it is provided that when the Committee on Rules makes a report no dilatory motion shall be entertained by the Speaker when that report is under consideration. I fail to see why that privilege should be accorded to the Committee on Rules and denied to every other committee of this House. I fail to see why that privilege should be accorded to that committee and denied to the individual membership of this House. By the proposition just offered it is proposed that the Speaker shall not entertain any dilatory motion. Then whenever any proposition is before the House and being considered, whether it is advocated or advanced by a committee or by an individual member of this House, no dilatory motion can be applied to it, but the House shall be brought to a direct vote upon the proposition, without a dilatory motion, and the sense of the House taken upon its merits.

The rules as formulated up to this time expose every single committee of this House and every individual member of it to filibustering motions, and compel the committee or the individual, if he ever succeeded in getting a vote upon a proposition, to appeal to the Committee on Rules to stop these dilatory motions.

For instance, suppose the Committee on Coinage, Weights, and Measures shall report a measure for the free coinage of silver under these rules, and a minority, composed of gentlemen on this side or on the other side, or on both sides, commence filibustering against the consideration of that measure, under this system of rules you will be compelled to appeal to the Committee on Rules for an order to stop that filibustering. Now, if the Committee on Rules shall take it into its head to suppress the request of another committee of this House, or of an individual, for such a special order, that is the end of it, and a vote can never be reached on that proposition. Let no man delude himself with the idea that the Committee on Rules can be compelled to report in such a case, because under these rules it can not be compelled to report; so that it will be utterly impossible to bring the House to a vote upon the proposition.

Now, the amendment I propose is this: That instead of appealing to the Committee on Rules to report an order for the consideration of that measure, and to stop filibustering, the Speaker shall be prohibited from recognizing dilatory motions upon that or upon any other measure, and that, when filibustering is instituted, he shall at once decline to entertain dilatory motions, and thereby bring the House to a vote upon the main proposition. In other words, I want this House to understand just what it is doing by adopting these rules. It is putting the control of the House and all its legislation absolutely in the hands of three gentlemen, the Speaker of the House and the two members of the majority of the Committee on Rules; and whenever you have a proposition in this House, whether it be a great public measure or a measure in which the people of your district are interested, as, for instance, a bill for the construction of a public building, if any number of gentlemen, one or two or more, shall see fit to filibuster against that proposition, you never can get a vote without appealing to the Committee on Rules.

[Here the hammer fell.]

Mr. CATCHINGS. Let us have a vote, Mr. Speaker.

Mr. BURROWS. I would like two or three minutes more.

Mr. CATCHINGS. I ask unanimous consent that the gentleman be allowed five minutes more.

There was no objection, and it was so ordered.

Mr. BURROWS. I say that under the rules there will be no way of getting a vote upon a proposition for the consideration of your public-building bill or any other unless the Committee on Rules approve of the measure. You have to ask that committee to report a special order fixing a time when the vote upon your bill shall be taken, and if they see fit not to report that special

order you can never get a vote upon your bill under these rules. But if, on the other hand, the proposition is one which the Committee on Rules or the managers of the Democratic party here think ought to be put forward, then a special order will be reported for that purpose.

Now, gentlemen, if you adopt this system of rules you might as well go home at once, the great body of this House, because you will have abrogated your power as the Representatives of your districts; you will have surrendered the sovereignty of the people who sent you here; you will have said by your votes: "We are not competent to legislate, so we propose to turn the whole question of legislation over to three gentlemen who have been chosen as leaders of the majority, and the fate of all propositions in which our districts are interested is consigned entirely to the judgment of those gentlemen."

Now, I say that when any committee of this House reports a proposition to the House and that proposition is placed on the Calendar and is reached for consideration, and filibustering is attempted against it, there is no earthly reason why the Speaker should not, in the interest of legislation, be clothed with the power to refuse to recognize any motion that is dilatory, and there is no reason why he should not have that power without being compelled to appeal to the Committee on Rules to clothe him with it in that particular case. I believe that is in the interest of the business of this House, and it is certainly in the interest of every individual of the House who comes here pledged to the passage of certain measures in which his constituency are particularly concerned.

Mr. CATCHINGS. Let us have a vote, Mr. Speaker.

The question was taken on the amendment of Mr. BURROWS, and the Speaker *pro tempore* declared that the "noes" seemed to have it.

Mr. BURROWS. I ask for a division.

The House divided; and there were—ayes 34, noes 96.

So the amendment was rejected.

Mr. ENLOE. I offer an amendment to this section.

The SPEAKER *pro tempore*. Does the gentleman desire to offer it as an independent paragraph?

Mr. ENLOE. I desire to offer an amendment to the last paragraph, the amendment which I send to the desk.

The amendment was read, as follows:

Add to clause 9: "or other bills of a public nature."

Mr. ENLOE. Mr. Speaker, I want to state to the House my reason for offering that amendment. My object is to place public measures which may be of such importance that the House may desire to consider them in such a position that they can be got up for consideration in some other way than by undertaking to reach them on the Calendar as "unfinished business." As I understand this code of rules it will leave every public measure subject to the action of anybody who may choose to filibuster out the morning hour, so that it will be impossible to get at important public measures except by reaching them upon the Calendar as unfinished business; and those of us who have had experience here know that when you get a bill on the Calender as "unfinished business" it is practically a finished business, because it is never reached again. [Laughter.] Now, I want to have these rules in such form that the House, if it desires to consider a public measure of importance to the whole country, can, when the motion is made to that effect, determine whether it will consider that measure in preference to an appropriation bill or a bill raising revenue. That is the object of my amendment.

The amendment was rejected.

The SPEAKER *pro tempore*. The Clerk will read the next rule.

The Clerk read as follows:

RULE XVII.

1. There shall be a motion for the previous question, which, being ordered by a majority of members present, if a quorum, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its engrossment and third reading, and then, on renewal and second of said motion, to its passage or rejection. It shall be in order, pending the motion for or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee; and a motion to lay upon the table shall be in order on the second and third reading of a bill.

2. A call of the House shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the Speaker that a quorum is not present.

3. All incidental questions of order arising after a motion is made for the previous question and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

Mr. BURROWS. Mr. Speaker, there is in this rule another opportunity for delay, and I can see no other purpose for engrafting it in the rule. If the House will look at the rule it will find that it is provided, commencing with the fifth line, that the previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments, and include the bill to its engrossment and third reading; and then, on renewal and second of such motion, to its passage to rejection.

Mr. Speaker, I move to amend the pending paragraph by striking out the words, "its engrossment and third reading, and then, on renewal and second of said motion, to."

Under this rule as it is now framed a gentleman in charge of a bill moves the previous question on the engrossment and third reading of the bill; and if that is carried, then, after the engrossment and third reading, he must again demand the previous question on the passage of the bill. Now, after a bill has passed to its engrossment and third reading it is beyond the stage of amendment; and there appears no necessity for providing in the rule for these two motions for the previous question. In the last Congress the words I propose to strike out were eliminated, so that the gentleman in charge of a bill could move the previous question on the engrossment and third reading and passage of the bill.

Mr. BRECKINRIDGE of Kentucky. Allow me to suggest to the gentleman from Michigan (who is a better parliamentarian than I am) whether after the third reading of a bill there might not be an amendment put on it in the nature of a "rider," which could not be done if the previous question were operating upon the passage of the bill. Is not that the reason of the rule being reported in its present form? I merely ask for information.

Mr. BURROWS. I will state to the gentleman from Kentucky that after the engrossment and third reading of a bill it has passed beyond the stage of amendment.

Mr. BRECKINRIDGE of Kentucky. It can not be amended in the ordinary form; but can not a "rider" be put upon it?

Mr. BURROWS. I think not; that would simply be a form of amendment.

Mr. BRECKINRIDGE of Kentucky. May it not be recommitted with instructions to incorporate a particular amendment?

Mr. BURROWS. That could be done after the previous question had been ordered on the third reading and passage of the bill even if my amendment were adopted. But the rule as proposed here requires two motions for the previous question—first on the engrossment and third reading, and secondly on the passage, which would necessitate two roll calls if they were insisted upon, and would open the door for filibustering upon each motion.

Now, in the Fifty-first Congress we eliminated the clause which I now propose to strike out, and allowed the motion for the previous question to cover the engrossment, third reading, and passage of the bill. If my amendment be adopted the clause will provide that the previous question may "include the bill to its passage or rejection," thus necessitating but one motion for the previous question.

The question being taken on the amendment of Mr. BURROWS, it was rejected, there being—ayes 38, noes 92.

The Clerk read as follows:

Any amendment of the Senate to any House bill shall be subject to the point of order that it shall first be considered in the Committee of the Whole House on the state of the Union, if originating in the House it would be subject to that point.

Mr. MCRAE. Mr. Speaker, I move to amend by inserting between the word "bill" and the word "shall," in the first line of the rule just read, these words: "may be considered and disposed of at the time the bill is laid before the House by the Speaker, but."

Mr. Speaker, I hope the amendment will be adopted. Its purpose is simply to allow immediate consideration of House bills with Senate amendments when they are laid before the House by the Speaker, subject to the point of order that they shall be considered in the Committee of the Whole House on the state of the Union, if originating in the House it would be subject to that point. I can see no good reason why there should be any opposition to this amendment, and I hope the Committee on Rules will accept it.

Mr. HOLMAN. Mr. Speaker, I am afraid my friend from Arkansas [Mr. MCRAE] makes a mistake in offering this amendment. Under the amendment a bill coming from the Senate and containing it may be an important appropriation of money would be entitled to immediate consideration without a moment's examination by any committee. Other cases illustrative of the objection to the gentleman's proposition might be stated. Suppose a bill, unimportant in itself, passes this House and goes to the Senate, where it is changed in a vital manner. Such a bill on coming back to this House would be entitled to immediate consideration without any reference to a committee. I trust the amendment will not be adopted.

Mr. MCRAE. Mr. Speaker, the gentleman from Indiana [Mr. HOLMAN] does not understand, or at any rate he fails to state, its effect. With this amendment the rule will still allow all bills carrying appropriations to be referred the Committee of the

Whole House whenever the point is made that it should be so referred and considered. It does not require that the bill as amended shall be immediately passed upon; but it gives the House the right to consider its own bills when they are laid before the House with the amendment of the Senate. It may be referred to the Committee of the Whole House or to a standing committee if desired by the House. Under the rule, without this amendment, all bills must, unless unanimous consent is given, be referred, however meritorious and harmless the bill.

Unless something of this kind be agreed to, we put ourselves in the attitude of discriminating against House bills. To illustrate, a bill is passed by the House, goes to the Senate; when received an immaterial amendment is made. The bill comes back to the House, and can be disposed of in a moment, but under the rule it must, whether a majority of the House so desires or not, be referred to a standing committee, and when reported is put at the heel of the Calendar. That means the defeat of the measure, for the Calendar is never reached in this House. If my amendment be agreed to, a great many matters of minor importance, that the House would be ready and willing to dispose of at once, could and would be acted on immediately without the constant appeal for unanimous consent. But if the old rule be adopted, we shall find that but few of the House bills will become laws. The alternative will be either to take up Senate bills and rush them through by unanimous consent without consideration or to do nothing with these small matters.

Mr. BLAND. As I understand the gentleman's amendment, it will not prohibit an appropriation bill or any other bill properly belonging to the Committee of the Whole from being considered by that committee.

Mr. McRAE. No, sir; that right is preserved by the amendment. If the point be made, all bills properly referable must go to the Committee of the Whole—must be so referred. The only effect of the amendment is that when a House bill is returned from the Senate with amendments, it shall be in order when the amendment is laid before the House by the Speaker to give the House the right to take up and consider the measure instead of having it go on one objection to a committee to die. It is so reasonable that no one ought to object to it.

Mr. BLAND. I do not see any objection to that.

Mr. HOLMAN. It certainly will not be subject to a point of order. I hope the proposition as suggested will be reported as it will stand if the amendment is adopted.

The amendment was again read.

Mr. McRAE. If that is not clear I can not see how it could be made clearer.

Mr. HOLMAN. I did not notice the force of the last provision.

Mr. DOCKERY. It seems to be a good amendment.

The question was taken; and on a division there were—ayes 90, noes 98.

So the amendment was rejected.

The Clerk read as follows:

1. Every bill and joint resolution shall receive three readings before its passage, which shall be as follows: The first and second readings by title on introduction for reference, or, being original bills, on report from committees for commitment, except when the second reading in full shall be demanded by a member: *Provided*, That original bills, on being reported by unanimous consent for present consideration, shall be read the first time in full; the second and third time by title, unless the third reading in full shall be demanded by a member.

Mr. CATCHINGS. I ask unanimous consent that that paragraph be passed over for the present. I make the request because I know an amendment will be offered to the next rule, which, if adopted, will make it necessary to rearrange this paragraph.

There being no objection, the request was agreed to.

The Clerk read as follows:

3. No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill: *Provided*, That it shall be in order further to amend such bill upon the report of the committee having jurisdiction of the subject-matter of such amendment, which amendment, being germane to the subject-matter of the bill, shall retrench expenditures.

Mr. BOATNER. I desire to offer an amendment to this section, which I send to the desk.

The Clerk read as follows:

Amend paragraph 3, Rule XXI, by striking out all the paragraph after the word "order," in line 6; so that it will read:

"No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendment thereto changing existing law be in order."

Mr. BOATNER. This amendment is offered in order to deprive the Committee on Appropriations of the power to incorporate legislation on the appropriation bills. In other words, it conforms the rule of this Congress to the rule, as I understand it, which prevailed in the Fiftieth Congress.

There is nothing I can say on the subject which will give any additional light to the House. The members here are doubtless well acquainted with the effect of the rule as it existed heretofore.

I offer the amendment to take the sense of the House whether they are willing to embark on this class of legislation and permit the Committee on Appropriations, instead of confining them to their legitimate duty of making appropriations to carry on the Government according to existing law, to incorporate on their appropriation bills such new measures of legislation as may meet their approval.

Mr. HOLMAN. Mr. Speaker, when this subject was up for consideration in the general debate I did not participate, feeling that I could say all that would probably be necessary on the subject of this rule in the five-minute debate. I regret now that I had not addressed myself to the question, for I am very confident that if this measure is well understood the House will not sustain the motion to strike out. I wish to refer briefly to the history of this rule—that part of it proposed to be stricken out. The rule was introduced into the House by a member of the Democratic party acting in concert with Democratic colleagues in the Forty-second Congress, but failed of adoption. It was introduced again by a member of that party in the Forty-third Congress, referred to the Committee of War Claims, simply for the purpose, if possible, to get the measure before the House, as that committee was in favor of it, and there was no distinctive Committee on Rules. No action was taken upon it in that Congress, however.

When the Democratic party came into power in the Forty-fourth Congress and looked over the ground, it was clear there could be no retrenchment of the expenses of this Government unless the rules were changed so as to create some facilities for reduction, and accordingly the rule was adopted in the following form, providing that no appropriation bill or amendment should be in order changing existing law, except such provisions and amendments which, being germane to the subject-matter of the bill, shall retrench expenditures.

That was the rule adopted by the Forty-fourth Congress, and it was adopted the moment that the party had the power in the course of business to do so. The effect of that was this very striking result. Mr. Randall of Pennsylvania was the chairman of the Committee on Appropriations. The appropriations made by the Forty-third Congress in its two sessions were $362,851,212.06. The appropriations made by the Forty-fourth Congress, $299,144,788.88, a reduction of $63,705,423.18.

Mr. BLAND. In the two sessions.

Mr. HOLMAN. In the two sessions of the Forty-fourth Congress; being the largest reduction ever made by one Congress, compared with its predecessor, in our history; a large portion of which was made in the first session of the Forty-fourth Congress. And upon that the Democratic party went before the country in 1876, and gentlemen know the result. Tilden and Hendricks were elected President and Vice-President, but, as gentlemen know, were never inaugurated.

Mr. SAYERS. I would like to ask my friend from Indiana whether or not he attributes that large reduction to the existence of this rule or to the fact that there was a change in the control of this House?

Mr. HOLMAN. I do not understand the gentleman.

Mr. SAYERS. That Democrats had got control of the House.

Mr. HOLMAN. Why, certainly, or no reduction would have been made in expenditures. But how could the Democrats have reduced the expenditures of the Government unless they had the power to do just what the rule authorized? How could they have made any reduction at all? How can you make reductions in the expenses of carrying on this Government except in a large degree by reducing salaries and abolishing offices and the like, and repealing and modifying laws? Here was the beginning. There was a retrenchment, as will be seen, of more than $63,000,000 in the two sessions of the Forty-fourth Congress, a larger sum than was necessary to carry on your Government only thirty-one years ago.

Mr. BLOUNT. Will the gentleman allow me a question?

Mr. HOLMAN. Certainly.

Mr. BLOUNT. The gentleman has stated the actual reduction. I wish him to state if that was not the result of a compromise between the two Houses, and if the reduction actually proposed by the House was not very much larger.

Mr. HOLMAN. Oh, enormously. I have only stated what we accomplished under this rule.

The time of Mr. HOLMAN having expired, on motion of Mr. WISE and Mr. DINGLEY, it was extended for five minutes.

Mr. HOLMAN. I wish to state that in the Forty-fifth Congress that rule was changed and somewhat restricted. The original rule allowed any legislation on an appropriation bill, if germane, which would reduce expenditures; but in the Forty-fifth Congress the rule was put in its present form substantially. Now, how far can you legislate on an appropriation bill under this proposed rule? It does not go as far as I wish. It allows you to retrench by provisions on an appropriation bill for three purposes only, and it is those three purposes the gentleman from Louisiana proposes to strike out. The three purposes are, first, by the reduction of the number and salaries of the officers of the United States. I wish the ear of the gentleman from Louisiana [Mr. BOATNER] a moment. The first provision for retrenchment under this rule is by a reduction of the number of officers and reduction of the salaries of officers of the United States.

Now, does my friend propose that we shall not reduce the number of officers nor reduce in any case the salaries of officers of the United States? Why, I shall show that after that rule was abolished the number of offices began to steadily increase, and finally increased beyond any precedent in your history except in time of war. Does the gentleman propose to deprive this House of the opportunity to reduce the number of officers and to reduce their salaries? I will yield for a reply if my friend will give it now, or I hope he will reply later. I assure this side of the House that if you propose to disarm yourselves of the power of reducing salaries and reducing the number of officers employed by this Government this amendment will accomplish that purpose. The second way in which you can retrench under the rule now pending——

Mr. BURROWS. Will my friend allow a question right there?

Mr. HOLMAN. I have so little time I can not yield.

Mr. BURROWS. I would like to ask a question.

Mr. HOLMAN. Gentlemen say, as to the abolishing of unnecessary offices and the reducing of salaries, "Why, bring in your bills." Did any gentleman ever know of a separate bill going through Congress reducing the number of offices or reducing salaries?

Mr. BLOUNT. The Senate would not notice such a bill.

Mr. HOLMAN. Of course not. I do not think you will find an instance of that in the history of Congress; certainly not in the last thirty years. Such a bill would go to a committee of the Senate and of course there would be the end of it. But the second way in which you may legislate under the pending rule is by the reduction of the compensation of any person paid out of the Treasury of the United States. Do you wish to deprive yourselves of that power?

In the third place, by the reduction of amounts of money covered by the bill. Do you wish to deprive yourselves of that power, gentlemen? If you do, sustain this motion to strike out. My friend from Louisiana simply proposes now to strike out the provisions authorizing you to reduce the number of officers of this Government, to reduce their salaries, to reduce the compensation of persons paid out of the Treasury of the United States, and to reduce the amount covered by the appropriation bill.

Will you gentlemen consent to deprive yourselves of these three powers? One step further. The provision of this proposed rule does not relate to the Committees on Appropriations alone, but the provision applies to other committees. It is as follows:

Provided, that it shall be in order further to amend such bill upon the report of a committee—

Other than the Committee on Appropriations, of course—

having jurisdiction of the subject-matter of said amendment, which amendment being germane to the subject-matter of the bill shall retrench expenditures.

The first part of the rule is also a rule of the Senate; the latter clause is not in the Senate rule, but the first is. In this rule any other committee, having charge of a matter of legislation which may retrench expenditures, can offer an amendment on a pending appropriation bill.

Now, sir, the former rule was abolished in a contest which occurred on this side of the House in which it was not specially involved, because other matters were overriding it. It was abolished at the beginning of the Forty-ninth Congress. I think I could show to you gentlemen on this side of the House that this rule would not have been abolished had it not been for a contest that occurred on the tariff question in the Forty-ninth Congress. But this rule was abolished in the Forty-ninth Congress.

What has been the result of its abolition, the House depriving itself of the power to reduce appropriations? I will not point out the extent to which appropriations were increased at once, except to make this comparison.

Mr. BLOUNT. Will the gentleman allow me to ask him a question?

Mr. HOLMAN. Certainly.

The SPEAKER. The time of the gentleman has expired.

Mr. HOLMAN. I hope I shall be allowed further time.

Mr. BLAND. I ask that the gentleman be permitted to proceed without limit.

Mr. MCKENNA. I ask unanimous consent that the gentleman be allowed to proceed for ten minutes.

Mr. HOLMAN. I do not ask unlimited time. Ten minutes is all I ask for.

The SPEAKER. Is there objection to the request that the gentleman from Indiana be allowed to proceed ten minutes? [After a pause.] The Chair hears none.

Mr. HOLMAN. There was but a slight increase in the Forty-fifth, Forty-sixth, and Forty-eighth Congresses. I admit there was a steady but not a large increase each year. But in the Forty-ninth Congress, after the abolition of the rule and from that time on there has been a startling increase in the appropriations made by Congress. Let me make a comparison here. I can not go into details. Let me make a comparison between the appropriations of thirteen years ago and now, and see whether there is any need of retrenchment in the expenditures of this Government.

Look at the appropriations to carry on this Government on the basis of the Forty-fourth Congress. I undertake to say here that this Government was never better administered, especially under a Republican Administration that came into power questionably, than during that period. The only men who complained of the withdrawal of that $63,705,423.18 of appropriation that remained in your Treasury were those who did not get the money. No public interest suffered. In the Forty-fourth Congress the appropriations were $299,145,788. In the last, the Fifty-first Congress two sessions)—I will leave out, of course, the permanent appropriations—they were $781,765,554.37, an increase of $482,000,000 in this brief period of time of thirteen years that ought to startle the people of this country.

For the first seventy-three years the expenditures did not reach $63,000,000, and yet in thirteen years you increase the expenditures of this Government to the enormous extent of over four hundred and eighty-two millions. Yet, gentlemen, the only chance you have to retrench, in the position of the House, with the Senate in opposition to it, even to the extent of a tithe of a hair, except in connection with some contingencies or deficiencies, is by conferring upon your committees, not on one committee, but on all the committees having charge of appropriation bills, the power to retrench by legislation on appropriation bills. Of course the abolition of an office is legislation; and, of course, you can not and will not legislate in that direction except on appropriation bills, and you have never done so. You can not retrench as to salaries, you can not retrench as to many other things, on the basis of existing laws except as to contingencies and the like.

Now, gentlemen, the cry is against "riders on appropriation bills;" and even as sagacious and prudent a gentlemen as my friend from Maine [Mr. DINGLEY], and my friend the distinguished gentleman from California [Mr. MCKENNA], declaim against riders on appropriation bills as unreasonable and exceptionally wicked. Let us see what occurred in the last Congress. They did not retrench. The House did not have the power to put a rider on an appropriation bill for retrenchment; but in both the first and second session they piled up the expenditures of this Government by legislation on appropriation bills.

We need not attempt to deceive ourselves. The intelligent people of this country understood before the first session of the Fifty-first Congress had expired how things were driving, and by that extraordinary cyclone which struck this country in 1890 showed that the public sense of duty was so aroused at the lavish expenditure that marked that Congress as to demand an immediate change in this House.

Let us see how they legislated, and I call the attention of my friend from Maine [Mr. DINGLEY] and of my friend from California [Mr. MCKENNA] to the facts. They legislated "liberally" on appropriation bills. The Senate literally loaded down those bills with legislation. They created, on appropriation bills, 1,941 offices at an annual cost of $2,359,000. No complaint was made of that by you gentlemen, because that was legislation in the interest of extravagance; that was legislation in the interest of favored classes. And now we are to be deprived of the right to strike down, by legislation on appropriation bills, this enormous increase of public officials which was created by the last Congress on such bills.

By legislation on appropriation bills they increased salaries to the extent of $245,108; yet we are not to be permitted to reduce salaries by proper legislative provisions upon appropriation bills! It was all right for the Senate to load down your bills with increased salaries and to add nearly two thousand to the number of your public officials, but it will not do to permit the House of Representatives to put "riders" on appropriation bills to reduce those salaries or the number of those officials. Suppose we should bring in a bill here abolishing the most insignificant office; we should be met instantly with the point of order "that is legisla-

tion; and being legislation, it can not be considered, but must go out on the point of order."

Take a few cases for illustration of the increases made by legislation on appropriation bills. The salaries of five judges and of the chief justice of the supreme court of the District of Columbia were increased on an appropriation bill, the salary of the Commissioner of the Land Office was so increased; the salary of the Assistant Commissioner of the Land Office was increased; the salaries of thirty principal examiners in the Pension Office were increased, the salary of the chief clerk of the Land Office was increased; the salary of our minister to Turkey was increased from $7,000 to $10,000, and the salary of the minister to Mexico was increased from $12,000 to $17,000. Then, on appropriation bills in the last Congress, the office of Assistant Secretary of the Treasury was created, a proposition which has been heretofore resisted by the Democratic party, and also the offices of Assistant Secretary of War, Assistant Secretary of the Navy, and Assistant Attorney-General. A member of the Fortifications Board was added at a salary of $5,000, and a superintendent of charities in this city at a salary of $3,000.

The Zoölogical Park was created by legislation on an appropriation bill. I have here a list, covering a page, of legislation, independent of new offices and increases of salaries, that was made on appropriation bills in the last Congress.

LEGISLATION ON APPROPRIATION BILLS, FIFTY-FIRST CONGRESS.

Legislation authorizing segregation of irrigable lands in the arid region and for the selection of sites for reservoirs and reserving all such lands for sale, was had under a Senate amendment on the sundry civil appropriation act for 1889; and after an expenditure of $350,000 the said legislation was repealed and all entries of land made in violation thereof, but in good faith, were validated under a Senate amendment on the sundry civil appropriation act at the first session of the last Congress.

Limit of cost of public building at Milwaukee, Wis., increased from $1,200,000 to $1,600,000 by Senate amendment to sundry civil appropriation act for 1891.

Purchase of site for new building for Government Printing Office, to cost $250,000, authorized on sundry civil appropriation act for 1891, under a Senate amendment, and the same suspended under a Senate amendment to the last sundry civil appropriation act.

Method of taking property for public use in the District of Columbia, under condemnation proceedings by appraisement of three commissioners, to be appointed by the supreme court of the District, instead of by a jury, authorized under a Senate amendment to the sundry civil appropriation act for 1891.

Zoölogical Park authorized to be established at a cost of $200,000 on District of Columbia appropriation act for 1890 under a Senate amendment.

On the Indian appropriation act at the last session, by legislation under amendments of the Senate, seven different treaties were ratified, involving an expenditure of $5,626,290.75, and provision was made for the payment of the Choctaw and Chickasaw Indian claim, amounting to $2,991,450.

Provision on last pension appropriation act by Senate amendment regulating time of payment of pensions,

Purchase of Butler Building at cost of $275,000; Maltby House at $138,000, and Richards property, occupied by Coast Survey, at $155,000; the latter two by Senate amendments authorized on last sundry civil appropriation act.

Action of Commissioners of the District of Columbia in granting permits for extension of buildings in Washington beyond building line and upon streets and avenues of said city ratified by legislation, under Senate amendment under last District of Columbia appropriation act, and such permits authorized hereinafter with the approval of the Secretary of War.

Payment of French spoliation claims, aggregating $1,304,404.46, authorized on last deficiency act by Senate amendment.

Legislative provision on last District of Columbia appropriation act relieving certain ex-Commissioners of the District from liability on accounts aggregating over $20,000, which had been suspended by the accounting officers.

Legislation extending limits of cost for public buildings at Buffalo, N. Y.; Birmingham, Ala., Burlington, Iowa; Mankato, Minn.; New Haven, Conn.; Pueblo, Colo., and San Francisco, Cal., was had on the last sundry civil appropriation act by Senate amendments thereto.

Yet my friends from Maine and from California grow indignant when it is proposed that this House shall arm itself with power to legislate in the interest of the people by reducing officers and salaries of officers in the very same manner by which they were increased. Gentlemen, if you arm your committees, your Committee on Indian Affairs, your Committee on Naval Affairs, your Committee on Military Affairs, your Committee on Foreign Affairs, and your Appropriations Committee with powers to report to this House legislation to the reasonable extent proposed in this provision and cordially sustain the reports made in the interests of economy you can go confidently before the people in the coming contest, because you will have carried out the pledges made by the Democrats in the contest of the year before last, which terminated with such satisfactory results.

But where will there be any retrenchment or the opportunity for retrenchment if you do not permit the power to do it? Will my friend from Louisiana [Mr. BOATNER] suggest to me some mode by which we can retrench the expenditures of this Government without some such provision in our rules as this? How will you abolish any office? How will you reduce any salary?

Mr. BOATNER. By legislation to that effect.

Mr. HOLMAN. Legislation! You pass a bill here to abolish any one of the one thousand nine hundred offices created by the last Congress upon appropriation bills, and does the gentleman believe it will ever see light in the Senate?

Mr. BOATNER. And by this means you get the small fish which are not worthy the attention of the Senate, and the big fish you pass by, and your bill comes back here from the Senate disagreed to and the House has to recede. That is the way it works.

Mr. HOLMAN. Well, will my friend suggest some case where a salary has ever been reduced by the Senate except by legislation upon an appropriation bill placed there by the House.

Mr. WALKER. Will the gentleman permit me to ask him a question?

Mr. HOLMAN. Yes, sir.

Mr. WALKER. Does the gentleman say, or does he mean to intimate, that he proposes by legislation on appropriation bills to force the Senate to legislate as he desires by a threat to starve the Government? Is that what you mean? Why don't you do it by direct legislation?

Mr. HOLMAN. Oh, yes! I have heard that speech before.

Mr. WALKER. That does not answer the question.

Mr. HOLMAN. I know; but my friend must indulge me in saying that I have heard that speech before, and generally from gentlemen who in a short time afterwards, like the Arabs alluded to yesterday by the gentleman from California [Mr. MCKENNA], "folded their tents and silently stole away." [Laughter.]

Mr. WALKER. I think you have silently stolen away once or twice from this House.

Mr. HOLMAN. Yes, once or twice; but I have come back. [Laughter.]

Mr. WALKER. Which I have not yet had to do. [Laughter.]

Mr. HOLMAN. Now, will my friend from Louisiana [Mr. BOATNER], who has had considerable experience in legislation here, and has also studied the history of our legislation, point to a single instance where, on a separate bill, an office has been abolished when the two branches of Congress have stood as they stand now, the one branch controlled by one party and the other party controlling the other branch of Congress and the Executive, or where the Republican party controlled both Houses?

Mr. PICKLER. Will the gentleman from Indiana permit me a question?

Mr. HOLMAN. My friend must excuse me until I say an additional word in reply to the gentleman from Massachusetts [Mr. WALKER]. I do not know that one legislative branch of the Government can be said to "force" another when they express to that other branch their views in regard to the public expenditures. It must be remembered that there are only two great matters in a Government like ours in a time of peace—only two. It is strange enough, but it is a fact, and those two matters are the getting of money from the people into the Treasury and spending that money. Has the Senate more right to ask the House to increase expenditures than the House has to ask the Senate to reduce expenditures? Would either be forcing the other?

Now, does my friend think it improper that one branch of the legislative department of the Government should say to the other that the public expenditures are too great and ought to be reduced? Suppose it be done even in the sense expressed by the gentleman's language, does not the Senate feel the same interest in carrying on this Government that we do? The Executive is under its control. The Senate, as I have stated, has not hesitated to create nineteen hundred new offices on appropriation bills during the last Congress on appropriation bills. May we not justly demand their abolition on appropriation bills?

Mr. BOATNER. Was that correct? Was it right to do it?

Mr. HOLMAN. It was not right, because it was not right to create them at all. Sir, I gloried in the report which has been read by all of you, showing, session by session the appropriations made during the first half century of our existence as a General Government—I gloried in that report at the end of the first half century, and so did you, because it showed that during the closing year of that half century no office had been created and no salary increased. That is a legend worthy of the best days of the Republic. How does the case stand now? As I have said, we find that during a single Congress, upon appropriations bills, nineteen hundred and forty-one new officers were created and a great many salaries increased.

Yet gentlemen make objection to this policy of putting "riders" on appropriation bills for the purpose of retrenchment—to save the people's money—money which has been worked for by them. Gentlemen say it is wrong to invest any committee of the House with power to provide on appropriation bills for reduction of salaries or abolition of offices. My friend from Louisiana [Mr. BOATNER] can not possibly take anything by the question he put to me; for no instance has occurred, at least during this generation, where any salary has been increased by an independent bill. The gentleman certainly must know that under the existing state of things, as Congress is now compelled to deal with it, such a thing would be impossible.

I thank the House for indulging me so long; I will not detain it further.

Mr. PICKLER. Before the gentleman takes his seat I would

like to ask him one question. Does he think that as an independent proposition it is good policy to increase the power of the Appropriations Committee in this House and give it greater control of legislation?

Mr. HOLMAN. The same consideration applies to all the other appropriations committees. There are six of them. Is my friend opposed to reducing salaries, is he opposed to abolishing needless offices, is he opposed to retrenching expenditures? If he is opposed to those three things, he ought to vote to strike out this provision; otherwise he should support it. [Applause on the Democratic side.]

Mr. PICKLER. That is the gentleman's statement of the question; not mine.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn., approved April 26, 1890.

It also announced that the Senate had passed bills of the following titles; in which concurrence was requested:

A bill (S. 2) for the relief of Ezra S. Havens;

A bill (S. 3) for the relief of Napoleon B. Giddings;

A bill (S. 4) for the relief of Alfred J. Worcester;

A bill (S. 5) for the relief of John S. Neet, jr.;

A bill (S. 6) for the relief of Joseph W. Carmack;

A bill (S. 408) to provide for the purchase of a site, and the erection of a public building thereon, at Fernandina, in the State of Florida;

A bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868;

A bill (S. 591) to provide for the erection of a public building in the city of Grand Forks, N. Dak.; and

A bill (S. 606) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868.

THE RULES.

Mr. DINGLEY. Mr. Speaker, as I wish to occupy the floor a little more than five minutes, I request, before beginning my remarks, that I may be allowed the same length of time which has been occupied by the gentleman from Indiana.

The SPEAKER. The gentleman from Maine [Mr. DINGLEY] asks unanimous consent that he may be permitted to speak for twenty minutes.

Mr. DINGLEY. I do not think I shall occupy so much time as that.

The SPEAKER. Is there objection? The Chair hears none.

Mr. DINGLEY. Mr. Speaker, this question is so important that I trust the House will give it careful and candid consideration. The most important part of the provision reported by the Committee on Rules is:

That it shall be in order further to amend such bill—

An appropriation bill—

upon the report of the committee having jurisdiction of the subject-matter of such amendment, which amendment, being germane to the subject-matter of the bill, shall retrench expenditures.

This, it will be seen, Mr. Speaker, is a proposition to allow as an amendment to an appropriation bill, on the report of the committee having the subject-matter in charge, any proposition, including even a proposition pending before the House. This provision authorizing new legislation on appropriation bills was never before proposed in this sweeping form to the House of Representatives. It is not the rule which existed in the Forty-eighth Congress and in previous Congresses as far back as the Forty-fourth. It drops from the rule which then prevailed a limitation of an exceedingly important character. The rule of the Forty-eighth Congress, which the gentleman from Indiana has intimated he desires to reëstablish, contained as a limitation upon the right of amendment to an appropriation bill this provision:

No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith the substance of any other bill or resolution pending before the House.

Now, the gentleman from Indiana, who seems to have controlled the presentation of this proposition, has succeeded in eliminating the limitation which alone made such a rule possible in any prior Congress. He proposes to open up every appropriation bill to amendments which may consist of any bill pending in the House, either before one of the committees or upon the Calendar, provided on the face they seem to reduce expenditures. To this extent not even the Forty-sixth or the Forty-eighth Congress ever went.

A more vicious proposition can not possibly be imagined. Why, just think of it for a moment. Consider the condition in which the House would find itself operating under such a rule as that. The legislative appropriation bill has been reported; general debate has been concluded upon it, and after the debate has been concluded and the consideration of the bill is proceeding by paragraphs under the five-minute rule, some gentleman is recognized who is authorized by his committee to offer a bill which is pending before the House of the most important character, by way of amendment. That bill can not be considered except under the five-minute rule.

Now, does the House seriously propose to put itself into the position, when an appropriation bill is under consideration, of having launched upon it, after the conclusion of the general debate, and while the House is considering its paragraphs under the five-minute rule, the most important bill that can possibly be conceived that may be pending before the House—a bill of which the House has had no previous notice? Why, Mr. Speaker, it seems to me that such a proposition is so remarkable for a deliberative body that it can not be maintained for a single moment. It goes farther than was ever before suggested by any rule of the House.

But beyond that I think experience has shown that no principle is more vicious in legislation than that which allows upon an appropriation bill amendments incorporating new legislation. We have tried that experiment in previous Houses. It was tried in the Forty-fourth Congress, and in the Forty-eighth Congress in a modified form, not in the form proposed here; and yet at the opening of the Forty-ninth Congress the gentleman from Kentucky, Mr. CARLISLE, then Speaker of the House, the gentleman from Illinois, Mr. Morrison, then the leader on the Democratic side of the House, and other gentlemen whom I named in remarks which I submitted the other day to the House, all joined in advocating the abrogation of that rule and the adoption of a provision that no new legislation should be allowed upon the appropriation bills.

Mr. HOLMAN. Will the gentleman yield to me for a moment?

Mr. DINGLEY. Certainly.

Mr. HOLMAN. Does not my friend understand that under this rule no provision can be put upon an appropriation bill that changes existing law except a provision that reduces salaries, abolishes offices, or reduces the aggregate carried by the bill—in other words, that it must retrench expenditures?

Mr. DINGLEY. Mr. Speaker, the gentleman from Indiana, with his long experience, must know that it does not require an expert to so frame a bill as will remodel, for instance, the Supreme Court. A force bill even might be prepared which may seem to retrench expenditures upon its face, and subsequently, when the bill is under consideration and in order as an amendment to the pending appropriation bill, amendments may be made to the amendment to an unlimited extent.

My friend will understand, for I have assisted in framing too many bills myself not to be aware of the fact, that the rule will not stand in the way of interposing any legislative measure as an amendment to an appropriation bill.

Mr. HOLMAN. Does the gentleman know of any instance in his experience within the twelve years when this rule was in operation where it accomplished the result he suggests—that is, the rule which is now proposed?

Mr. DINGLEY. Oh, not at all; this rule is very different.

Mr. HOLMAN. It is exactly the same rule, in the same words.

Mr. DINGLEY. In the Forty-eighth Congress there was an important limitation upon what is now proposed.

Mr. HOLMAN. Oh, yes; from the Forty-fifth to the Forty-eighth Congress this rule prevailed.

Mr. DINGLEY. But in the Forty-eighth Congress a limitation was put upon it.

Mr. HOLMAN. The rule now proposed is the rule of the Forty-eighth Congress.

Mr. DINGLEY. Not at all. Allow me to read the rule of the Forty-eighth Congress. I have it here before me. After the proviso, as it appears in the rule now reported to the House, namely:

Provided, That it shall be in order further to amend such bill upon the report of the committee having jurisdiction of the subject-matter of such amendment, which amendment, being germane to the subject-matter of the bill, shall retrench expenditures.

The rule of the Forty-eighth Congress goes on to limit its application, as follows:

No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith the substance of any other bill or resolution pending before the House.

Mr. HOLMAN. That is simply a modification of the rule.

Mr. DINGLEY. It was a very material change of the rule. It alters its whole character.

Mr. HOLMAN. There is no objection to that provision to

which the gentleman refers now, but the other provision which he has been discussing has been in operation for many years in our system.

Mr. DINGLEY. Now, Mr. Speaker, a word further with reference to this matter. I think in all parliamentary procedure there is no principle that has been better established as one of wisdom than that appropriation bills should be confined to the proper and legitimate object of such a bill, namely, to carry out the provisions of existing law.

Mr. HOLMAN. Did my friend object to that provision in the last Congress?

Mr. DINGLEY. I did not hear the gentleman.

Mr. HOLMAN. Did my friend from Maine object to the riders when they were increasing the expenditures of the House largely in the last Congress?

Mr. DINGLEY. Certainly. I have always objected to new legislation upon appropriation bills.

Mr. HOLMAN. I did not observe it.

Mr. DINGLEY. I repeat, I have always objected to new legislation upon appropriation bills.

Mr. HOLMAN. Now, my friend knows that the purchase of the great hotel over here and the Butler House and other expenditures of that kind, amounting to a half a million of dollars, were put on appropriation bills. Did the gentleman say a word about it?

Mr. DINGLEY. Those amendments were made by the Senate, and this rule does not prevent the Senate from making any amendment which it sees fit. It does not reach the difficulty at all.

Mr. HOLMAN. But we are asking that the House shall take the proper action in the matter anyhow.

Mr. DINGLEY. The gentleman knows that since the Forty-eighth Congress a rule of this House has been in force which provides that no legislation can be put on a bill in the House except by unanimous consent, and if any new legislation has gone in it in this House, it has gone in by the consent of the gentleman from Indiana.

Mr. HOLMAN. Ah, the Senate has put them on.

Mr. DINGLEY. Your rule does not hit that case at all.

Now, Mr. Speaker, I think that no principle has been better established than that new legislation on appropriation bills is essentially vicious.

The gentleman has argued that it is necessary to do this in order to reduce expenditures. The gentleman from Indiana, chairman of the Committee on Appropriations, may reduce the amounts appropriated in any direction that he sees fit, with the concurrence of the committee and of the House; but he wants to change existing law.

Mr. HOLMAN. We want to abolish some offices.

Mr. DINGLEY. Then let that be done by a bill introduced and referred to an appropriate committee in the regular way.

Mr. HOLMAN. Did such a bill ever pass in the history of Congress?

Mr. DINGLEY. Such a bill would be more likely to become a law than in the manner proposed by this rule. I suppose the object of introducing such measures into appropriation bills is to coerce the Senate into agreeing to them.

Mr. HOLMAN. To persuade the Senate, as we represent the public will better than they.

Mr. DINGLEY. His object is to coerce the Senate. If that is not the object, why will not separate bills be sufficient?

Mr. HOLMAN. They coerced us in the last Congress, did they not?

Mr. DINGLEY. I must object to having my time taken up by continual interruptions.

Mr. HOLMAN. I beg the gentleman's pardon.

Mr. DINGLEY. The gentleman very well understands, and I ask the attention of the House to this point, that the Senate, without distinction of party, have always taken the ground that they would not accept an amendment in the nature of new legislation designed to coerce them. There has been no difference of opinion upon that among Senators, whether Republican or Democratic. The gentleman proceeds to tack on legislation which he claims will reduce expenditures. It goes over to the Senate. Now let me say to the gentleman that the Senate will at once take the ground that, if new legislation is to be proposed of that important character, it should be sent over on a bill involving simply that proposition, and they will refuse to concur in the amendment, not on the ground of the propriety or impropriety of it, but on the ground that it is an attempt to coerce the Senate; and the gentleman knows that has been the fate of all such amendments.

Mr. HOLMAN. But they coerced us during the last session.

The SPEAKER. The Chair hopes the gentleman from Maine will be allowed to proceed in order.

Mr. DINGLEY. I do not want gentlemen on the other side to be misled by the appeals of my friend from Indiana to do that which he says will secure economy. If the gentleman from Indiana wants to reduce any salary, if he wants to abolish any office, let him introduce a bill for that purpose. We have committees especially designed for that purpose. Let them consider the bills and report them to this House, and then, if there is any desire to pass those bills, all that you have to do is to ask the Committee on Rules to pass a special order providing for the consideration of these bills and carry them through, and the Senate will be compelled to meet the issue that you make in that way.

But if you put issues in the shape of new legislation on appropriation bills, the Senate will not meet them, but they will simply say that they will not be coerced in that way, and the Democratic Senators will take the same ground as the Republican Senators. We have had that time and again. Nothing can be accomplished in any such way, as the gentleman from Indiana must well understand in view of the experience of the past.

I want to say in this connection that we had a thorough discussion of this subject in the Forty-ninth Congress. A rule, not so sweeping as this, as I have already suggested, had existed for three or four Congresses, and yet this House by a vote of 269 to 55, a Democratic House, struck out the very rule, as it then existed, which the gentleman from Indiana now seeks to have reestablished in a form such as was never before known.

In that debate I remember very well that under the leadership of the then Speaker of the House, Mr. CARLISLE, Mr. Morrison upon the floor, the gentleman from Georgia [Mr. BLOUNT], the gentleman from Alabama [Mr. HERBERT], and other gentlemen took the ground all through that no good could be accomplished that way, and that the effect would be to clog the appropriation bills with extraneous matter. I have seen this House, under the operation of a rule not so stringent as that now proposed, for three days occupied on the consideration of a point of order as to whether a proposed amendment came under the rule.

I want to say to gentlemen on both sides of this House, in the utmost candor, that if this rule shall be adopted, and this House shall be launched upon the business of enacting legislation as riders on appropriation bills, that neither July, nor August, nor September, nor October even will see the end of this session and the passage of the appropriation bills. I want to say to gentlemen that I do not wish again to see what we have seen before under a rule not so drastic as that which the gentleman proposes to this House.

If we adopt such a rule we shall find ourselves launched into a discussion of amendments thrust upon the House at a moment's notice, amendments which provoke more than mere party division, which will provoke divisions entirely outside of party lines; amendments which, if adopted by this House, will lead to the suspension of appropriation bills until the controversies that have arisen can be decided in some other way. Therefore, I beg gentlemen, in the interest of orderly procedure, of economy, of good government, and of patriotic ends not to place in the rules a provision that opens up such a Pandora's box of evil. [Applause on the Republican side.]

Mr. BLOUNT. Mr. Speaker, complaint is made that the expenses of the Government are unreasonable, and, if true, it requires the majority of this House to take such methods as will enable it to make a reduction in those expenditures. If this House shall now deny to itself the power, and the only power by which it can accomplish it, by the adoption of this rule, all the declamation about retrenching expenditures will go for naught when the sum of our work shall be ascertained. It has been said by my friend who has just taken his seat [Mr. DINGLEY] that legislation on appropriation bills is exceedingly unwise, and has generally been condemned. I undertake, sir, to say that not a Congress has lived throughout its term whose appropriation bills did not contain a contradiction of that statement. In the Forty-fourth Congress the amount carried by the appropriation bills had been reduced by the House of Representatives, before sending them to the Senate, to the amount of $43,000,000.

The same declamation against the unwisdom of such legislation obtained then as now. Senators of the United States proclaimed the doctrine, that it was the most iniquitous method of legislation, and that it was without precedent. There stood up in the Senate the distinguished Senator from Ohio (Mr. SHERMAN], meeting and taking issue with his political friends, holding citations of almost hundreds of instances where legislation had been passed on appropriation bills, and assuring his friends about him that they could not answer this question in that way, saying, "We can not answer this question in that way; our record is the other."

Therefore, it is perfectly idle for us to talk about the unwisdom of legislation on appropriation bills where the public interest demands that we should reduce the expenditures.

Sir, let us provide for such a reasonable reduction on the ap-

propriation bills as is competent under this amendment. Let us send them to the Senate of the United States. The gentleman from Massachusetts [Mr. WALKER] says, "Do you propose to starve the Government by saying to the Senate, 'We mean to starve the Government if you do not agree to these amendments.'" We made no such proposition to the Senate in the Forty-fourth Congress. We went along making these reductions, and when they were proclaimed and went to the Senate the struggle was long, but the result was $30,000,000 per annum reduction.

Why all this quibbling, if you are in earnest; if you mean to do anything there is but one way to do it. The Departments will declaim against most of these reductions, and our friends on the other side will declaim against them; but if you wish to retrench the expenditures, you have only one thing to do, and that is to retrench; and the only way you can do it is by legislation on appropriation bills. You may have bills introduced that will repeal offices and you may put them on the Calendar, and how will you reach them? Perhaps by special order. When such measures go to the Senate they are laid aside. We have tried it in the past; but if put on an appropriation bill the Senate will be estopped from denying it as unwise, for they have been doing it all the time. They will be compelled to take cognizance of these propositions; and if they do not, and we shall have to conclude the session without accomplishing anything, we will go to the people with the manifestation and a demonstration of our efforts to accomplish it..

[Here the hammer fell.]

Mr. PEEL. I ask unanimous consent that the gentleman be permitted to proceed for five minutes longer.

The SPEAKER *pro tempore*. Is there objection to the request, that the gentleman be permitted to speak for five minutes longer? The Chair hears none.

Mr. BLOUNT. Now, Mr. Speaker, what further as to this amendment? What does it propose to do?

Salaries have been increased by both sides of the House. Both parties have erred in that respect since the period of the Forty-fourth Congress. I do not claim for my own party organization that it has not tolerated such increases. Both sides, I repeat, are responsible for it. But, as in the Forty-fourth Congress we were confronted with the question of reducing expenditures, or, failing in that, with the question of a possible increase of taxation, so to-day the issue has been raised in this House and in serious form, whether or not, with our present system of taxation, there will not probably be a deficit, which will confront us later, with the prospect of increased taxation.

If this is true, sir, let us first make the effort to economize; let us endeavor to retrench expenditures before we even tolerate the idea of imposing additional burdens of taxation upon the people. Here is a proposition to furnish us a means to reduce salaries. Let the Committee on Appropriations, having jurisdiction of that subject in their legislative bill, taking no power away from any other committee, make recommendations to us to that effect.

Again, sir, in the matter of the compensation of contractors and other persons to be paid out of the appropriations made by that bill, I have in mind, and the fact is familiar to many gentlemen here, that, in the matter of the transportation of the mails, while freight rates have been reduced perhaps as much as 50 per cent since the commencement of the operation of the present law, yet, by reason of our inability to have propositions reducing the compensation for carrying the mails enacted into law upon appropriation bills, the old rate has prevailed until perhaps twenty-five or thirty, or even fifty, million dollars have been paid out that ought not to have been paid.

Now, if the Committee on the Post-Office and Post-Roads shall see fit to recommend to this House in that one item a reduction of $2,000,000, how is that reduction to be accomplished? Let us suppose that the committee report a separate bill covering that one item and it goes upon the Calendar, will you get a special order with reference to that bill? Will you adopt that course and go through all the usual routine and pass your special bill and send it over to the Senate, merely that it may be pigeonholed there? Why not allow the rate of compensation to be fixed on the appropriation bill, and thereby challenge the Senate to keep up the present exorbitant rates?

This report provides, in addition to this, that it shall be further in order to amend such a bill upon the report of a committee having jurisdiction of the same. Now, sir, you have your committees organized in direct relation to the great Departments of this great Government; your Committee on Naval Affairs, your Committee on the Post-Office and Post-Roads, your Committee on Indian Affairs, your Committee on Military Affairs, and all the rest. They may recommend legislation which, by direct operation, will largely reduce expenditure. The Committee on Appropriations can not touch it. This provision in the rules entirely preserves to the committees their jurisdiction. The committees specially charged with each separate subject-matter by the House, and those committees alone, will have the right to propose amendments to the bill.

[Here the hammer fell.]

Mr. BOUTELLE. Mr. Speaker, the subject of this amendment or rule is not a new one to the people of the United States. The question of the propriety of incorporating legislation upon appropriation bills has been, to my own knowledge, a matter of discussion for the last twenty years at least. It may not be of any particular interest to the House, and for myself I do not attach so much importance to the mere matter of individual consistency in regard to legislation as some of the citations made here to-day would indicate that other gentleman do; but, as an illustration of the fact to which I have adverted, that this question of the propriety or advisability of using the appropriation bills of Congress as the vehicle for carrying through, by the momentum of the public necessity, indiscriminate measures of legislation, has been before the American people for a long time. I will state that as far back as 1873 the question was discussed and public sentiment had become so focused in regard to it in my own State that the Republican State convention of that year adopted the following resolution, of which, although not a member of the convention, I was the author:

Resolved, That the practice of loading the appropriation bills essential to the Government with objectionable legislation in the shape of amendments toward the close of the session is a prolific source of abuse and a fraud upon the people, and its reform is urgently demanded.

I believe that utterance to be as true and as pertinent to-day as it was when it received the unanimous sanction of a great Republican convention in my State.

Now, Mr. Speaker, I wish to advert briefly to another expression on this subject from another section of the country, which possibly—I might perhaps say undoubtedly—will carry more weight with the gentleman from Georgia [Mr. BLOUNT], who has just taken his seat, than the citation of a resolution prepared by myself and adopted by a Republican State convention in the Northeastern State of Maine. In looking over the record of the discussion of this question in this House in 1880, when it was proposed to revive a rule identical with this—identical in purpose, if not in language—I find that among the distinguished gentlemen who then warned Congress against the evils resulting from such methods of legislation was Hon. Alexander H. Stephens, of Georgia, then a member of this body; and from the very pertinent and cogent remarks of that gentleman I desire, with the permission of the House, to read the following:

I was opposed to that Rule XXI as reported, individually. The right was reserved to us all to oppose its adoption as it stands. Every member of the committee, by mutual agreement, could move any amendment he pleased, or speak or vote against any part of the report which was not carried by unanimity. I was opposed to this rule as it stands in our present system. And why? I do not believe, according to democratic doctrine, Jeffersonian, Madisonian, Jacksonian, and Jeffersonian republicanism also, that it was ever intended that appropriation bills should be encumbered by any other legislation than appropriations. Never, sir!

[Here the hammer fell.]

Mr. BOUTELLE. I trust that I may be allowed a few minutes more.

Mr. BYNUM and Mr. GOODNIGHT asked that Mr. BOUTELLE'S time be extended.

There was no objection.

Mr. BOUTELLE. I read further from the language of Mr. Stephens on the occasion to which I have referred:

If there has been any progress in this country in legislation it has been in precluding from appropriation bills the incorporation of matters upon them as riders. The gentleman from Ohio [Mr. Hurd], if I understood him correctly, the other day said that it was the Democratic doctrine to seek redress of grievances by withholding appropriations, standing upon British precedents.

If that be his position—and I so understood it—I repudiate it *toto cælo*. Never was there any such doctrine announced in any authorized democratic creed I ever heard of. It has its origin in a monarchical government, where there is no written constitution. This doctrine came from England. Withholding appropriations there has been, and is to-day, a legitimate mode of seeking redress of grievances, because that is a monarchy. Powers are not divided there as here. We live under a government founded upon a written constitution; we live in a free representive republic. Here sovereignty does not reside in a crown. There (in England) all sovereign powers are considered as inherent in the Crown; and the Commons, the representatives of the people, for centuries, in granting supplies, which is their right, have held the power in their hands to withhold them until their grievances have been redressed. In this way the petition of right, if you please, habeas corpus, or any other of the great and essential rights of British subjects, were secured, from Magna Charta down, and of which American citizens may well be proud to-day.

But, sir, we live under a different form of government. Ours is a written constitution.

Then he goes on to enforce the very palpable distinction between the condition of things as affecting this question under a monarchical form of government and under our own. He then continues in language to which I ask the particular attention of my friends on the other side:

I am, as I have said, against all political riders, so called, upon appropriation bills, and such riders as are intended to coerce executive action. In this I think I am maintaining nothing but what the advanced thought of the age in political science the world over has already arrived at. I say here that in my sixteen years of experience in Congress, before the late separation or war,

more corruption and the most mischievous of all legislation which ever occurred during that time, so far as I am aware, came from riders or amendments to appropriation bills—amendments that could not be passed on their own merits. So greatly was this recognized as the fact, that when those members of the old Congress met in Montgomery to make a new constitution, as the gentleman from Michigan referred to it the other day, one of the great wants, as we thought, and I acting my part in it thought, was in that fundamental law to put "the sting of disability in the temptation," to use the language of my able and most distinguished colleague on that occasion [Mr. Toombs], in the very constitution of the republic.

The first constitution, made for one year—the provisional constitution—had a provision, which was referred to by the gentleman from Michigan the other day, in these words, which I will ask the Clerk to read.

The Clerk read as follows:

"The President may veto any appropriation or appropriations, and approve any other appropriation or appropriations in the same bill"—*Article I, section 5, paragraph 1.*

A provision which manifestly was for the purpose of preventing the use of appropriation bills to carry through objectionable legislation.

But I ask the attention of my friend from Georgia, the distinguished chairman of the Committee on Foreign Affairs, to one other and very pertinent citation, so far as the gentleman is concerned, from the language of Mr. Stephens:

I stated that I was but maintaining the advanced thought of civilization in the science of government. Why, sir, a number of the States of this Union—how many I really do not know—have taken the lead in this matter. I am but following in their footsteps. I am told by the gentleman from Tennessee [Mr. Whitthorne] that that State has incorporated a similar provision in its constitution. I send to the desk and the Clerk will please read what is the provision of the constitution of Georgia.

The Clerk read as follows:

"The general appropriation bill shall embrace nothing except appropriations fixed by previous law, the ordinary expenses of the executive, legislative, and judicial departments of the government, payment of the public debt and interest thereon, and for the support of public institutions and the educational interests of the State. All other appropriations shall be made by separate bills, each embracing but one subject,—*Georgia Constitution, 1877, article 3, section 7, paragraph 9.*

I commend this provision to the attention of the gentleman from Georgia.

[Here the hammer fell.]

Mr. TILLMAN. Mr. Speaker, I hope the rule reported by the Committee on Rules will pass just as it stands. Junius more than a hundred years ago declared that the freedom of the press was the palladium of English liberty. But all the historians tell us that the power to put a rider on an appropriation bill has been more the palladium of English liberty than the freedom of the press or anything else. Why, sir, the assertion of that right brought on the revolutions in England and not only established but maintained free citizenship. The representatives of the people in the House of Commons claimed on any and every occasion when necessary that they would grant no public money except on the condition that the constitutional rights of the citizen should be respected, including the right of economy in public expenditures.

Sir, we have copied the example thus set. All the English-speaking peoples have copied it, and it has achieved more good in this country than any other weapon used in legislative warfare; for legislation is but compromise, or what might be called mimic war of the mind instead of actual conflict by physical warfare of the body.

Sir, "riders" on appropriation bills may well be said to be the bayonets of legislation. And one of the greatest generals the world ever saw relied mostly on the bayonet to snatch victory from defeat. On one occasion when he was told that the day was going against him, he said, "We will give them the bayonet." He did give them the bayonet, and turned the tide of battle in his favor. And just so in legislation where two political parties exist, each having a negative on the other in separate lawmaking bodies.

How can either party force the other to do right except by legislating upon appropriation bills? Even where the two Houses of our National Legislature are under the control of the same party, one has no effectual check on the other except by recourse to riders on appropriation bills. But we have three concurring negatives in our legislation—the House, the Senate, the President. Hence, when one political party fosters extravagance and corruption, as the Republican President and Senate are doing now, how can the Democratic party correct the abuses except by legislative riders? In other words, the Republican party is oppressing the people of this country exactly like the Kings of England used to do until the Commons would cut off supplies; and this Democratic House will be derelict in duty if it shall fail to lighten taxes, curtail expenditures, and put more money into circulation. We have only party government, and can have nothing else as long as universal suffrage prevails—one party, the "ins," struggling to maintain itself in the honors and emoluments of office as well as in the exercise of the faculties of government, while the other party, the "outs," will struggle equally hard to recapture the offices and regain control of the Government, to enact its laws, levy its taxes, and appropriate its revenues.

For this reason there are but two and can be but two dominant political parties in any free country, and if the large Democratic majority here are voluntarily going forward to manacle themselves, after the people commissioned them to rebuke the "billion-dollar" Congress—I say, if this large majority are going to put handcuffs on their wrists, fetters on their feet, and a collar around their necks, so as to enable a Republican President and a Republican Senate to laugh them to scorn and drive them to submit to a continuance of the extravagant appropriations of the last Congress, in the name of God, what did we Democrats come here for? I repeat the question, what were we sent here for but to curtail expenditures and rebuke the billion-dollar extravagance? [Applause.]

[Here the hammer fell.]

Mr. SPRINGER. I ask unanimous consent that the gentleman from South Carolina be permitted to proceed for five minutes longer.

There was no objection.

Mr. MILLS. I do not object to the gentleman proceeding, but wish to ask, before he resumes his remarks, if it is the intention of the gentleman having this measure in control to secure a vote on this proposition to-night.

Mr. McMILLIN. The gentleman from Mississippi is not in his seat, but I will state to the gentleman that we do not expect to have a vote on this provision this afternoon.

Mr. MILLS. Then let that be the understanding. I have made the inquiry for the benefit of a number of gentlemen around me.

Mr. TILLMAN. Mr. Speaker, the facts, the history, and the philosophy involved in this proposition would require so much time that I can not undertake to go into them now; but I must appeal to my Democratic brethren here, do not, when you have the power, do not, when the people sent you here to exercise that power, let the Republicans dictate to you what you shall do.

Above all, gentlemen, I appeal to you, do not let them continue the extravagant and corrupt appropriations of the last Congress and let you all go home in helpless imbecility, to poke around amongst your constituents with your finger in your mouth whining, "We Democrats could not do anything because it would have been wrong to legislate on appropriation bills, although the Republicans used to do it." [Laughter and applause.] On the contrary, let us, like brave men, worthy of the confidence of the people, do what we were sent here to do, which was to reduce the appropriations, abolish sinecure offices, and curtail extravagant expenditures, as well as put more money into circulation. Why, Mr. Speaker, they created so many fat and useless offices in the last Congress that in several Departments now they are actually in one another's way, each one waiting on the other and nobody getting fatigued except in the unavailing search of trying to find something to do. [Laughter.]

Ah, Mr. Speaker, I know why this proposed rule hurts. In the Forty-fourth Congress the Democratic party reduced public expenditures over $60,000,000 under this rule. The Democratic party then went to the country with Tilden as its candidate for the Presidency, and he was elected solely upon the economic record of the Democratic party. [Applause on the Democratic side.] It is true the Republicans stole the office from him [laughter], but just repeat the same record now that the Democracy achieved in the Forty-fourth Congress and a Democrat will be President after the 4th of next March, a Democratic Senate will be at the other end of this building, and a Democratic House will occupy this Chamber. Ay, they have got that precedent in their memory, and they hope you will not repeat the precedent and will not follow it. But I implore you to do so, and let us declare what we came here for. Stand by your colors, as that fellow from Texas did at the St. Louis convention. What was his name?

A MEMBER. Flanagan.

Mr. TILLMAN. Yes, Flanagan, and he was a Republican, too. [Laughter.] He said, "If we are not here for the offices, what in the hell are we here for?" And so I say to you, my Democratic brethren, if we are not here to abolish sinecures, reduce salaries, and achieve retrenchment in the way of expenditures in a thousand directions that went wrong in the last House, then in the name of Heaven what did the people send us here for? [Laughter and applause.]

Mr. LYNCH. Mr. Speaker, I move to strike out the third subdivision of Rule XXI as reported by the Committee on Rules, and in doing so I am conscious of the risk of antagonizing the report made by a majority of the Committee on Rules of this side of the House, and know that I will meet the opposition of a very large number of gentlemen who occupy seats on this side. But I can not without protest sit here and acquiesce in the adoption of that rule, which, Mr. Speaker, is a step in the wrong direction.

It is not a political question, nor can I see how either party may be affected for better or worse by the adoption of the rule. We are here to legislate, not for one party or for the other, but

for the interests of the whole country; and if this rule will prevent us from legislating for the whole country it ought not to be adopted. We are not now discussing a buncombe resolution that we may avoid to-morrow or next week, as was said of the resolution passed here a short time ago, but we are enacting a law, and in that sense it behooves us to use our best judgment as to what ought to be done with the proposition here presented.

The first proposition of the proposed rule is as follows:

No appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto which does not retrench expenses.

Now, do you propose that we shall tie ourselves up here and make it impossible to amend any appropriation bill by putting on an amendment which we all agree ought to be put on? Shall we render ourselves powerless to legislate, when we all agree that such legislation is necessary? What is there about the composition of this House that makes us suspicious of each other or suspicious of the House, that we must gag ourselves at the commencement, and notify the country that instead of going forward and doing that which may seem for the best interest of the country we shall go backward? I propose to strike out the whole of the third subdivision.

Mr. HOLMAN. That question is not before us.

Mr. BLOUNT. Will the gentleman allow me to ask him a question?

Mr. LYNCH. I can not yield, as my time is too limited.

The SPEAKER *pro tempore*. The gentleman declines to yield.

Mr. LYNCH. I can see no necessity for casting that suspicion upon this House or upon each other, proclaiming to the country that we dare not trust ourselves on matters of legislation as they come up; proclaiming that we must limit ourselves lest we might be extravagant, and announcing to our Democratic friends and the country at large that the only safety of the country is in tying ourselves hand and foot and turning this body over to the tender mercy of the Committee on Appropriations. As a party measure, I insist that the Democratic party needs no such declaration of its faith to the economical administration of the affairs of the Government; but from the argument we have heard so far, it would seem as though many members considered that this House is a quasi banking corporation, to be judged solely by the amount of dividends declared at the end of the year.

The time of Mr. LYNCH having expired, on motion of Mr. BUTLER it was extended for five minutes.

Mr. LYNCH. This rule was enforced, as I understand from the discussion, all through from the Forty-fourth to the Forty-eighth Congresses, inclusive, and at the beginning of the Forty-ninth Congress it was rejected by the Democrats themselves. I do not agree with the gentleman from Indiana when he says that under the salutary provisions of this rule the expenses were cut down in the Forty-fifth Congress about $60,000,000 from what they were in the Forty-fourth; but gave no comparative estimate of unusual or incidental expenses in either the Forty-fourth or Forty-fifth, nor did he claim that the reduction made by the Forty-fifth Congress was due in whole or in part to that rule. The best record made by any two Congresses in America was that made by the Forty-ninth and Fiftieth Congresses, when they amassed a surplus of more than $100,000,000, and quietly turned it over to our Republican friends to blow it in the next year.

A MEMBER. And they blew it.

Mr. LYNCH. And they blew it. The Forty-ninth and Fiftieth Congresses did not have this rule. They rejected it at the organization of the Forty-ninth Congress by a very emphatic Democratic vote, and got along without it. They made, as I said before, the best record for economy that was made by any Congress up to that time, without the aid of this beneficent rule. The people are going to judge us here by what we do and not by what we promise to do. We can make all the declarations of economy and all the propositions of retrenchment we please, but they will judge us by what we do and not by what we resolve, as was done here the other day.

The second provision of this rule is equally as stringent as the first. Under its terms no appropriation in any such bill or amendment thereto changing existing law shall be in order except such as, being germane to the subject-matter of the bill, shall retrench expenditures, as though it was only by amendment to an appropriation bill that retrenchment could be made at all. Retrenchment must be made by an affirmative act, not only of this House, but of the Senate, and with the sanction of the President.

But I do not understand that our duties here, Mr. Speaker, are to be limited, confined, and restricted to the one solitary question of dollars and cents. We are not going to be judged upon our return home by our record as to whether we defeated a few amendments on appropriation bills or not. We will be judged by our actions, by our patriotism, and by what we do to advance and develop every department of this Government, and, if possible, to make it grander among the nations of the earth than it is to-day. It is my desire, and I think it ought to be the aim of this House, that when this Congress adjourns we shall be able to say to the people that the country at large is better because of our services here.

Mr. PICKLER. Mr. Speaker, I regret that the gentleman from Indiana [Mr. HOLMAN] did not find the time to answer the direct question which I put to him, which was as to whether, as an independent proposition, he was in favor of further increasing the power of the Committee on Appropriations in this House. As to being opposed to what gentlemen suggest, of opposing reduction of large salaries, I may say to gentlemen that although we might not declaim so much on this side of the House in regard to that matter as they do, wherever the salaries or other expenditures shall be shown to be too large this side of the House will be found as ready to reduce them as they will.

But it is because, Mr. Speaker, I am opposed to further increasing the power of these two or three committees of this House that I am opposed to the rule reported. What I desire to call the attention of the gentleman here to, and especially the gentlemen representing Western constituencies, is the power of two or three committees of this House. Take, if you please, the Committee on Rules, composed of five gentlemen, three of whom govern that committee. Take a map of the United States and go to the Southeastern portion of it, and there draw a triangle. Place the residence of the Speaker at one angle, place the residence of the gentleman from Tennessee [Mr. MCMILLIN] at another of the angles, and that of the distinguished gentleman in charge of this bill at the other point of the triangle, and then compare the space inclosed in the triangle with the vast remainder of the country upon your map. I have nothing to say against these gentlemen personally. They are all fair men, but what I desire to call attention to is that three men, living in the Southeastern portion of this country, absolutely control legislation under the action of the rules which we adopt.

I have taken some little trouble, Mr. Speaker, to see how historically this Committee on Rules has been composed. Go back as far as the Forty-sixth Congress—and mark you, gentlemen from the West, during all this time on this Committee on Rules we have only had one man from west of the Mississippi, and that was the distinguished gentleman from Texas [Mr. MILLS] [laughter], with the exception that in the Forty-sixth Congress, when Mr. Morrison of Illinois was a member of that committee. To-day we have in the distinguished gentleman from Michigan [Mr. BURROWS], who is a member of that committee, a gentleman from a State farther west than we have ever had. I want to appeal to gentlemen from the Atlantic States, from the New England States, from the empire States of Pennsylvania and New York, the great Middle States, the great Western States, the Southwestern or Middle Western, and the Northwestern, and likewise the States on the Pacific coast, to see whether you believe that your constituency is likely to secure fair treatment when legislation is controlled by such a committee?

Mr. BUTLER. Will the gentleman yield to me for a question?

Mr. PICKLER. Yes, sir.

The SPEAKER *pro tempore*. Does the gentleman from South Dakota yield to the gentleman from Iowa?

Mr. PICKLER. Not if it is to come out of my time.

The SPEAKER *pro tempore*. It will come out of the gentleman's time.

Mr. PICKLER. Then I do not care to yield.

The SPEAKER *pro tempore*. The gentleman from South Dakota declines to yield.

Mr. BUTLER. Oh, we will give him more time if he desires it.

Mr. PICKLER. All right; I will answer the gentleman's question.

Mr. BUTLER. I want to ask the gentleman in what country these portions are that he spoke of?

Mr. PICKLER. What portions?

Mr. BUTLER. This Southeast, Western, Southwestern, Middle Western, and the like?

Mr. PICKLER. I do not want to teach the gentleman geography. It has been very evident already that he ought to receive some instruction in that line. [Laughter.]

Mr. BUTLER. I supposed that we were in America; but I did not know what the gentleman meant.

Mr. PICKLER. My point, gentlemen, and I ask the attention of the gentlemen from the West to it, is to call attention to the narrowing of the power to two or three committees of this House. Here comes the Committee on Appropriations—and every chairman of every committee of this House is fighting for more power. So we see the distinguished gentleman from Indiana [Mr. HOLMAN] now coming up, and by this proposition desiring to have more power delegated to the Committee on Appropriations.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. BUCHANAN of New Jersey. I hope the gentleman's time will be extended.

Mr. CATCHINGS. I move that the House do now adjourn.

Mr. BUCHANAN of New Jersey. Give him five minutes more.

Mr. BOUTELLE. I trust that the gentleman will be allowed to get through with his remarks.

Several MEMBERS. Give him more time.

The SPEAKER *pro tempore*. The House will be in order, and perhaps the Chair can hear what the gentleman from Mississippi is saying, but he can not with a dozen members talking at the same time.

Mr. CATCHINGS. I withdraw the motion to adjourn, but will renew it as soon as the gentleman finishes his remarks.

Mr. PEEL. I ask unanimous consent that the gentleman from South Dakota be allowed five minutes more.

There was no objection.

Mr. PICKLER. I was simply desiring to call attention for a moment to the enormous power that the Committee on Appropriations now has in this House. The distinguished gentleman from Indiana, as easily as he could will it, could increase or decrease the amount of the appropriation bills of this House $50,000,000. There is no question about that.

The distinguished gentleman from Indiana, as a member of a committee on conference, could, by holding off in the conference on an appropriation bill, add five millions, or decrease a bill to the extent of $5,000,000, just as he wills. And so, gentlemen, I am opposed to such great power that gentleman can see has been vested in two or three committees in this House. I am opposed to further concentration of power in the hands of two or three committees.

The country, Mr. Speaker, is weary with the concentration of power and wealth in corporations and trusts in this country. There is no question about which there has been so much discussion in this country in the last few years; and, sir, in the Fifty-first Congress, swift as we were to pass the antitrust bill, we only voiced the sentiments of the country.

Shall it be said, sir, with this feeling of the American people against this concentration of wealth and power in the trusts and monopolies—shall it be said that the American Congress places in the hands of two or three committees greater power, greater concentration of the great forces that move this Government, than has ever been obtained by any corporation or trust in the land? I do not pretend to offer a remedy, but it does seem to me that the time has come when you gentleman who have had large experience in this House should, not as partisans, but as statesmen, take up this question and devise some means of distributing this power. I tell you now that the Committee on Rules, at least, ought to be composed of fifteen members. As to the membership of the Committee on Rules, we had had only one man from west of the Mississippi on that committee, the distinguished gentleman from Texas [Mr. MILLS], and that, with the exception of Mr. Morrison of Illinois, who was a member of the committee in the Forty-sixth Congress, the distinguished gentleman from Michigan [Mr. BURROWS], who is now a member, came from a State farther west than any that had ever been represented upon that committee.

INTRODUCTION OF BILLS.

Mr. DOCKERY. Mr. Speaker, pending the motion to adjourn, I ask unanimous consent to introduce two bills for my colleague, Mr. HEARD, who is absent on account of sickness.

There was no objection.

The bills were introduced, read a first and second time, ordered to be printed, and referred as follows:

EAST WASHINGTON AND CROSSTOWN RAILROAD.

By Mr. HEARD: A bill (H. R. 5353) to incorporate the East Washington and Crosstown Railway Company of the District of Columbia—to the Committee on the District of Columbia.

BRIDGE ACROSS THE OSAGE.

By Mr. HEARD: A bill (H. R. 5354) authorizing the construction of a bridge across the Osage River between the town of Warsaw and the mouth of Turkey Creek, in Benton County, Mo.—to the Committee on Interstate and Foreign Commerce.

CHANGE OF REFERENCE.

On motion of Mr. CRAWFORD, by unanimous consent, the Committee on Ways and Means was discharged from the further consideration of the bill (H. R. 4598) to amend section 27, chapter 1244, of the Revised Statutes, imposing restrictions on the sale of leaf tobacco, and it was referred to the Committee on the Judiciary.

The House then, on motion of Mr. CATCHINGS (at 4 o'clock and 50 minutes p. m.), adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. ABBOTT: A bill (H. R. 5273) for the relief of A. V. Rouch & Co.—to the Committee on Claims.

By Mr. ALDERSON: A bill (H. R. 5274) granting a pension to Capt. Woodson Blake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5275) granting a pension to John N. Weiford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5276) granting a pension to James A. Milan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5277) granting a pension to James F. Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5278) granting a pension to Paul D. Summers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5279) granting a pension to Ann Eads, widow of Augustus Eads—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5280) granting a pension to Henry Geyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5281) to pension Bryant T. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5282) granting a pension to Ray Bryant—to the Committee on Pensions.

Also, a bill (H. R. 5283) for the relief of Alexander Flanegan—to the Committee on War Claims.

Also, a bill (H. R. 5284) for the relief of Rachel Pritt—to the Committee on War Claims.

Also, a bill (H. R. 5285) for the relief of Robert F. Reynolds—to the Committee on War Claims.

By Mr. BAKER: A bill (H. R. 5286) granting a pension to Lawrence Heffron—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 5287) for the relief of Solomon Lusk—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 5288) for the relief of the sufferers by the wreck of the United States steamer Tallapoosa—to the Committee on Naval Affairs.

Also, a bill (H. R. 5289) to remit the penalties on gunboat No. 3, the Concord, and gunboat No. 4, the Bennington—to the Committee on Claims.

By Mr. CAPEHART: A bill (H. R. 5290) for the relief of J. A. Starcher—to the Committee on War Claims.

Also, a bill (H. R. 5291) for the relief of Samuel Roush—to the Committee on War Claims.

Also, a bill (H. R. 5292) for the relief of William Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5293) for the relief of Anthony McCale, late Company A, One hundred and eighty-seventh West Virginia Militia—to the Committee on Military Affairs.

By Mr. CATE: A bill (H. R. 5294) for the relief of the children of James W. Barnett, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 5295) for the relief of Thomas J. Harris and others, heirs of Manning Harris—to the Committee on War Claims.

By Mr. COMPTON (by request): A bill (H. R. 5296) for the relief of Daniel T. Wathen—to the Committee on Claims.

Also, a bill (H. R. 5297) for the relief of Mrs. Ann R. Widmayer, for the killing of her husband on or about the 3d day of September, 1872—to the Committee on Claims.

By Mr. COOMBS: A bill (H. R. 5298) for the relief of James C. Slaght—to the Committee on War Claims.

By Mr. DUNPHY: A bill (H. R. 5299) to amend the military record of Joseph E. Nairn—to the Committee on Military Affairs.

Also, a bill (H. R. 5300) for the relief of John Finn—to the Committee on Military Affairs.

By Mr. ELLIS: A bill (H. R. 5301) for the relief of James F. Covington—to the Committee on War Claims.

Also, a bill (H. R. 5302) for the relief of J. A. Rudy—to the Committee on War Claims.

Also, a bill (H. R. 5303) for the relief of W. A. McCormick—to the Committee on War Claims.

Also, a bill (H. R. 5304) granting a pension to Jeptha Williams—to the Committee on Pensions.

Also, a bill (H. R. 5305) for the relief of James H. Curry—to the Committee on Military Affairs.

By Mr. EVERETT: A bill (H. R. 5306) for the relief of Frank Vomberg, of Murray County, Ga.—to the Committee on War Claims.

By Mr. FELLOWS: A bill (H. R. 5307) granting an honorable discharge to Sylvester Merz—to the Committee on Military Affairs.

By Mr. HARRIES (by request): A bill (H. R. 5308) to refer the claim of Bazil H. Beauleiu and others to the Court of Claims—to the Committee on Claims.

Also (by request), a bill (H. R. 5309) for the relief of Theodore B. Beauleiu—to the Committee on Indian Affairs.

By Mr. HARTER: A bill (H. R. 5310) granting a pension to Augustus W. Sattig—to the Committee on Pensions.

By Mr. HAYES: A bill (H. R. 5311) granting a pension to Margaret L. Brown—to the Committee on Invalid Pensions.

By Mr. HAYNES: A bill (H. R. 5312) for the relief of James L. Bower—to the Committee on Military Affairs.

By Mr. HENDERSON of Illinois: A bill (H. R. 5313) for the relief of the heirs and legal representatives of Alfred Robinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5314) to remove the charge of desertion from the record of George W. Leland, late a private in Company H, Twelfth Regiment Illinois Volunteer Cavalry, in the war of the rebellion, and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 5315) to pension Benjamin F. Dowell—to the Committee on Pensions.

By Mr. HOUK of Tennessee: A bill (H. R. 5316) for the relief of James Grace—to the Committee on War Claims.

By Mr. KENDALL: A bill (H. R. 5317) for the relief of Hibbard Williamson—to the Committee on War Claims.

By Mr. LESTER of Georgia: A bill (H. R. 5318) for the relief of Mary A. Bell, of Emanuel County, Ga.—to the Committee on War Claims.

By Mr. McCREARY: A bill (H. R. 5319) for the relief of Simeon H. King's executrix—to the Committee on War Claims.

By Mr. McKAIG: A bill (H. R. 5320) granting a pension to Newton Dawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5321) granting a pension to John J. Summer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5322) for the relief of William H. Krantz, of Frederick County, Md.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5323) for the relief of Sarah M. Shaw, widow of John W. Shaw, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5324) for the relief of Joseph Barney, Company B, Fifth Michigan Volunteers, for the removal of charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 5325) granting a pension to Lewis H. Soyster—to the Committee on Pensions.

Also, a bill (H. R. 5326) for the relief of John T. Vincent, one of the crew of the North Pacific and Arctic exploring expedition in 1853, 1854, 1855, and 1856—to the Committee on Claims.

By Mr. MONTGOMERY: A bill (H. R. 5327) to amend and correct the military record of Frank M. Vowels and readjust his accounts for pay—to the Committee on Military Affairs.

By Mr. MUTCHLER: A bill (H. R. 5328) for the relief of Samuel Snyder, charged with desertion from the military service—to the Committee on Military Affairs.

By Mr. NORTON: A bill (H. R. 5329) for the relief of Mrs. E. S. Luke, widow of John L. Luke, late a soldier in the Black Hawk war—to the Committee on Pensions.

Also, a bill (H. R. 5330) for the relief of Frederick Meredith, late a soldier in the Indian war of 1832—to the Committee on Pensions.

Also, a bill (H. R. 5331) for the relief of John Denien, James Fergerson, and Martha Wood—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 5332) to amend the military record of James Mackie, late of Company F, Berges' Regiment S. S. Volunteers of Missouri—to the Committee on Invalid Pensions.

By Mr. O'NEILL of Missouri: A bill (H. R. 5333) for the relief of John Reilly—to the Committee on War Claims.

By Mr. PEEL: A bill (H. R. 5334) to incorporate the Washington Central Street Railway Company—to the Committee on the District of Columbia.

By Mr. PICKLER: A bill (H. R. 5335) for relief of Edson S. Williams—to the Committee on Invalid Pensions.

By Mr. PENDLETON: A bill (H. R. 5336) for the relief of Riley H. Smith—to the Committee on Invalid Pensions.

By Mr. ROCKWELL: A bill (H. R. 5337) to place on the pension rolls Jane A. Pettys, an army nurse—to the Committee on Invalid Pensions.

By Mr. RUSK: A bill (H. R. 5338) for the relief of Philip Darmstadt—to the Committee on Military Affairs.

Also, a bill (H. R. 5339) for the relief of Regina Ernst—to the Committee on Military Affairs.

By Mr. SNODGRASS (by request): A bill (H. R. 5340) for the relief of the heirs or legal representatives of the estate of William H. Willhite, deceased—to the Committee on War Claims.

By Mr. STONE of Kentucky: A bill (H. R. 5341) for the relief of Joseph B. McClintock—to the Committee on War Claims.

By Mr. TURNER: A bill (H. R. 5342) granting a pension to Harmon H. McElvey—to the Committee on Pensions.

Also, a bill (H. R. 5343) granting a pension to Joseph J. Bradford—to the Committee on Pensions.

By Mr. WASHINGTON: A bill (H. R. 5344) to increase the pension of Mrs. S. A. Farquharson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5345) granting a pension to Mary Ann Lafferty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5346) granting a pension to William Luton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5347) granting a pension to Joel Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5348) granting a pension to Sarah J. Mallory—to the Committee on Invalid Pensions.

By Mr. WAUGH: A bill (H. R. 5349) granting a pension to Louisa White—to the Committee on Invalid Pensions.

By Mr. WEVER: A bill (H. R. 5350) for the relief of Lucy A. Fletcher—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5351) granting a pension to Malinda Bond—to the Committee on Pensions.

By Mr. WISE: A bill (H. R. 5352) for the relief of Margaret Virginia Maddox—to the Committee on War Claims.

PETITIONS, ETC.

Petitions and resolutions were, under the order adopted by the House January 5, delivered to the Clerk and referred as follows:

By Mr. BAKER: Petition of Hopewell United Presbyterian Church to close the World's Fair on the Sabbath day—to the Select Committee on the Columbian Exposition.

By Mr. BARWIG: Petition to accompany House bill 4668, for the relief of Hugh Lewis—to the Committee on Invalid Pensions.

By Mr. BELDEN: Petition of Prof. John R. Frank, of the Syracuse University, praying for the removal of the postponement of two years in the act of Congress of July 28, 1866, relating to the exclusive use after July 1, 1893, of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

Also, petition of 23 members of the Methodist Episcopal Church of Chittenango—to the Select Committee on the Columbian Exposition.

Also, petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BELTZHOOVER: Petition of 275 of the most prominent people of Gettysburg, Pa., protesting against the opening of the Columbian Exhibition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BLAND: Petition of F. L. Johnson, of Texas County, Mo., asking Congress to refer his rent claim to the Court of Claims under so-called Bowman act—to the Committee on War Claims.

By Mr. BRAWLEY: Memorial of Thomas Pinckney and others, for an appropriation for the improvement of inland navigation between Charleston and Bulls Bay, in the State of South Carolina—to the Committee on Rivers and Harbors.

By Mr. BRECKINRIDGE of Arkansas: Papers to accompany House bill 1141—to the Committee on the Public Lands.

Also, papers for the relief of the heirs of C. B. Cunningham, to accompany House bill 12191—to the Committee on War Claims.

Also, papers to accompany House bill 4375—to the Committee on Claims.

Also, papers for the relief of Mrs. Hayne—to the Committee on Claims.

Also, papers to accompany House bill 21643—to the Committee on War Claims.

By Mr. BROSIUS: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BULLOCK: Petition of Young People's Society of Christian Endeavor, asking amending of laws against exportation of alcoholic liquors to Africa from the United States—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. CAINE: Resolution of the city council of Manti City, Utah, indorsing the action of the Irrigation Congress held at Salt Lake City, September 17, 1891, in favor of ceding the arid lands to the several States and Territories where situate—to the Select Committee on Irrigation of Arid Lands in the United States.

Also, four petitions of citizens of Utah, for ceding of the public lands—to the Select Committee on Irrigation of Arid Lands in the United States.

By Mr. CRAIN: Three petitions of owners of vessels at Galveston, Tex., to transfer the Revenue Cutter Service to the naval establishment—to the Committee on Naval Affairs.

By Mr. CROSBY: Petition for free delivery of mails in coun-

try districts—to the Committee on the Post-Office and Post-Roads.

By Mr. DAVIS: Petition of Knights of Labor, asking for investigation of the slums of large cities—to the Committee on Public Buildings and Grounds.

By Mr. ENGLISH: Petition of Randall Spaulding in favor of adopting the metric system in the customs service—to the Committee on Coinage, Weights, and Measures.

Also, the petition of W. T. Lincoln Adams, in favor of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. GEARY: Petition of National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HARTER: Papers to accompany House bill 4702, for removal of charge of desertion from William Metzger—to the Committee on Military Affairs.

By Mr. HAYES: Petition of citizens of Long Grove, Scott County, Iowa, in favor of the option bill—to the Committee on Agriculture.

Also, petition of Johnson County, Iowa, in favor of option bill—to the Committee on Agriculture.

Also, petition of citizens of Clinton County, Iowa, for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HENDERSON of Illinois: Papers to accompany House bill 1292—to the Committee on Military Affairs.

By Mr. HENDERSON of Iowa: Petition of the Farmers' Alliance of Brandon, Iowa, urging the passage of the Butterworth bill defining options—to the Committee on Agriculture.

Also, petition of 30 citizens of New Hartford, Iowa, urging the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of Fairfield Farmers' Alliance, No. 2062, New Hartford, Iowa, urging the passage of the Butterworth bill—to the Committee on Agriculture.

Also, petition of the Farmers' Alliance of Brandon, Iowa, urging the passage of the Conger lard bill—to the Committee on Agriculture.

By Mr. HENDERSON of North Carolina: Petitions of National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress be allowed to open on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HULL: Petition of James G. Beck and 25 other citizens of Madison County, Iowa, in favor of the Conger lard bill—to the Committee on Agriculture.

Also, petition of W. A. Hains and 30 other citizens of Dallas County, Iowa, in favor of the Butterworth option bill—to the Committee on Agriculture.

By Mr. JOSEPH: Petition from Christian Endeavor Societies of the cities of Albuquerque and Santa Fé, N. Mex., praying Congress to take steps, along with European powers, to stop the importation of spirituous liquors into Africa—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. KRIBBS: Petition of citizens of East Hickory, Forest County, Pa., asking for better remuneration of the postmaster at that place—to the Committee on the Post-Office and Post-Roads.

By Mr. McCLELLAN: Petition, affidavits, and other papers to accompany House bill 5228, to amend the military record of Michael E. Bricker, late a private in Company D, Tenth Ohio Regiment of Volunteer Cavalry—to the Committee on Military Affairs.

By Mr. McKAIG: Petition of Philemon H. Griffith, of Frederick County, Maryland, representing that he has a claim against the United States for stores and supplies taken by the military forces of the United States during the war of the rebellion, and praying that his claim may be referred to the Court of Claims under the Bowman act—to the Committee on War Claims.

By Mr. MILLS: Petition for the relief of J. Y. Carpenter—to the Committee on War Claims.

By Mr. MITCHELL: Petition of the Milwaukee Union, asking that the World's Fair be closed on Sunday, and that the art department thereof be managed according to the American standard of purity—to the Select Committee on the Columbian Exposition.

By Mr. NORTON: Petition of Joseph Eckel Kamp and 265 others, citizens of Warren County, Mo., praying for the improvement of the Missouri River—to the Committee on Rivers and Harbors.

Also, petition of James Mackie, of Company F, Berges' Regiment Missouri Sharpshooter Volunteers, to accompany the bill for his relief—to the Committee on Invalid Pensions.

Also, petition of John O. Roberts and 300 others, of Pike County, Mo., praying for the granting of pensions to the Enrolled Missouri Militia, Six Months Militia, and Home Guards of the State of Missouri—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: Petition of Young People's Society of Christian Endeavor of the Presbyterian Church, Coldwater, Mich., praying that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PAYNTER: Petition of Thomas Hendricks for an honorable discharge—to the Committee on War Claims.

Also, petition of Marshall Burtrum for increase and rerating of pension—to the Committee on Invalid Pensions.

Also, petition of David D. Flinders for matters of pension—to the Committee on Invalid Pensions.

By Mr. PERKINS: Claim of Susan McClusky and affidavit of neighbors to accompany House Bill 3317—to the Committee on Invalid Pensions.

By Mr. RAYNER (by request): Resolutions of the Wilson Post, Grand Army of the Republic, of the city of Baltimore, petitioning Congress through its Representatives from Maryland to favor the transfer of the Revenue Service to the Navy—to the Committee on Naval Affairs.

By Mr. RUSK: Petition of Regina Ernst, widow of Anton Ernst, Company K, Second Maryland Infantry—to the Committee on Military Affairs.

By Mr. SEERLEY: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress, shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. SNODGRASS (by request): Petition of Sarah Willhick, praying that her claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

Also (by request), petition of J. W. Clift, administrator of the estate of Col. William Clift, deceased, of Chattanooga, Tenn., asking Congress to refer his case to the Court of Claims under the so-called Bowman act—to the Committee on War Claims.

By Mr. CHARLES W. STONE: Petition of the Presbyterian Church, Coraopolis, Pa., asking that the World's Fair be closed on the Sabbath and to prevent the sale of liquors on the grounds and of impure art exhibitions—to the Select Committee on the Columbian Exposition.

By Mr. STOUT: Petition of citizens of Michigan, against the Sunday opening of the Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. TERRY: Petition of certain citizens of Little Rock, Ark., for improvement of Arkansas River—to the Committee on Rivers and Harbors.

By Mr. TURNER: Petition of 44 citizens of Bainbridge, Ga., for the "deep-water project" of the Savannah River—to the Committee on Rivers and Harbors.

By Mr. WAUGH: Petition of citizens of Boone County, Ind., for the passage of what is known as the Butterworth or option bill—to the Committee on Agriculture.

Also, petition of citizens of Boone County, Ind., for the passage of a bill imposing a revenue tax upon compound lard—to the Committee on Agriculture.

By Mr. WILLIAMS of Massachusetts: Petition of Daniel W. Hyd, of Boston, Mass., praying for the enactment of a law authorizing the use exclusively in the customs service on and after July 1, 1893, of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. WRIGHT: Papers and proof of Mary Ann Lafferty in pension claim—to the Committee on Invalid Pensions.

Also, papers and proof in the pension claim of Sarah J. Mallory—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *February 3, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

REPORT OF NATIONAL ACADEMY OF SCIENCES.

The VICE-PRESIDENT. The Chair lays before the Senate the annual report of the National Academy of Sciences. The letter of transmittal by the president will be read.

The letter was read, as follows:

NATIONAL ACADEMY OF SCIENCES,
Washington, D. C., January 25, 1892.

SIR: In conformity with the requirements of the act of incorporation, approved March 3, 1863, I have the honor to submit herewith a report of the operations of the National Academy of Sciences during the past year.

Very respectfully,

O. C. MARSH,
President of the National Academy of Sciences.

The PRESIDENT OF THE SENATE.

The VICE-PRESIDENT. The attention of the Senator from

Connecticut [Mr. HAWLEY] is requested. What disposition shall be made of the accompanying documents?

Mr. HAWLEY. I offer a concurrent resolution for printing the usual number, and I ask that the whole be referred to the Committee on Printing. I send to the desk the resolution, which is required to be referred under the rule.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed, in addition to the usual number, 3,500 copies of the annual report of the National Academy of Sciences for 1891, in octavo form, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the National Academy of Sciences; and that there be printed, in addition to the usual number, 2,300 copies, in quarto form, of the Memoirs of the National Academy of Sciences, which accompany the annual report for 1891, of which 300 copies shall be for the use of the Senate, 500 copies for the use of the House of Representatives, and 1,500 copies for the use of the National Academy of Sciences.

The VICE-PRESIDENT. The resolution, with the letter of transmittal and accompanying documents, will be referred to the Committee on Printing.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of citizens of Winnebago County, Iowa, praying for the passage of the so-called option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Robert T. Lincoln Club, of Brooklyn, N. Y., reciting certain facts with reference to the recent Chilean incident, expressing its approval of the negotiations surrounding the same, and praying Congress to uphold the President in the position he has taken in the matter; which was referred to the Committee on Foreign Relations.

He also presented memorials of the Cumberland Presbyterian Church of Columbia, Tenn., remonstrating against a loan being made to the Chicago Fair, especially if it is to be open on the Sabbath; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Federation of Labor of the District of Columbia, praying for the passage of a bill directing the investigation of the "slums" of large cities, etc.; which was referred to the Committee on Education and Labor.

Mr. SANDERS. I present a memorial adopted at a convention of delegates from the States of California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, Oregon, Texas, and Wyoming, and the Territories of Utah and New Mexico, to consider matters appertaining to the arid lands of the West. This was a representative convention, composed of citizens who have given the subject large attention, and I move that the memorial be printed as a document and referred to the Committee on Irrigation and Reclamation of Arid Lands.

The motion was agreed to.

Mr. QUAY presented a petition of 272 citizens of Adams County, Pa., praying for the closing on Sunday of any exposition or exhibition where appropriations of the United States are expended; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CAMERON presented the petition of Charles H. Cramp, president, William Cramp & Sons Company, and J. Shields Wilson, president of the Wilmington (Del.) Steamboat Company, and others, praying for the passage of the bill to transfer the Revenue Cutter Service to the naval establishment; which was referred to the Committee on Naval Affairs.

Mr. MCMILLAN presented a petition of the American Eagle Tobacco Company and 8 other wholesale firms, of Detroit, Mich., praying for the passage of an amendment to section 26 of the tariff and tax act of 1890; which was referred to the Committee on Finance.

Mr. BLODGETT presented a petition of Haddon Grange, Patrons of Husbandry, of Camden County, N. J., praying for the passage of a bill defining options and futures and imposing special taxes upon dealers therein; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Baptist Church of Newton, N. J., and a memorial of the Christian Endeavor Society of Newton, N. J., remonstrating against the passage of a bill permitting the opening of any exhibition or exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. VILAS presented a petition of the Congregational Young People's Society of Fond du Lac, Wis., praying that no exposition or exhibition for which appropriation is made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. BATE presented a petition of citizens of Hayward County, Tenn., praying for the passage of what is commonly known as the option bill; which was referred to the Committee on the Judiciary.

Mr. COKE presented the petition of Glenn W. Cooper, attorney for Mary A. Rose and other citizens of Victoria, Tex., praying to be allowed compensation for property taken by the United States Army; which was referred to the Committee on Claims.

Mr. VEST presented the petition of Hon. Benjamin Butterworth, secretary of the World's Fair, and 102 prominent citizens of Chicago, Ill., praying that the Secretary of War be authorized to contract with Charles Stoughton for the completion of the Harlem River improvement and for the construction of the Harlem Kills Canal; which was referred to the Committee on Commerce.

Mr. FRYE presented a petition of vessel owners and other citizens of Portland, Me., praying for the transfer of the Revenue Cutter Service to the Navy Department; which was referred to the Committee on Naval Affairs.

Mr. COCKRELL presented a petition of the National Woman's Christian Temperance Union, signed by 94 citizens of Kingsville, Mo., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented a petition of the Board of Trade of Topeka, Kans., praying for the passage of the Torrey bankruptcy bill; which was referred to the Committee on the Judiciary.

Mr. PLATT presented a memorial of 170 citizens of Newington, Conn., members of the Congregational Church, remonstrating against the opening on Sunday of any exhibition or exposition where United States money is expended; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAWES presented a memorial of the National Woman's Christian Temperance Union, of Bernardston, Mass., and other associated organizations, remonstrating against any exposition or exhibition for which appropriations are made by Congress being opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

REPORTS OF COMMITTEES.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations to report an amendment to the first deficiency bill, proposing to appropriate $5,000 to enable the Government of the United States to be properly represented at the International Art Exhibition to be held at Munich, in the Kingdom of Bavaria, from June 1 to October 31, 1892. I move that the communication from the Secretary of State and accompanying documents be printed, and, with the amendment, referred to the Committee on Appropriations.

The motion was agreed to.

Mr. DOLPH. By direction of the Committee on Foreign Relations I report back favorably, with amendments, Senate bill 540, introduced by myself, for the purpose of continuing in force all existing laws prohibiting and regulating the coming into this country of Chinese persons and persons of Chinese descent for a period of ten years. I call the attention of my colleague [Mr. MITCHELL], the Senator from California [Mr. FELTON], the Senator from Nevada [Mr. STEWART], and the Senator from Illinois [Mr. CULLOM] to the fact that I report back adversely the bills upon the same subject introduced by them, the bill now reported favorably being intended by the committee to take the place of those bills, and its provisions being supposed to be sufficient.

I give notice that after the bill has been printed as proposed to be amended and parties interested have had an opportunity to examine it, I shall at the earliest practicable date call the bill up for action by the Senate, as the existing laws all expire by limitation in May next, and I desire that some attention shall be given to the matter and the laws extended for a limited period before the present acts on the subject expire.

The VICE-PRESIDENT. The title of the bill will be stated and it will be placed on the Calendar.

The CHIEF CLERK. A bill (S. 540) to continue in force an act entitled "An act to execute certain treaty stipulations relating to Chinese," approved May 6, 1882; an act entitled "An act to amend an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved May 6, 1882," approved July 5, 1884, and an act entitled "An act a supplement to an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved the 6th day of May, 1882," approved October 1, 1888.

The bills adversely reported by Mr. DOLPH were postponed indefinitely, as follows:

A bill (S. 65) supplemental to an act entitled "An act supplemental to an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved May 6, 1882," approved October 1, 1888 (by Mr. STEWART);

A bill (S. 84) to suspend the coming of Chinese laborers to the United States, and for other purposes (by Mr. CULLOM);

A bill (S. 630) to amend an act entitled "An act a supplement to an act entitled 'An act to execute certain treaty stipulations

relating to Chinese,' approved May 6, 1882," approved October 1, 1888 (by Mr. FELTON); and

A bill (S. 719) to absolutely prohibit the coming of Chinese persons into the United States, whether subjects of the Chinese Empire or otherwise (by Mr. MITCHELL).

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 798) for the relief of the legal representatives of John H. Jones and Thomas D. Harris, reported it with an amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 18) for the relief of Edward S. Armstrong, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 262) for the relief of Jabez Burchard, asked to be discharged from its further consideration and that it be referred to the Committee on Naval Affairs; which was agreed to.

Mr. MITCHELL. I am directed by the Committee on Claims, to whom was referred the bill (S. 177) for the relief of Hattie E. Winn, of West Carroll Parish, La., to report it adversely and recommend that it be indefinitely postponed. On examination we find that the claimants in this case have been paid the full amount of the claim in the bill.

The bill was postponed indefinitely.

Mr. MITCHELL. By direction of the Committee on Claims I report adversely the bill (S. 185) for the relief of Fanny B. Randolph and Dora L. Stark, of Avoyelles Parish, State of Louisiana, for stores and supplies taken by the military forces of the United States, and recommend its indefinite postponement.

I am further instructed, however, in the same case to report a resolution, accompanied by a written report, recommending that the case be referred to the Court of Claims.

The VICE-PRESIDENT. The bill being adversely reported will be indefinitely postponed.

Mr. MITCHELL. I ask that the resolution may be read and placed on the Calendar.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read and ordered to be placed on the Calendar as follows:

Resolved, That the claim of Fanny B. Randolph and Dora L. Stark for stores and supplies taken by the military forces of the United States for their use during the war for the suppression of the rebellion be, and the same is hereby, referred, with all the papers in the case, to the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the "Bowman act," as amended by the act of March 3, 1887, commonly known as the "Tucker act."

Mr. PETTIGREW, from the Committee on Public Lands, to whom was referred the bill (S. 695) to authorize the Secretary of the Interior to survey and mark the boundary between the State of Nebraska and that portion of the State of South Dakota which is embraced in the Pine Ridge and Rosebud Indian Reservations, reported it with amendments.

BILLS INTRODUCED.

Mr. COKE introduced a bill (S. 2030) for the relief of James Calvin Lipscomb; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 2031) for the benefit of Richard H. Taylor; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 2032) to repeal the provisions of the act of Congress approved the 3d of March, 1891, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1891, and for prior years, and for other purposes," which provides for the forfeiture of the charter and the other rights of the Metropolitan Railroad Company of Washington, D. C.; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DAWES (by request) introduced a bill (S. 2033) for the relief of the freedmen in the Chickasaw Nation, Indian Territory; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2034) to provide for the care of dependent children in the District of Columbia, and to create a board of children's guardians; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. VANCE introduced a bill (S. 2035) to refund to property-holders on Pennsylvania avenue, between First and Fifteenth streets west, two-thirds of the assessment levied and paid under the act of Congress of July 8, 1870; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2036) for the relief of the heirs of R. D. Hay; which was read twice by its title, and referred to the Committee on Finance.

Mr. GALLINGER introduced a bill (S. 2037) to provide for the purchase of a site and the erection of a public building thereon at Keene, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SAWYER introduced a bill (S. 2038) construing the act of February 28, 1877, increasing the pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2039) granting a pension to Catharine W. Tennis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2040) granting an increase of pension to Fletcher S. Kidd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 2041) for the relief of W. H. Davis, first lieutenant, late Company H, Twenty-fifth Regiment Ohio Infantry Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 2042) granting an increase of pension to Mrs. Helen G. Heiner; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 2043) for the relief of Carrie O. Wallace; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 2044) extending the privilege of bounty land to persons who served in the Indian wars of the United States subsequent to March 3, 1855; which was read twice by its title.

Mr. MITCHELL. I ask that the bill may be referred to the Committee on Public Lands.

Mr. DOLPH. I suggest to my colleague that I do not think the Committee on Public Lands has ever taken jurisdiction of that subject. The proper reference of the bill, I think, would be to the Committee on Military Affairs.

Mr. MITCHELL. I had some little question myself about that, and I am not quite certain to which committee it should be referred.

Mr. DOLPH. I should like to hear the title again read.

The Secretary read the title of the bill.

Mr. COCKRELL. That should go to the Committee on Military Affairs.

Mr. MITCHELL. Then I ask that the bill may be referred to the Committee on Military Affairs.

The VICE-PRESIDENT. The Chair is informed that similar bills have usually gone to the Committee on Pensions.

Mr. MITCHELL. Very well. Then I ask that the bill be referred to the Committee on Pensions.

The VICE-PRESIDENT. That order will be made.

Mr. McMILLAN introduced a bill (S. 2045) to provide for the rebuilding of the bridge across Rock Creek at M street northwest, in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. CAMERON introduced a bill (S. 2046) to amend section 1417 of the Revised Statutes of the United States, in relation to the number of enlisted men in the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. VOORHEES introduced a bill (S. 2047) for the relief of the heirs and legal representatives of Bayless W. Hanna, deceased, late envoy extraordinary and minister plenipotentiary to the Argentine Republic; which was read twice by its title, and referred to the Committee on Claims.

Mr. MANDERSON (by request) introduced a joint resolution (S. R. 38) authorizing the publication of a history and digest of the international arbitrations to which the United States was a party; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Printing.

CLAIM OF ESTATE OF PRESTON ROSE.

Mr. COKE submitted the following resolution; which was referred to the Committee on Claims:

Resolved, That the claim of Mary A. Rose (widow), Kate Rose, Bettie Rose, Linda Rose, Wirt Rose, Frank Rose, and Eric Rose, children of Preston Rose, who died in 1860, testate, leaving his property to his widow and children, all of the State of Texas, said claim being for quartermaster and commissary stores and supplies, and other property alleged to have been taken and used by the United States Army during the late war from the plantation of said widow and children, at or near Victoria, in the county of Victoria and State of Texas, be referred to the Secretary of War, who shall investigate the justice and equity of said claim, and the loyalty of the claimants, and report the amount and value of the property taken and used by the said Army, and also what amount, if any, has been paid on the same, and that he report all the facts and evidence in the case for the further consideration of the Senate.

INDIAN SCHOOLS.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be directed to communicate to the Senate a copy of the report made by the Hampton Institute in response to the resolution of the Senate passed February 28, 1891.

PURCHASE OF MONROE PAPERS.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of State be requested to transmit to the Senate any information which may be within his possession concerning any existing unpublished correspondence and manuscripts of President James Monroe, with the opinion of the Secretary as to the expediency of the purchase of the same by the Government.

PROHIBITION IN ALASKA.

Mr. DOLPH. Mr. President, a few days since I had occasion to make some remarks in regard to an article which I quoted from The Voice. I have since received a letter from Hon. John H. Keatley, of Sioux City, Iowa, who was at one time United States district judge of Alaska, which is full of information as to the condition of affairs there, an important subject, I think, for the consideration of the Senate, and in which he concurs in my views of the situation, and thinks that the license system there would accomplish something, whereas nothing is accomplished under existing law. I ask to make this letter a part of my present remarks that it may have full circulation and be seen by all Senators.

The VICE-PRESIDENT. The letter will be printed in the RECORD as part of the Senator's remarks, if there be no objection. The Chair hears none.

The letter is as follows:

SIOUX CITY, IOWA, *January 30, 1892.*

DEAR SIR: I have just carefully read your remarks in the Senate on the 26th instant, as published in the CONGRESSIONAL RECORD of the 27th instant, in reference to the regulation of the liquor traffic in Alaska.

As I was appointed United States judge of that district July 12, 1888, took the oath of office at Sitka August 25, 1888, and served until December, 8, 1889, when my voluntary resignation took effect, and I was relieved by my successor. I perhaps know something about the troubles and difficulties in enforcing the prohibitory clause of the act of Congress approved May 14, 1884.

I was at Sitka when Collector Pracht, appointed by the present Administration, reached that place and assumed the duties of his appointment. As I understood it at the time, Mr. Pracht had had a conference with Mr. Windom, Secretary of the Treasury, before he left Washington for Alaska, and the Secretary expressed a strong desire that the regulations of the Department relating to the issuing of permits to introduce intoxicating liquors should be rigidly enforced.

Complaint had been made before that that Mr. Pracht's predecessor had been too liberal and indulgent in that respect, and a radical change was desired upon the part of the existing Administration. The consequence was that the collector practically denied all applications both at Sitka and through his deputies at other points. Not only that, whenever goods of that character were surreptitiously gotten ashore for saloon purposes, Mr. Pracht made vigilant search for the smuggled goods, and made seizures of the same, and condemnations quickly followed. I remember distinctly one instance where about $500 worth of liquors (smuggled) were found in the loft of a saloon at Sitka, and were properly libeled, and upon a full hearing were condemned and ordered sold, under a decree which I made, as among the last of my official acts in Alaska. Watchmen of the utmost fidelity were placed by the collector in and about every mail steamer coming to Sitka, and during its stay of twenty-four hours, but owing to the fact that the natives (Indians) in their canoes came about the ship to barter with curios, etc., contraband liquors almost invariably found their way ashore, through the activity of seamen and roustabouts belonging to the steamers.

Under Governor Swineford, when I reached Alaska, in August, 1888, a system of saloon licensing was in practice. No case was ever made making it necessary for me to judicially pass upon the validity of that system of getting some revenue for the building of sidewalks at Sitka, which was the pretext, and the method of its expenditure, but in an informal and unofficial way, I expressed my opinion of the invalidity of the entire proceeding.

From the time of the arrival of Governor Knapp, in May, I think, 1889, until my departure early in December of the same year, I always understood that that system of issuing licenses had been abandoned.

As to the enforcing of the provisions of the act of May 14, 1884, and the general statutes of the United States, and the statutes of the State of Oregon, prohibiting both the sale, or gift of intoxicating liquors to Indians, I made some observations. During the period of my official career no prosecutions were commenced, except in one or two minor instances, during November, 1888, to enforce the criminal provisions of the act of May 14, 1884, and those cases in that respect that I now recall in memory, were where several Indians, in two instances, one at Killisnoo, were detected in landing a bottle of whisky from the mail steamer.

Public sentiment in the Territory was strongly against either the sale or gift of intoxicating liquors to natives (Indians), and prosecutions before commissioners and in the district court were very frequent, and in few cases did the accused escape conviction and sentence. I do not now remember a single instance where a recognized saloon-keeper, at any of the towns and canning stations, were accused of this offense, except at Chilcat, or Pyramid Harbor, where there were no white people but the few in charge of the cannery. The most numerous violations were by individuals who are called, in the States, "boot-leggers."

The fact is that the recognized saloon-keepers (white men) were as persistent in enforcing the law against either selling or giving liquors to Indians as those who had no direct interest in the liquor business whatever.

To one who has lived on the frontier, and in contact with the Indian tribes and villages, the reason of that desire to prosecute and punish in such instances, is obvious. It is simply to guard against a danger common to all, saloon-keeper and ordinary citizen, from such indiscriminate sale of this perilous element in frontier society.

I do not hesitate to say that owing to the most peculiar topographical and geographical features of Alaska, with its numerous mountainous islands, its rugged and forbidding mainland, its infinite number of narrow straits and sounds, timbered to the very edge of the water, and with the whole of Southeastern Alaska, island and mainland, covered with a dense underbrush for hundreds of miles of coast line, and with every facility for smuggling and hiding, furnished by the bay trading posts in Northern British Columbia, it is practically impossible to arrest the illegal introduction of intoxicating liquors into our Alaska territory. If public sentiment were practically unanimous in favor of enforcing the law, which it is not by any means, there is no remedy, under existing conditions, in a prohibitory law, such as the act of May 14, 1884. A coast-guard of 5,000 men loyally attempting to do their whole duty could make it little better than it is now.

I believe far greater and more satisfactory results can be reached by an authorized license system, and this, in my opinion, would enlist every individual paying the license fee in the effort to rigidly enforce such a license system.

I shall be glad if you will see Senator JONES of Arkansas, who knows me well, and he will give you an idea of my general character.

Yours, respectfully,

JNO. H. KEATLEY.

Hon. J. N. DOLPH,
Senate Chamber, Washington, D. C.

BUREAU OF AMERICAN REPUBLICS BULLETINS.

Mr. MANDERSON submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring therein), That there be printed 15,000 copies of the bulletins of the Bureau of American Republics submitted to Congress by the President in connection with the first annual report of that Bureau, of which number 4,000 shall be for the use of members of the Senate, 8,000 for the use of the Members and Delegates of the House of Representatives, and 3,000 for distribution under the direction of the Secretary of State.

MARRIAGE AND DIVORCE.

Mr. KYLE. In pursuance of the notice given by me last Monday, I wish to call up the joint resolution (S. R. 29) proposing an amendment to the Constitution of the United States relating to marriage and divorce. I ask that the joint resolution be read.

The VICE-PRESIDENT. The joint resolution will be read.

The Chief Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as a part of the Constitution, namely:

"ARTICLE XVI.

"The Congress shall have exclusive power to regulate marriage and divorce in the several States, Territories, and the District of Columbia."

Mr. KYLE. Mr. President, it is with deference to long-established custom that I rise to address this honorable body. But my interest in the resolution under consideration, supported by the concern of a large body of our best citizenship for the perpetuity of the family, may answer for what appears to be an innovation.

How far it may be a custom in Congress to give attention to questions of this nature, and to what extent there may now be a willingness to consider a resolution of such importance, I know not.

But it is my belief, Mr. President, that we can well afford to turn from questions, such as claims and public buildings, to a subject which is eminently fitting to command the attention of our country's wisest and best minds. This is a proposition for an amendment to our national Constitution. In this there is nothing new or strange.

Since the framing of the Constitution fifteen amendments have been offered and adopted. But I venture the assertion that, as compared with those preceding, the proposed amendment stands preëminent as being of vital interest to the life of our Republic. Of the fifteen preceding amendments, ten were proposed by the First Congress in 1789, the eleventh in 1794, and the twelfth in 1803.

Many of these relate to the rights of citizens, and are, so to speak, the finishings of the Constitution. The last three adopted since 1865, relating to or growing out of the war, present the first real amendatory ideas not foreseen by the fathers of the Constitution. They refer to slavery, citizenship, and the electoral right, and are therefore of great moment. But the first institution given to mankind is greater than all questions touching subsequent rights between man and man. If the sacredness which has attached to marriage in the past is to be eliminated, the family is in peril, and the associate institutions of society rest upon insecure foundations.

It is not my purpose to-day to examine the moral side of the question, though I firmly believe in marriage as a moral institution. But from a secular standpoint and in the light of a civil contract, it is of vital interest to us that the sacredness of it be held inviolate. We have arrived at a period in the history of nations when problems of sociology supersede all others. Wars for conquest are practically ended. Governments are well defined and established. The eyes of nations are now turned from the external to the internal; from the objective to the subjective. Questions, such as crime in relation to society, confront us; temperance and society; the wage system and society; wealth and poverty in relation to society; education, charity, politics, and religion in the same relation. The basis of all sociological problems, however, is the family, and its preservation by proper laws regulating marriage and divorce. It is both moral and civil in its aspects; but being civil it is not divested of that which makes it a contract of a character different from others, and therefore demanding special legislative consideration. An eminent judge, Lord Bannatyne, says:

Though the origin of marriage is a contract, it is in a different situation from all others. It is a contract coeval with and essential to society, while

the relations of husband and wife, parent and child, to which it gives rise, are the foundation of many rights acknowledged all the world over, and which, though differently modified in different countries, have everywhere a legal character altogether independent of the will of the parties. The rights arising from the relations of husband and wife, though taking their origin in contract, have yet in all countries a legal character determined by their particular laws and usages altogether independent of the terms of the contractor or the will of the parties at the time of entering into it.

Upon this point I quote, also, Lord Robertson, the distinguished Scottish judge. He says:

Marriage being entirely a personal, consensual contract, it may be thought that the *lex loci* must be resorted to in expounding every question that arises relating to it. But it will be observed that marriage is a contract *sui generis*, and differing in some respects from all other contracts; so that the rules of law which are applicable in expounding and enforcing other contracts may not apply to this. The contract of marriage is the most important of all human transactions. It is the very basis of the whole fabric of civilized society.

The status of marriage is *juris gentium*, and the foundation of it, like that of all other contracts, rests on the consent of the parties. But it differs from other contracts in this, that the rights, obligations, or duties arising from it are not left entirely to be regulated by the agreements of the parties, but are, to a certain extent, matters of municipal regulation, over which the parties have no control by any declaration of their will. It confers the status of legitimacy upon children born in wedlock, with all the consequential rights, duties, and privileges thence arising; it gives rise to the relations of consanguinity and affinity; in short, it pervades the whole system of civil society.

Unlike other contracts, it can not, in general amongst civilized nations, be dissolved by mutual consent, and it subsists in full force even though one of the parties should be forever rendered incapable (as in the case of incurable insanity, or the like) from performing his part of the mutual contract. No wonder that the rights, duties, and obligations arising from so important a contract should not be left to the discretion or caprice of the contracting parties, but should be regulated in many important particulars by the laws of every civilized country. And such laws must be considered as forming a very essential part of the public law of the country. As to the constitution of marriage, as it is merely a personal, consensual contract; it must be valid everywhere if celebrated according to the *lex loci;* but with regard to the rights, duties, and obligations thence arising, the law of the domicile must be looked to. It must be admitted that in every country the laws relating to divorce are considered of the utmost importance, as public laws affecting the dearest interest of society.

William E. Gladstone, in writing upon this subject, says:

The greatest of all human controversies is the marriage controversary.

Numerous such opinions of men eminent in the legal profession might be given, but these are sufficient to show that a sociological question of this nature is not left to the realm of mere moral sentiment. As a civil institution the legislative powers must throw around it safeguards and regulations. That the constitutional fathers did not incorporate the power to legislate upon marriage and divorce does not argue against the importance of doing so now.

Slavery existed then, but subsequent difficulties concerning it were not discussed; the thirteenth amendment was not even thought of. There were marriages and divorces in those days, but living in an age when much of sacredness attached to such relations, the evils of divorce and divorce legislation attracted little attention. Much less the possibility of conflict amongst a small number of States practically one in sentiment.

But now this question, of all others in sociology, takes the lead. Thoughtful men on both sides of the water are raising the alarm as they witness the decay of our best institution. We have enlarged our borders rapidly; territory from France, Mexico, and other governments has been added with inhabitants included. New England or the thirteen original States no longer hold the balance of moral power. English or church ideas no longer prevail; accessions come from other quarters where the secular overbalances the religious touching the question of marriage. All grades of definition, therefore, are framed, from the extreme ecclesiastic to the extreme secular. This accounts largely for our present anomalous situation and the threatening danger. Petitions for better legislation from associations, commissions, and churches have been presented in rapid succession during the past decade. They appear in the Legislatures of many of our States, asking for uniform laws.

Only within a few years have they ventured to disturb the National Congress, and then not to ask for legislation, but that Congress investigate and report the evils concerning marriage and divorce. These petitions came, during the winter of 1884, from States East and West, and representing governors, legislators, jurists, divines, and prominent educators. From the report of the Commissioner of Labor I quote the substance of these petitions:

That the wide differences between the laws of the several States as to the cause of divorce, and the jurisdiction of their courts over suits for divorce by or against nonresidents, constitute an acknowledged element of confusion and uncertainty in American jurisprudence. That these differences have led to many and distressing conflicts of judicial decisions in cases turning upon the degree of faith and credit to be given to decrees of divorce under the Constitution and laws of the United States or the comity of nations, so that a marriage is often treated, at the same time, in one State as dissolved, and in another State or country as subsisting; and a man may be convicted of bigamy or adultery in one jurisdiction upon what would be a lawful marriage in another.

That the ever-growing number of foreign immigrants who become American citizens, and thus subject marriages contracted abroad to the jurisdiction of our courts of divorce, or, by a temporary return to their original domicile, may submit American divorces to the test of examination by foreign tribunals, make these matters a not infrequent cause of collision in the administration of private international law; that the magnitude of these evils, their bearing upon our general social conditions, and the best methods of guarding against their increase, can be fully apprehended only by a careful collection of the facts and statistics of divorce; and that no attempt to obtain such statistics can hope for any considerable success, unless it is made by the authority of the United States. Your memorialists therefore pray that such a law may be passed as will provide for a thorough inquiry into the various matters above referred to, and the collection of statistics of divorce from the records and authorities of the several States as a basis for future legislation.

It is gratifying, Mr. President, to learn from the records that members of Congress were sensibly affected by such memorials. The Judiciary Committee of the Senate and House, acknowledging the importance of the question, introduced a bill in 1884 providing for the collection of these statistics. Through the efforts of the distinguished Senator from Vermont and others an appropriation was made in 1887 and the responsibility of collecting such information placed in the hands of the Commissioner of Labor.

The Commissioner's report, consisting of more than 1,000 pages, published in 1889, is exhaustive, covering a period from 1867 to 1886 from every State in the Union and from every civilized country.

The facts brought to light are such as to create alarm and to attract the thought of Congress to this question.

We have now forty-four States, with as many quite dissimilar statutes upon the subject of marriage and divorce; some in old States with well-tried morals, some in very new States with a heterogeneous population; some biblical and religious, some intensely secular and practical; some unwisely stringent, others too loose to stand the test of public sentiment, while, as President Woolsey says—

It is observable that the statutory laws of this country relating to this subject seem in general to have been drawn up by men who either did not possess much knowledge of the unwritten law which governs it, or did not regard such unwritten law worthy to be considered by them in framing the statute, and who, moreover, gave but little thought to the practical working of the statute.

This assertion is supported by multitudes of conflicts and variations—variations between different States as to definitions of marriage, qualifications for marriage, consanguinity, miscegenation; as to license, form of solemnization, age of consent, validity of marriage under certain conditions; as to remarriage of divorced parties, grounds of divorce and methods of securing the same, who shall grant divorce, validity of divorce under certain conditions, legitimacy of children, property rights, alimonies, penalties, etc.

Only eighteen States give a definition of marriage, and many of these differ. In thirteen States illegitimate children are legitimized by marriage of parents. Twenty-four States legitimize such children by marriage of parents and acknowledgment of the father. Penalty or prosecution for seduction is suspended by marriage in sixteen States. Capability of marrying ranges from 14 to 16 years of age on the part of males, and from 12 to 16 on the part of females.

Parental consent likewise varies. As to degrees of consanguinity permissible in marriage, only nineteen States have a likeness to the statutes of other States. The language in regard to void, voidable, or prohibited marriage is different in almost every State of the Union. As to solemnization, all shades of enactments are found. For instance, it is the law in Maryland, or was until lately, that no one but a clergyman could perform such ceremony, while in New York the court of appeals has decided—

That a man and a woman, without going before a minister, without the presence of any person as a witness, with no previous public notice given, with no form or ceremony, civil or religious, and with no record or written evidence of the fact, and merely by words of the present, may contract matrimony.

In other States, as in Illinois, what is termed a "common-law marriage" is valid—that is, two people making a mutual agreement to live together as husband and wife, without any ceremony being performed or public declaration made, may be considered legally married. The consequence is that in such States cases daily arise where after death some person appears claiming a husband's or wife's interest in an estate by reason of an alleged "common-law marriage." As can be easily seen, this system results in a vast amount of immorality, fraud, and attempts at blackmail.

A sort of omnibus law passed in Arizona in 1887 provides "that all persons who have prior to that date lived together as husband and wife and have continued to do so one year should be considered legally married." In some States, as in Illinois, Kentucky, and South Dakota, the marriage of cousins is made incestuous and void. If, however, persons within the prohibited relationship go to another State to be married the marriage is in most States held valid. Also the marriage in some States of minors without the consent of parents or guardians is prohibited, but the decisions are conflicting between the various States as to whether such marriages when celebrated are valid or as to whether they may afterwards be annulled upon the application of the parties or of their parents or guardians.

In some States certain forms of requisites, such as licenses and the appearance before a minister of the gospel or some public officer, are necessary for the celebration of a valid marriage; and in some instances, before a minister is authorized to celebrate a marriage he must file certificates in some public office. In very many cases this is neglected, and the result is that innocent persons celebrating a marriage before a minister whom they have every reason to suppose is qualified to officiate enter into a marriage contract the validity of which is, to say the least, very doubtful.

Under the present system of marriage laws, as adopted by the forty odd States and Territories, there is in most instances no proper record kept of the celebration of marriages, and this often leads to a vast amount of litigation and other annoyances. Applicants for pensions can, many of them, disclose the annoyances to which they are put by the fact of the loss of a marriage certificate and the consequent difficulty of proving a legal marriage to a sailor or soldier of the United States. The result is that many deserving widows of men who have faithfully served their country, and who are legally and morally entitled to assistance from our Government, are unable to obtain it, from the mere fact of the unsettled condition of the marriage and divorce laws of our country.

Thirteen States provide that marriages beyond their boundaries are valid if valid in the States where the marriage is solemnized. But in Mississippi, if parties prohibited by miscegenation go to another State and are married, the marriage is void if they return. Parties so prohibited by consanguinity or affinity or miscegenation in Delaware, who, though married in another State, shall live together as husband and wife, are guilty of a misdemeanor, and may be fined $100.

The Georgia statute reads:

All marriages solemnized in another State, by parties intending at the time to reside in this State, shall have the same legal consequences and effect as if solemnized in this State. Parties residing in this State can not evade any of the provisions of its laws as to marriage by going into another State for the solemnization of the marriage ceremony.

But, Mr. President, the anomalous character of our statutes relating to divorce is more apparent. They are so diverse and contradictory as to place in jeopardy our whole social fabric. From a prominent lawyer of my own State I quote the following:

The practical result of the conflict of laws in the various States is that divorce granted in one State may be valid in that State and invalid in other States. In South Carolina, for instance, the courts refuse to recognize a divorce granted by the courts of another State, even in cases where both of the parties to the marriage resided in the State granting the divorce at the time of the divorce suit, provided the marriage was solemnized in South Carolina. And in several reported cases, the courts of that State have held second marriages of persons so divorced invalid, and the children of such marriages illegitimate.

In New York the courts have held that while a divorce may be perfectly valid in the State where it was granted, and while a second marriage in such State may be valid in New York, that the divorce will not be recognized in New York.

The result is that under the decision of the New York court of appeals, and the other courts of that State, a man or woman may legally, have practically any number of husbands or wives, thus establishing a legalized system of polygamy in the largest State of the Union.

I understand there are cases on record in New York State of parties who are imprisoned for bigamy in consequence of violating this law.

In other States the courts have held a divorce valid granted to a person who was a citizen of another State by the State in which he held a citizenship, but holding invalid a divorce granted in a State where there was simply a residence and not an actual citizenship.

In some States the courts have held that the domicile of a wife is that of her husband, and that any divorce granted to the wife in another State, no matter how long she may have resided in such State, with the bona fide intention of remaining there, is invalid. In Illinois, in a case with which I am personally familiar, a citizen of the kingdom of Wurtemberg came to Illinois, married and resided there for some thirty years. He accumulated considerable property and returned to Wurtemberg, leaving his wife in Illinois. As he always remained a subject of the King of Wurtemberg, he obtained a divorce or order and decree in that kingdom nullifying the Illinois marriage upon the ground that under an old law of Wurtemberg, no subject of that country could marry without the consent of the King, in a foreign country. He afterwards remarried in Wurtemburg and subsequently died. The two widows contested for the property left by him, which amounted to several hundred thousand dollars, and the supreme court of Illinois decided in favor of the second wife, and held that the first marriage to the wife with whom he had lived over thirty years, and who had assisted him in accumulating his property, was invalid.

This decision was afterwards affirmed by the Supreme Court of the United States.

In some States, for instance in New York, and also in South Dakota, when a divorce is granted upon the grounds of adultery, the guilty party is prohibited from remarrying. The courts, however, have held that if a person so divorced, in New York, for instance, steps over the line into New Jersey and is remarried there, the second marriage is valid, notwithstanding the prohibition imposed upon him by the New York laws.

In some States it is held that a person obtaining a divorce in a foreign State where personal service can not be obtained upon the defendant can legally remarry where the divorce is obtained and then return to his former place of residence and the second marriage will be held valid. If, however, he remarries in the State of which his former wife is a resident at the time of the divorce proceedings he is liable to be indicted and convicted of adultery or bigamy.

The foregoing, Mr. President, are but a few of the almost numberless cases of conflict in statutes. Pages could be filled from works like Storey on Conflict of Laws, Bishop on Marriage and Divorce, President Woolsey's notable work on Divorce and Divorce Legislation, from Commissioner Wright's report, and from the passing literature of the day. The demand is for national action upon this question. In my judgment this is justified upon the following grounds:

First. The people of this country of all professions and classes want a uniform law. Organizations and associations have been referred to. Great credit is due to the Rev. Dr. Dike, of Auburndale, Mass., for his indefatigable efforts along this line. Through the labors of his society State commissions have been appointed whose object was to work directly with State Legislatures. They have succeeded fairly well in ten years of service. But to me the task appears endless and hopeless. Forty-four State Legislatures must be brought into harmony in thought and legislation. This, considering our heterogeneous population, is next to an impossibility. But more discouraging still is the probability of these State laws being changed after being once wheeled into line.

Second. Our numerous, varied, and conflicting laws would be reduced to one simple, clear, uniform statute, applicable to all States and Territories. We now have our shelves so weighted down with lumbering volumes that it would puzzle the time-honored Philadelphia lawyer to keep pace with State enactments. A uniform law would be a benediction to both bar and bench. In fact, the effort for national uniformity has the indorsement of the National Bar Association. I have spoken at length of these conflicts. Congressional action would end our series of sensational disgraces, would prevent the stigma of illegitimacy being thrust upon thousands of innocent children, and would wind up the endless litigations as to property rights.

Third. International difficulties as to family relations and property rights would largely be settled. Marriages are contracted very frequently now between women of our country and citizens of foreign nations and vice versa. It is of vital moment that possible difficulties be removed.

Fourth. National law crystallizes the general and average sentiment of the country at large and not the local sentiment of a State. Many of our States have a large influx of foreign population from one nation or another. The result is that many distinct laws in regard to marriage and divorce, some loose, some stringent, prevail. Many of these are very repugnant to the American sentiment. Just now we again hear the knocking of Utah at our doors. She stands equipped with her arguments for statehood—enterprising citizens, great wealth and resources, large population. But within one week has come to me a remonstrance from citizens there who have lived amongst the Mormons for fifty years. The fear is that once admitted she might enact laws upon the marriage question inimical to the best sentiment of our people. With a national law the anxiety would end.

Fifth. The now too frequent, disgraceful episodes of contracting parties seeking some Gretna Green and of parties seeking divorce would be a thing of the past. Farcical trials and court judgments would seldom be known.

Sixth. A national law would embody the best features of our best State laws and would eliminate all that is undesirable.

Seventh. A national law would secure to us the stability of the marriage relation, preserve the family and the home, and thus lay a broad foundation for the perpetuity of the nation.

In conclusion, Mr. President, let me say that I speak not my own views alone upon this matter. Within two weeks my table has been covered with letters and papers from eminent lawyers and educators and representatives of the secular and religious press, urging this resolution as the rational solution of the divorce problem. My own State supports it; and to the honor of South Dakota, Mr. President, I wish to say that though we have secured a somewhat unenviable reputation in relation to divorce matters, we have a class of citizens who can not be surpassed for intelligence and morality. Our laws upon divorce are not more lax than those of numerous other States in the East as well as in the West. The grounds for divorce are similar to those of many other States. The privilege of instituting divorce proceedings, however, upon a ninety days' residence has brought us applicants from many States, and in consequence of fraud and perjury as to bona fide residence divorce proceedings are often corrupt and farcical.

It is safe to say that the laws of more than one-half of the States upon this question are a travesty upon wise legislation and reflect little credit upon a nation of advanced ideas. The Commissioner's report brings the magnitude of this evil clearly before the eye, as well as the possible danger which threatens us.

Divorces are increasing instead of falling off. One out of every 20 marriages in the United States results in a divorce. In Idaho, 1 in 10; in Maine, Rhode Island, and Vermont, 1 in 8; in Nevada and Wyoming, 1 in 6. During the period covered by the report there was an increase of 69 per cent in population, while divorces increased 157 per cent.

Considering our varied, conflicting, inadequate, and often disgraceful laws, together with the possibility that uniform legislation can not otherwise be secured, there is, Mr. President, practically no valid reason why the subject of marriage and divorce should not be relegated to the control of Congress. A wise statute could then be framed, so that parties married in one State would be married in every State, parties divorced in one State would be divorced in every State. Children would be protected in their heritage, the family would be preserved, society purified, and the state perpetuated.

Mr. President, I ask that the joint resolution be referred to the Committee on the Judiciary.

The VICE-PRESIDENT. The resolution will be so referred in the absence of objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 1762) for the relief of the University of the State of Missouri;

A bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882; and

A bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas.

SENATOR FROM FLORIDA.

Mr. TURPIE. I wish to take from the Calendar the resolution reported from the Committee on Privileges and Elections on the subject of contested seats from Florida, for the purpose of having action upon it. I ask for its present consideration. I believe it is a privileged question.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the following resolution reported from the Committee on Privileges and Elections January 25, 1892, as follows:

Resolved, That the Hon. Wilkinson Call, of Florida, was duly elected by the Legislature of said State on the 26th day of May, 1891, a Senator of the United States from said State for the term of six years, commencing on the 4th day of March, 1891, and that he is lawfully entitled to a seat in the Senate.

Mr. TURPIE. Mr. President, that resolution was reported several days ago, together with a report in support of it. There is no dissent in the committee, nor as far as I know upon the floor of the Senate. The Senator from Florida [Mr. CALL] indeed is occupying his seat. The Senator from Massachusetts [Mr. HOAR], who first introduced this question, I notice is absent, but he has given his assent to the resolution both in committee and in the Senate. I therefore move the adoption of the resolution.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. CHANDLER. I was not aware that this resolution was to be brought up at this time. If the Senator will allow it to go over until to-morrow I desire to submit a few suggestions upon the case.

Mr. TURPIE. It may go over until to-morrow.

The VICE-PRESIDENT. The resolution will be passed over.

UTAH JUDICIAL DISTRICTS.

Mr. WILSON. I request unanimous consent that the Senate proceed to the consideration of Order of Business 187, being the bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let us hear the bill read so that we may know what it is.

The VICE-PRESIDENT. The bill will be read for information, subject to objection.

The bill was read; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to consider it.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REMOVAL OF REMAINS OF GEN. GRANT.

Mr. MANDERSON. I ask that Order number 3 of subjects on the table, being a resolution relative to the removal of the remains of Gen. Grant, be referred to the Committee on Military Affairs.

The VICE-PRESIDENT. It will be so ordered in the absence of objection.

PUBLIC BUILDING AT LOS ANGELES, CAL.

Mr. FELTON. I ask to take up for consideration Order of Business 51, being Senate bill 1215.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1215) for an extension of appropriation for the erection of a public building at Los Angeles, Cal.

Mr. COCKRELL. I think the Senator from California ought to be allowed to explain the bill. At least I want an explanation why this large increase in the appropriation should be made.

Mr. FELTON. Do I understand that the Senator desires an explanation?

Mr. COCKRELL. I should like to hear an explanation of the necessity for the passage of the bill.

Mr. FELTON. In the Forty-ninth Congress an appropriation of $150,000 was made for a public building at Los Angeles, Cal. That was some years ago, when the town was a small one compared to what it is now. I will read from the report of the committee for the information of the Senator:

In the building contracted for no provision appears to have been made for a registry department, although 26,000 pieces were registered for Los Angeles post-office last year.

A United States district and circuit court for the southern district of California must be accommodated in a public building at Los Angeles; a United States land office; an internal-revenue office; a signal office; a customs office.

Twenty thousand feet of floor space is required for the transaction of public business in a public building at Los Angeles. The building contracted for provides for only about 8,000 feet of floor space.

The additional appropriation is recommended by the Secretary of the Treasury. I think there are Senators upon the floor who have visited that city, who have seen this building, and who are aware that its capacity is totally inadequate for the business which it is designed to take care of.

I have nothing further to say, as I do not desire to take up the time of the Senate unless further information is desired.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

F. F. WHITE.

The VICE-PRESIDENT. The first bill on the Calendar will be stated.

The bill (S. 1030) for the relief of F. F. White was announced as first in order.

The VICE-PRESIDENT. The bill has been read at length, and is before the Senate as in Committee of the Whole and open to amendment.

Mr. COCKRELL. There was an amendment, as I understood, to that bill proposed yesterday. I suggest that the Senator from Washington [Mr. ALLEN] is not here, nor the Senator from Oregon [Mr. DOLPH], who desire to offer amendments. I ask that the bill be passed over without prejudice, to be again called up.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

NEW YORK, LAKE ERIE AND WESTERN RAILROAD COMPANY

The bill (S. 68) for the relief of the New York, Lake Erie and Western Railroad Company was considered as in Committee of the Whole.

Mr. COCKRELL. I should like some explanation of the bill; and I should like to know, particularly as this is for a railroad company and a successor to another, as to whether the first company with which the contract was made became insolvent and left creditors unpaid. That seems to be a very material question. I believe where an individual has gone into bankruptcy and some subsequent assignee is claiming something that is due to him, we do not often give it to him. If a railroad company went into bankruptcy and left creditors unpaid and here is a successor company coming in, I do not think it has any right to get any assets belonging to that defunct company in preference to the creditors.

The VICE-PRESIDENT. The bill is before the Senate as in Committee of the Whole.

Mr. COCKRELL. There is no report with it. Let it go over.

The VICE-PRESIDENT. The bill will be passed over.

WEST VIRGINIA DIRECT TAX.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861."

The joint resolution was reported from the Committee on Claims with an amendment, in line 15, before the words "day of," to insert "25th," and, after the words "day of," to insert "August;" so as to make the joint resolution read:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the governor of the State of West Virginia, under the provisions, conditions, and limitations of the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861," which act was approved March 2, 1891, the sum of $181,306.93, less the sum of $27,328.18, which was paid to the governor of the State of West Virginia on the 25th day of August, 1891, to be held in trust for the citizens and inhabitants of said State, notwithstanding any claim by the Government of the United States against the State of Virginia.

Mr. COCKRELL. I should like to ask why the necessity of inserting the last clause in that bill which reads "notwithstanding any claim by the Government of the United States against the State of Virginia." Is there any claim by the United States against the State of Virginia?

Mr. FAULKNER. It was suggested that there were bonds in the hands of the Secretary of the Interior, due by Virginia, issued prior to the separation of the State, held for the Indian trust fund. The Treasurer held that the Government had the right, under the statute, to offset the amount due to the State of West Virginia, and which was paid out of the treasury of the State of West Virginia under the direct tax law of 1861, and it should be credited upon the bonded indebtedness due by the State of Virginia to the United States Government.

The object of this joint resolution is to correct what the committee considered to be an error upon the part of the Department, as such action would require a settlement by the Department of the equities between the two States. The report upon which the resolution rests is the unanimous conclusion of the Committee on Claims, after a thorough examination of the question. I do not suppose there can be any possible objection to it.

The VICE-PRESIDENT. The question is on the amendment reported by the committee.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDINGS FOR POST-OFFICES.

Mr. VEST. Order of Business 18, being Senate bill 427, was passed over without prejudice the other day. I ask that it may now be considered.

The VICE-PRESIDENT. The title of the bill will be reported.

The SECRETARY. A bill (S. 427) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for three years preceding have exceeded $3,000 annually.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PLATT. Is there a report upon this bill?

The VICE-PRESIDENT. There is no report accompanying the bill.

Mr. PLATT. Has there been a report made at any previous time when the bill has been before the Senate?

Mr. VEST. Oh, yes. The bill was taken up and debated for the best part of a day. It was then thrust aside for some other bill, an appropriation bill, I think. It has been carefully considered, and it is the best bill that the Committee on Public Buildings and Grounds can prepare. It is recommended by the Department, and if any criticism can be made upon it, we invite it.

Mr. PLATT. I should like to be informed as to approximately how many offices there are in the United States which have annual receipts of $3,000 and upward.

Mr. VEST. A statement is being prepared for me, but it has not come to me yet. There are some amendments to be made to it giving the exact number. I can only state approximately as I am informed by the Department.

Mr. PADDOCK. I am enabled to state, from a statement which I have received from the Post-Office Department, that taking the offices through whose receipts are $3,000 a year and not exceeding $5,000 they number 823 offices; the offices whose receipts are $5,000 and not exceeding $20,000, number 909 offices.

Mr. PLATT. What was the first?

Mr. PADDOCK. Where the gross receipts of the office were $3,000 and not exceeding $5,000.

Mr. PLATT. How many were they?

Mr. PADDOCK. Eight hundred and twenty-three. Where the gross receipts were $5,000 and not exceeding $20,000, the number was 909.

Mr. VEST. Still that does not cover the provision in this bill which requires that the gross receipts shall be $3,000 a year for the preceding three years, and that is the difficulty in the case. It requires a considerable amount of work in the Department in order to arrive exactly at the amount. The estimate made is about $6,000,000; that is to say, taking the offices under the provisions of this bill where the gross receipts have amounted to $3,000 a year for the three preceding years, it would involve an expenditure of about $6,000,000, which would be an immense saving to the country to do away with the—yes, I will use the word—scandal which now exists or is said to exist by the public press throughout the country, as to the profligate expenditures, as they are termed by the newspapers, for public buildings.

Mr. CHILTON. This bill limits the aggregate expenditure to $25,000 for a post-office building?

Mr. VEST. It can not exceed $25,000 in any town or city.

Mr. CHILTON. Would that protect the Government against special bills for these other appropriations which are coming in from time to time?

Mr. VEST. Not at all. It does not cover any except those cases mentioned in the bill. Our idea was to get rid of the abuse, for it is an abuse, of constructing in a town, for instance, where the gross receipts were not more than $3,000 a year for a series of years, a building worth $250,000 or $300,000 simply for a post-office. This bill covers only cases of post-offices. We have been passing public building bills here for $75,000, $100,000, and $150,000 for post-office edifices alone. The cases alluded to by the Senator from Texas are not touched by this bill. Take the largest cities, where the receipts are more than $3,000 a year, those are still within the discretion of Congress without limitation.

But as I understand the complaint, and it is a just one, and no one knows it is a just one better than myself, as to towns and cities where there is simply a post-office, no United States courts, no internal-revenue offices, no necessity except for postal purpose, the complaint is that in those towns and cities we have been expending largely too much money. Now, if we can adopt a system which would put a public building in those towns and cities where the gross receipts for three years have been $3,000 a year, it requires no argument to show the Senate what an improvement it will be upon the present scramble which we are engaged in here from year to year, and which has given rise to so much scandal.

I am instructed by the Committee on Public Buildings and Grounds to ask the attention of the Senate to this bill. The other day in the debate here this question was brought up in a very aggressive manner by the Senator from New Jersey [Mr. MCPHERSON]. A great deal of his criticism was legitimate. He said that the Committee on Public Buildings and Grounds had been recommending bills with too large appropriations. I admit it. It is unavoidable. We have constructed this bill after long and deliberate reflection upon it and giving it all the attention that was possible, with the assistance of the Department, and it is the best that we can do. If the Senate do not choose to consider or pass it the responsibility is upon them, not upon the Committee on Public Buildings and Grounds. As I stated the other day, there is no part of my public duty so ungrateful and ungracious as my service upon that committee, being continually subjected to all sorts of personal solicitations and then to all sorts of criticisms as to the way in which we discharge our duty.

This is a great reform. It will get rid of great abuses. If it is a bill defective in details, let it be perfected. We are not here to say that it is perfect; but we are here to say that this is the result of honest and laborious effort and examination, and it is the best that that committee can do.

Mr. PADDOCK. Mr. President, the bill reported by the committee is a good bill so far as it goes; but in my judgment, and upon that judgment I have been acting from the first day I entered the Senate, it does not go far enough. It seems to me practicable and wise whenever we enter upon this legislation to make provision for the construction of all post-office buildings. In consonance with this view, and at an early day, I presented it to the Senate in a formulated measure—indeed, I think I had the honor to present the first bill that was ever introduced on this subject in either branch of Congress. It was based upon the theory that where the gross receipts had been $3,000 for three successive years, an office might be built, and that that should be the minimum—this would produce $9,000 for the minimum office—and that that should form the basis running through the whole list of offices for all public buildings. In a word, that post-office buildings might be constructed for all offices, but never to exceed in any case the gross annual receipts for three continuous years preceding.

This committee bill will not provide for the construction of a single building of the class or classes which are brought here for special legislation. It provides only for a smaller class of offices and will be in no sense a relief to Congress in respect of special acts, nor will it be a just thing to confine the construction of all

these buildings to a particular class. Whenever the legislation is entered upon it ought to be made applicable to all post-offices. It will be found upon investigation that this rule applied to the appropriations for post-office buildings is a just and equitable one; that the sum of the gross receipts for three years makes just about the amount that would be properly required for the construction of an office for every town where the construction of a building would be allowed under the minimum rule referred to. And it will be found that this rule will also be just and proper in respect of populations of the towns in which buildings would be erected under its provisions.

I am very much in favor of the proposition proposed for the committee by my distinguished friend from Missouri [Mr. VEST], and of course if nothing further can be obtained than the enactment of a law based upon this bill I shall vote for it; but I think that while we are at it we should go further and provide for all post-office buildings under some such equitable rule as I have proposed.

I had prepared an amendment on the basis of my own bill now before the Senate in the nature of a substitute for the bill now under discussion covering this idea. In that bill there is a maximum limitation if it shall be necessary to curtail an appropriation below the amount that would necessarily follow where the receipts are very large. By it the discretion is given to the Secretary of the Treasury, the Postmaster-General, and the Secretary of the Interior, who are a board recognized in the present state of the law to govern and control such matters, that they may reduce the limit; that is, that it may be limited below the range of the general proposition as to the gross receipts limit, if in their judgment a lesser appropriation will be sufficient.

Mr. PLATT. Mr. President, it hardly seems to me that a bill of this importance can be considered under the five-minute rule, but I am going to make no objection to it on that ground. I do not know but that I should be in favor of some bill providing for the erection of reasonable buildings at places where the annual receipts of the post-office are $3,000 and upwards, but a very cursory consideration of this bill leads me to believe that it will be very unsatisfactory.

I have not had time to examine the Postmaster-General's report, which I have sent for, but I venture to say that there are in Connecticut twenty or perhaps thirty or more places which have annual receipts at their post-offices of more than $3,000 per annum. Among those there are as many as eight or ten places which have postal receipts running from $20,000 to $30,000 and $40,000. They are not included in the estimates which have been given us by the Senator from Nebraska. Take my own city, a city of 30,000 inhabitants, with postal receipts, I suppose, of $35,000 annually. We have no public building there. There are perhaps six or eight or ten such places in the State of Connecticut, similarly situated, with no public building.

Now, it would be a very great injustice to those cities, which have not been scrambling for public buildings, although they have been sadly needed, that we should pass a bill here which would expend, as I hastily figure it, at least $35,000,000 in providing public buildings for the little offices which have receipts exceeding $3,000, and leaving the large offices, where the buildings are more sadly needed, to the tender mercies of subsequent Congresses and of parties which are howling about a "billion-dollar Congress."

I do not think that is right, Mr. President, nor do I believe it is good judgment to give to any Postmaster-General, either present or prospective, the great right and discretion of saying where he will put up a $25,000 building with $5,000 sites in places that have $3,000 receipts. I believe that in three years' time it would become the subject of prolific criticism and would amount to a scandal.

Mr. PADDOCK. I should like to say to the Senator from Connecticut that in the report to which I have referred from the Post-Office Department, it is stated that the group of offices, the gross receipts of which are from $20,000 upwards and not exceeding $40,000, number one hundred and eight, and from $40,000 to $100,000 the number is thirty-eight.

I submit the full statement from which I quote. I will not ask now to have it read, but will ask that it may be printed as a part of my remarks.

The statement is as follows:

POST-OFFICE DEPARTMENT,
OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL,
SALARY AND ALLOWANCE DIVISION,
Washington, D. C., January 19, 1892.

SIR: In reply to your verbal request relative to post-offices of the first, second, and third classes with gross receipts of $3,000 and upwards for three consecutive years, and number of Presidential offices not in Government buildings, in groups of receipts ranging about $3,000, $10,000, $20,000, $60,000, $100,000, and upwards, I beg to say that a statement covering the first request will be prepared, if necessary, but it will take some time to prepare the same.

On the basis of receipts for the fiscal year ended June 30, 1891, the number of Presidential offices not in Government buildings having receipts within range of limits of groups hereinafter stated are shown to be as follows:

Group.	Number of offices
Gross receipts, $3,000 and not exceeding $5,000	823
Gross receipts, $5,000 and not exceeding $20,000	909
Gross receipts, $20,000, and not exceeding $40,000	108
Gross receipts, $40,000 and not exceeding $100,000	38
Gross receipts, $100,000 and upwards	6
Total	1,084

For your further information I beg to inclose herewith the Annual Report of the Auditor of the Treasury for the Post-Office Department showing, on pages 38 to 107, inclusive, the status of Presidential offices, in alphabetical order, by States and Territories, for the fiscal year ended June 30, 1891, column No. 2 showing the gross receipts which accrued at each office for the year ended June 30, 1891; also a printed list corrected to date, showing list of 165 post-offices now located in Government buildings.

Very respectfully,

S. A. WHITFIELD,
First Assistant Postmaster-General.

Hon. A. S. PADDOCK,
United States Senate, Washington, D. C.

List of post-offices located in Government buildings January 1, 1892.

No.	Office.	State.	Class.
1	Aberdeen	Mississippi	3
2	Abingdon	Virginia	3
3	Albany	New York	1
4	Alexandria	Virginia	2
5	Astoria	Oregon	2
6	Atlanta	Georgia	1
7	Auburn	New York	2
8	Augusta	Georgia	1
9	Augusta	Maine	1
10	Austin	Texas	2
11	Baltimore	Maryland	1
12	Bangor	Maine	1
13	Barnstable	Massachusetts	4
14	Bath	Maine	2
15	Belfast	do	2
16	Binghamton	New York	1
17	Boston	Massachusetts	1
18	Bristol	Rhode Island	3
19	Buffalo	New York	1
20	Burlington	Vermont	1
21	Cairo	Illinois	2
22	Canandaigua	New York	2
23	Carson City	Nevada	3
24	Castine	Maine	4
25	Charleston	South Carolina	1
26	Charleston	West Virginia	2
27	Charlotte	North Carolina	2
28	Chicago	Illinois	1
29	Cincinnati	Ohio	1
30	Clarksburg	West Virginia	3
31	Cleveland	Ohio	1
32	Columbia	South Carolina	2
33	Columbus	Ohio	1
34	Concord	New Hampshire	2
35	Council Bluffs	Iowa	1
36	Covington	Kentucky	2
37	Dallas	Texas	1
38	Danville	Virginia	2
39	Des Moines	Iowa	1
40	Detroit	Michigan	1
41	Dover	Delaware	3
42	Dubuque	Iowa	1
43	Ellsworth	Maine	3
44	Erie	Pennsylvania	1
45	Evansville	Indiana	1
46	Fall River	Massachusetts	1
47	Fort Leavenworth	Kansas	3
48	Fort Monroe	Virginia	3
49	Fort Scott	Kansas	2
50	Fort Smith	Arkansas	2
51	Fort Wayne	Indiana	1
52	Frankfort	Kentucky	2
53	Galena	Illinois	2
54	Galveston	Texas	1
55	Gloucester	Massachusetts	2
56	Grand Rapids	Michigan	1
57	Greensboro	North Carolina	2
58	Hannibal	Missouri	2
59	Harrisburg	Pennsylvania	1
60	Harrisonburg	Virginia	3
61	Hartford	Connecticut	1
62	Houston	Texas	1
63	Huntsville	Alabama	2
64	Indianapolis	Indiana	1
65	Jackson	Mississippi	2
66	Jackson	Tennessee	2
67	Jefferson	Texas	3
68	Jefferson City	Missouri	2
69	Jersey City	New Jersey	1
70	Kansas City	Missouri	1
71	Keokuk	Iowa	2
72	Key West	Florida	2
73	Knoxville	Tennessee	1
74	La Crosse	Wisconsin	1
75	Leavenworth	Kansas	2
76	Lexington	Kentucky	1
77	Lincoln	Nebraska	1
78	Little Rock	Arkansas	1

List of post-offices located in Government buildings January 1, 1892—Continued.

No.	Office.	State.	Class.
79	Louisville	Kentucky	1
80	Lynchburg	Virginia	1
81	Machias	Maine	3
82	Macon	Georgia	1
83	Madison	Wisconsin	2
84	Manchester	New Hampshire	1
85	Marquette	Michigan	2
86	Memphis	Tennessee	1
87	Middletown	Connecticut	2
88	Milwaukee	Wisconsin	1
89	Minneapolis	Minnesota	1
90	Mobile	Alabama	1
91	Montgomery	do	2
92	Montpelier	Vermont	2
93	Nashville	Tennessee	1
94	National Military Home	Ohio	3
95	National Soldiers' Home	Virginia	3
96	Nebraska City	Nebraska	2
97	New Albany	Indiana	2
98	Newark	New Jersey	1
99	New Bedford	Massachusetts	1
100	New Haven	Connecticut	1
101	New Orleans	Louisiana	1
102	Newport	Rhode Island	2
103	New York	New York	1
104	Norfolk	Virginia	1
105	Ogdensburg	New York	2
106	Omaha	Nebraska	1
107	Opelousas	Louisiana	3
108	Oshkosh	Wisconsin	2
109	Oswego	New York	2
110	Ottumwa	Iowa	2
111	Owensboro	Kentucky	2
112	Oxford	Mississippi	3
113	Paducah	Kentucky	2
114	Parkersburg	West Virginia	2
115	Pensacola	Florida	2
116	Peoria	Illinois	1
117	Petersburg	Virginia	2
118	Philadelphia	Pennsylvania	1
119	Pittsburg	do	1
120	Plattsburg	New York	2
121	Port Huron	Michigan	2
122	Portland	Maine	1
123	Portland	Oregon	1
124	Portsmouth	New Hampshire	2
125	Poughkeepsie	New York	1
126	Providence	Rhode Island	1
127	Quincy	Illinois	1
128	Raleigh	North Carolina	2
129	Reading	Pennsylvania	1
130	Richmond	Virginia	1
131	Rochester	New York	1
132	Rockland	Maine	2
133	Rutland	Vermont	2
134	St. Augustine	Florida	2
135	St. Joseph	Missouri	1
136	St. Louis	do	1
137	St. Paul	Minnesota	1
138	San Antonio	Texas	1
139	Sandusky	Ohio	2
140	San Francisco	California	1
141	Santa Fé	New Mexico	3
142	Shreveport	Louisiana	2
143	Springfield	Illinois	1
144	Springfield	Massachusetts	1
145	Springfield	Ohio	1
146	Suspension Bridge	New York	3
147	Syracuse	do	1
148	Terre Haute	Indiana	1
149	Toledo	Ohio	1
150	Topeka	Kansas	1
151	Trenton	New Jersey	1
152	Tyler	Texas	2
153	Utica	New York	1
154	Vicksburg	Mississippi	2
155	Waco	Texas	2
156	Waldoboro	Maine	3
157	Wheeling	West Virginia	1
158	Wichita	Kansas	1
159	Williamsport	Pennsylvania	1
160	Wilmington	Delaware	1
161	Wilmington	North Carolina	2
162	Windsor	Vermont	3
163	Winona	Minnesota	2
164	Dayton	Ohio	1
165	National Military Home	Kansas	3

Mr. ALLISON. Mr. President, I have not examined this bill in detail, but in a general way I have been of the impression that some wiser and better method of appropriations for public buildings should be adopted by Congress, as in the nature of things under the present system inequalities exist as respects cities, towns, and localities. I am not quite sure that the imposition of all responsibility and discretion in the hands of the Postmaster-General will have a tendency to improve this condition. I think it is wiser and better that certainly at each session of Congress we should know how much money is to be expended or is being expended for public buildings.

There has been much criticism lately in certain quarters, not so much in the Senate as elsewhere, of a disposition to make what are called permanent or indefinite appropriations, and we have heard in various ways that all these things are to be reformed, and that we are to come back to the good old times when Congress shall have an opportunity of revising at each session and at each Congress all appropriations of public money, and that they shall undergo the immediate scrutiny of the two branches of Congress, in order that all opportunity for extravagance and misappropriation may be avoided. I am in sympathy with this view. I think myself that it is wiser and better that all appropriations should be made annually, unless it may be as respects a few things that require the maintenance of the public credit, such as interest upon the public debt, our obligations to Indian tribes, and other matters of a kindred nature.

Therefore, Mr. President, I shall oppose the provision in this bill which appropriates money, and I shall move, and do move now if there is no amendment pending, that the section in the bill providing for an appropriation be stricken from the bill, in order that when the Postmaster-General shall exercise the power given in the bill to distribute these public buildings equitably and ratably among the States Congress shall have an opportunity to revise, at least to a degree, the exercise of this discretion. So I hope the Senator from Missouri will allow me to move to strike out section 6 of the bill.

Mr. VEST. It is section 7. The Senator has not the right print before him.

Mr. ALLISON. I see I have the amendment of the Senator from Nebraska before me, and not the original bill. I move to strike out section 7 from the bill, so that no money can be expended under this arrangement until Congress shall have had an opportunity of investigating the subject.

Mr. VEST. Mr. President, that is a matter which the committee submits with pleasure to the discretion of the Senate. I congratulate the country that the chairman of the Committee on Appropriations has come to the conclusion that there should be economy in public affairs. It is rather a novel spectacle that I am standing here even in seeming opposition to him on such a proposition. The difficulty during the last Congress was to stop appropriations anywhere. If there is a change for any reason, it is a matter of congratulation to the people of the United States.

Now, as to what has been said by the Senator from Nebraska, the bill which he offers as a substitute was before us when we drafted and reported the bill now pending before the Senate. The difference between that and the pending bill is that he limits the cost of these post-office buildings to the amount received for the three preceding years, the gross receipts, which would be $9,000. In our judgment that is not sufficient. The cost of labor and the cost of material varies throughout the country, as we all very well know, and there are sections of the Union, especially in the growing West and the Northwest, where $9,000 would not construct a building over which the flag of the United States ought to float. We limit the amount to $25,000, but if the Senate sees proper to put the limit at a lower figure it is for it to do so, and the responsibility must rest upon this body.

Mr. FRYE. Does that include the site?

Mr. VEST. That includes the whole thing. There is a provision in the bill also that the site may be purchased by the Government at a cost not exceeding $5,000; that condemnation proceedings may be had if it can not be obtained by a voluntary transfer. As a matter of course, there are difficulties——

Mr. HARRIS. Is that $5,000 to be deducted from the maximum amount for the building?

Mr. VEST. Yes, that would be deducted; the $5,000 would be taken out of the $25,000.

Mr. HARRIS. Making the cost of the building $20,000?

Mr. VEST. Yes, as a matter of course there are difficulties attending this sort of legislation, because it is a new departure. It is said that this bill is defective because it does not cover all cases; and the Senator from Nebraska suggests that we ought to pass a bill that will cover all public buildings throughout the United States. It is simply impossible to frame such a bill with the cities growing as rapidly as they are; with the necessities of the postal service increasing from year to year in a phenomenal ratio, it is impossible to fix the limitation for the expense of a building in the larger cities of the Union.

I repeat, and I can not impress it too much upon the Senate, that our whole idea in framing this bill, which is to a large extent tentative, is to do away with the abuse of making enormous appropriations, relatively considered as to the size of the towns, for post-office purposes. There is never any difficulty in securing an appropriation, no matter how large, for a town or a city where there are United States courts and internal-revenue offices. There the Government necessarily must have some building in which to transact all these various kinds of business. But the greatest difficulty that comes before Congress is in regard to towns where there is simply a post-office, and where there is no

Federal court and no branch of the internal-revenue service. This bill is constructed to meet that difficulty.

I do not know whether a majority of the Senate will agree with me or not, but I have always held to the proposition, and hold myself entirely responsible for it and act upon it, that the Government of the United States should not rent any buildings for public purposes. It is a shame that to-day we are paying in the city of Washington one hundred and eighty-odd thousand dollars rent, and we have had heretofore an overflowing Treasury. I saw a statement in the public press yesterday to the effect that the Census Bureau has now moved out of a building where they were paying $7,500 a year to one where they will pay $17,500 a year. That sort of thing has been going on in the city of Washington from year to year during all my service in Congress. We are actually paying to-day, and I will undertake to prove it, half the value of the property in the city of Washington as yearly rent. We have taken old dilapidated buildings that were unfit for residences, patched them up at the expense of the Government, and paid enormous rents, and we are doing the same thing here to-day. The Government to-day is occupying buildings for Governmental purposes in the city of Washington that are unsafe and insecure on account of being exposed to fire from adjacent tenements, and the public documents are in danger of being consumed every night while so occupied.

I confess, and I state it frankly, that I believe the Government should own its property when necessary to carry on the public business; and I repeat, in addition to that, that in my judgment no expenditure is so defensible as the appropriations made in the smaller towns of the United States for post-office buildings. The Post-Office Department is omnipresent. There is no branch of this Government so popular in its application to the business of the country as the post-office, and we simply desire in this bill, subject to the criticism and amendment of the Senate, to get rid of the abuse which comes to us session after session, where we are asked to appropriate for a post-office building $100,000 or $150,000 or $200,000 in a town or city where the gross receipts of the post-office do not amount to $3,000 annually.

If there is any amendment to be proposed to the bill limiting the amount of expenditure, we are ready to consider it; but the principle of the bill, the system we seek to establish, is what is now urged upon the Senate in the interest of economy and the public service.

Mr. PADDOCK. My objection to the Senator's bill is that it does not relieve the situation which he claims could be relieved by the passage of the bill. It does not reach at all the class of buildings for which appropriations are made here by special acts.

Some time since I referred the bill which I had the honor to introduce five years ago, and which has been constantly before the Committee on Public Buildings and Grounds, but has never reached the Senate, because the view of the committee has not been in accord with the theory upon which it was drawn, to the office of the Supervising Architect for a report as to his views respecting its provisions, etc. The Supervising Architect submitted to me an amendment in the nature of a substitute for my own bill, but on similar lines with my own. I will now, for the information of the Senate respecting the views of the Supervising Architect, present the amendment reported by him, to be hereafter proposed by me as an amendment in the nature of a substitute for this bill, when this bill shall again come up for consideration. I also present the letter of the Supervising Architect explanatory of the amendment, and ask that the same may be printed as part of my remarks, for the information of the Senate. I also ask unanimous consent to print in the RECORD the letter from the Post-Office Department from which I have quoted, at the request of the Senator from Connecticut [Mr. PLATT].

The PRESIDING OFFICER (Mr. DAVIS in the chair). The Chair hears no objection, and the proposed amendment and accompanying papers will be printed.

The letter and amendment referred to are as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, D. C., January 18, 1892.

DEAR SIR: Referring to your recent conversation at this office in regard to making a report upon Senate bill No. 379, introduced by you December 10, 1891, "to provide for the erection of public buildings for post-offices in towns and cities where the annual post-office receipts for three years preceding have exceeded $3,000 annually," I have the honor to advise you that upon further examination it has been found that the Senate Committee on Public Buildings and Grounds have not requested a report from this Department upon said bill, and that it is the practice of this Department, as stated on pages 11 and 12 of the Report of the Supervising Architect of the Treasury Department for the year ending September 30, 1891, to only make reports upon bills introduced in Congress to provide for the acquisition of sites and erection thereon of public buildings in such cases as the Senate and House Committees on Public Buildings and Grounds may request them.

Without making any expression in regard to the advisability of the method proposed by said bill in providing for the erection of public buildings, I would respectfully suggest that in my opinion the bill contains a number of provisions which would make the method a difficult one to put into practical operation.

The arguments which have heretofore prevailed in Congress seem to indicate that the opinions as expressed all go to support the advisability of the method to have all plans for all public buildings prepared in the office of the Supervising Architect of the Treasury Department, and approved by the Postmaster-General, the Secretary of the Treasury, and the Secretary of the Interior, as proposed by section 1 of said bill.

The same observation may be made in regard to the view that has heretofore prevailed that it is most advisable that any bill authorizing the construction of a public building for the use of the post-office and other branches of public service should direct that the same be done under the direction of the Secretary of the Treasury and the Supervising Architect of the Treasury, as proposed by section 2 of said bill.

In view of the above, the advisability will no doubt be admitted that in all cases where the Secretary of the Treasury is directed to acquire a site and to cause to be erected thereon a public building the work should be done under the office of the Supervising Architect of the Treasury, as at present and heretofore. The right to determine all questions in regard to the materials, fixtures, apparatus, etc., to be used in the construction of said building should be with the Secretary of the Treasury and the office of the Supervising Architect, instead of, as proposed by section 2 of said bill, by the Postmaster-General, Secretary of the Treasury, and the Secretary of the Interior, subject to the approval of the President.

It would seem advisable that if the discretionary power is to be vested in any other authority than Congress for determining the cities wherein public buildings shall be erected at a cost based upon the aggregate for three years of the post-office receipts of cities where the post-office receipts shall have exceeded a given amount per annum for the three preceding years that it should properly be vested in the Secretary of the Treasury and Postmaster-General jointly, and that their recommendation in each case should be subject to the approval of the President, as proposed by section 2 of said bill.

The further provisions of section 3 of said bill that contracts shall be let to the lowest best bidders, from the standpoint of excellence of materials and responsibility of the bidders, after the usual advertisement for competitive proposals under the direction of the Secretary of the Treasury, is in full accord with existing law and the practice which has prevailed and now prevails in this Department.

It is observed that section 3 of said bill provides that the Postmaster-General shall be vested with authority to procure sites for the buildings which said bill proposes to provide for, and it may be stated that said provision would be objectionable for the reason that it would divide the departmental action and transactions in regard to the acquisition of property for the site and the construction of the building between the Postmaster-General and the Secretary of the Treasury, and would necessarily entail considerable complications in regard to making expenditures from the appropriation which the bill proposes to provide for the purposes of the bill and in the keeping of the accounts in regard thereto, and would scatter the title papers and the other necessary records and files in several places, instead of having the same in one place (the office of the Supervising Architect of the Treasury Department), as now required, with advantage and convenience by existing regulations and practice.

It would seem more practical, and in the interest of expeditious and advantageous results, if said section 3 of said bill should provide that the Secretary of the Treasury shall be the officer who shall acquire properties for the sites for such buildings, as is done now in each case where a separate bill authorizes the acquisition of a site and the erection thereon of a public building for the use and accommodation of the post-office and other Government offices in any particular city, thereby making it the right of one executive officer to control all matters pertaining to the acquisition of a site and the erection thereon of a public building, and the making of all expenditures connected therewith, and the keeping of all accounts relative thereto in connection with the appropriation therefor.

The provisions of said section 3 of said bill, which prohibit the expenditure of any moneys from the appropriation until after titles to properties for sites for such buildings as the bill proposes to provide for, shall have been approved by the Attorney-General and jurisdiction thereover shall have been ceded from the States in which the buildings are to be erected to the United States, is in full accord with existing law and the practice which has prevailed, and is now prevailing in the Department, in such cases.

The provisions of section 4 of said bill practically covers the same grounds as is covered by existing law in regard to reporting to Congress each year all transactions had, contracts made, and appropriations made, and estimates of appropriations for public buildings, and in addition thereto imposes the further duty of reporting to Congress a list of the buildings, with the estimated cost thereof, proposed to be erected under the provisions of the bill during each ensuing fiscal year.

Section 5 of said bill only provides that it shall be the duty of the Postmaster-General, the Secretary of the Treasury, and the Secretary of the Interior, to decide the cases in which it may be deemed expedient to have such buildings as the bill proposes to provide for, furnish accommodations for other branches of the public service than the postal service.

As public buildings mainly provide accommodations for the proper accommodations, and the transaction of the public business connected with the Treasury Department (customs, internal revenue, etc.), Department of Justice (United States courts, etc.), and the Post-Office Department (post-offices, etc.), it would seem advisable that the said section should designate the Attorney-General, together with the Secretary of the Treasury, and the Postmaster-General, instead of the Secretary of the Interior, who shall decide said question.

It is observed that section 6 of said bill only provides for making an appropriation for carrying out the provisions of said bill.

It is also observed that section 7 of said bill provides that the bill is not intended to interfere with any other law, or any other buildings erected, or to be erected, under any special acts of Congress.

While I have complied with your request in making comments in regard to said bill, and might state that, with the experience developed by the practical operations of this office for the past thirty-seven years in regard to the law pertaining to public buildings, suggestions, which might be considered improvements in the bill, could be made which would simplify operations thereunder, and prevent any complications in its execution should it become a law, I do not desire, and do not intend that anything herein contained should be considered as any expression on my part as to the advisability, or in advocacy of the method proposed by the bill becoming a law, instead of having the authority remain solely with Congress, where it has always been vested, in regard to exercising discretion, and reaching a decision, as to the cities wherein each public building should be erected, and the limit of cost of the same.

Should you so desire I shall be pleased to confer with you further at any time in regard to the subject.

Respectfully yours,

W. J. EDBROOKE,
Supervising Architect.

Hon. A. S. PADDOCK,
United States Senate.

IN THE SENATE OF THE UNITED STATES, *February 3, 1892.*

Amendment intended to be proposed by Mr. PADDOCK to the bill (S. 427) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for the three years preceding have exceeded $3,000 annually.

Strike out all after the enacting clause and insert:

That the Secretary of the Treasury and the Postmaster-General, shall, from time to time, in their discretion, determine the cities in which shall be erected public buildings for the use and accommodation of the post-office and other Government offices located therein, not exceeding fifty in any one fiscal year, from among the various cities in the United States wherein the postal receipts for three years preceding have exceeded the sum of $10,000 and have been less than $30,000: *Provided*, That such buildings shall be equally distributed in the different sections of the country, and that the decision in each case reached by the Secretary of the Treasury and the Postmaster-General, shall be submitted to, and approved by, the President of the United States: *And provided further*, That the cost of each site and building, complete—including heating apparatus, elevators, and approaches when necessary—exclusively for the use and accommodation of the post-office, shall not exceed the aggregate of the postal receipts of the city wherein it may be so decided to erect a public building under the provisions of this act for three years preceding; except in such cases wherein it may be decided by the Secretary of the Treasury, the Postmaster-General, and the Attorney-General, that the building should provide accommodations for the needs of the customs, internal revenue, United States courts, and land office, or other branches of the public service, in addition to the postal service, in which cases the cost of each site and building, complete—including heating apparatus, elevators, and approaches when necessary—shall not exceed a sum equal to two and one-half times the aggregate of the postal receipts of the city for three years preceding: *And provided further*, That the plans, and detailed estimates of cost, for each of said buildings, shall be prepared in the office of the Supervising Architect of the Treasury Department, and approved by the Secretary of the Treasury, the Postmaster-General, and the Secretary of the Interior, after the property for the site for such building shall have been selected by the Secretary of the Treasury, and the State in which the city is located wherein the building is to be erected shall have ceded to the United States exclusive jurisdiction over such property, and the Attorney-General shall have rendered a favorable opinion in regard to the validity of title to such property, and payment of the purchase money therefor shall have been made by the Secretary of the Treasury.

SEC. 2. That in each case wherein it may be decided to acquire a site and erect thereon a public building under the provisions of section 1 of this act, the Secretary of the Treasury shall acquire by purchase, condemnation, donation, or otherwise, property suitably and conveniently located for the site, and if by purchase or condemnation the price paid for such property shall not exceed an amount that will leave a sufficient balance of the amount determined upon as the cost of the site and building under the provisions of section 1 of this act to permit the construction of the building complete—including heating apparatus, elevators, and approaches when necessary—under the following provisions:

Proposals for the sale or donation of land suitably and conveniently located for the site shall be invited by public advertisements in one or more of the newspapers having the largest circulation in the city wherein the building is to be erected, for at least fourteen days prior to the date specified in said advertisements for the opening of said proposals.

The proposals made in response to said advertisements shall be addressed and mailed to the Secretary of the Treasury, who shall cause the same to be opened and scheduled, and thereafter direct an agent of the Treasury Department to visit the city and make a personal inspection of the properties so offered, and such other properties as the agent may deem suitable, and to receive such further proposals as may be submitted, and to submit his written report to the Secretary of the Treasury of the results of his examination, and his recommendation in regard to the property that should be selected, and his reasons therefor, and to accompany said report with the proposals, and all maps, plats, and statements which may have come into his possession during his examination of the subject, with the indorsement of the Supervising Architect of the Treasury Department as to the suitability of the property recommended from an architectural standpoint, or as to grades, elevations, character of ground for foundations, sewerage, etc.

If upon consideration of the agent's reports and recommendation and the accompanying papers the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, two of whom shall be citizens of the State and nonresidents of the city in which the building is to be erected, and one of whom shall be an officer of the office of the Supervising Architect of the Treasury Department, and to direct such commission to examine all of the properties offered, and such others as they may deem suitable, and to receive such other proposals as may be submitted and to grant such hearings in relation thereto as they may deem necessary, and to require said commission, within fifteen days after making such examination, to submit their written report to the Secretary of the Treasury, with their recommendation and their reasons therefor, accompanied by all statements, maps, plats, and other documents which may come into their possession during such examination, with the indorsement of the Supervising Architect of the Treasury Department as to the suitability of the property recommended from an architectural standpoint, or as to grades, elevations, character of ground for foundation, sewerage, etc., and the Secretary of the Treasury may thereafter finally determine the location of the building either upon the report and recommendation of the agent or of the report and recommendation of the commission, or by selecting such other property as he may deem best to meet the interests of the public service.

In cases where the Secretary of the Treasury may decide to appoint such a commission in connection with the selection of property, he may allow a compensation not exceeding $5 per day to each of said commissioners, except the officer of the Treasury Department, and may also allow the traveling and subsistence expenses of each of said commissioners, including the officer of the Treasury Department, and shall require each of them to submit with their report, the affidavit or affirmation required by act of Congress approved June 23, 1874, section 2, page 276, volume 18, Statutes at Large.

Payment of the purchase money for such property as may be selected for a site for such building shall not be made by the Secretary of the Treasury until after the Attorney-General shall have rendered a favorable opinion in regard to the validity of the title to the property, and the State wherein the city is located in which such building is to be erected shall have ceded exclusive jurisdiction to the United States over such property, during such time as the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein, as required by act of Congress approved September 11, 1841, section 355, United States Revised Statutes.

In each case wherein the Secretary of the Treasury may deem it advisable for any reason that such property as may be selected as a site for such building shall be acquired by condemnation, he shall be governed by the provisions of act of Congress approved August 1, 1888, chapter 728, page 357, volume 25, United States Statutes at Large.

Each building erected under the provisions of this act shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

So much of the amount which may be set aside from the appropriation made for carrying out the provisions of this act, as the limit of cost of the site and building in any particular city, under the provisions of section 1 of this act, as may be necessary for the payment of the incidental expenses such as advertisements for proposals, surveys, tests, compensation and traveling and subsistence expenses of agents and commissioners, etc., in connection with the acquisition of property for the site, shall be immediately available.

So much of said amount as may be necessary for the preparation of plans, detailed estimates, etc., by the Supervising Architect of the Treasury Department shall be available immediately after the selection by the Secretary of the Treasury of property for the site.

No expenditure from said amount in connection with the work of constructing the building shall be made until after title to the property selected for the site shall have been vested in the United States in accordance with the provisions of section 2 of this act.

SEC. 3. That the Secretary of the Treasury shall require all transactions in regard to making expenditures and entering into contracts for any labor and materials required for the construction of the building under the office of the Supervising Architect of the Treasury Department, to be in full accordance with the requirements of the various United States statutes relating thereto.

SEC. 4. That the Secretary of the Treasury shall require the Supervising Architect, through him, to annually report to Congress each building which it may be decided to erect under section 1 of this act, and all contracts, etc., which may be entered into in regard to each of them.

SEC. 5. That the Secretary of the Treasury shall annually report to Congress in the Estimates of Appropriations, the location and estimated cost of each of such buildings as it may be decided to erect under the provisions of section 1 of this act, each year, after the close of the fiscal year following the passage of this act.

SEC. 6. That there be, and is hereby, appropriated, out of any moneys in the United States Treasury not otherwise appropriated, the sum of $3,000,000, or so much thereof as may be necessary for carrying out the provisions of this act during the fiscal year ending June 30, 1893, and that so much of said $3,000,000 as may be required to cover the aggregate of the limits of cost of such buildings as it may be decided within the fiscal year ending June 30, 1893, to erect under the provisions of this act, shall continue available in the manner herein provided until the completion of each of such buildings and the payment of all contract liabilities in connection therewith.

SEC. 7. That nothing contained in this act shall be considered or understood as in any way interfering with any law or laws relating to any public buildings now erected, being erected, or hereafter to be erected, under any special acts of Congress and appropriations therefor.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

PRINTING AND DISTRIBUTION OF DOCUMENTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1549) providing for the public printing and binding, and the distribution of public documents.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Chief Clerk read from section 36 to section 46 of the bill.

Mr. MANDERSON. I move to strike out the words "printers and binders" in line 2 of section 46, and insert in lieu of those words the word "workmen." This brings the section so that it is identical with the present law. The law was changed from "workmen" to "printers and binders," as it is in the bill before us, because it seemed to the committee as rather an unnecessary thing that the common laborers of the Public Printing Office should be required to be skilled in their respective branches of industry. It was not supposed that to wheel a barrow or to perform the work of a charwoman any particular skill was needed. We thought that these were hardly skilled laborers. But in that definite place we are apt to refer to in this body as "elsewhere," I notice that there was criticism upon this change of words. The committee certainly had no object in view except what I have stated, to prevent that which seemed unnecessary; but I am sufficiently sensitive under the criticism to feel like restoring the old language, and therefore offer the amendment that I propose.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment proposed by the Senator from Nebraska.

Mr. COCKRELL. Let it be read.

The PRESIDING OFFICER. The Chief Clerk will report the amendment.

The CHIEF CLERK. In section 46, line 2, strike out the words "printers and binders" and insert the word "workmen;" so as to make the section read:

SEC. 46. It shall be the duty of the Public Printer to employ workmen who are thoroughly skilled in their respective branches of industry, as shown by trial of their skill under his direction.

The amendment was agreed to.

The Chief Clerk read sections 47 and 48 of the bill.

Mr. MANDERSON. I offer an amendment to come in at the end of section 48. I move to add the words:

But the provisions of the eight-hour law shall be rigidly enforced.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. MANDERSON. I desire to say with reference to the proposed amendment that I believe the provisions of the eight-hour law have been strictly and rigidly enforced in the Government Printing Office, although I have seen in a statement elsewhere the charge made that that is not true. Certainly the Public

Printer is a man disposed to obey the law, and I do not think that any person would reflect in any way upon Printer Palmer, who has made certainly a most efficient officer. For fear, however, that it might be considered that this section 48, which provides that when the exigencies of the public service may require it, the Public Printer shall cause work to be done at night as well as through the day, might be subject to some construction that it was designed as an indirect repeal of the eight-hour law so far as it applies to the Printing Office, we think it well to insert the amendment.

The only place in the statutes where any legislation of this sort has been had outside of the general eight-hour law, was in an appropriation act that passed, I think, two or three years ago, in which this identical language occurred. As I say, it did not seem necessary to the Committee on Printing that we should specifically order the Public Printer to obey the law, no matter what might be the nature or character of the law, but we desire to have the bill, so far as it can be made to do so, conform even to the whims of those who object to it on that account.

Mr. COCKRELL. I should like to ask the Senator if the greater part of the work there is not piecework and hour work. The great bulk of the men are paid by the hour, and if they work seven hours they are paid for it, if they work six hours they are paid for it, and if they work eight or nine hours they are paid for it. That is what I understand. It is a less material question there than almost anywhere else.

Mr. MANDERSON. I quite agree with the Senator. This is the condition: The compositors work by the thousand ems, as is usual in all printing-offices. Most of the skilled workmen work by the piece. Of course, those who are engaged in presswork, and work of that character, work by the hour. There are some who are employed by the day. Their number, however, is limited as compared with those who work by the piece and by the hour. But as Congress saw fit in the appropriation act of a few years ago to challenge the direct attention of the Public Printer to the eight-hour law, there certainly can be no objection to our repeating it here, although I think it is surplusage.

Mr. COCKRELL. I should like to ask the Senator if he knows the custom there, as to whether the employés who work by the day go to the Printing Office at the same hour that they do in the other Departments and leave at the same hour?

Mr. MANDERSON. I can not give accurate information on that subject.

Mr. COCKRELL. We have an eight-hour law, a very important one——

Mr. MANDERSON. I may say this: My impression is that those who work by the day work by some system of reliefs, because during the session of Congress the Public Printing Office is of course at work both night and day.

Mr. COCKRELL. The law is that eight hours form a working day, and the Departments ignore the law by working six hours and a half a day, and they call that a day. If eight hours be a day's work eight hours' work ought to be performed. I confess frankly that I have not any very great amount of sympathy with less than eight hours' work, and if we have prescribed that eight hours shall be a day's work we ought to see that eight hours are worked by the employés of the Government. It is nothing but right and fair and just. It is not the number of hours that the great masses of the people engaged in carrying on the business of this country work, for most of them work even longer than that when they are working at their own affairs.

It seems we hedge in by an eight-hour law and then allow six hours and a half work to be performed and call that a day's work. That is the reason why I asked as to whether the same custom prevails in the Public Printing Office in regard to the hours of work that prevails in the Executive Departments, where the employés go in at 9 o'clock and go out at 4, and have half an hour's recess for lunch?

Mr. MANDERSON. I do not think that is true of the Public Printing Office. I think the employés work eight hours a day.

Mr. TELLER. I should like to inquire of the Senator where the work is six and a half hours a day?

Mr. COCKRELL. It was so in the Interior Department, I understand, when the distinguished Senator from Colorado was Secretary of the Interior.

Mr. TELLER. I should like to inquire if the Senator understands that the statute which was passed some years ago with reference to laborers applies to clerks in the Departments.

Mr. COCKRELL. A great many of the employés in the Departments have been here from time immemorial nearly trying to get a law to authorize them again to sue in order that they may recover compensation when they have been at work in the navy-yards and other branches of the service, and I supposed it applied to employés of the Government, as it was intended to apply in that way.

Mr. TELLER. I think if the Senator will reflect a minute he will readily admit that under no Administration, either Democratic or Republican, has there been any such rule applied to the clerical force of the Departments.

Mr. COCKRELL. If the Senator will just permit me to interrupt him: I admit that under the Democratic Administration the same rule was pursued that had been pursued before. I am not criticising the Senator when he was Secretary of the Interior, but I am simply stating the fact, that while we are legislating here to limit the hours of work in a day to eight hours, we permit fron fifteen to twenty-five thousand employés of the Governmsnt to work six hours and a half and call that a day's work.

Mr. TELLER. What time do the employés commence work in the Departments of the Government now? At what time in the morning? At 9 o'clock, is it not?

Mr. COCKRELL. At 9 o'clock.

Mr. TELLER. And they work until 4?

Mr. COCKRELL. They work until 4 and have half an hour for lunch. That leaves the working time six and a half hours exactly.

Mr. TELLER. That has been the custom from time immemorial. The Senator from Missouri is the first person I have heard suggest that the eight-hour law applied to that class of people. I do not think it applies to them any more than it does to the members of this body. That has been the ruling of the Departments, as I say, for many years, in every branch.

Mr. COCKRELL. Will the Senator permit me to interrupt him there?

Mr. TELLER. Certainly.

Mr. COCKRELL. The Departments by express authority of law have power to fix the hours, and therefore they have fixed these hours. If it were not for that, the eight-hour law would be just as compulsory upon them to work that number of hours as they can now work less. They have fixed less. It used to be eight hours. In the last twenty or twenty-five years the work was required to be performed, my recollection is, in the Departments here under the law, long before any eight-hour law was ever passed, and the law authorized the Departments to fix the number of hours the employés should work.

Mr. TELLER. That is what I was about to say, that the law authorizing the heads of Departments to fix the number of hours was passed long before the eight-hour law. That law was never supposed to have any reference to the Departments. The eight-hour law was passed for the purpose of protecting the men who labor principally in the navy-yards, and that class of occupations. It has been largely a dead letter until very recently, I will admit, but I never heard before, I repeat, that it does apply to the Executive Departments.

I would say to the Senator, after some little observation in that line, that six hours and a half is as much time as should be given to the class of clerical work here performed; that when a clerk who is engaged in the labor that the great majority of them are has put in six hours and a half he has put in time enough. When he is required to put in more time than that he will not do good work. Of course there are occasions when a clerk can for a short time (and that has been done in all the Departments) serve an hour or two or two or three hours more in a day, but that can not be continual. The experience of the Departments has demonstrated that six and a half hours, or from 9 o'clock until 4, with half an hour's intermission for lunch, is all that can be profitably exacted from the clerks.

Mr. COCKRELL. I desire to call the Senator's attention to the law. By section 162 the hours of labor in all the executive branches of the Government are fixed.

I read section 162 of the Revised Statutes:

SEC. 162. From the 1st day of October until the 1st day of April in each year all the bureaus and offices in the State, War, Treasury, Navy, and Post-Office Departments and in the General Land Office shall be open for the transaction of the public business at least eight hours in each day; and from the 1st day of April until the 1st day of October in each year at least ten hours in each day, except Sundays and days declared public holidays by law.

In the Statutes at Large, volume 18, page 109, we find this provision:

That it shall be the duty of the heads of the several Executive Departments and the heads of the respective bureaus therein, in the interests of the public service, to require of all clerks of class 1 and above, and of chiefs of divisions, such hours of labor as may be deemed necessary for the proper dispatch of the public business, not exceeding, however, the time for which said Departments are by law required to be open for business, any usage to the contrary notwithstanding.

Then we find under section 161:

The head of each Department is authorized to prescribe regulations, not inconsistent with law, for the government of his Department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it.

Then section 169 provides:

That each head of a Department is authorized to employ in his Department such number of clerks of the several classes recognized by law, and such

messengers, assistant messengers, copyists, watchmen, laborers, and other employés, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

Notwithstanding that provision of law, under the authority of regulating the business, they have reduced the hours from eight from October 1 to April 1 and ten from April 1 to October 1 to six and a half hours practically, and the result of that or of something else is that there are large arrearages of business in almost every branch of the public service, thousands of cases waiting to be disposed of, and they are unable to keep the business current.

The PRESIDING OFFICER (Mr. CALL in the chair). The question is on the adoption of the amendment proposed by the Senator from Nebraska.

Mr. TELLER. What is that amendment? Let it be read.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. It is proposed to add to section 48:

But the provisions of the eight-hour law shall be rigidly enforced.

Mr. HAWLEY. Mr. President, I suppose that every statute is rigidly enforced. When we enact a law against stealing, we say it shall be rigidly enforced; against murder, it shall be rigidly enforced; against embezzlement, and all that. I do not fancy saying at the end of a United States statute, "Now, we are in dead earnest about this law." An expression of that kind does not occur anywhere in the statute book that I know of. Here is one particular law where we say we mean this. Suppose we say, "But the provisions of the existing eight-hour law shall apply." We have provided for day work and night work at random, as the necessities may demand, and I have no objection to it, because that is the law now. I have no objection to saying, in addition, "But the provisions of the existing eight-hour law shall apply." I move that substitute.

Mr. MANDERSON. I think that is very much better language. The only reason why this language was used was because it is the identical language of the appropriation act to which I referred.

The PRESIDING OFFICER. The Senator from Nebraska modifies his amendment. The amendment will be reported as modified.

The CHIEF CLERK. It is proposed to add to the section:

But the provisions of the existing eight-hour law shall apply.

Mr. COCKRELL. It does not make any difference one way or another, so far as that is concerned.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The Chief Clerk read section 49 of the bill, as follows:

SEC. 49. The Public Printer may employ two clerks of class 4, at an annual salary of $1,800 each; two clerks of class 3, at $1,600 each per annum; one clerk of class 2, at $1,400 per annum.

Mr. COCKRELL. As I understand, these clerks come under the classified civil-service law.

Mr. MANDERSON. I am told by the clerk of the Committee on Printing Records that they do not. I have myself no information upon that subject. I do not think the Public Printing Office has by any rule ever been placed under the provisions of the civil-service law.

Mr. COCKRELL. I understand that the employés as a rule in the Public Printing Office have not been. There are clerks in the Agricultural Department that have not been put under the civil-service law to the full extent, and most of the employés in the Bureau of Engraving and Printing have not been put under the civil-service law; but wherever we designate clerks by classes 1, 2, 3, and 4, my understanding is that they then come under the civil-service law; and that is just the question I wanted to ask.

Mr. MANDERSON. There is no change in that regard, as I remember. I will turn to the provision of the Revised Statutes upon which this is based, and I think we shall find that the language is the same. Section 3762 provides:

The Congressional Printer may employ four clerks at an annual salary of $1,800 each; and one clerk at an annual salary of $1,400, to have charge of the accounts with the Departments and public offices.

Now, taking that as the basis of this section and then looking to the appropriation acts which appropriate the sums of money that should be the compensation of these different clerks, the result was this section. If it is subject to the criticism that by saying they are clerks of a certain class they shall be brought under the operation of the civil-service law, that certainly was not the intention of the committee. It may be that it would be desirable simply to say "two clerks at an annual salary of $1,800 each," striking out their classification. I have no desire to place them under the civil-service law.

Mr. COCKRELL. I was simply asking for information as to whether they came under the law or not. I am not criticising it, but simply asking for information.

Mr. MANDERSON. I understand they do not, nor do I desire that they should be; and if the result of this language classifying the clerks is to bring them under the operation of that law, then I do not think the committee desire to use that language.

Mr. TELLER. I believe it will.

Mr. MANDERSON. Then we can strike it out. I move to strike out those words.

Mr. COCKRELL. If in the appropriation acts this language is used, classifying them as class 3 and class 4, I shall certainly protest against trampling under foot now the civil-service law, and I call upon my distinguished friend from Massachusetts [Mr. DAWES] to aid me in securing the recognition and enforcement of that law. I do not think it would be right here in this bill to undertake in this way to take out from under the operation of the civil-service law clerks here and there. If that is to be the policy, you can just honeycomb the whole work and destroy its practical effect and usefulness.

Mr. TELLER. I suggest to the Senator from Missouri that if there is no class defined undoubtedly they will be outside the civil-service law, but the President can include them, notwithstanding that.

Mr. COCKRELL. Certainly.

Mr. TELLER. It is in the power of the President. The question is, we having left this whole question to the Executive as to the classified service, whether we want to legislate anybody in or not.

Mr. COCKRELL. If we have already heretofore legislated on the question we are not legislating them in, but we are legislating them out. That is the question I am raising, whether they have not been, in appropriation acts providing for the public printing heretofore, put in by classes, and if they have, we are taking them out from under the civil-service law and regulations by this section.

Mr. DAWES. I do not understand that the law has extended the civil service to the employés of the Printing Bureau. I am quite sure that that is not the law

Mr. COCKRELL. Not to employés of the Printing Bureau, certainly.

Mr. DAWES. It may not apply——

Mr. COCKRELL. I know it does not apply to all.

Mr. DAWES. But as the Senator from Colorado says, the whole civil-service system could have been just as well created by an executive order as by an enactment. The virtue of the enactment is that it compels the Executive to do what he could have otherwise done without any legislation. That is the difference, and the sole difference.

Now, as the Senator says, the question is whether we shall put under law the extension or whether we shall leave the Executive to extend it. These employés are of such a peculiar character that it seems to me that an Executive of a proper disposition towards the civil service would extend it of his own motion as far as experience would dictate. I may be mistaken about that.

Mr. HAWLEY. Mr. President, I have been so long acquainted with my honorable friend from Missouri that I can generally tell when he is "writing sarcastic," as Artemus Ward says. I have a suspicion that he was not seriously troubled about the idea that the Public Printer should have the individual selection of five clerks who live right around him, under his elbow every day, and upon whom he is as dependent as upon his daily bread for his success in his business. There is no violation of a proper civil-service spirit in giving him that appointment, and if the Senator were in that place, or I, which Heaven forbid, for it is the worst place in the Government to work, I would not stay there unless I could have a personal selection of the six or eight of the chief persons around me. Nobody would think of such a thing any more than he would have his wife and children selected for him.

Mr. COCKRELL. The Public Printer has the appointment of his chief clerk and all the other officers from the highest to the lowest, unless it is these four or five clerks, who are not confidential clerks, but who are merely doing clerical work. The point I am making is that if they are now under the civil-service law and regulations we must not by legislation take them out. I am not insisting on putting them there if they are not already there, but if they are there and we are to take them out, let us do it boldly and openly and proclaim to the world that we are doing it.

I am glad that the distinguished Senator from Massachusetts has confessed that the civil-service law gave the President not one particle of power or authority that he did not possess before. I tried to convince him when that civil-service law was passed here, in a long speech showing the law and the Constitution, that the President had every particle of power without the passage of that law that he had with it, and we only consented to vote to do it because our Republican friends said that their Republican President would not exercise the power he had and they wanted us to join in compelling him to carry out what he had already the right and power to do. We gave them the civil-service law,

and now I do not intend, if I can help it, that they shall clandestinely, as it were, or unknowingly, as it were, repeal any part of it or any of its regulations.

Mr. DAWES. I am sorry the Senator spent so much time with shooting into the air. I stood on record, before I came into this body, in the other branch, announcing just exactly what I have said to-day. It is not a confession of mine; it is a conviction of mine. I introduced myself into an appropriation bill the very first paragraph of legislation that has ever gone on the statute books in reference to civil service, and it is there to-day. It was put in about four hours before the session terminated, in a committee of conference of which I happened to be one. The Senator is a good deal behind the time if he talks about my confessing to his argument.

Mr. COCKRELL. Oh, Mr. President, I did not refer to the individual views of the distinguished Senator. I supposed that he was simply a representative of the great party of which he is a member, and I referred to him as the party, not as an individual. It was the party that I meant when I referred to the confession he made.

Mr. MANDERSON. If I may——

Mr. COCKRELL. I think we had better pass this section over until we can look at the appropriation acts and see whether these officials have by law and regulation been brought under the civil-service law. If they have, I insist that they shall remain there.

Mr. MANDERSON. That duty is already performed. If the Senator will allow me to interrupt him I will give him full information on the subject.

Mr. COCKRELL. I am not trying to take advantage of it. I am willing that the responsibility of the enforcement of that law shall rest on the existing Administration.

Mr. MANDERSON. I hope that the debate on this whole bill will not degenerate into a discussion of the merits of the civil-service law or the comparison of records of the Senators on that important piece of legislation. If it should, I fear that debate on this bill will be as great an abuse of the printing privilege as one can point out in the CONGRESSIONAL RECORD.

I have looked up the matter to which the Senator has referred, and I find that in the appropriation bills the language is identical with the language of this bill. For instance, turning to the last revision of the statutes, the Supplement, the second edition, I find that the Public Printer was authorized to emply three additional clerks of the third class. Turning to the appropriation act, found on page 914, volume 26, I find an appropriation for the compensation of the Public Printer, $4,500; for the chief clerk, $2,400; two clerks of class 4, two clerks of class 3, and one clerk of class 2; in all, $15,100.

The effect of this legislation was not to take these clerks under the direction of the civil-service law, for they are not there now and they never have been, so that by adopting the language that is reported in the bill there is no danger of changing the present status of these clerks.

Mr. HAWLEY. I wish to put myself right on this momentous question, Mr. President. If those clerks are under the civil service, and the Public Printer can get good clerks in that way, I am satisfied to let it remain so; but if, on the other hand, they are not under the civil service, and he gets good clerks, and the Public Printer likes that system, I am willing it should stay so. I want the work done well there, and I want the Public Printer to have no excuse for not doing it well.

The Chief Clerk read from section 50 to section 52, inclusive.

Section 53 was read, as follows:

SEC. 53. The Public Printer may sell to any person additional or duplicate stereotype or electrotype plates from which any Government publication was printed, at a price not to exceed the cost of the metal and making to the Government and 10 per cent added: *Provided*, That the full amount of the price shall be paid when the order is filed.

Mr. COCKRELL. I should like to know what is going to be the operation of that section.

Mr. MANDERSON. This section is inserted at the suggestion not only of gentlemen prominently connected with the Public Printing Office, but of many of those who deal in Government publications.

Under the law as it exists any private individual has the right, before the matter went finally to press and the types were distributed, or before the final printing of the matter, after the electrotype plates were made, to order any quantity that he might be pleased to order of the publications of the Government. We limit that power under this bill by providing that no man shall order beyond 250 copies.

There are documents, we are told, that it is important and valuable to the country should be printed in larger number than the Government is willing to print them for gratuitous distribution, and if these duplicate electrotype plates can be sold to publishing houses, they will, as a private enterprise, get out many of these publications in large degree. Upon this showing, it was thought well to insert a section which would permit that to be done. It can not now be done under the construction of the statute by the Public Printer.

Mr. COCKRELL. I forgot to call the attention of the Senator to the clause limiting the purchase by private individuals to 250 copies. Why limit it? If the Government gets paid the cost of the printing and 10 per cent additional, why shall we restrict the number to 250 to any one individual and then authorize the plates to be sold? Are these original plates left in the office?

Mr. MANDERSON. No; the office retains the electrotype plates. Those it never parts with; but a duplicate of those plates can be made and sold to any person at cost who may desire them.

Mr. COCKRELL. Why shall we do that instead of printing the copies if the Government gets paid in full?

Mr. MANDERSON. I certainly do not think it advisable, if there should be a desirable publication, for which there shall be a larger demand than the issue of the book by the Government, that some book-dealer should order thousands of that publication at the mere cost of the presswork and the paper, that he might privately speculate upon it. It was well enough I thought to do that to a limited extent, but not a very large one.

Mr. COCKRELL. I thought they did not get them at simply cost of the paper and material. I thought it was the cost of the publication and 10 per cent added.

Mr. MANDERSON. As to these plates, it is not. I will turn to that section.

Mr. COCKRELL. Yes; let us see how that is.

Mr. DAWES. I should like to inquire of the Senator if the bill provides for the sale of more than one copy of the plates?

Mr. MANDERSON. Oh, yes; they may be furnished to as many as may desire them.

Mr. DAWES. Otherwise, if but a single set of plates were sold, then somebody would get a monopoly.

Mr. MANDERSON. The language is "additional or duplicate."

Mr. GALLINGER. Pending the investigation of this matter by the chairman of the committee, I wish to say that probably the purpose of this provision is not to allow the Government Printing Office to be blocked by private work. The purpose of the Government Printing Office is to furnish work for the Departments and for Congress; but if the Public Printer is permitted to go into this work for private individuals on a large scale, the public service might be seriously interfered with and possibly crippled. For that reason it is very desirable that the stereotype plates shall be sold to outside parties to do this kind of work.

Mr. MANDERSON. That is the idea exactly. I simply want to read this for the Senator from Missouri. If he will turn to section 43 he will find that—

not exceeding 250 to any one applicant, copies of bills, reports, and documents, said applicants paying in advance the cost of such printing with 10 per cent added.

I think that wording would mean the cost of the composition.

Mr. COCKRELL. And not the material?

Mr. MANDERSON. Yes, the cost of the composition, the paper, the ink, all the material, and all the labor that goes into the document, and 10 per cent more. Then he will notice the proviso that meets the suggestion made by the Senator from New Hampshire:

Provided, That the printing of such work for private parties shall not interfere with the printing for the Government.

Mr. COCKRELL. That has been the law all the time.

Mr. MANDERSON. I beg the Senator's pardon. That is a proviso in the proposed law.

Mr. COCKRELL. I was misled by the committee in their footnote by their saying "this is substantially the present law." I beg pardon for being misled by the Senator.

Mr. MANDERSON. I beg the Senator's pardon. As we are indulging in these courtesies, let me read the footnote:

This is substantially the present law as found in the Supplement to the Revised Statutes, volume 1, second edition, page 311, except that it limits the amount to be printed for any one person, and provides that work for private parties shall not interfere with the printing for the Government,

Mr. PALMER. I should like to ask the Senator from Nebraska whether this section does not allow a monopoly on the part of private printers. The language is:

The Public Printer may sell to any person additional or duplicate stereotype or electrotype plates from which any Government publication was printed, at a price not to exceed the cost of the metal and making to the Government and 10 per cent added.

I understand this is intended to provide that, after the wants of the Government are satisfied, private parties may continue the publication of valuable works. Why limit it, then? Why not allow the stereotype or electrotype plates to be sold to those who will pay the most for them? If the price is thus limited, is it not probable that they will go into the hands of some one who will monopolize them, and thus defeat the very object of the

bill? Why not allow them to be disposed of at the best price that can be had, at a minimum to be fixed by law, so that the books may be published by private persons for the public benefit?

Mr. MANDERSON. It seems to me that that proposed change would make the very monopoly which the Senator from Illinois does not desire. The section as it reads permits the sale of any number of plates:

SEC. 53. The Public Printer may sell to any person additional or duplicate stereotype or electrotype plates from which any Government publication was printed, at a price not to exceed the cost of the metal and making to the Government and 10 per cent added:

That opens it to all. A half dozen persons may go in and order the same electrotype plates, as I understand the reading of the section, but if it is put up to some one who shall bid the highest of course he would have a monopoly. The Government could not then sell to the next lowest bidder. It seems to me that the language as it reads protects against the very monopoly which the Senator from Illinois opposes.

Mr. COCKRELL. What would be the difficulty in making duplicate plates? Is there any trouble about that?

Mr. MANDERSON. I do not think there is any trouble about it. I think the electrotype plates can be produced indefinitely.

Mr. CHILTON. I will ask the Senator from Nebraska if he thinks that section clearly states that proposition? It seems to me that it is susceptible of the construction that after the plates are furnished to one party that shall be the limit of the power of the Public Printer.

Mr. MANDERSON. I should not so construe the section, but I should be very glad if the Senator would suggest any language to meet the object he has in view.

Mr. COCKRELL. Insert the words "or persons."

Mr. MANDERSON. I shall not object to that.

Mr. CHILTON. I am inclined to think the Senator from Nebraska is entirely right, but it does not seem perfectly clear that that construction would be upheld.

The VICE-PRESIDENT. The amendment of the Senator from Missouri [Mr. COCKRELL] will be reported.

The CHIEF CLERK. In the first line of section 53, after the word "person," insert "or persons;" so as to read:

SEC. 53. The Public Printer may sell to any person or persons additional or duplicate stereotype or electrotype plates from which any Government publication was printed, at a price not to exceed the cost of the metal and making to the Government and 10 per cent added: *Provided*, That the full amount of the price shall be paid when the order is filed.

The amendment was agreed to

The Chief Clerk read section 54, as follows:

SEC. 54. The Public Printer shall examine closely the orders of the Senate and House for printing, and in case of duplication he shall print under the order first received.

Mr. COCKRELL. What effect will that have where the House and Senate each order a document printed?

Mr. MANDERSON. The House making the first order will receive the printing, and it will not be printed again for the other House. For instance, suppose an executive communication is sent to both Houses, as was the case with the Chilean message of the President; the first order to print happened to come from the House of Representatives. So the Chilean message is a House of Representatives executive document, so marked, and, of course, it would not be duplicated in the Senate.

Mr. COCKRELL. Would each body get the same number as if it had not been ordered by the other?

Mr. MANDERSON. Exactly. There would be the printing of the usual number.

Mr. GALLINGER. I inquire of the chairman of the committee if it might not be well, in the case of duplication, to except bills, as, for instance, a bill printed in the Senate and a similar bill printed in the House?

Mr. MANDERSON. I think not; because a Senate bill and a House bill are entirely different matters, as it seems to me.

The Chief Clerk read section 55 to the end of line 17, as follows:

SEC. 55. Whenever any document or report shall be ordered printed by Congress, such order to print shall signify the "usual number" of copies for binding and distribution among those entitled to receive them. No greater number shall be printed unless ordered by either House or as hereinafter provided. When a special number of a document or report is ordered printed, the usual number shall also be printed, unless already ordered. The usual number of documents and reports shall be 1,682 copies, which shall be distributed as follows:

OF THE HOUSE DOCUMENTS AND REPORTS, UNBOUND.—To the Senate document room, 150 copies; to the office of the Secretary of the Senate, 10 copies; to the House document room, 420 copies; to the Clerk's office of the House, 20 copies.

Mr. COCKRELL. What kind of documents and reports are provided for beginning in line 12? Are they unbound documents? It reads:

To the Senate document room, 150 copies; to the office of the Secretary of the Senate, 10 copies; to the House document room, 420 copies; to the Clerk's office of the House, 20 copies.

Does that refer to the reports of the committees of the House and also to reports from heads of Departments to the House?

Mr. MANDERSON. It does. In other words, it refers to everything that is ordered printed by the House of Representatives, no matter what may be its character, whether it be printed specially by the order of the House or under its general rules. It may be a report of a committee, it may be a communication from one of the executive officers of the Government in response to a House resolution. It may be the regular annual report of a Department chief. Whatever it may be, it comes to the House as a House document, a House report, and under the decision the general words "public document" have been held to include reports.

Before passing further into this matter of the usual number, it perhaps will facilitate the consideration of this subject somewhat if I suggest as to the general number that it has had various changes during the history of the public printing of Congress. For a long time the usual number was 1,550. It was fixed by law. By order of the two Houses that usual number was increased to 1,900, each House increasing the number by order, which practically enlarged the general law. Afterwards the number was changed to 1,734, which became the usual number, and this number has been printed for many years past.

Now, the proposition of the committee is to cut down the usual number to 1,682 copies, and the committee reached that number after taking the testimony of many gentlemen who certainly should be familiar with the necessities of the public service. Reference to the report will show that Mr. Amzi Smith, of the Senate document room, the heads of the libraries, the officers of the Secretary of the Senate, and officers similarly situated in the House of Representatives gave us the benefit of their views upon this subject.

Of this number, 1,734, heretofore printed, there was a division into what is known as the "up-number" and the "reserve number." The "up-number" were the unbound copies. For instance, each report, no matter if it was two or three pages or many pages, became an unbound document, that was distributed in the Senate and House document room and the office of the Secretary of the Senate, etc., for the convenient use of members of Congress and for distribution to a limited degree.

What is known as the "reserve number," which was about one-half of the number printed, was not bound or issued, in fact was not printed usually until about one year after the Congress had adjourned of which these documents were an incident. The result of that was the very difficulty complained of by the Senator from Missouri, that there came to members of Congress large numbers of these reserved documents, ranging from one hundred to two hundred volumes, when the matter was stale, and while perhaps the value in part as matter of reference had no freshness and was not desired.

The proposition now is to take the 1,682 copies, which are known as the usual number of any document ordered printed, and at once print the whole number. A certain number—600 I believe is the footing—remains unbound, and 582 copies are to be bound, and are to be distributed in bound form at once as provided on page 20. The remainder of the documents and reports are to be retained by the Printer in unstitched form, subject to be bound on orders from members of Congress. So, by this changed condition no member who does not desire the reserve documents of Congress need have them, and they remain in unstitched form in the hands of the Public Printer. The amount, as I remember it now, is about 500, which it is supposed will fully meet the demand. If they are not called for, the proposition then is to turn them over to the superintendent of documents for distribution to public libraries.

So, then, what we have done in the way of change from the usual number is a reduction of the number and providing for a better method of distribution of both the bound and unbound copies, and not inflicting the reserve documents upon any member of Congress who does not want them. He can, of course, select from out his quota whatever documents he may particularly desire to have bound, and all the residue go for general distribution to the libraries of the country.

I think that this is one of the most important provisions of this bill, and it has been prepared after very great consideration and considerable investigation by the committee.

Mr. COCKRELL. Mr. President, this brings up the whole question in regard to the documents that are left in the document room and those that are distributed directly to Senators, and we may just as well consider the whole provision in discussing it. I see that the remainder of the documents and reports, which would be 1,082, as I understand, shall be reserved by the Public Printer in unstitched form.

Mr. MANDERSON. No. Of those that are bound, 1,082, there shall be distributed, as provided from lines 26 to 38, inclusive, on page 20, which reduces the 1,082 copies, as I remember the figures, to about 500.

Mr. COCKRELL. Well, how can you supply the eighty-eight Senators and three hundred and odd members and the different libraries and so on out of that 500? I suppose the Senator has made the calculation.

Mr. MANDERSON. The libraries are supplied from the 500 copies turned over to the superintendent of documents, which wording the Senator will find in lines 29 and 30.

Mr. COCKRELL. I am going not by the bill the Senator has in his hand, but I am going by the Senator's report.

Mr. MANDERSON. Go by either; they are both the same.

Mr. COCKRELL. They are not numbered alike, and your report does not indicate anything here at all.

Mr. MANDERSON. You mean as to the lines?

Mr. COCKRELL. As to the lines. As to the sections they do.

Mr. MANDERSON. Yes.

Mr. COCKRELL. Now, I want to call attention to that. But we will wait until we get to that particular clause, and we have not reached it yet. There is the same objection to furnishing all the committees of Congress with these copies. There is no sense in that.

The Chief Clerk resumed and continued the reading of section 55, as follows:

OF THE SENATE DOCUMENTS AND REPORTS, UNBOUND.—To the Senate document room, 220 copies; office of Secretary of the Senate, 10 copies; to the House document room, 360 copies; to the Clerk's office of the House, 10 copies.

That of the number printed the Public Printer shall bind 1,082 copies, which shall be distributed as follows:

OF THE HOUSE DOCUMENTS AND REPORTS, BOUND.—To the Senate library, 15 copies; to the Library of Congress, 2 copies, and 50 additional copies for foreign exchanges; to the House library, 15 copies; to the superintendent of documents, 500 copies, for distribution to the State and Territorial libraries and designated depositories.

OF THE SENATE DOCUMENTS AND REPORTS, BOUND.—To the Senate library, 15 copies; to the Library of Congress, 2 copies, and 50 copies additional for foreign exchanges; to House library, 15 copies; to the superintendent of documents, 500 copies, for distribution to State and Territorial libraries and designated depositories. These documents shall be bound in half Russia.

The remainder of said documents and reports shall be reserved by the Public Printer in unstitched form, and shall be held subject to be bound in the number provided by law, upon orders from the Vice-President, Senators, Representatives, Delegates, Secretary of the Senate, Clerk of the House, and chairmen of committees, in such binding as they shall select, except full morocco or calf; and those selected by chairmen of committees to be bound for use of the committees shall be lettered on the back to show to what committee they belong. All of the "usual number" shall be printed at one time.

Mr. MANDERSON. Now let me call attention to the fact that it is not proposed, as has heretofore been done, to give these reserve documents to every member of Congress. They are retained in unstitched form subject to his order, if he sees fit to have them or any part of them. Nor is it proposed to send them to committees, whether the older committees of the two Houses or all the committees; but they are there subject to the order of the chairman of the committee if he sees fit to order them.

I am not tenacious of the proposition that committees, as such or through their chairmen, should have any of these documents, and it certainly would suit me very well, and I think suit the committee, if the Senator would move to strike out all reference to the chairmen of committees.

Mr. COCKRELL. It is only a question of time when every document room would be filled, and there would not be space enough for a Senator to get inside of a room if all these things are to be sent here. I shall move that amendment.

Mr. MANDERSON. I think so myself. That can be reached by striking out "and chairmen of committees" in line 44.

Mr. COCKRELL. And inserting after the words "Secretary of the Senate," and before the words "Clerk of the House," the word "and," and then by striking out the words "and chairmen of committees."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 55, line 43, after the word "Senate," it is proposed to insert the word "and;" and after the word "House," at the end of line 43, to strike out "and chairmen of committees;" so as to read:

Senators, Representatives, Delegates, Secretary of the Senate, and Clerk of the House, in such binding as they shall select, except full morocco or calf, etc.

The amendment was agreed to.

Mr. COCKRELL. Then strike out all after the word "calf" to the end of that line, and make the semicolon after the word "calf" a period.

Mr. MANDERSON. Strike out down to the next period.

The SECRETARY. It is proposed to strike out, after the word "calf," in line 45, the following words:

And those selected by chairmen of committees to be bound for use of the committees shall be lettered on the back to show to what committee they belong.

Mr. MANDERSON. Leaving the rest of the section to stand.

Mr. COCKRELL. Yes. That, as I understand, will allow the chairmen of committees to have the reports of their own committeees bound just as they have been doing, and that is all that any committee ought to have.

Mr. MANDERSON. I agree to that.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Missouri [Mr. COCKRELL].

The amendment was agreed to.

The Secretary read section 56.

Section 57 was read, as follows:

SEC. 57. There shall be printed in slip form 1,810 copies of public and 460 of private laws, postal conventions, and treaties, which shall be distributed as follows: To the House document room, 1,000 copies of public and 100 copies of private laws; to the Senate document room, 550 copies of public and 100 copies of private laws; to the Department of State, 200 copies of all laws; and to the Treasury Department, 60 of all laws. Postal conventions and treaties shall be distributed as private laws.

Mr. COCKRELL. Mr. President, I should like to ask the chairman of the committee if any inquiry was made of the superintendents of the respective document rooms in regard to the laws which are printed in slip form?

Mr. MANDERSON. Yes.

Mr. COCKRELL. I have very, very often had occasion to send them out. I remember the law about land in severalty to Indians, the Indian depredation-claims law, and various other laws, for which I had a great many applications, and I sent them out. I do not know whether this was the number that the superintendent of the document room supposed would be sufficient to meet that demand or not.

Mr. MANDERSON. The Senator will find full information on that subject in the testimony of Amzi Smith, on page 46.

The CHAIRMAN. I see that the number of slip laws printed is 1,810, of which 1,000 go to the House document room, 550 to the Senate document room, 200 to the Department of State, and 60 to the Treasury Department.

Mr. SMITH. Yes, sir.

The CHAIRMAN. What suggestions, if any, have you to make concerning this number? Can it be reduced?

Mr. SMITH. The State Department makes a division of the laws, making a distinction between public and private laws. Of the private laws, so far as the Senate document room is concerned, at least 300 or 350 could be dispensed with without detriment to the public service. Of the public laws, some of them, of course, could be dispensed with; but it is utterly impossible to tell in advance which ones.

The CHAIRMAN. Do you think it would be desirable legislation that would make a distinction between public and private laws?

Mr. SMITH. Most decidedly.

The CHAIRMAN. Printing, perhaps, one-third as many private laws as of public laws?

Mr. SMITH. One-third would be amply sufficient, so far as the demands on the Senate document room are concerned.

The CHAIRMAN. The laws that are printed on common paper, in what you call slip form, are simply to satisfy a temporary demand that occurs between the time that the law is passed and the issuance of the session laws.

Mr. SMITH. Yes, sir. We keep a permanent file of the slip laws, so that if a person wants a copy of a given law, even back as far as 1866 or 1867, we can furnish it in most instances.

I will not take the time to read further from his testimony as to this practice.

Mr. COCKRELL. What have you done about the public laws? Do you leave the number unchanged?

Mr. MANDERSON. My recollection is that there is a small decrease. There is a very large decrease of the private laws.

Mr. COCKRELL. I mean the public laws.

Mr. MANDERSON. The public laws are left the same. I wish to state right there that this is another of the numerous economies of this bill in dispensing with the printing of unnecessary matter.

The Secretary read section 58, as follows:

SEC. 58. There shall be printed of the Journals of the Senate and House of Representatives 1,110 copies, which shall be distributed as follows: To the Senate document room, 90 copies for distribution to Senators, and 25 additional copies; to the Senate library, 15 copies; to the House document room, 360 copies for distribution to members, and 25 additional copies; to the Department of State, 10 copies; to the superintendent of documents, 500 copies; to the Library of Congress, 52 copies; to the Court of Claims, 2 copies, and to the library of the House of Representatives, 10 copies. The remaining number of the Journals of the Senate and House of Representatives, consisting of 21 copies, shall be furnished to the Secretary of the Senate and the Clerk of the House of Representatives, respectively, as the necessities of their respective offices may require, as rapidly as signatures are completed for such distribution.

Mr. MANDERSON. Mr. President, I desire to call particular attention to the note to section 58, because here is a very great saving in the printing of copies of the Journals.

In 1888, largely because of the vigorous and strenuous efforts made by the Senator from Missouri [Mr. COCKRELL], there was a law passed which reduced the number of copies of the Journals published by the Senate and House of Representatives very materially. It was ascertained that by some strange slip in legislation years ago there was a printing of 1,500 copies of the Journal, which were entirely unnecessary and that no one really supposed were being printed. They were accumulating to the disturbance of everybody. This is further legislation in the way of making radical reductions in the number of copies of the Journals printed.

The Secretary read section 59, as follows:

SEC. 59. Whatever printing not bearing a Congressional number shall be done for any Department or officer of the Government, except confidential matter, blank forms, and circular letters not of a public character or for use of Congressional committees, not of a confidential character, 2 copies shall be sent, unless withheld by order of the committee, by the Public Printer to the

Senate and House libraries, respectively, and 1 copy each to the document rooms of the Senate and House, for reference; and these copies shall not be removed.

Mr. MANDERSON. I offer an amendment to this section.

The PRESIDING OFFICER (Mr. BERRY in the chair). The amendment will be stated.

The SECRETARY. In section 59, line 4, after the word "or," it is proposed to insert the words "shall be done."

Mr. MANDERSON. That is simply to make the language, which seems a little ambiguous, more certain.

The PRESIDING OFFICER. The amendment will be considered as agreed to in the absence of objection.

Mr. COCKRELL. Let us hear it read in connection.

The PRESIDING OFFICER. The section will be read as proposed to be amended.

The Secretary read as follows:

SEC. 59. Whenever printing not bearing a Congressional number shall be done for any Department or officer of the Government, except confidential matter, blank forms, and circular letters not of a public character, or shall be done for use of Congressional committees, etc.

Mr. MANDERSON. That is simply to require that 2 copies shall be sent to the Senate and House libraries, so that there may be preserved the printing that is done for committees, which generally disappears out of sight and can not be found after a year or two.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska.

The amendment was agreed to.

Mr. MANDERSON. I offer an amendment to come in at the end of the section.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 25, it is proposed to add at the end of section 59 the following:

And of all publications of the Executive Departments made for distribution, 500 copies shall be at once delivered to the superintendent of documents for distribution to designated depositaries and State and Territorial libraries.

Mr. MANDERSON. This is to meet a consideration suggested by many of the public libraries of the country. The public libraries of the United States have an organization made up of the librarians, and this organization has officers, a president, I believe, a secretary, etc., and an executive committee made up of some of the most distinguished of the learned men who are in that occupation. They are very desirous that these public libraries should receive more of the Government publications, and an underlying principle in this bill is to give more of the public documents to the libraries of the country. We not only give all Government publications heretofore given to the designated depositories and to State and Territorial libraries, which takes 496 copies, I think, of every public document, but we add to those the CONGRESSIONAL RECORD, the Session Laws, and the Statutes at Large.

There have been petitions in very large quantities received during the years past asking that these documents shall be added to the documents that shall be issued to designated depositories. Of late the demand has been for the publications from the different Executive Departments; for instance, professional papers issued by some of the chiefs of bureaus, monographs, letters of information I believe they are called, issued by the Navy Department.

Mr. COCKRELL. And by the War Department.

Mr. MANDERSON. And the War Department. There is a great anxiety on the part of these libraries to obtain these publications. It has seemed to the committee that it would be no more than just and right that of the number of these documents printed on the requisition of the heads of Departments 500 should be delivered to the superintendent of documents for him to distribute as he distributes all other Government publications.

I have here a number of letters from librarians suggesting this idea—one handed to me but yesterday by the Senator from Indiana [Mr. TURPIE]. It is to meet that view that this amendment is inserted.

Mr. COCKRELL. I think the amendment is perfectly just and proper. These documents ought to be sent out to these libraries. A great many of them are very valuable documents. They are not of the transient current business of the country that must be read at the time to be appreciated, but they are valuable for all time to come, and especially they should go to all the libraries. I think it is economy to increase the number of such recipients of documents if it does increase the number printed. It will necessarily increase the number, I suppose.

Mr. MANDERSON. That will be within the discretion of the bureau chief who orders the printing. I do not think it would necessarily increase the number, because he would desire, of course, that these documents should go to the libraries, and, perhaps, under the method of distribution in some of the Departments they have been sent to these designated depositories.

Mr. COCKRELL. I do not think they have ever been sent to the designated depositories of public documents.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska.

The amendment was agreed to.

Mr. MANDERSON. I ask leave to insert in the RECORD, in connection with the last amendment proposed, a letter from Mr. Fletcher, the librarian of Amherst College library, at Amherst, Mass., addressed to the Senator from Massachusetts [Mr. DAWES], and a letter from the very efficient librarian of the public library at Omaha, Nebr., in which they call attention to the character of this amendment and the bill generally.

The PRESIDING OFFICER. The papers referred to will be printed in the RECORD in the absence of objection.

The letters are as follows:

AMHERST COLLEGE LIBRARY,
Amherst, Mass., January 28, 1892.

DEAR SIR: The bill prepared by the joint committee of Congress for the regulation of the Government printing and distribution of documents has been reported in the Senate (Senate bill 1549) and also in the House, as I am informed, but I have not learned the number of the House bill. This bill provides for some of the reforms desired by librarians, such as periodical indexes, new style of lettering on binding, appointment of superintendent of documents with general supervision of distribution, and some other minor matters, but it does not make any provision for placing in the State and Territorial libraries the documents which they do not now receive.

The most important of these are the publications of the various Executive Departments, known as Professional Papers, bulletins, monographs, circulars of information, etc., which include the researches of the scientists in the employ of the Government, and are of more real value to the general public than the mass of documents regularly distributed. It is hardly necessary to say that all of these documents printed at public expense should be placed in the designated depositories in order that the public may have access to them. This can easily be provided for by an amendment to section 59 of this bill, which covers this class of documents, requiring that 500 copies of such documents be delivered to the superintendent of documents for distribution to the depositories.

If such an amendment can be incorporated in the bill it will be a great improvement from my point of view as librarian of one of the "designated depositories." But as it is, the bill goes so far in the direction of the reforms needed that, if the suggested amendment can not be made, I should earnestly hope for its passage in its present form, as I think it will be recognized as making a great improvement over the present system, or rather systemless method, of distributing the Government publications.

Very respectfully,

WILLIAM I. FLETCHER, *Librarian.*

Hon. HENRY L. DAWES,
United States Senator.

PUBLIC LIBRARY, *Omaha, Nebr., January 27, 1892.*

DEAR GENERAL MANDERSON: The bill prepared by the joint committee of Congress for the regulation of the Government printing and distribution of documents, while providing many reforms, does not, as I understand, make any provision for the distribution to libraries of monographs, bulletins, circulars of information, and the publications of the executive documents known as Professional Papers.

Is it not desirable that these important documents reach the public through the libraries? The information is usually the most reliable, and, more, the most up to date. The libraries are constantly receiving, and necessarily refusing, requests for these documents. The matter is preserved for future use and reaches many who now are obliged to do without or to depend on what information is reprinted in the newspapers.

Trusting you will pardon any presumption in my suggestions, I am

Very respectfully, yours,

JESSIE ALLAN, *Librarian.*

Hon. C. F. MANDERSON, M C.,
Washington, D. C.

The Secretary read section 60.

Section 61 was read, as follows:

SEC. 61. There shall be one document room of the Senate and one of the House of Representatives, to be designated, respectively, the "Senate and the House document room." Each shall be in charge of a superintendent, who shall be appointed by the Sergeant-at-Arms of the Senate and the Doorkeeper of the House, respectively, who shall also appoint the necessary number of assistants.

Mr. MANDERSON. Mr. President, this section changes an existing condition. There is in the Senate one document room, under the charge, as we all know, of Mr. Amzi Smith. But for a very long time there have been connected with the House of Representatives two document rooms, one known as the House document room and the other as the Clerk's document room. Upon making an investigation there seemed to be a uniformity of opinion that one of these document rooms could, with great advantage to the public service, be dispensed with; that it was not only desirable as a matter of economy, but that as a matter of better system in the distribution of books it would be proper. Members of the committee, however, who were of the Senate would not have made this change had it not been desired by the member of the House committee who was present.

I make this statement here, because there has been, I understand, some criticism upon the effort to curtail what might be called the privileges of one of the Houses of Congress. It of course is entirely within the power of the House of Representatives to maintain its present system of document rooms if it desires; but, as I say, the uniform testimony was, even of those prominently connected with document rooms themselves, that it would be desirable to have but one document room for each House.

Mr. COCKRELL. I understand there was a member of the House who was a member of the committee by joint resolution, and this is the arrangement that he suggested?

Mr. MANDERSON. Yes.

Mr. COCKRELL. So that it comes from that body?

Mr. MANDERSON. From that body. I want to state here, what perhaps may not be understood, that this bill is the product of a special committee authorized by concurrent resolution passed at the last Congress, that special committee being composed of the Senate Committee on Printing and Messrs. RICHARDSON and RUSSELL, who were appointed by the Speaker of the House as the House members of the committee, Messrs. RICHARDSON and RUSSELL having been members of the Committee on Printing at the last session of Congress, and, being so, were detailed for this work, because it was presumed they would probably be members of the Committee on Printing of this Congress, and in fact Mr. RICHARDSON is now the chairman of that committee.

Section 62 was read, as follows:

SEC. 62. The President of the United States shall nominate and, by and with the advice and consent of the Senate, appoint a superintendent of documents, who shall receive a salary of $3,000 per annum. He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution, excepting those printed for the use of the two Houses of Congress, which are to be distributed on the order of Members and Delegates, or are for the special official use of the Executive Departments.

Mr. VEST. Mr. President, I move to strike out that section. I do not see any necessity for the creation of this office. I should like to state that I object specifically to the powers that are given by the succeeding section. I inquire of the chairman of the committee having charge of this bill what would be the effect of striking out this section? Where would it leave the distribution of these documents under the bill?

Mr. MANDERSON. I fear it would leave them in a very chaotic condition, and I think the Senator from Missouri, when he has fully considered this matter, will hardly insist upon that motion to strike out.

There was no proposition that was more embarrassing to the committee that had this matter under consideration than that which involved the distribution of the public documents. We were met with a condition that has been frequently described. Here was this vast collection in the Departments and in the Capitol running into many hundreds of thousands of practically abandoned volumes of public documents. They seemed to be without ownership. I would not be surprised to know that in the Departments and in and about the Capitol and different storehouses there is a million of books waiting for some one to take charge of them and distribute them throughout the country. The folding rooms of the two Houses are charged with the duty of the distribution of the special printing of Congress, the quotas that are assigned to the members of the two Houses. It hardly seemed to us that we could throw upon these folding rooms this matter of the distribution of this vast collection of documents that were constantly accumulating. No one realizes until he has looked into this matter what this accumulation of public documents means.

Congress provides by concurrent resolution for the printing of a number of a publication, say 2,000 copies for the Senate and 4,000 for the House of Representatives. When this amount comes to be divided in each case by the number of members of the body it is found that there is a remainder over in every instance. Now, I confess it was a matter of very great surprise to me when I ascertained, upon investigation of the fact, that at one Congress this accumulation of remainders amounted to 40,000 volumes, for which there was really no practical ownership. They belonged to the Senate or belonged to the House of Representatives, but in each instance there were so few of them that there were not enough to give one apiece to the different members. Here was this vast accumulation of material. The question was, what should be done with it and what should be done with the accumulation that would come from the annual house-cleaning of the Departments and of the Capitol proposed by this bill?

We found in the Interior Department an officer created by act of Congress some years ago, known as the superintendent of documents. We found that it was his duty under the law to send out to the designated depositories, designated by members of Congress, and to State and Territorial libraries the books that they were entitled to. We found that he had been doing most excellent work. He had, as far as his power extended, prevented the duplication of documents, and no one can understand how great that evil has been until investigation is had. For instance, we found that by orders from members of the House of Representatives one man had received forty volumes of the same publication; and I have no question but that speculative gentlemen make a profit by writing to members of Congress of either House and obtaining many copies of the same book. We found that Dr. Ames, this efficient officer, has done a great deal towards preventing that sort of duplication of the documents intrusted to him.

We thought it was infinitely better that this official should be placed where the Public Printer is placed, under the hand of Congress, to be its creature, rather than the creature of any of the Executive Departments of the Government. This bill is framed on the idea that under his general direction, and without encroachment upon the privilege of any member of either House of Congress, but as a substantial benefit and aid to them in the distribution of the public literature, this office could be created with profit. Now, it may be that some of the powers and duties that devolve upon him can be changed with benefit, and I have one or two changes that I propose to make in the parts of the bill that define the duties of the superintendent of documents. I think they will commend themselves to the Senate, and particularly to the Senator from Missouri.

The Senator from Iowa [Mr. ALLISON] came to me this morning, feeling that this official was to be given too great powers, and I called his attention to one or two changes that I proposed to make in the bill, that caused him, I think, to be very well content with the establishment of this office.

It is not really the creation of a new office, it is not the establishment of another bureau. It will not add a dollar of expense, but I think will be a very great saving of expense to the Government. We simply take the superintendent of documents out of the Interior Department and place him here, and it seems to me that here is where he belongs. The matter that is printed, except the material that is printed on the requisition of the Executive Departments, is Congressional printing. The Printer is the Congressional Printer. True, his name has been changed to that of Public Printer, but none the less he has always been considered, is considered to-day, and I think always will be, as the creation of Congress, subject to its immediate direction, without interference by any of the executive officers of the Government, and I think the superintendent of documents should be of the same class of officials, that he should be brought here, and be under our direction. I think if we do that we can build up here a symmetrical and well-organized method of distribution and we shall bring order out of the present chaos.

Mr. VEST. Mr. President, I endeavor always to discuss public business very frankly, and I wish to say now that I am not an enemy of this bill. As the Senator from Nebraska knows, I have been endeavoring for some years in my feeble way to right the abuses in regard to this, to cleanse the Augean stables in connection with the public printing. I am heartily in sympathy with any reform, because it can not be made much worse than it is now. That is certain. But during my service here I have known personally, as has every other Senator who was here at the time, instances of the grossest abuse in regard to public documents by officials of each House of Congress. I had occasion once during a Presidental canvass to call the attention of the Senate by resolution to a case where one of our emyloyés had used his privileges to issue a campaign document on the tariff question, upon which he had placed his name as an officer of the Senate, and to which he gave official sanction, and that was sent throughout the country.

Nothing has been more common than to take a campaign document and inject it into a speech of a Senator or a member of the House of Representatives, so that it could be used for distribution under the franking privilege; and even now there is a bureau in this Government, as I shall undertake to show in a very few days, that is using its power to distribute political documents ostensibly for the purpose of informing people with regard to certain matters that are going on. I am not willing to give to any officer the power to handle my list of documents for distribution. I do not say this because we are now under a Republican Administration, for I would deny it to a Democrat, and it is just as much subject to abuse under one party as another. We can not be too particular, we can not scrutinize too closely in regard to the powers given to an official occupying the delicate relation to members of Congress that this superintendent will under this proposed law.

As I said a few moments ago, the subsequent provisions of this bill constitute to me the most serious objection. In the first place, look at section 62, which is under consideration:

SEC. 62. The President of the United States shall nominate and, by and with the advice and consent of the Senate, appoint a superintendent of documents, who shall receive a salary of $3,000 per annum. He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution, excepting those printed for the use of the two Houses of Congress, which are to be distributed on the order of Members and Delegates, or are for the special official use of the Executive Departments.

Mr. MANDERSON. Mr. President, if I may interrupt the Senator, strange as it may seem, that is the existing law with reference to this official, practically.

Mr. VEST. The list is not placed in the hands of the general superintendent.

Mr. MANDERSON. The superintendent of documents is the only distributing power, except where the distribution comes from the different Departments of their peculiar publications.

Mr. VEST. But it is not exercised, and we all know it. There is no general superintendent now to whom I must send my list of documents for distribution. That is the point I am making.

Mr. MANDERSON. But the Senator, it seems to me, hardly reads the section with the same understanding at least that I do. There is thrown upon the superintendent a general supervision of the distribution of all public documents, and to his custody go the documents subject to distribution, which are those he now receives, excepting those printed for the use of the two Houses of Congress.

Mr. VEST. Exactly.

Mr. MANDERSON. No member's quota of documents goes to the superintendent of documents.

Mr. VEST. I understand that.

Mr. MANDERSON. But it will go to the folding room, as it does now.

Mr. VEST. Exactly, but he has to have that list. That is the point I am making. I do not care about who has the actual corporeal possession. The point I make is that he is furnished with a list of documents which every Member and Senator sends out.

Mr. MANDERSON. If the Senator will permit another interruption, here is an amendment which I propose to add to line 22 of this section, which I think meets that difficulty, and I make this interruption and suggest these changes because, if it is possible to do so, I desire to convert the Senator to the idea that he should not move to strike out this section that creates this official.

Mr. VEST. Very good; I will withdraw my motion until I hear the Senator, because I am not an enemy of the bill.

Mr. MANDERSON. I propose to add to this amendment at the end of line 22:

And provided further, That any portion of the quota of documents of any Senator, Representative, or Delegate shall be delivered to himself whenever order to this effect is given to the superintendent of documents.

That takes every book that is of the quota of a member of Congress completely out from the control of the superintendent, and puts it within the control of the member. If that language does not do it, let us insert language that will do it if it is desirable.

So far as I am concerned, for every document that I distribute my list is open to the world. I do not care where or by whom it may be published. I try to make a distribution of public documents of which I am not ashamed, and I do not fear that any political adversary can make capital by an inspection of the list of those to whom I send Government publications, and I do not understand either that a majority of the Government publications are those of which political use can be made. If that is so, we had better stop publishing a great many of them.

My idea was that they were for the purpose of informing the people, of giving information to those interested in different pursuits that would be of advantage to them, to show the results of scientific explorations, of experiments of scientists, etc. That certainly is not political in its character. But I do not desire that my particular wish in that matter shall prevail. As I say, I do not care who sees my list, but perhaps other Senators or members of the House of Representatives may, and if so, the opportunity is given them by this amendment that neither this superintendent of documents nor any other man shall be permitted to see the list of those to whom they send Government publications.

Mr. VEST. Mr. President, it is hardly necessary for us to say what we would be willing to do in regard to our list of documents. I think I can stand here with all safety and say I have just as few reasons for concealing any public act of mine as the Senator from Nebraska or any other Senator.

Mr. MANDERSON. Undoubtedly.

Mr. VEST. That is not the question. There is no use for us to conceal the fact that in close and heated political contests men will resort to almost any measure, and think it absolutely and morally right, to achieve political success. All of us remember in the last Presidential canvass that the Voice published a charge—and I have never heard a denial of it—that men were sent into their office from the outside and procured their whole list of subscribers for the national campaign committee of the Republican party. The result was that documents were sent from those headquarters to all the subscribers to the Voice, intended to turn the whole Prohibition vote of the country in a certain direction. All this was notorious and as well known as the names of Senators here to-day.

I assert now, and I can prove it—and it has never been denied, for that matter—that officers of this Senate in the last canvass distributed campaign documents, made official by putting their names upon them, and the resolution is here which I myself offered calling attention to it, and the fact has never been disputed. On the contrary, Republican Senators stood here and justified it and said they had a right to do it.

Suppose I am in a close Congressional district where 10 or 20 or 100 votes will decide the representation from that district. I am sending my documents, a speech, for instance, that I have made upon the salient issues in that canvass, to certain persons, generally perhaps to doubtful voters.

Mr. MANDERSON. That would not be a public document within the meaning of the law.

Mr. VEST. If all these documents are to go, that would be a public document, for it would be a part of the CONGRESSIONAL RECORD. Even suppose it is not a speech; say it is some other matter that I want to send to doubtful voters, a public document of any sort on this list, if it is in the hands of this superintendent, and he is disposed to do so, it can be used for sending to the same persons matter that would bring about a very different result in their opinion. To show that I am not mistaken about the scope of this bill look at the next section:

SEC. 63. He shall keep the document account of members of Congress and Departments, and on request of any Senator, Representative, or Delegate shall promptly furnish a statement of documents standing to his credit.

Mr. MANDERSON. That is done now by the superintendent of the folding room.

Mr. VEST. Here is the clause that I mean:

All orders for the distribution of documents by Senators, Representatives, or Delegates, and Departments shall be sent to the superintendent of documents on franked or other labels or in lists, which shall be kept confidential and which shall give the name and address of each and every party to whom documents are ordered sent; and it shall be the duty of the superintendent of documents to establish such a system of registration by card index, or otherwise, as will prevent duplication in the distribution of documents.

If I choose, it seems to me, to send my documents myself, or through my secretary, or through any other party, I should have that right, and I should not be compelled to go to this general superintendent for the purpose of having them distributed.

After the first word "the," in line 7 of section 62, where it reads "excepting those printed for the," I move to strike out the remainder of that section and insert what I send to the desk.

The SECRETARY. In section 62, line 7, after the word "the," where it first occurs, it is proposed to strike out—

use of the two Houses of Congress, which are to be distributed on the order of Members and Delegates, or are for the special official use of the Executive Departments—

And insert:

Special official use of the Executive Departments and those printed for the use of the two Houses of Congress, which are to be distributed or delivered ready for distribution on the order of Members and Delegates.

Mr. VEST. That amendment would give to Members and Delegates the right to take charge of their own documents if they saw proper to do it. If, on the other hand, they found it more convenient, and were willing to allow the superintendent to distribute them, as a matter of course that is a question for them.

I must confess that I do not like the powers proposed to be given to this superintendent. They are subject to too great abuse. At the same time I will frankly state that I do not want to defeat this bill. I know that under the present system there are great defects and great abuses. No one is better aware of that fact than myself, but I do not care to give any officer the powers that are given under this proposed act.

Mr. MANDERSON. Mr. President, I do not know the extent to which the system proposed by this bill is in operation. I know that quite a number of the members of the Senate, and I know a number of the members of the House of Representatives, pursue exactly this plan; that is to say, instead of having books sent to a committee room or to their houses, they simply address slips of paper that have their franks upon them, and send those to the superintendent of the folding room.

That is my own almost invariable usage, and I find it far more convenient than any other method. This language which was read, that Senators, Representatives, etc., shall send to the superintendent of documents on franked or other labels, or in lists, as they please, the names and addessses of those who shall receive documents, is simply a recognition in the law of a custom that now very largely obtains. If there is added to this section, at the end of line 21, the amendment that I read a moment ago, which recognizes that which I think would be anyhow without any such amendment, the right of a member to have all his documents sent in any way he pleases, then it seems to me that we have stripped from the bill the objectionable feature suggested by the Senator from Missouri. He can not go further than myself in denunciation of any officer of the Government who would convert to base political uses the privileges of his position. With him I condemn the action to which he has referred; but I do not see that this will lead into any such difficulty as that when you guard it in this method. I suggest that if it is the desire to prevent the duplication of public documents, to prevent speculation in them, then this provision of the law is desirable.

As to this particular amendment, I do not know that I have any special objection to it. I do not think it very particularly changes the language of the section, although I apprehend it is to be followed by other proposed changes.

Mr. VEST. The amendment simply inserts in this provision, transposing some of the words, the power for Members and Delegates and Senators to send their documents themselves instead of furnishing the orders for distribution to the superintendent.

Mr. MANDERSON. That is, it reaches the same idea in the proviso——

Mr. VEST. The same idea, but I thought it was more germane to put it in this section.

Mr. MANDERSON. I ask the Secretary to read it as it would read if amended.

The PRESIDING OFFICER. The Secretary will read the clause as it would stand if amended.

The Secretary read as follows:

He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution excepting those printed for the special official use of the Executive Departments, and those printed for the use of the two Houses of Congress, which are to be distributed or delivered ready for distribution on the order of Members and Delegates.

Mr. MANDERSON. I do not feel warranted in accepting the amendment. Still I do not see that it changes particularly the idea of the section.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. VEST].

The amendment was agreed to.

The Secretary read section 63 of the bill to line 22.

Mr. VEST. That section must be amended, and I move——

Mr. MANDERSON. I propose to amend the section by adding to it the language I read. Perhaps under strict parliamentary practice this as a committee amendment would be first in order, but I am so anxious to perfect the bill as we go along as far as we can, that I certainly have no objection to the Senator introducing any amendment he may see fit, whether acceptable to the committee or not.

Mr. VEST. I was going to suggest after the word "sent," in line 7, to insert "when desired by Senators, Representatives, or Delegates;" so as to read:

All orders for the distribution of documents by Senators, Representatives, or Delegates, and Departments shall be sent, when desired by Senators, Representatives, or Delegates, to the superintendent of documents, etc.

So as to give them the option whether they will furnish the list or not.

Mr. MANDERSON. I have no objection to that.

Mr. COCKRELL. I should like to hear section 62 read as amended. I was called out just at the time the amendment was offered. Let it be read as it now stands.

The PRESIDING OFFICER. Does the Senator desire to have it read before the pending amendment is passed on?

Mr. COCKRELL. Yes.

The PRESIDING OFFICER. Section 62 will be read as it now stands.

The Secretary read as follows:

SEC. 62. The President of the United States shall nominate and, by and with the advice and consent of the Senate, appoint a superintendent of documents, who shall receive a salary of $3,000 per annum. He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution, excepting those printed for the special official use of the Executive Departments and those printed for the use of the two Houses of Congress, which are to be distributed or delivered ready for distribution on the order of Members and Delegates.

Mr. COCKRELL. He shall have general supervision of the distribution of all public documents, as I understand it, "and to his custody shall be committed all documents subject to distribution."

Mr. VEST. "Excepting."

The SECRETARY. "Excepting those printed for the special official use of the Executive Departments."

Mr. VEST. "And."

The SECRETARY. "And those printed for the use of the two Houses of Congress, which are to be distributed or delivered ready for distribution on the order of Members and Delegates."

Mr. COCKRELL. It does not seem to me that that changes it.

Mr. VEST. Yes, it puts in the idea that they are to be delivered to anybody when ordered by Members and Delegates; that is, they are not absolutely required to be distributed by the superintendent. Of course if a member of Congress wants them to be distributed by the superintendent he can do so, but with this amendment it gives him the power to have them so distributed or not.

Mr. HARRIS. Had you not better incorporate in that amendment, after the word "distributed," the words "to Members and Delegates."

Mr. VEST. That is covered by the words "or delivered ready for." Let the Secretary read it again.

The Secretary read as follows:

Which are to be distributed or delivered ready for distribution on the order of Members and Delegates.

Mr. VEST. That is, with the franks upon them.

Mr. HARRIS. I suggest that you say "to Members and Delegates upon their order."

Mr. VEST. I have no objection to that. That is the meaning.

Mr. HARRIS. Of course that I know to be the object, but I think it is more clearly expressed by that language.

Mr. VEST. Very well.

Mr. MANDERSON. Now let that part of the section be read as modified.

Mr. HARRIS. Let it read "to Members and Delegates upon their order."

The Secretary read as follows:

Which are to be distributed or delivered ready for distribution to Members and Delegates upon their order.

The PRESIDING OFFICER. The amendment will be agreed to, if there be no objection. The amendment is agreed to. The question now is on the amendment proposed to section 63 by the Senator from Missouri [Mr. VEST].

Mr. COCKRELL. Has any amendment been made to the first four lines of section 63?

Mr. MANDERSON. No.

The PRESIDING OFFICER. An amendment was offered by the Senator from Missouri [Mr. VEST] to section 63, which the Secretary will report.

The SECRETARY. In line 7, after the word "sent," insert the words "when desired by Senators, Representatives, or Delegates."

The PRESIDING OFFICER. The Chair would call the attention of the Senator from Missouri to the fact that that would make those sent to Departments dependent on the order of Senators and Members.

Mr. VEST. Let it read "sent to the Departments, or to Senators, Representatives, and Delegates."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. MANDERSON. Let it be read.

Mr. VEST. Let the amendment be read again.

The Secretary read as follows:

All orders for the distribution of documents by Senators, Representatives, or Delegates, and Departments, shall be sent, when desired by Senators, Representatives, or Delegates, to the superintendent of documents on franked or other labels, etc.

Mr. MANDERSON. I think I can suggest an amendment instead of that which will reach the idea better. I suggest to make it read in this form:

When desired, all orders for the distribution of documents by Senators, Representatives, or Delegates, and orders from Departments, shall be sent to the superintendent of documents.

Mr. VEST. Yes, that is right; that covers it.

Mr. MANDERSON. Insert "when desired" at the commencement of line 5.

The PRESIDING OFFICER. The amendment will be reported as modified.

The SECRETARY. At the beginning of line 5 insert "when desired," and after the word "and," in line 6, insert "and orders from;" so as to read:

When desired, all orders for the distribution of documents by Senators, Representatives, or Delegates, and orders from Departments, shall be sent to the superintendent of documents, etc.

Mr. VEST. That is right.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. COCKRELL. Now, let that part of the section be read following the amendment just agreed to.

The Secretary read as follows:

Shall be sent to the superintendent of documents on franked or other labels or in lists, which shall be kept confidential, and which shall give the name and address of each and every party to whom documents are ordered sent.

Mr. COCKRELL. Has any change been made in the remainder of the section?

Mr. MANDERSON. None whatever.

The Secretary read the remainder of section 63 and section 64.

Mr. MANDERSON. In section 64, lines 2 and 3, I move to strike out the words "the laws of the United States," and in line 3 to insert "otherwise" after "herein."

Mr. VEST. Does the Senator mean to give him the power of sale?

Mr. MANDERSON. No; the object is simply this: As the superintendent of documents has now the power of sale under the general law, this is a proposition to continue that power under

the restrictions of the bill. But the laws of the United States have always been sold at the State Department. It seems desirable to continue that provision. When this bill was drafted we were rather of the impression that those were the only documents sold in any Department, but on investigation we find that mariners' charts and reports of the Coast and Geodetic Survey and other documents are sold. So I propose to say "except as herein otherwise provided."

Mr. COCKRELL. And in the Patent Office, too, they are sold.

Mr. MANDERSON. Yes, sir. It will be found afterwards in the bill that we provide for the sale of certain documents by certain Departments.

The PRESIDING OFFICER. The Secretary will report the amendment of the Senator from Nebraska.

The SECRETARY. In line 2, of section 64, strike out the words "the laws of the United States," and after the word "herein," in line 3, insert "otherwise;" so as to read:

The superintendent of documents is also charged with the sale of public documents, except as herein otherwise provided.

The amendment was agreed to.

The Secretary read sections 65, 66, and 67.

Mr. MANDERSON. I offer an amendment to come in at the end of section 67. After "employés," in line 11, I move to insert "of his office." It was an omission in the bill that should have been inserted originally.

Mr. VEST. May I inquire of the Senator from Nebraska how many employés there are attached to this office now in the Interior Department?

Mr. MANDERSON. My recollection is that there are seven, that is, clerks, packers, folders, etc. I could answer definitely, by referring to the testimony of Mr. Ames; but my recollection is that there are seven employés in the office of the superintendent of documents.

The PRESIDING OFFICER. The amendment moved by the Senator from Nebraska will be reported.

The SECRETARY. In section 67, line 11, after the word "employés," insert "of his office;" so as to read:

The superintendent of documents shall appoint all employés of his office authorized by Congress.

The amendment was agreed to.

The Secretary read sections 68, 69, and 70.

Mr. MANDERSON. I offer an amendment to section 70, and I call the attention of the Senator from Missouri to this proposed amendment, which is one of those curtailing power of which I spoke a moment ago.

The PRESIDING OFFICER. The amendment moved by the Senator from Nebraska will be reported.

The SECRETARY. It is proposed to strike out all of section 70 after the word "him," in line 28, in the following words:

In such manner as he deems best for the public good, preference being given to libraries and to the completion of broken sets and to lists that may be furnished to him by Senators, Representatives, and Delegates, to all of whom he shall deliver printed statements of the documents in his possession for such distribution.

And to insert in lieu thereof:

First, to public and school libraries for the purpose of completing broken sets; second, to public and school libraries that have not been supplied with any portion of such sets; and, third, to other parties, which persons and libraries shall be named to him by Senators, Representatives, and Delegates in Congress, and in this distribution the superintendent of documents shall see that, as far as possible, an equal allowance is made to each member of Congress.

The amendment was agreed to.

The Secretary read section 71, as follows:

SEC. 71. A catalogue of Government publications shall be prepared by the superintendent of documents on the first day of each month, which shall be printed in the Official Gazette of the Patent Office, and during sessions of Congress also in the CONGRESSIONAL RECORD, and shall show the documents printed during the month, where obtainable, and the price thereof. On the 1st day of July of each year he shall prepare and print in pamphlet form for distribution and sale 2,000 copies of a catalogue of Government publications issued during the year, giving the price of each and where purchasable.

Mr. MANDERSON. I desire to call attention particularly to this section, which seems to the committee to be one that is very desirable. It reaches the remedy of an evil that has been frequently complained of. As will be seen by its wording, it proposes to publish at the end of each month the publications of the Government of all sorts during that month, where they are obtainable, and their price; and then annually, on the 1st day of July of each year, he prints in pamphlet form for distribution and sale 2,000 copies of a catalogue of Government publications issued during the year; and of course, in addition to this, under the general provisions of the law, the usual number of that catalogue would also be printed.

Mr. COCKRELL. The Senator is sure that the usual number would be printed under that provision?

Mr. MANDERSON. I think so, because of the provision as to the usual number, to which I will turn, which provides that—

Whenever any document or report shall be ordered to be printed by Congress such order to print shall signify the usual number of copies, and when a special number of a document is ordered printed the usual number shall also be printed.

Mr. HAWLEY. Can the Senator give us an estimate of the number of titles that will be in such a catalogue? Has he any idea of the number of books?

Mr. MANDERSON. Published annually?

Mr. HAWLEY. The number that will enter into this monthly publication, the catalogue of Government publications?

Mr. MANDERSON. It will not take a very large space in either the Official Gazette or the CONGRESSIONAL RECORD. As to the entire Congress, I find that in the first session of the Fifty-first Congress there were printed 136 documents, including reports; and at the second session 70, making a total of 206 in the Fifty-first Congress. That of course is only the Congressional publications. In addition to that would be the publications of the Departments. The annual pamphlet would not be a large one, and I do not think the monthly list would be a very large one.

Mr. HAWLEY. I do not know how much expense it might add to the cost of the Official Gazette or RECORD.

Mr. MANDERSON. But a trifle, I think, because it is to be published but once a month.

Mr. COCKRELL. I suggest to the Senator in charge, the chairman of the committee, that an amendment ought to be put in there to require the printing of the list of Government publications to go back as far as 1881, anyway.

Mr. MANDERSON. I should be glad to do that, but I rather dislike to burden this bill with that matter.

Mr. COCKRELL. We have in the Descriptive Catalogue of Government Publications a pretty fair list, although not as systematically and properly arranged as it ought to be. We have a fair list of the publications from the foundation of the Government up to that time, and now we commence after the passage of this bill with another publication. Here is an interregnum between them, and it would certainly be very important that we should have the list of publications since 1881 included in his first annual report.

Mr. MANDERSON. I quite agree with the Senator on that proposition, but I should greatly prefer that that should be by concurrent resolution of the two Houses after this general bill shall have passed. When the superintendent of documents is in his place as a creation of Congress there will be no trouble about directing him in that regard by concurrent resolution. I feel that this bill has already in it so much that may excite adverse criticism elsewhere, that I should be glad not to enter into any new field of operations. I quite agree, though, with the object the Senator has in view, and if this bill shall pass I certainly will make an effort in that direction.

The PRESIDING OFFICER (Mr. FRYE in the chair). The Secretary will continue the reading of the bill.

The Secretary read section 72, as follows:

SEC. 72. When extra numbers in excess of 5,000 of any document shall be ordered by Congress, there shall be delivered to the superintendent of documents 500 copies, to be taken ratably from the two Houses of Congress, and where less than 5,000 extra numbers are ordered the superintendent shall receive 10 per cent of the number. Said copies shall be distributed by the superintendent of documents to free public libraries having more than 1,000 volumes, other than Government publications, which have not been designated as depositories, preference being given to those named by Senators, Representatives, and Delegates.

Mr. MANDERSON. I should like to explain that provision. Under the existing law, which is continued in principle in this bill, each member of Congress designates two libraries and depositories, and for a long time all pubic documents subject to distribution have been sent to these libraries and also to all State and Territorial libraries. The number now is 496 of the designated depositories and the State and Territorial libraries. There has been an enormous pressure brought to bear by other libraries not designated depositories that they shall receive Government publications, and petitions have been placed on file here from libraries throughout the country insisting that the Government publications should be sent to every school and every public library in the United States. Of course that can not be done. They are usually reached by the distribution of members of Congress from their quota.

But here is an effort to place in these libraries other than the designated depositories the more valuable of the Government publications, to wit, those that are published by the special order of Congress, and we provide that where there is an excess of 5,000 copies of any document, 500 copies shall be turned over to the superintendent of documents, to be sent by him to libraries other than designated depositories, and if the number is less than 5,000 extra copies, then he shall receive 10 per cent of the whole number that is to be distributed by Congress. That, then, will enable school and public libraries other than designated depositories to receive what may be termed the cream of the Government publications, and it seems to me that it is a very desirable provision to enact.

Mr. COCKRELL. It seems to me that the operation of that provision would be not an impartial but a partial distribution; that while members of Congress from certain districts would get their full share, the sparsely settled and thin districts would be deprived of their portion of them, not having the libraries there.

Mr. MANDERSON. But the Senator will notice the preference——

Mr. COCKRELL. I am perfectly willing to furnish these libraries, but I do not want to do it at the expense of those localities that have not so many libraries.

Mr. MANDERSON. The Senator will notice the latter part of the section provides that preference is to be given to libraries named by Senators, Representatives, and Delegates in this instance, as in all others.

Mr. COCKRELL. There are many places where there are no established libraries of over a thousand volumes. For example, in Missouri we have in many of our towns what we call a public library, but the public building has not been built specifically with reference to a library room, and they commence their collections from the patrons of the office, and they may not have a thousand volumes there.

Mr. MANDERSON Those can be supplied from the quota of members from that district or the Senator from that State.

Mr. COCKRELL. But wherever you have those libraries they get the bulk of these 500 copies and the member of Congress from such district also gets the same number, so that it is giving to the localities that have libraries the excess in number. That is the only point. I do not know how you can avoid that. It nevertheless has that result.

Mr. MANDERSON. It seems to me that there is the demand, and there is where the supply should go. The more libraries, the more books are necessary. If there are no libraries in any member's district, then he had better establish some that will receive these publications.

The Secretary read section 73, as follows:

SEC. 73. The superintendent of documents shall thoroughly investigate the condition of all libraries that are now designated depositories, and whenever he shall ascertain that the number of books in any such library is below one thousand, other than Government publications, or it has ceased to be maintained as a free public library, he shall strike the same from the list, and the Senator, Representative, or Delegate shall designate another depository that shall meet the conditions herein required.

Mr. MANDERSON. I think perhaps the word "public" should be stricken out in line 6, after the word "free." I have had a little disturbance of mind about it. I do not desire, if there is a library among the designated depositories that is not open to the public to take out books, that it should be expunged from the list. For instance, some of the college libraries, reference libraries, as is suggested by the Senator from New Hampshire [Mr. GALLINGER], are free libraries; but I do not know that they can be called free public libraries, because they do not permit their publications to be taken from the library building or room.

Mr. COCKRELL. That is in line 6 of section 73?

Mr. MANDERSON. Yes; in line 6 of the section. The question in my mind is whether the word "public" had not better be stricken out, so as to read, "or it has ceased to be maintained as a free library," instead of "a free public library." I will make that motion. I move to strike out the word "public," so that there shall be no question about it.

The SECRETARY. In line 6, section 73, after the word "free," it is proposed to strike out the word "public;" so as to read:

As a free library.

Mr. KYLE. I should like to ask a question as to the probable meaning, in case the word "public" were stricken out. I have made inquiry since a conversation with the Senator from Nebraska, and I believe it is the rule with college libraries to throw them open free to all students; but it would be impossible almost in college towns to throw these libraries open to the public from the fact that a large number of citizens would flock in around the tables, so that the students would be deprived of the special privilege which properly belongs to them. I should like to have the section so amended, whether by this word or by some other means, that college libraries will be excepted from the list.

Mr. MANDERSON. If the Senator will permit an interruption, that was my purpose in moving to strike out the word "public." It was to reach the very idea that he has in mind. A free library, as I understand it, would be one that makes no charge for the use of its books. I do not understand that any college library does that, none at least within my knowledge. I think to strike out the word "public" will reach the idea that he has in mind. However, I shall be very glad to accept any suggestion or amendment that he may wish to make.

Mr. KYLE. I have thought of an amendment at the end of the section in perhaps this form:

Provided, That this section shall not apply to college libraries.

Mr. MANDERSON. I do not object to that amendment.

Mr. KYLE. I will move, then, that provision at the close of the section.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the section:

Provided, That this section shall not apply to college libraries.

Mr. COCKRELL. That it shall not apply to them; that they shall not have the benefit of the section?

Mr. MANDERSON. I am a little afraid the Senator from South Dakota would defeat the college libraries by his amendment.

Mr. COCKRELL. I think you would exclude them utterly by that proviso.

Mr. MANDERSON. I do not think there is any difficulty about my amendment as it stands.

Mr. KYLE. Construing the interpretation given to the word free by the Senator from Nebraska, I will withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn. The question is on agreeing to the amendment offered by the Senator from Nebraska, to strike out the word "public" after "free," in line 6.

The amendment was agreed to.

The Secretary read section 74, as follows:

SEC. 74. All documents in excess of 25 copies of any one publication remaining in the folding room of the Senate or House at the expiration of two years, after being placed to the credit of a Senator or Representative or Delegate, shall be turned over to the superintendent of documents for distribution by him to public libraries or depositories or for sale, as in his judgment shall best subserve the public interest.

Mr. COCKRELL. I hope the Senate will pass that section by for the present. I shall certainly want to offer an amendment to it.

I regard it very fatal that there should be a compulsory law requiring a Senator to distribute inside of two years when his term is six years any publication he may receive or forfeit it. We are having illustrations of that policy not enforced by law. We had what is known as the Rebellion Record. Five volumes are issued. They have been scattered to the four winds, and now we commence the distribution of all after the five volumes by the War Department, and we have to print five more volumes to make up the set. Take the Medical and Surgical History of the War of the Rebellion. That came out in installments. It was about fifteen years from the time the first volume was issued until the last one was issued. A Senator was compelled, say, to distribute that, and it is distributed to this one and that one. Fortunately or unfortunately, I kept mine; I did not distribute them when they were first issued. The result is that I have been able to complete a great many more sets than I possibly could have done if I had distributed them as they came out from time to time.

I think such a provision ought not particularly to apply to a Senator. We have books that are coming out in sets. The first volume will be printed and it may be some time before the set will be completed. If a Senator commences distributing them, and he is compelled to do it inside of a certain time, when the other volumes come out a large number of the persons he distributed the first volume to may have gone out of his State, or they may be dead, and he may not want to send them. He sends a copy of the second volume to some one, and he immediately writes back and wants the first volume; and so the volumes are broken up, and there is no complete set of them anywhere.

I think it would be very detrimental in the distribution of public documents to require that a Senator should distribute them all and clean out his room within two years when his term is six years.

Mr. HARRIS. Mr. President, I rose for the purpose of asking the Senator in charge of the bill if he did not think it would be wise to adjourn at this time, and give the Senator from Missouri an opportunity to prepare the amendments to this section which he wishes to submit.

Mr. MANDERSON. I certainly have no objection to the proposition to adjourn, but I think that after full thought and prayerful consideration of this section the Senator from Missouri will not desire to amend it.

Mr. COCKRELL. I know I shall insist upon amending it to the bitterest end. I would regard it as really a calamity for a bill to be passed compelling a Senator to distribute all his documents within two years, regardless of what the documents are.

Mr. MANDERSON. So would I. That is not the proposition of this section.

Mr. COCKRELL. That is just this bill the way it is now.

Mr. HARRIS. With the permission of the Senator from Nebraska, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 26 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 4, 1892, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 3, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

ELECTRIC LIGHTS FOR UTAH PENITENTIARY.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General, with its inclosure, looking to an appropriation for an electric-light plant at the Utah penitentiary; which was referred to the Committee on Appropriations, and ordered to be printed.

INTERCONTINENTAL RAILWAY COMMISSION.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Secretary of State, submitting an estimate for an appropriation to pay salaries to the three United States Commissioners of the Intercontinental Railway Commission from the date of entering upon their duties to June 30, 1892; which was referred to the Committee on Appropriations, and ordered to be printed.

SURVEY OF THE UPPER MISSOURI.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report of the examination and survey of the Missouri River, Montana, between Great Falls and the cañon next below Stubbs Ferry; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

VIRGINIA LOWE VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Virginia Lowe *vs.* the United States; which was referred to the Committee on War Claims, and ordered to be printed.

SARAH GOESHORN VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Sarah Goeshorn *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

LIGHTING OF MASSACHUSETTS AVENUE AND SEVENTEENTH STREET, WASHINGTON, D. C.

The SPEAKER also laid before the House a letter from the president of the Board of Commissioners, transmitting a petition of the Commissioners of the District of Columbia requesting that the lighting of Massachusetts avenue from Ninth to Boundary street, and of Seventeenth street between H and K streets NW., be provided for in the appropriation for electric lighting; which was referred to the Committee on Appropriations, and ordered to be printed.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally referred as follows:

A bill (S. 2) for the relief of Ezra S. Havens—to the Committee on War Claims.

A bill (S. 3) for the relief of Napoleon B. Giddings—to the Committee on War Claims.

A bill (S. 4) for the relief of Alfred J. Worcester—to the Committee on War Claims.

A bill (S. 5) for the relief of John S. Neet, jr.—to the Committee on War Claims.

A bill (S. 6) for the relief of Joseph W. Carmack—to the Committee on War Claims.

A bill (S. 408) to provide for the purchase of a site and the erection of a public building thereon at Fernandina, in the State of Florida—to the Committee on Public Buildings and Grounds.

A bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868"—to the Committee on Foreign Affairs.

A bill (S. 591) to provide for the erection of a public building in the city of Grand Forks, N. Dak.—to the Committee on Public Buildings and Grounds.

A bill (S. 606) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868"—to the Committee on Foreign Affairs.

LEAVE OF ABSENCE.

Mr. HALLOWELL, by unanimous consent, obtained leave of absence for one week, on account of sickness.

ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 1762) for the relief of the University of the State of Missouri;

A bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882; and

A bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas.

THE RULES.

Mr. CATCHINGS. I call up for consideration the report of the Committee on Rules.

The SPEAKER. The Clerk will read the pending amendment.

The Clerk read as follows:

Mr. BOATNER moved to amend paragraph 3, Rule XXI, by striking out all the paragraph after the word "order" in line 6; so that it will read:

"No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendment thereto changing existing law be in order."

Mr. BOATNER. Mr. Speaker, the gentleman from Indiana [Mr. HOLMAN], in addressing himself to this amendment yesterday, inquired of me if I was opposed to the retrenchment of the expenses of the Government and to the reforms which this Congress is expected to inaugurate and carry out. I reply, Mr. Speaker, that I am not opposed to any proper retrenchment in public expenditures, to any necessary and proper reduction of salaries, or of the expenses of the Government in any direction, provided such measures be accomplished in the proper way. But I am radically and totally opposed to the principle which is involved in this rule, of coercing the judgment of this House, or of coercing the judgment of a coördinate branch of Congress, so as to compel them to support a measure which does not commend itself to their judgment because it is attached to a bill which is necessary to be passed in order to carry on the Government. I apprehend, sir, that every measure which passes this House ought to rest on the untrammeled judgment of every member who votes for it, and no member ought to be put in the dilemma of being obliged to support a measure which does not commend itself to his judgment, because its defeat will carry with it a failure of the appropriations necessary to carry on the Government.

But, Mr. Speaker, the argument which the gentleman from Indiana [Mr. HOLMAN] and the gentleman from Georgia [Mr. BLOUNT] have addressed to this House, based upon the reduction of appropriations to which they refer, is purely fallacious, as will appear upon a simple inspection of the appropriations made by the Congresses from the Forty-third to the Fiftieth Congress. I call particular attention to the figures which I propose to give. The total appropriations of the Forty-third Congress were $653,794,000 in round figures; the total appropriations of the Forty-fourth Congress were $595,597,000 in round figures, a decrease of about $58,000,000, which the gentlemen attribute to the adoption at that time of the rule which is now under consideration, which is known as the "Holman amendment."

But, Mr. Speaker, it is significant that, the same rule being adopted in the Forty-fifth Congress, the appropriations of that Congress exceeded the appropriations of the Forty-fourth Congress by nearly $109,000,000.

Mr. HOLMAN. The modified rule was adopted at that Congress—the modified rule as now before us.

Mr. BOATNER. I understand the gentleman to say that the rule now before us was adopted in the Forty-fifth Congress.

Mr. HOLMAN. That is my recollection.

Mr. BOATNER. Well, under the operation of the rule which the gentleman now proposes to have the House adopt the appropriations of the Forty-fifth Congress were increased over those of the Forty-fourth by nearly $109,000,000.

Mr. HOLMAN. But I favored the original rule. I have only accepted this because other gentlemen will not go any farther.

Mr. BOATNER. It is not the original rule that we have before us.

Mr. HOLMAN. I know that.

Mr. BOATNER. Now, we find that the Forty-sixth Congress increased the appropriations of the Forty-fifth Congress by $23,000,000; that the Forty-seventh Congress increased the appropriations of their predecessors by $49,000,000.

Now we come to the great reduction brought about in the Forty-eighth Congress, when the provision now under discussion was again incorporated in the rules. The appropriations of the Forty-

eighth Congress were $655,269,000 as against $777,435,000 appropriated by its predecessor.

But, Mr. Speaker, the Forty-eighth Congress utilized an unexpended balance of appropriations for pensions made by the Forty-seventh Congress, amounting to $66,000,000. The Forty-seventh Congress appropriated for pensions $202,000,000, and then they were only $49,000,000 ahead of the preceding Congress. When the Forty-eighth Congress came to make its appropriations it found that $66,000,000 of the appropriations made by the Forty-seventh Congress for pensions had been unexpended. Therefore the Forty-seventh Congress is entitled to a credit of those $66,000,000, which should be charged to the appropriations of the Forty-eighth Congress, and thus the amount of the reduction in the latter would be decreased to the extent of $66,000,000.

Then, sir, we find when we come to the Forty-ninth Congress that it increased the appropriations of the Forty-eighth Congress by $91,000,000. Now, mind you, Mr. Speaker, in the Forty-eighth Congress the rule which is now under consideration, proposed by the gentleman from Indiana, was in force. We find——

The SPEAKER *pro tempore* (Mr. RICHARDSON). The time of the gentleman has expired.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Louisiana be extended for five minutes longer.

There was no objection.

Mr. BOATNER. We find, Mr. Speaker, that the Forty-ninth Congress appropriated $746,342,000 in round numbers, being an increase of $91,000,000 over the appropriations made by the Forty-eighth Congress, and that the Fiftieth Congress, in which it was not in force, only increased the appropriations of its predecessor by about $71,000,000, lacking $20,000,000 of the increase made by the preceding Congress. So that without the rule in question the Forty-ninth Congress was able to effect a reduction, or a saving, in public expenditures of $20,000,000 over its predecessor, and without the aid of the rule in question.

Now, Mr. Speaker, it is pure fallacy to attribute the reductions thus made to the operation of this rule. It is pure fallacy to say that the increase in the expenses of this Government has been brought about by an increase of the salaries or an increase in the amounts paid for public services of that kind. It has been due to the increase of the appropriations for pensions, to the increase in the river and harbor appropriations, to the increases for the erection of public buildings throughout the country, to the increase of money devoted to the rectification and improvements of harbors like the harbor at Galveston and the harbor at New York and others; and the increase is not attributable, except in a very slight degree, to the amounts paid to the employés of the Government and to the officers of the Government. The salaries of the people who serve this Government are a comparatively small item of its aggregate expenditures.

The adoption of this rule, therefore, is practically a declaration that we are afraid to trust ourselves to legislate as the public interests require. It is provided in the rule that the Committee on Appropriations may put independent legislation into the appropriation bills, provided such legislation is in the line of reduction. The gentleman from Indiana wants to know if there is an unnecessary officer who is drawing a salary from the Government, whether they ought not to have the right to abolish that office, or if there is an excessive salary paid to any one of the Government employés, whether they should not also have the right to decrease this salary?

I answer certainly. But exactly on the same principle should there be the converse right. If there is a necessary office, we ought to have the right to create it; or if there is an insufficient salary, we ought to have the right to raise the compensation; or if there is no appropriation made for a necessary item of expenditure, we ought to have the right to provide the appropriation.

Mr. LIVINGSTON. Will the gentleman permit me to ask him a question?

Mr. BOATNER. Certainly.

Mr. LIVINGSTON. How do you propose to reach a reduction?

Mr. BOATNER. We propose to reach it by legislation directed to that special object; legislation coming from the appropriate committee and submitted to the judgment of the House.

Mr. LIVINGSTON. Then one other question. What will become of your special act in the Senate when it gets there?

Mr. BOATNER. I will answer the gentleman by stating that I am not concerned with what the acts of the Senate will be; if I have attended to my own business I have done my whole duty. There is just the mistake that gentlemen fall into. They not only want to attend to the business they are sent here by their constituents to attend to, but they want also to attend to the business of the Senate. I should like to know where the gentleman or any other gentleman gets his authority to assume that the Senate of the United States is not actuated by the same motives that we are. I should like to know where he gets his authority to assume that the Senate of the United States is not coequally responsible with us for legislation of Congress. But he assumes that we have the right to force on the Senate the views we entertain on such matters, and compel their acceptance.

I will say to the gentleman now, as I said to the gentleman from Indiana on yesterday, that we may, under the programme proposed here, reduce inconsiderable salaries of Government offices; we may refuse to pay those who have claims against the Government, which is but a trifle to us but is of very great importance to them; we may deny to the individual the relief which should be accorded to him in justice, and it will not be of any consequence in the Senate. It will be unnoticed by that body, and not interfere with the passage of our bills. But if we undertake to attach anything of importance to our appropriation bills which does not recommend itself to the judgment of the Senate, that body will refuse to acquiesce, and it must come back here to the House, and the House must recede from its position.

I say, Mr. Speaker, in conclusion, that a recapitulation of the figures, a review of the appropriations made by all the Congresses from the Forty-fourth Congress down to the present time, show that this check upon the independence of the House and its right to execute its will has not had the effect gentlemen claim that it had, and that we may constitutionally and lawfully reduce expenditures without depriving ourselves of the right to vote as we choose on all of these questions, and not as directed by the Committee on Appropriations.

Besides, sir, the kind of economy advocated by the the gentlemen who urge the adoption of this rule, is not economy in the true sense of the term.

It is not proposed to relieve the people of the burden of taxation, but to hoard the money after its collection.

The millions temporarily saved by reduction of appropriations did not relieve a single citizen of the burden of government to the least extent, and only created a great hoard of money in the Treasury. After money is taken from the citizen by taxation it is better that it should be judiciously expended than hoarded and kept out of circulation. The insignificant reduction of salaries, mounting in totals to a few thousand dollars, certainly is not of sufficient importance to justify us in conferring such extraordinary powers upon any committees of this House.

Mr. BOWERS. Mr. Speaker, this section 3 of Rule XXI may be taken as embodying the Democratic scheme of retrenchment and reform. Now, if the Democratic party want to reform, no one should object. They have been telling us about it for the last ten or fifteen years, and undoubtedly the party needs to reform. As for myself, I have had the good fortune to be connected with a party that does not have to be under the disagreeable necessity, every time an election comes round or is approaching, of promising to reform. A gentleman on the other side yesterday propounded the question, "What are we here for?" Well, I do not know what he is here for, but I suppose for the same reason I am here, namely, to represent his constituents. As for me, I do not feel that I need any reform. I do not want any, so far as I am concerned, and do not need any. I am not here to sound the praises of retrenchment either.

I am not here, Mr. Speaker, to retrench. I came here to represent the people who sent me here, to try to obtain what they want and what they asked for, and I am going to ask for it. I will tell you, I know what they want. They want reasonable appropriations to make needed improvements for their rivers and harbors. They want necessary public buildings; they want, more than anything perhaps, a reasonable appropriation for the survey of unsurveyed lands, that settlers there may secure title to their homes. They want another thing. They want the United States to return to those settlers the $1.25 per acre they paid in excess of the usual price of public lands, on the promise that there would be a railroad built which was never built. They now want the United States to return the money that is being kept from them and which the United States is not entitled to keep, the money which is due to these settlers. They want the United States to be honest, if we do have to make appropriations.

Now, Mr. Speaker, I have a great many good Democratic friends. I have so many that I have come to love the Democrats; not all of them, of course, for no man can do that; but a great many of them. Their hearts are all right. They get wrong in their heads sometimes. But it is by reason of this love and affection that I bear so many of them that I want to give them the straight tip on this race for the Presidential stakes. You see, Mr. Speaker, I am going to get right down to the real question at issue. Gentlemen have been skirmishing around it, but they have not faced it yet, and that is the question. We are all scoring up for that race. And now I want to give you a straight tip. Gentlemen, you are putting this race up wrong, and I will tell you that if you are going to win it or have any show to win it you have got to change your blacksmith.

Now, if you attempt to shoe the nag that you put in on that race with five-cent nickels instead of putting on his hoofs good, sound, sensible, modern horseshoes, you "won't be in it," I can tell you that. [Laughter on the Republican side.] One of my Democratic friends yesterday expressed the belief that after the 4th of March, 1893, there would be a Democrat in the Presidential chair, a Democratic Senate, and a Democratic House. Now I want to give you gentlemen what I believe to be a straight tip on that. You can not win with the hand you hold; you have got to draw and fill or you will be beaten. [Laughter.] That is the fact. Now I will tell you gentlemen, the man or the party that takes a five-cent nickel piece——

The SPEAKER *pro tempore* (Mr. RICHARDSON in the chair). The time of the gentleman has expired.

On motion of Mr. BUCHANAN of New Jersey and of Mr. MCKENNA, by unanimous consent, the time of Mr. BOWERS was extended five minutes.

Mr. BOWERS. Gentlemen, I would like to larrup my Democratic friends about five minutes more, not in a mean way, but mildly. I want to say that the man or the party that takes a five-cent nickel piece as the measure of the American people, their ambitions, their hopes, and their pride, makes a mistake, and you will find that out, and you will tell me so when I meet you next winter. Now you can never roll your Presidential candidate into the White House on a chariot of reform that has five-cent nickels for wheels. You can not do it. Just as soon as the Democratic party show to this country that they are big enough and broad enough, that they realize that the country has grown, that it requires more cloth now to cover it than when it was an infant, that the family has increased, that you have got to build the house bigger, that you have got to build the barns bigger, that you are working more land, as soon as you give a guaranty to the people of the United States that you will be devoted to the honor, the prosperity, and the growth of this country, just so soon you will have a chance. When that time comes nobody can object to your taking all these places.

Now, in conclusion, I have only one more item to speak to you about and that is this: I can not speak for the Democrats of these States. I am not entitled to, but I can speak for the Democrats of two Congressional districts for whom I stand on this floor, because I know them and want to tell you that they are broad-minded, they are progressive, they are patriotic, they are devoted to the honor of this country, and they are proud of it. They are not small. Why, gentlemen, when you go fishing for people of that kind you must use some other sort of bait than a five-cent nickel. That may do in Indiana, but it will not catch any fish in California or on the Pacific coast, and you can bet on it. You have got to find a bigger bait and a better bait. You talk about the billion-dollar Congress. Do you not know that every American is proud of the billion-dollar Congress.

Why, if it had not been for that you could not have sent an ultimatum to the Indians of Patagonia. [Laughter.] You all know that.

Now, gentlemen, I have given you a little good advice, and I hope you will take it, and let us have a good, liberal Congress. Let us give the people what they want us to give them, and what they require. I have a good Democratic editor down in my district who spoke of the good intentions of BOWERS and Senator FELTON, and alluded to that place the approach to which is said to be paved with good intentions. I told him that the only place of that kind that BOWERS and FELTON need to be afraid of was the Democratic House of retrenchment and reform. [Laughter on the Democratic side.]

[Here the hammer fell.]

The SPEAKER *pro tempore*. The time of the gentleman from California has expired.

Mr. BLAND. Mr. Speaker, I think this is a very important amendment. I had the honor of serving in the Forty-fourth Congress with the gentleman from Indiana [Mr. HOLMAN], who has offered this amendment, or rather who is the advocate of it, and I remember the resistance made then on the other side of the House to this same rule, and for the same reason that it meets opposition to-day—that was, to prevent the Democratic majority from reducing the expenditures of the Government. As has been stated by the gentleman from Indiana in his opening remarks on this question, under a rule similar to this—I believe identical with this rule—we did accomplish a reduction of $60,000,000. But gentlemen say that we propose to accomplish these reductions by coercing the Senate. The Senate at that time was Republican. It is to-day.

I do not care whether gentlemen use the word "coerce" or any other word that will have the meaning of compelling the Senate to agree to a reduction of expenditures. Have not the people the right even to use the word "coerce" to compel the Senate to a reduction of the expenditures of this Government? We are all supposed to be amenable to coercion by the people of this Government. The Senate has no power to originate appropriation bills or revenue bills. The Constitution reserved that right to the people and their representatives, and the Senate must first take the judgment of this House upon appropriation bills. Certainly the people can coerce the Senate into respect for the judgment of the will of the people who have to pay these taxes.

The Constitution contemplates that this body must, in the first instance, pass judgment upon these appropriations, while the Senate have the power to amend and the right to insist. Yet under the Constitution and our theory of government the rights of the people in the first instance is given to the House to originate these measures; and when gentlemen undertake to say that the Senate ought not to yield to the representatives of the people in any fair means of reduction of expenditures contemplated, it means that the Senate must set itself up as autocrat over the House of Representatives.

The gentleman from Maine [Mr. BOUTELLE] yesterday stated that he was opposed to putting political riders on appropriation bills. Gentlemen undertake to assume here that a reduction of expenditures and economy is a political question in this House. This side of the House has assumed an aggressive attitude on the question of economy. The Democratic party is the only political party in this country that demands economy and retrenchment in the expenditures, and the only riders which we propose are riders in the interest of economy.

If that is a political rider, the people of this country will, in my opinion, sustain any party that insists upon riding down the expenditures of this Government. There is no other way of reaching and reducing the expenditures.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. HOLMAN. I ask unanimous consent to increase the gentleman's time by five minutes.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Indiana that the time of the gentleman from Missouri be extended five minutes? The Chair hears none.

Mr BLAND. Now, what was the result of adopting this rule in the Forty-fourth Congress? Not only did the Democratic party reduce these expenditures and keep them down, but the Republican party itself was compelled afterwards, in order to make a creditable record, to keep nearly within the limits of Democratic expenditures until the last Congress. That has been the history of the matter. Gentlemen talk about introducing bills here in order to reduce the number of offices and their pay. You would never hear of one of those bills passing the Senate until the time for this Congress to adjourn. Where would reduction then be? Most of these expenditures have been riders on appropriation bills in the interest of extravagance, and have been put on by the Senate; and we propose in the interest of the people to put riders on appropriation bills in the interest of economy, so as to meet the extravagant rules of the Senate, who put riders on in the interest of the flagrant violation of every principle of economy and in favor of extravagance.

If this House proposes to reduce expenditures it must adopt a rule for that purpose. It is very difficult for the House to reduce expenditures all along the line unless we reduce the demand for the money; unless we limit the number of officers and the pay to them, or wherever a salary may be in excess to reduce it.

Mr. Speaker, I think it is the duty of this House, if it is possible to do so, to reduce the expenditures of this Government from $75,000,000 to $100,000,000 during the first session, and especially during the last session of this Congress.

A billion dollars for two years, one-half of which is $500,000,000. That absorbs and takes from the circulating medium of this country nearly one-half of the money in circulation within twelve months which is piled up in the Treasury.

We are demanding a reduction of taxation, and why reduce taxation unless you are going to reduce the expenditures? What will it brook the American people if we reduce taxation and yet keep up our expenditures until we make a deficit in the Federal Treasury and have to meet it with increased taxation?

Reduction of taxes and the reduction of appropriations of the revenues must go hand in hand, or else all our talk about economy will be of no avail. This is a fair rule—a rule by which the judgment of the House may be taken upon abolishing any office, or reducing the pay of any official, or repealing laws requiring the unnecessary expenditure of public money, and unless a rule is adopted giving the House that power, we can not succeed. With this rule we did succeed in the Forty-fourth Congress, and with this rule we can succeed again; but without it, Mr. Speaker, all our professions of economy and all our promises to reduce expenditures will simply go for naught.

PRINTING FOR THE COMMITTEE ON INDIAN AFFAIRS.

By unanimous consent, on motion of Mr. PEEL, the following resolution was adopted:

Resolved, That the Committee on Indian Affairs be authorized to have printed and bound such public documents as may be necessary in connection with the Indian appropriation bills for the Fifty-second Congress.

THE RULES.

Mr. PENDLETON. Mr. Speaker, you may be well assured that under ordinary circumstances the practice of placing riders upon appropriation bills is not in harmony with sound policy. It frequently has the effect of compelling members to vote for things for which they do not desire to vote; but, on the other hand, it has frequently had the effect of carrying measures that were for the benefit of the people. I can well understand why our friends on the Republican side should be opposed to "riders" upon appropriation bills in the present House, and I can understand, too, why they were indifferent to them in the Fifty-first Congress.

The Fifty-first Congress was Republican in the House and Republican in the Senate, and there was a President who would sign all Republican measures; consequently they were able to follow the rule of sound policy upon the question of "riders," having no interest of any kind or character to conflict with it. But, sir, riders upon appropriation bills have time and again saved the liberties of the people. It was by the use of such measures that the liberties of the English people were established. When the Kings of England attempted to govern the country regardless of the laws, and when the Parliaments were called together and asked for appropriations to carry on the Government, it was by adopting the policy of engrafting upon their appropriation bills some great public measure concerning the rights of the people that the English people were finally able to establish and maintain their liberties.

It was the exercise of a power of this character by the House of Commons that brought Charles I to the block. It was the use of such a power in the reign of William and Mary that finally established the supremacy of the English Parliament in the English constitutional system. But our own history, within recent years, has furnished striking illustrations of the beneficial use of this power. In the year 1874 an election was held in the State of Louisiana, at which a Democratic Legislature was elected by an overwhelming majority, a Legislature which William A. Wheeler and William Walter Phelps, two prominent Republicans, afterwards pronounced to have been elected as a Democratic Legislature; but under the rule of President Grant the Army of the United States was called into use and the Democratic Legislature of Louisiana was driven at the point of the bayonet from the legislative halls of that State. Afterwards, when it was found that there was no way of preventing the use of troops at the polls in the South, and when it was found that the Army was being maintained for the purpose of upholding the carpetbag governments at the South, what did the Democratic House of Representatives do? They placed a "rider" upon the appropriation bill for the Army, providing that no money appropriated by that bill should be used for the benefit of the Army for troops at the polls or troops interfering with the constituted authority of any State. But that is not all that has come to pass here through this use of riders upon appropriation bills. In 1876 we had a disputed Presidential election. There was a contest after the election had been determined at the polls, after the ballots had been cast, and a similar state of affairs arose in Louisiana. There were the people upon one side and a few carpetbaggers, adventurers, and the military upon the other.

Again the same means were resorted to by the House of Representatives with the same result. And that policy was maintained until to-day, not only in the South but in the East, in the West, and in the North, no soldier can be employed by any means or in any manner to interfere with an election that is being conducted by the American people. But that is not all that has been accomplished by placing riders upon appropriation bills. To that policy we owe it that the Democrats of the South have a chance to be represented upon Federal juries. To that policy we owe it that the power has been taken away from partisan clerks in Federal courts to select partisan jurors to try their enemies. Therefore, I say, Mr. Speaker, that while I do not think it is a sound policy generally, nevertheless, the present circumstances, the present situation, will justify it. Furthermore, Mr. Speaker, I believe in the Committee on Rules. I rely upon their wisdom and their judgment, and I appeal to every Democrat in this House to stand by them unitedly, and pass their code of rules as soon as as we conveniently can. [Applause on the Democratic side.]

Mr. BUTLER. Mr. Speaker, as an original proposition, I would feel that it would be my duty to oppose riders on appropriation bills; but I am controlled largely by the thought that public interest always should be suggestive of public duty. When we determine for ourselves what the people of this country sent us here for, then carrying out the wishes of those people requires on our part the adoption of such methods as will make the duty which we aim at possible of achievement.

There is a difference between constitutional power and moral right. We have a power under the Constitution to expend large sums of money; we have constitutional power to establish two hundred thousand offices instead of one hundred thousand, if we choose. We have the power to expend millions upon millions for the payment of these salaries. But the power to do a thing does not carry with it the moral right to do it. We have no right to expend the money of this Government for any other purpose than for carrying out the duties of the Government economically administered. And ridicule or anything of that kind will not change my right or your right in the premises. The Constitution may define our powers, but our duties are to be decided wholly by the dictates of conscience and the rules of common honesty. The application of such rules makes for us the decision that economy is our duty in all affairs in which our public actions are called for as members of this House. Extravagance must be stopped, and frugality must, in this House, be the motto of all our actions.

If we have determined, therefore, that economy is the duty of the members of this House, then it becomes our bounden duty to adopt such methods as will make economy possible. The older members of this House have learned by experience what the new members must know as the result of reason or by faith in the statements of the older members—that retrenchment and reform have been in the past and are now impossible unless we have something more than the ordinary methods of legislation, whereby each measure is considered by itself. There is no question as to the constitutional power of this House to legislate in the proposed manner. The Constitution provides what we may legislate about, but not at all in regard to the method of such legislation. And it is our duty to our constituents to adopt the method that makes it possible to render economy a practical thing in this Government of the United States.

The adoption of the provision reported by the Committee on Rules will make it possible to so legislate as to save money to the people, and because of that I approve this report of the Committee on Rules, and hope it will be adopted without change. It would be foolish for us to say that we believe in retrenchment and reform, and then to throw from our hands every power that is given us to do the thing that we most desire to do. We desire retrenchment; let us have a rule which will make retrenchment possible.

Mr. MCKENNA. Mr. Speaker, I oppose this provision of the proposed rules on account of its ambiguity; for in its ambiguity there is a vast magazine of undefined power—the very thing, by the way, which the Democratic party has declared and declaimed against since its existence. Money, the expenditure of money, is the strength and vital point of almost all legislation. Therefore, under this provision almost every law can either be repealed or paralyzed. Besides, Mr. Speaker, is the reduction of expenditures to be direct, palpably to be seen? And who is to be the judge? It is common experience that none are so blind as those who will not see; and interest can always seem to see the things it does not. Let loose this provision, and then what restraint is there upon it except the varying and various discretion of Speakers of the House and Chairmen of the Committee of the Whole.

Mr. Speaker, I object to the provision for another reason. It inverts the principles of legislation. It promotes a secondary and subordinate principle into a primary and paramount one. The object of government, it is said, is not saving, it is well-being; and government does wisely and well if it expends adequately to that end. Economy is not hoarding; it is management. The justification for every dollar that you put into the Treasury is to put it out again in wise expenditure for the public good. And, going back to the sources of revenue, you are faced with the same principle, that government must consult the well-being of its citizens.

I object to the provision for still another reason. It is the last straw that breaks the back of the individual member on the floor of this House. It subordinates the member entirely; and by a kind of exquisite satire does not allow him to move at all in the interests of his constituents unless he goes one step lower down in their ruin, by following a committee or the gentleman from Indiana.

[Here the hammer fell.]

Mr. MCKENNA. I would like to say just a few words further.

Several MEMBERS. Go on.

The SPEAKER *pro tempore*. The gentleman asks unanimous consent that his time be extended for five minutes.

Mr. MCKENNA. I do not know that I shall occupy that much time.

There being no objection, Mr. MCKENNA'S time was extended.

Mr. MCKENNA. Mr. Speaker, I came into the Forty-ninth Congress a new member. I was attentive to its debates. It impressed what the gentleman from Maine [Mr. REED] would call my "untutored mind." I really believed, Mr. Speaker, that gentlemen who rose upon the floor and uttered sentiments here actually meant them; that they were not only temporarily sin-

cere, but intended to be everlastingly sincere. Among others the gentleman from Georgia [Mr. BLOUNT] impressed me by his earnest, vehement manner, and, I have no doubt, sincerity. On that occasion he was emphatically and distinctly against the adoption of this rule. And the gentleman from Missouri [Mr. BLAND] voted against it.

Now, Mr. Speaker, I am confronted with the fact that these gentlemen have changed their minds. I wish to show what the gentleman from Georgia [Mr. BLOUNT] stated on that occasion. He made quite a long speech and a good one. I only wish I had time to reproduce it all to the House. He said:

I do not believe the question of economy is half so large in connection with this question as it would appear from some arguments pressed upon this House. I believe that the rule which has been so frequently cited—

That is the rule now under consideration—

has served its purpose and had its day; that all legislation on appropriation bills will be hurtful.

Now the gentleman advocates the rule for some reason or other and believes it will be very beneficial. What change has occurred to the gentleman or to the country to make legislation so hurtful then beneficial and desirable now?

He said further:

The only method of correction, in my judgment, is to prevent on the part of any committee legislation upon appropriation bills, and to give committees charged with legislation in reference to great matters of public interest the right to come before this House and have these interests considered.

Now, Mr. Speaker, I have said about all I care to say on this question. I am not ambitious enough to suppose, that by my remarks, I can defeat the adoption of this measure; but I can at least put these few objections on record, objections original with myself, and some original with the gentleman from Georgia. [Laughter.]

Mr. PRICE. Mr. Speaker, when my colleague from Louisiana [Mr. BOATNER] was on the floor, the question was asked him how could expenses be reduced by this Congress unless this proposed amendment to the rules was adopted? I find, on looking over the debates which occurred in the Forty-ninth Congress, that the same question was asked by the gentleman from Indiana [Mr. HOLMAN] of Mr. Morrison of Illinois, then a member of this House.

This question was asked by the gentlemen from Indiana [Mr. HOLMAN]:

How does he propose to accomplish the object of reducing the number of employés or the amount of salaries if he shuts off every opportunity to make amendments on the only bills reasonably certain to become law?

To that question the distinguished gentleman from Illinois [Mr. Morrison] replies:

I shut off nothing—no opportunity. Why, sir, any of these committees having charge of any particular department, service, or branch of the public service, if they find that the expenditures are extravagant and beyond what is just and right, beyond what the public service requires, more than reasonable compensation, will have the right to bring in a bill to meet the case.

* * * * * * * *

When any such bill is presented here and passed, is there a member of this House who honestly believes that any Senator of the majority will stand in the way of such reduction? Not one. Why should they?

Then the gentleman from Indiana said:

I predict that if you set up this barrier against economy there will not be the reduction of the salary of a solitary employé of the Government.

To which the gentleman from Illinois replied:

There is no barrier. The gentleman assumes that nobody is going to serve the public and the public interest but a member of that committee of which he has been so long an important part.

Now, Mr. Speaker, it has been stated repeatedly on the floor of this House that the principle of riders upon appropriation bills is a bad one. It is well known to almost every member on this floor that many of the States of the Union have by their constitutions absolutely prohibited a bill from containing more than one subject. Therefore, I ask, why it is necessary for us now in control of this body by a Democratic majority greater than for years past, and perhaps than ever before, why it is necessary to resort to the adoption of such a proposition as this. It was not adopted at all until the Forty-fourth Congress. It was tried up to the Forty-ninth Congress and abolished; many of the same distinguished gentlemen who voted for its adoption in the Forty-fourth Congress voting against it in the Forty-ninth. Such men as Mr. MILLS, Mr. Morrison, Mr. BLAND, and many other prominent members who could be named, voted against it. I can not now see any reason whatever for its adoption. We have the power to pass any bill we think proper. We can send it to the Senate, and if the Senate reject it and refuse to permit it to become a law they are responsible for the failure, and not the Democratic House of Representatives.

Mr. HOLMAN. Mr. Speaker, I wish my friend from Louisiana to understand that as far as I am concerned I am not satisfied with this rule as it now stands; it does not go as far as I wish in authorizing legislation for retrenchment on appropriation bills, but for the present I accept the decision of the Committee on Rules.

I do not offer it; I simply submit it for information.

The Clerk read as follows:

Strike out clause 3 and insert in lieu thereof the following:

"There shall be no provisions in an appropriation bill changing existing law except such as, being germane to the subject-matter of the bill shall retrench expenditures."

Mr. HOLMAN. That, Mr. Speaker, expresses my view as to what this rule ought to be. The evil of this country is excessive appropriations. What has been emphatically condemned by the whole people is excessive appropriations of money, and that has been the case for the last thirteen years.

Mr. OATES. If the proposition of the gentleman from Indiana were adopted, so that you could not introduce any proposition to change existing law, but only to retrench expenditures, how could the gentleman accomplish the reforms that are claimed to be the object and purpose of this power that is proposed to be given to his committee?

Mr. HOLMAN. It certainly expresses clearly the purpose that there shall be no legislation upon an appropriation bill except such as shall retrench expenditures. The trouble with the rule is that the proposition as it now stands limits the power of retrenchment to three things—the abolition of offices, the reduction of salaries, and the reduction of the aggregate of the bill.

Mr. OATES. Then it would allow changes of existing law, would it not, as it now stands?

Mr. HOLMAN. Yes; changes of law to retrench expenditures.

Mr. OATES. And changes existing law.

Mr. HOLMAN. Why, certainly. The reduction of a salary is a change of an existing law.

Mr. OATES. If you will permit me, that brings us exactly to the point upon which I wish to hear you. Why insist upon this change in the rules as reported by the committee? Why do you prefer the proposition which you sent up there, which would prohibit you from changing existing law?

Mr. HOLMAN. Why, because it enlarges the power to legislate in the interest of economy. That was the original rule. That is the rule under which the House was able to carry, against the prolonged opposition of the Senate, propositions reducing the expenditures more than $63,000,000 in the Forty-fourth Congress. I am not insisting on it, because the Committee on Rules are not willing to accept it. The fight which is being made by the gentleman from Louisiana is in the interest of bounties which you have condemned. The Committee on Rules were informed that the rule as reported by that committee was not broad enough to reach all these purposes. I regret that they are not broad enough.

Mr. OATES. I dislike to break in on the discourse of the gentleman, but I wish to understand——

Mr. HOLMAN. I have but a moment, and I promised not to occupy any more time.

Mr. OATES. How could the gentleman retrench expenditures without a change of existing law?

Mr. HOLMAN. Why, you do change existing law, but you do it only where it reduces expenditures.

Mr. OATES. You mean this: That where a law fixes the salary at $5,000 you could appropriate half the money——

Mr. HOLMAN. No; I mean you could reduce the salary.

Mr. OATES. You could appropriate half the money, but that would be a change of existing law.

Mr. HOLMAN. I would reduce the salary. Why, my friend will understand, and I hope this House will understand—especially gentlemen who have not had prior experience in the House—that there were at least two hundred and seventy-four salaries for which reduced appropriations were made in the Forty-fourth Congress, where the salaries have never been changed up to this time by law. We could not get the Senate to change them, but the provisions of the appropriation bill had that effect.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. OATES. I hope the gentleman from Indiana will be allowed to proceed.

Mr. WIKE. Mr. Speaker——

Mr. CATCHINGS. I move the previous question on the clause and pending amendment.

Mr. BOUTELLE. I hope the gentleman from Indiana will be allowed to conclude his remarks.

The SPEAKER *pro tempore*. The gentleman from Mississippi [Mr. CATCHINGS] demands the previous question.

Mr. WIKE. I appeal to the gentleman from Mississippi, before he does that, to give me an opportunity to make a statement.

The SPEAKER *pro tempore*. The gentleman from Mississippi [Mr. CATCHINGS] demands the previous question upon the pending amendment and the items in the clause.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I rise to a

parliamentary inquiry. I desire to know whether the effect of that would be to cut off all other amendments?

Mr. McMILLIN. Amendments to this clause only.

Mr. CATCHINGS. That is what I thought.

Mr. BRECKINRIDGE of Kentucky. I make this inquiry because there are some of us who would be glad to see certain amendments adopted. There has been no amendment offered at all to this rule except to strike out.

The SPEAKER *pro tempore*. That is all that is now pending.

Mr. BRECKINRIDGE of Kentucky. Now, if the House does not see fit to strike it out, there are some of us who would be very glad to see this rule amended in certain particulars.

The SPEAKER *pro tempore*. The Chair does not think, if the demand for the previous question is sustained, that any other amendments to this clause would be in order.

Mr. CATCHINGS. I move the previous question on the clause and pending amendments. Let us have a vote on that.

Mr. DINGLEY. That would cut off all other amendments.

The SPEAKER *pro tempore*. The Chair so understands. The question is on the demand made by the gentleman from Mississippi.

Mr. BRECKINRIDGE of Kentucky. A parliamentary inquiry. Is it in order to move an amendment to that, so that the previous question shall only cover the pending amendment?

The SPEAKER *pro tempore*. The Chair thinks not. You can not amend a demand for the previous question.

Mr. BOUTELLE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BOUTELLE. I ask if the gentleman from Mississippi asks that the previous question be ordered on the clause of the rule and the amendment?

The SPEAKER *pro tempore*. That is the question.

Mr. BOUTELLE. The gentleman from Mississippi, I understand, asks the previous question on the proposed rule and all amendments.

The SPEAKER *pro tempore*. Yes.

Mr. BOUTELLE. I would like to ask whether that includes all amendments that would be in the nature of retrenchment of expenditures?

Mr. CATCHINGS. Oh, Mr. Speaker, the gentleman understands what is meant.

The SPEAKER *pro tempore*. The question is on ordering the previous question.

Mr. BRECKINRIDGE of Kentucky. A question of order——

Mr. BOATNER. Is the previous question called on the amendment offered by the gentleman from Indiana?

The SPEAKER *pro tempore*. The gentleman from Indiana has not offered any amendment.

Mr. BOATNER. I understand he offered an amendment.

The SPEAKER *pro tempore*. The question is on ordering the previous question upon the pending amendment, offered by the gentleman from Louisiana.

Mr. HOLMAN. I stated what I desired, but I do not wish further to antagonize the committee.

Mr. BURROWS. Mr. Speaker——

Mr. BRECKINRIDGE of Kentucky. We have no rules, and the question of order I rose to was the right to demand the previous question upon this clause and all amendments.

The SPEAKER *pro tempore*. The Chair thinks the gentleman has that right.

Mr. BRECKINRIDGE of Kentucky. I understand that in the absence of rules the previous question only operates upon the matter which is before the House. I submit to every parliamentarian that the previous question can only operate so as to bring the House to a vote upon the question that is pending when it is ordered, and as the pending question is not the clause, but the amendment to the clause, I submit that if the previous question is ordered it shall operate only upon that particular amendment.

Mr. CATCHINGS. The contrary was ruled by the Speaker of this House on yesterday.

The SPEAKER *pro tempore*. The Chair was going to state that not only the Speaker had so ruled and established that as a precedent by his ruling, but the Speaker *pro tempore*, I am informed, has also made the same ruling in the absence of the Speaker, the purpose being to conform the rulings, as they stated, as nearly as may be to the rules of the Fiftieth Congress. Therefore, the present occupant of the chair would take the same course, and has held that the gentleman from Mississippi, in moving the previous question, may do so upon the pending amendment as well as upon the clause.

Mr. BRECKINRIDGE of Kentucky. Was a point of order made before that ruling of the present Speaker was made? If the question was raised I did not hear it. I do not think it was submitted to the House, and if it was I have no knowledge of it.

The SPEAKER *pro tempore*. That is a question of fact which the present occupant of the chair does not state of his own knowledge.

Mr. BRECKINRIDGE of Kentucky. I have no recollection of a question of order being submitted or being ruled upon by the Speaker. The motion having been made, the Speaker put it, and, nobody opposing, it passed; hence no such ruling has been made where the attention of Speaker was called to it. I do not remember of such a point having been made.

The SPEAKER *pro tempore*. The Chair has been so informed, but it may be an error.

Mr. BRECKINRIDGE of Kentucky. I think there must be an error. I have seen nothing of the kind in the RECORD. I read the RECORD every day, and have seen nothing of the kind, and that certainly has not occurred in my presence.

Mr. CATCHINGS. Mr. Speaker, aside from all that, it has always been the custom of the House, so far as it could, before the adoption of the rules, to follow the rules of the preceding Congress in the transaction of its business. That is a rule which has prevailed always, as I understand it, under all the rules and of all Congresses.

The SPEAKER *pro tempore*. The Chair so stated in his ruling. The question is on the motion offered by the gentleman from Mississippi.

Mr. KILGORE. I would like to have the amendment read.

Mr. BURROWS. Mr. Speaker, if the previous question should be sustained, would further amendment be in order?

The SPEAKER *pro tempore*. The Chair thinks not to this clause.

The question was then taken on ordering the previous question; and the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. BURROWS. Division.

The House divided; and there were—ayes 119, noes 40.

So the previous question was ordered.

The SPEAKER *pro tempore*. The question is on the amendment offered by the gentleman from Louisiana [Mr. BOATNER].

Mr. KILGORE. Let that amendment be reported.

The amendment was reported.

The question was taken on the amendment; and the Speaker *pro tempore* announced that the noes seemed to have it.

Mr. BOATNER. Division.

The House divided; and there were—ayes 55, noes 119.

So the amendment was rejected.

The SPEAKER *pro tempore*. The question is on the adoption of clause 3.

The question was taken; and the clause was adopted.

Mr. DINGLEY. Mr. Speaker, I move to amend by inserting a new clause after that which has just been acted upon.

The amendment was read, as follows:

Amend by inserting, after clause 3, Rule XXI, as follows:

"4. No bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, the substance of any other bill or resolution pending before the House."

Mr. BLOUNT. I submit, Mr. Speaker, that that subject has been passed.

Mr. DINGLEY. This is a new clause.

Mr. BLOUNT. It is substantially a modification of the rule which the House has just agreed to.

Mr. DINGLEY. No; it is a new rule.

The SPEAKER *pro tempore*. What rule does the gentleman from Georgia refer to?

Mr. BLOUNT. The rule adopted as to what may be done on appropriation bills.

Mr. DINGLEY. This is not only another rule, but it is precisely the rule that existed in the Forty-eighth Congress in connection with the other rule which has just been adopted.

Mr. BLOUNT. I am not denying that at all; but, as I heard it read, it struck me as a modification of the rule just agreed to.

The SPEAKER *pro tempore*. The Clerk will again report the amendment. The Chair does not think it is obnoxious to the criticism which the gentleman from Georgia [Mr. BLOUNT] makes.

The Clerk again read the amendment.

Mr. BLOUNT. I find it is not what I thought it was.

The SPEAKER *pro tempore*. The Chair thinks the amendment is in order, and the gentleman from Maine [Mr. DINGLEY] is recognized.

Mr. DINGLEY. Mr. Speaker, this provision which I have offered as an amendment is precisely the rule as it existed in the Forty-eighth Congress, when the rule which has already been adopted by the House accompanied it; and therefore, if the object is to restore the old "rider" provisions, the whole rule would be restored with precisely the limitations that existed in the Forty-eighth Congress and in prior Congresses when this practice of putting riders on appropriation bills was permitted.

Mr. BLAND. I believe, however, that in the Forty-ninth and Fiftieth Congresses this was abolished.

Mr. DINGLEY. In the Forty-ninth and Fiftieth Congresses the whole rule allowing riders on appropriation bills was abolished.

Mr. BLAND. But this particular part especially was abolished.

Mr. DINGLEY. All the rules allowing riders on appropriation bills were abrogated.

It seems to me, Mr. Speaker, that in the interest of good legislation this provision ought to be adopted. I understood the gentleman from Indiana [Mr. HOLMAN] yesterday to say that he had no objection to the restoration of this clause as it existed, in connection with the other, in the Forty-eighth Congress, and it seems to me that if the House is to have such a rule as that which has just been adopted this should go with it, so as to carry precisely the limitation that existed in the Congresses when the rule allowing riders upon appropriation bills was in force.

Unless this limitation shall be placed in the rules precisely as it existed in the Forty-eighth Congress, any measure pending before this House may be proposed, on motion of the committee reporting it, as an amendment to an appropriation bill to which it is germane, and it seems to me that it can not possibly be the intention of this House to go to that extent in allowing riders upon appropriation bills.

Mr. MCMILLIN. Will the gentleman permit a question?

Mr. DINGLEY. Yes, sir.

Mr. MCMILLIN. I have in my hand the rules of the Fifty-first Congress, framed in part by the gentleman who now addresses the House [Mr. DINGLEY], and I would like to ask him why it is that that provision was not incorporated into those rules.

Mr. DINGLEY. Because it was unnecessary, for the reason that the prior rule provided that no new legislation should be permitted upon an appropriation bill. That rule having been adopted, it included not only bills that might be pending before the House but any bill that might be proposed. It covered this and more too.

Mr. MCMILLIN. Yet my friend will bear me testimony that the appropriation bills in the last Congress were filled with legislation, some of which I recounted here the other day.

Mr. DINGLEY. If any amendment proposing new legislation was made upon an appropriation bill in this House it must have been done by unanimous consent, because a single objection would have thrown it out.

Now, Mr. Speaker, I do not desire to discuss this question, but simply to call the attention of gentlemen on the other side to the fact that in proposing to exclude this limitation they go a step further than has ever been attempted in any previous Congress, and they expressly exclude this limitation, which existed in the Forty-eighth Congress. I supposed that when the gentleman from Indiana [Mr. HOLMAN] said yesterday that he had no objection to restoring the rule as it existed in the Forty-eighth Congress he was sincere, and I have no doubt that we shall find that he occupies that position now. I have no desire to do any more than to submit the question to the judgment of the House.

Mr. HOLMAN. Mr. Speaker, on yesterday when this subject was being discussed and the gentleman from Maine [Mr. DINGLEY] was speaking, he mentioned the alteration made in this third clause of Rule XXI, and I remarked, in substance, that that was a matter of no importance and that I saw no objection to restoring it. I made that remark because, according to my understanding, it did not originate in the Forty-eighth Congress, but was a rule which had prevailed for many years before.

It is an old rule, a rule of former years, simply interjected into this third clause; that is my recollection. But, on reflection, members will see that it can be made very mischievous, and may, indeed, be used to perpetrate frauds on the House. For instance, in the last Congress the salary of the minister to Turkey was largely increased. Now, all that any member would have to do to prevent the reduction of that salary would be simply to send to any committee of the House—some committee that would have no opportunity to report—a little bill, saying that the salary of the Turkish minister should be restored to what it was in former years, $10,000. And so all along the line.

Practically this provision has never been of any embarrassment so far as I remember, to the Committee on Appropriations; but Mr. CARLISLE, when Speaker of the House, stated to me, not in open House, but in conversation, the reason why in the Forty-ninth Congress that rule was omitted, for it had existed previously. It was constantly found in practice that when a good amendment was offered to some bill—not necessarily an appropriation bill, but any bill—the point was made that the same proposition was pending before some committee of the House, and in this way a single objection was sufficient to defeat the consideration of the proposed amendment. There never was any value in such a rule and never any reason for it. It ought never to have existed. It never worked any good result in the House so far as my experience has gone. Therefore I hope my friend from Maine will not press this amendment.

Mr. DINGLEY. But does not the gentleman understand that this was the rule in the Forty-eighth Congress; and did he not say yesterday that he had no objection to the restoration of this if his provision should be adopted.

Mr. HOLMAN. I have repeated already what I said yesterday.

Mr. BLAND. I wish to ask either of these gentlemen whether this rule obtained in the Forty-fourth Congress? Such is not my recollection.

Mr. HOLMAN. My recollection is that it is an old rule. What was the original object of it I have never been able to ascertain. Its only effect possible in the House was to secure to a gentleman who introduced a proposition and had it referred to a committee with which he was connected the exclusive glory of its passage.

Mr. BLAND. I want to correct the gentleman. I think he will find that this rule was never incorporated in any body of rules in this House until the Forty-eighth Congress.

Mr. HOLMAN. I may be mistaken.

Mr. BLAND. The gentleman is mistaken. The rule was never in force here before that Congress. It was found to work the utter destruction of the right of amendment on bills which we were considering; and we abandoned it in the Forty-ninth Congress as absolutely ridiculous.

Mr. DINGLEY. We abandoned the whole principle of riders on appropriation bills in the Forty-ninth Congress; and, therefore, this went with it, being a limitation on that right.

Mr. BLAND. We repealed this for other reasons and at another time.

Mr. PEEL. It occurs to me that this amendment would operate injuriously in regard to the presentation of amendments; for in order to prevent the consideration of any amendment offered to an appropriation bill, it would only be necessary for a member to make the point that the same proposition was embraced in another bill already pending.

The question being taken on the amendment of Mr. DINGLEY, it was rejected.

The Clerk read as follows:

4. All bills for improvement of rivers and harbors, for the establishment or change of post routes, and all bills of a private nature, shall be delivered to the Clerk, as in the case of memorials and petitions, for reference to appropriate committees.

Mr. BURROWS. Mr. Speaker, I suppose it is not worth while for me to offer an amendment to this provision, because the amendment I propose conforms to the rules of the Fifty-first Congress, and for that reason I suppose it will be promptly rejected. But I desire to call attention to that provision which relates to reference of bills for the "establishment or change of post routes." These words ought to go out, because in the Forty-eighth Congress this whole power with reference to the establishment and change of post routes was conferred upon the Postmaster-General, and since that time there has not been a bill introduced here for the establishment of post routes. But I do not offer any amendment——

Mr. MCMILLIN. There is no objection to the clause going out.

Mr. BURROWS. I think the clause ought to remain, because if we should strike it out then the paragraph would conform to the rules of the Fifty-first Congress. Therefore, we had better adhere to the language as it stands, even if it is ridiculous. [Laughter.]

The SPEAKER *pro tempore*. No amendment being offered, the Clerk will proceed with the reading.

The Clerk read as follows:

2. Any petition or memorial or private bill excluded under this rule shall be returned to the member from whom it was received; and petitions and private bills which have been inappropriately referred may, by direction of the committee having possession of the same, be properly referred in the manner originally presented; and an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same.

Mr. ENLOE. I move to amend by inserting as an additional clause what I send to the desk.

The Clerk read as follows:

3. All other bills, memorials, and resolutions may, in like manner, be delivered, indorsed with the names of members introducing them, to the Speaker, to be by him referred, and the titles and references thereof and of all bills, resolutions, and documents referred under the rules shall be entered on the Journal and printed in the RECORD of the next day, and correction in case of error of reference may be made by the House in accordance with Rule XI on any day immediately after the reading of the Journal by unanimous consent, or on motion of a committee claiming jurisdiction, or on the report of the committee to which the bill has been erroneously referred.

Mr. ENLOE. Mr. Speaker, my object in offering the amendment just read is to facilitate the business of the House and to

prevent not only the unnecessary consumption of time in the call of States for the introduction and reference of bills, but also to afford convenience to the members of the House themselves.

Mr. CATCHINGS. Will the gentleman allow me to interrupt him for a question?

Mr. ENLOE. Certainly.

Mr. CATCHINGS. Is the amendment you have just had read at the desk the third clause of Rule XXII of the Fifty-first Congress?

Mr. ENLOE. It is.

That amendment, Mr. Speaker, as I have stated, will greatly facilitate the transaction of business in the House, and also afford convenience to members. I suppose all of the members who have been here long enough to have acquired experience in their efforts to get an opportunity to offer public bills on the floor of the House, will appreciate the convenience of being permitted to hand them to the Clerk and let them be disposed of just as we dispose of private bills under the rules already adopted. The only question involved, as I understand it, is whether the reference shall be made by the Speaker in open House at the time of their introduction, or whether, as proposed by this amendment, such reference shall be made under the rule of the House. Of course if the Speaker shall make a wrong reference of a bill, it is subject to correction, and there can not possibly be any injustice done to any measure or to any member under the operation of the rule, because, as I have just said, the House always has it in its power to correct an erroneous reference.

I hope the amendment will be adopted.

Mr. CATCHINGS. Mr. Speaker, in regard to the amendment which has just been offered, speaking for myself alone and not for the Committee on Rules, I think the proposition is a good one. I never have been able to see any sort of necessity for requiring the introduction of bills in a public manner on the call of States and Territories. I think if the amendment proposed by the gentleman from Tennessee is adopted it would serve the convenience of members to a great degree.

It is due to gentlemen here that I should make that statement.

Mr. BLAND. If adopted, this amendment would require a change in a rule which we have already passed, I think.

Mr. CATCHINGS. No, sir; only one clause will have to be modified when we reach it hereafter if this is adopted.

Mr. BLAND. I understand we have already, by the rules just adopted, set apart Monday for the introduction of bills.

Mr. CATCHINGS. No; we have not reached that provision yet.

Mr. BLAND. I do not desire to detain the House by discussing the matter, but simply wish to say that, in my judgment, we ought to introduce bills in a public way.

The question being taken on the amendment of Mr. ENLOE, it was adopted.

Mr. OUTHWAITE. Mr. Speaker, I offer the amendment I send to the desk as a fourth clause of the same rule.

The Clerk read as follows:

Section 4, Rule XXII. All resolutions of inquiry addressed to the heads of Executive Departments shall be reported to the House within one week after presentation.

Mr. OUTHWAITE. Mr. Speaker, my reason for offering the amendment is this: An amendment has been offered already and accepted by the House which renders it necessary to strike out clause 1 of Rule XXIV when we reach that rule. That clause contains the provision which I have just offered, and as we have not yet reached Rule XXIV this would seem to be the proper time to introduce the amendment as a supplemental clause to that just adopted and make the rule conform to the action of the House.

Mr. CATCHINGS. Let the amendment of the gentleman from Ohio be again reported.

Mr. OUTHWAITE. I will state that this is a provision already in the code of rules reported by the committee. It is in clause 1, Rule XXIV.

Mr. CATCHINGS. If my friend will allow me, I will state that I have carefully drawn amendments which will be offered as we progress, intending to frame the rules so as to conform to the changes which are made, and I think if he will withdraw the amendment now we can get along more systematically by adopting the other plan.

Mr. OUTHWAITE. But in view of the fact that we have just adopted the proposition submitted by the gentleman from Tennessee, and as this provision has direct reference to that part of the rule which has been amended, this would seem to be a very good place for it.

Mr. CATCHINGS. I have no special objection to its going in there if the gentleman prefers it.

The question being taken, the amendment was adopted.

The Clerk read as follows:

In Committees of the Whole House, business on their Calendars shall be taken up in regular order, except bills for raising revenue, general appropriation bills, and bills for the improvement of rivers and harbors, which shall have precedence; and when objection is made to passing over any bill or proposition, the committee shall thereupon rise and report such objection to the House, which shall decide, without debate, whether such bill or proposition shall be considered or laid aside for the present; whereupon the committee shall resume its sitting without further order of the House.

Mr. ENLOE. I offer an amendment, Mr. Speaker, as a substitute for that clause.

The SPEAKER *pro tempore*. The amendment will be read.

The Clerk read as follows:

In Committees of the Whole business on their Calendars may be taken up in regular order or in such order as the committee may determine, unless the bill to be considered was determined by the House at the time of going into committee; but bills for raising revenue, general appropriation bills, and bills for the improvement of rivers and harbors shall have precedence.

Mr. ENLOE. Mr. Speaker, if the House will observe, this clause 4 of Rule XXIII provides that when we are in Committee of the Whole, and there is a question raised whether a proposition shall be considered or laid aside for the present, or the question of passing over a bill is raised in the committee, that the committee must rise and go back into the House for the purpose of determining whether or not it will consider that bill. I think that is a sort of circumlocution attachment that we do not need. We find plenty of ways here for not doing things, and for consuming time, without providing especially for it in the rules. Now I can see no reason why the Committee of the Whole, which, as members know, is composed of the whole House, should not dispose of the question without rising and going back into the House, and taking a vote in the House, and then resuming its sitting. Let it be determined in the committee without the necessity of going through this operation. It would be a great saving of time, and it would be a great convenience to the House.

Another thing. I think when we get into the committee, which is composed of the whole House, the committee ought to have the opportunity of determining what measures it will take up, if the House has not already determined that before we go into the Committee of the Whole. That leaves the House free to act in the Committee of the Whole, and gets rid of this unnecessary incumbrance. You will find that if the rule stands as proposed, when we get into Committee of the Whole, some gentleman who does not want to consider a matter which may be reached regularly upon the Calendar may propose to consider something else, and force the committee to rise and go back into the House in order to take a vote upon the question as to whether or not the matter which is regularly reached shall be considered or whether his proposition shall be considered. I want to give the committee the power of determining that, without having to go back into the House.

The SPEAKER *pro tempore*. The motion of the gentleman from Tennessee [Mr. ENLOE] is to strike out clause 4 and to insert that which has been read?

Mr ENLOE. Yes, sir.

Mr. BYNUM. Mr. Speaker, there is some objection to this amendment, and to state it briefly it is simply this: That in Committee of the Whole there can be no record of a vote, and therefore if it is an important question, or if there is an important bill that you desire to reach and you strike an unimportant bill, there is no way by which you can get a vote by yeas and nays except by going back into the House.

It is true, as the gentleman has stated, that it is sometimes a waste of time, but it is very important, I think, at times that a vote of the House should be taken upon the question as to what measure the committee will take up. Therefore this rule is objectionable.

Mr. ENLOE. Will the gentleman allow me to ask him a question?

Mr. BYNUM. Certainly.

Mr. ENLOE. If it is important to put the House upon record as to what the committee shall consider, why can not that be done before we go into Committee of the Whole, upon a motion to take up a particular bill and consider it in Committee of the Whole, and make the record first in that way, and so save the unnecessary consumption of time?

Mr. BYNUM. You can do that; but after you have considered that bill, the committee may desire to go ahead and consider other bills, and therefore you would not have the benefit of a vote except upon one bill, and it would be necessary to go back into the House. Now, it requires no great time for the committee to rise and a vote to be taken in the House, and I think the preservation of this rule is in the direction of the proper conduct of business in the House, and also because it holds members to a strict accountability to their constituents.

Mr. BLAND. I agree with the gentleman from Indiana [Mr. BYNUM]. I think it sometimes happens that an important bill will be fought over in committee, and in that case we ought to have a recorded vote. I hope the rule will remain as reported by the Committee on Rules.

Mr. ENLOE. I want to say to gentlemen who have measures that are going upon this Private Calendar that it is going to be

a very large one, and it is going to be very difficult to dispose of any business that is upon that Calendar, and when you get into the Committee of the Whole, when a motion is made to go into the House, which may be repeated two or three times during the day, to determine whether you will consider some other bill, you will consume every Friday, and you will not reach your bills on that Calendar.

Mr. CATCHINGS. Let us have a vote.

The amendment offered by Mr. ENLOE was disagreed to.

The Clerk read as follows:

6. The House may, by the vote of a majority of the members present, at any time after the five minutes' debate has begun upon proposed amendments to any section or paragraph to a bill, close all debate upon such section or paragraph, or, at its election, upon the pending amendments only (which motion shall be decided without debate); but this shall not preclude further amendment, to be decided without debate.

Mr. BYNUM. I move to strike out the word "House," in the first line, and insert the word "committee." While I think the House should regulate general debate, yet from my experience here it does seem a waste of time that when we are considering bills in Committee of the Whole under the five-minute rule there can be no limit of debate in committee. Therefore I think it would be a great saving of time if, after you have reached the consideration of a bill by sections and are proceeding under the five-minute rule, the committee should be given power to control or to limit debate. It would certainly save a great deal of time. I do not believe the Committee on Rules will seriously object to that amendment.

Mr. CATCHINGS. Let us have a vote.

Mr. CHIPMAN. What is that amendment?

The SPEAKER *pro tempore*. The motion of the gentleman from Indiana is to strike out the word "House," in the first line of clause 6, and insert the word "committee," so that the committee may, by the vote of a majority of the members present, at any time after the five-minute debate has begun, close debate upon a section or paragraph.

The amendment was disagreed to.

The Clerk read as follows:

RULE XXIV.

ORDER OF BUSINESS.

1. Each Monday morning during a session of Congress, immediately after the Journal of the proceedings of the last day's sitting has been read and approved, the Speaker shall call all the States and Territories in alphabetical order for bills and resolutions for printing and reference without debate, on which call joint and concurrent resolutions and memorials of State and Territorial Legislatures may be presented and appropriately referred, and on this call only resolutions of inquiry directed to the heads of the Executive Departments shall be in order for reference to appropriate committees, which resolutions shall be reported to the House within one week thereafter.

Mr. REED. I desire to inquire if in the opinion of the Speaker it will be in order to offer a substitute for the entire rule after the reading has been finished, or ought it to be offered now?

The SPEAKER *pro tempore*. What rule; XXIII?

Mr. BURROWS. No; Rule XXIV.

Mr. REED. Rule XXIV, the reading of which is now being entered upon. I suppose it would be the most convenient method to offer it and have it pending.

The SPEAKER *pro tempore*. A substitute for the entire rule? The Chair can not understand the gentleman's question.

Mr. REED. I desire to offer a substitute for Rule XXIV, and my question is at what time it will be in order.

The SPEAKER *pro tempore*. The Chair thinks it can be offered now, and considered as pending; and then, after the text has been perfected, the vote can be taken on the substitute.

Mr. REED. Then it can be offered after the text of the rule has been perfected?

The SPEAKER *pro tempore*. It could be offered just as well after the text has been perfected as now.

Mr. OUTHWAITE. Mr. Speaker, I rise simply for the purpose of calling the attention of the gentleman from Mississippi [Mr. CATCHINGS] to the fact that this clause is no longer necessary by reason of the adoption of the two amendments, one introduced by the gentleman from Tennessee [Mr. ENLOE] and the other by myself.

Mr. CATCHINGS. Mr. Speaker, I have an amendment to propose for that purpose, which I will send up to the Clerk's desk. I move to amend by striking out clause 1.

The Clerk read as follows:

Amend Rule XXIV by striking out clause 1.

The SPEAKER *pro tempore*. If there be no objection, the amendment will be agreed to.

There was no objection, and the amendment was agreed to.

The Clerk read as follows:

2. After the Journal is read and approved each day, other than Monday, the Speaker shall lay before the House, for reference, messages from the President, reports and communications from the heads of Departments, and other communications addressed to the House, and also such bills, resolutions, and other messages from the Senate as may have been received on previous days.

Mr. CATCHINGS. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amend by striking out of clause 2 the words "other than Monday."

The amendment was agreed to.

Mr. MCMILLIN rose.

Mr. DINGLEY. Has the gentleman an amendment to offer?

Mr. MCMILLIN. Yes, sir. I desire, Mr. Speaker, to offer a substitute. I believe that the provision has been stricken out authorizing the call of the States and Territories for the introduction of bills on Monday.

Mr. CATCHINGS. We have not reached that.

Mr. MCMILLIN. I offer the substitute which I send to the Clerk's desk.

The Clerk read as follows:

SEC. 2. After the Journal is read and approved each day, the Speaker shall lay before the House for reference messages from the President, reports and communications from the heads of Departments, and other communications addressed to the House, also such bills and resolutions and other measures from the Senate as may have been received on previous days, and no such measure, report, communication, or resolution shall be printed except by order of the Speaker of the House.

Mr. MCMILLIN. Mr. Speaker, my reason for offering an amendment, such as is contained in the latter part of the clause, is, that it has been the experience of every man who has occupied the chair that a very large number of accompanying documents which need not be printed are printed under the rules of the House where there is an express direction given that they must be printed. The Public Printer has complained frequently of the amount of work that is thus cast upon the Printing Office that might be avoided, and I think we should leave it to the Speaker to determine what should be printed, instead of requiring everything to be printed. It will not deprive the House of the opportunity to print, but will reserve to the Speaker of the House to say whether it shall be printed or not. It reserves the question of printing until it is either ordered by the Speaker or recommended by the committee to which the message or measure is referred. I think that therefore it should be adopted.

Mr. BYNUM. What printing does the gentleman speak of?

Mr. MCMILLIN. The documents that accompany executive and other communications and communications from the heads of Departments. Some of them which come into the Speaker's room will have a message of not more than one page, and yet the accompanying documents would make a book that would take the whole force of the Printing Office a day to set it up.

Mr. BYNUM. That is all it applies to.

Mr. MCMILLIN. The object is to have the rules provide that they shall not be printed until the Speaker or the committee to which the document has been referred shall order it.

Mr. BYNUM. That is all it applies to.

Mr. MCMILLIN. The gentleman from Iowa [Mr. HAYES] has suggested that it would be well to leave it in the power of the House to direct the printing. I am entirely willing that it should be construed so as to mean that it was left in the power of the House. It is not the purpose in offering the amendment to cut the House or the Speaker off from the right of having the printing done at the time that the references are made by the House if it so desires.

Mr. REED. It would be very much better to leave it to the Speaker, as it would be very difficult for the House to decide.

Mr. HAYES. I only wanted to suggest that we should not cut off the right of the House, if it desires to order it; while this seems to leave it entirely with the Speaker.

Mr. MCMILLIN. That is not the object of the rule. The rules heretofore have required this printing to be done; and it has been the experience of every man who has occupied that chair that a great many of these accompanying documents need not be printed. I know it was mine. Even in the brief period I was there I came to the conclusion that there ought to be some reform in this matter; and I have no doubt that the ex-Speaker will bear me testimony that there are frequently documents brought in that need not be printed, the cost of which is great. They are all ultimately bound and sent to members.

Mr. DICKERSON. Would it not be better to have such documents printed only when the committee in charge of the subject makes a report recommending the printing?

Mr. MCMILLIN. I think the object is accomplished when you leave the subject to the Speaker, because if he is in doubt he will let the matter go to the committee. The gentleman from Kentucky will remember that we had an instance of that kind here this session, when the gentleman from Ohio, the chairman of the Committee on Military Affairs, upon examination of certain papers, thought that they, or a portion of them, ought to be printed, and we passed a resolution to that effect.

Mr. DINGLEY. Mr. Speaker, I offer as an amendment to the substitute of the gentleman from Tennessee what I send to the desk.

The amendment was read, as follows:

Amend by adding at the end of the substitute as follows: "And House bills with Senate amendments which do not require consideration in Committee of the Whole may be at once disposed of as the House may determine."

Mr. McMILLIN. Mr. Speaker, on that amendment I make the point that it has already been voted down.

Mr. DINGLEY. Not this. The proposition that was voted down admitted the immediate consideration of bills that involved the expenditure of money, but this does not; this simply covers bills that do not involve expenditure.

The SPEAKER *pro tempore*. Does the Chair understand the gentleman from Tennessee [Mr. McMILLIN] to make the point of order against this amendment?

Mr. McMILLIN. I make the point of order because my recollection is that this is the substance of an amendment heretofore voted down.

Mr. HOLMAN. No, it is different in one important particular. This does not apply to bills involving appropriations. But, Mr. Speaker, is not this the peril of adopting this amendment? You pass an important bill here; it goes to the Senate; and the Senate, without placing upon it any appropriation of money, substitute some other measure which they desire to have passed and send that back to the House. Now, why should that Senate measure have priority here? The effect would be to place our rules at the mercy of the action of the Senate.

Mr. DINGLEY. I have allowed my friend from Indiana [Mr. HOLMAN] to take up my time thus far——

Mr. HOLMAN. I thought the gentleman had yielded the floor.

Mr. McMILLIN. Mr. Speaker, I reserve, until after I examine the question, the further point of order that this is not germane.

Mr. DINGLEY. Oh, certainly it is. This is the only place that it could properly come in.

Mr. Speaker, I wish to call the attention of the House to this matter in order that they may understand the exact situation. If the rules, as proposed, shall be adopted without the amendment offered by myself, then a House bill which has been fully considered here and sent to the Senate, and which is returned from the Senate with an amendment, however slight, an amendment not involving any expenditure of money, that House bill, which has already received full consideration here, must go to the committee to which the subject belongs, and when the committee report on the Senate amendment their report will go to the foot of the Calendar and can not possibly be reached for consideration under the rules.

Now, if the majority desire deliberately to put themselves in that position, of course they may do so, but they should do it thoroughly understanding the situation. My amendment proposes that when a bill comes back here from the Senate with a slight amendment, not involving an appropriation, the amendment may be immediately considered in the House, as was done in the Fifty-first Congress. I think there should be no objection to such an amendment as that.

Mr. BYNUM. Why not go farther and include also House bills, as the rules of the last Congress did?

Mr. DINGLEY. For myself I should be entirely willing to do that. I suppose, however, that in such a case as my amendment contemplates, the bill having been considered by the House and the Senate and returned here with a slight amendment not involving an appropriation, it ought to be considered privileged, as it would be in every parliamentary body outside of this.

Mr. BYNUM. I do not see any objection to the proposition of the gentleman from Maine, and I should be willing to go farther.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, the rules adopted so far—and I suppose that this code in full will be adopted, and that there will be no change in what has been adopted already—put the House in this attitude toward the Senate, an attitude which it has always occupied and which it will probably continue to occupy. Not being allowed here to put "riders" upon appropriation bills (which are our main bills), and the Senate having no rule prohibiting that practice, riders are put upon the appropriation bills in the Senate, and when those bills come back to the House our rules, of course, do not apply to the Senate amendments. So the House disagrees to the amendments and a conference is ordered, and the matter comes in here in the form of a conference report. So that the power of the House to legislate in such cases is the power which the Senate gives us. Now, as the bills that are not appropriation bills, unless we adopt some plan by which, when they come back from the Senate, we can take them up and pass them, we shall substantially put the House in the attitude of saying that no legislation shall go through this House this session.

Mr. DINGLEY. That is what the rules provide for practically.

Mr. BRECKINRIDGE of Kentucky. We may as well look at the matter frankly. Even if we had no rules we could not legislate in this House with much freedom on account of the multiplicity of our measures, the crowded state of the Calendars and the necessary priority that must be given to appropriation bills. For these reasons, I say, even if we had no rules it would be very troublesome to pass much important legislation here. Now, one outlet that we have is that the Senate can put "riders" upon appropriation bills which come back here with those "riders" and which, when we fail to agree to them, go into conference.

The other outlet is that when the Senate passes a bill and sends it over here the Speaker may lay it before the House and the House may have an opportunity to act upon it. If we send the bill to a committee, the bill, when reported back, goes to the Calendar, and nobody ever heard of anything coming off the Calendar unless by unanimous consent except an appropriation bill. Now, I do not mean to say——

Mr. HOLMAN. Will the gentleman allow me a moment?

Mr. BRECKINRIDGE of Kentucky. Certainly.

Mr. HOLMAN. I understood my friend to say that while we have restricted ourselves as to the liberty of amendment on appropriation bills the Senate allows such liberty.

Mr. BRECKINRIDGE of Kentucky. Yes, sir.

Mr. HOLMAN. That is simply a matter of practice. The Senate has had the same rule that we have had.

Mr. BRECKINRIDGE of Kentucky. Oh, I do not say that the Senate may not have some rule on the subject; I am speaking of the actual course of proceeding.

Mr. HOLMAN. They have had the same rule that we have had.

Mr. BRECKINRIDGE of Kentucky. But in the Senate the rule is not adhered to. Everybody knows—I can call to mind twenty instances—that frequently we strike a provision out of an appropriation bill on a point of order——

Mr. HOLMAN. That can be done in the Senate.

Mr. BRECKINRIDGE of Kentucky. The provision is struck out in this House on a point of order, but the gentleman interested does not make any disturbance about it here; he simply goes to his Senator or some other Senator who is interested, and says "put that on in the Senate." The Senator appealed to, being generally in the Western tense of the word a "clever fellow," and the Senate being very much given to what is known as "the courtesy of the Senate," the provision is put on there.

With that provision inserted, the bill comes back here; and then it is not obnoxious to any rule of the House. The House possibly nonconcurs in the amendment; a conference committee is appointed; and if the gentleman in favor of this provision happens to be (as was the case in one notable instance which I recall) a member of the conference committee, he brings in a report in favor of concurring in the amendment of the Senate; and so the provision passes.

Refer to the history of our legislation, and you will find that as to the larger part of it, provisions which, under the operation of our rules, are struck out in House bills, are put on by the Senate, and when the bills are returned are agreed to upon a conference report, and so become law.

[Here the hammer fell.]

Mr. BRECKINRIDGE of Kentucky. I will ask only a couple of minutes to complete my statement.

The SPEAKER *pro tempore*. If there be no objection the gentleman's time will be extended.

There was no objection.

Mr. BRECKINRIDGE of Kentucky. That being the practice, for I am now discussing the question only in its practical aspect, there is an outlet for legislation on appropriation bills. Now, how shall we cut out legislation on bills which are not appropriation bills? There are practically but two methods or possibly three. One is under a suspension of the rules. On two Mondays in each month, under a suspension of the rules, we pass by a two-thirds vote measures which are either political or which on account of their nature are generally acceptable to the House. In this way a great many bills go through.

Secondly, many measures pass by unanimous consent, either through the Speaker's recognition of a member to call up a particular measure or by the action of the House at the pension session on Friday night, when the proceedings are practically by unanimous consent, as there is no quorum present. The other method is for the Senate to send us a bill, which is often—I will not say most often—substantially a House bill, which has been favorably reported by a House committee and is on the Calendar, where it can not be reached in our administration of business. Now, in regard to bills thus coming from the Senate, why might not such bills be submitted by the Speaker for the action of the House before their reference? This involves no arbitrary power of any sort. There is no power on the part of anybody to take any advantage.

The Speaker lays the bill before the House, subject immedi-

ately to the right of any gentleman to raise the question of consideration. This is simply a mode of reaching a conclusion; and no one has any undue advantage. The bill is halfway toward becoming a law. It has passed the Senate; it needs only the consideration of the House. If the measure is one which ought to be rejected, let it be rejected. If it is so important as to require consideration by a committee, let the House send it to a committee, and send it, if thought proper, with instructions to report at a given time or to report with certain amendments. If the House, when a bill is thus presented, chooses to pass it, so much is consummated.

I wish to add but one more thought. Any Representative who serves in this House for one term—serves laboriously and faithfully, striving honestly to do his duty, anxious to do that which his constituents require at his hands—finds at the end of his term that he has labored without cessation and that his work is still on his hands. Now, so far as it goes this proposition does furnish a practical mode for accomplishing legislation.

The SPEAKER *pro tempore*. The Chair desires to understand from the gentleman from Tennessee [Mr. MCMILLIN] whether he regards the point of order made by him as pending or whether it is withdrawn?

Mr. MCMILLIN. On an examination of the amendment formerly offered by the gentleman from Maine [Mr. DINGLEY] I find that the one now presented is materially different from it. I also find, contrary to my first impression, that this amendment is germane to the pending proposition. I therefore withdraw the point of order.

Mr. CATCHINGS. Mr. Speaker, the importance of the proposition now under consideration is more apparent than real. As a matter of fact, if a House bill has passed the Senate and been returned, with what my friend from Maine [Mr. DINGLEY] calls an "important amendment," under the practice prevailing in the Fiftieth and preceding Congresses, when the Speaker was about to lay such bill before the House for suitable reference, when unanimous consent was asked it was almost invariably granted that the amendment of the Senate should be considered and the bill put upon its passage. Or if an objection was made to the unanimous consent, then on the request of some member the Speaker would retain the bill on his table, and it is true that such bills were rarely referred, but, as I have said, were usually passed when they were laid before the House, or if objection was made, they were retained on the Speaker's table until some time when they could be passed without objection.

Mr. BLAND. If the gentleman will yield to me for a moment——

Mr. CATCHINGS. Certainly, for a question.

Mr. BLAND. I was going to suggest, Mr. Speaker, that the gentleman from Mississippi must be aware of the fact, as we all are, that when these bills were thus presented at the Speaker's table and unanimous consent asked for their consideration, that consent was rarely granted. Objection was ordinarily made; and the gentleman is entirely mistaken in saying it was almost the universal practice of the House to give unanimous consent. I think the fact is that it was almost universally the other way, and the gentleman making the request for unanimous consent would go over on that side or come to members on this side, and run all over the House trying to get members to withdraw their objection. This was the inconvenience that members were subjected to under that practice.

Mr. CATCHINGS. I thought I had yielded to my friend from Missouri for a question and not for a speech.

But, Mr. Speaker, in vindication of what I did say on this subject, permit me to submit some facts to the House bearing upon the question. It is true, as I have said, that where House bills have been returned from the Senate with immaterial amendments, they did pass the House when laid before it by the Speaker in nine cases out of ten, by unanimous consent. Their reference to committees, except where the amendments were of a very important and material character, was rare. It was only, in fact, where the amendments were material that they were referred to the committee.

Now, I want to say to the House that there were passed by the Fifty-first Congress of public acts and joint resolutions 611, and in the Fiftieth Congress 571, or only a difference of about 40. There is enough in that record of those two Congresses to vindicate the statement I have made. There were passed in the Fifty-first Congress of House bills 1,508, and this includes pension bills, public and private, and all other bills, while in the Fiftieth Congress the number was 1,234. But the difference of 300, or the apparent difference, is accounted for by the fact that there was an increased number of private pension bills passed in the Fifty-first Congress. So I assert it as true that just as many private bills, outside of the pension bills, and as many public bills and general bills passed the Fiftieth Congress as the Fifty-first Congress. I repeat, therefore, I am correct in stating that in some way or other where these Senate amendments to House bills were not material the amendments were considered by the House and the bills became laws.

But one of the principal objections which is made to this provision is that if it be adopted it gives the right of way to such bills coming from the Senate. It may be that the House may desire to take up and consider more important measures pending before it. But if the amendment is adopted it will be in order, whenever a bill of that character is presented at the Speaker's desk, to move to proceed at once to its consideration. And so we would find several hours, and even longer, if the amendments are important, taken up with the consideration of such bills, when the House might be desirous of proceeding with other and more important matters.

[Here the hammer fell.]

Mr. MCMILLIN. I ask unanimous consent that the gentleman's time be extended.

There was no objection.

Mr. CATCHINGS. I think, therefore, sir, that the rule in question would return to plague us if the Speaker should rule that such bills are privileged. I do not know how he would rule, of course, whether it was a matter of right for the friend of one of these bills to have it considered or not. I do not remember what the ruling of the Speaker was in the last Congress, whether it was held to be a privileged matter or not. I would yield to the gentleman from Maine if he will answer the question.

Mr. REED. It was held to be a privileged matter, of course.

Mr. CATCHINGS. I would assume so.

Mr. MCMILLIN. But this amendment makes it privileged even if there had been no decision, and the House could not go on with any other business or get such a bill out of the way except by raising the question of consideration.

Mr. MCRAE. Oh, not at all.

Mr. REED. That would not be quite accurate. There are other methods of doing that.

Mr. MCRAE. There would be various other ways to dispose of the matter.

Mr. MCMILLIN. I do not recall one. This would be the first business in order after the reading of the Journal; that is, clearing the Speaker's table. If the resolution is adopted, we do not make a single exception, and when the work of laying these bills before the House is commenced it can not be suspended until it is completed; and if the Senate amendment takes up the whole day, it has to be dedicated to it, no matter what matters may be pressing. This was not contemplated in the rules, and hence they have not been framed with a view to limiting that time.

Mr. CATCHINGS. I think, Mr. Speaker, we will get practically just as many of these bills through under the old system as under that proposed, and I think the House will find itself sometimes in a serious situation if the amendment is adopted.

I will close my remarks by requesting the privilege of publishing a comparative statement which I hold in my hand, which embraces the Forty-ninth, Fiftieth, and Fifty-first Congresses, and which gentlemen may hereafter find of some convenience.

The SPEAKER *pro tempore*. The gentleman from Mississippi asks unanimous consent to print the statement which he sends to the Clerk's desk. Is there objection?

There was no objection.

The statement is as follows:

RECORD OF BILLS AND ACTS OF CONGRESS IN THE FORTY-NINTH, FIFTIETH, AND FIFTY-FIRST CONGRESS.

Forty-ninth Congress.

House bills and joint resolutions introduced	11,526
House bills and joint resolutions passed House	1,341
House bills and joint resolutions passed Senate	1,238
House bills and joint resolutions became laws	1,095
Senate bills and joint resolutions introduced	3,476
Senate bills and joint resolutions passed Senate	939
Senate bills and joint resolutions passed House	430
Senate bills and joint resolutions became laws	356
Public acts and joint resolutions	422
Private acts and joint resolutions	1,029
Total number acts	1,451
Private pension acts	709
Total vetoes (printed)	145

Fiftieth Congress.

House bills and joint resolutions introduced	12,933
House bills and joint resolutions passed House	1,617
House bills and joint resolutions passed Senate	1,395
House bills and joint resolutions became laws	1,234
Senate bills and joint resolutions introduced	4,145
Senate bills and joint resolutions passed Senate	1,127
Senate bills and joint resolutions passed House	667
Senate bills and joint resolutions became laws	591
Public acts and joint resolutions	571
Private acts and joint resolutions	1,254
Total number acts	1,825
Private pension acts	1,018
Vetoes (printed)	157

Fifty-first Congress.

House bills and joint resolutions introduced	14,331
House bills and joint resolutions passed House	1,769
House bills and joint resolutions passed Senate	1,528
House bills and joint resolutions became laws	1,508
Senate bills and joint resolutions introduced	5,299
Senate bills and joint resolutions passed Senate	1,290
Senate bills and joint resolutions passed House	713
Senate bills and joint resolutions became laws	682
Public acts and joint resolutions	611
Private acts and joint resolutions	1,579
Total number acts	2,190
Private pension acts	1,400
Total number of vetoes	11

Mr. DOCKERY. Mr. Speaker, I am quite aware that it will perhaps be useless for me to offer any argument in support of the amendment submitted by the gentleman from Maine [Mr. DINGLEY], inasmuch as the Committee on Rules object to its adoption. If, however, I am able to understand the position which has just been taken by the gentleman from Mississippi [Mr. CATCHINGS] it amounts to this: That he relies upon unanimous consent to pass House bills with Senate amendments, instead of the provisions of this amendment, which would give the House the right to consider House bills with such amendments if it so desired. Now, Mr. Speaker, I am frank to say that after a House bill has been fully considered by this body, and then passed by the Senate with an amendment, it seems to me it ought to have the right of consideration by the House, if the House so desires.

The effect of the rejection of the amendment offered by the gentleman from Maine will be to send House bills with Senate amendments to committees, and upon the reports from such committees the bills will go to the foot of the several Calendars, the result being that although a member may have employed hours, and weeks, perhaps, of work to pass a bill to which a slight amendment has been made by the Senate, he will find his work fruitless at the close of the session. Mr. Speaker, I suppose the amendment will be rejected, but I simply wish to put upon record my approval of the proposition.

Mr. REED. Mr. Speaker, I had not intended at this time to trouble the House with some general remarks upon this subject, but I think perhaps it may be as well that the debate should take the range that fairly belongs to it in this direction.

There is nothing more striking than the constant recurrence of these objections, which tend to show the state of mind into which the House of Representatives, after years of repression, has succeeded in getting. If there is one principle which is more nearly universal in parliamentary law than any other, it is that when there are two bodies, the assent of both of which is essential to legislation, that it is the duty of each of those bodies to so frame its rules as to make progress in legislation. That legislation which is nearest completed is the legislation which is entitled to the first place, and, to use the language of the gentleman from Tennessee, the place of privilege. That is an universal principle of parliamentary law in legislative assemblies which are composed of two parts, and it rests upon obvious and sound sense.

If this House has passed a bill and has submitted it to the other branch, and that other branch has acted upon it, surely it stands to common sense and reason that the first business of this branch ought to be to consider the amendments which have been made by the other branch for the purpose of carrying out its own ideas, which necessarily may have to be modified by the ideas entertained by the other assembly. Surely a statement of that is all that is necessary to carry conviction. Like all other statements of fact, it carries its own argument with it. But we have got in such a state of mind that men are looking around eternally to see how they can kill something. That is an attitude of mind which we have gotten into, which, it seems to me, is a mistake, and which has reached such a culmination that the hour of correction should now have arrived. I beg to say to gentlemen that their support of the amendment which I propose to offer will be in no sense an indorsement of the Fifty-first Congress, of its wickedness, or the assuming of any of the opprobrium which was thrown upon us.

The proposition which I purpose to submit to you is one which had the sanction of antiquity. It had the sanction of Congress for many years. It was not an innovation by the Fifty-first Congress, but a return to the principles of the fathers; and I must say that I am grieved when I find that gentlemen upon the other side are utterly unwilling to return to the principles of the fathers when they have been adopted by the Fifty-first Congress, but are so tender of them when they have not. But I do not care particularly whether there are precedents for it or not. So long as they are good sense and commend themselves to intelligent men, why should they not be followed? Now, the system in the last Congress, which was the system in Congresses gone by, was very simple. We gave the preference, by taking up first the business on the Speaker's table, to those measures of legislation which had come nearest to enactment, which, in other words, had progressed farthest toward completion. Those we took up and finished. That is the principle upon which unfinished business has the preference.

The time of Mr. REED having expired, on motion of Mr. CATCHINGS it was extended five minutes.

Mr. REED. The next provision, after allowing preference to House bills with Senate amendments or Senate bills which had been substantially favorably reported by committees of the House, the next thing was to have a morning hour in which bills that did not appropriate money might be taken up and finished; not a morning hour such as you have got in these rules. Not a morning hour of one size all the way through, but a morning hour that could be extended, so that no man could choke the progress of legislation. Now, what is that class of legislation? It is for the most part bills to which no human being can have any reasonable objection after examination and debate, although they might be killed under unanimous consent. There is an immense amount of legislation which is purely local, which affects localities, and only needs explanation, because we are not all so familiar with the needs of localities. A bill which would be killed under unanimous consent may, after a few words of explanation, be satisfactory to the House; and there are other bills which ought to pass, which would have the sanction of the great majority of the House, and yet may be killed by a few persons filibustering against them. Hence it was provided in the rules of the Fifty-first Congress that a morning hour which took up only bills which did not appropriate money might be enlarged whenever the House saw fit to refuse to go to other business.

Now, did this give injurious preference to bills of small consequence over large bills? Why, the bills of most importance are revenue and appropriation bills, and these are provided for under these rules by giving them the right of way at all times, or should be. There is another class of important bills that are neither revenue bills nor appropriation bills; and you have provided that the Committee on Rules shall have power at any time, at any moment, to come in here and give them superior privilege over any privilege that is given whatever. Now, with the addition of the amendment which I desire to propose, you will have a system which will not only accomplish the large local work and accomplish it without friction, but will relieve the Speaker tremendously.

You have no idea of the pressure that is put on him by these requests for unanimous consent; and if you bring the whole business of the House through the avenue of unanimous consent, you are sure to have it choked. But you say bills pass in every House. Yes, gentlemen, bills have got to go through—a good many of them. They will get through under one system or another; but the unanimous consent system, except so far as you can not possibly prevent it, is a vicious system, because in practice it throws the killing of a bill upon one man. That precipitates upon him all the friends of the bill, and he can not do anything for his constituents. The result is we are giving bond, not only to keep the peace, but to keep silent. [Laughter.]

Now, gentlemen, what is the use of allowing personal prejudices, old prejudices, to prevent you from doing justice to yourselves and to the business of the House. I ought to say one word more, and that is, that the work of the last Congress was done under stress of fight from the beginning—from the reading of the Journal until the day of adjournment, and if the ship sailed over that stormy sea, how much better you will be in the summer sea that will characterize us.

Mr. MCMILLIN. But we do not want all of our sailors drowned. [Laughter].

Mr. REED. That comes back to my friend's test. His test of virtue is success. That has not been the test of the righteous. [Laughter.]

Mr. CATCHINGS. Let us have a vote.

The SPEAKER *pro tempore*. The question is on the adoption of the amendment of the gentleman from Maine [Mr. DINGLEY] to the amendment of the gentleman from Tennessee [Mr. MCMILLIN.]

Mr. MCRAE. What is the amendment?

The SPEAKER *pro tempore*. The Clerk will report the amendment proposed by the gentleman from Tennessee, and also the amendment to that amendment proposed by the gentleman from Maine.

The substitute and amendment were read.

The SPEAKER *pro tempore*. The question is on the amendment to the amendment.

Mr. MCRAE. Mr. Speaker, I hope that amendment will be adopted. No good reason has been assigned why it should not be. No reason at all can be assigned that does not imply distrust in the House itself and a discrimination against our own

bills. As has often been said to-day and yesterday in this debate, it is right that House bills with Senate amendments should have the privilege of consideration when laid before the House by the Speaker. If we mean to legislate some such rule as this is necessary and will be adopted, unless members who have bills are willing to say now, in advance, by voting against this just amendment, that they prefer the vicious and humiliating practice which requires them to constantly beseech the Speaker, and appeal to the objectors who may be upon this floor, to the manly, just rule which gives them the right to demand a hearing upon their bills when they have reached such a privileged stage.

I want to remind my associates who were in the Forty-ninth Congress of one who was here then, but who has since passed away, but who, with rules similar to those we are about to enact, refused all unanimous consents, as he said, to show the absurdity of the rules. In that Congress he permitted no bill to pass by unanimous consent when he was present. Now, gentlemen, it may be that there is in this Congress another such man, and if so, almost all of the bills, private and public, important and unimportant, which you and your constituents are interested in will never be considered, and you will go home only to tell your constituents that you by mistake or otherwise assisted in making rules that put it in the power of one man to defeat their will and your will. Is a Democratic House so distrustful of itself as to refuse the privilege of consideration of amendments to measures to which it has given full consideration? If gentlemen who oppose this amendment so believe, let them avow it by their votes, but as for me, I am not willing to vote such distrust of this or any other Democratic House. The only objection I have to the amendment is that it does not go far enough.

The question was taken on Mr. DINGLEY'S amendment and the Speaker *pro tempore* stated that the "ayes" seemed to have it.

Mr. CATCHINGS. I ask for a division.

The House divided; but before the result was announced Mr. CATCHINGS withdrew the demand for a division, and the amendment of Mr. DINGLEY was agreed to.

The substitute as amended was then agreed to.

The Clerk read as follows:

3. On all days other than Monday, as soon as the business on the Speaker's table has been disposed of, and on all Mondays (except the first and third in each month) after the call of States and Territories, there shall be a morning hour for reports from committees, which shall be appropriately referred and printed, and a copy thereof mailed by the Public Printer to each Member and Delegate, if requested in writing by the Member or Delegate; and the Speaker shall call upon each standing committee in regular order and then upon the select committees; and if the whole of the hour is not consumed by this call, then it shall be in order to proceed to the consideration of other business as hereinafter provided; but if he shall not complete the call within the hour, he shall resume it in the succeeding morning hour where he left off.

Mr. CATCHINGS. Mr. Speaker, I desire to offer an amendment which I send to the desk, in order to make this paragraph conform to an amendment heretofore adopted.

The amendment was read, as follows:

In clause 3, amend by inserting in the first line, between the words "than" and "Monday," the words "the first and third," and by making the word "Monday," in the same line, "Mondays," and by inserting in same line, after the word "Mondays," the words "in each month," and by striking out in the second, third, and fourth lines the words "and on all Mondays (except the first and third in each month) after the call of States and Territories;" so that, as amended, it will read as follows:

"On all days other than the first and third Mondays in each month, as soon as the business on the Speaker's table has been disposed of, there shall be a morning hour for reports, etc."

The SPEAKER *pro tempore*. The question is on the amendment proposed by the gentleman from Mississippi [Mr. CATCHINGS].

Mr. HEMPHILL. The operation of this rule, I understand, would be to give a morning hour on the days which have been generally devoted to business reported from the Committee on the District of Columbia.

Mr. CATCHINGS. I think it would. If the gentleman desires to have a change made I have no objection.

Mr. HEMPHILL. I move to strike out the words which provide for a morning hour on those days.

Mr. CATCHINGS. You mean that you wish to provide that on the second and fourth Mondays of each month there shall be no morning hour. As I have proposed to amend the rule, Mr. Speaker, it conforms exactly to the rule in the Fiftieth Congress.

Mr. HEMPHILL. As I remember, the rule setting apart certain days for the business of the District of Columbia provides that the day shall begin immediately after the approval of the Journal.

Mr. CATCHINGS. Yes. The rule provides that the second and fourth Mondays of each month, after the call of the States and Territories, shall be set apart for that business.

Mr. HEMPHILL. And the result will be that there will be a conflict between that and the second and third paragraphs of this rule.

Mr. CATCHINGS. No conflict more than there has always been. We do not alter the rule of the Fiftieth Congress at all.

Mr. REED. In the Fifty-first Congress the point was made clear.

Mr. CATCHINGS. I do not think there is any room for conflict. In the Fiftieth Congress it was always held that the second and fourth Mondays of the month were set apart for the consideration of business from the Committee on the District of Columbia.

Mr. HEMPHILL. Without the intervention of the morning hour.

Mr. CATCHINGS. Yes. It was repeatedly so construed by the Speaker. I do not think the gentleman need apprehend the slightest difficulty about that.

Mr. HEMPHILL. Mr. Speaker, I do not desire to offer an amendment unnecessarily, and as it is the understanding of the gentleman from Mississippi [Mr. CATCHINGS] that the morning hour is not to be allowed on the second and fourth Mondays of the month, I will let the rule pass now and will urge his view upon the Speaker at the proper time if it becomes necessary.

Mr. CATCHINGS. It was always so held in the Fiftieth Congress.

The amendment of Mr. CATCHINGS was agreed to.

The paragraph as amended was then agreed to.

The Clerk read as follows:

4. The morning hour for the call of committees shall not be dispensed with except by a vote of two-thirds of those present and voting thereon.

5. After the morning hour shall have been devoted to reports from committees (or the call completed), the Speaker shall again call the committees in regular order for one hour, upon which call each committee, on being named, shall have the right to call up for consideration any bill reported by it on a previous day, on either the House or Union Calendar. And whenever any committee shall have occupied the said hour for one day, it shall not be in order for such committee to designate any other proposition for consideration until all the other committees shall have been called in their turn; and when any proposition shall have occupied two hours on this call it shall thereafter remain on the Calendar as unfinished business and be taken up in its order: *Provided*, That when the hour herein prescribed shall expire while the Committee of the Whole House on the state of the Union is considering a bill, the said committee shall rise without motion therefor.

Mr. MCKENNA. I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend paragraph 5 by inserting after the word "order," in line 13, the following:

"That debate on any bill called up by a committee as aforesaid shall not exceed one hour and a half, and at the expiration thereof the previous question shall be considered as ordered on all amendments and on the engrossment and third reading and passage of said bill; and no dilatory motion shall be entertained by the Speaker during the pendency of said bill during such morning hour: *And provided further*, That if voting be commenced on said bill it shall be continued, notwithstanding the expiration of the morning hour, and the result duly announced, declaring the bill passed or defeated, as the case may be."

Mr. MCKENNA. Members will observe that the so-called morning hour allows two hours for the consideration of a bill—one hour on one day and one on the succeeding day. Members should also observe that under another rule a member obtaining the floor in his own right is entitled to occupy it for an hour. Now, the gentleman who calls up a bill for consideration in the morning hour is entitled to occupy the floor for an hour, but usually he does not do so; he occupies simply enough time to explain the measure. Any gentleman in opposition to the bill always occupies his hour, either by his own speech or by distribution of his time to other members. Now, one amendment and a vote on it, one motion of any kind and a vote on it, and the morning hour is gone; the bill called up has passed to what has been called a more musty place than the "tomb of the Capulets;" and the member interested in the legislation finds himself in the situation of Tantalus as described in ancient poetry and mythology, who—

> From circling floods in vain refreshment craves,
> And pines with thirst amidst a sea of waves;
> When to the water he his lip applies,
> Back from the lip the treacherous water flies.

Mr. Speaker, when Homer wrote those lines and when Pope interpreted them they prefigured a member of the House of Representatives trying to pass a bill in the morning hour. [Laughter.] The amendment I have submitted preserves the morning hour and makes it useful.

[Here the hammer fell.]

Mr. MCKENNA. I would like to occupy a few moments more in further explanation of the amendment.

Mr. ANDREW. I ask unanimous consent that the gentleman be allowed to proceed.

There was no objection.

Mr. MCKENNA. I do not wish to consume unnecessarily the time of the House. I am urging this amendment with the utmost good faith, because I believe it will enable us to do some business.

My amendment provides for closing debate in one hour and a half. That is ordinarily enough time, because no bill can pass in the morning hour which is not at first view correct, or which can not be shown to be so upon a rapid explanation. At the expiration of an hour and a half the previous question is to be con-

sidered as ordered upon the bill. Then we proceed to vote, provided no dilatory motion be interposed; and my amendment forbids any such motion. The voting once commenced is concluded and the result announced. What objection, Mr. Speaker, can there be to this proposition? It gives force, vitality, and usefulness to the morning hour, and does not interfere with anything.

The question being taken, the amendment of Mr. MCKENNA was rejected, there being—ayes 33, noes 85.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed bills and joint resolutions of the following titles; in which concurrence was requested:

A bill (S. 1215) for an extension of appropriation for the erection of a public building at Los Angeles, Cal.;

A bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah;

A bill (S. 1610) to increase the endowment of the Louisiana State University and Agricultural and Mechanical College and for the Southern University of Louisiana; and

A joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 6, 1861."

THE RULES.

The Clerk, resuming, read the following:

7. Unfinished business, if any, having been disposed of, motions shall be in order as follows:

First. That the House resolve itself into the Committee of the Whole House on the state of the Union to consider, first, bills raising revenue and general appropriation bills, and then other business on its Calendar.

Second. To proceed to the consideration of business on the House Calendar.

Third. On Friday of each week, after the morning hour, it shall be in order to entertain a motion that the House resolve itself into the Committee of the Whole House to consider business on the Private Calendar; and if this motion fail, then public business shall be in order as on other days.

Mr. CATCHINGS. Mr. Speaker, I wish to ask whether I made a motion to strike out clause 1 of Rule XXI. If I did not, I desire now to recur to that rule in order to perfect it by such an amendment.

The SPEAKER *pro tempore*. The motion was not made; but the gentleman asked unanimous consent to recur to that clause whenever he might so desire.

Mr. CATCHINGS. I ask unanimous consent to strike out clause 1 of Rule XXI, so as to make that rule conform to the provision which has been adopted allowing bills to be introduced by handing them in and having them referred by the Speaker.

The SPEAKER *pro tempore*. Is there objection to striking out the clause indicated?

There being no objection, Rule XXI was amended accordingly.

Mr. BURROWS. While on that rule, Mr. Speaker, I would ask unanimous consent that the words to which I referred this morning in paragraph 4, namely—

For the establishment or change of post routes—

be also stricken out, as that matter is fixed by law.

Mr. CATCHINGS. I consent to that.

Mr. COBB of Alabama. I thought they were stricken out this morning.

Mr. BURROWS. I understand not.

The SPEAKER *pro tempore*. If there be no objection, the words indicated by the gentleman from Michigan will be stricken out.

There was no objection, and it was so ordered.

Mr. CATCHINGS. It is understood that the request I made has been adopted?

The SPEAKER *pro tempore*. That was done by unanimous consent.

Mr. BYNUM. Mr. Speaker, I desire to offer a further amendment, to come in after the third clause of section 7. The amendment I have offered has already been published in the RECORD, on page 525.

The SPEAKER *pro tempore*. The amendment proposed by the gentleman from Indiana will be read.

The Clerk read as follows:

Amend clause 3 of section 7 of Rule XXIV by adding the following proviso: "*Provided*, That on the first Friday hereafter, when bills on the Private Calendar shall be under consideration, bills reported by the Committee on War Claims shall be passed over and other bills be considered in their order; and on the second Friday thereafter, when bills on the Private Calendar are being considered, bills reported by the Committee on Claims shall be passed over and other bills considered in their order, and, on each Friday thereafter, when bills on the Private Calendar are being considered, said committees shall alternate in the same manner in the consideration of the bills respectively reported by them."

Mr. BYNUM. The only effect of the amendment, Mr. Speaker, is that the Committee on War Claims shall occupy the time of the House in the consideration of its reports on one Friday, to the exclusion of the Committee on Claims, when bills reported by the Committee on War Claims are reached for consideration, and on the next Friday the Committee on Claims shall occupy the time of the House, to the exclusion of the Committee on War Claims, when its bills are reached. It simply alternates, dividing the time equally between the two committees. There are, as is well known, a large number of war claims that have been reported to this House or to Congress from time to time for many years past until they have become chronic.

The Committee on War Claims—I understand, although I do not know whether I am correctly informed or not—have agreed to report all bills favorably that have been reported favorably heretofore. That has been the rule of the Committee on War Claims, I believe, ever since I have been here. There are, therefore, usually a number of contested war claims that get at the head of the Private Calendar, and, as in the last Congress and in previous Congresses, the whole time of the House will be taken up thereby by the Committee on War Claims, and no other business on the Calendar will ever be transacted.

Mr. DOCKERY. Will the gentleman allow me to ask him a question?

Mr. BYNUM. Certainly.

Mr. DOCKERY. Did I understand you correctly to state that the Committee on War Claims had agreed that without examination they would report claims favorably to the House that had been favorably reported in prior Congresses?

Mr. BYNUM. That is what I understand.

Mr. ENLOE. Will the gentleman from Indiana allow me to correct him?

Mr. BYNUM. I will stand corrected if the gentleman has any other information.

Mr. ENLOE. I have some other information.

Mr. BYNUM. Very well.

Mr. ENLOE. I happen to be a member of the Committee on War Claims myself; and I will state to the gentleman that the rule adopted by the committee was this: That the chairman of the committee should refer the bills to the members of that committee, and that a member of the committee, upon an investigation of a case, if he found that it had been previously reported favorably to the House, and the report commended itself to him as correct, would be authorized to report it favorably.

Mr. DINGLEY. But the practical operation of the rule to which the gentleman from Indiana refers has been to place at the head of the Calendar a large number of these private bills reported by the Committee on War Claims, obstructing the consideration of all others.

Mr. ENLOE. The question as to which report shall be placed at the head of the Private Calendar depends on which report gets there first. And it has not operated that way in other Congresses in favor of the Committee on War Claims more than in favor of the Committee on Claims. So there is nothing in that point.

But I desired only to correct a misapprehension when I arose.

Mr. BYNUM. I stand corrected as to the condition of the case. I was not certain that I had been correctly advised; but the result has been that a number of contested claims, if not right at the beginning of the session, usually within a very short time reach the head of the Calendar and completely block all legislation or all efforts to reach claims which would require no time, so far as the House was concerned. But these reports from the Committee on Claims will be cut off from all chance of consideration, their pathway being blocked by the reports from the Committee on War Claims.

Now, I think it perfectly fair that each of these committees should have one-half of the time. It does not interfere with any other bill on the Calendar because the Calendar is taken up on the first Friday and called in its order. A bill is reached, reported by the War Claims Committee, and it is passed over. When a bill is reached, reported by the Committee on Claims, it is taken up for consideration. There can be, therefore, no objection to it. It does not interfere with other bills that come up in regular order in their turn from any other committee. It simply places it in the power of the House to reach their cases on the Calendar without having its way blocked. It is a fair division of the time. It alternates the Fridays between the committees.

Of course, Mr. Speaker, it might be urged that bills first reported to the House are first entitled to consideration, and ought to be considered; but from the fact that the bills from the Committee on War Claims are bitterly contested as a rule, questions of loyalty entering into them, and their consideration necessarily occupying much time, I think they ought to be willing to yield at least a part of the time to the other committees for the consideration of their bills.

Mr. ENLOE. Mr. Speaker, I do not think I am exactly pleased with the proposition of the gentleman from Indiana [Mr. BYNUM]. I can not see why there is any necessity for making any discrim-

ination as to this Private Calendar and adopting a different rule to govern it than that which governs the disposition of business on the other Calendars. I think the gentleman might with equal propriety propose to divide among the committees of this House the disposition of the business that is on the Union Calendar or the Calendar of the Committee of the Whole House.

Mr. BYNUM. This is on the House Calendar.

Mr. ENLOE. It is on the Private Calendar.

Mr. BYNUM. The Private Calendar is a House Calendar.

Mr. ENLOE. And I will say further that if the Committee on War Claims brings in its business and places it on the Calendar, that it is as much entitled to consideration as the business from any other committee of the House, whenever it is reached. It should be disposed of in one way or the other. I do not want to place it in such a position that any gentleman who happens to have some claim of a different character can avail himself of the opportunity to filibuster out the Friday that is devoted to war claims, and then take another Friday to consider claims that are not any more meritorious that do not happen to be war claims. I want to give the business from this committee an equal opportunity to be considered under the rules with the business from other committees of the House.

Mr. MANSUR. Mr. Speaker, it is familiar to every member of this House who was here last year, that for three months the War Claims Committee monopolized the time on private bill day, and blocked the way for everything else in the shape of private bills. In the Forty-ninth Congress there were 1,700 bills referred to the Claims Committee, 2,000 in the Fiftieth, and 2,500 in the Fifty-first. This accumulation of bills is very largely due to the fact that in both the Fiftieth and Fifty-first Congresses bills of a private and domestic character, of which every member of this House has probably one or more of a similar character, never received any consideration, because they could not get a hearing. If, then, the members of this House are disposed to pass private bills, arising out of its ordinary everyday business, it is very evident that with the number of war claims that are in that committee, which I am told by its clerk is already more than 2,000, it will cut off the consideration of other claims; because these war claims are always of a contested character and meet with more or less opposition in the House.

This proposition of the Committee on War Claims is simply asking us to surrender private-bill day to that committee and to that only. I introduced in the Fifty-first Congress, and had it referred to the Committee on Rules, a proposition to alternate these days just as my friend from Indiana [Mr. BYNUM] now proposes, giving the fifth day of every month to the other committees of a private character, except War Claims, thus giving them two days in every month. The committee did not report that rule, and we were unable afterwards to have any consideration of other private bills. If members here expect to have their bills passed they ought to arrange it so that there shall be a division of time between these committees. It is not my purpose to detain the House at any length, because I think the justice of such a rule and such a division of time as is contemplated by this amendment should commend itself to every member as soon as his attention is challenged to the facts that call for such a division.

Mr. BUCHANAN of New Jersey. Mr. Speaker, not only is every word true that has been uttered by the gentleman from Indiana [Mr. BYNUM] and the gentleman from Missouri [Mr. MANSUR], but they have not told the whole of the truth.

Mr. MANSUR. We did not have time.

Mr. BUCHANAN of New Jersey. Not only is it a fact that the War Claims Committee practically blocked everything of a private nature in the last House, but it is also true that they withdrew a large number of bills farther down upon the Calendar and had them introduced as one omnibus bill, and that committee secured more legislation of a private nature in the last Congress than all the remaining committees of the House put together. Now, I think a division of this thing is only fair.

Mr. O'NEILL of Missouri. Mr. Speaker, the amendment of the gentleman from Indiana does not reach the real difficulty. There is nothing more dishonest than the manner in which Congress treats the consideration of private bills. Year after year the claims of these poor people are presented, only to be referred to a committee, reported back, placed on the Calendar, as the gentleman from Maine [Mr. REED] once eloquently said, to be placed in a glass case so that the mourners may look at the remains. [Laughter.]

The thousands of bills introduced each session of Congress, and reintroduced in every Congress, are my evidence—just claims due by the Government and to people suffering to-day from poverty. It is absolutely dishonest, and for the reason that Congress does not make an honest effort to afford relief to these people.

Mr. WALKER. You have just passed a resolution providing that we shall not pay them—the Holman resolution.

Mr. O'NEILL of Missouri. The proper course to take with private bills would be to take them out of Congress and send them to the courts, or else hold sufficient sessions to consider them. Why could you not hold morning sessions for the consideration of private bills? It is a fact only those would come here who are interested, and when objection is raised a bill would have to be set aside and other bills taken up. That is one way in which you could do it; the objectionable bills could be killed and the just ones passed. Let the Committee on Claims formulate a bill by which all these bills could be sent to a proper court and taken out of Congress. You could then dispense with your sessions. Members say nothing can be done at these morning sessions; the same objection will apply to all sessions.

I have seen men in this House hour after hour fighting a small bill, and when you ask them what objection they have to this bill, which is only for a small amount, they will say, "Ah, my dear sir, it is not that small bill, but there are others away down on the line which we want to kill," and through that cowardly spirit they stand in the way of and throttle all private legislation. That is the history of Congress year in and year out. There is no question that will come before the House that is more important, or one that gentlemen can afford to give more time to, or one by which they may better convince the people of a desire to do justice to them. [Applause.]

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. CATCHINGS. I demand the previous question.

Mr. O'NEILL of Missouri. But I desire to offer an amendment.

The SPEAKER *pro tempore*. The demand for the previous question cuts off amendments, and the question is on ordering the previous question.

The question was taken; and the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. O'NEILL of Missouri. Division.

The House divided; and there were—ayes 46, noes 87.

So the demand for the previous question was not agreed to.

Mr. O'NEILL of Missouri. I desire to offer an amendment, which I will read.

The SPEAKER *pro tempore*. The gentleman will send it to the Clerk's desk, so that it may be read.

Mr. O'NEILL of Missouri. I offer it as a substitute for the rule.

The SPEAKER *pro tempore*. The gentleman can not offer it as a substitute, as there is an amendment pending.

Mr. O'NEILL of Missouri. Let it be an amendment to the amendment—any way, so that it gets in there. [Laughter.]

The Clerk read as follows:

Every Tuesday, Thursday, and Saturday, when there is a session on such days, there shall be a session of the House between the hours of 10 and 12 o'clock for the consideration of bills on the Private Calendar.

The SPEAKER *pro tempore*. The question is on the amendment to the amendment.

Mr. BYNUM. I make the point that that is not germane to the pending amendment. I do not want my amendment complicated by that, and the gentleman can offer it after my amendment has been disposed of.

Mr. REED (to Mr. O'NEILL of Missouri). You have a right to speak on your amendment.

The SPEAKER *pro tempore*. The question is on the amendment to the amendment.

Mr. O'NEILL of Missouri. I hope there will be no effort to close debate or force a vote upon this question. I have exercised a great deal of reserve force in keeping off these rules. [Laughter.] I had other amendments prepared, but out of sympathy for the chairman of the committee, and some little for the House, I have kept away from the question. I would not offer this but that it is my firm conviction, based on experience of several years, that its adoption will secure justice to many poor people and reflect deserved credit on our work, and my experience is longer than some gentlemen who do not appreciate this amendment.

A MEMBER. After being left out.

Mr. O'NEILL of Missouri. Well, I was not left out long. "Time at last sets all things even." I know there is not a more important amendment or more just proposition that can be brought before this House than this very question, and if I am exceedingly in earnest it is due to the conviction that I am intensely in the right.

If you mean to do any sort of justice to those people you will take up this proposition and act upon it. If the days suggested do not suit you, change them, but do not say that you are giving them one day a week when your proposed rule only says, "It is in order on Friday to make a motion to go into Committee of the Whole on the Private Calendar." You know if that motion is voted down it ends the day for private bills, and I have seen

it violated so often that it practically means no day whatever. The practical result, is you have no consideration of bills on the Private Calendar. The calendars of former Congresses bear me out; barely a page would be considered and over 100 pages lost.

Now, by my proposition you will give them two hours each morning on three days of the week. Is that too much? Can there be any objection to that, in all fairness and reason? It does not interfere with any member's work. That is the pretext of men who seem blind to the fact that if busy they are not compelled to come, for private-bill day, like District of Columbia day, or the night for pension bills, seldom if ever develops a quorum. Now, I earnestly appeal to you to vote for my amendment and let it be adopted.

Mr. ENLOE. Mr. Speaker, I only want to call the attention of the House to the statement made by the gentleman from New Jersey [Mr. BUCHANAN] that the Committee on War Claims blocked the business of this House for three months during the last Congress, and to state that the gentleman from New Jersey either does not understand what occurred in the last House or he does not state it correctly. I say that for eighteen weeks the Committee on Appropriations, the Committee on Rules, the Committee on Elections, or some other privileged committee or privileged motion, occupied the time on each Friday so that the Private Calendar was not considered, because the majority here saw proper to take up and consider other subjects.

Mr. BYNUM. Will the gentleman permit one question?

Mr. ENLOE. Certainly.

Mr. BYNUM. Was not that obstruction thrown in because there were a lot of old war claims thrown into one bill, or, rather, a large number of bills were combined in one?

Mr. BUCHANAN of New Jersey. That is the situation.

Mr. ENLOE. Claims for quartermaster's stores and supplies, favorably reported by the Court of Claims, were embraced in one bill, and the gentleman from Indiana, I suppose, knows that nearly every Democrat in the House at that time sustained the Committee on War Claims, and, upon the demand for the yeas and nays, voted almost every Friday to take up the Private Calendar, in order to dispose of that omnibus bill. And furthermore, the Speaker of the House, through the organization under his control, for eighteen weeks denied the Committee on War Claims and denied to the House an opportunity to consider any business that was on the Private Calendar at that time, and yet when the omnibus bill came up to be voted on it passed with only seven or eight members of the House voting against it.

Now, it said that these claims ought not to be considered, at least they ought to be discriminated against, because there are a great many of them that are chronic cases. I want to say, that it is evidence that there is some merit in a claim when it can live before Congress for twenty-five or thirty years, and the claimant refuses to accept the action of one Congress as a final determination of his rights, and still appeals and hopes that some time in the history of this Government there will be an American Congress that will fairly consider war claims.

Now, these claims that have been here for a number of years are not necessarily claims without merit. Their age does not signify anything of that kind, but it does signify that we have had in Congress an unjust prejudice against this class of claims. Many of these claimants have gone to their graves without having obtained justice from this Government, and there is no place in this Capitol where there are so many unfortunates to be seen as around the Committee on War Claims, poor claimants who have been here for years asking for justice at the hands of this great and beneficent Government, and so often disappointed that many of them have been reduced to poverty and want and others have become insane.

Mr. BUCHANAN of New Jersey. Those who listened attentively to what I said awhile ago will remember that I commenced by saying that the statements made by the gentleman from Indiana [Mr. BYNUM] and the gentleman from Missouri [Mr. MANSUR] were true. In that I referred to the blocking of business here by the Committee on War Claims. I did not mean to say that the committee itself did it; but I did mean to say, and I now reassert—because I was here and I did understand what was going on—that it was because of the business of the Committee on War Claims that business was stopped.

Mr. ENLOE. It was because the Committee on War Claims desired to have considered measures which the majority here did not see proper to consider, and so the majority took advantage of the opportunity under the rules to throw in its privileged business to prevent the consideration of those measures.

Mr. BUCHANAN of New Jersey. I have established what I said, or what I meant to say, Mr. Speaker, and I think the House understands it, and those who were here at the time to which I refer understand it.

And now I want to say one thing further. If it be true, as stated by the gentleman from Tennessee, that the Committee on War Claims has taken the action of committing its bills to its separate members, authorizing each of them, where they find that a bill has been favorably reported in a previous Congress, to report that bill to the House without any of the facts in the case being investigated by the full committee, there will probably be another block along the line.

Mr. WASHINGTON. Mr. Speaker, in connection with this debate, and before the vote is taken on the amendment of the gentleman from Indiana, I want to invite the attention of this House to one other matter in connection with the consideration of war claims and the way in which bills from the War Claims Committee were dealt with at the last Congress. I want to invite attention to the fact that the various items composing what was called the "omnibus bill" of the last Congress, consisted entirely of claims which had passed the Court of Claims in this city, and were just as nearly in the shape of a judgment as any award that a court can render against the United States. I want to call attention also to the fact that before that bill—doing tardy justice to the claimants—could be passed into law, an amendment was put upon it sending those cases again to the Court of Claims, and giving the Attorney-General the right to retry every one of them. So that, Mr. Speaker, the Committee on War Claims did not monopolize the business of this House, but their bill was blocked by obstruction here, and, representing people who do have war claims against this Government—just claims that have stood for thirty years and knocked at the doors of Congress, asking for honest treatment at the hands of this Government—I must protest against the amendment of the gentleman from Indiana, and ask this House to give the reports from all committees a hearing as they are reached on the Calendar, and not to allow the option of taking up the bills of one committee on one Friday, and jumping about like a Kansas grasshopper and taking up the bills of another committee on another Friday. Take them in the order in which they are on the Calendar, and let them stand on the Calendar in the order in which they are reported from the committees. Then, if the committee reporting a bill fails, as the gentleman from New Jersey [Mr. BUCHANAN] suggests, to give you facts justifying a vote for the measure or measures, vote against them.

Mr. STONE of Kentucky. Mr. Speaker, the fact that this discussion has come in at this time is evidence to this House that there is action needed which will hasten the consideration of these measures. One of two things should be done, and should be done now. This Congress should prepare a way by which these claims can be gotten rid of, or else it should abolish these committees. I, sir, have had the honor, if honor it may be termed, to have served longer upon the Committee on War Claims than any other member of this House. I was appointed upon it in the Forty-ninth Congress. I had an idea when I was appointed upon that Committee, as I should have had if I had gone upon any other committee, that my business was to work, and I have followed up that work and stuck to it with a diligence that I think ought to have produced some result.

Gentlemen say that these claims are getting old and stale, that they are becoming chronic. Please ask yourselves, gentlemen, why they have become chronic. It is simply because you have held out to the people of this country the idea that under a certain condition of things they should have a right to come to Congress and demand to be paid for property or services, and then after they have come here and made their claims you have treated them with contempt. In the House of Representatives and in the Senate of the United States you have given it to be understood, by your laws, that a citizen of the United States had a right to present his claim and that the representatives of the people here would fairly consider it; but, Mr. Speaker, it has been the effort of the gentlemen who have come forward as leaders upon both sides of this House to arrange, and they have made their arrangements systematically, to defeat legislation upon these claims.

That can not be successfully denied by anybody; and instead of providing for an alternation of days between the Committee on Claims and the Committee on War Claims, the business of this House is either to abolish both these committees, saying to those who have these claims to present, "You can not come here asking for justice;" or else to take, like men, such action as will enable justice to be done and permit these claims to be acted upon, the bad ones to be rejected, the honest and just ones to be paid.

Mr. Speaker, the delusive hopes which have been held out to the people by Congress in regard to the payment of these claims have carried many persons to the poorhouse and to the insane asylum. Over here at St. Elizabeth you will find persons who came here and spent the last dollar that they could raise, either from their own means or with the assistance of their friends, in an effort to get just claims allowed.

Why, sir, the widow of Col. Kearney, a brother of Gen. Kearney, who fell in defense of the Union, has a claim against this

Government—a perfectly just claim—for more than $20,000. She has been willing for years to accept $5,000 in settlement of this claim, in order that she might be enabled to live in something like comfort. Day after day that old woman totters to the doors of this Hall, calls out some member of this committee, and with tears streaming down her face begs to be paid the pittance due her for property that the Government of the United States took and used in the suppression of the rebellion.

Yet gentlemen talk about these claims growing "stale." I have shown how they grow "stale." You spend more money in equipping a committee, in doing its printing, in printing these bills and reports and having them laid before the House—you spend more money at each session of Congress in this way uselessly and vainly than you spend in paying these just demands. [Applause.]

[Here the hammer fell.]

Mr. STONE of Kentucky. I would like a minute or two more.

Mr. BUSHNELL and others asked that the time of Mr. STONE of Kentucky be extended.

There was no objection.

Mr. STONE of Kentucky. Now, Mr. Speaker, I wish to say that while I am not in favor of the amendment of the gentleman from Indiana, I am in favor of this House taking action on this question to-day. Let it be done now while you are on these rules. Abolish both of these committees or else give an opportunity for the consideration of these matters. I have reported bills from the Committee on War Claims, providing for the establishment of a court for the consideration of these questions, taking them away from Congress and submitting them to judicial investigation, the claimant being represented by his attorney and the Government by its attorney.

But gentlemen of the legal profession, gentlemen who make law their study and their living, object to letting these questions go before the courts. I have a reverence for the courts. I believe that through the action of the courts the rights and liberties of the people are maintained. Not being a lawyer, I am willing to trust the courts upon questions of this kind. I say that the only thing you can do is either to give these people an opportunity to be heard in the courts, or in the name of all that is just and right give them a chance before your committees and in this House.

Mr. Speaker, not being a lawyer I do not know why I have been placed upon this Committee on War Claims. My business through life has not been the consideration of other people's claims, but the consideration of what little claim I might have upon "mother earth" to yield me a living. But I have been placed upon the Committee on War Claims; and I have also been regarded as so far versed in the science of war that the Speaker of this House has given me an honorable position upon the Committee on the Militia, because, I suppose, my walking qualities are so superior. [Laughter.] But be that as it may, I am deprived of any opportunity to exhibit my competency in the line of the militia, because the negotiations with Chile have settled the war question, and the militia is not likely to be called out.

But, sir, to be serious, I desire to raise my voice in behalf of those American citizens who have been led to believe that they had a right to come to Congress with their claims, but who on coming here have been treated with contempt by the representatives of the people. I say to gentlemen who have had no experience as members of any past Congress that before this Congress is ended, if these rules as now proposed go into effect, you will be obliged to write many letters to your constituents who have claims here, endeavoring to shift the blame for the failure of those claims from your shoulders to the shoulders of somebody else. I ask you not to put yourselves in that position. Let us do what is right to-day, and give these people a chance. [Applause.]

Mr. MANSUR. Mr. Speaker, I hope that nothing I may say will be construed as evincing any animosity on my part toward war claims. My object has been simply to secure such a distribution of time in this House that recent claims, fresh claims, originating in the daily conduct of the Government with parties who are pressing them upon us, may have a fair hearing. It is not that war claims are entitled to any more consideration than private or domestic claims, or that the latter are entitled to more consideration than war claims; but in our experience in this House we have found, especially in the last Congress, that war claims have been largely antagonized, almost to the entire exclusion of any hearing for other private claims.

I have just been down to consult with the clerk of the Committee on Private Claims. We find, and I agree with him, that we have reported nearly 600 bills in the last Congress, and he says that from the best track he has been able to keep of them he thinks that but few over 10 of these bills ever became laws. I told him I thought his estimate was too small. But to the best of my judgment we did not pass over 25 bills, private and domestic claims, from that committee in the last Congress. Now, Mr. Speaker, the business of that committee has grown in the last two years, or since the Forty-ninth Congress, from 1,700 bills to 2,700 in the last Congress, and this increase has been brought about from the fact that there is no other recourse for private claimants against the Government except through this committee to Congress. And these fresh claims are in the hands of living people. War claims are largely in the interest of heirs and attorneys, and while I will say nothing whatever against them or their justice, yet it does seem to me that the living ought to have at least half of our allotted time in the consideration of these matters.

Mr. ENLOE. Let me say to the gentleman that most of the war claimants are living.

Mr. MANSUR. Well, many of them are, no doubt; but a very large number of the claims are in the hands of their heirs or attorneys. It is not my purpose to impugn the justice of their claims.

Mr. WASHINGTON. Will the gentleman yield to me for a question? If you think the living claimants ought to have so much consideration, why have you been pressing so earnestly for some time past the French spoliation claims?

Mr. MANSUR. Because it was given to me in my committee as a duty to look into these claims by a vote of the House and of my committee. It became my duty to look after them, and I performed it to the best of my ability. Let me say to the gentleman that these spoliation claims, although they are old and have had ninety years of waiting, have had fifty reports in their favor, with but three or four against them in that whole time. This indicates I should think that they must have had a good deal of vitality, as well as founded on a large amount of justice.

Now, Mr. Speaker, there are many of these unsettled claims that meet my highest sympathy and judgment. When I first entered upon my duty as a member of the Committee on Claims five years ago, after twenty-five years' practice as a lawyer in the West where limitation laws are short, these stale claims when presented had a singular effect upon me. I felt a desire to shut myself up against them and wondered why they had lingered so long. But when I had become familiar with the manner that private claims are treated here, the thing was clearly explained to me. There are a host of these claims which have no political influence or paid attorneys behind them. They rest upon their own individual merit and the justice involved in them, and as a necessary consequence they are shoved out of the way. Only those claims receive attention in committee or in Congress that a member presses upon its attention.

In conclusion, I desire to say frankly to the House, Mr. Speaker, that if members expect to pass any private bills, our experience during the last Congress makes it clear that there ought to be some rule by which a division of time may be had between these committees.

The SPEAKER *pro tempore*. The question is on agreeing to the amendment of the gentleman from Missouri.

Mr. O'NEILL of Missouri. Before the vote is taken I desire to be heard again briefly on the question.

I desire to say to the new members of this House that if some provision is not made now, as the session progresses they will appreciate the novelty of seeing that open space in front of the Speaker's stand filled with members standing up and holding their little bills in their hands and appealing to the Speaker for recognition for unanimous consent to call up a private bill. Every one of the older members of the House know what I state to be true, and yet it seems that the only way to bring it home to some of our members would be for some member who having the courage to become a martyr to principle would stand right in the breach and absolutely stop all unanimous consents until you either provided by law to send all these bills to the courts or else compelled you to give sufficient time for their consideration, if you will persist in pretending to consider them.

What reason is there why you gentlemen can not give three mornings in the week to the consideration of these private claims? You will have still three mornings left for your committee work, and most of you who were, I believe, members of State Legislatures before you came here well remember that you had your two sessions daily, morning and afternoon, and accomplished all the committee work besides. The trouble is you do not do work enough. [Laughter.] You do not stay in session long enough. About three hours each afternoon comprises your time, and with the liberal allowance of an hour to each speaker, what time is there for the actual work of legislation? The misfortune to the people is that too much time is taken for debate and too little given for actual work. I insist upon the adoption of the amendment and hope the House, will sustain me and have these poor claimants feel that the Government is honest, that its representatives are honest, and that we at least make an honest effort to pay debts due by the Government to its citizens.

Mr. BUSHNELL. Let us have the amendment read again.

The amendment was again reported.

The question was taken; and the Speaker *pro tempore* decided that it was rejected.

Mr. O'NEILL of Missouri and Mr. BUCHANAN of New Jersey demanded a division.

The House proceeded to divide.

Mr. O'NEILL of Missouri. Pending the division, I ask that the amendment be read again. There seems to be a misapprehension in the minds of the gentlemen as to what they are voting upon.

The amendment was again reported.

Mr. BUCHANAN of New Jersey. I misunderstood the amendment, and withdraw the call for the division.

The SPEAKER *pro tempore*. The gentleman from Missouri also demanded a division.

The question was taken; and on a division there were—ayes 60, noes 74.

Mr. O'NEILL of Missouri. Let us have tellers.

Tellers were refused.

Mr. O'NEILL of Missouri. Then I make the point that no quorum has voted.

The SPEAKER *pro tempore*. Under what rule does the gentleman make the point?

Mr. O'NEILL of Missouri. I make the point that no quorum has voted.

Mr. REED. The Speaker will have to count.

The SPEAKER *pro tempore*. The Chair does not understand the gentleman has any right to make that point.

Mr. BURROWS. Oh, there must be a quorum here.

Mr. O'NEILL of Missouri. Well, I call for the yeas and nays, to see how many members are willing to go on record.

The yeas and nays were ordered.

The question was taken; and there were—yeas 86, nays 132, not voting 113; as follows:

YEAS—86.

Amerman,	Enochs,	McCreary,	Stackhouse,
Baker,	Everett,	McGann,	Stephenson,
Belden,	Fithian,	McKaig,	Stockdale,
Bergen,	Fyan,	Meyer,	Stone, Ky.
Bowers,	Goodnight,	Miller,	Sweet,
Busey,	Gorman,	O'Donnell,	Taylor, Tenn.
Cable,	Griswold,	O'Neill, Mo.	Taylor, E. B.
Cadmus,	Haugen,	Otis,	Taylor, J. D.
Caldwell,	Hayes,	Patterson, Tenn.	Townsend,
Capehart,	Hermann,	Pendleton,	Walker,
Caruth,	Hooker, N. Y.	Post,	Watson,
Clark, Wyo.	Houk, Tenn.	Powers,	Waugh,
Crain,	Huff,	Price,	Wever,
Crosby,	Johnson, Ind.	Raines,	Wike,
Cutting,	Johnson, N. Dak.	Ray,	Willcox,
Dalzell,	Jolley,	Reed,	Williams, Ill.
Davis,	Kendall,	Reyburn,	Wilson, Ky.
De Forest,	Lind,	Rife,	Wilson, Wash.
Dickerson,	Little,	Robinson,	Wilson, Mo.
Doan,	Long,	Scott,	Winn.
Dolliver,	Magner,	Seerley,	
Enloe,	Mallory,	Smith,	

NAYS—132.

Abbott,	Coombs,	Harries,	Owens,
Alderson,	Cooper,	Hatch,	Page, R. I.
Alexander,	Covert,	Haynes,	Parrett,
Allen.	Cowles,	Herbert,	Paynter,
Andrew,	Cox, N. Y.	Hoar,	Pearson,
Arnold,	Cox, Tenn.	Holman,	Pierce,
Babbitt,	Crawford,	Hooker, Miss.	Rayner,
Bailey,	Culberson,	Houk, Ohio	Reilly,
Bankhead,	Cummings,	Johnstone, S. C.	Richardson,
Bentley,	Daniell,	Kilgore,	Sayers,
Bland,	De Armond,	Kribbs,	Simpson,
Blount,	Dockery,	Lanham,	Snow,
Breckinridge, Ark.	Dungan,	Lapham,	Sperry,
Bretz,	Dunphy,	Layton,	Springer,
Brookshire,	Durborow,	Lester, Ga.	Steward, Ill.
Brunner,	Edmunds,	Lewis,	Stout,
Bryan,	Elliott,	Livingston,	Stump,
Buchanan, Va.	Ellis,	Lockwood,	Tarsney,
Bullock,	Epes,	Mansur,	Terry,
Bunting,	Fitch,	McClellan,	Tillman.
Bushnell,	Forman,	McKinney,	Tracey,
Butler,	Forney,	McMillin,	Turner,
Bynum,	Fowler,	McRae,	Turpin,
Caminetti.	Funston,	Mitchell,	Van Horn.
Castle,	Gantz,	Montgomery,	Warner,
Catchings,	Geissenhainer,	Moore,	Warwick,
Cate,	Gillespie,	Moses,	Washington,
Causey,	Grady,	Mutchler,	Wheeler, Mich.
Chapin,	Greenleaf,	Newberry,	Wheeler, Ala.
Chipman,	Hall,	Oates,	White,
Cobb, Mo.	Halvorsen,	O'Ferrall,	Whiting,
Cockran,	Hamilton,	O'Neill, Pa.	Williams, Mass.
Compton,	Hare,	Outhwaite,	Youmans.

NOT VOTING—113.

Atkinson,	Boatner,	Brown,	Clover,
Bacon,	Boutelle,	Buchanan, N. J.	Cobb, Ala.
Bartine,	Bowman,	Bunn,	Coburn,
Barwig,	Branch,	Burrows,	Cogswell,
Beeman,	Brawley,	Byrns,	Coolidge,
Belknap,	Breckinridge, Ky.	Campbell,	Curtis,
Beltzhooveer,	Brickner,	Cheatham,	Dingley,
Bingham,	Broderick,	Clancy,	Dixon,
Blanchard,	Brosius,	Clarke, Ala.	Donovan,
English,	Ketcham,	O'Neil, Mass.	Stahlnecker,
Fellows,	Kyle,	Page, Md.	Stevens,
Flick,	Lagan,	Pattison, Ohio	Stewart, Pa.
Geary,	Lane,	Patton,	Stewart, Tex.
Grout,	Lawson, Va.	Payne,	Stone, C. W.
Hallowell,	Lawson, Ga.	Peel,	Stone, W. A.
Harmer,	Lester, Va.	Perkins,	Storer,
Harter,	Lodge,	Pickler,	Taylor, Ill.
Heard,	Loud,	Quackenbush,	Taylor, V. A.
Hemphill,	Lynch,	Randall,	Tucker,
Henderson, Iowa	Martin,	Robertson,	Wadsworth,
Henderson, N. C.	McAleer,	Rockwell,	Weadock,
Henderson, Ill.	McDonald,	Rusk,	Williams, N. C.
Hitt,	McKeighan,	Russell,	Wilson, W. Va.
Hopkins, Penn.	McKenna,	Sanford,	Wise,
Hopkins, Ill.	Meredith,	Scull,	Wolverton,
Hull,	Milliken,	Shell,	Wright.
Johnson, Ohio	Mills,	Shively,	
Jones,	Morse,	Shonk,	
Kem,	Norton,	Snodgrass,	

So the amendment to the amendment was disagreed to.

Mr. COBB of Alabama. I voted inadvertently. I am paired with the gentleman from Illinois [Mr. HOPKINS], who has gone home on account of sickness in his family. I withdraw my vote.

Mr. STOCKDALE. My colleague [Mr. KYLE] is absent on account of sickness.

The Clerk announced the following pairs:

Until further notice,

Mr. BUNN with Mr. ATKINSON.

Mr. STEVENS with Mr. RANDALL.

Mr. BRANCH with Mr. TAYLOR of Illinois.

Mr. WEADOCK with Mr. RUSSELL.

Mr. MCALEER with Mr. SHONK.

Mr. COBB of Alabama with Mr. HOPKINS of Illinois.

Mr. HEMPHILL with Mr. GROUT, except on the rules.

For this day:

Mr. SHIVELY with Mr. BINGHAM.

Mr. SCOTT with Mr. LODGE.

Mr. O'NEILL of Massachusetts with Mr. COGSWELL.

Mr. BELTZHOOVER with Mr. FLICK.

Mr. GEARY with Mr. HENDERSON of Iowa.

Mr. CLARKE of Alabama with Mr. HENDERSON of Illinois.

Mr. TUCKER with Mr. PICKLER.

Mr. BRICKNER with Mr. STONE of Pennsylvania.

Mr. KYLE with Mr. SANFORD.

Mr. PATTISON of Ohio with Mr. KETCHAM.

Mr. MARTIN of Indiana with Mr. MORSE.

Mr. WISE with Mr. STORER.

The result of the vote was then announced as above recorded.

Mr. O'NEILL of Missouri. Mr. Speaker, I send up another amendment.

The Clerk read as follows:

And Tuesday and Thursday mornings, when there is a session of the House for those days, there shall be a session of the House between the hours of 10 o'clock a. m. and 12 m. for the consideration of bills on the Private Calendar.

Mr. MCCREARY. In what respect does this differ from the other amendment offered by the gentleman, which was voted down?

Mr. O'NEILL of Missouri. In makes the morning sessions on two days of the week instead of three. I understand this will be satisfactory to the House. [Laughter.]

The question being taken on the amendment to the amendment proposed by Mr. O'NEILL of Missouri, the Speaker *pro tempore* announced that the noes seemed to have it.

On a division (demanded by Mr. O'NEILL of Missouri) there were—ayes 53, noes 81.

Mr. O'NEILL of Missouri. No quorum.

The SPEAKER *pro tempore*. The Chair will appoint as tellers on the question the gentleman from Missouri [Mr. O'NEILL] and the gentleman from Mississippi [Mr. CATCHINGS].

Mr. CATCHINGS. Let us have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 81, nays 113, not voting 137; as follows:

YEAS—81.

Amerman.	Enochs,	McGann.	Stone, C. W.
Baker,	Everett,	McKaig,	Stone, Ky.
Belden,	Fithian.	McKenna.	Sweet,
Belknap.	Gillespie.	Meyer,	Taylor, Tenn.
Bergen,	Goodnight.	Miller,	Taylor, J. D.
Boutelle,	Gorman.	Milliken.	Townsend.
Bowers,	Griswold.	Norton,	Turpin,
Breckinridge, Ky.	Halvorsen.	O'Neill, Pa.	Walker,
Buchanan, N. J.	Hare,	O'Neill, Mo.	Washington.
Caldwell,	Haugen.	Otis,	Watson,
Capehart,	Hitt,	Patterson, Tenn.	Wever,
Caruth.	Hooker, N. Y.	Perkins,	Wheeler, Ala.
Clark, Wyo.	Houk, Tenn.	Post,	Wike,
Crain,	Johnson, Ind.	Powers,	Williams, Ill.
Crosby,	Johnson, N. D.	Reed,	Wilson, Ky.
Cutting,	Jolley,	Reyburn,	Wilson, Wash.
Dalzell,	Kendall,	Robinson,	Wilson, Mo.
Davis,	Lind,	Seerley,	Winn.
Dickerson.	Long,	Smith,	
Doan,	Mallory,	Stackhouse,	
Enloe,	McCreary.	Stockdale,	

NAYS—113.

Alderson,	Cobb, Mo.	Haynes,	Patton,
Alexander,	Cockran,	Henderson, N. C.	Paynter,
Allen,	Cooper,	Hoar,	Pearson,
Andrew,	Covert,	Holman,	Peel,
Arnold,	Cox, Tenn.	Hooker, Miss.	Pierce,
Babbitt,	Crawford,	Johnstone, S. C.	Rayner,
Bailey,	Cummings,	Kilgore,	Reilly.
Bentley,	Daniell,	Kribbs,	Richardson,
Bland,	De Armond,	Layton,	Sayers,
Blount,	Dockery,	Lester, Ga.	Simpson,
Boatner,	Dungan,	Lewis,	Sperry,
Bretz,	Dunphy,	Livingston,	Stewart, Tex.
Brickner,	Durborow,	Lockwood,	Stout,
Brookshire,	Edmunds,	Mansur,	Tarsney,
Brunner,	Elliott,	McClellan,	Terry,
Bryan,	Ellis,	McKinney,	Tillman,
Buchanan, Va.	Epes,	McMillin,	Tracey,
Bullock,	Fitch,	McRae,	Turner,
Bunting,	Forney,	Mitchell,	Van Horn,
Bushnell,	Fowler,	Montgomery,	Warwick,
Butler,	Gantz,	Moore,	Wheeler, Mich.
Bynum,	Geissenhainer,	Moses,	White,
Caminetti,	Grady,	Newberry,	Whiting,
Castle,	Greenleaf,	Oates,	Williams, Mass.
Catchings,	Hall,	O'Ferrall.	Wilson, W. Va.
Cate,	Hamilton,	Outhwaite.	Youmans.
Causey,	Harries,	Owens,	
Chapin,	Hatch,	Page, R. I.	
Chipman,	Hayes,	Parrett,	

NOT VOTING—137.

Abbott,	Cox, N. Y.	Lagan,	Rusk,
Atkinson,	Culberson,	Lane,	Russell,
Bacon,	Curtis,	Lanham,	Sanford,
Bankhead,	De Forest,	Lapham,	Scott,
Bartine,	Dingley,	Lawson, Va.	Scull,
Barwig,	Dixon,	Lawson, Ga.	Shell,
Beeman,	Dolliver,	Lester, Va.	Shively,
Beltzhoover,	Donovan,	Little,	Shonk,
Bingham,	English,	Lodge,	Snodgrass,
Blanchard,	Fellows,	Loud,	Snow,
Bowman,	Flick,	Lynch,	Springer,
Branch,	Forman,	Magner,	Stahlnecker,
Brawley,	Funston,	Martin,	Stephenson,
Breckinridge, Ark.	Fyan,	McAleer,	Stevens,
Broderick,	Geary,	McDonald,	Steward, Ill.
Brosius,	Grout,	McKeighan,	Stewart, Pa.
Brown,	Hallowell,	Meredith,	Stone, W. A.
Bunn,	Harmer,	Mills,	Storer,
Burrows,	Harter,	Morse,	Stump,
Busey,	Heard,	Mutchler,	Taylor, Ill.
Byrns,	Hemphill,	O'Donnell,	Taylor, E. B.
Cable,	Henderson, Iowa	O'Neil, Mass.	Taylor, V. A.
Cadmus,	Henderson, Ill.	Page, Md.	Tucker,
Campbell,	Herbert,	Pattison, Ohio	Wadsworth,
Cheatham,	Hermann,	Payne,	Warner,
Clancy,	Hopkins, Pa.	Pendleton,	Waugh,
Clarke, Ala.	Hopkins, Ill.	Pickler,	Weadock,
Clover,	Houk, Ohio	Price,	Willcox,
Cobb, Ala.	Huff,	Quackenbush,	Williams, N. C.
Coburn,	Hull,	Raines,	Wise,
Cogswell,	Johnson, Ohio	Randall,	Wolverton,
Compton,	Jones,	Ray,	Wright.
Coolidge,	Kem,	Rife,	
Coombs,	Ketcham,	Robertson,	
Cowles,	Kyle,	Rockwell,	

So the amendment to the amendment was disagreed to.

The result of the vote was then announced as above recorded.

The SPEAKER *pro tempore*. The question is on the original amendment offered by the gentleman from Indiana [Mr. BYNUM].

Mr. POWERS. I offer the amendment to the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amend the amendment by adding:

"There shall be a session of the House, on the evening of each Monday that the House is in session, at 8 o'clock, for the consideration of bills on the Private Calendar."

The SPEAKER *pro tempore*. The question is on the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER *pro tempore*. The question is on the original amendment.

Mr. O'NEILL of Missouri. Pending that, I move that the House do now adjourn.

Mr. HATCH. I have laid upon the Speaker's table a request that I hope the Chair will submit to the House.

Mr. O'NEILL of Missouri. I will withdraw the motion so that the Chair may lay the request of my colleague before the House.

Mr. HATCH. It is not necessary to withdraw the motion to adjourn.

The SPEAKER *pro tempore*. The motion to adjourn being withdrawn, the question is on the amendment offered by the gentleman from Indiana [Mr. BYNUM].

The question was taken; and the Speaker *pro tempore* announced that the noes seemed to have it.

Mr. BYNUM. Let us have a division, Mr. Speaker.

While the House was dividing, Mr. BYNUM said: Mr. Speaker, I ask that the amendment may be reported again, so that gentlemen may understand it.

The amendment was again reported.

The SPEAKER *pro tempore*. The question is upon agreeing to the amendment.

The question was taken; and the Speaker *pro tempore* announced that the noes appeared to have it.

Mr. BYNUM. Division, Mr. Speaker.

The House divided; and there were—ayes 18, noes 86.

So the amendment was rejected.

Mr. CATCHINGS. I move that the House do now adjourn.

The SPEAKER *pro tempore*. Pending the motion to adjourn, the Chair will lay before the House the following requests of members:

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. KYLE, indefinitely, on account of sickness.

To Mr. LODGE, for ten days, on account of important business.

To Mr. HEARD, indefinitely (at the request of Mr. DOCKERY), on account of sickness.

REPRINT OF A BILL.

At the request of Mr. HATCH, from the Committee on Agriculture, a reprint was ordered of the bill (H. R. 2699) defining "options" and "futures" and imposing special taxes on dealers therein, and for other purposes, the original print being exhausted.

PRESIDENT'S MESSAGE RESPECTING CHILE.

Mr. ANDREW obtained unanimous consent to introduce a concurrent resolution to print 6,000 copies of Executive Document No. 91, being the message of the President, etc., respecting relations with Chile; which was referred to the Committee on Printing.

LEAVE TO PRINT.

Mr. WASHINGTON. Mr. Speaker, I am requested by the Committee on the Territories to ask unanimous consent for the passage of a resolution allowing that committee to have some hearings before the committee printed.

The resolution was read, as follows:

Resolved, That the Committee on the Territories be authorized to have printed all documents for use of said committee that they may deem necessary in connection with the subjects referred to that committee.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was adopted.

METROPOLITAN RAILROAD COMPANY OF WASHINGTON, D. C.

Mr. CARUTH (by request), by unanimous consent, introduced a bill (H. R. 5398) to repeal the provisions of the act of Congress approved the 3d of March, 1891, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1891, and for prior years, and for other purposes," which provides for the forfeiture of the charter and other rights of the Metropolitan Railroad Company of Washington, D. C.

Mr. CARUTH. I introduce that bill by request, and ask that it be referred to the Committee on the Judiciary.

The bill was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

THE RULES.

Mr. ENLOE. Mr. Speaker, I do not want to pass from the rule under consideration without offering, so as to have pending, the amendment which I send up to the Clerk's desk. I would like to have it read, so that it will go into the RECORD.

The Clerk read as follows:

Add to Rule XXIV:

"The House may, on the death of a member, order a special session of the House to be held on Sunday, and on no other day, for memorial services. On such occasions the services shall be opened by the Chaplain in the usual manner."

The SPEAKER *pro tempore*. The amendment will be considered as pending.

The motion to adjourn was then agreed to; and accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned.

PRIVATE BILLS, ETC.

Private bills were, under the order adopted by the House January 5, delivered to the Clerk, and severally referred as follows, namely:

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 5355) to place the name of James Kefe on the pension roll—to the Committee on Invalid Pensions.

By Mr. BROOKSHIRE: A bill (H. R. 5356) for relief of John Schierling, administrator *de bonis non* of the estate of Gallus Kerchner, deceased—to the Committee on Claims.

By Mr. BURROWS: A bill (H. R. 5357) for the relief of Edwin Higbee—to the Committee on Military Affairs.

By Mr. CAMPBELL: A bill (H. R. 5358) to remove the charge of desertion from the record of Nicholas Lehritter—to the Committee on Military Affairs.

By Mr. CATE: A bill (H. R. 5359) for the relief of W. C. Sexton—to the Committee on Pensions.

By Mr. COVERT: A bill (H. R. 5360) for the relief of Margaret T. Rennell—to the Committee on Naval Affairs.

By Mr. COGSWELL: A bill (H. R. 5361) to remove the charge of desertion from the record of Benjamin P. Chadwick—to the Committee on Military Affairs.

By Mr. COOMBS: A bill (H. R. 5362) for the relief of Hans Anderson, late a quartermaster in the United States Navy, and serving as such in the United States steamer Monitor in her encounter with the Confederate vessel Merrimac—to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 5363) granting a pension to David C. Barrow—to the Committee on Pensions.

Also, a bill (H. R. 5396) for the relief of W. H. Howard—to the Committee on Claims.

Also, a bill (H. R. 5364) granting a pension to Mary Gatlin—to the Committee on Pensions.

Also, a bill (H. R. 5365) granting a pension to Edward Thomas—to the Committee on Pensions.

By Mr. CROSBY: A bill (H. R. 5366) granting a pension to Sheldon Norton—to the Committee on Invalid Pensions.

By Mr. CULBERSON: A bill (H. R. 5367) for the relief of James C. Lipscomb—to the Committee on War Claims.

By Mr. DOAN: A bill (H. R. 5368) granting a pension to Isaac Holdbrook—to the Committee on Invalid Pensions.

By Mr. DUNPHY: A bill (H. R. 5369) for the relief of Patrick Farrell—to the Committee on Naval Affairs.

By Mr. FELLOWS: A bill (H. R. 5370) for the relief of Mrs. Mary C. Murray—to the Committee on Invalid Pensions.

By Mr. FUNSTON: A bill (H. R. 5371) for the relief of the Western Miami Tribal Indians—to the Committee on Indian Affairs.

By Mr. FYAN: A bill (H. R. 5372) for the relief of Timothy W. Davis—to the Committee on War Claims.

By Mr. GOODNIGHT: A bill (H. R. 5373) for the relief of Mrs. Mary L. Sullivan, of Greenville, Ky.—to the Committee on Pensions.

By Mr. HARTER: A bill (H. R. 5374) to correct the military record of Albert Stratton—to the Committee on Military Affairs.

By Mr. HATCH: A bill (H. R. 5375) for the relief of the heirs or legal representatives of the estate of Madison J. Priest, deceased—to the Committee on War Claims.

By Mr. JOHNSON of Ohio: A bill (H. R. 5376) granting arrears of pension to Thomas M. Fitch—to the Committee on War Claims.

By Mr. KRIBBS: A bill (H. R. 5377) granting a pension to Mary Isabella Hutchison—to the Committee on Invalid Pensions.

By Mr. LANHAM: A bill (H. R. 5378) for the relief of Willis R. Austin, administrator of the estate of Edward Holden, deceased—to the Committee on War Claims.

By Mr. LODGE: A bill (H. R. 5379) to relieve Edward C. Jacobs from the charge of desertion—to the Committee on Military Affairs.

By Mr. McKEIGHAN: A bill (H. R. 5380) for the relief of the heirs of Jacob R. Davis—to the Committee on Claims.

By Mr. MONTGOMERY: A bill (H. R. 5381) for the relief of Phillip N. Fox—to the Committee on the Post-Office and Post-Roads.

By Mr. NEWBERRY: A bill (H. R. 5382) for the relief of Cyrus Martin—to the Committee on War Claims.

By Mr. NORTON: A bill (H. R. 5383) to increase the pension of Aaron V. Hamilton, late a member of Frémont's battalion, Mexican war—to the Committee on Pensions.

By Mr. TUCKER (by request): A bill (H. R. 5384) for the relief of Mrs. Maria D. La Rue, Augusta County, Va.—to the Committee on War Claims.

Also (by request), a bill (H. R. 5385) for the relief of Mrs. S. M. Cale, Augusta County, Va.—to the Committee on War Claims.

Also (by request), a bill (H. R. 5386) for the relief of James W. Smith, of Augusta County, Va.—to the Committee on War Claims.

Also (by request), a bill (H. R. 5387) for the relief of Amanda Lam, administratrix of James Lam, deceased, of Rockbridge County, Va.—to the Committee on War Claims.

Also (by request), a bill (H. R. 5388) for the relief of David W. Speck, of Augusta County, Va.—to the Committee on War Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 5389) increasing the pension of Mrs. Mary E. Hicks—to the Committee on Pensions.

Also (by request), a bill (H. R. 5390) to increase the pension of Ann Catherine Hull—to the Committee on Pensions.

Also, a bill (H. R. 5391) for the relief of Jacob Holzknecht—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5392) for the relief of the heirs of Joseph B. Hull, late commodore United States Navy, retired—to the Committee on Naval Affairs.

Also (by request), a bill (H. R. 5393) to authorize the Court of Claims to take jurisdiction of the claim of the executor of Agustin de Yturbide, deceased, against the United States, arising out of a grant by Mexico of land in California to said deceased prior to the treaty of Guadalupe Hidalgo—to the Committee on Claims.

Also, a bill (H. R. 5394) to refer the claim against the United States of the Methodist Episcopal Church of Huntsville, Ala., to the Court of Claims—to the Committee on War Claims.

By Mr. WEVER: A bill (H. R. 5395) to remove the charge of desertion from the record of John Wagner Haseltine—to the Committee on Military Affairs.

By Mr. WHITING: A bill (H. R. 5397) for the relief of John Wagner—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Petitions and resolutions were, under the order adopted by the House January 5, delivered to the Clerk and referred as follows:

By Mr. ALDERSON: Petition of James A. Wilson, of Wyoming County, W. Va., to accompany House bill 5276—to the Committee on Invalid Pensions.

By Mr. ARNOLD (by request): Petition for a special act for relief of Andrew Lutyenfellers, of Company G, Fourth Missouri Militia, Six Months Volunteers, and second lieutenant Company L, Fifty-sixth Missouri Enrolled Militia—to the Committee on Military Affairs.

By Mr. BELKNAP: Petition of Valley City Assembly, No. 3229, Knights of Labor, for the restriction of Chinese and pauper labor—to the Committee on Labor.

Also, petition of Assembly 3526, Knights of Labor, of Grand Rapids, Mich., praying for the passage of the Chinese restriction act—to the Committee on Labor.

By Mr. BELTZHOOVER: Two petitions of citizens of Pennsylvania, asking that the Columbian Exposition be left open on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BRECKINRIDGE of Arkansas: Petition of N. M. Brooks, for the equalization of pay in the Post-Office Department—to the Committee on Appropriations.

By Mr. BROOKSHIRE: Petition of citizens of Fountain County, Ind., favoring the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of citizens of Fountain County, Ind., favoring the passage of the Butterworth option bill—to the Committee on Agriculture.

By Mr. BROSIUS: Petition of 45 citizens of Pennsylvania, against opening the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BUCHANAN of New Jersey: Petition of George Bergner, of Atlantic City, N. J., in favor of opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. CAPEHART: Petition of Edwin L. Neal, for the estate of William P. L. Neal, late of Mason County, W. Va., praying that his war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. COVERT: Petition of J. W. Southard and others, for the improvement of Seaford Creek, Long Island, New York—to the Committee on Rivers and Harbors.

By Mr. CUTTING: Memorial of the Chamber of Commerce of San Francisco, praying for the laying of a submarine cable to the Hawaiian Islands—to the Committee on Foreign Affairs.

Also, memorial of the same body, praying for the purchase of Army and Navy supplies on the Pacific coast—to the Committee on Naval Affairs.

Also, memorial of the same body, praying for the transfer of the Revenue Marine Service to the Navy—to the Committee on Naval Affairs.

Also, memorial of the same body, praying for an appropriation to increase naval forces and strengthen harbor defenses—to the Committee on Naval Affairs.

Also, memorial by the same body, praying that appropriations be made for signal lights at sundry places on the Pacific coast—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the same body, praying for the improvement by dredging of Alviso and Cavote Sloughs in Santa Clara County, Cal.—to the Committee on Interstate an Foreign Commerce.

Also, memorial of the same body, praying for the prompt construction of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the same body, praying that further appropriations be made for the Hydrographic Office at San Francisco, and the publication of the Monthly Pilot Chart—to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS: Petition of citizens of the United States, asking that the Columbian Exposition be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DE FOREST: Petition of sundry branches of the Young People's Society of Christian Endeavor and others, of Fairfield and Litchfield Counties, Conn., in aid of a bill preventing the opening of the Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DOLLIVER: Two petitions of citizens of Iowa, in favor of the bill introduced by Mr. Butterworth in the Fifty-first Congress, and known as the option bill—to the Committee on Agriculture.

Also, petition of Winnebago County, Iowa, praying for the passage of the bill imposing a revenue tax upon compound lard—to the Committee on Agriculture.

By Mr. FOWLER: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. FUNSTON: Petition of the Western Miami Tribal Indians—to the Committee on Indian Affairs.

By Mr. HATCH: Petition of John C. Priest, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. HARTER: Petition for the relief of Thornton Ralls, Mount Vernon, Ohio—to the Committee on War Claims.

By Mr. HAUGEN: Five petitions of W. F. Donahue and others, St. Croix County, Wis., in favor of the free bimetallic coinage—to the Committee on Coinage, Weights, and Measures.

By Mr. HENDERSON of Iowa: Petition of the Young People's Society of Christian Endeavor of Leader Falls, Iowa, for the enactment of such laws as will suppress the exportation of alcoholic liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. HITT: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HOUK of Ohio: Petition of 37 signatures against opening the Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. KENDALL: Petition and papers of B. L. Davis, to accompany House bill 4882—to the Committee on Invalid Pensions.

By Mr. LANHAM: Petition of Willis R. Austin, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. LODGE: Petition of the New England Conservatory and others, against the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. McKENNA: Memorial of the California River Improvement Convention—to the Committee on Rivers and Harbors.

By Mr. MONTGOMERY: Petition to increase the pension of Ollie Smith—to the Committee on Invalid Pensions.

By Mr. STEVENS: Petition of Hon. Lewis P. Collins, mayor of Lawrence, Mass., and 400 other citizens of said town, praying that the Merrimac River be made navigable—to the Committee on Rivers and Harbors.

By Mr. STONE of Kentucky: Petition of Anna B. Greenwood, for relief in property claim—to the Committee on War Claims.

By Mr. TOWNSEND: Resolutions of the Chamber of Commerce of Cañon City, Colo., indorsing resolutions of the Irrigation Congress held in Salt Lake, Utah, in favor of the granting of the arid lands to the States and Territories—to the Select Committee on Irrigation of Arid Lands in the United States.

By Mr. WASHINGTON: Papers and proofs of Mary Ann Lafferty in pension claim—to the Committee on Invalid Pensions.

Also, papers and proofs in the pension claim of Sarah J. Mallory—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Papers in the claim of Malinda Bond—to the Committee on Pensions.

SENATE.

THURSDAY, *February 4, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Vice-President being absent, the President *pro tempore* took the chair.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a resolution adopted by the Business Men's Association of Norfolk, Va., favoring the proposed transfer of the Revenue Marine Service to the Navy Department; which was referred to the Committee on Naval Affairs.

Mr. HISCOCK presented a petition, numerously signed by citizens of New York, praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the board of managers of the National Temperance Society, officially signed, praying for the prohibition of the sale of intoxicating liquors in connection with the World's Columbian Exposition, and that its gates be closed to visitors on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the board of managers of the National Temperance Society, officially signed, praying for the passage of an amendment to the Constitution to prohibit the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented the petition of James R. Angel and 101 other citizens of New York, praying that the Secretary of War be authorized to contract with Charles Stoughton for the completion of the Harlem River improvement, and the construction of the Harlem Kills Canal; which was referred to the Committee on Commerce.

He also presented a petition, numerously signed by citizens of New York City interested in foreign commerce, praying for the passage of Senate bill 1806 allowing vessels arriving "for orders" to have more than forty-eight hours in which to enter at the custom-house or declare their port of destination; which was referred to the Committee on Commerce.

Mr. PEFFER presented sundry petitions collected by the National Woman's Christian Temperance Union, signed by 169 citizens of Kansas, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Kansas, praying for the passage of what is known as the option bill; which was referred to the Committee on the Judiciary.

Mr. ALLEN. I present a petition of the county commissioners of Pierce County, State of Washington. This is the county in which the city of Tacoma is situated. The petition sets forth that this is a county of 65,000 population, of which Tacoma is the principal city. It recites an empire of wealth contained within the county, and then proceeds to state that immediately adjoining the city of Tacoma, at the head of Commencement Bay, lies the Puyallup Indian Reservation, a body of land about 4 by 6 miles, embracing from eighteen to twenty thousand acres.

This reservation lies between the city of Tacoma and the towns, the agricultural lands, coal mines, and timber lands of the county. The petition recites that in order to reach Tacoma it is absolutely necessary that highways be made across the Indian reservation, and the county has imposed upon itself during the present year a tax of $63,000 for this purpose. The Indians themselves, who by allotment have become citizens, are as importunate for these roads as anyone, and yet this great scope of country is exempt from taxation and stands as an incubus against the development of the county and the rapidly growing city of Tacoma. The prayer of the petition is that the restrictions placed upon the alienation, of this land may be removed, in order that the city and county may have a legitimate development.

Owing to the importance of the petition, I move that it be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. ALLEN. I present a like petition from the city council of the city of Sumner, in the same county, bearing upon the same subject and to like effect. I move that the petition be referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. TELLER presented a petition of the Longfellow Republican Club, of Denver, Colo., praying for the enactment of legislation to exclude the Chinese; which was referred to the Committee on Foreign Relations.

He also presented a petition of the city council of Leadville, Colo., praying for the cession of the arid lands to the various States for the encouragement of irrigation; which was referred to the Committee on Public Lands.

Mr. SHERMAN presented a petition of the congregation of the United Presbyterian Church of Piney Fork, Ohio, praying for legislation looking to the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAVIS presented a resolution adopted by the Chamber of Commerce of Stillwater, Minn., favoring an appropriation of $40,000 for a survey of a canal between the Mississippi River and Lake Superior; which was referred to the Committee on Commerce.

Mr. PADDOCK presented the petition of Nathaniel Platt, of Beatrice, Nebr., praying for relief for drafted men under the en-

rollment act of 1863 who paid $300 in money for substitues; which was referred to the Committee on Military Affairs.

Mr. TURPIE presented a petition of Excelsior Assembly, No. 2672, Knights of Labor, of Washington, D. C., praying for an amendment of the Constitution of the United States, providing that Senators shall be chosen by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Excelsior Assembly, No. 2672, Knights of Labor, of Washington, D. C., praying for the passage of legislation which will prevent the immigration or importation of Chinese to the United States; which was referred to the Committee on Foreign Relations.

Mr. KYLE presented a petition of citizens of Black Hills, S. Dak., praying for the passage of a law prohibiting Chinese immigration or importation; which was referred to the Committee on Foreign Relations.

Mr. BRICE presented a petition of 37 ministers and 61 churches, representing 8,000 members of the Presbytery of Steubenville, Ohio, praying that any appropriation made for the World's Columbian Fair be on condition that the gates of the exposition shall not be opened to visitors on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented sundry petitions collected by the National Woman's Christian Temperance Union, signed by 321 citizens of Ohio, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Summit Council, No. 19, Order of United American Mechanics, of Akron, Ohio, praying for the enactment of such laws as will prohibit the landing of any more emigrants in the United States unless such emigrants comply with certain requirements; which was referred to the Committee on Immigration.

Mr. FAULKNER presented the memorial of Katy Stuart, secretary, and 37 other members of the Young People's Society of Christian Endeavor of the Baptist Church of Clarksburg, W. Va., remonstrating against the opening of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. QUAY presented a petition of the Young People's Union of Allegheny, Pa., praying for the closing of the World's Columbian Fair on Sunday, the prevention of the sale of liquor within its gates, and that the art department be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Methodist Episcopal Church of Elizabeth, Pa., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented sundry petitions collected by the National Woman's Christian Temperance Union, signed by 115 citizens of Pennsylvania, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented additional papers to accompany Senate bill 949, granting a pension to Julius M. Bates; which were referred to the Committee on Pensions.

Mr. KENNA presented a petition of the Young People's Society of Christian Endeavor of the Baptist Church of Clarksburg, W. Va., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. BLACKBURN presented the petition of James P. Hendrick and other citizens of Fleming County, Ky., praying for the ratification of the Brussels treaty looking to the suppression of the slave and rum traffic in the Congo Free State; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. COKE, from the Committee on Commerce, to whom was referred the bill (S. 1646) making Laredo, Tex., a subport of entry, reported it without amendment.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 1644) authorizing the Continental Bridge Company to construct a bridge across the Rio Grande River at or near Brownsville, Tex., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1647) to authorize the Alabama Grand Trunk Railroad Company to bridge across the Tallapoosa and Coosa Rivers, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 442) to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak., reported it with amendments.

Mr. WASHBURN, from the Committee on Commerce, to whom was referred the bill (S. 846) to authorize and regulate the construction of bridges across the Hudson River and the East River at the city of New York, and to prescribe the dimensions of the same, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 455) to authorize the New York and New Jersey Bridge Company to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey, reported adversely thereon, and the bill was postponed indefinitely.

Mr. FRYE subsequently said: There was a bill reported from the Committee on Commerce adversely authorizing the building of a bridge between New York and New Jersey and it was indefinitely postponed. The friends of the bill desire that that may be reconsidered and the bill placed on the Calendar with the adverse report. I have no objection.

The PRESIDENT *pro tempore*. There were two bills of that same description. Will the Senator designate the bill by number?

Mr. FRYE. It is Senate bill 455 for a bridge between New York and New Jersey. The other is a bill for a bridge between Brooklyn and New York.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee, if there be no objection, the action of the Senate by which it was indefinitely postponed being reconsidered, if there be no objection. It is so ordered.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 869) to provide an American register for the barge Sea Bird, of Perth Amboy, N. J., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1776) to constitute Newark, in the State of New Jersey, a port of immediate transportation, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1952) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first and seventh sections thereof to the port of St. Augustine, Fla., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1393) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the port of Fernandina, Fla., reported adversely thereon.

Mr. PASCO. I ask that that bill be placed on the Calendar with the adverse report of the committee.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 1516) granting the right to erect and maintain dams across the Kansas River, within Shawnee County, in the State of Kansas, reported adversely thereon, and the bill was postponed indefinitely.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 634) to authorize and direct the Secretary of War to investigate the claim made for fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as "Cameron Hill," and to provide for the payment thereof, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 100) for the relief of Moses M. Bane, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 310) granting an honorable discharge to Philip Kurtz, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 52) to reimburse the States of California, Oregon, and Nevada for moneys by them expended in the suppression of the rebellion, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1841) for the relief of Daniel McClure, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1274) to correct the military record of John W. Taylor, reported it with amendments, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 1181) for the relief of A. J. Sampson, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1479) for the relief of George H. Murdoch, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 769) for the relief of Irvine Carman, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (S. 92) for the relief of Bvt. Lieut. Col. J. Madison Cutts, reported adversely thereon; and the bill was postponed indefinitely.

Mr. CAREY, from the Committee on Education and Labor, to whom was referred the bill (S. 1768) to allow thirty days' leave of absence to employés in the Bureau of Engraving and Printing, reported it with amendments, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 985) to provide for the enlargement of the military post at Fort Wayne, Mich., reported it without amendment, and submitted a report thereon.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 521) granting to the State of Wyoming certain land in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 241) making appropriation for the improvement of the military reservation known as Fort Walla Walla, in the State of Washington, reported it without amendment, and submitted a report thereon.

STENOGRAPHER FOR COMMITTEE ON COMMERCE.

Mr. PADDOCK, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Commerce be, and the same is hereby, authorized to employ a stenographer, from time to time, as may be necessary, to report such hearings as may be had before said committee, and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 2048) for the relief of Capt. I. B. Webster, of Louisville, Ky.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 2049) to authorize the Secretary of the Interior to carry into effect certain recommendations of the Mission Indian Commission, and to issue patents for certain lands; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BRICE introduced a bill (S. 2050) providing for the erection of a monument at Put In Bay, Ohio, commemorative of Commodore Oliver Hazard Perry and those who participated in the naval battle of Lake Erie on the 10th day of September, 1813; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 2051) to provide for the construction of a public building at Fremont, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2052) for the relief of Charles B. Stivers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2053) for the relief of the Gendron Iron Wheel Company, of Toledo, Ohio; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2054) for the relief of Henry C. Cassidy; which was read twice by it title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. HARRIS introduced a bill (S. 2055) to erect a post-office building in the city of Bristol, State of Tennessee; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SAWYER introduced a bill (S. 2056) to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to steamers plying exclusively upon any of the lakes, bays, or sounds of the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CHANDLER introduced a bill (S. 2057) for the relief of Mary E. Huestis, widow and executrix of David Huestis, deceased; which was read twice by its title, and referred to the Committee on Patents.

Mr. SHERMAN introduced a bill (S. 2058) to establish the rank of Arza B. Gilson, of Havana, Ohio, as major of the One hundred and sixty-sixth Ohio Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2059) granting a pension to George W. Rager; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 2060) granting an increase of pension to Daniel Peck; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 2061) for the relief of Terrence O'Laughlin; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2062) granting an increase of pension to Charles J. K. Rosenberg; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2063) granting an increase of pension to James W. Dunn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2064) granting an increase of pension to Henry J. Yates; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2065) granting an increase of pension to Enock J. Lewis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 2066) to pension Anthony M. Kennedy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAREY introduced a bill (S. 2067) granting a pension to John Reilly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 2068) extending relief to Indian citizens, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

JACOB BARR.

Mr. SHERMAN. I ask unanimous consent that the bill (S. 1510) for the relief of Jacob Barr, reported adversely from the Committee on Military Affairs, be placed upon the Calendar with the adverse report of the committee.

The PRESIDENT *pro tempore*. The bill will be placed upon the Calendar with the adverse report of the committee, if there be no objection. It is so ordered.

EULOGIES ON THE LATE SENATOR PLUMB.

Mr. PEFFER. I desire to offer a resolution. In explanation of it I wish to say that an order was entered some time ago naming the 20th day of this month for special services in memory of the late Senator Plumb, but upon consultation with a number of Senators who expect to take part in the exercises we have concluded to ask the unanimous consent of the Senate to change the day to the 18th from the 20th.

The PRESIDENT *pro tempore*. The resolution submitted by the Senator from Kansas will be read.

The resolution was read, as follows:

Resolved by the Senate, That the order heretofore entered naming Saturday, the 20th day of the present month, for special services in memory of the late Preston B. Plumb, be changed to Thursday, the 18th day of the present month.

The resolution was considered by unanimous consent, and agreed to.

EXECUTIVE SESSION.

Mr. HISCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

On motion of Mr. CAMERON, it was

Ordered, That when the Senate adjourn to-day it be to meet on Monday next.

WEST VIRGINIA DIRECT TAX.

Mr. FAULKNER. Yesterday, in the absence of both the senior and junior Senators from Virginia, the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861," was passed by the Senate without objection from anyone. I understand that the junior Senator from Virginia [Mr. BARBOUR] has been sick and desires especially to consult

with the senior Senator from Virginia [Mr. DANIEL] in reference to that measure before it is finally taken out of the possession of the Senate.

I feel, under these circumstances, that it is due to those gentlemen that I should enter a motion to reconsider the vote by which the joint resolution was passed, with a direction to recall the joint resolution from the other House, to which it has been sent, I understand. I do not ask any action upon the motion to reconsider, but simply that it be entered under the rule so as to protect all the rights of these gentlemen in any action they may deem proper to take upon it after they have consulted upon the subject.

The PRESIDENT *pro tempore*. The Senator from West Virginia asks that the joint resolution described by him, No. 9, shall be recalled from the House of Representatives, and that a motion to reconsider the vote passing the same be entered. It will be so ordered unless there is objection.

Mr. DANIEL. I beg leave to state in this connection that I was detained from my seat yesterday by the affliction of a neighbor at whose house I felt called upon to be in attendance. Otherwise I would have been here at the time. The action of the Senator from West Virginia is entirely satisfactory. He had no idea that there was any impropriety in permitting the joint resolution to pass without objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah.

SENATOR FROM FLORIDA.

Mr. TURPIE. I ask the Senate to proceed to the consideration of the resolution in relation to the contested seat from Florida.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution reported by Mr. TURPIE, from the Committee on Privileges and Elections, January 25, 1892, as follows:

Resolved, That the Hon. Wilkinson Call, of Florida, was duly elected by the Legislature of the said State on the 26th day of May, 1891, a Senator of the United States from said State for the term of six years, commencing on the 4th day of March, 1891, and that he is lawfully entitled to a seat in the Senate.

Mr. TURPIE. I ask for the adoption of the resolution.

The PRESIDENT *pro tempore*. The question is upon agreeing to the resolution.

Mr. CHANDLER. I ask for the reading of the report, which is very brief.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the report submitted by Mr. TURPIE January 25, 1892, as follows:

The Committee on Privileges and Elections, to whom was referred the papers, evidence, and certificates in the case of Wilkinson Call, and of the contestant, R. H. M. Davidson, respecting the question of a title to a seat in this body for the State of Florida, have had the same under consideration, and have instructed me to report the following resolution:

Resolved, That the Hon. Wilkinson Call, of Florida, was duly elected by the Legislature of the said State on the 26th day of May, 1891, a Senator of the United States from said State for the term of six years commencing on the 4th day of March, 1891, and that he is lawfully entitled to a seat in the Senate.

Mr. CHANDLER. I ask for the reading of the report made by the Senator from Indiana, Report No. 106, part 2.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks for the reading of the report, which will be read by the Chief Clerk.

The Chief Clerk read the report submitted by Mr. TURPIE February 1, 1892, as follows:

The Committee on Privileges and Elections, to whom were referred the papers in the case of R. H. M. Davidson, contestor, against Wilkinson Call, contestee, concerning the right to a seat in this body for the State of Florida, have had the same under consideration, and have instructed me to make the following report:

In April, 1891, the Legislature of the State of Florida met and was duly organized at the time and place appointed by law. On the second Tuesday after such organization, being the 21st day of April, 1891, the two chambers of which it was composed held a session and voted, each separately, for the election of a United States Senator. No one was chosen at this election, and it was so declared and entered upon the journals of the respective houses. On the following day, being Wednesday, the 22d of April aforesaid, the Legislature met at noon in joint assembly, and one vote was taken for Senator, which resulted in no election. And on every succeeding day, except Sundays, until the 26th day of May, 1891, they met and took one vote in the same manner, with the same result. On the 26th day of May, 1891, the joint assembly met as before, and upon a vote being taken for United States Senator it was found that Wilkinson Call had received a majority of the votes of those present and voting, the same being also a majority of all the members elected to both houses of the Legislature. Thereupon Mr. Call was declared duly elected.

The validity of this election is questioned upon the ground that there was not a quorum of the State senate present and voting at the time it occurred. This objection is based upon the position that the joint convention or assembly in such cases is composed of the two houses as such, and that therefore a quorum of each must attend to properly form such convention. The law of the case is found in the act of Congress of July 25, 1866, being chapter 1, Title II, of the Revised Statutes, concerning the election of United States Senators, an act adopted by the constitution of the State of Florida in respect to such elections, and so in a double sense to be regarded as the law of this case. But if the constitution of Florida had provided in express terms that a quorum of both houses was necessary to constitute a joint assembly this would not be the law unless the same is required by said act of 1866. The Federal law is paramount.

This act provides that "the members of the two houses shall convene in joint assembly," etc. The joint assembly is thus composed not of the two houses, but of the members thereof. The joint assembly is not a junction or union of the two houses as such; it is not a merger of the two houses into one of either; but it is a body distinct and separate from either as such, and has by the words of the enactment a quorum of its own prescribed and defined, to wit, "a majority of all the members elected to both houses," without any reference to a quorum either of the senate or the house. The joint assembly is authorized and created by the act of Congress, and when the circumstances have transpired which make it necessary to convene the same, all the members of both houses, without any reference to the further action of either house as such, are entitled to seats in it, and may join together and coöperate as members in the choice of a Senator until one is elected. It has always been conceded that the object of the statute of 1866 was to prevent the inaction or neglect of either house, that is, of a majority or quorum of either house, from delaying or defeating the will and voice of the majority of the whole legislative body.

The two houses, as such, are given their day in court—are given, under a previous provision of the act, an opportunity to make the choice of Senator. After they have failed to make a choice, to hold that a quorum of each is necessary to make a joint assembly is to give them a chance to repeat this failure—it is to vitiate the very purpose of the enactment and to reinstate the evil which it was designed to remedy. It was not the intention of the makers of the law of 1866 to place or leave it in the power of any minority of the whole number, or of a quorum in either house, as such, to prevent or postpone the representation of the State in this body. For this reason the law operates, so far as it relates to the joint meeting, upon members as individuals, not as component parts of the respective bodies to which they may belong; and for this reason also a majority of the whole number of members is constituted the quorum of the joint assembly; that is, the number requisite to transact its business in the Senatorial election. If the minority of the members, absent at the time of Mr. Call's election, had all been present and voted, this would not have changed the result. It seems unreasonable, under the provisions of this statute or any other, to give a greater effect to the absence and nonaction of this minority than to their presence and action.

It seems yet more unreasonable to hold that a quorum of the Senate, in Florida seventeen members, should defeat the action of thrice their number under a statute designed expressly to provide for the permanent and, as far as practical, the continuous representation of the States in the Senate of the United States.

It is implied in the argument made against the right of the contestee that this construction of the act is in conflict with the section of the Constitution which provides that Senators shall be chosen by the Legislature—that this is composed of two houses—and that a quorum of each is practically and legally the house; that without a quorum there is no house. We grant that the quorum is in legal effect the house. But the term legislature in this clause is not to be construed technically with reference to the separate chambers which may exist within it, but as designating the collective number of all the persons composing it. This is clear from the fact that one of the States at least, Pennsylvania, had at the time of the adoption of the Constitution only one legislative chamber. Besides this, the word legislature is commonly used in this way, as the word magistracy is used and indeed is defined to mean "the body of magistrates" in a State or country. Legislature in this section means the body of legislators of the State without reference to the different chambers, as such, in which they may serve. The joint assembly, created by the act of 1866, is thus in the fullest sense of the term the Legislature of the State, its whole number being equal to that of all the persons elected to either branch of the Legislature, and its quorum being a majority of that number.

In these views the recent decisions of the Senate agree.

The Legislature of Florida is composed of a house of 68 and a senate of 32 members, in all 100. Fifty-two members attended the joint assembly of the 26th of May aforesaid, were present, and voted. Mr. Call received of this number the votes of 51. So that the joint assembly contained and the person chosen received the votes of a majority of all the members elected to both houses.

We are therefore of the opinion that Mr. Call was duly elected.

The appointment by the governor thereafter of Mr. Davidson, under the erroneous supposition that a vacancy existed in the office of United States Senator, was an act of mere irrelevancy which it is not necessary further to notice.

Mr. CHANDLER. Mr. President, this report made by the Senator from Indiana [Mr. TURPIE] represents the unanimous sentiment of the Committee on Privileges and Elections. The subject was fully and carefully considered by the committee, and an argument was made by very able counsel, Mr. Eppa Hunton, of Virginia, against Mr. Call, the sitting member, and in favor of Mr. Davidson, the contestant. In the course of the investigation I made certain inquiries, and the results I deem of sufficient importance to be submitted to the Senate and to be made of record in the discussion of the case.

The question which has arisen is one that has been heard of before and is liable to be heard of again, and it is desirable that by this report, by such discussion as may be had, and by the decision of the Senate the law shall be made so plain that future cases may not arise and that contestants may not hereafter come in a case like this to challenge the seat of any Senator who has been elected.

There were many considerations at one time or another addressed to different members of the committee, but the committee wisely concluded that this was not either a political question or a personal question, but a question of constitutional and statutory construction. I might as well say at this time, with reference to the contested election from the State of Idaho, as well as the contest in this Florida case, that the committee could not conceive themselves called upon to decide questions of the gravity which have arisen here according to any personal considerations whatever; that is to say, through any preference for one individual over another or any preference for one political party over another, and certainly, not through any preference for one

individual of one party over another individual of the same party.

The facts in the case are very simple. The joint assembly was formed in the Florida Legislature on April 21. On the day before the two houses had complied with the law and voted separately, but there was no choice. On the next day the joint assembly was convened precisely in accordance with the requirements of the statute and there were 96 members present, the whole Legislature being composed of 100 members. A vote was taken as the statute requires, and there was no choice. The joint assembly adjourned, but continued to meet daily from the 22d of April until May 26 in exact and strict accordance with the requirements of the statute of Congress; and on the 26th of May the sitting member [Mr. CALL] was chosen in the joint assembly, having 51 votes out of the 100 members, but it so happened that only 15 out of the 32 members of the Senate were present. The sole and simple question is thus presented in this case, unembarrassed by any other question, whether the mere absence of a quorum of one house, provided a majority of all the members of both houses are present, is sufficient to defeat an election of United States Senator.

Now, Mr. President, in the absence of any question of constitutional power, this point would seem to be settled conclusively by the United States statute on that subject. The language of the statute I will read. The act of 1866 became embodied in the Revised Statutes, and section 15 provides that the election of a Senator, which by the previous section is to take place on the second Tuesday after the meeting and organization of the Legislature, shall be conducted in the following manner. I ask the attention of Senators to the language in order that they may form an opinion whether there can be any escape from the construction of the statute, without now considering whether or not the statute is constitutional.

Each house shall openly, by a *viva voce* vote of each member present, name one person for Senator in Congress from said State, and the name of the person so voted for, who shall have a majority of the whole number of votes cast in each house, shall be entered on the journal of each house by the clerk or the secretary thereof; but if either house shall fail to give such majority to any person on said day, that fact shall be entered on the journal.

Those are the statutory requirements as to the joint meeting on Tuesday.

At 12 o'clock meridian of the day following that on which proceedings are required to take place, as aforesaid, the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read, and if the same person shall have received a majority of all the votes in each house, such person shall be declared duly elected Senator to represent said State in the Congress of the United States; but if the same person shall not have received a majority of the votes in each house, or if either house shall have failed to take proceedings as required by this act, the joint assembly shall then proceed to choose, by a *viva voce* vote of each member present, a person for the purpose aforesaid, and the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected.

Mr. President, it can hardly be supposed that it would be contended before the Committee on Privileges and Elections and before the Senate that these last words mean not a majority of the members elected to both houses, but a majority of the members elected to each house; and yet that was the contention before the committee, and the arguments submitted by the counsel for Mr. Davidson asserted that the true construction of this statute was that there should have been, in order to constitute a legal election, not, as there was in this case, 51 being a majority of 100, a majority of the members elected to both houses, but a majority of the members elected to each house of the Florida Legislature.

Mr. President, this statute was very carefully enacted in 1866. It was made, as has always been conceived, for the very purpose of preventing a bare majority of one house of the Legislature from preventing the election of a Senator. The act was drafted by Senator Daniel Clark, of New Hampshire, and was by him conducted to its passage. Mr. Clark was a lawyer of strong and acute intellectual powers, of great legal learning and ability, and his career as a lawyer, as a Senator, and as a judge conferred great honor upon New Hampshire. With care he drew this statute; with patience and with assiduity he labored to make it a law. He knew the dangers it was intended to avoid, and he meant to make a law that would compel the States to keep their Senatorial seats full and prevent a bare majority of the smaller branch of a State Legislature from defeating a Senatorial election.

At this time New Hampshire had a State senate of only twelve members, but it had about four hundred members in its house of representatives. Senator Clark meant to make a law which would prevent any seven members out of the four hundred and twelve from breaking up a Senatorial election in New Hampshire, and there never has been much doubt that he succeeded in making such a law.

This act of 1866 was reported by Senator Clark on July 9, as appears by the Globe of the first session, Thirty-ninth Congress, part 4, page 3664. It was taken up on the 11th of July, 1866, and discussed, and the discussion is contained in part 4 of the Globe of that session, between pages 3727 and 3734, and the bill passed on that day.

In the House of Representatives, as appears by part 5 of the Globe, page 4063, on the 23d of July, 1866, Mr. WILSON of Iowa, the present Senator from that State, moved the previous question on the bill, and a motion was made by Mr. Le Bland to lay on the table. That motion was negatived—yeas 21, nays 87. The bill passed by a vote of 78 ayes, the noes not being counted.

The discussion which took place in the Senate shows as conclusively as the language of the statute itself the unmistakable purpose of the legislators who enacted it. I desire to read from some portion of the debate, which was participated in by Senators Clark, Fessenden, Trumbull, Williams, Anthony, Sumner, Saulsbury, Guthrie, Garrett Davis, SHERMAN, the present Senator from Ohio, Howe, Reverdy Johnson, and Henderson of Missouri.

The debate all through proceeds upon the theory of the unlimited control over Senatorial elections by the Congress of the United States, except as restrained by the Constitution as to the place of choosing the Senators. Senator Trumbull, on page 3727, said:

I will say further that the committee were unanimous in regard to this bill. It is a bill the want of which has been felt ever since I have been a member of Congress whenever a contested election has arisen; and such cases have most frequently arisen out of the difficulty of the two houses of a Legislature meeting together. It has always been considered desirable that Congress should pass some law on the subject, and I think the Judiciary Committee, of which I have been a member for the last eight or ten years, in discussing this matter have always agreed that it was desirable that Congress should pass some law on the subject and avoid those contests that arise from the fact that a factious opposition in one branch of the Legislature or the other sometimes prevents the two houses from meeting together.

Senator Guthrie of Kentucky was entirely clear as to the power. He said:

Mr. President, I believe the Constitution provides that we may pass such a law as this in order to produce uniformity in the mode of electing Senators to this body; and, therefore, I can see no constitutional objection to the legislation proposed.

Senator Guthrie further said:

I would have very little objection to this bill if it merely provided for an election by a joint vote of the two houses, whether they were brought into the same room to vote, or whether the votes were cast in separate rooms and compared by a committee, as is done in Kentucky. There is very little difference between those two modes.

Senator Davis of Kentucky urged that there should be no provision in the bill for a vote in the separate houses on the first day. He said:

I think the last is the simplest rule and the most practical.

That is to say, a joint ballot or a joint vote in the two houses at first.

That rule would always, or nearly always, result in the choice of a Senator. The rule, though, provided here for controlling the election on the first day practically would not produce an election at all, because it would often occur that the same man would not get a majority of the votes of each house. Why, then, postpone the election from the first to the second or subsequent day? Why not adopt the rule for the first day's voting that is adopted for the subsequent day's voting, and proceed to an election upon the simplest rule and in the shortest time practicable?

Senator SHERMAN of Ohio was in favor of the rule as adopted by the committee and embodied in the bill requiring a majority of the joint assembly or a majority of all the members elected to the two houses to be present when an election took place, but he advocated distinctly the plurality rule. I read from his statement on page 3732:

I suggest to my friend from Wisconsin whether it would not be a great deal better to substitute a plurality rule after a certain number of ballots. ["No." "No."] Then you will have difficulty. Under this bill I believe that after all the members have disclosed their preferences either ambitious or corrupt minorities, factions, may defeat an election, may prevent any business being done, and may create just the very condition of things that occurred once in Ohio when they almost got to fighting each other, and which occurred twice in the House of Representatives, when, if it had not been for the adoption of the plurality rule when General Banks was elected Speaker, we should never have organized the House; and if it had not been for the withdrawal of one of the candidates in the other case to which I have referred there would not have been an organization then. We shall get in the same difficulty here that we had in the House of Representatives on those occasions.

Moreover, Mr. President, in the course of the debate the very question was raised which is stated by counsel in behalf of Mr. Davidson, that it is not competent for the Congress of the United States, in passing a law regulating the election of United States Senators, to prescribe what shall be the quorum of the joint assembly. This point was made by Senator Henderson, of Missouri.

Mr. HENDERSON. In lines 29 and 30 of the first section I move to strike out the words "a majority of all the members elected to both houses being present and voting." I do not see that we have a right here to determine what shall be the Legislature of a State. The Constitution provides that Senators shall be chosen in each State by the Legislature. Suppose the Legislature of a State is composed, as was once the case in Pennsylvania, of only one branch: there can be no doubt that the people of the State may by their constitution abolish their Senate, and have a Legislature composed of but one branch: I do not see that the Federal Government could interfere with it.

And after some further remarks he goes on to say as to the pending bill—

Thus it undertakes to prescribe what shall be a quorum of the Legislature. I apprehend that we have no authority to do that. All the authority we have on the subject is derived from the clause of the Constitution which empow-

ers us to prescribe the time and manner (not the place) of choosing Senators. If we have a right to determine what shall be a quorum in the Legislature, we have the right to determine what the Legislature is, because the same clause that gives us the right to prescribe the time and manner also says that the Senator shall be elected by the Legislature. What is the Legislature, and who is to determine what the Legislature of a State is? Can Congress determine it? If Congress can determine it for the election of Senators, I do not see why it can not for purposes of legislation. Is there any difference? The Legislature is the body that makes the laws, and the Constitution says that the same Legislature shall elect Senators. In any State one-third of all the members elected to the Legislature may be declared a quorum to do business by its constitution; and yet here it is proposed to say that a majority of all the members elected must be present.

Even Mr. Henderson, in arguing that Congress had not the right to prescribe what should be a quorum of the joint assembly, argued in favor of a narrower rule than that adopted in the law, because he contended that where in a State a less number than a majority of each house might constitute a quorum for the purpose of legislation, a less number than the proposed statute prescribed might elect a Senator, and that it was not competent for Congress to forbid such a result. He said:

I do not think Congress has the right, in determining the manner of electing Senators, to go so far as to say what shall constitute a quorum of a State Legislature. There is the difficulty, and the only difficulty that I see in this bill. I think most clearly that that part of the bill ought to be stricken out, because if we can go to the extent of determining it we certainly can exercise a very dangerous power in determining what the Legislature of a State may be.

Here was an objection clearly and strongly put, and it was as distinctly answered by Senator Clark, who said:

I hope this amendment will not be agreed to.

Concerning the provision that a majority of both Houses should make a quorum, Mr. Clark proceeded to say:

It was put in here for the purpose of securing a majority of all the persons elected to both houses in case the Legislature came into convention, so that less than a majority should not be present at the meeting, or they should not elect when there was less than a majority present. I think it is a safe rule. There is a difference between the two houses assembled in joint convention for the purpose of an election and the two houses acting separately in their ordinary legislative capacity. It would be competent for them, undoubtedly, to prescribe their quorum in each house, but when they go into joint convention under the law of the United States for the purpose of electing a Senator, it seems to me entirely competent for the law of the United States to prescribe what shall be a quorum for that purpose.

Later, replying still further to Mr. Henderson, I read from what Mr. Clark said:

Mr. CLARK. When the Legislature undertakes to elect a Senator in the ordinary way of its transactions, that is, each house voting by itself, the bill does not propose to regulate what shall there be a quorum. The Legislature regulates that matter itself, or the State constitution regulates it. But when we provide that those two houses may quit their ordinary method of legislation and go into joint assembly for the purpose of election, then we provide what shall be a quorum in that joint assembly, that there shall be at least secured a majority of the two houses when they come to act together.

The amendment of Mr. Henderson was rejected, ayes 10, noes not counted, and immediately after Senator Williams is quoted as making an inquiry of Senator Clark, which I will read:

I should like to ask a question with reference to the language used in the twenty-ninth line of the first section. It reads: "And the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both houses being present and voting." Is it intended by that phraseology to require a majority of each house or a majority of both houses?

Mr. CLARK. A majority of both present. There is to be a majority of the two, counting them together as one body.

The bill then passed. The yeas and nays were called, which resulted—yeas 25, nays 11.

Mr. President, one would suppose under these conditions, the clear language of the Constitution, the debate which took place when the law was passed, and the practical construction of the statute ever since, that it could not be contended that when the law said a majority of both houses should be present it meant a majority of each house, and yet that is the argument which was adduced to the committee and constituted the whole of the contention which was made.

The argument thus made was attempted to be strengthened by the assertion that if the statute meant anything else than that a majority of each house should be necessary to constitute a joint assembly, then it was unconstitutional. This is a kind of argument that is often made. The contention was that the statute of 1866 must be held not to mean what the language plainly seems to mean, because it would be unconstitutional if it had such meaning. Courts have sometimes yielded to an argument of this sort, which is frequently addressed to them. They have sometimes held that a statute did not mean what it plainly appeared to mean, and thus saved its constitutionality, instead of deciding the statute to be void because of its unconstitutionality. But such decisions certainly do not commend themselves to sound lawyers, and in this case there is a very great difficulty in giving the position any force or effect whatever, for the reason, in the first place, that the language of the clause, taken in connection with the whole language of the statute, is so plain and clear, so distinct and unequivocal, that it is not possible to give it a different meaning even for the sake of avoiding a decision that the statute is unconstitutional.

In the next place, Mr. President, when an examination is made of the contention of the counsel for Mr. Davidson, that the statute is unconstitutional, there does not seem to be any reasonable foundation for any such claim. The argument was in substance this: That inasmuch as the Constitution of the United States provides that the election of Senators shall be made by the Legislature, and as Legislatures usually act by concurrent vote of the two houses, a quorum of each being present, therefore a statute which provides for the election of a United States Senator by a Legislature, the two houses sitting in joint assembly, but without a quorum of one house being absent, must be unconstitutional; in other words, the contestant says that a body so acting is not a Legislature.

Mr. President, this argument would have much force if Legislatures always acted concurrently and never acted in joint assembly, or if it could be shown that when a legislature has acted in joint assembly it has always or in the greater number of cases required the presence of a majority in each house to constitute a legal joint assembly. But this is not the fact. It is very far from being the fact. It has not been so often the fact as to give the argument in that direction that a joint assembly is not a Legislature unless a majority of each house is present any substantial foundation whatever.

Joint assemblies have been held in all the States, and if the contestant concedes that joint assemblies may be held for any purpose, then the position that the two houses are not a Legislature unless they act as they do when they legislate certainly falls to the ground, because whenever a joint assembly is held the superior power of a member of the smaller body over a member of the larger body, which prevails when laws are made, utterly disappears.

Mr. MITCHELL. May I ask the Senator a question?

The PRESIDENT *pro tempore*. Does the Senator from New Hampshire yield to the Senator from Oregon?

Mr. CHANDLER. Certainly.

Mr. MITCHELL. What would the Senator say to this kind of a case: Suppose a Legislature is composed of ninety members, sixty members of the house and thirty members of the senate. The sixty members of the house, of course, would be a majority of all. Suppose that all the members of the senate declined to meet at the time appointed and all of the sixty members of the house did meet. Would that, in the opinion of the Senator from New Hampshire, be such a joint assembly as is contemplated by the statute, and could those sixty members, in the opinion of the Senator from New Hampshire, elect a Senator of the United States?

Mr. CHANDLER. Mr. President, that question does not arise in this case.

Mr. MITCHELL. I am aware of that.

Mr. CHANDLER. But I am inclined to think under this statute of the United States, which is intended to be peremptory and to accomplish the election of a Senator, that when the day of the joint meeting arrives, and it is the duty of the members of the two houses to appear and perform the function of electing a United States Senator, if all the members of one house stay away, still there would be a valid election if there was a majority of the whole number of both houses present.

Mr. MITCHELL. On the principle that the law contemplates a meeting not of the Legislature as such or of the two houses as such, but of the members composing the Legislature?

Mr. CHANDLER. Certainly, as one joint assembly. The Senator will see as I progress that this subject of a joint assembly is not a new one; it is as old as the Constitution itself, and without undertaking to say that in the absence of a clear statute the house of representatives could meet and elect a senator, the senate staying away, I do not hesitate to say when you are dealing with a statute of the United States, a law of Congress made under the express authority of the Constitution, which fixes the place where the members of the Legislature are bound to go, that if any number of members stay away short of a majority of the whole, still there may be an election and a lawful election of a Senator of the United States. But the Senator can consider that question for himself when he comes to see what the precedents have been in connection with the joint assemblies of State Legislatures.

In this case, Mr. President, it is to be borne in mind that we had the two houses voting as separate bodies and no choice; we had the meeting of the joint assembly, and we had a lawful joint assembly for over thirty days, meeting every day and voting every day, and the question is simply whether at the end of thirty days seventeen out of the thirty-two State senators, by absenting themselves from the joint meeting, could destroy the validity of a joint assembly which had been performing its functions in strict obedience to the law of Congress day after day for more than thirty days. It is not possible that the seventeen members could thus paralyze the joint assembly once lawfully constituted under the act of Congress.

Mr. President, when the Senator from Oregon [Mr. MITCHELL] did me the honor to ask me a question, I was showing that in a joint assembly the power and force of a vote of a member of the smaller body is much less than it is when the two houses are legislating in the ordinary manner of legislation. When a joint assembly is held, even if a quorum of each house is present, there is a very radical departure from the method of making laws where each house must concur separately, and where a bare majority of the smaller house can prevent the passage of a law. In a joint assembly one member of the smaller house has no more power than one member of the larger house, whereas in making laws one member of the smaller house may have ten times the power of one member of the larger house.

So I repeat; if the argument for the contestant is good, that you never can have a joint assembly which can elect a Senator except as the Legislature makes laws, then you must destroy the whole system of electing Senators by joint assembly and must require the election of Senators to be made always by concurrent action of the two houses and by a majority vote of the members of each house; which even the counsel for the contestant in this case did not contend.

Mr. STEWART. Will the Senator allow me?

The PRESIDENT *pro tempore*. Does the Senator from New Hampshire yield to the Senator from Nevada?

Mr. CHANDLER. With pleasure.

Mr. STEWART. The difficulty has been, previous to the passage of this law, that one or the other house of a Legislature declined to go into joint convention. A great many incidents of that kind have occurred. I was a member of the Committee on the Judiciary at the time the law of 1860 was passed, reported by that committee. In looking over all the cases that came under our observation, we found that invariably one house went into joint convention and the other did not. The language of the act makes it the duty of the joint assembly to meet, whether the two houses have concurred or not, provided that if either house shall fail to pass a resolution for meeting, they shall notwithstanding meet in joint convention. Now, is it necessary, in order to give the joint convention jurisdiction, that one house must have acted? Has the Senator's attention been called to that point?

Mr. CHANDLER. Is that the Senator's question?

Mr. STEWART. That is my question. The statute makes it their duty to vote separately on the day previous, and then on the following day to go into joint convention. Suppose both houses fail to meet. Has a case of that kind been considered?

Mr. CHANDLER. If all the members of both houses fail to come to the joint assembly, then, of course, there will be no election of a Senator. There is a limit to the power of a law of Congress. You may lead a horse to water, but you can not make him drink. The question is not how a Senator can be elected if to the joint assembly nobody goes, but the question is, first, has Congress plenary power over this subject; and, secondly, if it has and fixes a time for a joint assembly, and says that such assembly may elect a Senator and fixes by statute the quorum of that joint assembly, may there not be a lawful election of Senator, even if all the members of one branch of the Legislature absent themselves.

Mr. STEWART. I do not think I made myself clearly understood.

Mr. CHANDLER. If the Senator will allow me, I am inclined to think from an examination of the United States Constitution and contemporary State constitutions that in such a case as I have supposed a valid election could be effected with all the members of one house absent.

Mr. STEWART. The act makes a joint assembly obligatory in certain cases. It makes it obligatory in case either house fails. The question is whether it makes it obligatory when both houses fail. In case both houses fail, does the joint convention get jurisdiction? Is not the action of one house or the other necessary to give the joint assembly jurisdiction to act at all under the law of Congress?

Mr. CHANDLER. Possibly it is. Possibly the law of Congress is defective in that particular. But as to the power, my investigations lead me to the conclusion that Congress has the power to make a law that shall provide for a meeting of the members of the Legislature on a given day, in a given building or room, in the town or city where the State has located its State capital, and may declare that those members of the Legislature then and there meeting, be they few or be they many, may by a majority vote or by a plurality vote choose a United States Senator.

Mr. STEWART. The question is, has Congress so declared?

Mr. CHANDLER. I am not certain that the language of the statute is broad enough to cover the case which the Senator mentions, but I am sure that the constitutional power to enact a law to cover the case which he mentions is broad enough.

The argument against the contention of the counsel for Mr. Davidson is that Congress has the power by law to make rules and regulations for the elections by the States of their United States Senators, and that this power is unlimited except in two particulars: Congress can not prescribe the place, that is, the town or city in the State where the election shall be made; nor can it provide for an election except by the Legislature. Those limitations are agreed to, but it is not agreed that the words "the Legislature" means the two houses. On the contrary, it is contended that the Constitution means the members of the Legislature acting under such regulations as Congress may by law prescribe, and inasmuch as at the adoption of the Constitution Legislatures of the States, while they always made the laws concurrently as separate bodies as the constitutions all prescribed, always performed election functions and conducted elections committed to them in joint assembly, the vote of every member of either house having the force and effect of any member of the other house, Congress may make a rule and regulation providing for the election of Senators by members of the Legislature in such a joint assembly and may, as a part of such rule and regulation, determine by law what shall be a quorum of such joint assembly and what proportion of such quorum shall be sufficient to effect a choice of Senator.

That, Mr. President, is my view of the constitutional authority of Congress, and the argument that has been advanced in the other direction, as it seems to me, falls entirely to the ground when we realize that joint assemblies were in existence in eleven of the thirteen original States when the Federal Constitution was adopted and that, therefore, the clause in the Constitution of the United States authorizing Congress to make regulations for the election of United States Senators is to be presumed to have reference to the existing state of affairs, which was, that while every constitution of a State having two branches in its Legislature provided that the State should only make laws by concurrent vote, it committed to a joint assembly of the State all the powers and functions which were conferred upon the Legislature in the matter of conducting elections, in either canvassing votes, or deciding between two when there was a tie vote, or electing such officers as by the constitution of the State were committed to the Legislature.

When you read the language of the Constitution in the light of the fact that at the adoption of the Constitution eleven of the States had carefully given to their Legislatures or the members of their Legislatures, in joint meeting, the whole business of conducting elections, while they had required the concurrent action of each of the two houses to make laws, you must conclude that when the Congress of the United States exercised the power which was given it of regulating the elections of United States Senators, it might provide for these joint assemblies, might prescribe the rules and regulations which should govern them, and might prescribe when and where at the State capital they should meet, and might declare the quorum with which an election of Senators should be valid, and might declare the number of members, the absence of whom from the joint assembly should prevent the election of a United States Senator.

Mr. President, I regret to take up so much of the time of the Senate, but I feel compelled in justice to the subject to call attention to the various clauses in the constitutions of the original thirteen States in connection with elections. I begin with the State of New Hampshire, which stood first on the list of the original thirteen States. The New Hampshire constitution of 1784 provided for the election of State senators, when there had been no election of State senators by the people, in the following manner:

> The members of the house of representatives and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in each district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these shall elect by joint ballot the number of senators wanted for such district.

My quotations are all from Maj. Ben: Perley Poore's Charters and Constitutions, and this page is 1285.

The votes of the people for governor, who was styled then the president of the State of New Hampshire, were to be laid before the senate and house of representatives by the secretary of state, on the first Wednesday in June to be by them examined.

The provision then was that in case of no election by a majority of votes—

> The house of representatives shall by ballot elect two out of the four persons who had the highest number of votes, if so many shall have been voted for; but if otherwise, out of the number voted for; and make return to the senate of the two persons so elected, on which the senate shall proceed by ballot to elect one of them, who shall be declared president.

That is on page 1288. On page 1290 there is the following provision:

> The secretary, treasurer, and commissary-general shall be chosen by joint ballot of the senators and representatives assembled in one room.

This is the constitution of 1784. On page 1301 the constitution

of 1792 provides that the governor shall be chosen by popular vote, "and if no person shall have a majority of votes, the senate and house of representatives shall, by joint ballot, elect one of the two persons having the highest number of votes, who shall be declared governor," and from that time to this in New Hampshire the whole function of the Legislature in connection with elections has been exercised upon joint ballot.

The provisions in Massachusetts are very similar. The constitution of 1780, page 962, provides that when there is no choice of State senators, "the members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for, and out of these shall elect by ballot a number of senators sufficient to fill up the vacancies in such district."

This constitution of 1780, on page 964, it appears provided for the election of a governor when there had been no choice by the people, by the selection by the house of representatives of two from the four persons having the highest number of votes, from which two the State senate were to choose a governor; and a lieutenant-governor was to be elected in the same manner. But even in this constitution the various State officers were elected by a joint ballot of the senators and representatives in one room.

I read from page 968 the Massachusetts constitution of 1780:

Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room.

Article 1, chapter 2, provides:

The secretary, treasurer, and receiver-general, and the commissary-general, notaries public, and naval officers shall be chosen annually by joint ballot of the senators and representatives in one room.

In Rhode Island there was no constitution framed until after the Constitution of the United States was adopted.

By the Rhode Island Manual for 1890–'91, page 114, it appears that in 1696 the two houses of the General Assembly separated, but it also appears, page 133 of this Manual, that in June, 1790, the first United States Senators, Theodore Foster and Joseph Stanton, were elected in grand committee (no vote given).

In the public laws of Rhode Island, the revision of January, 1798, page 114, appears "An act regulating the manner of admitting freemen and directing the method of electing officers in this State."

On page 123 there is a duplicate section 13, as follows:

That all business of the annual general election shall be done and transacted by the General Assembly in a grand committee and not in separate houses.

In the same volume, page 126, there is "An act regulating the sitting of the General Assembly," of which section 2 is as follows:

That during the session of the General Assembly, the governor, lieutenant-governor, and assistants shall sit apart from the representatives of the several towns, and debate and vote in all public affairs of the State, and shall be called the Senate; and in the absence of the governor and lieutenant-governor the senior assistant present shall preside. That the representatives of the several towns shall also sit, debate, and vote by themselves in all public affairs during each session, and shall be called the house of representatives, and shall elect their own speaker and clerk for and during the continuance of such assembly: *Provided, nevertheless*, That when the senate and house of representatives shall see cause, or in such cases where it is directed by any law of this State, they may join in a grand committee and sit and vote together.

In the same volume, page 141, is "An act to establish a supreme judicial court in this State." The following is the first paragraph of section 2:

That the justices of the said supreme judicial court shall be appointed by the General Assembly in grand committee of both houses, at the general election in May—

Subject to removal "by a vote of the General Assembly."

In the same volume, page 146, is "An act establishing courts of common pleas in the several counties in this State," section 1 of which provides that there shall be in each county a court of common pleas, to consist of one chief justice and four other justices, "to be annually appointed by the General Assembly."

The Rhode Island constitution of 1842, the first constitution, provides, as appears by pages 1610 and 1611 of the Charters and Constitutions, for elections by the General Assembly in grand committee. So in Rhode Island for a period long anterior to the adoption of the constitution down to this hour all the business of the Legislature of Rhode Island in connection with elections has been done by a joint meeting of the two branches, called a joint committee.

By Trumbull's History of Connecticut (volume 1, page 100) it appears that Connecticut's first constitution was adopted January 14, 1639, which constituted a general assembly of one house. The three towns of Hartford, Windsor, and Weathersfield each sent four deputies, and a major part of these, with the governor and the major part of six magistrates, made the general assembly.

April 20, 1662, the province was organized under the charter of Charles II. At the October session of 1698 an act of the assembly provided that thereafter there should be two houses—the governor and magistrates to compose the upper house, the deputies to constitute the lower house; no law to be enacted or repealed except by the consent of both houses.

In the statutes of Connecticut (bound volume of 1796, page 124) there is "An act for constituting and regulating courts; appointing the times and places for holding the same." It provided for "two general courts or assemblies" each year, one at Hartford and the other at New Haven, the first to be called "the court of election," wherein there should be chosen one governor, one lieutenant-governor, twelve assistants or councilors, a treasurer, and a secretary for this State.

Section 3 proceeded as follows:

And the said general court shall be composed of two branches, the governor and council and the house of representatives, who shall convene in different apartments to transact the public business, and any act may be originated by either branch, but not be valid without the concurrence of both.

On page 154 is quoted "An act for regulating the election of Senators and Representatives for this State, in the Congress of the United States," section 1 of which provided for the filling of vacancies in the United States Senate by "the Legislature;" but there does not appear anywhere any enactment requiring the two branches, when engaged in the business of elections, to sit in one body or in grand committee. What the practice was I do not know.

Connecticut is the only State of the original thirteen where I have not been able to ascertain whether at the adoption of the Constitution the business of elections by the Legislature was conducted in joint assembly; but I have no doubt such was the practice, and it appears by the first constitution, that of 1798 (page 262 of Poore's Charters and Constitutions), that all officers the election of which the constitution devolved upon the Legislature were chosen by a joint ballot of both houses.

Now, I will ask the indulgence of the Senate to be allowed to insert in my remarks without reading them at this time the provisions of the constitutions of the remainder of the thirteen original States, all of which (except Pennsylvania and Georgia) had two houses of the Legislature at the time of the adoption of the Constitution, and the like provisions in the constitutions of the States admitted since the adoption of the Constitution.

In New Jersey the constitution of 1776, page 1311, provided that "the council and assembly shall separately meet and that the consent of both houses shall be necessary to every law," but it is also provided, page 1312, that the council and assembly jointly shall by a majority of votes elect a governor. The judges of the courts and the other State officers shall be appointed by the council and assembly in the same manner. By the constitution of 1844, page 1318, in case there is a tie in the vote of the people for governor, one of the two highest "shall be chosen governor by a vote of the majority of both houses in joint meeting." Page 1322, "the judges of the courts of common pleas shall be appointed by the senate and general assembly in joint meeting;" and so of the State treasurer and the keeper and inspectors of the State prison.

In New York, by the constitution of 1777, page 1337, it appears that delegates to Congress were appointed as follows:

"The senate and assembly were each to nominate as many persons as shall be equal to the whole number of delegates to be appointed, after which nomination they shall meet together, and those persons named in both lists shall be delegates, and out of those persons whose names are not on both lists, one-half shall be chosen by the joint ballot of the senators and members of assembly so met together as aforesaid." By the constitution of 1821, page 1343, in case of a tie on governor and lieutenant-governor, an election was to be made by the two houses of the Legislature on joint ballot. It was also provided as to secretary of of state and other State officers that if the senate and assembly should disagree the appointment should be made "by the joint ballot of the senators and members of assembly."

The constitution of Pennsylvania of 1776, page 1542, provided for only one branch of the Legislature, a house of representatives; but the constitution of 1790 provided, page 1550, that if two or more candidates for governor should be equal and highest in votes one should be chosen "by the joint vote of the members of both houses." The constitution of 1838, page 1559, provided that the votes of the people for governor should be opened publicly "in the presence of the members of both houses of the Legislature" and that a tie should be resolved "by the joint vote of the members of both houses."

The constitution of Delaware of 1776, page 274, provides that "A president or chief magistrate shall be chosen by joint ballot of both houses, to be taken in the house of assembly." "The General Assembly, by joint ballot, shall appoint the generals and field officers and all other officers in the Army and Navy of this State" (page 276). By the constitution of 1792, page 281, in the case of a tie on governor "the members of the two houses shall,

by joint ballot, choose one of them to be governor." "Contested elections of a governor shall be determined by a joint committee."

The constitution of Maryland of 1776, page 824, provides for the election of a governor "by the joint ballot of both houses (to be taken in each house respectively) deposited in a conference room, the boxes to be examined by a joint committee of both houses, and the numbers severally reported that the appointment may be entered, which mode of taking the joint ballot of both houses shall be adopted in all cases."

The delegates in Congress "shall be chosen annually or superceded in the mean time by the joint ballot of both houses of assembly." By amendments to the constitution of 1876, page 835, a vacancy in the office of governor is to be filled by "the joint ballot of the two houses." A tie on governor is to be decided by the senate and house of delegates upon joint ballot, page 836. By the constitution of 1851, page 842, in case of tie or ineligibility the governor is to be elected "by a joint majority of the senate and house of delegates."

The Virginia constitution of 1776, page 1910, provides a method of electing a governor by joint ballot in the language of the Maryland provision. In the constitution of 1830, page 1917, the governor is to be elected by the joint vote of the two houses. The council of State is to be elected by joint vote of both houses; also the judges.

The North Carolina constitution of 1776, page 1412, provides: "The General Assembly shall by joint ballot of both houses appoint judges, etc." "The senate and house of commons jointly, at their first meeting, shall by ballot elect a governor, etc." "The senate and house of commons jointly, at their first meeting," "shall by ballot elect seven persons to be a council of State, etc." The General Assembly shall by joint ballot of both houses annually appoint a treasurer, by joint ballot of both houses triennially elect a secretary, page 1413. By the constitution of 1868, page 1425, in case of tie on governor, choice shall be made by joint ballot of both houses.

The South Carolina constitution of 1778, page 1621, provides that the senate and house of representatives shall, "jointly in the house of representatives, choose by ballot from among themselves, or from the people at large, a governor and commander-in-chief, a lieutenant-governor, etc." By the constitution of 1790, page 1631, a governor is to be chosen by the senate and house of representatives "jointly in the house of representatives." The judges and other State officers are to be elected "by the joint ballot of both houses in the house of representatives," page 1632.

By the constitution of Georgia of 1777, page 378, the house of assembly is made the only legislature. By the constitution of 1789, page 384, the General Assembly is divided into two houses. By the constitution of 1798, page 392, the General Assembly is to elect the governor. By the constitution of 1865, page 407, in case of a tie, the returns having been opened in the representative chamber, in the presence of the joint assembly, the governor is to be elected, a majority of the votes of the members present being necessary for a choice.

The provisions of the constitutions of the thirty-one States other than the thirteen original States relative to the performance of election functions by the Legislatures I will now exhibit by a reference to the pages of Poore's Charters and Constitutions, except as to the six recently admitted States, where the article and section is given. In all the thirty-one States there are express provisions for joint assemblies and joint ballots to break ties on the votes of the people for governor, or to choose officers whose election by the Legislatures is provided for, except in Kentucky and Minnesota, and in the latter a joint meeting for canvassing votes is provided for.

Modes of election by the Legislatures under the constitutions of the several States.

Year of adoption.	States.	Pages of Poore's Charters and Constitutions.	Method.
1819	Alabama	37, 40	Joint vote.
1836	Arkansas	108, 109, 110, 111	Do.
1849	California	199, 201	Do.
1876	Colorado	222	Joint ballot.
1838	Florida	319, 320, 322, 323, 364	Joint ballot; concurrent for judge.
1889	Idaho	Article IV, section 2	Joint ballot.
1818	Illinois	442, 444, 448, 457, 477	Do.
1816	Indiana	504, 506, 518	Joint vote.
1846	Iowa	542, 558	Do.
1855	Kansas	585, 599, 619, 632	Do.
1792	Kentucky	648, 650, 660, 672	No provision for joint ballot.
1812	Louisiana	703, 705, 715, 729, 745, 760	Joint vote.
1820	Maine	794, 796	Joint ballot.
1835	Michigan	987, 1000	Joint vote.
1857	Minnesota	1034	Canvassed before both houses; no vote provided for.

Mode of election by the Legislatures, etc.—Continued.

Year of adoption.	State.	Pages of Poore's Charters and Constitutions.	Methods.
1817	Mississippi	1059, 1074, 1085	Joint ballot.
1820	Missouri	1109, 1146, 1176	Joint vote.
1884	Montana	Article V, section 2	Joint ballot.
1866	Nebraska	1207, 1222	Joint vote.
1864	Nevada	1253	Do.
1889	North Dakota	Article III, section 74	Joint ballot.
1802	Ohio	1457, 1469	Do.
1857	Oregon	1498	Joint vote.
1889	South Dakota	Article 4, section 3	Joint ballot.
1796	Tennessee	1670, 1682, 1701	Do.
1845	Texas	1774, 1776, 1791, 1808, 1832.	Joint vote.
1777	Vermont	1862, 1870, 1878, 1884	Joint ballot.
1878	Washington	Article VII, section 3	Do.
1861	West Virginia	2033	Do.
1848	Wisconsin	1984, 2003, 2004	Joint vote.
1889	Wyoming	Article IV, section 3	Joint ballot.

In the list which I have given, the number of the page following the name of the State is that where the constitution is to be found of the date preceding the name of the State. The later constitutions of each State are indicated by subsequent numbers of pages.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Senator from New Hampshire will suspend for a moment until the Chair lays before the Senate the unfinished business, as the hour of 2 has arrived.

The SECRETARY. A bill (S. 1549) providing for the public printing and binding and the distribution of public documents.

The PRESIDING OFFICER. The Chair being of the opinion that the resolution of the Committee on Privileges and Elections is a question of privilege, and should be proceeded with until disposed of, will recognize the Senator from New Hampshire, temporarily laying aside the unfinished business.

Mr. MANDERSON. I simply desire to say that undoubtedly the ruling of the Chair is as it should be; this is a question of the highest privilege; but I hope that at the conclusion of the speech of the Senator from New Hampshire it may either be laid aside for further debate or a vote taken upon it, that we may proceed with the unfinished business, which I hope we may finish during the afternoon.

Mr. TELLER. I think we had better close this matter to-day; there will be no debate to speak of. There may be a few words said after the Senator from New Hampshire concludes, but there will be no extended debate, I understand. I think it is a question that ought to be disposed of to-day.

Mr. CHANDLER. If by the kind permission of the Senate I am allowed to insert the statistics which I have here, showing the provisions in the constitutions of all the forty-four States providing for joint ballot, I can make my remarks so short that I have no doubt the resolution can be voted upon without interfering with the bill which the Senator from Nebraska has in charge.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire?

Mr. COCKRELL. What is that request?

The PRESIDING OFFICER. That the statistics and references to the provisions of the constitutions of the forty-four States be printed as part of his remarks without his reading them. The Chair hears no objection, and it is so ordered.

Mr. CHANDLER. Mr. President, in view of the fact which I have shown to the Senate, that when the Constitution was adopted and the power was therein given to the Congress to absolutely regulate the election of United States Senators, except as to the place for electing Senators, there were in eleven of the thirteen original States provisions for joint assemblies for conducting what was termed the business of elections, as distinguished from the business of legislation; and in view of the further fact that every State which has been admitted into the Union since that time down to and including the six recent admissions has adopted this same method of dealing with elections by a joint assembly, I can not see how there can be a shadow of doubt raised as to the power of Congress by law to provide for the meeting of the members of a Legislature at a particular time and in a particular room to proceed with the election of a United States Senator, nor how there can be any doubt about the right of Congress, if it can pass such a law as that, constituting a joint assembly for this purpose and under these circumstances, to prescribe what shall be the quorum of the joint assembly. Congress can make the quorum as large as it pleases. It was argued by Senator SHERMAN in the debate in 1866 that Congress made it too large, and that a plurality ought to be allowed to elect. Congress can make the quorum as small as it pleases, and there can be no appeal from that decision of Congress. No State law can be of any avail against the law of Congress.

In this case there is no doubt about the meaning of the law

There is no doubt about the constitutional power to enact it, and it was, in my judgment, made precisely for this case, where 51 of the members of the Legislature of 100 had the right to proceed under the law to elect a United States Senator and to make a valid election. The law was constitutional in undertaking to define the quorum of the joint session. It defined that quorum to be a majority of the members of both houses, and the sitting member [Mr. Call] having been elected by a majority of both houses is lawfully entitled to his seat.

I wish, Mr. President, also to call attention to the authorities cited by the counsel for the contestant, Mr. Davidson, in his brief. There is an English case in Maule and Selwyn, and there is an American case in 23 Wendell, and there has been cited the case of Senator Harlan, from Iowa. Those two cases were in my judgment decided right according to the law as it then stood. The decision in the case of Senator Harlan of Iowa, in 1877, was made right according to the law as it then stood, but when in 1866 the statute was passed (the first exercise by Congress of this power, which had existed unexercised as to United States Senators from the adoption of the Constitution down to 1866) there was substituted a new rule of law for that which was applied by the English court and by the New York court and by the Senate of the United States in the case of Senator Harlan, and a new rule was provided for the election of Senators which was intended to put it out of the power of a bare majority of the smallest house of a State Legislature to prevent the election of a United States Senator provided there could be found to meet in a joint assembly a majority of the members elected to both houses.

Mr. GRAY. Before the Senator takes his seat I wish to ask him a question. I had not the pleasure of hearing the first part of his remarks and I do not know whether he alluded to the case of Mr. Stockton of New Jersey, whose case is said to have given rise to and to have been the occasion of the act of July, 1866. I ask him whether he knows in that case the objection made to the regularity of Mr. Stockton's election was that the joint assembly which assumed to choose him as Senator was not composed of a majority of both houses, and that upon that ground the Senate refused to give Mr. Stockton his seat. Does the Senator know whether that was the case or not?

Mr. TELLER. That was not the case.

Mr. GRAY. I was so informed by one of the Senators from New Jersey, now a member of this body.

Mr. TELLER. I should like to say to the Senator from Delaware that the case of Mr. Stockton was a case where there was an election by a plurality, and that was held first by the Senate to be a regular election, and subsequently by the Senate on reconsideration not to be regular. That did not raise the question, as I recollect it——

Mr. GRAY. Do I understand the Senator from Colorado to say that the question in the Stockton case was not whether the joint assembly could be constituted by less than a majority of all the members elected?

Mr. TELLER. No.

Mr. GRAY. But whether a plurality and not a majority of those constituting that assembly was sufficient to elect?

Mr. TELLER. I am very clear on that point.

Mr. CHANDLER. I may say that the joint meeting electing Mr. Stockton passed a resolution that the candidate receiving a plurality of the votes of members present should be declared duly elected; and on that ground, after much controversy, the Senator was not allowed to take his seat. But I have always understood, I will say to the Senator from Delaware, that that was one of the cases which led to the enactment of the law of 1866.

Mr. TELLER. I should like to state that Mr. Stockton took his seat, and on the first vote Mr. Stockton voted. The question was then raised whether, his seat being in controversy, he ought to vote, and on the second vote he failed to vote. Mr. Wright of Indiana, who was favoring Mr. Stockton's view of the case, was absent, and they lost his vote. Mr. Stockton was unseated by a bare majority, and out of that I think perhaps more than any other transaction grew the act of 1886.

Mr. CHANDLER. The vote was 20 to 22.

Mr. TELLER. I was not a member of the Senate at the time, but I sat in the gallery and heard the debate for several days, and I have a very distinct recollection of it. I have not referred to the record lately, but I remember the debate very well.

Mr. GRAY. I wish to ask the Senator from New Hampshire, before he dismisses this part of the subject, as he seems to have thoroughly examined it, what his opinion is in regard to the question propounded to him a moment ago by the Senator from Nevada [Mr. STEWART]. I did not distinctly understand what his answer to the question was, that question being, as I understood it, whether in case both houses of the Legislature failed to take any proceeding or action at all looking towards the election of a Senator the joint assembly, upon the day after the time fixed by the law of 1866 for the initiation of proceedings, could take jurisdiction and proceed to perform the duties that are imposed upon it by the act of Congress to which I have referred In other words, the act of Congress providing that on the second Tuesday after the organization of the Legislature there shall be a vote in each house separately to choose a United States Senator, and then upon the next day, which would be Wednesday, both houses shall meet in joint convention, whereupon the journals of each house shall be read, and if it shall appear—I am quoting from memory—that no person has received a majority of the votes in each house, or if either house has failed to vote, then the joint assembly shall proceed to choose a person to act as Senator, whether the language "if either house has failed" means to cover a case where both houses have failed, or whether we must confine it to the natural meaning of the word "either," one of two.

Mr. CHANDLER. The Senator having stated the law correctly, I am obliged to answer that according to that law, if either house has failed or both houses have failed to take proceedings on Tuesday, it is the duty of the Legislature to meet at 12 o'clock at noon where joint assemblies are usually held, and to proceed to the election of a United States Senator. I can not doubt that such is the meaning of the statute. It does not say if one house has failed and the other has not, but it says if either house has failed to take proceedings for the election of a Senator by concurrent vote then there shall be a joint assembly at noon on Wednesday.

Now, Mr. President, I do not undertake to say that we have a complete remedy where all the members of one branch of a Legislature refuse to perform their duty or where the whole Legislature refuse to perform their duty. There may be other legislation needed for such cases, but they have never yet happened, and are not likely to happen. What I have undertaken to do is to state my construction of the law as it stands, as applicable to this case, and to demonstrate and to affirm the full and unrestricted constitutional power of Congress over the whole subject of a joint assembly of a Legislature of a State which is bound to elect a United States Senator.

Mr. GRAY. It was very far from my purpose in rising to controvert any argument or statement made by the Senator from New Hampshire. On the contrary, I feel very much in his debt for the careful examination and exposition he has made of the many phases of this subject he has been treating of in the election of a United States Senator under the law that has been passed by Congress to regulate it, and I ask more for information than anything else, if he has considered that phase of it, whether there is any precedent he has discovered covering the case of a failure of both houses to take the initial proceedings upon the second Tuesday, in which a joint assembly has afterwards elected a United States Senator and it has been decided to have jurisdiction of the subject-matter?

Mr. CHANDLER. I have not discovered any such case. Of course it would require great research to investigate the proceedings of all the Senatorial elections of State Legislatures.

Mr. TELLER. Mr. President, I do not desire to debate this subject, and I only rise because of the questions and suggestions of the Senator from Delaware [Mr. GRAY].

Up to 1866 there had been a difference of opinion in the different States as to the method of selecting Senators. The Senate had held in one instance that there must be a quorum of both houses, and in another instance that there need not be a quorum of both houses. It was held in one instance that when the General Assembly met a plurality could elect if the General Assembly so desired, and it was held in another case that a plurality could not elect.

The act of 1866 was then drawn for the express purpose, as will appear from the debates, of settling the law on this subject, it appearing from the constitutional provision that Congress had the entire control over the matter, save and except the location of the place where the Senatorial election should take place, and as a matter of course the election could only be by the Legislature.

I think the committee here have laid down the correct rule. It covers the whole ground:

> The two houses, as such, are given their day in court—are given, under a previous provision of the act, an opportunity to make the choice of Senator. After they have failed to make a choice, to hold that a quorum of each is necessary to make a joint assembly is to give them a chance to repeat this failure—it is to vitiate the very purpose of the enactment and to reinstate the evil which it was designed to remedy.

Now, this is the point I desire to call the attention of the Senator to.

> It was not the intention of the makers of the law of 1866 to place or leave it in the power of any minority of the whole number, or of a quorum, in either house, as such, to prevent or postpone the representation of the State in this body.

Mr. President, we have become so accustomed to treating a

quorum in legislative bodies in this country as one more than half of the body that we lose sight of the fact that in very many of the States, or in some of them, at least, a quorum was two-thirds of the house. Under the old rule that two-thirds of the house was a quorum, a house might decline to go into joint session because there might not be a quorum present, yet there might be a majority of that body there, but not two-thirds. Thus the difference between the two-thirds and the majority, as we term it now, or the quorum as we would now treat it. So enough to break a quorum could by staying away prevent the two houses from acting, and both houses might fail to act.

I understand the law to be (and the precedents here, I think, will bear it out, and the Senate has always construed it that way) that the purpose of the act of 1866 was to see that at all times there was a Senator representing the State, if possible; and to take away the possibility of party zeal and party hate preventing the Legislature from electing because some could not elect the person that they desired. For instance, if one house were Democratic and the other Republican, it was almost certain under the old system that there would be no election until the next Legislature convened.

I understand this to be the broadest possible law to apply if the two houses fail. It is true it says if either house fails, but that must be construed as equivalent to saying if both houses fail, because you always construe a remedial statute of this kind in a liberal manner for the purpose of accomplishing the purpose for which it was avowedly enacted. If either house fails, or if both houses fail—and they are synonomous terms—if both houses fail on Tuesday (the act creates the General Assembly, and not the resolution of the houses), on the following day, Wednesday, the two houses are bound by law to meet; I mean the members of the Legislature not as houses, but the membership of the body.

If in this case in Florida there were 68 members of the house and 32 members of the senate, making 100 members when they were all there, and all the members of the senate staid away and the 68 members of the house assembled on the second day, that was a quorum of the whole body.

Mr. GRAY rose.

Mr. TELLER. Wait a moment. The house can elect just as well without the senate as with it if the senate stays away bodily, because if that were not so it would enable the senate, if all of one political party, to defeat the purpose of the law just as it would do if only a majority of it was of one political party. Now, if the Senator wants to ask me a question, I will yield.

Mr. GRAY. Yes, I did want to ask the Senator from Colorado a question just on that point. I have to say in all this matter I have no special interpretation of this law to enforce or to contend for. I am only seeking to elicit from the chairman of the Committee on Privileges and Elections, as well as from his colleague, the Senator from New Hampshire, the result of their investigation. It is more for that than for any other purpose that I rise. But as the Senator from Colorado says that on Wednesday succeeding the Tuesday prescribed by the statute as the day upon which these proceedings for choosing a Senator shall be initiated the members of the Legislature come together in joint convention, not as separate houses but as individuals elected to one house or the other, I should like to call his attention to the fact that although that may be true in a sense, there is language used in the statute of 1866 which would seem to indicate that the separate existence of each house and its autonomy is recognized in the joint convention, because the language is that—

> At 12 o'clock meridan of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read.

It would seem that the reading of the journal of each house by some person or officer authorized by each house to so read it is a condition-precedent to the action of the joint assembly in proceeding to choose a Senator. Therefore, although the statute says that the members of each house shall assemble, it does seem that the separate existence of each house is required by the language of the act, and that unless the journals be read in the mode prescribed in the act, the joint convention would be without jurisdiction.

Mr. TELLER. If that were true then the very purpose for which the act was passed is defeated, that was to avoid the difficulty that we had met with in the election of Senators where one house would decline to go into the joint assembly because a majority of it could vote not to go into joint session. If a majority of each house must still go into joint session you have gained nothing by the act.

Mr. GRAY. If the Senator will permit me——

Mr. TELLER. Wait a moment. Let me complete my sentence.

Mr. GRAY. Certainly.

Mr. TELLER. If the Senator will take the debates upon the act of 1866 he will find that the question was submitted to the Senate then, Must it be a quorum of each house? and they said, no, it must not be a quorum of each house; that they did not propose to continue the system that a quorum of each house was necessary to assemble. Now I will hear any question the Senator has to ask.

Mr. GRAY. I was merely going to say that it may be quite right, in the view of the Senator from Colorado, that the mischiefs intended to be remedied by the act would fail of remedy if the construction I suggest were true; but that is not the question. The act may be faulty in that respect. I only want to get the opinion of the Senator as to what the wording of the act requires.

Mr. TELLER. The wording of the act may be faulty. I do not think it is, but if it is faulty, there was a construction put upon the act before it was passed here, not binding, I will admit, upon the parties who subsequently construe it, but very persuasive, at least with this body, when the Senate comes to interpret and construe a statute that had been construed and interpreted on the floor of this body when it was passed.

Then, Mr. President, the Senate has at least eight or ten times declared that that was not the construction to be put upon the act. The cases are not cited in this report, but in various cases has the Senate passed upon the question and held that it was not necessary there should be a quorum of each house. That was one of the questions that had become, as I supposed, *res adjudicata* in this country, and I was never more suprised in my life than when I heard that it was contended in Florida that Mr. Call was not elected when he had in the joint convention a majority of the Legislature and that a majority of the members elected had voted for him. The contest there, as I understood it, was not upon the words of the statute, but upon the constitutionality of the statute, the governor contending that we had not any right to provide that less than a majority of each House should assemble in joint convention.

Now, Mr. President, I want to say a word or two about the statute of 1866, and only a word or two. If you keep steadily in view that the purpose of the statute was to compel the States to send their representatives here, then it must be construed in a way, unless it plainly means something else, to accomplish that purpose. All admit that that is a proper method of construing statutes. Before that time every Legislature had a right to elect on the day that was convenient to it, and it was done by passing usually a resolution to go into the election on a certain day, which was done some days before. We had the right to fix the time at which they should elect. We said, "You shall elect on the second Tuesday after the organization." Suppose on the second Tuesday after that organization there should have been armed forces in the possession of the State-house, as they have been in the possession of some State-houses in this country where this very question has arisen. Suppose that it was impossible for the members of the Legislature to assemble in their respective houses on the second Tuesday, does anybody deny that an assembly on the following day, without their having assembled on Tuesday, would have been a perfectly legal body, with power to elect a United States Senator? It is provided that "if either house fails," and, as I said before, keeping in view the purpose of the act, it must be construed that if both houses fail, because if both houses fail the evil is certainly greater than it is if one house fails; and if the act provided for the failure of one house it must be assumed that a failure of the two houses would come within the remedial provision that saves to the State the right to elect its Senator.

Suppose that still an armed force was in possession of the capital; that there was a revolutionary condition such as that the members of the Legislature dare not come out of hiding perhaps and dare not get together. These are extraordinary cases, and yet very nearly parallel to cases that have been presented to the Senate within fifteen years. Suppose that on the second day, on Wednesday, they could not meet, does anybody say that they could not meet on the following day, or ten days after? Will anybody say that the State had then lost its right to representation and that the Legislature had lost the power to elect? Mr. President, nobody will contend that. It was a continuing duty on their part to elect—not a privilege, but a duty to elect—and so each day when the opportunity was presented, when things were so that they could get together, it was their duty to meet and elect a Senator.

So I say that it is immaterial whether the two houses had voted or whether they had not voted; it is immaterial whether they went there with the speaker at their head or whether the speaker stayed away; the question is, did a majority of the members of the Legislature assemble at some time to exercise this privilege given them by the Constitution to elect a United States Senator? We must construe the statute in order that the States may be represented, so that if they had failed on the day prescribed they might proceed on the subsequent day. The statute is not prohibitory. It does not say they can not meet on any

other day. It says, "You can not meet until that day; and then you can meet on any day if you can not meet on the day provided by law."

That, it seems to me, is what is absolutely necessary to carry out the purpose of the law, and it is necessary for more than that reason. It is necessary for the orderly and decent election of Senators to this body. I shall not characterize the appointment of Mr. Davidson; I shall not speak of that; but we have seen States heretofore almost in revolution over the election of Senators. The Congress of the United States, by the act of 1866, meant to make it plain just how a Legislature should elect and under what circumstances and conditions it should elect.

Mr. President, if you say, as has been suggested, that this is a legislative act, and that the two houses must be together (if it is a legislative act the two houses must concur by a majority of each house), then you have put the old question back in a worse condition than it was without the act. If the election of a Senator in the highest sense is a legislative act, which I deny, then there must be the concurrence of both houses. But it is not a legislative act any more than the selection of a governor is a legislative act when there is a failure to elect on the part of the people. It is a duty and a privilege given by the Constitution to the Legislature, and its members exercise it because they are members of the Legislature and not in the same way that they legislate upon statutes. That, I believe, is in perfect accordance with the sentiments of the Senate repeatedly declared by resolution in the admission of Senators within the last twenty-five years, or since the passage of the act of 1866.

Mr. STEWART. Mr. President, the question is, what is the law? not what it ought to be. A great deal of feeling ought not to be excited in determining what the law is. We must find what the difficulty was, what the injury was that was intended to be remedied; what the situation was under which the law was passed.

For eighty years previous to the passage of the act of 1866 the whole matter had been left to the State Legislatures. They have the power in the first instance, Congress not interfering, to control the whole matter of electing Senators. It is entirely with them, but Congress may make regulations fixing the time and manner of electing. That is the full extent of the power of Congress. The question was very much discussed in the committee at the time the act was passed and for a long time before, whether Congress could give any remedy where either branch of the Legislature refused to act, on the ground that it was not a Legislature, and that the election of a Senator was a legislative act. But finally the evil became so great and there was so much confusion in electing Senators that it was seen necessary to pass an act, and although all felt the necessity many at the time doubted the constitutionality of the act.

The difficulty that had arisen (we want to look exactly at that), as the history of the country will show, was that one branch or the other of a Legislature would refuse to go into joint convention to elect a Senator so that the voice of the majority of the two houses could be ascertained in that election. No instance, I believe, ever occurred where both houses refused because the political party that could elect its Senator would have a majority of the convention when it met together. There would be a majority in the one house, but it would be a minority in the joint convention which would decline to go into the election. That arose in different cases. Two or three times it arose in California, and California remained unrepresented.

Now, bearing in mind that Congress did not intend to go further than was absolutely necessary to remedy the evils that resulted from one house or the other refusing, Congress having the power to fix the time fixed the second Tuesday after the organization as the time when each house should vote. It was agreed on all hands that that was fair, that it was legitimate. Then Congress provided that after having voted, the next day they should meet and the journals of the two houses should be read, and if from those journals it was ascertained that no one had a majority in both houses the joint assembly should go on and elect. If any one had a majority in both houses it would have been a legislative act; there is no about doubt that; but if no candidate had a majority vote in both houses, or if either house failed to choose, Congress provided that the joint assembly should have jurisdiction to go on and elect. But then the objection was that that would leave one house with a majority; that it would not be the legislative act of the two at that time. That was the objection (and it prevented the passage of a law for a long time), that you might thus elect a Senator without the consent of one of the houses. But after the subject had been well considered, Congress came to the conclusion to pass the act of 1866; and it has been sustained in practice and has worked well. But Congress provided that this joint assembly should take jurisdiction only after the reading of the journals of the two houses to see that it gets jurisdiction because one house or the other had failed to act; and that made the difficulty; and the act was passed to avoid that difficulty.

If it had been stated that if neither house had acted they should meet in joint convention, taking hold of the question in that way and taking it entirely away from the action of the two houses acting separately—if that had been suggested, the act could not have been passed. But it was worked down to the minimum to avoid the identical difficulty caused by one house refusing to go into joint convention to elect; and that was the only difficulty which had arisen. No one would have proposed at the time the act was passed to enact a law providing that the joint convention should be held without regard to the action of the separate houses. If it is to be done by a joint convention created directly by Congress, if you are going to remodel the action of the Legislatures to that extent, it is idle to talk about having any vote in either house the day previous; let them come together at once and elect.

But in all the argument and in all the investigation it was the aim to keep as near the present custom as possible, to go no further than was absolutely necessary in dealing with the question; and in all the dealings with the question it was said it only related to the time; that Congress could fix the time, and the manner of electing must be left to each house as a legislative body. The objection was that the act took away the power from one house, where a majority had not voted for a Senator, or had taken no action with reference to it. Now it is proposed to construe the law so that it will take away from both houses the power to initiate the proceedings. If you take the history of this legislation, and the discussions that occurred at the time, one could hardly give the act such a construction. If such a construction had been suggested at the time the bill was passed the act would never have become a law.

Mr. CHANDLER. If the Senator will allow, I will read from the remarks of Senator Trumbull:

> The public interest requires that each State should be represented in the Senate of the United States, and it may sometimes happen that the two branches of the Legislature are of different politics and then will not meet together to elect a Senator.

The object was to compel a joint meeting. I ask the Senator how, as he understands the law, it does compel a joint meeting? What remedy is there now if one of the houses refuses to go into a joint assembly?

Mr. STEWART. If one of the houses refuses to go into a joint assembly, and the other house wants to go in, then this act meets the exact difficulty. Either house voting for a Senator gives the joint assembly jurisdiction, but it does not have jurisdiction under the law until the event has happened. That is the point. So neither house can prevent it, but both houses meet. We can not control the Legislature. We can not, as the Senator from Colorado says, compel an election. We can not compel the Legislature to act. We can fix the times and places, and they may not vote at all. That is with the State.

All we can do is to fix the time and place of electing, but we can not make them vote. This is to meet the case where one house or the other fails to go into joint convention or fails to inaugurate the proceedings on the second Tuesday. It provides that if either house shall so fail they may still have jurisdiction to elect a Senator. So there is no danger with my construction of it of there ever being any failure, because always there will be one party or the other who will want an election, and one party must have a majority in one house in order to have a majority in the convention. There will be no difficulty, and the law met the exact trouble which had occurred. It was worded *ex industria* to meet that difficulty. Whether it will bear the other construction is a matter of consideration, and I have called attention to it because I think it a grave matter; and the view presented is so much in violation of the ideas that prevailed at the time the law was passed that I have felt called upon to direct attention to it.

Mr. GEORGE. Mr. President, I shall assume that this statute is constitutional, though I heard one of the best lawyers who ever sat in this body, now no longer a member, and who sat on the other side of the Chamber, say that he believed it was not constitutional. A question has been interjected this morning into this discussion which does not legitimately arise in the case before the Senate, but it is a very important question. I do not propose to go into the discussion fully now, but as some opinions are being expressed by Senators in whose judgment I have great confidence, and in which I can not concur, I believe it will be a proper discharge of my duty by saying this much, and at some other time if the question shall legitimately arise before the Senate I may speak further.

The question propounded by the Senator from Delaware, upon which the Senator from Colorado has expressed an opinion, raises a very important point in regard to the construction of the statute. I listened with great pleasure to the answer made by the

Senator from Colorado; but it struck me, with due deference to my friend, that in making his argument, in his answer to the question propounded by the Senator from Delaware, he omitted one very important consideration. The question propounded by the Senator from Delaware, as I understood it, was this: The statute having declared that the two houses shall take a vote separately on the day named in the statute, and then, having also declared—I believe I will quote the language of the statute on that point:

If either house shall have failed to take proceedings as required by this act—

The question propounded by the Senator from Delaware was, if both houses fail, notwithstanding the omission of both houses to take a separate vote on the day fixed by law, whether the Legislature could meet at a subsequent time and without first having taken a separate vote in either house proceed at once in joint convention to make an election of Senator. I understood the Senator from Colorado to say that notwithstanding the provision of the statute, if there be a total omission on the part of both houses to have the separate vote, either on the day named or on some subsequent day, still the Legislature might meet in joint convention and vote for Senator.

The reason given by the Senator, I thought, while it was right in the main, failed to note one very important consideration. He said, and he said truly, that the duty of the Legislature to elect a Senator, if it failed to make the election on the day specified in the statute, was a continuing duty, a duty which remained on the Legislature until it was performed, for the very obvious reason stated by the Senator himself, that it was important that each State should have its representation in the United States Senate, and that therefore the omission of the Legislature to take the proper step or to hold the election on the day named could not be held to deprive the Legislature of the power at some subsequent day to perform the duty which they had neglected.

I agree with him entirely in that view, but here is where I think the Senator from Colorado mistakes in his argument. I admit that the duty is a continuing one, but how is that duty to be performed? Is it to be performed as the Legislature sees proper to discharge it, or is it to be performed as the statute requires them to perform it? I answer, most conclusively in the manner in which the statute requires them to do it. So, if there should be a total failure on the part of both houses to take the necessary steps to make an election on the day named in the statute, the continuing duty would remain on them to make that election afterwards, and when they came to make it afterwards they would be as much bound by every line and every syllable of the statute prescribing the mode and manner of making the election as if they had proceeded on the day named.

In a case of that sort, taking for example the supposition stated by the Senator from Colorado that there was a public enemy in possession of the state-house on the day named, so that the duty could not be performed, when the time comes that they could perform their duty, then what are they to do? Are they to disregard the written law, or are they to follow the prescribed rule in the statute just as if they had performed that duty or were performing that duty on the day named in the statute? So, in the case stated by the Senator from Colorado, I would say that when the Legislature had the opportunity to make an election, when the public enemy was expelled from the state-house, it was the duty of each separate house then and there to have its separate vote and elect a Senator in that way if they could agree, and, if they failed to agree, then to have a joint convention.

Now, one word, Mr. President, upon the meaning of the statute. It is not of doubtful meaning. If language can be made to express the idea clearly, it is expressed clearly in this statute. Let us see whether that is true. After prescribing that the Legislature shall, on the Tuesday named, take a separate vote in each house for Senator, that being the first and primary method by which the election is to be made, it proceeds:

At 12 o'clock meridian of the day following that on which proceedings are required—

Are required, the very strongest language which can be used—

are required to take place, as aforesaid—

Not merely directed, but required—

the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read, and if the same person shall have received a majority of all the votes in each house, such person shall be declared duly elected Senator.

In that case it will be perceived that the election is made by the separate action of each house, and that the duty of the joint convention has nothing in the world to do with an election. Their duty is simply to ascertain by the reading of the journals of the two houses whether an election as prescribed by law has taken place, and if it has taken place then to declare the result. Now, so far there can be no difficulty about this statute. It proceeds:

But if the same person shall not have received a majority of the votes in each house.

That is one contingency on which the joint convention may meet, that the vote was taken in each house separately and that there was a failure in one of the houses, or that there was a failure as to the same person receiving a majority of both houses. If he received a majority in each he was elected; if he failed to receive a majority in each, then he was not elected. That is one of the conditions precedent upon which there is authority given in the statute for the holding of a joint convention for electoral purposes.

I admit, as I stated some time ago, there is to be a joint convention at all events; but in a case where the same person receives a majority in both houses it is not an electoral body; it is simply a body to ascertain and declare the result of an election which has already been had.

Now, let me proceed:

But if the same person shall not have received a majority of the votes in each house, or if either house shall have failed to take proceedings as required by this act, the joint assembly shall then proceed.

What does that mean?

If either house shall have failed.

The Senator from Colorado says that means if either or both houses have failed; but that is not the language of the statute. What is the meaning of the word "either"? There is no dispute about that. If you go to a dictionary you will find it means "one of two," and therefore, in reading this statute, we have a right to substitute the proper legal, etymological meaning of the word "either" for the word itself. Then it would read in this way: "or if one of the two houses shall have failed."

Mr. President, if it had read that way, would any man say that that meant the same thing as if "both of the two houses" had been written in the statute?

Mr. TELLER. I would not say so if it was written in that way; but it is not written in that way.

Mr. GEORGE. I know it is not. But in construing statutes, constitutions, and written instruments there is no legal legerdemain by which you may read the language of the instrument, and when you come to construe it you may give that language a meaning that it is not entitled to. It is always the safest test of the meaning of a written instrument, when a word is used which has a recognized, settled meaning, in grammar or law, that you may substitute the meaning for the word itself. We are not playing upon words in the construction of a statute. We are dealing with ideas. The words represent ideas, and if "either" means etymologically and in law "one of two," you can not in construing this statute say that it means "both of two." There can be no answer to that.

If either house shall have failed to take proceedings as required by this act, the joint assembly shall then—

"Then" here means not only time but the event upon which they shall proceed. But if gentlemen say that "either," if the other words of the statute require it, may have a different meaning from that which is its ordinary and grammatical meaning, I answer, first, that is true, it may have. But before you can discard its grammatical meaning, one of two things must occur: first, that the context of the statute, the other parts of the statute, evidently require a different meaning to be attached to the word. Senators, when they come to consider this, will find it impossible to discern in the context any provision which requires that the word "either" shall be construed as "either or both." The next ground for such a liberal construction as is contended for is a very dangerous ground, one upon which courts tread with great care and caution, but still, in a plain case, where the mischief which the statute was intended to remedy requires, in order to effectuate the remedy which the statute prescribes, a different meaning to be prescribed, then the courts will in a case of that sort give a word a different meaning.

Now, let us see whether anything of that sort did occur in this statute. If you will read the debates, as I have read them, you will find that Mr. Fessenden of Maine and other Senators, in arguing upon this statute at the time it was passed, made the complaint (and on that point it was the sole complaint) that when there was a difference between the two houses, one of them was in the habit of not concurring in an election, and Mr. Fessenden, I believe, stated in his remarks that he had been voted for and got a majority eighteen times in one house, and the other house refused to join in performing the act of election. It is thus found that one of the great mischiefs, if not the great and overpowering mischief, which required or which caused the enactment of this statute, was this: to provide that an election should take place notwithstanding the default of one house or the other. No suggestion was made in the argument on the passage of the bill, as no suggestion can be made here, that there was any mischief arising out of the fact that both houses had declined to perform their duty. It was only as to one house. That was the great leading fundamental idea, the great mischief

which was to be remedied by the statute—the default of one house.

Mr. GRAY. There could be no remedy for the default of both.

Mr. GEORGE. No, there could not; but only for the default of one. Did the statute use the proper language to carry out that idea? Let us see:

Or if either house shall have failed.

Coming exactly in grammatical and legal language to fit the very mischief for which the statute was passed, and yet it is said that we may make a contingency, make a condition precedent to the calling of the joint assembly, the failure of both houses instead of the failure of one.

Mr. President, that can not be done without doing that injury to the English language which, if it were justifiable, would make it an unfit instrument in which laws should be enacted and propounded to the people. We are bound to follow the language in its ordinary signification. Why? That is not a mere technical rule of commentators and of courts, but it arises from the absolute duty of the lawmaking power to express the ideas intended to be conveyed in a statute in language that the people can understand, for the people are bound by it.

Now, sir, if the Senator from Colorado is right in the supposition that the statute authorizes the meeting of the joint convention in a case where both houses have failed to take separate proceedings, you interject into this statute an idea not only not expressed in it, but absolutely and peremptorily rejected by it, and not within any mischief intended to be remedied by it.

I have spoken now longer than I intended, but it is an interesting question and may become a practical question in the proceedings of the Senate. One word more as to the meaning of the statute.

It will be seen that when the statute comes to speak of elections by the separate houses, it recognizes a very great doctrine of State rights; that is, that the quorum of each house in holding its separate election is to be determined by the law or the constitution of the State for which the Legislature acts. There is no attempt in the statute, when you come to hold this separate election in each house, to say how many of each house shall be present; and I undertake to say that, if the constitution of the State allowed, as the English constitution does as to the House of Commons, a number less than a majority to constitute a quorum, in the separate election held under this statute, that number would be sufficient. There is nothing said about it, as Congress could not, when it took the Legislature in its separate branches and as a constitutional State organism, do otherwise than make a provision in reference to it such as is in the constitution of the State. At all events, they did not intend to do it, and so a constitution may be like, as I understand the constitution of Indiana is—and if I am mistaken in that my friend from Indiana [Mr. TURPIE] can correct me—they require three-fifths of the members to make a quorum. Is that so?

Mr. TURPIE. That was the case at one time, but only a majority is required now.

Mr. GEORGE. At one time it was three-fifths; now it is only a majority, I am informed by my friend. Suppose the constitution of a State, like the former constitution of Indiana, required three-fifths of the members to be present in order to constitute a house, then no proceedings could be had under this statute, unless there were three-fifths of the members present to constitute a quorum; but now, notice, that whilst not a word is said about how many shall constitute a quorum when the vote is taken in the separate houses, leaving that to the constitution of the State in which the Legislature is organized, as soon as we depart from that and provide for the joint meeting of the Legislature, then we have a provision as to the quorum, and that provision has been settled rightly, I think, in the report of the Committee on Privileges and Elections.

So you see, Mr. President, that the scheme of this statute was and is, first, to adopt the State machinery without a single suggestion as to the constitution of that machinery, leaving it exclusively to the State constitution to adopt that machinery thus organized according to State law and State constitution as the first and primary method of election, and that only when that failed was the Congressional resorted to. The statute could have said, as some of the States provided in their laws at one time, that no election shall be had unless the person elected receives a majority of each branch of the Legislature. It could have done that under the plenary power given in the Constitution to prescribe the manner; but Congress did not do that. They adopted that as the primary method in which the election should be held, leaving it to the State, leaving it to State law, leaving it to State constitution, as to the number required to participate in the proceedings.

If that election thus conducted should result, as according to all State constitutions it was necessary to result, in order to pass a law, in the concurring of each branch in the selection of the same person, then the election was performed, it was done. As I remarked before, the holding of the joint convention had nothing to do with the election, except to ascertain what had been the result of an election the day previous in the separate houses. That they could only ascertain in one way, by the reading of the journal of each house, and it appearing from the journals that one man had received a majority in each house they made the declaration of that, and that ended it. It ended the joint convention.

Mr. MITCHELL. May I ask the Senator from Mississippi a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. GEORGE. I do.

Mr. MITCHELL. Recurring to the point made a few moments ago by the Senator, I understood him to argue that in the event that both houses failed to vote separately on the second Tuesday after the meeting and organization of the Legislature, in that case the condition of the law was not met that would enable the joint assembly to proceed on the next day and elect a Senator. Was that the argument?

Mr. GEORGE. Are you through?

Mr. MITCHELL. No. Now, I should like to know from the Senator what his opinion is as to the real purpose of the law in providing that the two houses shall vote separately on the second Tuesday after the meeting and organization of the Legislature before there can be a joint assembly? What was the evil to be avoided? What was the object of that provision of the law? That is the question that I should like to have answered.

Mr. GEORGE. Mr. President, I stated very distinctly that in case of a failure of both houses then the continuing duty spoken of by the Senator from Colorado [Mr. TELLER] rested upon the Legislature to make the election, and it rested exactly, according to the terms of the statute, in the same words and to the same extent as it rested in the first instance. Time may be, and I think is, an essential element in the election to the extent that you can not have it before the time prescribed by the statute, but then, for the overpowering considerations mentioned by the Senator from Colorado, when the time elapses and the duty has not been performed, then the duty remains, and the question is how does that duty remain to be performed? Did the default of the Legislature, whether accidental, necessary, or willful, in not holding the separate election on the day prescribed by the statute—note it—change the provision of the statute as to that event?

Mr. MITCHELL. If the Senator will allow me a moment, I asked him what I thought was a plain question.

Mr. GEORGE. And I tried to answer it. I did not get quite through with the answer.

Mr. MITCHELL. I do not consider that the Senator has answered the question at all. Now I will state what I believe, if the Senator will allow me, was the purpose of that provision.

Mr. GEORGE. I object to that. I object to having the errors of the Senator from Oregon injected into my speech.

Mr. MITCHELL. Then, will the Senator please answer my question what the purpose of Congress was, in the act regulating the election of United States Senators, in providing that the two houses should meet separately on the second Tuesday after the meeting and organization before there should be a joint assembly? What was the purpose of that?

Mr. GEORGE. Is that the question?

Mr. MITCHELL. I have got a very clear idea in my own mind as to what the purpose was.

Mr. GEORGE. So have I.

Mr. MITCHELL. I should like to hear what the Senator's idea is.

Mr. GEORGE. I will tell what the purpose was. If there is anything in the English language, the purpose was that there should be a separate election in each house.

Mr. MITCHELL. Was it not the purpose that each house should have an opportunity to elect a Senator as a Legislature? Was not that the only object?

Mr. GEORGE. Mr. President, I do not know anything about any option given by the statute. There are no options here given to either house to do or not to do. The language is mandatory. I want to call the attention of the Senator to this again, and if he had listened to me all the way through he would not have needed to be reminded now by my reading the statute. On the question of options, opportunities given, let us see how that goes.

Or if either house shall have failed to take proceedings—

It is a very good way to put the idea which you get from the statute into words, and not to twist or torture the words. If the Senator from Oregon was right, the statute would read this way:

If either house has failed to take the proceedings, as they are allowed to do in their option, then—

But the language of the statute is not that. I will read it for the benefit of my friend from Oregon. This is the language:

If either house shall have failed to take proceedings as required—

What does "required" mean? Does it mean in legal language a mere option given to a party to do or not to do a certain thing as he sees proper? The word is "required"——

Mr. MITCHELL. The Senator put the word "option" in my mouth, which I never uttered, nor did I ever utter any word which means that.

Mr. GEORGE. "Opportunity," then. That is, that which they may take or not. That is option.

Mr. MITCHELL. No option at all.

Mr. GEORGE. I will put it your way, then.

Mr. MITCHELL. I say the real purpose of the provision was to give an opportunity—you can call it "required"—to the Legislature to elect, each house in its official legislative capacity voting as such. That being so, if I am right about that——

Mr. GEORGE. I do not think you are right. I think you are wrong.

Mr. MITCHELL. Suppose I am right. Then——

Mr. GEORGE. Suppose the whole statute is wiped out.

Mr. MITCHELL. I would follow it up by the conclusion that that word "either" should be construed to mean, just as it does mean, one or the other, one or a great many, or to include both.

Mr. GEORGE. It means "one of two."

Mr. MITCHELL. It includes both.

Mr. GEORGE. If I have got two horses out in front here, and I tell my friend to go and take either of them, does he think he would have a right to take both? [Laughter.]

Mr. MITCHELL. If they belonged to the Senator from Mississippi, I would not take either. [Laughter.]

Mr. GEORGE. The Senator will please keep quiet now. I will show him that his position is so absurd that he will think so himself. I should like to see my friend, in a case of that sort, riding off on both horses.

Mr. MITCHELL. I would not take either if they belonged to the Senator.

Mr. GEORGE. Now, Mr. President, the Senator objects to the word "option." One of the greatest troubles in human reasoning—I believe my Lord Bacon says something about that, and, if he does not, I know that about as great a man as he, John Locke, wrote a whole chapter in his book on the Human Understanding on that subject—is taking a word as mere sound without attaching to it any definite and determinate meaning. The Senator objects to my use of the word "option," and yet it necessarily meant in his argument that the Legislature had the option to take advantage of the opportunity or not, because he says the statute only means to give to them an opportunity, and, if they do not take advantage of the opportunity, it is just the same thing as if they did, and in the judgment of Congress, as suggested by my friend from Delaware [Mr. GRAY], it does not make any difference here.

Mr. MITCHELL. The Senator means if one house has the opportunity the other has not.

Mr. GEORGE. I mean the language of the statute. I do not think either of them has any option about it. I think, in the language of the statute and in the very clause under consideration, both are required. How required? Are they at liberty to do or not to do as each sees proper, or are they bound by their oaths to discharge the duties incumbent upon them according to the law and the Constitution? Were they bound and required to take the vote?

When we look at this statute in its plain language, there is not a single place for an ambiguity. When we look at the language construed according to its plain meaning, we find that that language is appropriate to meet the very evil to remedy which the statute was passed. That is, as I have stated before in this argument, the whole ground upon which the statute was passed and enacted by the vote of both parties was to prevent the failure of an election of United States Senators by the Legislature through the neglect of either branch of the Legislature.

Mr. MITCHELL. Will the Senator allow me right there, as this is a very interesting point?

Mr. GEORGE. Very.

Mr. MITCHELL. Would the Senator from Mississippi hold, in the event that both houses failed to vote on the second Tuesday after the meeting and organization of the Legislature, that then there could be no election of Senator? Is that the ground?

Mr. GEORGE Is that the question?

Mr. MITCHELL. It is.

Mr. GEORGE. My Lord, Mr. President, how deep the Senator from Oregon is! [Laughter].

Mr. MITCHELL. Not very, not near as deep as the Senator from Mississippi.

Mr. GEORGE. Has he paid any attention to the humble remarks which I have made?

Mr. MITCHELL. I did not hear them all.

Mr. GEORGE. I said expressly, in commenting upon what was said by the learned Senator from Colorado [Mr. TELLER], that the duty to act in accordance with the statute was a continuing duty.

Mr. MITCHELL. Continuing how—to both houses, or to each separately?

Mr. GEORGE. Yes, sir; first in the separate houses, continuing all the way through. Now let us stop. Here is a point to which there can be no answer. The statute is mandatory. It requires a separate vote in each house.

Mr. MITCHELL. Why is it on a certain day, the second Tuesday after organizing?

Mr. GEORGE. Never mind about that. We will read about that continuing duty. I will refer the Senator to the argument of the Senator from Colorado on that point.

Now, sir, can the Legislature, sworn to act in this election matter according to law, refuse in performing this continuing duty, which the Senator from Oregon as well as myself and all of us agree—and I have heard nobody dispute it—can they in the performance of this duty exempt themselves from the plain provision of the statute? Or, in other words, if they do their duty as the law prescribes it, they must take the separate votes. If they fail to do their duty as the law requires on that day, then, in discharging this continuing duty, which we all agree rests upon the Legislature, can they perform it by omitting to perform the primary duty fixed by the statute, which they should have performed as a necessary condition precedent to the meeting in joint convention?

Mr. President, I do not know that one violation of law—I hope the Senator from Oregon will note what I say—one contemptuous disregard of the provisions of the law, authorizes the Legislature to go on and make another. That, sir, is plain. A Legislature can not hold a joint convention until it has first, according to the statute, voted separately, but—I hope the Senator from Oregon as well as my friend from Colorado will note what I say now—in order to carry out the manifest purpose for which the statute was enacted, to prevent the failure of an election by the fault of one house of a Legislature, Congress has provided if one failed and the other acted, nevertheless they shall meet in joint convention.

What right have we to say, when this statute prescribes the default of one only as the condition-precedent for the meeting of the joint convention, that the default of both can do this, when that means a permission by the statute for the Legislature to repeal in its action that part of it which requires the separate vote? How will you get around that? I want to make this very plain. I did not intend to speak so long, but my friend from Oregon came in with his sharp points on me, and I have been betrayed into a longer debate upon this subject than I intended.

Now, Mr. President, one more argument, because I want to make this thing so plain that no man need mistake about it.

But if the same person shall not have received a majority of the votes in each house * * * the joint assembly shall then proceed to choose—

Suppose the statute read that way. Then there would have been no doubt but that the separate election in each house was a necessary condition-precedent to the holding of a joint convention. But Congress did not desire to leave it in that fix. What did they do? They inserted that which they were willing to constitute in law a valid excuse for the failure to hold the separate election in each House, and that valid excuse is in the language which now, for the third time, I read to the Senate, for, after all, the plain meaning of the words of a statute is the best commentary upon its construction.

Or if either House shall have failed to take proceedings as required by this act—

Then—

the joint assembly shall proceed to choose.

I have been—I was going to say betrayed, but that may not be courteous, and I will say beguiled by my friend from Oregon into making a longer speech on this subject than I intended to have made—but I want to call the attention of my friend from Oregon and my friend from Colorado and of all the Senators here to the plain, unambiguous, unequivocal meaning of the statute, and I submit that we have no right, following after some fatuous theory in regard to the purpose and intent of the statute, otherwise than that purpose and intent is disclosed in the words of the statute itself, going off after something of that sort to dig out of the statute—yes, sir, dig out of it, and erase from it one of the plain provisions made therein as a condition precedent to the holding of the joint convention.

Mr. SHERMAN. Mr. President, as I think my friend from Nebraska [Mr. MANDERSON] probably does not expect to get through with his printing bill to-night, I shall now take an opportunity to express my opinion upon the statute of 1866, which

I think is much clearer than my friend from Mississippi [Mr. GEORGE] believes it to be.

If we look at the intent and the object of this statute, it will be perfectly plain that the design of Congress was to avoid the difficulty that had occurred ever since the foundation of the Government in regard to the election of Senators. Before the passage of the statute of 1866 it was very often the case that a State was without a representative in the Senate, and in many cases with but one Senator, growing out of a difference between the two houses of a Legislature in the election of a Senator. I know in the State of Ohio, one house being Democratic and the other Whig in the olden times, we were very often with but one Senator. That got to be so great an evil that during and after the war there were a good many controversies about it. Finally Congress, under the powers granted by the Constitution, undertook to avoid that evil and provide a way in which the Legislature of each State should be compelled to elect a Senator and thus avoid the want of representation in this body.

The language is very clear, and however construed, whether grammatically or with a view to accomplish the object of the statute, it seems to me these words make it very plain. They have been read by the Senator from Mississippi, and have been read by all:

But if the same person shall not have received a majority of the votes in each house, or if either house shall have failed to take proceedings as required by this act, the joint assembly shall then proceed to choose.

Now, my friend from Mississippi goes upon the idea that the word "either" is necessarily in the singular number; but, on the contrary, both by the grammar and by the dictionary, and in the ordinary use of language, the word "either" applies to every one of the other alternatives that may be suggested. It is plural, and it may be construed grammatically either in the plural or in the singular. So the word "either" often means "both," and is constantly used in that way in our ordinary language.

In the particular case which the Senator from Mississippi [Mr. GEORGE] put to my friend from Oregon [Mr. MITCHELL], where a man was authorized to take either one of two horses, there the word "either," I suppose, would have a singular application and be in the singular number; but now let me look at the dictionary and see what is said there, and I take the highest standard that is now known, I suppose, in the English language, and that is the Century Dictionary. Here it is very specifically defined that the word "either" may be used either in the singular or plural number, most generally in the plural, and when we say "either of that block of houses" it includes every one of the block, although only one may be designated. Then, look at the dictionary itself. Here the word "either"—and a good deal of space is given to its meanings, because it has many meanings—

1. In one case; according to one choice or supposition (in a series of two or more); a disjunctive conjunction, preceding one of a series of two or more alternative clauses, etc.

That is a very common way to use it, applied to a particular thing among many; but here is the more general use:

2. In any case—

So that the word "either" means "in any case" and if, therefore, in this language, instead of the word "either," the words "in any case" had been used, that is, in case of a failure of the two houses to elect a Senator on the Tuesday fixed by law, then, in that event, the joint convention should be held. That is plainly and manifestly the grammatical construction of the sentence—"either of the two houses," that is, either the house of representatives in one contingency or the senate in the other contingency. It includes both, and the word "either" applies to one house as well as to the other. Therefore, it seems to me, that the words "both" and "either" in this language would be construed as precisely the same, and here in the cases put are many poetical quotations cited in the Century Dictionary. I will read it all:

In any case;—

That is one definition for the word "either"—

at all: used adverbially, for emphasis, after a sentence expressing a negation of one or two alternatives or of all alternatives; corresponding to two similarly used after affirmative sentences; as, he tried it, and didn't succeed; then I tried it, but I didn't succeed either. That's mine; no, it isn't, either.

So that the word "either" is used both in the plural and in the singular.

Now, when you come to look at the object of this law, what is it? It is to secure absolutely the election of a Senator. Then it is provided that each house shall vote separately, and if each house casts a majority vote for the same person, that person is elected, and nothing more is done, that is the end of the election on Tuesday, each house concurring separately in the election of one person. That is the common way. If that plan fails in electing a Senator, then the two houses, or the members of the two houses, have conjointly in joint session to meet and elect.

It seems to me that if we give to the meaning of the word "either" that which is attached to it by my friend from Mississippi, the same evil that we had in olden times would be revived and reëxist; for instance, in the ordinary case where one house is Republican and the other house is Democratic, suppose that upon a joint vote the majority should be Democratic. Then the Republican house might refuse to hold an election, might refuse to go into joint convention, and might defeat the object of the law. Thus the whole purpose of this statute, which has been so beneficial in the history of our Government, would be defeated.

I say that such a construction ought to be given to a law as will carry out its object. I do not know how it operates in this particular case; it does not operate at all, as I understand, and therefore it is mere theory. But it seems to me perfectly clear that that is the fair construction of the law, with a view to carry it into effect.

I find that in the debate in 1866, when this subject was pending, I took the ground that the vote by separate houses ought not to occur, and I sought to avoid it, but it was thought better to follow the ordinary form of an election. I insisted that this separate vote by the separate houses did not accomplish anything, and probably would tend to defeat the law, on the ground that the members would disclose their wishes, and probably that would lead to a defeat and a failure to elect on the refusal of one or the other of the houses.

It was thought best, however, to have a preliminary trial of an election in the ordinary way by the two houses as separate branches of the Legislature, and after that and in case the first effort failed on Tuesday, then there was to be a joint election. There never could be but one opportunity to elect by a separate vote of the two houses, because that must occur on a particular day, Tuesday. If, for any reason whatever, the refusal of either house to perform this duty on that day or the presence of violence mentioned by the Senator from Colorado, the duty is not performed on that day, the only day when the two houses could possibly vote separately, if they fail to have an election, the other expedient is resorted to; and that is continued from day to day until a final result is had, and with a single body it was certain that a result would come at some time or another, unless the candidates were so numerous and the votes so scattered that a majority could not be concentrated upon one. So the first day's attempt on Tuesday, in the ordinary vote by the two houses, was a mere trial, a mere effort, and if the concentration of both houses happened to be upon one candidate, he was elected, but if not, then they must go into joint convention and work out the problem the best way they can, the only requisite being that a majority finally shall concur in the election of some one person.

I think that is the fair construction of this statute. We can now look at it with absolute indifference, and yet the vote to-day may be very important hereafter. If the vote of the Senate now should be that the word "either" is to be construed in the singular number, applicable only to one and not to both, in my judgment it would lay the foundation of many disputes hereafter, and would probably cause conflicts in the Senate that should not occur. I think the construction that has been given to this law since its formation has been the one that I now give, that the first vote was to be rather an experimental vote to test the sense of the respective houses.

The joint convention must meet on Wednesday at all events, because even if the two houses agree and there is no opposition to the candidate, they must meet together to declare the result, and if the result is that an election has been made on Tuesday, well and good; if not, then the real operative section of this law comes into play, by which, in my judgment, many, many—I do not know how many—disputes over Senatorial elections have been avoided, and a rule has been established which nobody yet has had the courage to try to repeal or avoid. But the construction that is proposed to be given to the word "either" would, in my judgment, open the door to dispute and compel new legislation to avoid this construction in order to maintain the object of Congress in trying to secure prompt elections of Senators of the United States.

Although my friend's reasoning is very ingenious and very plausible, yet the word "either" has a good deal broader meaning than he has given to it, and I think, if he will apply it as it is applied in the dictionary, or as it is intended to be applied in the law, he will change his opinion. At all events, the indorsement of his opinion will create a great many disputes and troubles in the Senate to those who come after us.

I therefore insist upon it that the law as it now stands is clear enough; that the word "either" means that if either or both—because it means both in many cases where it is used—if either or both, or for any cause the two houses do not agree and fail to elect a Senator by the separate vote of each house, then the joint convention meets, and if both houses have neglected to perform that duty, or if either house has neglected to perform its duty, I can see a reason why the law would not provide for both very clearly,

because there would be no object of both houses refusing to vote if they were both agreed in opinion.

There would be nothing to remedy, as is suggested to me, and therefore the case would not probably occur where both houses would refuse because one house or the other knew where the majority of the joint convention lay, and neither house, certain to be supported on the next day by the joint body, would stay away from the performance of their duty. Therefore the word "either" might necessarily be held to include "both," because "either" meant either the house or the senate, and the two probably never would, and the case could never arise, except in a revolution or under violence, where the two houses would refuse to perform their duty.

Mr. GEORGE and Mr. GRAY addressed the Chair.

Mr. GRAY. If the Senator from Mississippi will allow me——

Mr. GEORGE. I just want to read from Webster.

Mr. GRAY. While the Senator from Ohio is fresh from the dictionary from which he quoted, the Century Dictionary, I should like to call his attention——

Mr. GEORGE. I wanted to read from Webster's Dictionary.

The PRESIDING OFFICER. The Senator from Mississippi is entitled to the floor, as he first addressed the Chair.

Mr. GRAY. I beg pardon. I thought I was recognized.

Mr. GEORGE. I am a very short horse and will soon be curried. I merely want to read from Webster's Dictionary.

Mr. GRAY. I want to read from the Century Dictionary.

Mr. GEORGE. I do not know anything about the Century Dictionary.

Mr. GRAY. The Senator from Ohio [Mr. SHERMAN] read from it.

Mr. GEORGE. Let me get through, and then you can go on.

Mr. GRAY. Certainly.

Mr. GEORGE. I am very glad to find that Webster says that "either" means "one or the other of two." That is the first primary meaning.

1. One or the other of two; any one of an indeterminate number.

That is the first definition.

2. Each.

Everybody knows the difference between "either" and "each."

Each signifies both of them.

"Each" is a shorter word than "either," and Congress by striking out the words "either house" and making an insertion could have said "each house" and would have saved two or three letters by it.

"Each" signifies both of them, taken distinctly or separately; "either" properly signifies only the one or the other of them, taken disjunctively.

Now I surrender the floor to the Senator from Delaware.

Mr. GRAY. I merely wanted to call the attention of the Senator fro m Ohio to the very respectable authority which he quoted, the Century Dictionary, and to say to him that I think that inadvertently his eye escaped the "either" which is an adjective pronoun, and fell upon the word "either" which is a conjunction. He read from the definition of the word "either" as a conjunction.

In one case; according to one choice or supposition.

And the examples given are, for instance:

> Nay, 'tis no matter, *either* for himself
> *Or* for the affection of his colours.

Usually followed by the conjunction "or," "either one thing or another."

In that case it is a conjunction, and is not the word that is used in the statute, which is an adjective pronoun, the meaning of which was quoted by the Senator from Mississippi from a dictionary before him, and is substantially the same as that in the Century: "One or the other, one of two taken indifferently." There is a difference between the pronoun and the conjunction.

Mr. CHANDLER. I think perhaps in justice to the Senator from Florida—the sitting member—before the vote is taken it would be well to recall attention to the fact that no one of these questions which have been discussed for the last half hour arises in his case. We are dealing with a case where a joint convention regularly met and voted for thirty days, and at the end of that time, without any action in either house, seventeen members of the senate undertook to destroy that joint assembly by absenting themselves, and the question is whether they can do that. We are all agreed, including the Senator from Delaware [Mr. GRAY], who is a member of the Committee on Privileges and Elections, that the joint assembly in this case could not be destroyed in that way.

The PRESIDING OFFICER. The question is on agreeing to the resolution reported by the Committee on Privileges and Elections.

Mr. GEORGE. Let it be read.

The Secretary read the resolution as follows:

Resolved, That the Hon. Wilkinson Call, of Florida, was duly elected by the Legisature of the said State on the 26th day of May, 1891, a Senator of the United States from said State for the term of six years, commencing on the 4th day of March, 1891, and that he is lawfully entitled to a seat in the Senate.

The PRESIDING OFFICER. The question is on the resolution reported by the committee; which has been read.

The resolution was agreed to.

ARTESIAN AND UNDERFLOW INVESTIGATION.

The PRESIDING OFFICER laid before the Senate the following communication from the Secretary of Agriculture; which was read:

DEPARTMENT OF AGRICULTURE, OFFICE OF THE SECRETARY,
Washington, D. C., February 4, 1892.

SIR: I have the honor to transmit herewith the final report of the artesian and underflow investigation, and of the irrigation inquiry, as conducted under my direction, in pursuance of authority conferred by act of Congress approved April 4, 1890, and an act approved September 30, 1890, and an act approved March 3, 1891, and to state that it was fully completed and deposited in accordance with the terms and conditions of the last-mentioned act. I have the honor to remain,

Yours, respectfully,

J. M. RUSK, *Secretary.*

The PRESIDENT OF THE SENATE.

Mr. MANDERSON. While I realize that that letter accompanies a report of very great importance, the great magnitude of the papers reaching, I should think, to a quarter of a ton in weight, as I estimate it, would prompt that we refer to the Committee on Printing the question as to whether the usual number of copies should be printed. The subject is a matter of irrigation, and I presume it concerns the whole subject of the irrigation of arid lands.

Mr. SANDERS. Is it on the subject of arid lands?

Mr. MANDERSON. Yes, I think that is included. I therefore move that the letter of the Secretary of Agriculture be printed in the RECORD, as it will be, having been read, but that the accompanying papers be referred to the Committee on Printing, without printing.

Mr. COCKRELL. Together with the letter, although it is printed, because if the Committee on Printing report it back and order it to be printed, we want the letter of the Secretary printed with it.

Mr. MANDERSON. Of course.

The PRESIDING OFFICER. The Senator from Nebraska moves that the communication of the Secretary of Agriculture, with the accompanying papers, be referred to the Committee on Printing. If there be no objection, that motion will be considered as agreed to. The Chair hears no objection.

SENATOR FROM IDAHO.

Mr. MITCHELL. I desire to inquire of the Senator from Delaware [Mr. GRAY] if the views of the minority have been submitted yet in the contested case from Idaho? We have agreed to adjourn over from to-day until Monday, and I am very anxious to have the report of the committee printed.

Mr. GRAY. The senior member of the minority, the Senator from North Carolina [Mr. VANCE], has had the preparation of that report and has the papers, but I have not seen him in the Senate since the Senator last spoke to me about it. Therefore I can not answer; but from what I understood from him, he said he was about ready. I take it if he may be allowed to anticipate the meeting of the Senate, as we are to adjourn over until Monday, by putting it in the hands of the Printer or in the hands of the Secretary of the Senate to-morrow——

Mr. MITCHELL. I do not think there can by any objection to that.

Mr. GRAY. If that can be done without objection, I think there will be no trouble about it.

Mr. COCKRELL. An order might be made that the Senator from North Carolina have leave to hand in the report and have it printed, as has often been done.

Mr. MITCHELL. Then I ask that the report of the committee submitted some three days since be ordered printed with the understanding that the minority may submit their views.

Mr. COCKRELL. So that they may be printed together.

Mr. MITCHELL. So that they may be printed together.

Mr. GRAY. Through the Secretary of the Senate?

Mr. MITCHELL. Yes, that can be done.

The PRESIDING OFFICER. If there be no objection that order will be made.

DEATH OF REPRESENTATIVE HOUK.

Mr. HARRIS. I wish to give notice that I shall on Tuesday next at 3 o'clock ask the Senate to consider the House resolutions in respect to the death of the Hon. Leonidas C. Houk, late a Representative from the Second district of Tennessee.

EXECUTIVE SESSION.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

Mr. MANDERSON. Mr. President, I should be very glad to proceed until such an hour as the Senate may deem best to ad-

journ with the bill which has been under consideration and which is the unfinished business. I hope the Senator from Wisconsin will withhold his motion for an executive session.

Mr. SAWYER. Of course I have no disposition to interfere with the wishes of the Senator.

Mr. MANDERSON. I should be glad to go on with the printing bill.

Mr. SAWYER. If the Senator desires to proceed with his bill I shall not at this time interpose the motion. I only desired a brief executive session in order to have some messages referred.

Mr. MANDERSON. I understand the executive session would probably be a very brief one. However, I desire to submit to the wishes of the Senate as to whether I shall go on at this time with the unfinished business or not.

Several SENATORS. Let us have an executive session.

Mr. MANDERSON. As there seems to be a general desire, on the part of Senators surrounding me at least, not to go on with the unfinished business to-day, I will not press my request, but I shall be glad to go on with the bill on Monday next, and I hope we may finish it on that day.

Mr. SAWYER. I renew my motion that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The bill (S. 1549) providing for the public printing and binding and distribution of public documents being before the Senate, the Senator from Wisconsin moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 4 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, February 8, 1892, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate February 4, 1892.

UNITED STATES MARSHAL.

Frank W. Oakley, of Wisconsin, to be marshal of the United States for the western district of Wisconsin, vice George C. Ginty, deceased. The nominee is now filling this position by appointment under section 793, Revised Statutes, United States.

REGISTER OF LAND OFFICE.

Anson S. Baldwin, of Lexington, Nebr., to be register of the land office at North Platte, Nebr., vice John I. Nesbitt, removed.

RECEIVER OF PUBLIC MONEYS.

Peter Paquet, of Oregon City, Oregon, to be receiver of public moneys at Oregon City, Oregon, vice Benjamin F. Burch, term expired.

POSTMASTERS.

Charles G. Lashley, to be postmaster at Davis, in the county of Tucker and State of West Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Joseph H. Hamill, to be postmaster at Globe, in the county of Gila and Territory of Arizona, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Barbara A. Henry, to be postmaster at Monticello, in the county of Drew and State of Arkansas, in the place of William L. Henry, deceased.

John Roosa, to be postmaster at Trinidad, in the county of Las Animas and State of Colorado, in the place of John H. Fox, whose commission expires February 28, 1892.

Charles N. Downs, to be postmaster at Birmingham, in the county of New Haven and State of Connecticut, in the place of Theodore S. Bassett, whose commission expires February 9, 1892.

Alfred E. Goddard, to be postmaster at Essex, in the county of Middlesex and State of Connecticut, in the place of Charles Harrington, whose commission expires February 28, 1892.

Benjamin J. Maltby, to be postmaster at Northford, in the county of New Haven and State of Connecticut, in the place of Henry N. Pardee, whose commission expired January 23, 1892.

Martin E. Stanger, to be postmaster at Downers Grove, in the county of Du Page and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

William J. Granger, to be postmaster at Frankfort, in the county of Marshall and State of Kansas, in the place of Michael Griffin, whose commission expires February 28, 1892.

John W. Pugh, to be postmaster at Downs, in the county of Osborne and State of Kansas, in the place of Edward P. Craney, deceased.

Mrs. Jennie Curtis, to be postmaster at Thibodeaux, in the parish of La Fourche and State of Louisiana, in the place of Gustave Bondreaux, deceased.

Pinckney B. Weaks, to be postmaster at Shreveport, in the parish of Caddo and State of Louisiana, in the place of Thornton E. Jacobs, deceased.

Everett M. Stacy, to be postmaster at Oakland, in the county of Kennebec and State of Maine, in the place of William H. Macartney, whose commission expires February 9, 1892.

Charles F. Warren, to be postmaster at Kennebunk, in the county of York and State of Maine, in the place of George R. Smith, whose commission expires February 9, 1892.

George Cushing, to be postmaster at Hingham, in the county of Plymouth and State of Massachusetts, in the place of George Cushing, whose commission expires February 28, 1892.

George Flood, to be postmaster at Maynard, in the county of Middlesex and State of Massachusetts, in the place of Ernest M. Johnson, whose commission expired January 16, 1892.

Mrs. Lizzie F. Graves, to be postmaster at East Weymouth, in the county of Norfolk and State of Massachusetts, in the place of Charles W. L. Hayward, deceased.

Fred. E. Holmes, to be postmaster at Canton, in the county of Norfolk and State of Massachusetts, in the place of Thomas F. Lyons, whose commission expired January 16, 1892.

Orren C. Houghtaling, to be postmaster at Housatonic, in the county of Berkshire and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Charles A. Merrill, to be postmaster at Winchendon, in the county of Worcester and State of Massachusetts, in the place of Edwin S. Merrill, deceased.

Henry A. Pope, to be postmaster at Milton, in the county of Norfolk and State of Massachusetts, in the place of Henry A. Pope, whose commission expired January 16, 1892.

Martin E. Stockbridge, to be postmaster at Dalton, in the county of Berkshire and State of Massachusetts, in the place of William Barton, whose commission expires February 9, 1892.

Newton McBain, to be postmaster at Owosso, in the county of Shiawassee and State of Michigan, in the place of Charles H. Cossitt, whose commission expired January 31, 1892.

George G. Hartung, to be postmaster at Romeo, in the county of Macomb and State of Michigan, in the place of James B. Lucas, whose commission expires February 24, 1892.

Frank B. Ransford, to be postmaster at Caro, in the county of Tuscola and State of Michigan, in the place of Horace N. Montague, whose commission expired January 31, 1892.

John Boreen, to be postmaster at Stillwater, in the county of Washington and State of Minnesota, in the place of John McCarthy, whose commission expired January 10, 1892.

Henry A. Castle, to be postmaster at St. Paul, in the county of Ramsey and State of Minnesota, in the place of William Lee, whose commission expired December 21, 1891.

Lewis Conant, to be postmaster at Osceola, in the county of St. Clair and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Michael A. Flanagan, to be postmaster at Fort Benton, in the county of Choteau and State of Montana, in the place of Charles W. Price, whose commission expired January 30, 1892.

Matwell G. Mains, to be postmaster at Billings, in the county of Yellowstone and State of Montana, in the place of Charles A. Wustum, whose commission expired January 30, 1892.

Edward J. Holdbrook, to be postmaster at Falls City, in the county of Richardson and State of Nebraska, who was commissioned during the recess of the Senate April 21, 1891, in the place of Lawrence A. Ryan, removed.

Silas L. Churchill, to be postmaster at Colebrook, in the county of Coos and State of New Hampshire, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Joseph B. Roe, to be postmaster at Woodbury, in the county of Gloucester and State of New Jersey, in the place of Edgar F. Dell, whose commission expired December 20, 1891.

William H. Thompson, to be postmaster at Somerville, in the county of Somerset and State of New Jersey, in the place of James T. Van Derveer, whose commission expired January 16, 1892.

Grant S. Hager, to be postmaster at St. Thomas, in the county of Pembina and State of North Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

John J. Jordan, to be postmaster at Fargo, in the county of Cass and State of North Dakota, in the place of William G. Judd, whose commission expired December 21, 1891.

John M. Datchler, to be postmaster at Franklin, in the county of Warren and State of Ohio, in the place of Patrick Gaynor, whose commission expired January 16, 1892.

Hiram J. Haldeman, to be postmaster at Salem, in the county

of Columbiana and State of Ohio, in the place of Christian B. Dorwart, whose commission expired December 21, 1891.

Walter W. Patton, to be postmaster at Kent, in the county of Portage and State of Ohio, in the place of Orlo S. Rockwell, whose commission expires February 16, 1892.

Charles E. Moore, to be postmaster at Corvallis, in the county of Benton and State of Oregon, in the place of Mrs. Frank A. Helm, whose commission expired January 30, 1892.

Joseph M. Brothers, to be postmaster at Knox, in the county of Clarion and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Edward A. Hamilton, to be postmaster at New Bethlehem, in the county of Clarion and State of Pennsylvanin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Edwin J. Vinton, to be postmaster at Jeannette, in the county of Westmoreland and State of Pennsylvania, in the place of James B. Haines, jr., resigned.

Thomas B. Roberts, to be postmaster at Armour, in the county of Douglas and State of South Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Samuel H. Gault, to be postmaster at Rogersville, in the county of Hawkins and State of Tennessee, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

David H. Long, to be postmaster at Burnet, in the county of Burnet and State of Texas, in the place of John H. Stapp, whose commission expired January 16, 1892.

Henley A. Sparks, to be postmaster at McGregor, in the county of McLennan and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

John W. Coverston, to be postmaster at Shenandoah, in the county of Page and State of Virginia, in the place of Robert S. Pritchett, resigned. This office became Presidential October 1, 1891, and Mr. Pritchett was appointed, and subsequently was confirmed by the Senate as postmaster. He has now resigned, and has not been commissioned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate, February 4, 1892.

RECORDER OF THE GENERAL LAND OFFICE.

Dolphin P. Roberts, of Evansville, Ind., to be recorder of the General Land Office.

DISTRICT JUDGE.

James H. Beatty, of Idaho, to be United States district judge for the district of Idaho.

UNITED STATES MARSHAL.

William C. Haskell, of Ohio, to be United States marshal for the northern district of Ohio.

REGISTER OF LAND OFFICE.

Luther S. Howlett, of North Yakima, Wash., to be register of the land office at North Yakima, Wash.

MARINE HOSPITAL SERVICE.

Assistant Surg. George T. Vaughan, of Virginia, to be passed assistant surgeon in the Marine Hospital Service of the United States.

PROMOTIONS IN THE ARMY.

Infantry arm.

Second Lieut. Austin H. Brown, Fourth Infantry, to be first lieutenant.

Second Lieut. Almon L. Parmerter, Twenty-first Infantry, to be first lieutenant.

First Lieut. William J. Turner, regimental quartermaster, Second Infantry, to be captain.

Second Lieut. Frank De W. Ramsey, Ninth Infantry, to be first lieutenant.

Cavalry arm.

Lieut. Col. Caleb H. Carlton, Seventh Cavalry, to be colonel, January 30, 1892, vice Upham, Eighth Cavalry.

Maj. Guy V. Henry, Ninth Cavalry, to be lieutenant-colonel.

Capt. Charles S. Ilsley, Seventh Cavalry, to be major.

First Lieut. John W. Wilkinson, Seventh Cavalry, to be captain.

Second Lieut. Philip A. Bettens, jr., Ninth Cavalry, to be first lieutenant.

POSTMASTER.

Henry A. Castle, to be postmaster at St. Paul, Ramsey County, Minn.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 4, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

NEW CHANNEL, CAPE FEAR RIVER.

The SPEAKER *pro tempore* (Mr. DOCKERY) laid before the House a letter from the Acting Secretary of the Treasury, recommending that an appropriation be made for lighting the new channel of the Cape Fear River, North Carolina, above Reeves Point; which was referred to the Committee on Appropriations, and ordered to be printed.

LIGHT AND FOG SIGNAL, WILLAMETTE RIVER, OREGON.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, recommending that an appropriation be made for the establishment of a light and fog-signal station at the mouth of the Willamette River, Oregon; which was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

CONTRACTS AND DISBURSEMENTS, POST-OFFICE DEPARTMENT.

The SPEAKER *pro tempore* also laid before the House a letter from the Postmaster-General, transmitting, as required by sections 193, 194, and 413 of the Revised Statutes, a detailed statement showing all contracts and disbursements of the Post-Office Department for the last fiscal year; which was referred to the Committee on Expenditures in the Post-Office Department.

CLARENDON AND WHITE RIVERS, ARKANSAS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report of the examination and survey of the Clarendon and the lower White River, Arkansas; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

REFUND OF DIRECT TAX TO WEST VIRGINIA.

The SPEAKER *pro tempore* also laid before the House a Senate joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861."

Mr. WILSON of West Virginia. Mr. Speaker, I ask unanimous consent that that joint resolution be taken up and considered at this time.

The SPEAKER *pro tempore*. The joint resolution will be read, after which the Chair will ask for objections.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to the governor of the State of West Virginia, under the provisions, conditions, and limitations of the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861," which act was approved March 2, 1891, the sum of $181,306.93, less the sum of $27,328.18, which was paid to the governor of the State of West Virginia on the 25th day of August, 1891, to be held in trust for the citizens and inhabitants of said State, notwithstanding any claim by the Government of the United States against the State of Virginia.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this joint resolution?

Mr. HOLMAN. Mr. Speaker, if there is a request for immediate action I think the joint resolution had better be read again, as it was not distinctly heard in the confusion prevailing in the Hall.

The joint resolution was again read.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. HOLMAN. I wish to inquire where this comes from; from what committee?

Mr. BURROWS. It was read subject to objection.

The SPEAKER *pro tempore*. Certainly.

Mr. WILSON of West Virginia. Mr. Speaker, I will state to the gentleman from Indiana [Mr. HOLMAN] and the gentleman from Michigan [Mr. BURROWS] that this is a joint resolution authorizing the Treasury Department to pay the State of West Virginia her share of the amount ordered to be refunded under the direct-tax law passed by the last Congress, notwithstanding any claim that the Government of the United States may have against the State of Virginia, the actual fact being that the Interior Department holds some bonds of the old State of Virginia, I believe, as a part of the Indian trust fund, and the Treasurer of the United States conceived that he had a right, under the statute, to refuse to pay to the State of West Virginia her share

of the direct tax refund because of this claim which the Government had against the old Commonwealth. The matter, however, was examined carefully by the Senate Committee, and, after careful examination, there was a unanimous report in favor of this joint resolution, which was passed by the Senate unanimously, authorizing payment to be made to the State of West Virginia, notwithstanding this unadjusted matter between the Government of the United States and the old State of Virginia.

Mr. HOLMAN. The subject, I suppose, was referred to the Attorney-General?

Mr. WILSON of West Virginia. I believe it was.

Mr. HOLMAN. Now, has my friend got the opinion of the Attorney-General.

Mr. WILSON of West Virginia. The Attorney-General held that technically, under the statute, the Government had the right to hold the State of West Virginia and the State of Virginia both liable to it for the settlement of the indebtedness of the old State; but the old State is amply responsible for what it owes, and this money having been paid out of the treasury of the State of West Virginia, that State is certainly entitled to have it repaid under the law passed last session.

Mr. HOLMAN. I hope the gentleman in charge of this joint resolution will let it go over until we can have the opinion of the Attorney-General before us.

Mr. WILSON of West Virginia. The opinion of the Attorney-General was, as I have stated it, that technically the Government had the right to hold both West Virginia and old Virginia.

Mr. HOLMAN. Does this joint resolution come from any House committee?

Mr. WILSON of West Virginia. It comes from the Senate.

Mr. TURNER. Has the gentleman from West Virginia [Mr. WILSON] looked at the Georgia case decided in the Court of Claims?

Mr. WILSON of West Virginia. I have not.

Mr. TURNER. That was a case in which the Treasury Department undertook to withhold an appropriation made by Congress to pay claim of the State of Georgia, on the pretext that the State was indebted to the Government under the direct-tax act. The case went to the Court of Claims, where it was decided against the Government, and the money has been paid.

Mr. WILSON of West Virginia. The gentleman from Indiana can see that the action of the Department in declining payment in this case is simply the enforcement of a technical rule of law. The gentleman is lawyer enough to see that the principle upon which the Department's action rests would require a settlement of all outstanding claims between the two States before this money could be paid.

Mr. HOLMAN. I am aware of the judicial decision that has been referred to; but I think this matter ought to go to the Judiciary Committee.

The SPEAKER *pro tempore*. The gentleman from Indiana objects to the present consideration of the joint resolution; and it will be referred to the Committee on the Judiciary.

JUDICIAL DISTRICT IN UTAH.

The SPEAKER *pro tempore* also laid before the House a bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah; which was read a first and second time.

Mr. GOODNIGHT. Mr. Speaker, I have been authorized by the Committee on the Judiciary to report a House bill similar to the Senate bill just presented; and I ask unanimous consent that this Senate bill be taken up for immediate passage.

The SPEAKER *pro tempore*. The gentleman from Kentucky [Mr. GOODNIGHT] asks unanimous consent for the present consideration of the Senate bill just laid before the House. The Clerk will read the bill, after which there will be opportunity for objection.

The Clerk read as follows:

Be it enacted, etc., That the governor and Legislative Assembly of the Territory of Utah be, and they are hereby, authorized to establish a fourth judicial district in said Territory, and to readjust the districts in said Territory in such manner as to best promote the convenient administration of justice therein.

SEC. 2. That as soon as may be after the execution of the power conferred by section 1 of this act, the supreme court of said Territory shall assign one judge to each of said districts, and shall have power from time to time to change such assignments and to provide for occasions of disability or absence in such cases according to the practice now authorized by law.

The SPEAKER *pro tempore*. The gentleman from Kentucky [Mr. GOODNIGHT] asks unanimous consent for the present consideration of the bill just reported by the Clerk. Is there objection?

Mr. HOLMAN. I wish to inquire whether this bill proposes any increase of the existing number of judges or clerks.

Mr. CULBERSON. I hope the gentleman from Kentucky [Mr. GOODNIGHT] will be permitted to make an explanation of the measure.

Mr. GOODNIGHT. I would like to do so.

The SPEAKER *pro tempore*. In the absence of objection, the gentleman from Kentucky will proceed.

Mr. HOLMAN. I hope we shall have an explanation as to the effect of the bill, whether it creates any new offices or not.

Mr. GOODNIGHT. I will explain for the benefit of the gentleman from Indiana and others that the bill simply provides another district for an already existing judge. There are now four judges and only three judicial districts. Thus one judge in performing his duty is compelled to travel through these three districts. This bill simply provides for creating a new district, and reassigning the judges, so as to give one judge to each district. It does not increase expenditures to the extent of one cent. As the Legislative Assembly of the Territory is now in session, it becomes important that the bill be passed at once so that the necessary action of that body may be taken without delay.

Mr. CULBERSON. Under the existing law the Territory of Utah has four Territorial judges, who under the law meet and apportion to each other the districts where they shall preside. As has been stated by the gentleman from Kentucky [Mr. GOODNIGHT], there are four judges and only three districts. The business is sufficient to employ the time of all these judges, and the proposition in the bill is simply to allow the Legislative Assembly of Utah to establish a fourth judicial district and to permit the supreme court, now consisting of these four judges, to assign one of the number to each of these districts, so that all the judges may be engaged in the dispatch of the business of the Territory. I hope there will be no objection to the passage of the bill.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. GOODNIGHT, a motion to reconsider the last vote was laid on the table.

Mr. GOODNIGHT. I ask unanimous consent that the House bill, similar in its provisions to the Senate bill just passed, may be laid on the table.

There being no objection, House bill No. 528 was laid on the table.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore* also laid before the House Senate bills of the following titles; which were severally read a first and second time, and referred as stated:

A bill (S. 1215) for an extension of appropriation for the erection of a public building at Los Angeles, Cal.—to the Committee on Public Buildings and Grounds.

A bill (S. 1610) to increase the endowment of the Louisiana State University and Agricultural and Mechanical College, and for the Southern University of Louisiana—to the Committee on Public Buildings and Grounds.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. PRICE, for one day, on account of sickness in his family.

UNDISTRIBUTED DOCUMENTS.

Mr. HOOKER of Mississippi. Mr. Speaker, I ask unanimous consent to present a resolution for reference to the Committee on Printing.

The title of the resolution was read, as follows:

Resolution to authorize the Committee on Printing to transfer the public documents now to the credit of ex-members of Congress to the credit of present members.

There being no objection, the resolution was referred to the Committee on Printing.

THE RULES.

Mr. BLAND. Mr. Speaker, I demand the regular order.

Mr. CATCHINGS. I call up for consideration the report of the Committee on Rules.

The SPEAKER *pro tempore*. The Clerk will report the pending amendment.

The Clerk read as follows:

By Mr. ENLOE: Add to Rule XXIV:

"The House may, on the death of a member, order a special session of the House to be held on Sunday, and on no other day, for memorial services. On such occasions the services shall be opened by the Chaplain in the usual manner."

Mr. ENLOE. Mr. Speaker, I think the amendment which has just been read is one of much more importance than many of the members might suppose, who are not familiar with the consumption of time we have heretofore seen in Congress in this matter of holding sessions to pronounce eulogies over deceased members. I hope, sir, that I shall not disturb in any manner the reposeful state of mind of our friends who may have squandered or exhausted their intellectual strength and vigor in blind adoration of the ancient customs and usages of the House. I do not wish to cut off the opportunity which gentlemen may desire to express their opinions of their deceased friends and enemies, though I believe the custom should be changed or abandoned.

Nor do I question the propriety of paying a proper and respectful tribute to our departed colleagues, for, Mr. Speaker, I believe it is not a bad idea to hold up to the youth of this country in multifarious form Longfellow's idea that the—

Lives of great men all remind us
We can make our lives sublime,
And departing, leave behind us
Footprints on the sands of time.

And that is just about the extent of the impression that the majority of the members sent to this House make in this body. It is only upon the sands that they leave their imprint, and if it were not for the eulogies and memorial services to call the attention of the country to their great merits, many of them would doubtless go down to history forgotten and to fame unknown.

Now, Mr. Speaker, there is in the life of every public man who has been successful enough of merit to teach valuable lessons to the rising generations, if you can only succeed in finding the proper artist to give the right coloring to the picture and make the proper use of light and shades in its development. The custom of pronouncing funeral orations here by members is based on a sentiment for which all must have respect. But it is not necessary that we should make our respect or our grief quite so burdensome to the taxpayers of the country. These services have no connection with the public business. They are a bar to all business. They are, as they should be, in the nature of religious services; and therefore there can not be any more appropriate day for paying such tributes to a deceased member than the day fixed in the amendment—Sunday. If this is adopted I will offer an amendment providing that the proceedings shall not be published in the RECORD until the following Tuesday. The amendment also provides that the Chaplain shall open the exercises with prayer in the usual manner; and I believe, if the amendment is adopted, and we provide that these eulogies or memorial exercises shall only occur on Sunday, that the proprieties of the occasion would be much better observed than I have seen them sometimes observed on this floor, when members indulged in applause, which I do not think ought to be indulged in during memorial services. That is an innovation which I do not admire.

This is a measure in the interest of retrenchment, in the interest of economy and reform. It will be a saving of money to the taxpayers of the country. It will be a saving of time also, because we spend several weeks during a session usually in eulogies of this kind, at an expenditure of about a thousand dollars a day, while holding these services. We pay out from $1,000 to $20,000 for burying a member, besides about $1,000 for the extra cost of pronouncing eulogies, besides the expense of printing. We might, I think, make our grief much cheaper to the people, and I doubt not that it would be appreciated by the great majority of our citizens all over the country, if we should either cheapen our sorrow or forego the public expression of it.

I believe that deceased members should be buried as their constituents are buried, at their own expense. I have introduced a bill to reduce the cost of Congressional grief to the taxpayers, which, if it were adopted, would partially correct the abuses of the present custom. I know of nothing in our republican system of government which justifies such profligate grief over deceased public servants. Gentlemen generally deride every effort to reform customs and usage, and ridicule those who attack intrenched abuses, because the reckless waste of public money in obedience to custom is regarded as a sacred privilege. I dare assert that if the small leaks, the small steals, and the small peculations going on in the Government could be stopped, and all absolutely useless offices could be abolished, it would save millions of dollars to the people annually. This is only a small matter, but it is one of a numerous brood of worse evils, and if this House means to keep its pledges of reform to the people it should not hesitate to give some more substantial evidence of it than will be found in empty declarations of a purpose which it has shown too little disposition to put into execution. Every day that Congress remains in session it not only disturbs business by its threatened legislation, but when it has been in session the length of time that is imperatively necessary, every unnecessary delay in concluding the business of the session increases public dissatisfaction. This amendment would materially shorten the session, and that alone should commend it to the members and to the public.

Mr. MORSE. Mr. Speaker, I trust the amendment of the gentleman from Tennessee will be adopted.

Mr. ENLOE. If the gentleman will allow an interruption, I should be glad to have the amendment read, as there seems to be some misapprehension about it.

Mr. MORSE. It has been suggested by the gentleman from Tennnessee that the amendment be read.

The SPEAKER *pro tempore*. If read again it will come out of the time of the gentleman from Massachusetts.

Mr. MORSE. Very well.

The amendment was again read, as follows:

Add to Rule XXIV:

"The House may, on the death of a member, order a special session of the House, to be held on Sunday, and on no other day, for memorial services. On such occasions the services shall be opened by the Chaplain in the usual manner."

Mr. MORSE. I think there were fifteen members of the Fifty-first Congress who died during its existence. We adjourned one day on the occasion of the death of each one, and we spent a good part of another day in these mortuary honors in the House of Representatives, involving the loss of twenty or thirty legislative days during the last Congress, which this amendment will correct. I believe in these funeral services. It is wise and well on such occasions to pause and ponder the solemn and awful truth that we, too, are mortal, to ponder the fact that we have here "no continuing city," and I think such services are eminently appropriate to the Sabbath day. I am therefore very much in favor of the amendment offered by the gentleman from Tennessee [Mr. ENLOE]. I believe these memorial services are educational and inspiring to the young. I bought a number of copies of the RECORD containing the memorial speeches a few days since in honor of the gentleman from Tennessee [Mr. Houk]. Here was a man who was described by his colleagues, who knew him as a man, who was born in poverty and want sat by his cradle, as one who got his education from borrowed books by the light of a pine knot, in a corner of the fireplace; a man who never went to school but three months in his life, and yet, in spite of these untoward circumstances, he rose to be a member of the bar of Tennessee, he rose to be a judge of one of her courts, and finally for many years an honored member of this House. I say I think these memorial services are educational, that they teach the young men of our country lessons of patriotism, they teach the young that in this land above all other lands there is no royal road to learning, and that—

Honor and shame from no condition rise—

And that in this favored land of ours they may rise above the circumstances of birth.

It is eminently fit and appropriate, Mr. Speaker, that these services should be held on the Lord's day, that the people, especially the young men of Washington, may assemble here and listen to the prayers of the Chaplain, and to these memorial orations, which are largely of a religious character, in honor of our deceased members.

It might be at an hour that would not conflict with the hours of worship in the churches of the city.

Mr. RAY. Mr. Speaker, I trust that this amendment will not be adopted. It is evidently offered in the interest of those persons who never attend church, and who desire to come here on the Sabbath day and air their oratory.

I believe, Mr. Speaker, that there is time enough in the six working days of the week for gentlemen to come here and do the business of this House. The gentleman from Tennessee [Mr. ENLOE] says that on his side of the House the most of the deceased members would never be heard of after death were it not for the fact that an oration is pronounced to perpetuate their memory. I beg to say we have none such on this side of the House. Let us remember the Sabbath day to keep it holy, and if we as a House have no respect for the day itself let us respect the belief of those persons who do. Let us not formally declare in the rules that we will work and compel the employés to work on Sunday.

Mr. ENLOE. If the gentleman undertakes to quote me, especially on a matter of this character, he ought to quote me correctly. Another thing, if he is apprehensive about the people who would come up here on Sunday and in that way be kept away from church, I want to say that it will not be compulsory upon them to come here any more than it is that they should go to church. People, like the gentleman, who would not go to church, might come here and be benefited by listening to a good funeral oration and by being prayed for by the Chaplain.

Mr. REED. Mr. Speaker, it ought to be stated that the consumption of time for this purpose in the first session of the Fifty-first Congress was something over twenty-four days—nearly a month.

Mr. STOUT. Mr. Speaker, I sincerely hope this resolution will pass. We have listened on this floor to several resolutions of respect to the memory of those who have passed away, but they have all been offered just at the close of the session, when we had nothing to do. Mr. Speaker, I happened once to be in the city of St. Louis when a cortege was passing through the city on its way South with the body of a member of Congress who had just died. A newspaper on the next day made the criticism that the body was left in the depot, while a Senator discussed the Presidential prospect in the rotunda of the hotel and the younger members of the delegation went to the theater, I suppose to assuage their profound grief. Let us, then, have something that will demonstrate to the country and ourselves whether we are

sincere. Let us meet on Sunday, and those of us who are not sincere can stay away.

Mr. BERGEN. Mr. Speaker, this is more than an ordinary amendment. The effort is to invade the sacredness of Sunday—to make an entering wedge for the purpose in the rules of the House. The plan struck upon is to make it a business day for certain purposes only. This once done, the transition is easy from special to general business. The people of this country are much interested in the subject. We are all constantly receiving petitions that this body should, by its enactments, respect the day. I occupy no ultra position, am under no bias, but I want to respect that feeling on the subject which permeates the community generally. It would be a departure in the course of this House which can not but be misinterpreted. Never has it as a body deliberately by its rules provided for meetings on Sundays. The gentleman says it is in the interest of economy. It seems to me that it will only increase the expenses of this House. Every officeholder of this House, as I understand it, will receive additional pay from this fact, that we had called upon him for additional services.

Mr. ENLOE shook his head.

Mr. BERGEN. The gentleman from Tennessee shakes his head; but certainly all getting per diem pay would have an increase, and could we demand extra services from others without extra pay? Some suggestion is made that it would save time; we have plenty of time. This House usually only sits five hours out of the twenty-four, and very often not so many.

Mr. ENLOE. Will the gentleman allow me a suggestion?

Mr. BERGEN. Certainly.

Mr. ENLOE. I want to say to the gentleman, Mr. Speaker, so that he may not labor under any misapprehension——

Mr. BERGEN. I am glad to be relieved of any misapprehension.

Mr. ENLOE. That the session employés are paid for every day of the session, including Sunday; and if we could shorten this session, at the end of the term we will have saved $800 to $1,000 a day in the pay of session employés.

Mr. BERGEN. I am glad for the suggestion of the gentleman that this session may by any means be shortened; but we have been here a little over two months, and I have failed yet to see that there has been a single measure of importance to the country acted upon; and I have failed also to observe that there is any disposition on the part of the majority in control of this House to do any business; consequently, I see no necessity at this time for putting another working day into the week. I hope it will be voted down.

Mr. MILLIKEN addressed the Chair.

Mr. CATCHINGS. I move the previous question on the pending amendment.

The previous question was ordered.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. BERGEN and others. Division.

The House divided; and there were—ayes 86, noes 68.

Mr. BERGEN and Mr. JOSEPH D. TAYLOR. Yeas and nays.

The yeas and nays were ordered.

Mr. COBB of Alabama. Mr. Speaker, I would like to have the resolution again reported.

The SPEAKER *pro tempore*. The amendment has been twice reported, but if there be no objection the Clerk will again report the resolution.

The resolution was again reported.

Mr. DICKERSON. Mr. Speaker, I would like to inquire upon what authority we can compel employés of this House to work on Sunday?

The SPEAKER *pro tempore*. That is hardly a parliamentary inquiry.

The question was taken; and there were—yeas 91, nays 160, not voting 80; as follows:

YEAS—91.

Allen,	Cockran,	Hayes,	Norton,
Andrew,	Cogswell,	Henderson, Iowa	Oates,
Babbitt,	Cox, Tenn.	Hitt,	O'Donnell,
Bailey,	Cutting,	Hoar,	O'Neill, Mo.
Bartine,	Dalzell,	Holman,	Otis,
Belden,	Davis,	Houk, Ohio	Outhwaite,
Bingham,	De Armond,	Houk, Tenn.	Patterson, Tenn.
Blount,	Dingley,	Johnson, Ohio	Patton,
Brookshire,	Dolliver,	Kem,	Pearson,
Bryan,	Dungan,	Lagan,	Raines,
Bullock,	Enloe,	Lind,	Randall,
Burrows,	Everett,	Magner,	Reed,
Caldwell,	Fithian,	Mansur,	Scull,
Capehart,	Geary,	McRae,	Simpson,
Catchings,	Gillespie,	Meyer,	Snodgrass,
Cate,	Hall,	Miller,	Snow,
Chapin,	Hare,	Milliken,	Springer,
Clover,	Harries,	Morse,	Stackhouse,
Cobb, Mo.	Haugen,	Mutchler,	Stout,
Sweet,	Tucker,	Wheeler, Mich.	Williams, Ill.
Tarsney,	Walker,	Wheeler, Ala.	Wilson, Wash.
Terry,	Watson,	White,	Winn.
Tillman,	Wever,	Whiting.	

NAYS—160.

Abbott,	Cowles,	Hopkins, Pa.	Perkins,
Alderson,	Cox, N. Y.	Hull,	Pickler,
Alexander,	Crain,	Johnson, Ind.	Pierce,
Amerman,	Crawford,	Johnson, N. Dak.	Powers,
Arnold,	Crosby,	Johnstone, S. C.	Ray,
Bacon,	Culberson,	Kilgore,	Rayner,
Baker,	Cummings,	Kribbs,	Reilly,
Bankhead,	Curtis,	Lanham,	Richardson,
Barwig,	Dickerson,	Lapham,	Rife,
Beeman,	Doan,	Lawson, Ga.	Sayers,
Belknap,	Dockery,	Layton,	Seerley,
Bentley,	Dunphy,	Lester, Ga.	Shell,
Bergen,	Durborow,	Lewis,	Shively,
Bland,	Edmunds,	Little,	Shonk,
Bowers,	Elliott,	Livingston,	Smith,
Bowman,	Ellis,	Lockwood,	Sperry,
Brawley,	English,	Long,	Stevens,
Breckinridge, Ark.	Enochs,	Mallory,	Steward, Ill.
Breckinridge, Ky.	Epes,	Martin,	Stockdale,
Bretz,	Fitch,	McAleer,	Stone, Ky.
Brickner,	Flick,	McCreary,	Stump,
Brosius,	Forney,	McGann,	Taylor, Tenn.
Brown,	Fowler,	McKaig,	Taylor, E. B.
Buchanan, Va.	Funston,	McKinney,	Taylor, J. D.
Bunting,	Fyan,	McMillin,	Taylor, V. A.
Bushnell,	Geissenhainer,	Meredith,	Townsend,
Butler,	Goodnight,	Mitchell,	Tracey,
Bynum,	Grady,	Montgomery,	Turner,
Byrns,	Greenleaf,	Moore,	Turpin,
Cable,	Griswold,	Moses,	Van Horn,
Cadmus,	Halvorsen,	Newberry,	Warner,
Caminetti,	Hamilton,	O'Ferrall,	Waugh,
Caruth,	Harmer,	O'Neil, Mass.	Wike,
Causey,	Harter,	O'Neill, Penn.	Willcox,
Cheatham,	Hatch,	Owens,	Williams, N. C.
Chipman,	Heard,	Page, Md.	Williams, Mass.
Coolidge,	Hemphill,	Parrett,	Wilson, Ky.
Coombs,	Herbert,	Pattison, Ohio	Wilson, Mo.
Cooper,	Hooker, Miss.	Paynter,	Wilson, W. Va.
Covert,	Hooker, N. Y.	Pendleton,	Wolverton.

NOT VOTING—80.

Atkinson,	De Forest,	Lane,	Rockwell,
Beltzhoover,	Dixon,	Lawson, Va.	Rusk,
Blanchard,	Donovan,	Lester, Va.	Russell,
Boatner,	Fellows,	Lodge,	Sanford,
Boutelle,	Forman,	Loud,	Scott,
Branch,	Gantz,	Lynch,	Stahlnecker,
Broderick,	Gorman,	McClellan,	Stephenson,
Brunner,	Grout,	McDonald,	Stewart, Pa.
Buchanan, N. J.	Hallowell,	McKeighan,	Stewart, Tex.
Bunn,	Haynes,	McKenna,	Stone, C. W.
Busey,	Henderson, N. C.	Mills,	Stone, W. A.
Campbell,	Henderson, Ill.	Page, R. I.	Storer,
Castle,	Hermann,	Payne,	Taylor, Ill.
Clancy,	Hopkins, Ill.	Peel,	Wadsworth,
Clark, Wyo.	Huff,	Post,	Warwick,
Clarke, Ala.	Joliey,	Price,	Washington,
Cobb, Ala.	Jones,	Quackenbush,	Weadock,
Coburn,	Kendall,	Reyburn,	Wise,
Compton,	Ketcham,	Robertson,	Wright,
Daniell,	Kyle,	Robinson,	Youmans.

So the amendment was rejected.

The following pairs were announced:

Until further notice:

Mr. COBB of Alabama with Mr. HOPKINS of Illinois.

Mr. BRANCH with Mr. TAYLOR of Illinois.

Mr. BUNN with Mr. ATKINSON.

Mr. WEADOCK with Mr. RUSSELL.

Mr. DANIELL with Mr. LODGE.

Mr. KYLE with Mr. SANFORD.

Mr. HEMPHILL with Mr. GROUT, except on rules.

On this vote:

Mr. HENDERSON of North Carolina with Mr. SCULL.

Mr. PRICE with Mr. REYBURN.

Mr. WISE with Mr. STORER.

The result of the vote was then announced as above recorded.

Mr. O'NEILL of Missouri. Mr. Speaker, I submit the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Substitute for subdivision 3:

"On Friday of each week, after the morning hour, the House shall resolve itself into Committee of the Whole House to consider business on the Private Calendar."

Mr. O'NEILL of Missouri. Mr. Speaker, the rule as printed in the report of the Committee of Rules provides "that it shall be in order" on that day "to entertain a motion" to consider bills on the Private Calendar. This amendment strikes out that portion of the report. Unless you omit these words from that subdivision the consideration of private bills on Fridays would still be prevented if the question should be raised on a motion to take up the Private Calendar. The experience of the past has been that almost invariably it has resulted in displacing the consideration of private bills and the calling up of some other question. I believe this matter is fairly understood by the House, and if they intend that Friday of each week shall be set apart for bills upon the Private Calendar they will adopt this amendment.

Mr. CATCHINGS. I move the previous question on the amendment.

The previous question was ordered.

Mr. DINGLEY. Mr. Speaker, I rise to a parliamentary inquiry. Would not the effect of that amendment, if adopted, be to prevent the House, even if a majority so desired, from considering an appropriation bill on that day?

The SPEAKER *pro tempore*. That, if not a parliamentary inquiry, is a very suggestive inquiry.

The question was taken on the amendment of Mr. O'NEILL of Missouri; and there were—ayes 38, noes 74.

Mr. O'NEILL of Missouri. No quorum, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman from Missouri makes the point that no quorum has voted, and the Chair appoints as tellers the gentleman from Missouri, Mr. O'NEILL, and the gentleman from Mississippi, Mr. CATCHINGS.

The House again divided; and the tellers reported—ayes 57, noes 111.

So the amendment was rejected.

Mr. MONTGOMERY. Mr. Speaker, I desire to offer the amendment which I send to the desk.

The amendment was read, as follows:

On the death of a member of the House during the term of his service, a committee of five members shall be appointed by the Speaker to prepare and report to the House appropriate resolutions, and on the consideration of such report there shall be no debate, but on the day following the adoption of such report all members may publish in the RECORD remarks on said resolutions.

Mr. MONTGOMERY. Mr. Speaker, I do not want to consume time in discussing the amendment. I would withdraw it if necessary rather than do that.

Mr. CURTIS. Mr. Speaker, I desire to offer a substitute for the amendment of the gentleman from Kentucky [Mr. MONTGOMERY].

The substitute was read, as follows:

Resolved, That in future if any member of Congress dies during his term of service notice may be taken by resolution, briefly stating his death, worth, and services, which resolution shall be voted upon without remarks, and, if adopted, published in the Journal.

The SPEAKER *pro tempore*. The question is on the substitute offered by the gentleman from New York [Mr. CURTIS].

Mr. ENLOE. Is it in order, Mr. Speaker, at this time to offer a substitute for both the pending amendments?

The SPEAKER *pro tempore*. It is not. There is one substitute pending.

The substitute of Mr. CURTIS was rejected.

Mr. ENLOE. Now, Mr. Speaker, I desire to offer the amendment which I send to the desk.

The amendment was read, as follows:

It shall not be in order for the Speaker to entertain any motion to fix a day for pronouncing eulogies on deceased members.

The amendment was rejected.

The SPEAKER *pro tempore*. The question recurs on the amendment of the gentleman from Kentucky [Mr. MONTGOMERY].

Mr. MORSE. I ask that the amendment be read.

The amendment of Mr. MONTGOMERY was again read.

The question was taken on the amendment, and the Speaker *pro tempore* declared that the noes seemed to have it.

Mr. MONTGOMERY. I ask for a division.

The House divided, and there were—ayes 42, noes 70; so the motion was rejected.

Mr. HOUK of Ohio. Mr. Speaker, I offer the amendment which I send to the desk.

The amendment was read, as follows:

The House may set apart the last Sunday of its session for memorial services in respect to such of its members as shall have deceased during the current session, on which occasion, in case there shall not be sufficient time for oral addresses, members may have their remarks printed in the RECORD, such publication to be made under the direction of the Speaker.

Mr. HOUK of Ohio. Mr. Speaker, in view of the fact stated by the distinguished gentleman from Maine [Mr. REED], that forty days were consumed by the Fifty-first Congress in these obituary ceremonies, I think it is clear, Mr. Speaker, that a change in the method heretofore pursued on these occasions is greatly to be desired.

I fully agree with gentlemen who have commended the propriety of these observances. It is a usage of long standing, and I would not presume to suggest a substitute for the proposed rule that would reflect in the slightest degree upon its propriety. I need not say that a material saving of time in the transaction of the business of this House is a material saving of public money; and if that which is not strictly in the nature of public business, but which consumes forty or even twenty days during a session of Congress, can be better and more suitably done in one day, there can be no valid reason against making such a change.

It is not my idea at all, Mr. Speaker, that economy can be found only in the reduction of appropriations. A better, and often much wiser economy can be found in the speedy, diligent, and sensible transaction of public business—the unnecessary consumption of time in fruitless formalities, in these parliamentary methods of proceeding, has already demonstrated, to me at least, a most serious, although possibly an unavoidable, evil. The substitute I have offered assigns the last Sunday of the session to the commemorative ceremonies respecting those members who have died during its continuance.

The time and the day, it seems to me, would be alike suitable to the occasion; and those who would be denied, from want of time, the opportunity of oral addresses, could have their tributes published in the RECORD.

I am not disposed, sir, to criticise this description of literature. It deals with a subject the most profound of any that can engage the human understanding. It can never cease to be interesting to the general people. It constitutes a sort of popular biography of the public men who enter and pass from the stage of public life. But I must say that the custom which has heretofore been followed in producing and giving it to the country would, in my judgment, be not only much improved in effect, but be a substantial benefit to the public, by the adoption of the substitute I have offered.

The amendment was rejected.

Mr. ENLOE. Mr. Speaker, I offer another amendment.

The amendment was read, as follows:

On the death of a member the House may order a night session only for eulogies.

Mr. ENLOE. I offer this amendment providing for night sessions for the special benefit of my friend from Texas [Mr. KILGORE], so that he can be present and make the point that there is no quorum and break them up.

The amendment was rejected.

Mr. REED. Mr. Speaker, I desire to offer a substitute for the rule.

The substitute was read as follows:

RULE XXIV.

ORDER OF BUSINESS.

1. The daily order of business shall be as follows:
First. Prayer by the Chaplain.
Second. Reading and approval of the Journal.
Third. Correction of reference of public bills.
Fourth. Disposal of business on the Speaker's table.
Fifth. Unfinished business.
Sixth. The morning hour for the consideration of bills called up by committees.
Seventh. Motions to go into Committee of the Whole House on the state of the Union to consider bills designated.
Eighth. Orders of the day.

2. Business on the Speaker's table shall be disposed of as follows:
Messages from the President, reports and communications from the heads of Departments, and other communications addressed to the House, and bills, resolutions, and messages from the Senate, shall be referred to appropriate committees without debate; but House bills with Senate amendments which do not require consideration in a Committee of the Whole may be at once disposed of as the House may determine.

3. The consideration of the unfinished business in which the House may be engaged at an adjournment, except business in the morning hour, shall be resumed as soon as the business on the Speaker's table is finished, and at the same time each day thereafter until disposed of, and the consideration of all other unfinished business shall be resumed whenever the class of business to which it belongs shall be in order under the rules.

4. After the unfinished business has been disposed of, the Speaker shall call each standing committee in regular order, and then select committees, and each committee when named may call up for consideration any bill reported by it on a previous day and on the House Calendar, and if the Speaker shall not complete the call of the committees before the House passes to other business he shall resume the next call where he left off, giving preference to the last bill under consideration: *Provided*, That whenever any committee shall have occupied the morning hour on two days it shall not be in order to call up any other bill until the other committees have been called in their turn.

5. After one hour shall have been devoted to the consideration of bills called up by committees it shall be in order, pending consideration or discussion thereof, to entertain a motion to go into Committee of the Whole House on the state of the Union, or, when authorized by a committee, to go into the Committee of the Whole House on the state of the Union to consider a particular bill, to which motion one amendment only, designating another bill, may be made; and if either motion be determined in the negative, it shall not be in order to make either motion again until the disposal of the matter under consideration or discussion.

6. On Friday of each week, after the unfinished business has been disposed of, it shall be in order to entertain a motion that the House resolve itself into the Committee of the Whole House to consider business on the Private Calendar; and if this motion fails, then public business shall be in order as on other days.

Mr. REED. Mr. Speaker, I do not think I need say much in order that the House shall understand precisely the nature of the proposition which I have presented. A portion of it has already been adopted by the House and incorporated into the rules. The substantial addition which this substitute would make is this: It would give you such a morning hour that it would not be in the power of a single member to kill any bill which has the sanction of one of your committees. The morning hour as it is arranged in the system of rules proposed by the Committee on Rules is a morning hour of sixty minutes, and is therefore absolutely limited as to time. In addition to that, the rule limits the time when a bill can survive for action to two days, which means two hours. If, therefore, any member chooses to take the trouble to beat any

bill in the morning hour by the use of the parliamentary powers which you may give him, he can do it; because, after the consideration of the measure has lasted for two days, one hour per day, it then becomes "unfinished business," and it remains forever unfinished business.

I say that because I am quite sure that the experience of every other member who has had experience here will bear me out in the statement. What I propose is that after the House has got to the end of its sixty minutes it shall be at liberty, if it chooses, to go to some other form of business, or, if it chooses not to, it may continue and finish the bill which is under consideration. That is all the change that I propose, but it is a change from control by one man to control by the House of Representatives. I am sure that if the House could have the benefit of a knowledge of the working of the system proposed by the Committee on Rules and of the working of the system which I propose they would not hesitate for an instant to make the choice.

I beg leave to add that this proposition is not liable to the objection that it is sluicing business through the House, because, under it, nothing can be brought up that has not the approval of one of your own committees. Nor would it be possible under this provision to bring up any bill that appropriates money. It simply secures consideration of bills like bridge bills and others of that kind. It saves the time of the House and the patience of the Speaker. It is not an invention of the Fifty-first Congress, but it is a recurrence to the system which existed before the Forty-fifth Congress, and was found to work advantageously. I sincerely hope that in the interest of public business the House will adopt this proposition, which has only the scope I have explained.

The question being taken on agreeing to the amendment of Mr. REED, there were—ayes 75, noes 68.

Mr. McMILLIN. Let us have the yeas and nays.

Mr. BRECKINRIDGE of Kentucky. I think there is some misapprehension——

Mr. McMILLIN. I am willing that the vote be taken first by tellers.

Mr. BRECKINRIDGE of Kentucky. I was about to suggest that there seems to be some misapprehension as to the effect of this amendment; and I ask unanimous consent that it be again read before another vote is taken.

Mr. McMILLIN. Very well; I withdraw my demand——

The SPEAKER *pro tempore*. If the demand be withdrawn, the Chair must announce the result of the vote.

Mr. SPRINGER. Let us have tellers.

Mr. McMILLIN. I will ask that the vote be first taken by tellers.

The SPEAKER *pro tempore*. Pending the demand for tellers, unanimous consent is asked that the substitute may be again reported.

There was no objection.

Mr. REED. I hope that in reporting the substitute again the Clerk will omit the provision in reference to Senate bills, which was intended to be struck out.

Mr. BRECKINRIDGE of Kentucky. There seems to be some misunderstanding.

Mr. REED. The intention was to omit the provision in regard to Senate bills. The substitute as submitted refers solely to bills of the House which are designated by House committees.

The Clerk again read the substitute.

The SPEAKER *pro tempore*. On the substitute which has been again reported the gentleman from Illinois [Mr. SPRINGER] asks for tellers.

Mr. SPRINGER. I ask unanimous consent that the gentleman from Tennessee [Mr. McMILLIN] be permitted to occupy five minutes in explaining the effect of the rule as submitted.

Mr. McMILLIN. No; if the House wants to adopt the other system, let it do so.

The SPEAKER *pro tempore*. Does the gentleman make that request?

Mr. SPRINGER. I made the request; but if the gentleman from Tennessee does not desire to occupy any time——

Mr. REED. What is the request?

Mr. O'NEILL of Missouri. With the understanding that the same privilege shall be allowed to every other member, I have no objection.

Mr. REED. What is the request?

The SPEAKER *pro tempore*. The request has been withdrawn.

Mr. REED. I should be very glad for my part to have thorough debate on the subject. I believe that if the House understood the question the result would be favorable to my proposition.

Mr. SPRINGER. Objection was made.

Mr. REED. I have no objection to the fullest debate; nor would I object, even if it were limited to a reply to what I have said.

The SPEAKER *pro tempore*. The question is on the demand for tellers.

Tellers were ordered; and Mr. REED and Mr. CATCHINGS were appointed.

The House again divided; and the tellers reported—ayes 80, noes 104.

So the amendment of Mr. REED was rejected.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its secretaries, announced that the Senate requested the House of Representatives to return to the Senate the joint resolution (S. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by act of Congress, approved August 5, 1861."

THE RULES.

Mr. CHIPMAN. I offer the amendment which I send to the desk.

The Clerk read as follows:

Mr. CHIPMAN submits the following amendment, to stand as clause 3 of Rule XXVI:

"3. Every Friday, unless otherwise ordered by the House, there shall be a session of the House to begin at 8 o'clock p. m. and to terminate at half past 10 o'clock p. m., to consider and dispose of bills to remove political disabilities of individuals and private bills reported by the Committee on Pensions and the Committee on Invalid Pensions."

The SPEAKER *pro tempore* (having put the question on agreeing to the amendment). The ayes seem to have it.

Mr. KILGORE. Let us have a division.

The question being again taken, there were—ayes 100, noes 3.

So the amendment of Mr. CHIPMAN was adopted.

Mr. PICKLER. Mr. Speaker, the amendment just adopted is the substance of one I had printed in the RECORD, and I desire now permission to insert in the RECORD a short history of these evening sessions.

The SPEAKER *pro tempore*. Is there objection?

Mr. WILLIAMS of Illinois and others objected.

The Clerk read as follows:

2. The second and fourth Mondays in each month, after the call of States and Territories, shall, when claimed by the Committee on the District of Columbia, be set apart for the consideration of such business as may be presented by said committee.

Mr. CATCHINGS. I offer the following amendment, to make this conform to the action taken heretofore.

The Clerk read as follows:

Amend clause 2 by striking out the words "after the call of States and Territories."

The motion was agreed to.

The Clerk read as follows:

RULE XXVIII.

CHANGE OR SUSPENSION OF RULES.

1. No standing rule or order of the House shall be rescinded or changed without one day's notice of the motion therefor, and no rule shall be suspended except by a vote of two-thirds of the members present, nor shall the Speaker entertain a motion to suspend the rules except on the first and third Mondays of each month after the call of States and Territories shall have been completed or one hour shall have been devoted thereto, preference being given on the first Monday to individuals and on the third Monday to committees, and during the last six days of a session.

Mr. CATCHINGS. I offer the amendment I send to the desk to make the section conform.

The Clerk read as follows:

Strike out in the sixth and seventh lines the words "after the call of States and Territories shall have been completed, or one hour shall have been devoted thereto."

The motion was agreed to.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I offer an amendment to the first paragraph of this rule.

The Clerk read as follows:

Add to the first paragraph:

"And motions to suspend the rules shall be made on said days without naming the bills thereafter to be considered, which shall be determined by a majority of the members present, in the ascertainment of which no dilatory motions shall be allowed."

Mr. JOSEPH D. TAYLOR. Mr. Speaker, this amendment is somewhat of an innovation. It is a change almost as radical as the one inaugurated by the rules of the Fifty-first Congress, which allowed the Speaker to count the members actually present in ascertaining the presence of a quorum; and yet I think it ought to be made. It is certainly a change in the right direction. What I propose is that we shall apply on suspension days, the two days in every month when all rules are suspended, the rule applied in the last Congress to other days of the month, the rule applied when the House was in the Committee of the Whole.

Paragraph 4, Rule XXIII, of the Fifty-first Congress reads as follows:

In Committees of the Whole House business on their Calendars may be taken up in regular order, or in such order as the committee may determine, etc.

This rule applied on suspension days would allow the House to determine what bills should be considered and their order.

There has been a great deal said in this House during the present session about the tyranny of the last House and the rules which clothed the Speaker with extraordinary powers. It has been insisted that the rules of the last House gave the presiding officer too much power, and thereby gave him absolute control of all legislation.

But there never was a rule in any parliamentary body in the world that gave to the presiding officer more power than is given in the rule which we are now considering, notwithstanding it is an old rule and has been in force in all of the preceding Congresses. I can see no reason why the Speaker should be clothed with the extraordinary power of controlling legislation on suspension days, and yet he has absolute power in this direction and designates the bills on the Calendar which are brought before the House for consideration. And this is the power which he is to exercise under the rules we are now considering.

Mr. McMILLIN. Will the gentleman from Ohio yield for a question?

Mr. JOSEPH D. TAYLOR. Certainly.

Mr. McMILLIN. I have before me the resolution or amendment proposed by the gentleman, and I must confess I am unable to understand the scope to which he desires it to apply. Is it the object of the gentleman that when a member makes the motion in question he shall not disclose the bill he desires to have action taken upon?

Mr. JOSEPH D. TAYLOR. The object of the amendment is this: As the rule now stands the Speaker has no right to entertain a motion to suspend the rules except on the first and third Mondays of each month and on the last six days of each session, and my amendment contemplates that on any of these days a motion shall be made to suspend the rules for the consideration of bills on the Calendar, and after the rules are suspended the House shall determine what bill or measure shall have priority, just as the Committee of the Whole House did in the last Congress.

This is democratic, and it is right. There are times when the Calendar of this House will contain a thousand bills, one-half of which would pass by a two-thirds vote if they could be reached or considered, but they are never reached because the Speaker will not recognize the members having them in charge.

Go to the Speaker's room by day or by night, toward the end of a session, and you will see his room crowded with members begging recognition for some bill in which they or their constituents are deeply interested. The Speaker alone decides what measures shall be considered. He has the absolute power of saying what measures shall and what measures shall not be considered. Is his judgment better than the judgment of the House? Is the judgment of one man worth more than the judgment of three hundred men?

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I would like to have a few minutes longer. I have been absent during most of this discussion and I have not occupied any of the time of the House since the discussion of the rules began.

Mr. CATCHINGS. I hope the gentleman may have five minutes longer and then we will ask a vote.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I have seen a river and harbor bill carrying $20,000,000 pass this House, or a former House, on suspension day when there could be only thirty minutes' discussion, fifteen minutes on each side, and when no solitary amendment could be offered. It passed and became a law because the Speaker of the House saw proper to recognize the member having it in charge.

Five hundred other bills, a hundredfold more meritorious, never had an hour or a moment's consideration. Why should we trust the Speaker in preference to ourselves in so important a matter? Why should he have the absolute power of saying that certain measures shall have no opportunity of being considered? Is not that tyranny? Is not that "one-man power?" Is not that czarism? Is not that absolute power, such as you find nowhere except in European monarchies? My amendment proposes to take this power away from the Speaker, and I have no doubt that this change would be welcomed by the Speaker more than by any other member of this House, as it would relieve him of a great burden and of a great responsibility.

It has more than once been charged that Speakers were improperly influenced in recognizing or refusing to recognize the mover of certain bills; and it has been charged that certain measures in which great corporations were interested were favored by the Speaker who permitted them to be considered. Favoritism in such recognitions, or in the refusal to recognize members who have certain measures in charge, would be charged, whether there was any ground for it or not, under a system which imposes such prerogatives on the presiding officer.

This is the English idea of a presiding officer. It is a relic of monarchical power. You will find it everywhere in Europe, but you will not find it in this country outside of these rules, because in this country majorities control in State and nation. The majority in this House should determine, just as we did in Committee of the Whole, by a vote, what bill should be taken up, what bill should be considered, what bill should pass, and what bill shall not be considered.

Mr. Speaker, this rule is not only wrong in principle, but it imposes upon members a duty that is somewhat humiliating. To be required to go to the Speaker and importune him for recognition day after day is certainly imposing upon a member an unpleasant duty. I think this House should determine, where all are equals, Speaker and members, just what should be done on suspension days, just as we do in the Committee of the Whole. This is too important a matter to be relegated to one man.

On suspension days we have no rules if the motion to suspend prevails. Every rule of parliamentary law is set aside for the time, and we are called upon to vote for or against measures almost without debate and without any power to amend in any particular. You propose to put a great deal of power in the hands of five men, the Committee on Rules, three of whom constitute a majority, but you have not given them such absolute power as the Speaker will have under this rule if it is not amended.

The power given to the Speaker, under the rules of the last House, to count the members present, was no such power as is given under this rule. I would a thousand times rather trust a Speaker in the presence of the House than in the privacy of his room, where he may be importuned to promise recognitions because of the importunities and not because of the merit of the measure which he promises to aid by recognition on suspension day; very few people know the character or extent of the arguments or influences which are brought to bear upon the Speaker.

There is no limit to the number of men who have access to the Speaker to urge this recognition. The doors of his room are open to all. The agent or attorney, the friend or foe of any measure, the advocate of any scheme is entitled to the ear of a kind and courteous Speaker, and he must have more than human wisdom, more than human power, not to be moved by some of these influences.

[Here the hammer fell.]

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I would like a little further time, or at least leave to print additional remarks in the RECORD.

Mr. PICKLER. Mr. Speaker, I find that in the first session of the Forty-eighth Congress, February 18, 1884, Mr. Matson, under instructions from the Committee on Invalid Pensions, asked consideration of the following resolution:

Resolved, That, until the further order of this House, on each Friday the House will take a recess at 5 o'clock until 7:30 p. m., at which evening sessions bills on the Private Calendar reported from the Committee on Pensions and the Committee on Invalid Pensions shall be considered.

Motion seconded by tellers.

Mr. A. J. Warner moved that the House adjourn. Lost—yeas 56, nays 135, not voting 129. Yeas and nays demanded, and upon this vote the House refused to adjourn.

The question was then put on the suspension of the rules, and two-thirds having voted in the affirmative, the rules were suspended and the resolution adopted. (House Journal, first session Forty-eighth Congress, page 614.)

Mr. Matson again in the Forty-ninth Congress, this rule having proved so satisfactory, on the 15th day of January, 1886, by unanimous consent, offered the resolution, enlarged by including "bills reported from the Judiciary Committee to remove political disabilities," which was considered by the House by unanimous consent and agreed to without division.

The resolution then adopted was in the following language:

That on each Friday the House shall take a recess from 5 o'clock p. m. until 7:30, at which evening sessions private bills reported from the Committee on Invalid Pensions and the Committee on Pensions and bills reported from the Judiciary Committee to remove political disabilities only shall be considered.—*House Journal*, first session Forty-ninth Congress, page 367.

Again in the Fiftieth Congress, on the 29th day of February, 1888, Mr. Matson, by unanimous consent, offered this resolution, which was referred to the Committee on Rules:

Resolved, That until further ordered, on each Friday, at 5 o'clock p. m., the House shall take a recess until 7:30 p. m., and after the 15th day of April next until 8 p. m., at which evening sessions bills on the Private Calendar granting pensions, reported from the Committee on Invalid Pensions and the Committee on Pensions, bills on the Private Calendar reported from the Committee on the Judiciary, removing political disabilities, shall be considered; and no other business shall be transacted at such evening sessions; and the House shall adjourn on each of said evenings not later than 10:30 p. m.—*House Journal*, first session Fiftieth Congress, page 987.

On March 2, Mr. Randall, from the Committee on Rules, reported back the resolution without change, and after some debate as to the propriety of including the removal of desertions in the resolution it was passed without division. (CONGRESSIONAL RECORD, first session Fiftieth Congress, page 1666.)

In the Fifty-first Congress it was incorporated in and as a part of Rule XXVI in the language of the amendment I have offered, which adds to the former resolution consideration of bills for removal of desertion.

This amendment was reoffered by Mr. CHIPMAN in the same language, as I understand, and the House has just adopted it. It adds to the former resolution consideration of bills for the removal of the charge of desertion.

I was informed there would be decided opposition to placing this in the rules; that it could be covered by resolution. I am glad that no opposition has developed.

There can certainly be no good reason why the action of the Committee on Invalid Pensions should not be governed by a rule, as are other committees. I deem its business as important as that of other committees, and it should be as well treated.

Let the men in whose interest these Friday evening sessions are held know that their interests are protected by a rule of the House.

Mr. MCMILLIN. Let us have a vote. I demand the previous question on the amendment.

Mr. JOSEPH D. TAYLOR. I desire to have read a short letter in regard to recognition of members on suspension days.

The SPEAKER *pro tempore*. Debate is not in order, the previous question having been demanded.

Mr. MCMILLIN. Would it not accomplish the gentleman's purpose as well to have the letter inserted in the RECORD?

Mr. JOSEPH D. TAYLOR. No; I would like to have it read. It is a letter written by three members of the present House to Speaker CARLISLE.

The SPEAKER *pro tempore*. Does the gentleman from Tennessee insist upon his demand for the previous question?

Mr. MCMILLIN. I insist on it. I want to get through with the consideration of this subject.

Mr. JOSEPH D. TAYLOR. It will take less time now than it will later.

The question being taken, the Speaker *pro tempore* announced that the ayes seemed to have it.

Upon a division (demanded by Mr. JOSEPH D. TAYLOR) there were—ayes 77, noes 33.

Mr. JOSEPH D. TAYLOR. No quorum, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman from Ohio makes the point that no quorum has voted. The Chair will appoint as tellers the gentleman from Ohio, Mr. JOSEPH D. TAYLOR, and the gentleman from Tennessee, Mr. MCMILLIN. Gentlemen who support the demand for the previous question will first pass between the tellers.

Pending the announcement of the vote by tellers,

The SPEAKER *pro tempore* said: No quorum has voted. Gentlemen will please come forward and vote on one side or the other of this question.

Further pending the announcement of the vote,

Mr. JOHNSON of North Dakota said: Mr. Speaker, I ask for an announcement of this vote.

The SPEAKER *pro tempore*. The tellers have not yet completed the count.

The tellers reported—ayes 132, noes 14.

Mr. JOSEPH D. TAYLOR. No quorum has voted.

The SPEAKER *pro tempore*. The gentleman from Ohio [Mr. JOSEPH D. TAYLOR] insists upon the point that no quorum has voted.

Mr. BLAND. Mr. Speaker, I move a call of the House.

Mr. MCMILLIN. It would be better, would it not, to call for the yeas and nays.

Mr. BLAND. Let us have the yeas and nays.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, rather than waste so much time as that would involve I will withdraw the point.

The SPEAKER *pro tempore*. The gentleman from Ohio [Mr. JOSEPH D. TAYLOR] withdraws his point that no quorum has voted. Does the gentleman from Missouri withdraw his demand for the yeas and nays?

Mr. BLAND. I do.

The SPEAKER *pro tempore* then announced that the demand for the previous question was sustained, and that the question was on the amendment offered by the gentleman from Ohio [Mr. JOSEPH D. TAYLOR].

The amendment was disagreed to.

The Clerk read as follows:

3. When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition, and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I move to strike out the last clause.

In support of my amendment I desire to call the attention of this House to the fact that in the Forty-ninth Congress three distinguished gentlemen, all Democrats, two of whom are now members of this House, and the other would be if he were living, the lamented Samuel J. Randall, made a request that some Democrat be recognized on suspension day to present a measure which had the support of a large majority of that House.

The Hon. GEORGE D. WISE, of Virginia, and the Hon. JOHN S. HENDERSON, who now sit on the other side of this Chamber, joined the Hon. Samuel J. Randall in this request, but the request was refused by Speaker CARLISLE, who persisted in his refusal till the last hours of the Forty-ninth Congress expired, although the request was insisted upon by the chairman of the Ways and Means Committee, the greatest Democrat of the nation, and the two gentlemen I have named. They did not ask recognition for themselves; they asked recognition for a measure which the country demanded. They asked for the consideration of a measure that was supposed then to have the support of fully three-fourths of the members of the Forty-ninth Congress, a measure to which there was very little opposition in either end of the Capitol. They laid this request before the Speaker and the country, and yet it was refused.

I send up to the Clerk's desk to have read the letter written by these gentlemen and the reply made by Speaker CARLISLE. This urgent request made by the late Samuel J. Randall, whose eulogies uttered only the other day still echo in this Hall, was refused. I present this letter and the reply of the Hon. JOHN G. CARLISLE, who was then Speaker, as an illustration of what can be done under these rules without this amendment:

The Clerk read as follows:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., February 5, 1887.

DEAR SIR: At the instance of many Democratic members of the House, we appeal to you most earnestly to recognize, on Monday next, some Democrat who will move to suspend the rules for the purpose of giving the House an opportunity of considering the question of the total repeal of the internal-revenue taxes on tobacco.

Many Republican members, we have reason to believe, are anxious to make such a motion. We believe the country is ready for the repeal of these taxes and that a large majority of the House will so vote when an opportunity occurs.

For a Republican to make the motion would give the Republican party all the credit accruing therefrom and would almost certainly cause the loss to the Democracy of not less than two Southern States at the general election in the year 1888. This is an isolated proposition, and we believe will command more votes than any other measure pending before the House looking towards a reduction in taxation; and favorable action on this proposition will not interfere with other efforts that are being made to reduce the burden of the people.

Yours, respectfully,

GEORGE D. WISE.
JOHN S. HENDERSON.
SAMUEL J. RANDALL.

Hon. JOHN G. CARLISLE,
House of Representatives.

Mr. JOSEPH D. TAYLOR. Read the reply.

The Clerk read as follows:

SPEAKER'S ROOM,
HOUSE OF REPRESENTATIVES UNITED STATES,
Washington, D. C., February 7, 1887.

GENTLEMEN: Your favor of the 5th instant, requesting me to recognize some Democrat "who will move to suspend the rules for the purpose of giving the House an opportunity of considering the question of the total repeal of the internal-revenue tax on tobacco," was duly received and has been carefully considered.

A week ago, in compliance with the request made by you and other gentlemen, I consulted fully with the Democratic members of the Committee on Ways and Means for the purpose of endeavoring to formulate some measure for the reduction of taxation which would meet with the approval of our political friends and enable us to accomplish something practical in that direction during the present session of Congress. The bill which you then submitted for their consideration proposed legislation upon both branches of our revenue laws, and on the 3d instant it was returned to you with such modifications and changes as were necessary in order to make it acceptable to the gentlemen to whom it had been submitted.

In order, however, that our efforts to secure reduction of taxation might not fail on account of our inability to agree upon a measure in advance, we at the same time submitted certain alternative propositions, some one or more of which we hoped might be acceptable to you. Among other things we proposed to submit the entire subject to a caucus of our political friends, with the understanding that all parties would abide by the result of its action, and in case that course was not satisfactory to you we informed you that we would at any time, upon a reasonable notice, support a motion to go into Committee of the Whole on the state of the Union for the purpose of considering House bill 9702, introduced by Mr. Randall at the last session. That bill relates to internal-revenue tax on manufactured tobacco, snuff, and cigars.

We have received no response to that communication, and I consider that it would not be proper, under the circumstances, for me to agree to a course of action which would present for the consideration of the House a simple proposition for the repeal of the internal-revenue tax on tobacco, snuff, and cigars, to the exclusion of all other measures for the reduction of taxation.

Sincerely hoping that some plan may yet be devised which will enable the House to consider the whole subject of revenue reduction,

I am, very truly, yours,

J. G. CARLISLE.

Hon. GEORGE D. WISE,
Hon. JOHN S. HENDERSON,
Hon. SAMUEL J. RANDALL.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. JOSEPH D. TAYLOR. Just a moment more.

The SPEAKER *pro tempore*. The time of the gentleman has expired, and the gentleman from Kentucky is recognized.

Mr. CARUTH. Mr. Speaker, I did not rise for the purpose of making a defense of the Hon. JOHN G. CARLISLE, ex-Speaker of the House of Representatives. His name and fame are part and parcel of the legislative history of this country. I venture the assertion that no man ever retired from that chair who had more thoroughly the confidence of this House, of both political parties, than Hon. JOHN G. CARLISLE. [Applause on the Democratic side.]

Impartiality was synonymous with his name, and wherever called upon to name a person who has made a great Speaker of the House of Representatives, the first name that arises in the mind of every well-informed man in America is the name of ex-Speaker CARLISLE.

But, I did not rise, as I said before, to enter into a defense of his conduct. I found by an investigation of the subject that this discussion was about to end this day, and I thought perchance it would not do for it to pass into history without adding my part to the literature of this debate. [Laughter.]

Why, Mr. Speaker, I think that if you will examine the legislative history of this country it will be seen that this same debate has been carried on at the organization of every Congress where there has been a change of party from the formation of the Government up to this good hour. Why, sir, if an old member who had been outside of these halls for fifty years were to walk down into this Chamber he would see different occupants, but would hear the same old arguments. He would be in the condition of that man who was said to have returned to the scenes of his boyhood days and who visited once more the college in which he was educated. In the room in which he formerly lodged he would find another occupant, but see the same old furniture and hear the same old lie. [Laughter.]

When it is necessary to sustain any proposition, all you have got to do is to retire to the library, and you can prove that there has been a change of sentiment in behalf of every measure presented to Congress. Why, the distinguished gentleman from Illinois [Mr. SPRINGER], leader of this side of the House, and the gentleman from Maine [Mr. REED], the distinguished leader on that side of the House, have been confronting us with the same arguments made from different standpoints. The gentleman from Maine opposing it in one instance and favoring it in another, and the gentleman from Illinois favoring it in one instance and opposing it in another. Why, they change with the different circumstances. It is like the girl who was being courted, who at night said "yes," and in the morning said "no." [Laughter.]

"Yes, sir," I answered you last night;
"No, sir," I say to-day;
Colors seen by candlelight
Are not the same by day.

[Laughter.]

Here are the leaders adapting their arguments to the peculiar occasion that confronts them; and he is said to be the best and boldest leader of a political party who tramples precedents and customs under foot. Why, Mr. Speaker, I made a few remarks when we were considering the rules in the Fifty-first Congress, and I said in those remarks that I opposed that policy which magnified the Speaker, glorified the committees, and dwarfed the individual members of the House; and if I believed these were the same rules in effect under which so much tyranny was exercised my voice would be raised in opposition, notwithstanding they are reported by a Democratic committee. But they are not the same rules.

I understand that they increase the importance, to a certain extent, of the individual member; and I am in favor of that. I do not believe that a man ought to be compelled to go to the Speaker of the House on bended knee and ask for recognition. He is sent here as the representative of his people. It is his duty to represent them to the best of his ability, and not to "crook the pregnant hinges of the knee where thrift may follow fawning."

[Here the hammer fell.]

Mr. CARUTH. I would like to have some more time. I have not made a speech in this Congress, and I was just getting in a good way of talking.

Mr. ARNOLD. I ask unanimous consent that the gentleman from Kentucky may be allowed to proceed.

There was no objection.

Mr. CARUTH. I thank the House. Every one of my colleagues from Kentucky, I believe, with, perhaps, one exception, has made a speech at this session, but I have not tried the acoustic properties of the Hall at all. [Laughter.] I object, I say, to the great power that is put in the hands of the Speaker of this House. We might as well abolish the body as to make him the general legislator of the country. I have heard the wife of a distinguished ex-Speaker say that she would rather her husband should hold the office of Speaker than any other office in the Government, save that of President of the United States. Why, sir, at the last session of Congress, when my friend from Maine [Mr. REED]—the gentleman who has such peculiar ideas upon the subject of time that he says twenty-four days make a month, and objects to sixty minutes being an hour [laughter]—at the last session of Congress, I say, when he sat there in his Speaker's chair, he acted in such a manner as if he would say to all the world:

'Tis air I tread.
And at each step
I feel my advanced head
Knock out a star in heaven!

[Laughter.]

Mr. Speaker, when you and I and all of us returned home to our people, we found our districts placarded with immense pictures representing the Hall of the House of Representatives, with the Republican side all full, while upon this side there stood but one leader, the brave, long-haired son of Virginia [Mr. O'FERRALL], battling for the rights of the people. But, notwithstanding we had vacated these chairs, the gentlemen on the other side managed to unseat the Representatives whom the people had elected, and to increase their own majority. I heard a Republican say that it put him in mind of a man who went coon-hunting in the forest. Looking up at a stalwart tree, he thought there might be a coon lodged somewhere in its branches, and when the ax was laid to the root of the tree and it was brought low, behold, instead of one coon there were two! So, in about five minutes of that eventful day in this Hall, instead of seating one colored Representative, they seated two—two coons in place of the elected Representatives of the people. [Laughter.]

But, thank God, although those pictures were displayed, and although the boot of my friend from Texas [Mr. KILGORE] took part as an issue of the Congressional campaign, thank God, I say, every seat on this side is now full and we have slopped over on to the other side. [Laughter.] And now the gentleman from Maine leads a forlorn hope, scarcely enough to do what little business he does, and God knows that is little enough.

Now, Mr. Speaker, I want to say that while I oppose the rules proposed by the gentleman from Maine, I approve the rules reported by the Committee on Rules, because they augment the power of the individual member. I want to put it in the power of members of this House to represent their constituencies upon this floor without waiting for the *ipse dixit* of any one man. I am here as the accredited representative of my constituents; I have a right to lift my voice in their behalf and for their interest, and it is my purpose so to do. I thank the House. [Applause on the Democratic side.]

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I desire to say that the gentleman's [Mr. CARUTH'S] defense of Speaker CARLISLE, so far as I am concerned and so far as this House is concerned, was entirely unnecessary. I made no accusation whatever against Mr. CARLISLE. I made no accusation against him or against the present Speaker. I only presented this correspondence as an illustration of the great power which the rules confer upon the Speaker of the House. I used this correspondence merely as an illustration. I have always spoken in the highest terms of Speaker CARLISLE and honor him for his great ability and for his remarkable impartiality.

Gentlemen talked about the "reign of terror" in the last House, and I referred them to the reign of terror in the Forty-ninth Congress, to the reign of terror in this Congress, to the reign of terror which has existed in every Congress for one hundred years. I reflect upon no individual; I call in question no man's integrity. You thrust this power upon your Speaker, and compel him to exercise it; and Speakers only do what they feel bound to do under such rules. I desired to call the attention of the House and the country to what I regard a great wrong.

This is a republican Government, and must be governed, if governed at all, by majorities. We made two steps forward in the last Congress; we suppressed dilatory motions and allowed the Speaker to count all of the members actually present in ascertaining a quorum. If we make two steps backward in this House we will probably make three steps forward in the next, and the third step will probably be in the direction I have indicated.

No member of this House has a right to surrender to the Speaker any right or privilege which belongs to him under the Constitution. In every Congress hundreds of the most important bills go to the graveyard of legislation—the House Calendar, where burials are many and resurrections few, because the members of this House join hands in creating a system of rules that lock the wheels of legislation and stand in the way of progress. Let a majority of the members of this House decide what we shall do and what we shall not do and I shall be content, but I am forever opposed to arbitrary power wherever it may be lodged.

The Clerk read as follows:

1. At the commencement of each Congress, immediately after the Members and Delegates are sworn in, the Clerk shall place in a box prepared for that purpose a number of small balls of marble or other material equal to the number of Members and Delegates, which balls shall be consecutively numbered and thoroughly intermingled, and at such hour as shall be fixed by the House for that purpose, by the hands of a page, draw said balls one by one from the box and announce the number as it is drawn, upon which announcement the Member or Delegate whose name on a numbered alphabetical list shall correspond with the number on the ball shall advance and choose his seat for the term for which he is elected.

2. Before said drawing shall commence each seat shall be vacated and so remain until selected under this rule, and any seat having been selected shall be deemed forfeited if left unoccupied before the call of the roll is finished, and whenever the seats of Members and Delegates shall have been drawn no proposition for a second drawing shall be in order during that Congress.

Mr. OTIS. Mr. Speaker, I offer the amendment which I send to the desk.

The amendment was read, as follows:

In Rule XXXII, section 2, line 4, after the word "unoccupied" insert "in person by the member entitled thereto."

Mr. OTIS. Mr. Speaker, I offer that amendment to prevent the "paging" of seats while the drawing is going on. I speak from experience in this matter. When I took my seat at this desk there was a ticket with the name of a gentleman upon it under the lid of the desk. It was then taken and placed upon another desk. The gentleman from South Carolina near me [Mr. STACKHOUSE] was informed that the seat which he now holds had been preoccupied by some party whose name seemed to be on the slip, but when the gentleman from South Carolina took the seat, then the slip was passed to a seat in front of me and a page was sent to secure that seat for some gentleman whose name had not yet been called; but, at my suggestion, the gentleman now occupying the seat [Mr. SIMPSON] came and took it, and but for that he might have been relegated to a dark corner. I trust the amendment will be adopted.

The question being taken on the amendment of Mr. OTIS, it was rejected.

The Clerk read as follows:

RULE XXXIV.

OF ADMISSION TO THE FLOOR.

The persons hereinafter named, and none other, shall be admitted to the Hall of the House or rooms leading thereto, viz: The President and Vice-President of the United States and their private secretaries, judges of the Supreme Court, members of Congress and members elect contestants in election cases during the pendency of their cases in the House, the Secretary and Sergeant-at-Arms of the Senate, heads of Departments, foreign ministers, governors of States, the Architect of the Capitol, the Librarian of Congress and his assistant in charge of the law library, such persons as have by name received the thanks of Congress, ex-members of the House of Representatives who are not interested in any claim or directly in any bill pending before Congress, and clerks of committees, when business from their committee is under consideration; and it shall not be in order for the Speaker to entertain a request for the suspension of this rule or to present from the chair the request of any member for unanimous consent.

Mr. McRAE. I send to the desk an amendment to the rule just read. It is rather a transposition of the language than anything else.

The Clerk read as follows:

Strike out, in lines 12 and 13, the words "directly in any" and insert between the word "not" and the word "interest," in line 12, the word "directly."

Mr. DINGLEY and others. How will the clause then read?

The Clerk read the clause as proposed to be amended, as follows:

Ex-members of the House of Representatives who are not directly interested in any claim or bill pending before Congress, etc.

Mr. McMILLIN. I think that my friend from Arkansas on examination will find that this amendment relaxes rather than makes more stringent the rule as to the admission of persons having claims or bills pending here. I am sure he does not wish to offer an amendment having that effect. I thought on first blush that his amendment was an improvement. I will not insist on my point, if the House is of a different opinion.

Mr. McRAE. My amendment in fact makes the rule more stringent; makes it harder for any person directly interested in any pending bill or claim to obtain admission to the floor.

Mr. BRECKINRIDGE of Kentucky. Would not the rule be strengthened by striking out altogether the word "directly?"

Mr. McMILLIN. Yes.

Mr. McRAE. Very well; let that word be omitted.

Mr. BRECKINRIDGE of Kentucky. It is by a play upon that word "directly" that some persons really interested in matters pending here have obtained admission to the floor for the purpose of lobbying. They claim that they are not "directly" interested.

Mr. McMILLIN. My reason for suggesting that the amendment would operate as a relaxation of the rule was that the insertion of the word "directly," before the word "instead" would qualify the prohibition instead of leaving it unqualified.

Mr. McRAE. Very well; let the word "directly" be struck out.

Mr. McMILLIN. Then I have no objection to the transposition.

The clause as proposed to be amended was read, as follows:

Ex-members of the House of Representatives who are not interested in any claim or bill pending before Congress, etc.

Mr. McRAE. That is right.

The question being taken on the amendment of Mr. McRAE, it was agreed to.

The Clerk read as follows:

2. Stenographers and reporters, other than the official reporters of the House, wishing to take down the debates and proceedings, may be admitted by the Speaker to the reporters' gallery over the Speaker's chair, under such regulations as he may, from time to time, prescribe; and he may assign two seats on the floor to Associated Press reporters and regulate the occupation of the same.

Mr. McMILLIN. For the purpose of giving the United Press Association equal privileges on this floor with the Associated Press I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out all after the word "assign," in the second paragraph of Rule XXXVI, and insert the following:

"Seats on the floor to a representative of both the Associated and the United Press Association, and may admit to the privileges of the floor an assistant to each of such representatives."

The amendment was agreed to.

The Clerk read as follows:

JEFFERSON'S MANUAL.

The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House and joint rules of the Senate and House of Representatives.

Mr. O'NEILL of Missouri. I move to amend by inserting as a new rule, after the rule just read, the paragraph which I send to the Clerk.

The Clerk read as follows:

The Committee on Rules shall report back to the House within ten days all amendments to the rules referred to said committee.

Mr. O'NEILL of Missouri. Mr. Speaker, we are conferring extraordinary powers on the Committee on Rules. There are many extraordinary provisions in this code which we are adopting, and simply out of abundance of caution, in order that the House may have power to regulate and control its business, I believe that amendments to the rules when referred to that committee should within a reasonable time be reported back to this House for its action. I say this without any desire to find fault with members of the committee, but I recognize that it is not wise to place in the hands of any committee too much power where the interests of the people are involved. This House should retain the right to regulate and control its own business.

The Committee on Rules can not object to this provision. No men should want to exercise power as against the will of the House; any members desiring such power would be the very ones we could not afford to trust. I hope, therefore, this proposed rule will be adopted. If ten days be regarded as too short a time within which to require reports to be made, let the provision be modified in that respect. It occurred to me that ten days would be a reasonable time to enable the Committee on Rules to report back to the House any proposition referred to it looking to a change in the rules.

Mr. McMILLIN. One word in response to what the gentleman from Missouri [Mr. O'NEILL] has said. I presume there will be no disposition on the part of the Committee on Rules to prevent or delay the consideration of any matter referred to it.

But this is applying to this committee a rule that is not applicable to any other committee of the House, the necessity of submitting reports upon all matters referred to it within ten days. The gentleman himself, on a previous occasion, was chairman of an important committee of the House, and he knows how utterly impossible it would have been for that committee, of which he was chairman, to have reported back all the measures submitted to it within ten days. Some of them they were not able to report at all, and at least half, I should say, of the measures so referred were not reached by the committee.

Mr. O'NEILL of Missouri. My friend from Tennessee misunderstands my object entirely. I mean that the Committee on Rules, within ten days after a proposition for a modification or change of any rule is referred to it, should be required to report it back, either favorably or adversely, to the House. In other words, I do not think the Committee on Rules should have the power to pocket or pigeonhole amendments referred to it.

Mr. McMILLIN. But the gentleman forgets that the Committee on Rules, like all other committees, is subject to instructions by the House by resolution or by recommittal.

Mr. O'NEILL of Missouri. My friend misunderstands me again. He certainly knows that the Committee on Rules will have control of the business of the House. There is no way to instruct the committee by resolution. After the passage of this code of rules we are tied hand and foot. We can not have a day set for

the consideration of any bill except through the Committee on Rules. We can do nothing except the Committee on Rules will permit. The House should not be absolutely at the mercy of any committee, but retain the power to modify or change rules by proper amendments, referred through the House to the committee, upon which they would be compelled to report and upon which the House could act. Before you complete the rules at this point you should adopt this safeguard. The committee is privileged to report at any time, and I believe in giving them all the power that is necessary, but not to the extent that it can be abused, which could be done if you permit them to pocket any amendment to the rules. They should be required to report it to the House, and let the majority of the House, the representatives of the people, decide if they desire to make changes in existing rules. I know by experience, as every other member here must know, the necessity for such a provision in the rules.

Mr. BLAND. Will my colleague allow me to ask him a question?

Mr. O'NEILL of Missouri. Certainly.

Mr. BLAND. I take it for granted that every member would probably want some change in the rules from time to time. There are three hundred and thirty-odd members, and that would make three hundred and thirty propositions which might be submitted to the committee and a report compelled within ten days if this rule is adopted. We have spent a long enough time now upon the rules, but we would never get done if such a provision as that was adopted.

Mr. O'NEILL of Missouri. My friend and colleague is not serious.

Mr. BLAND. Oh, yes.

Mr. O'NEILL of Missouri. Well, at all events, it is not reasonable to presume that 330, or even 20 or 10 members, would be likely to offer amendments which would necessitate the Committee on Rules to report them all back within ten days. But it is to be presumed that a member of Congress would only offer an amendment to the rules where he deemed the interest of the public business was to be promoted by it. It is not a supposable case that everybody, for the mere humor of the thing and for the privilege of having this committee report back his resolution within ten days, would take up the time of the House by offering unnecessary and unwarranted amendments. You may need this yourself, my friend, before you get through this session. I do not propose to leave it to three or five men to decide what the business shall be. I do not propose, without calling attention to it, to see rules adopted that deprive the Representatives of their rights. For one, I do not intend, if I can help it, to put my head into the halter.

Mr. McMILLIN. The State will give notice on that subject. [Laughter.]

Mr. O'NEILL of Missouri. Yes; and in your case you would simply plead guilty at once. [Laughter.]

Now, this amendment is all right, and the gentleman from Tennessee knows it. He is one of the best-natured and brightest men in the House. He knows that the rule I propose here is right and ought to be adopted.

Mr. McMILLIN. Let us have the vote.

The question was taken; and on a division there were—ayes 39, noes 73.

So the amendment was rejected.

The Clerk read as follows:

RULE XLV.

RULES OF THE HOUSE.

These rules shall be the rules of the House of Representatives of the present and succeeding Congresses, unless otherwise ordered.

Mr. BURROWS. I move to strike out Rule XLV as proposed by this code. Of course it will be conceded, Mr. Speaker, that this Congress has no power to establish rules for the next Congress. It may as well be left out here, as it was left out in the last revision of the rules.

Mr. REILLY. Mr. Speaker, I hope the amendment of the gentleman from Michigan will not prevail. I for one can not concede the principle stated by the gentleman. The rule which the gentleman from Michigan proposes to have stricken out has been embodied in every code of rules adopted by the House for many Congresses, until, I believe, the last—the Fifty-first Congress—when it was for the first time omitted. I am one of those, Mr. Speaker, who entertain the opinion and believe that the House of Representatives has the power to establish rules, which, until altered, changed, or rescinded, are binding upon succeeding Houses. I do not mean to say that a succeeding House may not adopt rules, or that it has not full power to modify, change, amend, rescind, or repeal altogether the rules of a former Congress; but until such ensuing House does take some such affirmative action in the premises, I submit that a code of rules, adopted by the House of Representatives in pursuance of its constitutional power, are in force and binding until set aside by such affirmative action. When the House of Representatives exercises this constitutional power of adopting rules to regulate its proceedings, I contend that, reasoning by way of analogy, such rules have the same efficacy, force, and effect upon that body as a law of Congress or a decision of the Supreme Court, which, as we all will concede, are binding until repealed or reversed by the same power that originally ordained them. When rules regulating the course of procedure in this body are so established they are the rules, not of "a House of Representatives," but the rules of "the House of Representatives," an organic body created by the Constitution.

Mr. BURROWS. What does my friend do with that provision of the Constitution which gives to each House the power to make its own rules?

Mr. REILLY. Ah! Therein lies the great point of difference between us—as to the construction which is to be placed on that clause of the Constitution; but I submit that this clause of the Constitution meant and was intended to mean that each House should be entirely independent in the matter of regulating its own course of proceedings, and was embraced in the Constitution so as to remove the difficulty and embarrassment that might occur if it was necessary to have the concurrent action of both Houses to adopt a mode of procedure, which would be the case if the provision as it now is was not inserted. To illustrate: Suppose the provision on this subject was, "Congress may make rules," etc., would anyone contend that when Congress did make a rule, it would fall at the expiration of every Congress? Surely not. And the word "each," as used in that connection in the Constitution, applies to the two bodies that compose the Congress of the United States. I do not believe that the construction placed upon these words, "each House," as being tantamount to each House of Representatives, is correct. The Congress is composed of two bodies—two Houses—which it designates respectively the Senate and the House of Representatives, and in the Constitution, when it speaks specifically of the Senate or upper House, it applies the term "Senate," and when speaking of the House of Representatives, the other House, it is designated as "The House of Representatives;" but when referring to the two bodies collectively the word "House" is applied to designate both; and the purpose is to my mind quite plain, that each House, the Senate in its action and the House of Representatives in its action in the matter of regulating the course of procedure, may be left entirely independent of each other. Thus, in the same paragraph, "each House shall be the judge of the elections, returns, and qualifications of its own members"—"each House shall keep a Journal of its proceedings"—"neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days," etc., demonstrates clearly the distinction made by the Constitution as to the two bodies composing Congress, and renders the meaning and application of the words "each House" manifestly plain and certain.

I am well aware, Mr. Speaker, that I argue in the face of the later and generally accepted theory on this question, but I do not stand entirely alone in my view on the subject; and, as I said, the rule which the gentleman from Michigan moves to have stricken out has been recognized by the House of Representatives during many Congresses and been generally accepted until quite recently as embodying the correct principle upon this subject, and that such a rule was binding upon subsequent Congresses until the House took some affirmative action to set it aside.

Mr. HOLMAN. But it never has been so held.

Mr. REILLY. I know it has not been so held lately, and I have already stated that recent decisions have been the other way, but I am not disposed to concede, with all deference to the able and distinguished gentlemen who hold otherwise, that those decisions are correct; and certainly I am not willing at this time to acquiesce in the motion of the gentleman from Michigan, and shall vote against his amendment, as I am in favor of retaining the rule as reported by the committee, believing it to be warranted and lawful. Neither do I believe in the position that the House of Representatives is a mere temporary body. I assert that it is as continual a tribunal as the Senate of the United States. It is true that the personnel of its representatives change every two years in compliance with the constitutional provision creating the Congress of the United States; but still there is never a moment in which there is an interregnum—never a second—in which the legislative body of this country is not in existence, and in which it can not be called together.

Mr. WALKER. Will the gentleman allow me to ask him a question?

Mr. REILLY. Certainly.

Mr. WALKER. I ask the gentleman if he is so sure that his party will be in the minority in the next Congress that he wishes to make the rules for the guidance of that Congress?

Mr. REILLY. I do not deny the right of the next Congress to make its own rules, or to modify the rules made by this House, or to change them or to alter them, or to rescind them altogether, and I am entirely willing that this House shall make rules for the next House, and to take chances as to what the political complexion of that House may be. I simply assert the proposition, that a rule of the House of Represenatives regulating the course of procedure, and made in pursuance of the constitutional grant of authority, is good and binding and continues in force until by some affirmative action on the part of a succeeding House it is rescinded or altered.

But, as I have intimated, Mr. Speaker, I am not entirely without authority that I consider of some weight to sustain me in the position I have taken. Let me give the history of this rule, and by way of further answer to the gentleman from Michigan I invite his attention to this. It was first presented in the form of a standing rule of the House in the first session of the Thirty-sixth Congress by Mr. Washburn of Maine, who, although a member of the Committee on Rules of that Congress, offered it on his own motion by way of amendment to the code of rules reported by that committee:

Mr. WASHBURN of Maine. I now offer the following amendment:
"These rules shall be the rules of the House of Representatives of the present and succeeding Congresses, unless otherwise ordered."
Mr. REAGAN. I suggest to the gentleman from Maine that we can only bind future Congresses by an act of Congress and not by rules.
Mr. WASHBURN of Maine. The House makes its own rules. It has the right and power under the Constitution to do so.
Mr. NOELL. I desire to know of the gentleman from Maine what he intends to do with that provision of the Constitution which gives to "each House" the right to make its own rules of procedure; not that one House shall have a right to make rules for the next House, but that each House shall have a right to make its own rules? I would like to know what he intends to do with that provision of the Constitution?
Mr. GROW. This amendment does not so provide. It does not control the action of any succeeding House in making its rules. They can make them when they please, but until they do make rules these will stand, just as Jefferson's Manual is now regarded as the authority until rules are adopted which interfere with it. The amendment only provides that these shall continue in force until the next House chooses to change them.
Mr. NOELL. The gentleman does not answer my question. My question is what this House has got to do with making rules for the next House?
Mr. GROW. That is just what I am trying to answer.
Mr. NOELL. How can you make rules that will apply to the action of the House not now in existence?
Mr. GROW. We do not make rules for the next House. We only provide that these rules shall continue in force until the next House chooses to change them, and if they choose to sit during the whole session without altering them, then they adopt them as their rules by their own action. The House of Representatives continues under the Constitution without interregnum just as much as the Senate. This idea that there is a period of time when there is no Congress under our Constitution goes on the supposition that there is a period of time when there is no Government. There is a Congress in existence under the Constitution all the time, and when the House meets here the Constitution says they shall select their Speaker. If you have not a House, how are you going to elect a Speaker? They are just as much a House of Representatives under the Constitution the day they meet as they are after they have elected a Speaker. They are not organized under the forms they choose to adopt; that is all. Up to the time when they choose to adopt rules, by their acquiescence in these, they will make them their own rules, so that they will not be left at any time without rules.

And upon a vote by tellers that was adopted. (See Congressional Globe, first session, Thirty-sixth Congress, volume 40, part 2, pages 1211, 1212.)

Now, Mr. Speaker, I submit that the question there being fairly raised, and passed upon by the House, that the action of that House in assenting to the principle and adopting that rule as proposed by Mr. Washburn may be accepted as an expression of the judgment and opinion of that House in favor of the principle I am contending for. The question has been discussed at various times throughout the history of Congress, but as stated in the Digest for the first session of the Fifty-first Congress, page 516, it has been, almost uniformly, decided under the rule (CXLVII) adopted March 19, 1860, that the rules of the preceding House remain in force until otherwise ordered by the succeeding House, until the first session of the Forty-eighth Congress, when Speaker CARLISLE held that the rules of the last House were not in force, and that, until rules were adopted, the House would be governed by the rules and practice of common parliamentary law, which decision. I believe, he reaffirmed in the Forty-ninth and Fiftieth Congresses, which was also concurred in by Speaker REED in the Fifty-first Congress, and, as I have already stated, it seems to be now the generally accepted theory. It is not my purpose to enter upon the discussion of these decisions, but I desire simply to submit that they were innovations upon the long-accepted and well-established usages of the House in this particular.

In the Thirty-seventh Congress Speaker Grow made the following statement:

The SPEAKER. The Chair will remark that he will consider the rules of the last House as continuing in force until otherwise ordered. * * *

And we have already seen that Mr. Grow, on the floor of the House, expressed the same view in the remarks above quoted when the amendment of Mr. Washburn was under consideration in the Thirty-sixth Congress, and so late as March 29, 1879, in the first session of the Forty-sixth Congress, when this question was under discussion, we find so high an authority as Speaker Randall practically concurring in this view. In commenting on the ruling of Speaker Grow above quoted (see CONGRESSIONAL RECORD, Forty-sixth Congress, first session, page 110) Mr. Randall made the following statement:

The SPEAKER. Mr. Grow, of course, as Speaker, was also a member of the Committee on Rules, and the Chair is unable to find any decision to the contrary.

And again, page 111, Speaker Randall expressed himself as follows:

That constitutional right is not superseded in any manner by the adoption of the one hundred and forty-seventh rule, because it does not take from the body the right to change its rules at any time.

And again, on the same page, he states:

On that point the Chair desires to say that Rule CXLVII evidently meant this, that instead of entering on the broad sea of parliamentary law, as constructed by various examples in legislative bodies, the House, until it has exercised its constitutional right to make rules, be governed by the rules of the prior House of Congress, instead of entering upon the broad sea of parliamentary practice in the history of legislative bodies.

And again, more significantly, he says, page 112:

The Chair does not construe that the right of the House to make its own rules is superseded at all by the one hundred and forty-seventh rule. The House might just as well resort to the rules of a former House for its guidance as to resort to the general rules of parliamentary practice. That was evidently the purpose of the adoption of the one hundred and forty-seventh rule of March, 1860.

It appears that when Speaker Randall was passing upon this question, he had made an exhaustive and careful examination of rulings upon the question up to that time, and I call special attention to this statement made by him on that occasion, to be found on page 111:

But in the absence of action, the concurrent ruling of the Speakers has indicated that there must be some rules, and it is with that view that Rule CXLVII was adopted and given its scope.

And I am further fortified in my position by having the weight of the opinion of so able and distinguished a statesman as the late President Garfield, who expressed the opinion that even a resolution by a succeeding House adopting the rules of a former House was not necessary on the ground of immemorial usage, and on the occasion above referred to, when a resolution was offerred to adopt the rules of a former House, he expressed his opinion in the following forcible language:

I object to the gentleman's resolution under the existing rules, which are our rules without a declaration of this sort. (See *Ibid.*)

And Mr. Conger, also a leading member of this House, and afterwards United States Senator, entertained the same opinion upon this subject and sustains the view I have taken as to the construction of the constitutional provision. On this question he expressed himself as follows:

Now, I submit that the phrase "each House" does not mean each renewed House of Representatatives, but the Constitution, referring alike to the two Houses of Congress, provides that each of them may make its own rules independently of the other. This is the great constitutional point, as I take it. * * * Now, if it be true that all the rules of the House of Representatives are vacated upon the termination of the official life of its members, it could be equally said that all rules adopted in the other branch of Congress expire with the change of its members. * * * It happens, however, that the Senate is a continuing body in this sense, that two-thirds of its old members are always understood to continue in office at the opening of each new Congress. Now, the power of this House to make its own rules is conferred upon it as one of the two branches of Congress. The power is not by the language of the Constitution intended to apply specifically to each renewed House of Representatives.

There was perhaps no ruling at that time upon this precise question, but on the occasion referred to, and in the proceedings from which I have quoted, the controversy arose as to a question of order under the provisions of Rule CXX, which was one of the rules of the former Congress, and which at the time had not been adopted by the House then sitting. Still the debate and opinions expressed upon the occasion can be fairly cited as authority in support of my position on this question.

So that, Mr. Speaker, it will be seen I am not entirely without authority, but that, on the contrary, this view of the question was entertained and accepted by the House of Representatives as a correct one for many years, and notwithstanding the eminent authorities which have held the contrary in later years, I still submit the question is an open and debatable one. I still incline to the former rulings and practice as the more correct and founded upon better reason. Ours is a government of law and order, and as I have already stated, there is never a moment when the Congress of the United States as ordained by the Constitution is not in official existence, and may not be called together. I can not assent to the doctrine that the House of Representatives is a mere temporary body.

I took occasion, when the rules of the last Congress were under discussion, in some remarks I then submitted, to show that the first action taken by the first House of Representatives that assembled under our Constitution was to appoint a committee to report a set of rules to regulate its proceedings, and that no business was transacted until that committee reported and a code of rules were adopted, and every succeeding Congress since has adopted and acted under an established code of rules, either by

acquiescing in the rules of a former House, or by amending or adding to the same. When the House of Representatives exercises its constitutional power to adopt rules, such action has the highest sanction and sovereignty known to our law, and I submit that when this power is so exercised, this action is not to be blown aside, but stands and must remain in force until rendered nugatory by equally competent authority.

Our Government has had constitutional existence for over a century. Fifty-one Congresses have come and gone and the Fifty-second is now sitting. Is it to be contended that this and every succeeding House of Representatives that assembles here is to be in the same state of chaos and confusion as was the first Congress that assembled? I submit that every House when it assembles here is to be governed by the rules of the former House until in the exercise of its own discretion it chooses to in any manner modify, change, repeal, or rescind such code of rules. I trust, therefore, that the motion of the gentleman from Michigan will not prevail. I am in favor of retaining the rule as it stands, and shall so vote if I am the only member of the House to vote in that way.

The SPEAKER *pro tempore*. The question is on the amendment of the gentleman from Michigan.

The amendment was disagreed to.

LEAVE TO PRINT.

Mr. REILLY. I ask unanimous consent to extend my remarks upon this subject, if I so desire, in the RECORD.

Mr. CATCHINGS. I have been requested by several gentlemen to make a general request to that effect, which I now make, that gentlemen desiring to print remarks on the subject of the rules may do so.

The SPEAKER *pro tempore*. The gentleman from Mississippi requests permission for members of the House to extend their remarks in the RECORD.

Mr. CATCHINGS. And that any gentleman who desires to print remarks in the RECORD may do so.

Mr. McMILLIN. On the question of the rules.

The SPEAKER *pro tempore*. Is there objection to the request? There was no objection.

THE RULES.

The Clerk read as follows:

AS TO PRINTING BILLS.

There shall be printed 500 copies of each bill of a public nature, of which 25 shall be deposited in the office of the Clerk of the House, and the remainder shall be deposited in the document room of the House for the use of members; and there shall be printed 100 copies of each private bill, which shall be deposited in the document room of the House for the use of members. Motions to print additional numbers of any bill, report, resolution, or other public document shall be referred to the Committee on Printing; and the report of the committee thereon shall be accompanied by an estimate of the probable cost thereof. Unless ordered by the House no bill, resolution, or other proposition reported by a committee shall be reprinted unless the same be placed upon the Calendar.

Mr. McRAE. I offer an amendment to Rule XLVI, which I ask the Clerk to read.

The Clerk read as follows:

Amend Rule XLVI by inserting, between the words "nature" and "of," in line 2, the following words: "introduced in the House, or Senate bills when referred to a committee of the House."

Mr. McRAE. Mr. Speaker, the effect of this amendment will be to authorize the printing of Senate bills after they have passed the Senate and come to the House and are referred to a committee for consideration. Under this rule as it now stands we will have no print of Senate bills as they are passed by the Senate. Members who are called upon to consider in committee Senate bills will understand the necessity for having a print of the bill as it comes to them rather than the print as originally introduced in the Senate.

Mr. HOLMAN. Will the gentleman permit me to state that the Senate frequently orders the printing of a bill after it has passed as amended. Suppose he adds to his proposition a proviso in the following words:

Provided it has not been printed by order of the Senate.

Mr. McRAE. I am not familiar with the Senate rules, but I know that the committee upon which I have served heretofore and am now serving has been unable to get prints of the Senate bills referred to it. The Senate orders the printing of House bills when they reach that body, but does not order the printing of Senate bills sent to the House unless by special order. The only print that we will get under the rule as proposed will be as introduced or reported to the Senate. I have no objection to the amendment suggested by the gentleman from Indiana. If the Senate should order the printing of any bills after they have passed them, that will be sufficient; but I do not understand that they are interested in printing bills for the House, and I do not believe that the Senate rules provide for any such print.

Mr. RICHARDSON. I would like to ask the gentleman if his amendment provides for the printing of Senate bills where they are already printed in the Senate.

Mr. McRAE. It only provides for the printing of Senate bills as they pass the Senate, after they have reached the House and been referred to a committee of the House. If a Senate bill is considered and passed when laid before the House by the Speaker, no print is necessary and none is ordered, but if it is referred to a committee for consideration, we have need of a print.

Mr. RICHARDSON. We can get from the document room our proportion of copies of the prints of Senate bills, and I do not see the necessity of again printing the bills here by order of the House, and then having them distributed under our rules, a portion of them going back to the Senate.

Mr. McRAE. Do I understand the gentleman to say that Senate bills are printed after they have passed the Senate?

Mr. RICHARDSON. That is not usually done, but when the bills are originally printed we get our quota.

Mr. McRAE. I understand that they are not printed by the Senate after they pass that body unless a motion is made to print them. Is it not better to wait and let them order only such as are referred for consideration?

Mr. RICHARDSON. If the gentleman will provide in his amendment something like the following:

Provided the bill has not been printed in the Senate—

Then I can see no objection to it.

Mr. McRAE. Of course there is no use for the rule if the Senate prints the bills, and I have already stated that I have no objection to the amendment you suggest.

Mr. RICHARDSON. They do not print the bill in the form in which it passes the Senate, if it is amended.

Mr. McRAE. If they do not print them there, then in case a bill is amended you can readily see the necessity for the rule.

Mr. HOLMAN. Except where a bill passes the Senate without amendment. They often order a print of a bill which has been amended during its progress through the Senate.

Mr. McRAE. I say again that I have no objection to adding the words suggested, because I only want prints of the bills to be considered, and I do not care whether the Senate prints them or the House; but I know, as a matter of fact, that the officers in the document room are unable to furnish members with prints of Senate bills in the form which they pass the Senate, unless they pass as introduced.

Mr. McMILLIN. I will suggest to the gentleman from Arkansas [Mr. McRAE] that it will entail a considerable amount of unnecessary printing. It may be that some will be done that ought to be done, but it will necessitate the printing of all those long bridge bills which are printed when first introduced, then frequently printed when they pass the Senate, and then when they come to the House printed again, and when passed and enacted into law printed again.

I suggest to the gentleman that he can accomplish his object, and probably effect the curtailing of unnecessary printing, which the committee is trying to effect and I think has effected thus far, if he will just leave the matter as it is. Then, in the case of any important bill which a committee asks to have printed, the House will unhesitatingly order the printing; but if he does not do that, he will have every long bridge bill that comes over from the Senate to the House printed.

Mr. RICHARDSON. And every private bill.

Mr. McRAE. The amendment only refers to public bills.

Mr. McMILLIN. And the appropriation bills—the long appropriation bills—as they come back from the Senate will have to be reprinted. I suggest to him that he will probably reopen a leak which we have now closed up by providing that the papers which accompany executive and other documents shall not be printed except by order of the House. It looks to me, without consultation with my colleagues, that the object of the gentleman can be accomplished by simply asking a print of a bill where he deems it necessary. They introduce and pass their private bills in the Senate by the hundreds and thousands.

Mr. McRAE. But the gentleman should be fair enough, when I make a motion referring to public bills, not to discuss the case of private bills.

Mr. McMILLIN. It had escaped me that it only pertained to public bills; and leaving out the question of fairness, I will say to my friend from Arkansas I could not but be fair to one much less amiable than my friend.

Mr. McRAE. I beg pardon of the gentleman.

Mr. McMILLIN. It had escaped me that it was to be confined to public bills. The great trouble is not escaped by that. I have no interest in the matter except to keep down unnecessary printing.

Mr. McRAE. An attack has been made upon the amendment because it provides for the printing of private bills, when it does not; that it will cause the printing of appropriation bills, when

it does not. The Constitution provides that all appropriation bills must originate in the House. They can not, therefore, be Senate bills. This amendment only relates to Senate bills after they have passed the Senate. Our rules provide for the printing of our own bills, I know, but as a matter of fact there is no provision made for the printing of public bills passed by the Senate. I know the necessity for it. We have before the Committee on Public Lands now a number of bills of which we have been unable to get printed copies. Now, why, I ask, are we compelled to ask a special order to print such bills? If the bill is of sufficient importance to receive consideration in the Senate and is passed, it does seem to me that we should print it as we do our own. What is the print for, if not for the committees having them under consideration?

If the original print, of course, is the same, we could have them, but it is not always the case that they are the same. This amendment does not apply to private bills and does not cover appropriation bills. And as a matter of fact it is not intended to cover the bridge bills that pass the Senate, nor is it intended to cover Senate bills that pass the House without reference, but is only intended for those Senate bills which are referred to the committees of the House for consideration.

Mr. RICHARDSON. The difficulty, it strikes me, in this matter is this: We will be providing for the printing of a lot of bills that are not desired if we make a general provision of this kind. There may be instances, and doubtless will be, where there is demand for the reprinting of some particular bill, but that can always be secured on the simple request of a committee or the chairman of a committee.

Now, you take a Senate bill, when it is introduced in the Senate it is printed. The printed bill is sent to the Senate document room and to the House document room for appropriate distribution under the rules. Now, sir, when that bill is reported back to the Senate by a Senate committee, it is again printed as reported by the committee. Thus you have two prints of that Senate bill. Now, the gentleman proposes, when that bill passes the Senate and comes to the House, it shall be again printed, and I undertake to say, that seven times out of ten, and possibly oftener, it will be the identical bill reported from the Senate committee and then printed. We will therefore have three prints here of the Senate bill, and that is a multiplication of prints of bills, it seems to me, Mr. Speaker, that is altogether superfluous and unnecessary. Therefore I hope my friend will not press the amendment, but will depend on his chance to have any bill printed upon a simple order when necessary, and not have this multiplication of bills at so much cost.

Mr. McRAE. If the Committee on Printing will undertake to see that bills which have been passed by the Senate are allowed to us, or that they are identical with other prints that the Senate has ordered, then there is no necessity for making further provision; but unless some one has charge of that duty the House will have no means of determining whether they are identical. The gentleman says we will be overrun by prints of bills that may come from the Senate. That is assuming that the Senate is going to pass a great many laws, which has not been the case heretofore, and such probably will not be the case now, so far as public bills are concerned.

The Senate prints the House bills when we pass them, and if the House is to properly consider the Senate bills it ought to have a print of them so they can be understood. I can not undertake, for the Committee of Public Lands, to go through every Senate bill that is sent to that committee and compare it with some previous print of the bill to see whether or not any changes have been made. That would be too much labor for any committee, especially those committees that have a large number of such bills to consider. The question is simply whether we shall equip ourselves so as to be able to properly consider and understand just what the Senate has done and what we must act upon by giving to every member of the House, particularly the committees, a correct print of the bill on which we are called upon to vote.

Mr. BLOUNT. When the Senate pass a bill, is the bill reprinted?

Mr. RICHARDSON. No. It comes to us simply in the enrolled form. Nor are our House bills reprinted by us after they have passed the House.

Mr. BLOUNT. Suppose the Senate take up a bill and pass it and send it over here, how is the House to come to a knowledge of it in its perfected form unless the bill is printed as passed?

Mr. RICHARDSON. The bill is sent to the House in the enrolled form, with a certificate that it has passed the Senate in that form, and the enrolled bill is laid before the House.

Mr. BLOUNT. And then the House orders it printed?

Mr. RICHARDSON. No.

Mr. BLOUNT. Then what means have we of knowing just what provisions the bill as passed contains?

Mr. RICHARDSON. It is read to the House from the desk.

Mr. BLOUNT. Is there no other way?

Mr. RICHARDSON. That is all.

Mr. BLOUNT. It seems to me, Mr. Speaker, that we ought to have a better way than that.

Mr. RICHARDSON. Then you will have three reprints of the bill, and——

Mr. BLOUNT. I don't care if it takes forty prints, if they are necessary in order to inform this House of what the bills are.

Mr. RICHARDSON. Not if they are necessary.

Mr. BLOUNT. Well, it seems to me that this is necessary. Suppose the Senate pass a very important bill, the gentleman [Mr. RICHARDSON] informs us that, under the present system, we have no means of knowing just what the bill is in its perfected form except as we may gather it from the reading of the bill from the desk.

Mr. PEEL. The gentleman from Tennessee [Mr. RICHARDSON] has spoken of a second print of a Senate bill when the bill has been amended; if it is further amended do we get that in print?

Mr. RICHARDSON. The amendments appear in the RECORD and you get them also in the bill in the enrolled form. I do not undertake to say that in such cases there is not sometimes a reprint by special order. A bill with Senate amendments coming to the House is referred to a committee, and when that committee reports it back it is sometimes ordered to be reprinted.

Mr. PEEL. After it has been twice printed already?

Mr. RICHARDSON. Yes; you can not get a Senate bill here until after it has been twice printed. It is twice printed there; then, if you print it again in the form in which it passes the Senate and it comes here and is referred to one of our committees and is reported back and printed again, that will be the fourth print of the Senate bill. Now, I submit that so many reprints of one bill can not be necessary.

Mr. BLOUNT. My friend surely does not intend to count as "reprints" the several prints which are made of a bill the provisions of which are largely different in each case?

Mr. RICHARDSON. If my friend's view is correct, then if you have a bill under consideration here during the day and you amend it and adjourn, you ought to have a new print of it for the next day because you have amended it.

Mr. BLOUNT. Oh, that does not follow. That is rather strained. I like to follow my friend, but I like him to give me good reasons for doing it.

Mr. BLAND. Mr. Speaker, I do not think I have ever seen an instance where an important bill passed this House and went to the Senate and passed that body that it was not printed by the Senate, and we have that Senate print for use in the House. I know that to be the fact from my own experience in many instances.

Mr. McRAE. But, Mr. Speaker, the class of bills to which my friend refers are not involved in this amendment. The Senate orders a print of all House bills, as I stated distinctly, but when the Senate passes a bill and sends it to the House we do not have it printed. That is our business, and not the business of the Senate.

Mr. BLAND. But you have the Senate print of it.

Mr. McRAE. Not as the bill passes the Senate. When the Senate passes a bill they send us the enrolled copy and nothing else, and if we want the bill printed in the form in which it has passed the Senate we must order it done ourselves. We can get the original Senate print and nothing else. It is no longer before that body. It becomes finished work as far as they are concerned.

The question was taken on the amendment of Mr. McREA; and the Speaker *pro tempore* declared that the noes seemed to have it.

Mr. McRAE. I ask for a division.

The House divided; and there were—ayes 47, noes 64.

So the amendment was rejected.

Mr. RICHARDSON. Mr. Speaker, I desire to offer an amendment to Rule XLVI, which relates merely to the distribution of the documents for which the rule provides.

The amendment was read, as follows:

There shall be printed 500 copies of each bill of a public nature, of which 25 shall be deposited in the office of the Clerk of the House, 100 copies shall be delivered to the Senate document room, and the remainder shall be deposited in the document room of the House for the use of members; and there shall be printed 100 copies of each private bill and bills relating to rivers and harbors, of which 25 copies shall be delivered to the Senate document room and the remainder shall be deposited in the document room of the House for the use of members. Motions to print additional numbers of any bill, report, resolution, or other public document shall be referred to the Committee on Printing; and the report of the committee thereon shall be accompanied by an estimate of the probable cost thereof. Unless ordered by the House no bill, resolution, or other proposition reported by a committee shall be reprinted unless the same be placed upon the Calendar.

Mr. McCREARY. Does the amendment change the number?

Mr. RICHARDSON. It does not. In the rule as reported there is no provision for sending any number of the public House bills to the Senate document room, and the amendment provides

for that. In the last three Congresses this number, 100, has been supplied to the Senate document room, but it has been done under a special order by the Speaker, and my amendment is intended to obviate the necessity for such a special order. The other part of the amendment provides for sending 25 copies of each private bill and each river and harbor bill to the Senate document room.

Mr. HARRIES. Will the gentleman state whether there is anything in the rule which would prevent any one member from taking all the printed copies of a private bill, leaving none for anybody else?

Mr. RICHARDSON. No; there is nothing in the rule to prevent it.

Mr. HARRIES. So that when the bill comes up for consideration and other members send for copies they may be unable to get them, the one member having distributed the whole number among his constituents.

Mr. RICHARDSON. Oh, there is nothing in the rule to prevent that, but the clerk in charge of the document room would probably prevent it. He would not be likely to allow any one member to take all the copies of a bill.

Mr. McMILLIN. As a matter of fact the clerk in charge of the bills restricts the number that any one member can receive.

Mr. RICHARDSON. This amendment is not intended to reach the matter suggested by the gentleman from Georgia, but simply to secure a proper distribution of the bills which we provide shall be printed under this rule.

Mr. BLOUNT. I wish to ask the chairman of the Committee on Printing [Mr. RICHARDSON] whether it would not be well to insert in this rule a provision that there be retained in the document room a sufficient number or some designated number of every printed bill for the use of the committee to which the bill has been referred.

Mr. RICHARDSON. Practically this accomplishes that result; for after 100 copies of every public bill and 25 copies of every private bill have been sent to the Senate document room, all of the residue are retained in our document room for the use of individual members and of the committees.

Mr. BLOUNT. But I understood the gentleman to state a few moments ago that the bills thus retained might be taken out by members. The effect of the amendment is to reduce to the extent of 100 the number of every public bill accessible to us, and to the extent of 25 the number of every private bill. Now, the gentleman knows as well as I do that in many cases members who introduce bills here—for instance, pension bills—desire a great many copies to send them to different parts of the country. This being the case, might it not happen that a committee taking up for consideration an important matter referred to it might send to the document room for printed copies of the bill and there would be none there? Might it not be well to provide against such a difficulty, and make sure that there shall be a sufficient number of every printed bill for the use of the committee to which it is referred? I do not wish to offer any amendment, but I submit the suggestion.

Mr. RICHARDSON. I would not object to an amendment requiring the superintendent of the document room to retain a certain number of every printed bill for the use of the committee having the bill in charge. But I can not see how any difficulty can arise in that respect, because the clerk in charge of the bills always lays aside a certain number of copies of each bill for specific purposes—so many more for the committees——

Mr. BLOUNT. Does not the gentleman know that in many cases we have been obliged to order the reprinting of bills because all the printed copies have been exhausted?

Mr. RICHARDSON. That occurs occasionally; but in ninety-nine cases out of one hundred no reprint is necessary.

The SPEAKER *pro tempore*. The time of the gentleman from Tennessee is exhausted.

Mr. RICHARDSON. I ask a vote on my amendment.

The question being taken on the amendment of Mr. RICHARDSON, it was agreed to.

The Clerk read the last paragraph of the proposed rules, as follows:

RULE XLVII.

PROPOSITIONS INTRODUCED "BY REQUEST."

When a bill, resolution, or memorial is introduced "by request" these words shall be entered upon the Journal.

Mr. CATCHINGS. I ask unanimous consent to recur to Rule XXII, in order that the title may be so amended as to conform to the amendments which have been made in the body of the rule.

The SPEAKER *pro tempore*. The Clerk will report the amendment suggested, after which the Chair will ask if there is objection.

The Clerk read as follows:

Amend the title of Rule XXII by striking out the word "and" and adding "bills and resolutions."

There being no objection, the House proceeded to the consideration of the amendment of Mr. CATCHINGS; and it was agreed to.

Mr. REED. I desire to offer a substitute. I believe the report of the committee has been finished.

The SPEAKER *pro tempore*. Does the gentleman offer this in lieu of the substitute already pending?

Mr. REED. I have just come into the Hall, and perhaps misunderstand the existing state of affairs; but I supposed the consideration of the rules as reported had been finished, and I was proposing to offer a substitute for the whole of them.

The SPEAKER *pro tempore*. The consideration of the proposed rules as reported has been concluded; but the Chair understands that the substitute offered by the minority of the committee at the time the consideration of these rules was entered upon is pending.

Mr. REED. That is the same I desire now to offer. I propose as a substitute the rules of the Fifty-first Congress, with some amendment, making them more stringent and more useful.

The SPEAKER *pro tempore*. The Clerk will report the gentleman's proposition.

The Clerk read as follows:

Mr. REED offers as a substitute the rules of the House of the Fifty-first Congress, with this amendment: Amend Rule VIII by inserting, after clause 1, the following:

"Whenever on any question a quorum is found not to be present there shall be a call of the House, and the yeas and nays on the pending question shall at the same time be ordered. The Clerk shall call the roll, and each member as he answers to his name, or is brought before the House under the proceedings of a call of the House, shall vote on the pending question. If those voting on the question and those who are present and decline to vote, shall together make a majority of the House, the Speaker shall declare that a quorum is constituted; and the pending question shall be decided as those voting shall appear."

Mr. REED. I merely desire to say that I offer on behalf of the Republican minority of this House the same rules which governed the House of Representatives of the Fifty-first Congress, when the Republicans were in a majority. My proposition includes a single amendment to those rules for the purpose of making effectual the rule for obtaining a quorum when a quorum is absent.

The SPEAKER *pro tempore*. The question is on the substitute proposed by the gentleman from Maine.

Mr. CATCHINGS. I move the previous question on the adoption of the rules as amended and the substitute offered by the gentleman from Maine.

The previous question was ordered.

The question being taken on the substitute proposed by Mr. REED, it was rejected.

The report of the Committee on Rules as amended was then adopted.

Mr. CATCHINGS. I offer the resolution I send to the desk in this connection.

The Clerk read as follows:

Resolved, That the code of rules just adopted be printed, and that 1,000 additional copies be printed and delivered to the Clerk of the House.

The resolution was adopted.

ORDER OF BUSINESS.

Mr. CAMINETTI. I ask unanimous consent to introduce for reference at this time a bill.

Mr. BLAND. Mr. Speaker, under the rules just adopted the gentleman has a right to refer his bill through the box.

The SPEAKER *pro tempore*. If it is a bill, the gentleman can introduce it now under the rule without calling it to the attention of the House.

PRINTING FOR COMMITTEE ON FOREIGN AFFAIRS.

Mr. BLOUNT. I ask unanimous consent for the consideration of the resolution I send to the desk.

The Clerk read as follows:

Resolved, That the Committee on Foreign Affairs be authorized to have printed all documents for the use of said committee that they may deem necessary in connection with subjects referred to that committee.

There being no objection, the resolution was considered and adopted.

DEFICIENCY APPROPRIATION BILL.

Mr. SAYERS. I am instructed by the Committee on Appropriations to report back an urgent deficiency bill.

The SPEAKER *pro tempore*. The title of the bill will be read.

The Clerk read as follows:

A bill (H. R. 5399) making appropriations to supply a deficiency in the appropriation for the expenses of the Eleventh Census, and for other purposes.

The bill was read a first and second time, ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

Mr. McMILLIN. All points of order are reserved.

INVESTIGATION OF THE WORLD'S COLUMBIAN EXPOSITION.

Mr. SAYERS. I am further instructed by the committee to report back a resolution regarding an inquiry concerning the

World's Fair, with a substitute. I desire to say in this connection that I shall ask the House to-morrow morning to consider first the deficiency bill and then the substitute for the resolution.

The SPEAKER *pro tempore*. What disposition does the gentleman now desire made of the resolution?

Mr. SAYERS. I ask that it be placed upon the Calendar.

Mr. DINGLEY. I suggest to my friend from Texas that he ask consent that both reports, that on the bill and the substitute offered by the committee, be printed in the RECORD.

Mr. SAYERS. At the suggestion of the gentleman from Maine, Mr. Speaker, I ask unanimous consent that the resolution, together with the report on the bill and on the resolution, be printed in the RECORD.

Mr. McCREARY. What is the bill and to what resolution is the reference made?

Mr. SAYERS. The resolution has reference to the appointment of a committee to inquire into the condition of the World's Fair and the bill is an appropriation for the census.

The SPEAKER *pro tempore*. The resolution is reported with a substitute, and the gentleman gives notice that he will call up the resolution to-morrow morning after having disposed of the urgent deficiency bill. Is there objection to printing both reports in the RECORD?

There was no objection.

The report on the deficiency bill is as follows:

The Committee on Appropriations report herewith and recommend the passage of a bill appropriating $200,000 for continuing the work of the Eleventh Census and $3,000 to pay the salary of the superintendent of free delivery in the office of the First Assistant Postmaster-General during the fiscal year 1892.

The report accompanying the resolution of inquiry is as follows:

INQUIRY CONCERNING WORLD'S FAIR.

The Committee on Appropriations, to whom was referred the resolution asking for information touching the management of the World's Fair and expenditures therefor, having considered the same, report herewith and recommend the adoption of the accompanying substitute therefor.

The original resolution of Mr. HENDERSON of Iowa is as follows:

Whereas Congress, by act approved April 25, 1890, provided for holding an International Exposition of the progress made in civilization, at the city of Chicago, in 1893, to commemorate the four hundredth anniversary of the discovery of America by Columbus; and

Whereas the act designating Chicago as the site of said Exposition required the people of that city to provide a suitable site and $10,000,000 to complete the appropriation for holding said Exposition; and

Whereas, in response to the requirements of said act, the citizens of Chicago have furnished a site and provided over $10,000,000, a sum deemed adequate by Congress; and

Whereas fifty-nine nations have accepted the invitation of the Government of the United States to be present and participate in said Exposition, and fifty States and Territories of the Federal Union have indicated their intention to participate, and have expressed their desire that said exhibition shall in all things be commensurate with the importance of the event to be celebrated, and be worthy of the wealth and character of the United States; and

Whereas the Government has already appropriated the sum of $1,088,000, and estimates are now before the Committee on Appropriations asking for further appropriations:

Therefore, in order that Congress may be fully advised as to the scope and plan adopted by those having jurisdiction and management of said Exposition, and also concerning the progress made, the amount of money expended, the manner of such expenditures, and the necessity therefor, together with such further information concerning the amount available for said work and the sum that may become necessary to complete the same and prepare the Exposition for opening its gates to visitors:

Be it resolved, That an inquiry be, and is hereby, ordered to ascertain whether those obligated and undertaking to do so have justly and properly complied with the requirements of the said act of Congress approved April 25, 1890, and the subsequent appropriations made for said Exposition; whether the money provided has been judiciously expended; whether the number of employés and appointees to carry out and into effect the laws is excessive, and their compensation reasonable or otherwise, and to ascertain and report the salary or compensation paid to each officer and employé; from what States the several appointments have been made, and generally whether, in the care and conduct of the Exposition, proper management has been had; and that a full report of those in charge of the expenditure of money be made of all such expenditures, and that copies of the monthly pay rolls of all officers and appointees be transmitted to Congress for its full information; and that the report based upon said inquiry may be made at any time to Congress, but at the earliest day possible, consistent with the necessities of the inquiries involved in this resolution.

The substitute proposed by the Committee on Appropriations is as follows:

Resolution of inquiry concerning the management of the World's Fair and expenditures therefor.

Whereas Congress by act approved April 25, 1890, provided for holding an International Exposition of the progress made in civilization, at the city of Chicago in 1893, to commemorate the four hundredth anniversary of the discovery of America by Columbus; and

Whereas the act designating Chicago as the site of said Exposition required the people of that city to provide a suitable site and $10,000,000 to complete the appropriation for holding said Exposition; and

Whereas, in response to the requirements of said act, the citizens of Chicago have furnished a site and provided over $10,000,000, a sum deemed adequate by Congress; and

Whereas fifty-nine nations have accepted the invitation of the Government of the United States to be present and participate in said Exposition, and fifty States and Territories of the Federal Union have indicated their intention to participate and have expressed their desire that said exhibition shall in all things be commensurate with the importance of the event to be celebrated and be worthy of the wealth and character of the United States; and

Whereas the Government has absolutely appropriated the sum of $1,088,000, and estimates are now before the Committee on Appropriations asking for further appropriations: Therefore, in order that Congress may be fully advised as to the scope and plan adopted by those having jurisdiction and management of said Exposition, and also concerning the progress made, the amount of money expended, the manner of such expenditures, and the necessity therefor, together with such further information concerning the amount available for said work, and the sum that may become necessary to complete the same, and prepare the Exposition for opening its gates to visitors,

Be it resolved, That the Committee on Appropriations is hereby ordered to inquire and report to this House whether those obligated and undertaking, and now engaged to do so, have justly and properly complied with the requirements of the said act of Congress approved April 25, 1890, and whether all expenditures of whatever character for said exposition have been judiciously made; whether the number of employés and appointees to carry out and into effect the laws is excessive and their compensation reasonable or otherwise, and to ascertain and report the salary or compensation paid to each officer and employé, from what States the several appointments have been made, and generally whether, in the care and conduct of said exposition, proper management has been had; that they obtain a full report, of those in charge of the expenditure of money, of all such expenditures, together with copies of the monthly pay rolls of all officers and appointees, and that the report of the committee, based upon said inquiry, may be made at any time to Congress, but at the earliest day possible, consistent with the necessities of the inquires involved in this resolution; and that the expenses of the committee or of any subcommittee it may designate to prosecute these inquiries and examination shall be paid out of the contingent fund of the House, and the chairman of said committee or of such subcommittee, if one be designated, is authorized to draw for the same on the Clerk of the House in sums not to exceed $500 at any one time.

Mr. McCREARY. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. McCREARY. I heard a statement by the gentleman from Texas [Mr. SAYERS] with regard to a report made by the Committee on Appropriations concerning an investigation of the World's Fair, but the gentleman was so near the Clerk's desk that I was unable to hear precisely what occurred. I left my seat and came into this part of the Hall, and I ask the Speaker now to state what has been done with regard to this very important proposition.

The SPEAKER *pro tempore*. The Chair will state, and asks the attention of the gentleman from Texas [Mr. SAYERS], in reply to the parliamentary inquiry of the gentleman from Kentucky, that the gentleman from Texas, from the Committee on Appropriations, reported back a resolution of inquiry offered by the gentleman from Iowa [Mr. HENDERSON], with a substitute, and unanimous consent was asked that the report and the substitute be printed in the RECORD; and also gave notice, the former request having been complied with, that after the disposition of the urgent deficiency bill reported by him to-day he would call up the resolution of inquiry.

Mr. McCREARY. When will it be called up; to-morrow?

Mr. SAYERS. To-morrow, probably.

Mr. McCREARY. Then I suggest, as the chairman of the Committee on the Columbian Exposition, Mr. DURBOROW, has a substitute for the report of the Committee on Appropriations to offer, that he be allowed to have that published also.

The SPEAKER *pro tempore*. Is there objection?

There was no objection.

The substitute to be offered by Mr. DURBOROW, from the Committee on the Columbian Exposition, is as follows:

Whereas Congress by an act approved April 25, 1890, provided "for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, and sea, in the city of Chicago, in the State of Illinois;"

Whereas according to the requirements of said act, the citizens of Chicago have furnished a site and provided about $10,000,000 in aid of said international exhibition;

Whereas thirty-nine nations and twenty-four colonies have accepted the invitation of the Government of the United States to be present and participate in said exhibition, and their appropriations made or officially proposed, amount to $4,004,505, and twenty-six States and two Territories have made appropriations for representation at the exhibition, amounting to $2,695,000, and the Government of the United States has appropriated the sum of $1,088,000 and directed the Secretary of the Treasury to cause a suitable building to be erected on the site selected for the World's Columbian Exposition, for the purpose of exhibiting from its Executive Departments, the Smithsonian Institution, the United States Fish Commission, and the National Museum such articles and materials as illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power and which tend to demonstrate the nature of our institutions and their adaptation to the wants of the people; and

Whereas officers of the World's Columbian Exposition have been before the Committee on the Columbian Exposition asking for further appropriations: Therefore,

Resolved, That the Committee on the Columbian Exposition is hereby ordered to ascertain and report whether the said act of Congress, approved April 25, 1890, is being complied with, and whether subsequent appropriations made for said Exposition are being judiciously expended, and whether the officers and employés are being properly and reasonably paid, and what amount of money has been expended by the United States Government, and the manner and necessity of such expenditure, and what additional amount, if any, is necessary to be expended, and what further legislation, if any, is necessary, and all other facts that may conduce to the protection and benefit of the Government of the United States and the success of the Columbian Exposition; and in order to make such report the committee is authorized to send for persons and papers, administer oaths, and to present its report to the House of Representatives for consideration at any time.

WORLD'S COLUMBIAN EXPOSITION.

Mr. DICKERSON. I ask unanimous consent for the immediate consideration of the resolution which I send to the Clerk's desk.

Mr. BLOUNT. I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BLOUNT. Whether consent was given to the gentleman from Texas to call up the World's Fair resolution, or did he just give notice that he would call it up?

The SPEAKER *pro tempore*. He gave notice that he would call it up after the disposition of the urgent deficiency bill, and consent was given to print the report in the RECORD. The gentleman from Kentucky [Mr. DICKERSON] asks unanimous consent for the present consideration of the resolution which the Clerk will now report, after which the Chair will ask if there be objection.

The Clerk read as follows:

The resolution requesting the Committee on the Judiciary to investigate and report to the House whether Congress has the Constitutional authority to appropriate money to the Columbian Exposition.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Kentucky. The Chair hears none. The question is now on concurring in the resolution. As many as are in favor will say ay.

Mr. BLAND. Let us have the resolution read. It has only been reported by title, but the resolution itself has not been read.

The SPEAKER *pro tempore*. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That, in view of the fact that the Fifty-second Congress will be asked to appropriate a large sum of money for the World's Columbian Exposition, the Committee on the Judiciary be and is hereby requested to make an investigation of the law bearing upon the subject, and report to the House whether Congress has the constitutional authority to appropriate money for such purposes.

Mr. REILLY. Mr. Speaker, I desire to inquire of the Chair whether under the rules of the House just adopted that resolution would not be properly referable to the Committee on the Columbian Exposition?

Mr. DICKERSON. I did not ask for reference, but I asked for immediate consideration, and consent was given.

The SPEAKER *pro tempore*. Unanimous consent was given for the immediate consideration of the resolution.

Mr. REILLY. I move that it be referred to the Committee on the Columbian Exposition. I move to amend the motion of the gentleman from Kentucky by striking out the word "Judiciary" and substituting the words "Columbian Exposition."

The SPEAKER *pro tempore*. The gentleman from Kentucky [Mr. DICKERSON] moves to refer the resolution to the Committee on the Judiciary.

Mr. DICKERSON. That was not my motion.

The SPEAKER *pro tempore*. The House will be in order, and the Chair will state the parliamentary situation. The gentleman from Kentucky [Mr. DICKERSON] moves to refer the resolution to the Committee on the Judiciary. To that motion the gentleman from Pennsylvania [Mr. REILLY] offers an amendment, referring it to the Committee on the World's Columbian Exposition.

Mr. DICKERSON. Mr. Speaker, I desire to make a parliamentary inquiry. The Committee on the Judiciary does not, under the rule, as I understand it, have jurisdiction of the question.

Mr. OWENS. Not necessarily.

Mr. DICKERSON. Under the rules?

The SPEAKER *pro tempore*. The Chair thinks that is a question the House ought to consider.

Mr. DICKERSON. I understand that, but under the rule it would not go to that committee.

The SPEAKER *pro tempore*. The opinion of the Chair is that the resolution, in the absence of any motion, would go to the Committee on the Judiciary.

Mr. MCKENNA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. MCKENNA. What is the question before the House?

The SPEAKER *pro tempore*. A resolution has been offered by the gentleman from Kentucky [Mr. DICKERSON] requesting the opinion of the Judiciary Committee as to the constitutional power of Congress to make an appropriation for the World's Columbian Exposition. Unanimous consent was given for the present consideration of the resolution. The gentleman from Kentucky moves the reference of that resolution to the Committee on the Judiciary. The gentleman from Pennsylennia [Mr. REILLY] offers an amendment, to refer the resolution to the Committee on the World's Columbian Exposition.

Mr. DICKERSON. Mr. Speaker, I desire to state that I did not make that motion.

Mr. MCKENNA. In the confusion which prevailed on the floor we did not hear the request for unanimous consent.

The SPEAKER *pro tempore*. It was given after an opportunity for objection.

Mr. MCKENNA. I was paying strict attention, as I was somewhat interested in the matter, and I would certainly have objected to it.

Mr. DICKERSON. The request which I made—and I wish to correct the Speaker—was not that the resolution be referred to the Committee on the Judiciary, but I asked unanimous consent for the present consideration of the resolution, and that was granted after the Chair had stated my request in a very audible tone of voice, and after opportunity was given for any gentleman to interpose objection. The gentleman from Pennsylvania now wishes to amend by moving a reference to the Committee on the World's Columbian Exposition.

The SPEAKER *pro tempore*. The gentleman from Kentucky is right. The Chair misunderstood the gentleman, and is in error in stating the parliamentary situation. The gentleman did not make the motion to refer to the Committee on the Judiciary.

Mr. DICKERSON. I submit that no amendment is in order to that. I made no motion to refer. I simply ask for immediate consideration.

The SPEAKER *pro tempore*. The gentleman is correct in the statement that he did not move to refer the resolution, but asked consideration.

Mr. REILLY. I move to substitute the words "Columbian Exposition" in place of the word "Judiciary," my motion being to strike out the word "Judiciary" and substitute the words "Columbian Exposition."

Mr. DICKERSON. Why do you want a question of law to go to that committee? That is a legal question.

Mr. OATES. Let us have the resolution reported again. There was so much confusion that many of us did not hear it.

The resolution was again reported.

The SPEAKER *pro tempore*. That is the resolution pending.

Mr. OATES. The motion, as I understand it now, is to strike out "Judiciary" and substitute "World's Columbian Exposition."

The SPEAKER *pro tempore*. That is the amendment offered by the gentleman from Pennsylvania [Mr. REILLY].

Mr. OATES. Mr. Speaker, I desire to say a word upon that. I am a member of the Committee on the Judiciary, and I am not hankering after the work of giving an opinion upon this subject; but if an opinion is to be had on the power to make such an appropriation as that, it is purely a legal question, and ought to go to that committee, which is constituted by this House for the purpose of settling the legal status of a legal question involved so far as a committee can do it. If the House wants such an opinion from any committee, this being a legal question entirely that is involved, it ought to go to the Committee on the Judiciary.

Mr. DICKERSON. I move the previous question on the resolution.

Mr. REILLY. One moment.

Mr. DICKERSON. I yield a moment to the gentleman from Pennsylvania.

The SPEAKER *pro tempore*. Does the gentleman from Kentucky withdraw the demand for the previous question?

Mr. DICKERSON. I do for the present.

Mr. REILLY. In view of the statement of the gentleman from Alabama [Mr. OATES], who is a member of the Committee on the Judiciary, thinking that perhaps his view is correct, I withdraw the amendment.

Mr. BYNUM. We can not hear what is going on in front.

The SPEAKER *pro tempore*. The gentlemen in front of the Chair will please be seated. No business will be transacted until the House is in order.

Mr. DICKERSON. I move the previous question on the resolution.

The SPEAKER *pro tempore*. Does the Chair understand the gentleman from Pennsylvania to withdraw his amendment?

Mr. REILLY. I withdraw the amendment on the statement made by the gentleman from Alabama [Mr. OATES].

The previous question was ordered; and under the operation thereof the resolution was adopted.

On motion of Mr. DICKERSON, the motion to reconsider the last vote was laid upon the table.

JAMES A. DAVIS.

Mr. MCKINNEY. Mr. Speaker, I am directed by the Committee on Invalid Pensions to report back the bill (H. R. 4488) granting a pension to James A. Davis as being improperly referred, and ask that it be referred to the Committee on Pensions.

Mr. SPRINGER. These reports can now be made through the petition box, and I suggest that the practice may as well be commenced now with reference to these bills that have been improperly referred. Committees can return them to the Clerk's desk, and the reference can there be corrected.

The SPEAKER *pro tempore*. Does the gentleman object?

Mr. SPRINGER. I do not object; but we may as well begin and establish this practice correctly.

The SPEAKER *pro tempore*. If there be no objection, the change of reference recommended in this case will be made.

There was no objection, and it was so ordered.

Mr. SPRINGER. I move that the House do now adjourn.

Pending the motion to adjourn—

ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890; when the Speaker signed the same.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. TURPIN, indefinitely, on account of sickness in his family.

To Mr. DANIELL (at the request of Mr. MCKINNEY), for five days, on account of important business.

The motion to adjourn was then agreed to; and accordingly (at 4 o'clock and 9 minutes p. m.) the House adjourned.

RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolutions were introduced and referred as follows:

By Mr. CATCHINGS:

Resolved, That 2,500 copies of the Digest for the present session, prepared by Henry H. Smith, late Journal Clerk, under the act of March 3, 1877, be printed and bound for the use of the House, the same to be printed under the direction of the Speaker and Clerk of the House;

to the Committee on Printing.

By Mr. WHITING:

Resolved, That the Committee on Public Buildings and Grounds be requested to investigate the present operation of the heating and ventilating apparatus of the House of Representatives, with a view to provide more thoroughly for the comfort and health of the members;

to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, reports of committees were delivered to the Clerk and referred to the several Calendars therein named as follows, namely:

Mr. ENLOE, from the Committee on War Claims, to which was referred the bill of the House (H. R. 639) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims for the use and occupation of church and school buildings and grounds for Government purposes by the United States military authorities during the late war, and all claims for damages resulting from the appropriation to Government use of any of the furnishings or materials in said class of buildings, reported the same without amendment, accompanied by a report (No. 11) in writing thereon; which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1086) for the relief of Louisa Q. Lovell and others, reported the same without amendment, accompanied by a report (No. 12) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3888) for the relief of Samuel Howard, reported the same without amendment, accompanied by a report (No. 13) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. MANSUR, from the Committee on Claims, to which was referred the bill of the House (H. R. 914) for the relief of Aquilla Jones, sr., reported the same without amendment, accompanied by a report (No. 14) in writing thereon; which said bill and report were referred to the Committee of the whole House.

Mr. ENLOE, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1216) for the relief of the First Methodist Church in the city of Jackson, Tenn., reported the same without amendment, accompanied by a report (No. 15) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2576) for the relief of the estate of Andrew J. Duncan, deceased, reported the same without amendment, accompanied by a report (No. 16) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1227) for the relief of Stephen Moore, administrator of William Hopper, deceased, reported in lieu thereof the following resolution, accompanied by a report (No. 17) in writing thereon; which said resolution and report were referred to the Committee of the Whole House, viz:

Resolved, That the bill (H. R. 1227) entitled "A bill for the relief of Stephen Moore, administrator of William Hopper, deceased," now pending in the House, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," to find and report to the House of Representatives the facts bearing upon the merits of the claim, including the loyalty of the claimant, and all other facts contemplated by the provisions of said act.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2122) for the relief of Cumberland Female College, of McMinnville, Tenn., reported the same without amendment, accompanied by a report (No. 18) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1219) for the relief of Hiram Johnson and others, reported the same without amendment, accompanied by a report (No. 19) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2586) for the relief of the book agents of the Methodist Episcopal Church South, reported the same without amendment, accompanied by a report (No. 20) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. MANSUR, from the Committee on Claims, to which was referred the bill of the House (H. R. 1466) for the relief of the personal representatives and heirs of Henry H. and Charlotte K. Sibley, reported the same without amendment, accompanied by a report (No. 21) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. MANSUR also, from the Committee on Claims, to which was referred the bill of the House (H. R. 919) appropriating money for the payment of the claim of the Western Paving and Supply Company for paving with asphalt streets adjacent to the United States court-house and post-office building in the city of Indianapolis, Ind., reported the same without amendment, accompanied by a report (No. 22) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. MANSUR also, from the Committee on Claims, to which was referred the bill of the House (H. R. 1051) for the relief of the Selma and Meridian Railroad Company, reported the same without amendment, accompanied by a report (No. 23) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. MANSUR also, from the Committee on Claims, to which was referred the bill of the House (H. R. 1165) for the relief of the owners of the Schillinger patents, reported the same without amendment, accompanied by a report (No. 24) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. MANSUR also, from the Committee on Claims, to which was referred the bill of the House (H. R. 1678) for the relief of E. R. Shipley, reported the same without amendment, accompanied by a report (No. 25) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2228) for the relief of the heirs of H. Cathes, deceased, reported the same without amendment, accompanied by a report (No. 26) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2309) for the relief of the estate of David B. Sanders, deceased, reported the same without amendment, accompanied by a report (No. 27) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2255) for the relief of Gertrude A. Leftwich, widow of John W. Leftwich, deceased, reported the same without amendment, accompanied by a report (No. 28) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1849) for the relief of the La Grange Synodical College, of Tennessee, reported the same without amendment, accompanied by a report (No. 29) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1853)

for the relief of Pearson C. Montgomery, of Memphis, Tenn., reported the same without amendment, accompanied by a report (No. 30) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2025) for the relief of Alexander Moffit, reported the same without amendment, accompanied by a report (No. 31) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2244) for the relief of John G. W. Brooks, reported the same without amendment, accompanied by a report (No. 32) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3255) for the relief of the residuary legatees of Mark Davis, deceased, reported the same without amendment, accompanied by a report (No. 33) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2284) for the relief of Anthony Koons, reported the same without amendment, accompanied by a report (No. 34) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 4520) for the relief of the estate of Francis M. Murray, deceased, reported the same without amendment, accompanied by a report (No. 35) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2294) for the relief of the legal representatives of William W. Hildreth, deceased, reported the same without amendment, accompanied by a report (No. 36) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. ENLOE, from the Committee on War Claims to which was referred the bill of the House (H. R. 1225) for the relief of R. H. Crider, reported the same without amendment, accompanied by a report (No. 37) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 649) for the allowance of certain claims reported by the accounting officers of the Treasury Department under the act of July 4, 1864, reported the same without amendment, accompanied by a report (No. 38) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2581) for the relief of Cummings, Doyle & Co., and Doyle & Co., reported the same without amendment, accompanied by a report (No. 39) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. BUTLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 723) granting a pension to Sarah L. Henderson, reported the same with amendment, accompanied by a report (No. 40) in writing thereon; which said bill, amendment, and report were referred to the Committee of the Whole House.

Mr. BUTLER also, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 721) granting a pension to Esther Doolittle, reported the same with amendment, accompanied by a report (No. 41) in writing thereon; which said bill, amendment, and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2292) for the relief of Hugh N. Henson, reported the same without amendment, accompanied by a report (No. 42) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2189) to carry out the findings of the Court of Claims in the case of William H. Hughes, administrator of the estate of David Unsell, deceased, reported the same without amendment, accompanied by a report (No. 43) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2159) for the relief of Henry Ware, reported the same without amendment, accompanied by a report (No. 44) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 782) for the relief of Hypolite Filhiol and others, of Ouachita Parish, La., reported in lieu thereof the following resolution, accompanied by a report (No. 45) in writing thereon; which said resolution and report were referred to the Committee of the Whole House, viz:

Resolved, That the bill (H. R. 782) entitled "A bill for the relief of Hypolite Filhiol and others," now pending in the House, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," to find and report to the House the facts bearing upon the merits of the claim, including the loyalty of the claimant, and all other facts contemplated by the provisions of said act.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1047) for the relief of the Mobile Marine Dock Company, reported the same without amendment, accompanied by a report (No. 46) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3351) for the relief of Bertrand and Gaudin Cozes, reported the same without amendment, accompanied by a report (No. 47) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2314) for the relief of J. H. Stovall and William Hughes, reported the same without amendment, accompanied by a report (No. 48) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2224) for the relief of Allard & Crozier, reported the same without amendment, accompanied by a report (No. 49) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1000) for the relief of Charles P. Chouteau, survivor of Chouteau, Harrison & Vale, reported the same without amendment, accompanied by a report (No. 50) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2301) for the relief of Mary H. S. Robertson, reported the same without amendment, accompanied by a report (No. 51) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3159) for the relief of Goff A. Hall, reported the same without amendment, accompanied by a report (No. 52) in writing thereon; which said bill and report were referred to the Committee of the Whole House

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2196) for the relief of Warren Hall, reported the same without amendment, accompanied by a report (No. 53) in writing thereon; which said bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3809) for the relief of Mrs. Eliza E. Hebert, reported the same with amendment, accompanied by a report (No. 54) in writing thereon; which said bill, amendment, and report were referred to the Committee of the Whole House.

PRIVATE BILLS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BURROWS: A bill (H. R. 5400) for the relief of Mary M. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5401) for the relief of J. H. Rector—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5402) for the relief of Samuel L. Abernathy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5403) for the relief of William Keene—to the Committee on Military Affairs.

Also, a bill (H. R. 5404) for the relief of David A. McCullough—to the Committee on Military Affairs.

By Mr. BYRNS: A bill (H. R. 5405) to correct the military record of Capt. Henry Trall—to the Committee on Military Affairs.

By Mr. CLANCY: A bill (H. R. 5406) to remove the charge of desertion from the military record of Thomas Duffy—to the Committee on Naval Affairs.

By Mr. CROSBY: A bill (H. R. 5407) providing for increasing the pension of Edmund Noble—to the Committee on Invalid Pensions.

By Mr. DINGLEY: A bill (H. R. 5408) for the relief of Mrs. Mary Tripp—to the Committee on Pensions.

By Mr. DICKERSON: A bill (H. R. 5409) for the relief of Lewis Stephens—to the Committee on War Claims.

By Mr. DURBOROW: A bill (H. R. 5410) for the relief of Sarah Jane Owen—to the Committee on Invalid Pensions.

By Mr. EDMUNDS: A bill (H. R. 5411) for the relief of J. Henry Rives—to the Committee on Claims.

By Mr. FITHIAN: A bill (H. R. 5412) granting increase of pension to Thomas J. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5413) increasing the pension of John M. Logan—to the Committee on Invalid Pensions.

By Mr. GOODNIGHT: A bill (H. R. 5414) granting a pension to John Lucas—to the Committee on Invalid Pensions.

By Mr. GRISWOLD: A bill (H. R. 5415) for the repayment of money expended and for professional services rendered for the acquirement of certain lands for the United States—to the Committee on the Public Lands.

Also, a bill (H. R. 5416) granting a pension to Margaret Cronin, widow—to the Committee on Pensions.

Also, a bill (H. R. 5417) granting a pension to Bridget Turley—to the Committee on Pensions.

By Mr. HEARD: A bill (H. R. 5418) for the relief of Mrs. Mary A. Menifee—to the Committee on Pensions.

By Mr. HEMPHILL: A bill (H. R. 5419) for the relief of Carrie O. Wallace, widow of George D. Wallace, late captain Troop K, Seventh United States Cavalry—to the Committee on Invalid Pensions.

By Mr. HERBERT: A bill (H. R. 5420) for the relief of Malachi F. Bonham—to the Committee on Claims.

By Mr. HOUK of Ohio: A bill (H. R. 5421) for the relief of John Crowe—to the Committee on War Claims.

By Mr. HOUK of Tennessee: A bill (H. R. 5422) for the relief of Henry T. Cox—to the Committee on War Claims.

Also, a bill (H. R. 5423) for the relief of Warham Easley—to the Committee on War Claims.

By Mr. KENDALL: A bill (H. R. 5424) for the relief of Wesley Rowe—to the Committee on War Claims.

By Mr. McCLELLAN: A bill (H. R. 5425) for the relief of William T. Ferguson as assistant surgeon of One hundred and thirty-ninth and One hundred and forty-second Indiana Volunteers—to the Committee on Military Affairs.

By Mr. O'NEILL of Missouri: A bill (H. R. 5426) for the relief of James Grace—to the Committee on Claims.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 5427) to relieve John W. White from the charge of desertion—to the Committee on Military Affairs.

By Mr. PAGE of Maryland (by request): A bill (H. R. 5428) for the relief of the widow and heirs of Samuel Kramer—to the Committee on Naval Affairs.

By Mr. REILLY: A bill (H. R. 5429) for the relief of William D. Kline—to the Committee on Military Affairs.

By Mr. SEERLEY: A bill (H. R. 5430) for the relief of Bellamy S. Hine, of Keokuk, Iowa—to the Committee on Claims.

By Mr. STORER: A bill (H. R. 5431) authorizing the issuing of patents for locations with certificates granted under the act of Congress approved August 5, 1854, entitled "An act for the relief of the legal heirs of Benjamin Metoyer"—to the Committee on Private Land Claims.

By Mr. EZRA B. TAYLOR: A bill (H. R. 5432) to restore the pension of George Lucius Felch—to the Committee on Invalid Pensions.

By Mr. TUCKER: A bill (H. R. 5433) to grant the franking privilege to State agricultural colleges, and for other purposes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 5434) to amend the second section of an act entitled "An act granting pensions to soldiers and sailors of the Mexican war," and for other purposes—to the Committee on Pensions.

PETITIONS, ETC.

Petitions and resolutions were, under the order adopted by the House January 5, delivered to the Clerk, and referred as follows:

By Mr. BABBITT: Protest of the officers of the Wisconsin Indian Association, against the removal of the Utes—to the Committee on Indian Affairs.

By Mr. BACON: Petition of George E. Chaffee and others, for the suppression of the exportation of alcoholic liquors from the United States to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BOWMAN: Petition of 21 citizens of Mills County, Iowa, praying for passage of so-called Conger lard bill—to the Committee on Agriculture.

Also, petition of 20 citizens of Mills County, Iowa, in behalf of the Butterworth option bill—to the Committee on Agriculture.

Also, petition of 21 citizens of Mills County, Iowa, in behalf of the Butterworth bill—to the Committee on Agriculture.

By Mr. BUSHNELL: Petition of the Wisconsin Woman's Suffrage Association, for an amendment to the Constitution of the United States granting the right of suffrage to all "persons born or naturalized in the United States"—to the Committee on the Judiciary.

By Mr. BUTLER: Petition of citizens of Floyd County, Iowa, praying the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

By Mr. CAINE: Petition of 30 citizens of Parowan, Iron County, Utah, for ceding of the public lands—to the Select Committee on Irrigation of Arid Lands in the United States.

Also, petition of 16 citizens of Paragonah, Iron County, Utah, for ceding of the public lands—to the Select Committee on Irrigation of Arid Lands in the United States.

Also, petition of 31 citizens of Washington City, Utah, for ceding of the public lands—to the Select Committee on Irrigation of Arid lands in the United States.

By Mr. CARUTH: Petition of citizens of Louisville, praying for an increase of pay for officers and crews of life-saving stations—to the Committee on Interstate and Foreign Commerce.

Also, petition of the keeper and crew of the life-saving station at Louisville, Ky., praying for an increase of pay to officers and members of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. COBB of Alabama (by request): Petition of citizens of the District of Columbia, protesting against extension of Eckington and Soldiers' Home Railroad—to the Committee on the District of Columbia.

By Mr. DAVIS: Petition of Knights of Labor of the city of Washington, in favor of electing United States Senators by direct vote of the people—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

Also, petition of Knights of Labor of the District of Columbia, in favor of excluding Chinese immigration—to the Select Committee on Immigration and Naturalization.

By Mr. DINGLEY: Memorial of Mrs. Mary Tripp, of Rockland, Me., widow of Charles M. Tripp, deceased, pensioner of the Mexican war, praying that a pension may be granted her—to the Committee on Pensions.

By Mr. ENGLISH: Petition of J. H. Howard, in favor of adopting the metric system in the customs service—to the Committee on Coinage, Weights, and Measures.

By Mr. FYAN: Petition of Timothy W. Davis, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. GEARY: Resolution of the Sonoma County Pomona Grange, demanding that their Representative and his colleagues favor the election of United States Senator by a direct vote of the people—to the Committee on Elections.

Also, petition of citizens of Sonoma, Cal., asking the passage of the option bill—to the Committee on Agriculture.

Also, petition of the taxpayers of Sonoma County, Cal., in reference to mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Sonoma County, Cal., for the passage of the so-called Conger lard bill—to the Committee on Agriculture.

By Mr. HARMER: Memorial of writers employed in the navy-yards, relative to leave of absence, to accompany House bill 396—to the Committee on Naval Affairs.

By Mr. HAUGEN: Petition of Fred Kahl and 18 other citizens of Prairie Farm, Barron County, Wis., praying for an internal-revenue tax upon compound lard—to the Committee on Agriculture.

By Mr. LESTER of Georgia: Papers in the claim of Maximillian N. De Letre, of Savannah, Chatham County, Ga.—to the Committee on War Claims.

By Mr. LAGAN: Petition of citizens to have survey made for refuge harbor on Lake Pontchartrain—to the Committee on Rivers and Harbors.

Also, petition of Edward C. Jacobs, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. MCCLELLAN: Petition, affidavits, and other papers in support of and to accompany House bill 4221, for relief of Lewis Deems—to the Committee on Claims.

By Mr. MORGAN: Papers in the claim of East Baton Rouge Parish, La.—to the Committee on War Claims.

By Mr. MEYER: Petition of business men of New Orleans, La., in favor of the improvement of the Arkansas River—to the Committee on Rivers and Harbors.

By Mr. O'DONNELL: Petition of 8 citizens of Middleville, Wash., in favor of the reduction of letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. O'FERRALL: Papers in the claim of John B. Smith, of Jacob Senger, of John Stinespring, of Abraham Sagor, of Adam Showalter, of Abraham Timmes, of Annie Sandy, of Henry Showalter, of Jackson Showalter, of Abraham Shank, of Maria Showalter, administratrix of David Showalter, deceased; of Peter Showalter, of John Scanlon's estate, of John Shultz, of John C. Shover, of Anna Shank, of Daniel Slun, of William Linecaver, of Noah Landes, of Peter W. Whitmore, of Joseph Wample, of Joshua Wample, of John W. West, of Isaac Wenger, of Lewis Pence, of William S. Perry, of Henry Pulse, of Anthony Rhodes, of Peter Richie, of Samuel Zeigler, of Samuel Niswanden, of James W. Myers, of Noah Minnick, of George Miller, administrator of Daniel Miller, deceased; of Michael M. Miller, of John D. Miller, of James J. Miller, of Jacob A. Mitchell, of Stephen H. Murry, of William D. Meridon, of Meredith Knighting, of Nicholas Kyer, of Joseph T. Kline, of Thomas Kirkpatrick, of Emanuel Driver, of Jacob Driver, of Lawrence Crawford, of Benjamin S. Bierly, of Joseph Bruman, of Asa S. Bangler, of Jacob Good, of Joel Glick, of Henry Geil, of John Geil, of Abraham Hawver, administrator; of Abraham Huddell, of Lannah Homan, of John Hawse, of George G. Hall, of John Hildebrand, of Garul Heatwale, of Joseph Heatwale, executor of John G. Heatwale; and of Elijah Huffman, all of Rockingham County, Va.—to the Committee on War Claims.

Also, papers in the claim of Elizabeth Smooty, of Buben Smoots, of William Swartz, of Noah Swatz, of George H. Shaver, of E. B. Shaver, of Mrs. Mary Lutholty, of John Rickard, of Henry Reidenouer, of George W. Rasser, of John Jacobs, of Joel T. Myers, of James W. Funkhouser, of George Funkhouser, of David D. Evans, of George Copp, of George F. Hupp, trustee; of Noah Hackman, of Isaac Hackman, of John and Henry Hiser, and of Elizabeth Hahn, all of Shenandoah County, Va.—to the Committee on War Claims.

Also, papers in the claim of Benjamin Starkey, of Alexander Warsaer, and of Henry Huyett, all of Clark County, Va.—to the Committee on War Claims.

Also, papers in the claim of Emanuel Spitzer and of Mary Kagey, of Virginia—to the Committee on War Claims.

Also, papers in the claim of William C. Wilkinson, of Susan M. Peterson, of Martha Catlett, of Sarah Grant, and of Jacob H. Hauser, all of Warren County, Va.—to the Committee on War Claims.

Also, papers in the claim of William M. Sherry, of Jefferson County, W. Va.—to the Committee on War Claims.

Also, papers in the claim of Maximillian N. De Lettre, of Savannah, Chatham County, Ga.—to the Committee on War Claims.

Also, papers in the claim of Theresa E. Heller, of Baltimore, Md.—to the Committee on War Claims.

Also, papers in the claim of Manoah Harmon—to the Committee on War Claims.

By Mr. OWENS: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PAGE of Maryland: Two petitions of citizens of Dorchester County, Md., for a survey of the channel through Tarr Bay into Honga River, with a view to cleaning out said channel—to the Committee on Rivers and Harbors.

By Mr. RAYNER: Petition and memorial of Robert M. Anderson, asking to be reimbursed for services at Fort McHenry, Md.—to the Committee on Claims.

By Mr. REILLY: Resolution passed (unanimously) at the last session of the Legislature of Pennsylvania, approved May 23, 1891, by Robert E. Pattison—to the Committee on Naval Affairs.

By Mr. ROBERTSON: Papers in the claim of Philip Burt (colored), of Pointe Coupée Parish—to the Committee on War Claims.

By Mr. RUSSELL: Petition of veteran soldiers of New London, Conn., in favor of House resolution 269, authorizing retirement of enlisted men—to the Committee on Military Affairs.

By Mr. VAN HORN: Petition of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WHEELER of Alabama: Papers in the claim of Joseph A. Hobbs, as administrator of Harriet B. Stokes, of Madison County, Ala.—to the Committee on War Claims.

Also, papers in the claim of John P. Smith, of Madison County, Va.—to the Committee on War Claims.

Also, petition of Thomas W. White—to the Committee on War Claims.

Also, memorial of Augustine de Yturbide—to the Committee on Claims.

By Mr. YOUMANS: Papers to accompany House bill 2056, asking for a pension for Jane M. Purdey, stepmother of Robert Purdey, Company H, Fifth Michigan Regiment of Cavalry Volunteers—to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 5, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

RETURN OF A JOINT RESOLUTION TO THE SENATE.

The SPEAKER laid before the House a request from the Senate that the House return to that body the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861."

The SPEAKER. If there be no objection, the Committee on the Judiciary will be discharged from further consideration of this joint resolution, and the request of the Senate will be complied with.

There was no objection, and it was so ordered.

VIOLATIONS OF SECTION 5209, REVISED STATUTES.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, submitting, with accompanying papers, an estimate for an appropriation for the necessary investigation of violations of section 5209 of the Revised Statutes; which was referred to the Committee on Appropriations, and ordered to be printed.

H. W. SHACKLETT VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of H. W. Shacklett against the United States; which was referred to the Committee on War Claims, and ordered to be printed.

J. C. COLE, ADMINISTRATOR, VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the French spoliation claim of J. C. Cole, administrator of John Storer, *vs.* The United States; which was referred to the Committee on Claims.

Mr. LANHAM. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

IRRIGATION OF ARID LANDS.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to have printed in the RECORD the resolutions and memorial of the irrigation congress, which was held in Salt Lake City, Utah, in September, 1891, in favor of granting in trust all public lands except mineral lands to the several States and Territories wherein situate, for the purpose of developing irrigation. That was a very important congress, in which delegates representing ten States and two Territories took part, and I am authorized by the Select Committee on Irrigation of Arid Lands to ask consent that they be printed in the RECORD, in view of the importance of the subject-matter therein contained.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. LANHAM] that these resolutions and memorial be printed in the RECORD?

There was no objection, and it was so ordered.

The resolutions and memorial are as follows:

To the honorable the Senate and House of Representatives in Congress assembled:

Your memorialists respectfully represent: That in pursuance of a call issued by the Hon. Arthur L. Thomas, governor of Utah, for a convention "to

consider matters pertaining to the reclamation of the arid public lands of the West," the irrigation congress met at Salt Lake City on September 15, 1891, and remained in session for three days. There were delegates in attendance from the States of California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, Oregon, Texas, and Wyoming, and the Territories of Utah and New Mexico, and the body was in a notable degree representative of that large section of the Union in which the rainfall is inadequate for the purposes of agriculture.

The sense of the congress was embodied in the following resolutions:

Resolved, That this congress is in favor of granting in trust, upon such conditions as shall serve the public interest, to the States and Territories needful of irrigation, all lands now a part of the public domain within such States and Territories, excepting mineral lands, for the purpose of developing irrigation and to render lands now arid fertile and capable of supporting a population.

Resolved, That it is the sense of this convention that the committee selected to prepare and present to Congress the memorial of this convention respecting public lands, should ask as a preliminary to the cession of all the land in the Territories in accordance with the resolutions of the convention, a liberal grant to said Territories and to the States to be formed therefrom, of the public lands to be devoted to public school purposes.

Whereas large areas of arid lands and semiarid lands, situated upon the great plains of the Dakotas, Western Nebraska, Kansas, and Oklahoma were settled upon in good faith, by homeseekers, under the supposition that they were entering agricultural lands, and

Whereas the settlers upon such lands have expended much time and labor upon the same; and paid into the United States Treasury therefor many millions of dollars, only to discover that irrigation, to a greater or less extent, is necessary in making homes for themselves thereon: Therefore, be it

Resolved, That the representatives of all the States and Territories directly concerned in irrigation do hereby pledge their unwavering support to the just demands of such settlers that the General Government shall donate at least a portion of the funds received from the sale of such lands toward the procurement of the means necessary for their irrigation.

Resolved, That this congress heartily indorse the irrigation work of the Agricultural Department of the National Government in the collection and dissemination of information, especially its admirable progress reports covering the whole field of irrigation development, and that it favors large appropriations for this work hereafter.

It is submitted that the considerations in support of the request expressed in the first of the above resolutions are of a very cogent character. It is undeniably true that the General Government has nearly reached the limit of its capacity to provide homes for settlers upon the public domain. The tracts now remaining are almost wholly such as can not be sold or otherwise disposed of under the liberal provisions of our land laws. Referring to the area embraced in the terms of the resolution, the condition is found to be that lands susceptible of irrigation at a practicable cost are occupied, and that those which are still subject to entry can only be fitted for cultivation by systems of canals, reservoirs, or artesian wells involving expenditures quite beyond the resources of individual settlers.

The topography and other physical conditions that must be overcome in the work of utilizing water for the purposes of agriculture are not widely understood. The ultimate sources of the streams that provide the only available water supply are the snows that are deposited on the mountain tops and in the deep recesses of the cañons. In the spring these snows melt rapidly and form raging torrents that cut deep channels in their pathway. Thus when they enter the valley they are far below the level of the lands which they are to reclaim. This condition renders it necessary to fix the point of diversion far up the cañon upon the rocky mountain sides, and to construct long canals and flumes to conduct the water at the required height to be delivered upon the successive benches that lie below.

The waste of water before the season of irrigation commences is another potent factor of expense. In the spring the flow of water is the largest, for obvious reasons, and then vast volumes run to waste. Later the supply decreases, and is the least when most needed for the nourishment of growing crops. To prevent this the only efficient remedy is to impound the water in large storage reservoirs, which can only be constructed at an enormous cost.

It is not to be assumed that because the reclamation of the arid region involves the expenditure of vast sums of money it is therefore impracticable. On the contrary, it can be fully justified as a business enterprise. Compare the yield in agricultural products of lands cultivated with the aid of irrigation with the yield of lands that are watered by the natural rainfall, and the difference will be found to be from 50 to 100 per cent in favor of the former. Land that is now wholly unproductive, upon being provided with facilities for irrigation, immediately attains a value of from $10 to $50 an acre, the difference being due to location, accessibility to markets, and other manifest conditions. It may be questioned whether the country affords a more inviting field for the investment of capital than that which is here presented.

We feel warranted in assuming that the General Government will pursue no policy respecting the arid lands of the public domain that will not assist in their reclamation and the development of their possibilities in affording homes to settlers, increasing the food supply of the people, and contributing to the general wealth. The question remains whether Congress will undertake the work by direct appropriations from the Treasury sufficient for the prompt construction of the required systems of irrigation. There has been some agitation of the subject for several years past without further results than the appropriation of $350,000 and its expenditure in topographical surveys. It is not manifest that these have materially advanced the solution of the practical problems of irrigation; at all events the rate of progress forbids the hope of any substantial results within a reasonable period. So far as we can infer the disposition of the General Government from its previous action, the answer to the above question must be in the negative.

Neither is it certain that it would be practicable for Congress to pass a general law that would operate justly and efficiently upon all parts of the arid belt. Wyoming differs in both from Montana and Idaho, and Colorado from Utah and New Mexico; yet it is of primary importance that legislation designed to promote the reclamation of these lands should recognize and adjust itself to all these differences.

The only alternative course seems to be that which is recommended in the resolutions of the congress, viz: "the granting in trust, upon such conditions as shall serve the public interest, to the States and Territories needful of irrigation, all lands now o part of the public domain within such States and Territories, excepting mineral lands, for the purpose of developing irrigation, to render lands now arid fertile and capable of supporting a population." We feel assured that such action would be promptly followed by the inauguration and vigorous prosecution of enterprises for the reclamation of those lands, either by the States and Territories themselves or through the agency of municipalities erected for the purpose, with power to borrow money upon the security of the reclaimed lands.

A precedent for the policy proposed is not wanting. Congress ceded to the States in the Mississippi Valley and other sections of the Union the swamp lands within their respective limits. The purpose of this action was to insure their reclamation, and it found its support in the knowledge that a considerable expense would be involved in fitting them for cultivation. Such is the condition of the arid lands, with this difference, that the problem of reclamation is infinitely more difficult than that of draining the swamp lands, and also that the swamp lands in any one State were of comparatively little value and of so slight concern to the public that they were liable to maladministration; whereas in the case of the arid lands, as soon as they come under the control of the State they will at once become the most prominent question in State politics and of so great and immediate interest to its citizens that their administration will be conducted under the surveillance of a deeply concerned people, who will permit no chicanery. In principle the cession of the swamp lands to the States affords a perfect precedent for such action as we are seeking at the hands of your honorable body.

The importance of our pastoral interests makes it necessary that provision be made for the protection and utilization of the grazing land in connection with the contiguous irrigable areas. To the grazing lands, as distinguished from the agricultural lands, belong those vast areas of elevated table and bench lands and the high, rolling divides which lie upon the summits and along the slopes of the watersheds, and they comprise three-fourths of the arid domain. They never can be made the self-supporting habitation of man, because they are too elevated and too vast in extent to be irrigated; but they furnish a valuable complement to the lands reclaimed, the first supplying the summer's and the second the winter's food supply.

Adequate provision for securing possession or managment of these lands to the settler, for the sole purpose to which they are adapted, has never been attempted by Congress; and the question is of such magnitude and importance in connection with the subject of farming by irrigation in the region where grazing lands abound, that a great impetus will be given to irrigation if such States as may see fit to adopt that policy are placed in a position to encourage settlement by attaching to the land capable of being claimed a larger contiguous tract of grazing land. It will make more valuable the irrigable areas and supply the settler with an important source of income by adding the business of stock-raising to that of the farmer.

No mention is made in the resolutions of the congress of the preservation of the forests, but the subject is too intimately associated with that of irrigation to be divorced. The coniferous trees, such as constitute the timber growth on the mountains and elevated plateaus of the West, are exceedingly inflammable, and when once fire is communicated to them a vast destruction of values ensues. The loss from this cause, measured by the stumpage value of the timber alone, may be estimated without extravagance at $100,000,000 per year. The Federal Government has made some efforts to arrest this destruction, but wholly without success.

It is from the States or local agencies created by the States that protection must be sought. To the settlers the preservation of the forests is a matter of grave importance. They are dependent upon them for fuel, fencing, and building materials; but this is by no means the limit of their interest. The forests on the mountain tops are the chief conservators of the waters that are to irrigate the valleys below. With their destruction fhe reclamation of the arid lands ceases to be a problem and becomes an impossibility. An efficient and just system of preserving the forests from destruction by fire and applying them under proper restrictions to the use of settlers can not be otherwise provided and administered than by the States.

The second of the above resolutions addresses itself to a subject that can not fail to commend itself to your favorable consideration. It is inconceivable that Congress will make any disposition of the public domain without first securing to the Territories their endowment for the support of public schools. The arbitrary selection by law of the sections dedicated to this purpose operates as a gross injustice to the Territories in the arid region. By far the greater number of the school sections are located upon mountain tops or other places where they can not be cultivated, and it follows that nothing can be realized from their sale. The liberal policies of the Government, dating from the passage of the great ordinance of 1787, in all that pertains to the education of our youth forbids the thought that any discrimination will be exercised against the newer portions of the Union, or that they shall be less than equal sharers of its bounty. The petition embodied in the resolution is simply an appeal for justice.

The condition of settlers on lands within the semiarid belt was felt to call urgently for relief at your hands. Thousands of people have settled within this area in reliance upon the assurance officially extended by the Government that they were "agricultural," which was naturally presumed to mean that they were capable of producing crops by the usual methods of agriculture. They have found that the rainfall is highly uncertain in quantity and seasonableness, and that year after year the labors which they have bestowed upon their fields have been expended in vain. The consequences have been most deplorable. Without fault on their own part, acting only upon the impulse that has been the chief factor in expanding the domain of civilization, they now find themselves and their families confronted with actual destitution. The Government sold to them the lands that they occupy at no less prices and upon no other terms than such as obtained in more favored localities; and it has received into its Treasury not less than $12,000,000 as the purchase price. We submit that the circumstances eloquently support their prayer for relief, and that the Government may most properly dedicate a portion of the money which they have themselves contributed to the work of developing and applying the water supply in such a manner as to make these habitable and productive.

And your memorialists, as in duty bound, will ever pray, etc.

Of committee on memorial: Alex. C. Botkin, chairman, representing Montana; A. D. Foote, secretary, representing Idaho; J. H. Abbott, representing Nebraska; Frank Bond, representing Wyoming; J. H. Hamilton, representing Oregon; C. W. Irish, representing Nevada; Platt Rodgers, representing Colorado; J. H. Thomas, representing Washington; D. H. Wenger, representing New Mexico; C. C. Wright, representing California.

PROHIBITION OF POLYGAMY.

Mr. BUSHNELL. Mr. Speaker, I ask unanimous consent that the joint resolution (H. Res. 77) introduced by me the other day, relating to an amendment to the Constitution for the prohibition of polygamy in the United States, be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection, and it was so ordered.

The joint resolution is as follows:

Joint resolution proposing an amendment to the Constitution prohibiting polygamy within the United States, and all places subject to their jurisdiction, to be known as the sixteenth amendment.

Whereas the Territory of Utah has asked to be admitted into the Union as a State, with a constitution prohibiting polygamy, and Congress has heretofore refused such request, on the ground that after such admission she might change her constitution and permit polygamy, and that then there would be left in Congress no constitutional power to deal with that question; and

Whereas said Territory has for twenty years had a larger population than the State of Wyoming, admitted by the last Congress, has now; and

Whereas said Territory now has a larger population than the three adjoining States of Wyoming, Idaho, and Nevada combined, and a larger population than either of six States already in the Union; and

Whereas the President, in his last annual message to Congress, substantially recommends that this Territory should still be kept out of the Union until we have "satisfactory evidence" that after admission they would "make, enforce, and maintain" effective laws against polygamy, because as a Territory the laws of Congress can reach and punish polygamy there, while as a State they could not so do; and

Whereas under such a rule and all the circumstances and possible contingencies it is difficult to determine what would be such "satisfactory evidence," or whether the time for the admission of said Territory into the Union would ever arrive; and

Whereas an amendment to the Constitution forever prohibiting polygamy in the United States, and empowering Congress to enforce it, would leave no longer any reason or excuse for refusing statehood to this great Territory; and

Whereas such an amendment would, besides, guard the small States adjoining Utah against an inundation from its polygamous minority, who may thus now easily gain control of one or more of them, and so change their constitutions and laws as to sanction and legalize polygamy there beyond the power of the General Government under our present Constitution to gainsay, deny, or in any manner interfere with; and

Whereas it would seem the part of wisdom to effectually and finally dispose of polygamy now, while yet it may be easily done: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That this Fifty-second Congress hereby proposes to the Legislatures of the several States the following amendment to the Constitution of these United States, to be known as article 16 of the amendments thereto, to wit:

"ARTICLE XVI.

"SECTION 1. Polygamy shall never exist within the United States or any place subject to their jurisdiction.

"SEC. 2. Congress shall have power to make all needful laws to enforce this article and punish its violation."

Upon the adoption of this resolution the President shall cause the same to be submitted to the Legislatures of the several States, as soon as may be, for their ratification or rejection: and if ratified by three-fourths of such Legislatures, the same shall be of full force and effect, and the President shall make due proclamation thereof.

TO PUT AGRICULTURAL IMPLEMENTS ON THE FREE LIST.

Mr. FITHIAN. Mr. Speaker, I desire to offer a joint resolution in relation to the revenue, proposing to place agricultural implements on the free list, and I ask unanimous consent that it be printed in the RECORD.

The SPEAKER. But the gentleman can not introduce it in this way at this time. It must be handed to the Speaker for reference.

Mr. FITHIAN. Well, I will present it to the Speaker now for reference, and afterwards I will ask unanimous consent that it be printed in the RECORD.

The SPEAKER. Very well.

REPORTS OF COMMITTEES.

The SPEAKER. The committees will now be called for reports, and, with the permission of the House, the Clerk will call the list for the Speaker.

Mr. CULBERSON. Mr. Speaker, I rise to a parliamentary inquiry. Can any but reports on private bills be made to-day?

The SPEAKER. Reports on private bills are not made publicly; they are made privately.

Mr. CULBERSON. Then can reports upon public bills be made to-day?

The SPEAKER. Yes. No other reports than reports upon public bills are in order. Reports on private bills are to be handed to the Clerk.

The committees were called, when reports were submitted, ordered to be printed, and referred to the Calendars indicated, as follows:

INTERNAL-REVENUE LAWS.

By Mr. BYNUM, favorably, from the Committee on the Judiciary: A bill (H. R. 566) to amend the internal-revenue laws, and for other purposes—to the House Calendar.

PERFORMANCE OF THE PRESIDENT'S DUTIES IN CERTAIN CASES.

By Mr. POWERS, favorably, from the Committee on the Judiciary: A bill (H. R. 3927) to amend an act approved January 19, 1886, providing for the discharge of the duties of President in certain cases—to the House Calendar.

KLAMATH INDIAN RESERVATION.

By Mr. MCKENNA, favorably, from the Committee on the Judiciary: A bill (H. R. 38) to provide for the disposition and sale of lands known as the Klamath Indian Reservation—to the Committee of the Whole House on the state of the Union.

MINES AND MINING, INDIAN TERRITORY.

By Mr. MANSUR, favorably, from the Committee on the Territories: A bill (H. R. 249) to regulate mines and mining in the Indian Territory—to the Committee of the Whole House on the state of the Union.

LOT 18, SECTION 2, DETROIT, MICH.

By Mr. LAYTON, favorably, from the Committee on the Judiciary: A joint resolution (H. Res. 10) for the release of all claim of the United States to lot 18, section 2, Detroit, Mich.—to the Committee of the Whole House on the State of the Union.

INVESTIGATION OF THE "SWEATING" SYSTEM.

By Mr. PAGE of Rhode Island, with amendment, from the Committee on Manufactures: A resolution directing the Committee on Manufactures "to inquire into the effect of the so-called 'sweating system' of tenement-house labor upon manufactures of clothing and other manufactures, and upon wages and prices in such manufactures"—to the Committee of the Whole House on the state of the Union.

MINING DÉBRIS IN CALIFORNIA.

By Mr. COWLES, with a substitute, from the Committee on Mines and Mining: Joint resolution (H. Res. 78) concerning mining débris in California, and requesting certain estimates from the Secretary of War—to the House Calendar.

CHANGES OF REFERENCE.

On motion of Mr. CURTIS, by unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill (H. R. 1284) for the relief of Charles F. Sanborn, of St. Albans, Vt.; and the same was referred to the Committee on Military Affairs.

On motion of Mr. SNOW, by unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill (H. R. 3388) to recognize Elias J. Beymer as an enrolling officer, and for the relief of his widow and minor children; and the same was referred to the Committee on Military Affairs.

REIMBURSEMENT TO PENNSYLVANIA FOR WAR DAMAGES, ETC.

By Mr. BEEZHOOVER, favorably, from the Committee on War Claims: A bill (H. R. 546) to authorize the payment to the State of Pennsylvania of damages sustained by citizens of said State of Pennsylvania from Union and Confederate troops during the late war, as adjudicated and liquidated by the State of Pennsylvania under the provisions of an act of the General Assembly of the said State of Pennsylvania approved the 22d day of May, A. D. 1871—to the Committee of the Whole House on the state of the Union.

By Mr. BETZHOOVER, favorably, from the Committee on War Claims: A bill (H. R. 369) to indemnify the State of Pennsylvania for money expended in 1864 for militia called into military service by the governor under proclamation of the President on June 13, 1863—to the Committee of the Whole House on the state of the Union.

WAR CLAIMS FOR OCCUPATION OF CHURCH AND SCHOOL BUILDINGS, ETC.

Mr. ENLOE. Mr. Speaker, yesterday I handed to the Clerk a report from the Committee on War Claims upon the bill (H. R. 639) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims for the use and occupation of church and school buildings and grounds for Government purposes by the United States military authorities during the late war, and all claims for damages resulting from the appropriation to Government use of any of the furnishings or materials in said class of buildings. That bill has been referred, I find, to the Committee of the Whole House on the state of the Union. If it properly belongs to the Private Calendar, the reference should be changed; on the other hand, if it is a public bill, it should under the rules be reported at this time. I would be glad to have the Chair decide whether the bill properly belongs on the Union Calendar or the Private Calendar.

The SPEAKER *pro tempore* (Mr. MCMILLIN). Under the rule, public bills are required to be reported in open House. So far as the Chair can judge from the title of this bill, the bill itself not being before him, it belongs to the class which should be reported in open House.

Mr. ENLOE. Then I desire to report it at this time and have it placed on the Union Calendar.

The SPEAKER *pro tempore*. The gentleman will send up the bill.

Mr. ENLOE. The bill and report are already in possession of the Clerk.

The SPEAKER *pro tempore*. The order requested by the gentleman will be made.

The bill referred to, reported from the Committee on War Claims without amendment, was accordingly referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

SARATOGA MONUMENT.

By Mr. CUMMINGS, favorably, from the Committee on the Library: A bill (H. R. 302) to appropriate $18,484.57 for the completion and dedication of the monument commemoratiug the surrender of Burgoyne at Saratoga—to the Committee of the Whole House on the state of the Union.

MONUMENT TO VICTIMS OF BRITISH PRISON SHIPS.

By Mr. CUMMINGS, favorably, from the Committee on the Library: A bill (H. R. 297) for the erection and completion of a monument to the memory of the victims of prison ships at Fort Greene, Brooklyn, N. Y.—to the Committee of the Whole House on the state of the Union.

ORDER OF BUSINESS.

The SPEAKER *pro tempore* (having completed the call of committees). If there be no objection, the Chair will recognize for the presentation of reports gentlemen who were not in the Hall when their committees were called.

There was no objection.

CHANGE OF REFERENCE.

On motion of Mr. HERBERT, by unanimous consent, the Committee on Naval Affairs was discharged from the further consideration of the memorial and resolutions of the Milwaukee Board of Trade, favoring speedy construction of a new revenue-cutter steamer for Lake Michigan; and the same was referred to the Committee on Interstate and Foreign Commerce.

JUDGMENT LIENS ON REAL ESTATE.

Mr. OATES. I am instructed by the Committee on the Judiciary to report back House bill 3733, providing that judgments rendered in United States courts shall not be a lien upon real estate in any other county than the one in which the court is situate, unless the transcript of the judgment be first filed in such county. The committee report the bill back adversely, with the recommendation that it lie upon the table.

The SPEAKER *pro tempore*. That order will be made.

Mr. OATES. I do not know whether the provision requiring the printing of adverse reports is retained in the present rule.

The SPEAKER *pro tempore*. The Chair does not remember, but will have the correct order made with regard to this report.

LINEAL PROMOTION IN THE ARMY.

Mr. OUTHWAITE, from the Committee on Military Affairs, reported back, with amendments, the bill (H. R. 328) to establish lineal promotion throughout the several lines of artillery, cavalry, and infantry of the Army; which was referred to the House Calendar.

HOSPITAL CORPS.

Mr. OUTHWAITE also, from the Committee on Military Affairs, reported back, with amendments, the bill (H. R. 329) relating to the Hospital Corps of the Army; which was referred to the Committee of the Whole House on the state of the Union.

PORT OF SANDUSKY, OHIO.

Mr. MONTGOMERY, from the Committee on Ways and Means, reported back the bill (S. 1183) to extend the privileges of the transportation of dutiable merchandise without appraisement to the port of Sandusky, Ohio; which was referred to the House Calendar.

PARDONING POWER OF DISTRICT COMMISSIONERS.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back the bill (H. R. 4429) to empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases; which was referred to the House Calendar.

NATIONAL SAFE DEPOSIT COMPANY, WASHINGTON, D. C.

Mr. HEMPHILL also, from the Committee on the District of Columbia, reported back the bill (H. R. 4107) to change the corporate name of the National Safe Deposit Company of Washington; which was referred to the House Calendar.

UNITED STATES COURTS, WISCONSIN.

Mr. STOCKDALE, from the Committee on the Judiciary, reported back the bill (H. R. 497) to change the time of holding the United States courts at Oshkosh, in the State of Wisconsin, from July to the second Tuesday in June in each year; which was referred to the House Calendar.

AGRICULTURAL IMPLEMENTS FREE OF DUTY.

Mr. FITHIAN. Mr. Speaker, I ask unanimous consent to have printed in the RECORD the resolution I offered this morning.

There was no objection.

The resolution is as follows:

Whereas it has been established by satisfactory evidence that manufacturers of farm implements in the United States are selling farm implements in foreign countries and to jobbers for export for less than the same implements are sold to the farmers of this country; and

Whereas this fact has been further conclusively established by the answer of A. B. Farquhar, an agricultural implement maker of York, Pa., to the Home Market Club; and

Whereas the said A. B. Farquhar, as a further evidence of this fact, in answering a home market newspaper, makes the statement that "we do sell goods cheaper to customers in foreign countries directly and to jobbers for export than we do to the domestic trade. This I could not truthfully deny or candidly conceal. You would like to learn the process by which the manufacturer can afford to sell the foreign buyer goods for less than he can the home customers. The reply is simplicity itself. We receive the prices current in the markets in which we sell. We can not get more and could not be expected to take less"; and

Whereas under this system of plundering the farmers of our country they are compelled to pay more for their implements than the same implements are sold for to farmers abroad whose products are marketed in competition with the products of our farms; and

Whereas the duties upon farm implements is an unjust discrimination against American farmers for the benefit of manufacturers who do not need it, and is therefore legalized robbery; therefore,

Be it resolved, That the Committee on Ways and Means be, and they are hereby, instructed to report a bill to this House at an early day placing all kinds of agricultural implements on the free list.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. This completes the call of committees for reports.

Mr. RAINES. Mr. Speaker, I ask unanimous consent to introduce a bill at this time for reference.

The SPEAKER *pro tempore*. The Chair will state to the gentleman that it can be presented now through the petition box.

Mr. RAINES. This, however, is a public bill.

The SPEAKER *pro tempore*. The gentleman can furnish it to the Chair, and the proper reference will be made during the day.

Mr. ENLOE. I would like to inquire of the Chair if business on the Private Calendar is not now properly in order under the rule?

The SPEAKER *pro tempore*. To what rule is the gentleman's inquiry addressed?

Mr. ENLOE. Is it in order to make a motion now to go into Committee of the Whole to consider business on the Private Calendar.

The SPEAKER *pro tempore*. The Chair thinks the motion is in order. Rule XXVI provides, in the first section—

Friday in every week shall be set apart for the consideration of private business, unless otherwise determined by the House.

Mr. SAYERS. Mr. Speaker, I rise to move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the urgent deficiency bill.

Mr. ENLOE. I think we had better take the opportunity we have to consider business on the Private Calendar.

The SPEAKER *pro tempore*. It is for the House to determine that. If the motion of the gentleman from Texas is voted down it will be in order to make the other motion, that the House go into Committee of the Whole to consider business on the Private Calendar.

Mr. BURROWS. But as a matter of practice, Mr. Speaker, does not the motion of the gentleman from Tennessee take precedence? I call the attention of the Chair to Rule XXIV, clause 6, that—

On Friday of each week, after the morning hour, it shall be in order to entertain a motion that the House resolve itself into Committee of the Whole House to consider business on the Private Calendar; and if this motion fail, then public business shall be in order as on other days.

The SPEAKER *pro tempore*. The Chair thinks so, and would have held that the motion of the gentleman from Tennessee had precedence if the gentleman had submitted the motion. As a matter of fact no such motion was made, and the Chair recognized the gentleman from Texas to make the other motion.

Mr. ENLOE. I wish to say, Mr. Speaker, that I was trying to get an opportunity to make the motion, and was on the floor for that purpose when the gentleman from Texas addressed the Chair.

The SPEAKER *pro tempore*. The gentleman rose to make a parliamentary inquiry, made it, and the Chair answered it. But the gentleman did not follow it up with a motion, and of course the Chair was bound to recognize any other gentleman who did submit a motion.

Mr. ENLOE. I did fail to follow it up, for the reason that the Chair turned away and recognized the gentleman from Texas after answering my inquiry and before I could make the motion.

The SPEAKER *pro tempore*. The Chair asked the gentleman from Texas for what purpose he rose, and up to that time the gentleman from Tennessee made no attempt, so far as the Chair could see, to submit the motion. The Chair has stated to the House, however, that if the House desires to proceed with the business on the Private Calendar it can reach that by voting down the motion of the gentleman from Texas.

Mr. ENLOE. I believe the motion to consider business on the Private Calendar has precedence anyhow, and I submit that motion.

The SPEAKER *pro tempore*. The Chair will examine into the matter.

Mr. DOCKERY. In this connection I call the attention of the Chair to clause 9, Rule XVI.

Mr. ENLOE. Mr. Speaker, I will relieve the Chair from any embarrassment by deciding that question myself. As we have not the reports printed yet I withdraw my motion, and will allow the gentleman from Texas [Mr. SAYERS] to proceed.

The SPEAKER *pro tempore*. The gentleman from Tennessee does not insist upon his motion. The Chair will recognize the gentleman from Texas.

Mr. SAYERS. I renew my motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the urgent deficiency appropriation bill.

The motion was agreed to.

URGENT DEFICIENCIES.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union for the purpose of considering the bill (H. R. 5399) making appropriations to supply a deficiency in the appropriation for the expenses of the Eleventh Census, and for other purposes, with Mr. RICHARDSON in the chair.

The CHAIRMAN. The Clerk will now report the bill.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, namely:

ELEVENTH CENSUS.

For salaries and necessary expenses for continuing the work of compiling the results of the Eleventh Census, $200,000.

SUPERINTENDENT OF FREE DELIVERY.

To pay the salary of the superintendent of free delivery in the office of the First Assistant Postmaster-General for the fiscal year ending June 30, 1892, $3,000.

Mr. SAYERS. Mr. Chairman, I would like to have some expression from some gentleman on the other side as to what time is desired for the consideration of this bill.

Mr. DINGLEY. Mr. Speaker, I suggest to the gentleman from Texas that he go on and make his statement. There may be only a brief statement to be made upon this side, and perhaps no further general debate will be required.

Mr. SAYERS. Mr. Chairman, the bill under consideration carries an appropriation of $200,000 for the support of the Census Office during the remainder of the present fiscal year.

There has been appropriated to this date for the Census Office the sum of $8,325,000. Of that sum $250,000 was appropriated on the 19th day of December, 1889, for printing, and for the same purpose $350,000 on the 30th day of August, 1890, and $250,000 on the 3d day of March, 1891, making in all $850,000 for printing. On the 3d day of March, 1891, $1,000,000 were appropriated for the purpose of taking the census on farms, homes, and farm mortgages, and subsequently $87,500 for increase of salaries for supervisors.

The latest information we have as to the status of the census fund is that on the 18th day of January, last month, the balance on hand was $102,000 for the Eleventh Census and $68,000 for farms, homes, and farm mortgages, making a total balance of $170,000. The balance, as estimated for February 1, 1892, was $70,000 for the Eleventh Census and for farms, homes, and mortgages $52,000, making a total of $122,000. This does not include the appropriations for printing. From this amount should be deducted outstanding liabilities for telegraphing and outstanding accounts of special agents approximating closely to $40,000. The sum of $250,000 is estimated to be necessary to carry the work to July 1st and is additional to the balance given.

The number of employés on the roll on the 18th of January last for the Eleventh Census was 594. The number on the roll for farms, homes, and mortgages was 231, making a total of 825 employed in the Census Office at Washington on that day, of which about 80 were then on furlough. The Committee on Appropriations thought that inasmuch as Congress would be in session, $200,000 would probably be sufficient to last the office until the 1st day of July next, the end of the present fiscal year. We came to this conclusion because of the fact, as is well known to almost every member upon this floor, that should Congress make a very heavy appropriation, the Superintendent of the Census would be overrun with applications for the increase of his force. It was also thought that 825 people would be able to complete the census work early in 1893. The office has asked for $1,000,000 to finish the census.

Mr. BLOUNT. Will the gentleman yield to me for a question?

Mr. SAYERS. Certainly.

Mr. BLOUNT. How does it happen that this being a part of the expenditures for the current year, which the last Congress ought to have provided for, that we find a deficiency already?

Mr. SAYERS. I could not hear the gentleman's question.

Mr. BLOUNT. The last Congress being charged with the duty of providing for the expenses of the Government for the current fiscal year, and among other things the census, etc., how does it happen that this has not been provided for, and that a rate of expenditures has been assumed by the Census Office requiring us at this early date to provide for that of which the last Congress had charge?

Mr. SAYERS. In answer to the gentleman from Georgia I would say that the cost for the taking of the census was limited by the original act of March 1, 1889, to $6,400,000. Subsequently $1,000,000 increase was made for farms, homes, and farm mortgages, and later on $87,500 for additional pay to supervisors. The appropriations have been as follows:

March 1, 1889	$1,000,000
December 19, 1889 (printing)	250,000
February 22, 1890	1,000,000
June 18, 1890	3,075,000
August 30, 1890	1,400,000
August 30, 1890 (printing)	350,000
March 3, 1891	1,000,000
March 3, 1891 (printing)	250,000
Total	8,325,000
Less for printing	850,000
	7,475,000

Now, I can not account for the deficiency, estimated at $1,000,000, except on the hypotheses, first, that the last Congress failed to make the appropriations necessary to complete the work, and, secondly, that the Census Office has employed too many assistants, clerks, and laborers, and at too high salaries and wages, in order to accomplish it within a very short time.

Mr. HENDERSON of Iowa. Will my friend allow me to help him in that answer?

Mr. SAYERS. Certainly.

Mr. HENDERSON of Iowa. As where one Democratic brother asks another Democratic brother a question, it requires some outside help to give the answer. In the first place, I want to say to my friend from Georgia that in the last Congress the first appropriation bill which was put through was an urgent deficiency bill for $1,000,000, which the preceding Democratic Congress failed to provide. So that if he is going to make that kind of an attack this morning he should know that he will have to take a little of the responsibility.

In the next place I want to call the attention of the chairman of the subcommittee [Mr. SAYERS] to the fact that it was impossible for the Superintendent of the Census or for Congress to absolutely determine what amount would be needed for the current year's work. We impose new labors upon this Census Bureau that have never been imposed upon any census bureau; and I think it is a pretty good showing when we see that only a deficiency of $200,000 is needed for the vast machinery of this Bureau.

Mr. BLOUNT. Mr. Chairman, the Superintendent of the Census Bureau asked for $1,000,000 in order to complete the census.

Mr. HENDERSON of Iowa. But I want the gentleman to understand further that that is for the next fiscal year. It has nothing to do with the question raised here.

Mr. BLOUNT. Does the gentleman from Iowa say that this will answer for the current fiscal year?

Mr. HENDERSON of Iowa. No, sir; I think he will need another $100,000 before the 30th of June.

Mr. SAYERS. But he will not need an additional $100,000 if he does not increase his force.

Mr. HENDERSON of Iowa. And I want to say to the chairman of the subcommittee [Mr. SAYERS] that I think he will agree that there has not been an excess of employés of the Census Bureau——

Mr. SAYERS. I do not agree to that.

Mr. HENDERSON of Iowa. And that, in order to keep within the range of the appropriation, the Superintendent of the Census and the Secretary of the Interior have faithfully and prudently reduced their force so as to keep within the limit of appropriation, and promptly brought the matter to the attention of Congress.

Mr. SAYERS. I can not agree to any such statement as that. I believe that hundreds of men and women have been employed in that office, at the instance of members of Congress and others of political influence, that ought not to have been employed. I also believe that if the Superintendent of the Census had been left to operate his Bureau without pressure from the outside, causing the appointment of an unnecessary number of incompetent people, the expenditures for the census would have been far less than they have been.

Mr. HENDERSON of Iowa. Will the gentleman from Texas allow me a question there?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Iowa?

Mr. SAYERS. I do.

Mr. HENDERSON of Iowa. Does the gentleman refer to the number or the quality?

Mr. SAYERS. I refer to both the quality and the number.

Mr. HENDERSON of Iowa. Has the gentleman discovered anything in our investigation to justify him in making that statement?

Mr. SAYERS. I do not suppose that the Superintendent of the Census would give any testimony against himself.

Mr. HENDERSON of Iowa. Was there any information on which you could base the statement that you made?

Mr. SAYERS. I will read some of the information which was given to us.

Mr. HENDERSON of Iowa. Very well; give us some information that will sustain that position.

Mr. SAYERS. I think it will be very interesting to the committee. Beginning on the 1st of March, 1890, there were 831 employés in the city of Washington. These did not include the employés in the field at a cost of $52,460.75?

Mr. PENDLETON. A month, week, or day?

Mr. HOOKER of Mississippi. For what time was that?

Mr. SAYERS. That was in the month of March, 1890. In April the number was increased to 987; in May to 1,122; in June to 1,291; in July to 2,812. In August the force was reduced to 2,115. In September it was again increased to 2,212; in October to 2,238; in November to 2,184, and in December to 2,161. In January, 1891, the number was 2,151; in February 2,121; in March 2,298, and in April 3,119.

Mr. OATES. Will the gentleman permit a question?

Mr. SAYERS. Certainly.

Mr. OATES. Can the gentleman state whether there have been such an excessive number of employés there as to prevent efficient work, or did the Superintendent find work for them, upon which they were engaged all the time, and which forwarded the getting out of the census?

Mr. SAYERS. I can answer the gentleman from Alabama only thus far: I can say that information has reached me from outside sources that the salaries of incompetent persons in that office were largely increased, and that people were employed in the division of "Farms, homes, and farm mortgages" who scarcely knew the difference between a load of hay and a mortgage. [Laughter.]

Mr. OATES. They must have been very ignorant.

Mr. SAYERS. That is what I have been told, and I will say further that I believe that if a committee of investigation shall be appointed under the resolution offered by the gentleman from West Virginia [Mr. ALDERSON], and that committee does its duty, it will be found that there has been a useless expenditure of public money in that office, not only as to the salaries which have been paid, but also as to the character of the employés.

Mr. DINGLEY. Now, will the gentleman from Texas permit me a question on that point?

Mr. SAYERS. Of course.

Mr. DINGLEY. Having been on the subcommittee looking into this subject, and having heard not a word of any such testimony before that committee, I wish to ask the gentleman why these facts, if they are facts, were not presented there?

Mr. SAYERS. We had nobody before us but the Superintendent of the Census and his chief clerk.

Mr. HENDERSON of Iowa. Well, you were chairman of that subcommittee, and why did you not bring those facts before the committee instead of coming in here and making such a statement? If you had stated that you had any such testimony to produce, there was not a member of the committee but would gladly have aided you in making the investigation.

Mr. SAYERS. Well, I have made the statement, and I believe that proof can be had to sustain me.

Mr. HENDERSON of Iowa. But no such statement was made before the subcommittee, and if you had asked to bring any such evidence before it, we would all have been glad to get the information. I heard no such statements before our committee.

Mr. SAYERS. Of course you did not.

Several members addressed the Chair amid great confusion.

The CHAIRMAN (Mr. RICHARDSON). The committee will be in order. Does the gentleman from Texas yield to the gentleman from Iowa?

Mr. SAYERS. I do not yield.

Mr. OATES. Mr. Speaker——

Mr. HENDERSON of Iowa. Mr. Speaker——

The CHAIRMAN. The committee must understand that a gentleman can not be interrupted without his consent. Does the gentleman from Texas yield?

Mr. SAYERS. I do not yield except for a question.

Mr. HENDERSON of Iowa. One word, Mr. Chairman. The gentleman had yielded to me, and was reading an answer from the testimony. If he withdraws that permission now and shuts me off, that is his privilege.

The CHAIRMAN. The gentleman from Texas [Mr. SAYERS] has the floor unless he yields to some gentleman.

Mr. HOOKER of Mississippi. I ask the Chair to keep order so that we can hear what is being said.

The CHAIRMAN. The committee will please come to order, and gentlemen will resume their seats. It is impossible to transact business amid so much confusion. The Chair will not recognize any gentleman until members have taken their seats.

Mr. SAYERS. Mr. Chairman——

The CHAIRMAN. To whom does the gentleman from Texas yield?

Mr. SAYERS. I wish to make a statement first and then I will yield. The gentleman from Iowa [Mr. HENDERSON] has allowed himself to get into a very hasty passion and quite unnecessarily. In my first statement I made no reference whatever to the character of the employés or to the work done in the Census Office, but only as to the expenditures. But when the gentleman from Iowa rose and made the broad statement that the office had been economically, prudently, and wisely administered, and asked me to confirm it, I felt it my duty, from what I have heard from parties on the outside, to refuse to give his statement my entire assent.

The Superintendent of the Census, with the exception of his chief clerk, Mr. Childs, was the only gentleman heard by the subcommittee, and of course neither of them gave such information. The information to which I have referred comes from other parties. I therefore say—because I would not impose upon anyone—that there was no testimony given before our subcommittee which would justify me in the statement which I have made here, but since the Committee on Appropriations directed me to make this report I have received information, which I deem reliable, to the effect that there have been a large number of useless and incompetent employés in that office, some of them drawing $100 a month, though utterly unable to properly discharge their duties. I believe further that if a committee shall be appointed to investigate this office under the resolution offered by the gentleman from West Virginia, that committee will be able to secure such evidence as will more than justify me in the statement which I have made. I will add, if the question has been thrust upon the House, the gentleman from Iowa [Mr. HENDERSON] and nobody else is responsible for it. Now, Mr. Chairman, I yield to the gentleman from Alabama [Mr. OATES] for a question.

Mr. OATES. When I asked the gentleman a moment ago whether he could state that a greater number of employés were engaged in the Census Office than could be efficiently employed there, my purpose was to elicit information. So far as my information goes, the work of the office seems to have progressed with commendable rapidity.

I would like to have the gentleman state, if he can do so, the kind of work on which employés were engaged and for which there was no use. I understood the gentleman to say that there were employés there who were unskilled, but yet were kept on the rolls though they rendered no efficient service.

Mr. SAYERS. Well, I have been informed that many of those who were employed in the division of "farms, homes, and farm mortgages" in the office in this city were utterly incapable of properly doing their work.

Mr. OATES. Was the number of employés greatly increased by the addition of unskilled persons?

Mr. SAYERS. I can not answer that; but what I mean to say is this: I believe that so far as the employment of his force is concerned, if the Superintendent had been left to himself, and had been relieved of the pressure which was brought to bear upon him for the appointment of clerks, etc., a better class of employés would have been engaged in that office and not so many would have been employed. I so believe. I desire to do justice to the Superintendent.

Mr. OATES. I wish to ask the gentleman whether the examination during the last Congress by the Committee on Civil Service Reform did not elicit evidence that Mr. Porter had managed his Bureau with very great success and in a more satisfactory manner than has been the case in Departments where the civil-service law had been applied?

Mr. SAYERS. I do not believe that it has been possible for Mr. Porter to manage it so well. It is my opinion that if there has been a wasteful expenditure of money and an employment of incompetent people, it was not so much the fault of the Superintendent as because of the pressure from the outside.

Mr. BLOUNT. I would like to ask my friend from Texas whether the superior character of the work of the Census Bureau resulted from the fact that under the operation of the law the Administration was enabled to employ in that department without any civil-service examination a great number of persons, most of whom were Republicans?

Mr. SAYERS. I can not answer the question. I know but little about the civil service.

Mr. HOPKINS of Illinois. Do you not know as much about it as any member of your party?

Mr. SAYERS. Probably I know as much as the gentleman from Illinois [Mr. HOPKINS].

Mr. BLOUNT. The point of my question was whether this

Administration, which has been posing as a "civil-service" Administration, had not seen fit, in spite of its professed principles, to retain these people in official employment without any civil-service examination, most of them being members of their own political organization. I wish to know whether that is not one of the beauties of the present system of administration.

Mr. SAYERS. I wish to say, in justice to Mr. Porter, that I believe he has appointed Democrats as well as Republicans.

A MEMBER. What proportion?

Mr. SAYERS. I do not know the proportion; but I repeat my belief that an inquiry into the administration of this office will show that there has been a useless expenditure of public money and the employment of a greater number of officials than was necessary; and that this resulted from the pressure brought to bear upon him for the making of these appointments.

Mr. HOPKINS of Illinois. I will ask the gentleman whether he does not know that an examination was required of these clerks on the skilled rolls, and that they could not get their appointments without passing that examination, no matter what the political pressure was.

Mr. SAYERS. If the gentleman wishes to know what I have heard I can give him that information.

Mr. HOPKINS of Illinois. I want your knowledge.

Mr. SAYERS. I have heard the very reverse of that. If the gentleman wants me to state——

Mr. HOPKINS of Illinois. I want to know whether the gentleman has any knowledge to convey to the House, and if he has any knowledge, I want to know whether it is not the fact that every applicant for a position on the skilled rolls in the Census Office has been required to pass an examination, and that if an applicant failed to pass that examination no political influence could secure his appointment?

Mr. SAYERS. I do not know that.

Mr. HOPKINS of Illinois. I know that to be true.

Mr. SAYERS. I will ask the gentleman from Illinois this question: What is the relative comparison in numbers between those who are employed on the skilled rolls and those who are not? As the gentleman seems to know all about this business, can he answer the question?

Mr. HOPKINS of Illinois. I know that so far as the skilled labor is concerned, the service in that Bureau has been as efficient as you will find in any Department of the Government——

Mr. SAYERS. I am asking as to the proportion between the skilled and the unskilled employés.

Mr. HOPKINS of Illinois. And I know that the proportion of the skilled to the unskilled labor is as great there as in any other Department of the Government.

Mr. MCKAIG. Will the gentleman from Texas yield to me for a moment?

Mr. SAYERS. I will.

Mr. MCKAIG. The gentleman who has just spoken has paid a very handsome tribute to the "skilled labor" in that Department. I wish to say that as the mayor of the city of Cumberland, after the enumerators had passed through the city wards and made their report to the Department, it was found that an error had been made of about 1,050 votes in that city, and it took myself, as mayor, and a portion of the city council over six months to trace up through the Department the mistake and correct it. So that an ordinary clerical error made in the enumeration or tabulation had to be corrected by the Department itself.

Mr. HOPKINS of Illinois. Well, the mayor of Cumberland is talking of one class of men and I am talking of another.

Mr. MCKAIG. I am talking of the class of men that I understand the gentleman who has just spoken has been talking about.

Mr. HOPKINS of Illinois. I am not talking of the enumerators.

Mr. MCKAIG. What class is the gentleman talking of?

Mr. HOPKINS of Illinois. I am talking of the skilled laborers here in Washington.

Mr. MCKAIG. That is just the class that I have been speaking of. I have stated that the enumerators made their report, and the mistake was made here by that skilled clerical force. The enumerators had it correct; they sent it here, and the skilled laborers of whom the gentleman speaks neglected to put it into proper shape. That is all, and it was the skilled laborers that made the mistake.

Mind you, Mr. Speaker, that there was no recount made, it was only a correction which was made here. The error was made in this way: They had taken a street in the city and given it to one of the country districts, and when that was traced the error was corrected, as I have stated.

Mr. HOPKINS of Illinois. I am not prepared to discuss this matter with the mayor of Cumberland, but I would prefer to take the official reports to the statements of any member outside as to the accuracy of that work.

Mr. MCKAIG. I will state that the official report to the Department gave the city 13,729 inhabitants. By tracing up in the Department the error that we claimed, the correction was made in the Department. That was the evidence on which the correction was made. In other words, the evidence was in the Department.

Mr. SAYERS. Now, Mr. Chairman, I would like to ask the gentlemen on the other side, as I desire to be fair, what amount of time they would like in the discussion of this item?

Mr. DINGLEY. In response to the suggestion of the gentleman from Texas, in charge of the bill, I simply desire to say that I supposed but a very short time would be occupied in this general debate; but what questions are to be launched upon the House I am unable now to determine.

Mr. SAYERS. Will the gentleman indicate the time he would like.

Mr. DINGLEY. I was going on to say that the gentleman from Texas has already launched upon the House an assault upon the Superintendent of the Census that was never heard of before, either in the committee or in the subcommittee which prepared this bill.

Mr. SAYERS. Of course, for, as I have said, we had nobody before us but the Superintendent and his chief clerk.

Mr. DINGLEY. Ah, but if the gentleman had the information he should have laid it before the committee, in order that an investigation might be made.

Mr. SAYERS. The gentleman from Iowa began the controversy. He asked me to give an indorsement to the action of the Superintendent.

Mr. HENDERSON of Iowa. But it was while answering the gentleman from Georgia that you made reflections which called for the statement I made.

Mr. SAYERS. How much time does the gentleman from Maine desire?

Mr. DINGLEY. I will take the floor in my own right. It is scarcely necessary to fix a limit, because I do not think much time will be consumed.

Mr. SAYERS. Very well; I will yield the floor to the gentleman.

Mr. HOOKER of Mississippi. Mr. Speaker, before the gentleman from Texas yields the floor I would like to ask, for information, whether the increase from month to month in this Bureau, which is given and specified in his statement, was not necessary, as the business of the department increased, and as it went on to consummation. And in the next place I want the gentleman to inform the House, if he can, how the expense of this work compares with the cost of the census preceding—that is, the Tenth Census.

Mr. DINGLEY. If the gentleman from Texas desires to answer the questions I will not take the floor at present.

Mr. SAYERS. Mr. Chairman, I have no information, which is altogether reliable, as to why it was that the number of employés varied so largely during the several months of the last preceding year. We had no one before us except the Superintendent of Census and the chief clerk; and inasmuch as we were informed that unless the appropriation was made the funds would be exhausted by the 1st of March, the committee could not take time to investigate the office, and merely recommended this appropriation, believing that before we should appropriate the remainder of the amount called for, which is $800,000, we would have abundant time to investigate the work of the office.

Mr. RAINES. With the permission of the gentleman from Texas, I want to make a statement right here, for the benefit of the chairman, if he has no objection.

Mr. SAYERS. Certainly.

Mr. RAINES. I wish to call the attention of the committee to the fact that the sudden increase in the force in April was at the time they commenced to tabulate the returns of the enumerators, and grew out of the reappointment of the force for three months. A large proportion of it being appointed for three months longer occasioned the sudden increase.

Mr. SAYERS. Mr. Chairman, if the gentleman from Mississippi [Mr. HOOKER] will give his attention to the reading of the document which I send to the Clerk's desk, he will find an answer to the second part of his interrogatory, that is, as to the relative cost of the taking of the Tenth and Eleventh Censuses.

The Clerk proceeded to read. Having read for some time,

Mr. SAYERS said: Mr. Chairman, I will ask the permission of the committee to insert the rest of Mr. Porter's statement as to the comparative cost of the Tenth and Eleventh Censuses. There are several pages more to be read, and I do not think it will be well to detain the committee further, but will ask to have the remainder inserted in the RECORD.

The CHAIRMAN. The gentleman asks unanimous consent to have the remainder of the statement printed in the RECORD. If there be no objection that request will be granted.

There was no objection.

The statement is as follows:

COMPARATIVE COST OF THE TENTH AND ELEVENTH CENSUSES.

In answer to the question of the chairman as to the comparative cost of the Tenth and Eleventh Censuses, I have the honor to state that such a compar-

ison of cost is apt to be misleading, unless due allowance is made for the additional and expensive inquiries required of the Eleventh Census and for the difference in the methods of collecting data. Comparisons likewise which take into consideration the cost of printing are also unfair because such cost depends almost wholly on the number of copies of the several volumes ordered by Congress.

The appropriation for printing, aggregating to the present time $850,000 for the present census, of which amount about $400,000 is still available, and of $1,018,116, the amount appropriated for the Tenth Census, will therefore be omitted in this comparison. The Fifty-first Congress ordered an elaborate investigation of the mortgage indebtedness of the country, and appropriated $1,000,000 for that purpose. I had the honor to inform the two committees of Congress at the time that this work alone would probably cost $1,500,000, and I am still of that opinion. The same Congress doubled the pay of supervisors, and made an appropriation of $75,000 to defray the cost of this wise action. In all comparisons with the cost of the Tenth Census these appropriations must be omitted.

In all comparative statements of the cost of the census, a total appropriation of $6,400,000 *a* must be used for the Eleventh Census, and $4,976,910 *b* for the Tenth Census; but even this comparison is hardly fair to the Eleventh Census for several reasons. In the first place, over $1,000,000 have been expended upon inquiries, such as that relating to the names, organizations, and length of service of those who had served in the Army, Navy, or Marine Corps of the United States in the war of the Rebellion, and who were survivors at the time of said inquiry, and the widows of soldiers, sailors, or marines, and other inquiries, not included in the scope of the Tenth Census. To this must be added the amount of money unexpended December 31, 1891, $128,007.23, making a total for comparative purposes of $6,350,072.71. The per capita cost of the Eleventh Census up to this date has therefore been 10.05 cents, and 9.93 cents *c* for the Tenth Census. In speaking of the cost of the Tenth Census, my predecessor, Gen. Walker, said in the Quarterly Journal of Economics, June, 1883:

"In undertaking a discussion as to what should be done towards the performance of this most important constitutional function, it will, perhaps, be well to recognize the fact that the preparations for the Eleventh Census are likely to be in some degree embarrassed by the financial and other misfortunes which befel its immediate predecessor. The successive deficiency appropriations for that work, the delays in the publication of some of the latter volumes, together with the newspaper attacks upon the census, which became epidemical in 1882 and 1883, have created in the minds of most of those who have any impression at all on the subject the belief that the Tenth Census was extravagantly expensive. Yet no opinion could be more unfounded. The fact is that, considering the new ground covered, the Tenth Census was a marvel of cheapness. Even if we leave out all consideration of the great extent and variety of statistical work then for the first time undertaken, and treat all this as having cost absolutely nothing, we shall still find that the cost of the Tenth Census per capita of inhabitants exceeded that of the Ninth Census by far less than the ratio in which the cost of the Ninth Census exceeded that of the Eighth *d*, yet no one ever took exception to the expenditures of 1870-'72, and that work was finished to public satisfaction. A continuous progressive enhancement in the per capita cost of successive censuses is to be anticipated, even though the scope of enumeration be in no degree widened by reason of the continually expanding detail into which the traditional classes of statistics will inevitably be drawn under the ever-growing popular demand for local and minute information. On the other hand, if the scope of enumeration is to be widened, this must be paid for, and paid for handsomely."

The change in the method of collecting the data relating to manufactures, vital statistics, mines and mining, and in other divisions as already explained to the subcommittee and committee, by employing per diem special agents, has undoubtedly increased the cost, and while the population of the country has increased 25 per cent during the decade, the agricultural, mining, and manufacturing interests have increased from 50 to 100 per cent, enhancing immensely the cost of getting the material; but the results are far more accurate and valuable. Including the amount paid enumerators and supervisors, the total cost of the collection of the data for the Eleventh Census has been $3,600,385.36. Not only was the cost of collecting the statistics of manufactures, mines and mining, vital statistics, etc., increased under the present act authorizing the Superintendent of Census to withdraw schedules from enumerators and use other and more efficient methods, but the pay for collecting the agricultural schedules was likewise increased by Congress.

Should the Eleventh Census therefore show, when completed, a slightly increased per capita cost, it will be due to the ever-growing popular demand for local and minute information, and for the better work, better methods, and better pay allowed for collecting manufacturing and agricultural schedules. And this increased per captia cost has not been peculiar to the Eleventh Census, the Eighth Census costing relatively more than the Seventh, the Ninth 2.46 cents per capita more than the Eighth, and the Tenth, as we have seen, 1.22 cents per capita more than the Ninth. These facts will show that the Eleventh Census has been conducted with rigid regard to economy; that the large force, both in field and in office, has been subject to rules and restrictions, and obliged to do an amount of work that in some of the departments of Government work would have been regarded as excessive.

a Appropriated for Eleventh Census, exclusive of printing, and farms, homes, and mortgages:

March 1, 1889	$1,000,000
June 18, 1890	3,000,000
August 30, 1890	1,400,000
March 3, 1891	1,000,000
Total	6,400,000

b Appropriated for Tenth Census, exclusive of printing:

March 3, 1879	$250,000
April 20, 1880	125,000
June 16, 1880	2,960,000
March 3, 1881	500,000
January 28, 1882	540,000
August 7, 1882	245,000
August 8, 1882	80,000
Other appropriations	276,910
Total	4,976,910

c This per capita is correct; the discrepancy between this amount and the per capita for the Tenth Census given in note *d* is probably due to the omission in the Journal quoted of certain appropriations.

d The cost per capita of inhabitants of the last four censuses, exclusive of printing and engraving, was as follows:

	Cents.
Seventh Census, 1850	5.84
Eighth Census, 1860	6.25
Ninth Census, 1870	8.71
Tenth Census, 1880	9.68

Mr. HOOKER of Mississippi. Mr. Chairman, I would ask another question of the chairman. I understand, as far as I could gather from the reading, in the noise and confusion in the House, that the answer of the Superintendent of the Census before the committee, in reference to the comparative cost of the taking of the Tenth and Eleventh Censuses, is that under the law he was required to inquire into matters that were not embraced in the Tenth Census, with regard to many things; that is to say, that under the law a broader scope and more general information were included, particularly with reference to some matters which it was considered very essential to have in the census than were embraced in the Tenth Census, and that therefore the increased expenditures in the taking of the Eleventh Census, as compared with the Tenth Census, are thus reasonably accounted for. Now, what I want to ask my friend is this: If that information, given by the Superintendent of the Census, Mr. Porter, was not satisfactory to the committee, why did not the committee prosecute the investigation, in order to be able to report to the House whether we could rely implicitly upon the report of the Superintendent of the Census?

Mr. SAYERS. For the reason, Mr. Chairman, that we were informed that unless this appropriation was made by the 1st day of March the Census Office would have to cease work. We thought that it was far better to recommend an appropriation of $200,000, keeping the office continuously at work, than to force it, for the want of money, to discharge all its employés. The office has not got more than enough money to last it until the 1st of March. That was the reason for our reporting this bill without first gathering the information which the gentleman desires.

Mr. ENLOE. Mr. Chairman——

The CHAIRMAN. The gentleman from Maine [Mr. DINGLEY] has the floor. Does he yield to the gentleman from Tennessee?

Mr. ENLOE. If the gentleman from Maine wants to address the committee, I do not care to take the floor.

Mr. DINGLEY. The gentleman from Texas has the floor, if the gentleman from Tennessee wishes to ask him any questions.

Mr. ENLOE. I wanted to ask the gentleman from Texas if he had any objection to taking a vote upon this bill?

Mr. SAYERS. Not at all, but I understand gentlemen on the other side desire to speak upon it.

Mr. HENDERSON of Iowa. I did not hear my friend explain the provisions of the bill for the pay of the General Superintendent of the Railway Mail Service.

The CHAIRMAN. The gentleman from Texas [Mr. SAYERS] has five minutes of his hour remaining.

Mr. SAYERS. In relation to the second item which appears in the bill, I will say that it comes from the fact that in the enrollment of an appropriation bill in the last Congress, although in the bill as it passed both Houses, yet it was accidentally omitted in the enrollment, and this is simply to correct an error and to provide for an omitted salary resulting from that error.

Mr. DINGLEY. Mr. Chairman, I regret exceedingly that the chairman of the subcommittee in charge of this bill [Mr. SAYERS] has seen fit to present, in the general discussion, certain charges against the Superintendent of the Census with reference to the conduct of his office that were never suggested in committee when we were preparing the bill. It seems to me that if such charges were to be made in the House it was but just that the gentleman from Texas, whether he received this information from some anonymous source without the committee or from whatever source it may have come, should have advised the committee of the fact that such insinuations had been made, whereupon I am sure that the minority of the committee would have insisted that full investigation should have been had upon the charges before reporting the bill to the House.

It is certainly very unfair to the Superintendent of the Census, if not unprecedented in the practice of the House, for a committee having charge of an appropriation bill to consider that bill from beginning to end and unanimously reach a conclusion respecting it, and never to have heard during the progress of discussion in the committee, a single suggestion that any charge was to come, especially from the member of the committee having charge of the bill.

Mr. SAYERS. Will the gentleman allow me—

The CHAIRMAN. Does the gentleman from Maine yield to the gentleman from Texas?

Mr. DINGLEY. I do.

Mr. SAYERS. Mr. Chairman, the gentleman assumes the role of a lecturer.

Mr. DINGLEY. Not at all. It is the gentleman from Texas who assumed that role when he made these charges against the Superintendent.

Mr. SAYERS. If the gentleman from Maine [Mr. DINGLEY] will read this debate when it is printed in the RECORD, the gentleman will find that this whole controversy was provoked, not by anything that I said at the commencement, but by questions that were propounded to me by gentlemen on the floor, inlcuding that

of the gentleman from Iowa [Mr. HENDERSON]. If I had been left to myself and no questions had been asked, I should not have alluded to this matter at all.

Mr. DINGLEY. I accept that explanation.

Mr. HOPKINS of Illinois. I want to know if the gentleman from Texas is inclined to do an injustice to the Census Office because some member on the floor has that inclination?

Mr. SAYERS. I am not doing an injustice to the Census Office.

Mr. HOPKINS of Illinois. But gentlemen who take the other side seem to think that the gentleman is doing it an injustice.

Mr. DINGLEY. Mr. Chairman, the suggestion which I have to make, and with all candor to all gentlemen, as this is a matter of common interest to all, is this: If there has been any improper management in the Census Office in the direction suggested by the gentleman from Texas, if there has been employment of unfit men who have been borne upon the rolls and received compensation without performing any service to the Government, it was a matter that should have been brought to the attention of the committee and an investigation made, and not launched here where the members of the committee can not have an opportunity to know whether there is any foundation for such anonymous charges.

Not a single suggestion, Mr. Chairman, was made in the examination of this bill that there had been any improper conduct in the Census Office in the direction which has been alluded to. The expectation was that this bill would be considered simply with reference to the propriety of making this deficiency appropriation in order to carry out certain work which the Census Office has undertaken. I am sure, Mr. Chairman, there has been an injustice done to the Superintendent of the Census. If these anonymous charges had been brought to the attention of the committee and investigated, and an answer received from the Superintendent of the Census, we should have found that they had no substantial foundation; and I regret, therefore, that such suggestions should have been made on this floor without an opportunity to investigate them.

I assume, Mr. Chairman, and my own investigation simply corroborates that assumption, that the Superintendent of the Census has faithfully and efficiently discharged the duty which has been intrusted to him. The fact that in some months the force has been largely increased is due entirely to the fact that in those months more reports were received which could be compiled and forwarded than in some other months. I desire to say that so far as our investigations have gone we have found that the work of the Census Office has been expedited at least a year ahead of what was the case in the Tenth Census. Now, I take it that the value of a census is largely dependent upon its early compilation and publication.

If I were to criticise previous censuses, it would be in the direction that those statistics which have been gathered and which were supposed to be valuable to the public had not been compiled and published in season to make them of the most value to the public. I understand it is the purpose of Superintendent Porter to expedite this work as rapidly as possible; and he believes that in doing so he not only secures in the end the highest economy, but also best promotes the public interest. I think, Mr. Chairman, that when the facts shall be entirely known, it will be found that the Eleventh Census is the best and the most complete that has been published, and that it is likely to be completed at the earliest period ever known in the history of any census of this country, considering the scope of its work.

Now, inquiry has been made how it happened that this census is costing more than the Tenth Census. It costs more from the fact, in the first place, that the expense of a census necessarily depends almost entirely upon the number of persons to be enumerated and the extent of the industrial statistics to be gathered. The population of this country has increased 22 per cent since 1880. It is evident that the census of 1890, even if confined to population, would involve an increased expenditure somewhat in proportion to the increase in population.

But, more than that, Mr. Chairman, the industries of this country have grown more rapidly than the population. The industries of this country have grown at twice the rate of the population of the country; and that necessitates an increased expense in collecting the data.

More than that, Mr. Chairman, Congress imposed upon the Superintendent of the Census certain work never before undertaken in the preparation of a decennial census. In the first place, we required, or expected, that the manufacturing statistics should be collected more largely by experts thoroughly acquainted with a particular industry. Experience had shown that in prior censuses, where the ordinary enumerators, who visited an enumeration district and enumerated the population, obtained in connection with that the manufacturing statistics, they were very defective. The ordinary enumerator is not a person to be intrusted with the collection of data in relation to the great industries of the country. For this reason the Superintendent of Census committed the work of collecting industrial statistics largely to experts thoroughly acquainted with the particular industries with which they were to deal. Necessarily this caused an increase of expense in that direction.

An expert who had thorough knowledge respecting an industry could not be obtained for the same compensation that an enumerator could, but the work of the former would be worth tenfold that of the latter. Beyond that, Congress imposed upon the enumerators the additional labor of collecting the names and record of all the soldiers in the country who served in the war of the rebellion. Now, this enlarged the work of even the enumerators very greatly, and the result is that this is one of the items which has tended to increase the expenditures. But, beyond that, Mr. Chairman, the one thing that has most largely increased the expense of the Eleventh Census lies in the fact that, by direction of Congress and against the advice of the Superintendent of the Census, Congress required the Census Office to collect the data relating to mortgages of real estate.

We appropriated at the beginning $1,000,000 for this purpose, but the Superintendent of the Census informs us that probably a half a million more will be required in order to complete this investigation, or at least $350,000 more; and when he asks for $1,000,000, not only for the balance of the fiscal year but for the next fiscal year, to complete the census, there is included in that million dollars $350,000, which is estimated as the least cost of completing the census of mortgages on real estate. I was one of those who did not believe that the requirement imposed upon the Census Office to collect data in relation to mortgages on real estate would have any important economic value, and now that the statistics have been largely obtained, I find that my opinion on that point has been justified. I think this investigation was ordered originally, not from economic considerations or considerations having reference to the public welfare, but for partisan reasons. I rejoice that the preliminary Census Bulletin on this subject shows very clearly that there is no foundation for the charge which has been so industriously made for partisan purposes that three-fourths the farmers of this country had been compelled by disaster to mortgage their farms, and that these mortgages are daily increasing, and the rate of interest increasing, until it had become only a question of time when universal ruin would overtake them.

That partisan and unfounded idea is dispelled by the Census Bulletin which I have before me.

Mr. DOCKERY. Will the gentleman permit a question?

Mr. DINGLEY: Certainly.

Mr. DOCKERY. I desire to ask a question for information. In how many States of the Union has the Superintendent of the Census completed the inquiry as to farm mortgages?

Mr. DINGLEY. It is completed only as to five States, but I imagine that a similar result will be found elsewhere throughout the country.

Mr. DOCKERY. I supposed, from the vigor of the gentleman's statement, that the inquiry was substantially completed, but he seems to have reached a conclusion without hearing the evidence.

Mr. DINGLEY. No; the Superintendent of the Census has simply reported the facts as to the five States in which the investigation has been completed, and they are given in Census Bulletin 16; and there is no reason to suppose that the reports from other States will be dissimilar from those reported.

Mr. DOCKERY. Is Kansas one of those States?

Mr. DINGLEY. It is; and there is where the calamity and distress of mortgaged farmers were supposed to be deepest.

Mr. DOCKERY. If I am correctly informed, the statistics in reference to Kansas, so far as they have been tabulated, show a mortgage indebtedness upon farms and town lots amounting in round numbers to $235,000,000 upon an assessed valuation of but $290,000,000.

Mr. DINGLEY Oh, I trust the gentleman will not confound mortgages on corner lots in "boom" towns with mortgages on farms. Farmers are one thing and town-lot speculators are another.

Mr. DOCKERY. But I understand that $170,000,000 of this $235,000,000 of mortgages rest upon farms of the State of Kansas.

Mr. SIMPSON. That is correct.

Mr. DINGLEY. Mr. Chairman, I did not intend to say anything upon this branch of the subject until some subsequent time when the question should be before the House.

Mr. DOCKERY. If the gentleman from Maine will hold his judgment in abeyance until he gets all the information, perhaps he will reach a different conclusion.

Mr. DINGLEY. Mr. Chairman, as the gentleman from Missouri [Mr. DOCKERY] has called my attention to the matter, I will place in the RECORD, without reading, the result of this investigation in the five States in which it has been completed. I presume that a similar result will be found in the other States, taken

as a whole. Now, the general result is this, that the mortgages upon farms have generally decreased within a few years, notwithstanding the increase of the number of farms; that the rate of interest has been diminished 1 per cent; and further, that more than 90 per cent of all the mortgages that have been given upon farm lands have been given for purposes which implied the prosperity, or, at least, not the adversity, of the farmer, such as purchase money of the farms which they occupy, buying new lands, making improvements, etc.

Mr. DOCKERY. Then they have $170,000,000 of "prosperity" in Kansas in the form of mortgages upon their farms. [Laughter.]

Mr. SIMPSON. Will the gentleman from Maine permit me to ask him a question?

Mr. DINGLEY. I will yield for a question only, not for a speech.

Mr. SIMPSON. I understood the gentleman to say that the farm mortgages were decreasing in amount, and then, later, he said that the purposes for which these farm mortgages were given indicated the prosperity of the farmers. Now, if the mortgages are decreasing, does that not show, upon his principle, that the prosperity is decreasing also? [Laughter.]

Mr. DINGLEY. Oh, no. But, Mr. Chairman, this illustrates the way in which a certain class of gentlemen deal with this subject. Because a farmer mortgages his property to buy a farm or build a house, or because I may mortgage any property that I may own for the purpose of getting a loan to buy more property, or to improve that which I own, it certainly is not to be inferred that I am in a state of misfortune or distress. But the statistics show just the purposes for which the mortgages were made in these five States, running from the purchase of land to the erection of buildings and making other improvements, the whole tending to show a condition of prosperity rather than otherwise. Undoubtedly in those parts of Kansas affected by drought there is more or less distress, arising principally from the climate and not from other causes. But, without entering further upon the matter at this time, I will let the statistics show for themselves.

Mr. BUTLER. Will the gentleman allow me to ask him a question?

Mr. DINGLEY. I do not care to be drawn into a discussion of a subject that will come up by and by for discussion. I have only alluded to it incidentally——

Mr. BUTLER. It is very much in point right here, I think.

Mr. DINGLEY. I have only alluded to the subject for the purpose of showing that the great cause of the increased expenditure incurred in the taking of the last census is to be found in the fact that Congress—and I am responsible with others in that respect—imposed upon the Census Bureau a duty heretofore unheard of, the duty of inquiring into the private business of individuals to ascertain whether they had mortgaged their property, and, if so, for what purpose they had done it.

I place in the RECORD the following tables from Census Bulletin No. 16:

Number and amount of real-estate mortgages in force at five specified dates, by States.

TOTAL.

States.	Mortgages in force January 1—									
	1886.		1887.		1888.		1889.		1890.	
	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.
Alabama	23,804	$15,040,247	27,757	$18,854,342	32,815	$33,101,799	34,420	$38,502,031	35,331	$39,027,983
Illinois	237,313	291,374,815	246,571	300,588,727	259,089	324,380,536	272,897	341,573,530	297,247	384,299,150
Iowa	262,034	191,283,387	261,104	195,471,509	254,990	196,069,146	250,874	195,253,845	252,539	199,774,171
Kansas	193,491	134,373,186	254,306	182,263,758	317,419	242,214,418	333,939	260,002,606	298,880	243,146,826
Tennessee	21,948	16,416,574	24,402	19,401,447	31,672	31,418,390	35,911	35,834,041	39,470	40,421,396
ON ACRES.										
Alabama	20,611	12,255,214	23,573	13,999,579	26,460	23,774,281	27,035	28,091,860	27,041	28,762,387
Illinois	132,461	167,272,809	132,476	168,131,301	130,919	165,250,577	128,643	160,225,035	128,966	165,289,112
Iowa	190,192	154,737,898	188,847	157,423,109	181,299	154,675,961	174,411	150,307,041	171,441	149,457,144
Kansas	146,428	111,822,422	187,290	147,793,642	220,603	182,503,586	228,640	189,252,016	203,312	174,720,071
Tennessee	12,725	8,429,264	13,035	9,260,786	14,525	12,942,073	15,557	13,944,570	17,196	16,425,144
ON LOTS.										
Alabama	3,183	2,785,033	4,184	4,854,763	6,355	9,327,518	7,385	10,410,171	8,290	10,265,596
Illinois	104,852	124,102,006	114,095	138,457,426	128,170	159,129,959	144,254	181,348,495	168,281	219,010,038
Iowa	71,842	36,545,489	72,257	38,048,400	73,691	41,393,185	76,463	44,946,804	81,098	50,317,027
Kansas	47,063	22,550,764	67,016	34,470,116	96,816	59,710,832	105,299	70,750,680	95,568	68,426,755
Tennessee	9,223	7,987,310	11,367	10,140,661	17,147	18,476,317	20,354	21,889,471	22,274	23,996,252

Percentage of the original amount of debt in force represented by debt incurred for specified objects, as determined by personal inquiry, by selected counties.

States and counties.	Percentage of total amount.											
	For purchase of real estate.	For improvements.	For purchase and improvements (in combination with each other).	For business.	To buy farm implements, machines, and domestic animals, and other personal property.	For purchase, improvements, business, and to buy personal property (in combination with one another).	For purchase, improvements, business, and to buy personal property (in combination with objects other than farm and family expenses).	For purchase, improvements, business, and to buy personal property (in combination with farm and family expenses).	For farm and family expenses.	All other objects.	Total of first three columns of table.	Total of first six columns of table.
Alabama:												
Greene	47.97	7.74	.....	11.45	2.25	1.75	.....	1.94	24.05	2.85	55.71	71.16
Jefferson	67.29	20.48	4.55	3.05	0.03	0.55	2.96	0.07	0.23	0.79	92.32	95.95
Illinois:												
Bureau	62.16	6.13	10.00	4.62	0.88	1.60	1.43	1.68	1.58	9.92	78.29	85.39
Iroquois	79.71	8.73	3.81	2.46	0.65	0.56	1.30	0.12	0.67	1.99	92.25	95.92
Jasper	52.66	10.58	3.58	8.97	7.57	3.10	0.61	2.81	4.63	5.49	66.82	85.46
Morgan	60.03	17.23	1.29	10.63	0.85	2.11	1.00	0.73	4.12	2.01	78.55	92.14
Iowa:												
Cass	70.28	8.41	8.46	4.49	2.48	1.94	1.09	0.73	0.26	1.86	87.15	96.06
Crawford	66.49	10.26	9.54	4.92	1.92	2.95	0.56	0.39	1.55	1.42	86.29	96.08
Delaware	72.36	9.11	3.70	4.60	2.61	1.02	1.25	0.23	1.91	3.21	85.17	93.40
Johnson	76.60	9.51	4.03	3.11	1.16	0.78	0.83	0.93	1.41	2.28	90.14	95.19
Kansas												
Decatur	30.80	9.97	11.19	4.66	0.79	12.21	4.61	18.34	4.93	2.50	51.96	69.62
Jefferson	65.34	8.49	4.09	9.18	0.38	8.31	0.74	0.79	1.31	1.37	77.92	95.79
Lincoln	47.02	9.16	13.41	3.70	0.74	14.23	2.07	6.32	2.43	0.92	69.59	88.26
Lyon	50.43	12.00	7.26	5.38	0.26	12.49	1.81	2.95	2.41	5.01	69.69	87.82
Pawnee	50.10	19.02	8.59	5.65	2.15	4.19	1.78	3.28	2.59	2.65	77.71	89.70
Tennessee:												
McNairy	31.60	2.92	0.29	28.53	6.63	.....	.....	0.20	2.35	27.48	34.81	69.97
Maury	62.50	20.61	1.61	7.94	1.04	0.54	0.97	0.16	1.58	3.05	84.72	94.24

The above tables give us the preliminary facts; and I simply say that I rejoice that they confound the gentlemen who introduced the proposition for the purpose of obtaining what they supposed would be evidence that disaster is driving the farmers of the country to mortgage their property beyond redemption in increasing ratio.

Now, Mr. Chairman, passing from that subject, my friend from Texas [Mr. SAYERS] who has charge of this bill has already had read at the Clerk's desk the statements made by the Superintendent of the Census before the subcommittee, covering the points of comparative cost of the Tenth and Eleventh Censuses.

Mr. SAYERS. I have already placed that in the RECORD.

Mr. DINGLEY. I simply call attention to the conclusions. I understand that practically the cost of the Tenth Census was in the neighborhood of 10 cents per capita; that the cost of the Eleventh Census, outside of the mortgages of real estate, is about 11 cents per capita, which is a very small increase considering the fact that the investigations in connection with this census have gone farther and been more thorough than any ever before undertaken in any census.

Now, with reference to the single point of the expenses of the census. There has been appropriated up to the present time, as already stated, I think, by the gentleman in charge of the bill, $8,325,000—one million was appropriated by the Fiftieth Congress and the balance by the Fifty-first Congress—of which $1,000,000 was appropriated for obtaining the facts relating to mortgages of real estate, $75,000 for extra pay for supervisors, and $850,000 for printing. Now, if the appropriation made by the last Congress for all census purposes, $7,325,000, had been appropriated in gross instead of by items for specific purposes, no deficiency would have been called for for the present fiscal year. On the 1st day of January there remained on hand of the general appropriation a balance of $128,000. There remained on hand of the $1,000,000 appropriated for statistics of farm mortgages a balance of $75,000; but of the printing appropriation there remained on hand $405,000.

Now, this balance of the printing appropriation can not be used for the general purposes of the census. It will not all be used—not one-half of it will be used—up to the close of the fiscal year; and therefore, at the end of that time, it will either be covered into the Treasury or will go over (as I believe the appropriation is a continuing one) to the next fiscal year. Therefore, as I have already remarked, this deficiency is necessitated by the fact that but one item of the appropriation proves to be insufficient for the expense; and though other items have proved to be more than sufficient, the balance of the appropriation for printing can not be transferred to the general work of the census.

Mr. Chairman, I did not intend to be drawn off into the discussion of any collateral question. I think the statements which have been already made by the chairman of the subcommittee [Mr. SAYERS], and by my colleague, the gentleman from Iowa [Mr. HENDERSON], cover all the facts necessary to enlighten the judgment of the House.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has occupied twenty-five minutes, and has thirty-five minutes remaining.

Mr. DINGLEY. I reserve the rest of my time.

Mr. DUNGAN. Mr. Chairman, it never can be otherwise than unpleasant for any man to be called upon to act on what seems to be vague charges; but it is just as unpleasant for a man to be called on to vote an appropriation when he has heard charges so specifically made that he can not refuse to think them deserving of investigation. I may say that a few weeks ago, had I known the committee were considering this matter, I would have felt it my duty to lay before them the information in my possession; but I had no knowledge that this appropriation was being considered or that a deficiency was to be made up.

I am told that there appeared in the Washington Post last summer (and this is a matter of easy verification) an interview with Mr. Porter, the Superintendent of the Census, relating to the question why so many employés were being discharged from his Bureau. The rumor seemed to have gained ground that these discharges were because the appropriation had been exhausted. In this interview, as reported, Mr. Porter said that this was not the reason, but that on the contrary the appropriation would be sufficient to complete the work of the census. An interview of similar import appeared, I understand, in the Evening Star, another newspaper of this city. Now, that statement was made so specifically and is so easy of verification that I would feel unable to vote to appropriate for a deficiency without seeing some explanation of that matter.

The charge was also made specifically—and I will give it with as much definiteness as it came to me—that many tons of printed matter had been thrown away and were lying stacked up in two places (one being in the Pension building, as I remember) because this information which that Bureau had obtained and printed had been found so inaccurate as to be absolutely useless, the cost of gathering that inaccurate and useless information having been a great many thousand dollars, the expense of printing being a smaller item.

Another charge was made, also easy of verification when the committee takes hold of the matter. This was that the Superintendent of Census had caused to be employed a lot of punching machines, the invention of a relative, at a royalty of $3 a day, and that many hundreds of these machines were used for many weeks, when that machine as a whole could be constructed for less than $10. Now, if the appropriation for the expenses of the census has been exhausted in such ways as that, an investigation can readily be made, and the facts are easy of verification.

Until some such light is shed upon it I can not feel, Mr. Chairman, willing to vote for a deficiency appropriation to continue the work under such management. I will be glad to furnish the committee having the matter in charge with the names of men I heard make specific statements such as I have suggested, and they seemed to know what they were talking about. Other charges have been made, which would not be proper to mention in a public way, and which the mind hesitates to believe, but I will also give to the committee the names of the parties making them if desired.

Mr. COOPER. Mr. Chairman, I beg the indulgence of the House while I call attention to a portion of the work of this census which has inflicted an injury upon one of our most important and extensive industries. I refer to the production of limestone for building purposes. There are about 2,000 limestone quarries in the United States, and some may be found in almost every State and Territory; they represent millions of dollars of invested capital; they employ thousands of laborers, skilled and unskilled; they contribute annually millions of dollars to the wealth of the country, and while there is every reason why this industry should have at least fair treatment, if not the friendly recognition of the Government, there is absolutely no reason why it should be made the subject of unjust discrimination and hostile attack.

It is natural that an enterprise of this character and magnitude, in its struggle for recognition and in its competition with other kinds of building materials, should be subject to some hostile criticism as the result of opposition and rivalry in business. This is to be expected, and can either be met and answered or endured in silence. But, Mr. Speaker, it is unnatural and unfair for the Government to interfere in such a contest, and under cover of a bureau organized for the purpose of ascertaining our resources and fairly displaying them before the world to become a partisan of some and an opponent to others, among equally meritorious but contending enterprises, and such a course can not be passed in silence, but should meet with prompt and emphatic condemnation.

I hold in my hand Census Bulletin No. 78, which purports to give a survey of the limestone industry of the United States, and I wish to read for the information of the House the manner in which this bulletin treats this important matter.

Limestone of all kinds is readily susceptible to the decomposing action of acids, and this fact is very important in connection with the use of limestone as a building material or for purposes which involve its exposure to the weather. The atmosphere of large manufacturing cities is particularly liable to contain acid vapors, which, dissolved and precipitated by rain, cause rapid disintegration and defacement of limestone structures. Highly compact and pure limestones are less liable than other kinds to disintegration from acids, and dolomite, when pure and compact, is among the most durable when exposed to atmospheric agencies. The presence of impurities, rendering the stone absorptive and porous are especially objectionable. Costly and rash experiments in the use of limestone for outside building have resulted, within the last quarter of a century, in causing the exercise of greater care in the adoption of limestone as building material, under conditions favorable to rapid disintegration. When limestone is exposed to intense heat, such as is incident to a conflagration, the stone is to a greater or less extent decomposed into lime, and thus it is that walls built of limestone disintegrate and crumble to pieces in cases of serious conflagrations. This fact is one which should, of course, be carefully considered in the selection of limestone as a structural material.

The detailed uses to which ordinary limestone is put are numerous, and some of them are of vast importance, because they can not be fulfilled by any other kind of stone. Some of the uses to which limestone is put bring it into competition with the granites and sandstone, such as building of all kinds, road making, and structural purposes generally. In many of these cases limestone is inferior to other kinds of stone, and is selected on account of accessibility or cheapness. In its application to lime burning and blast-furnace flux, however, limestone stands alone, and, as will be seen from the table of production, large quantities are devoted to these purposes.

Now, Mr. Chairman, the purport and substance of these two paragraphs is that limestone is practically unfit for building purposes; that it decomposes, disintegrates, and crumbles, and is only to be used as a substitute when other and more valuable materials are inaccessible or too expensive, and that it is chiefly valuable for burning into lime. It is true that further on, in a kind of a footnote to a tabular statement on page 12, this statement is made, which I read:

Considering the first table relative to value, it is evident that for building purposes Illinois stands first. The large amount devoted to building pur-

poses in this state comes chiefly from the Joliet and Lemont quarry regions, and the product from these places is largely used for building. Indiana stands second in value, and the stone which contributes largely to the value given, namely, $994,313, is the oölitic limestone, which is at present quite popular, not only in the immediate vicinity, but in many of the larger and more important cities of the country, both east and west.

But, even here, while speaking of the oölitic limestone of Indiana, the language is that it "is at present very popular."

Of course, Mr. Chairman, we are very grateful for this concession, but it is so guarded and qualified by the use of the term "at present" that we have good reason to fear that before this work is finished it will be revised, and even this temporary popularity, which we are so grudgingly conceding will be found to have passed away. In the various addresses and magazine articles which the Superintendent of the Census has made and published throughout the country in its defense, he complains of unfair treatment and attributes interested, and even dishonest, motives to all who have made an attack upon it. In a speech made by him in Boston in October last he said:

Up to the present time the work of the Census Bureau has been repeatedly attacked but not criticised. These attacks have generally come from newspapers in communities where the population did not come up to the expectation; where recounts were asked for and refused on good grounds, or where recounts were forced upon the people in spite of protest. Then there are all kinds of boomers, who attack the census to justify their own ridiculous estimates—the land boomer, who wants to sell real estate, thinks the population too small; the geological boomer, who wants to get a big appropriation from the State Legislature, inflates the value and output of the stone quarries and coal mines of his State; persons interested in schools, etc.

Now, Mr. Chairman, I have the honor to represent a portion of Indiana which is very rich in its limestone deposits, and which, with one or two counties from an adjoining district, represented by my colleague, Mr. BRETZ, supplies nearly the entire oölitic limestone output of the United States, and it is not for partisan purposes, nor to indulge any spirit of captious criticism, nor to gratify any personal ambition, that I make the statements which I am about to submit. On the contrary, I appear at the instigation of men who are prominent in the Republican party as well as my own, and in behalf of men of all parties who are alike outraged in their feelings by this uncalled for attack upon their interests, and what I shall say will be supported by the testimony of men who are eminent in their professional standing, as well as unimpeachable in their character.

I desire first to call attention to the testimony of Prof. John Collett as to the character and utility of this stone. Prof. Collett, now a venerable and venerated citizen of Indiana, was for many years the State geologist of the State, and for his great learning and high character he is well known to the scientists, both of this country and of Europe. It was he who discovered and brought to the attention of European capitalists the extensive coal fields of Indiana. He is not a "geological boomer," but an honest man, who, though he has often pointed out the path of fortune to others, never walked in it himself. From page 41 of his Geological Report for 1881 I quote:

The oölitic limestone, which forms the leading feature of the foregoing series of experiments, is so little known beyond the immediate neighborhood where it is quarried, that it may not be out of place to give a fuller description of it and of its character as a building stone.

Geologically it belongs to the St. Louis group of the subcarboniferous period and has been formed from the crushed remains of the marine shells, corals, etc. These have been pulverized to the condition of fine sand; their soluble impurities washed away, and their insoluble residue reunited into solid rock by a reposit of carbonate of lime as a cementing material. Its structure is, therefore, that of a close-grained, compact sandstone, while chemically it is a limestone of rare purity.

Like the sandstones, it works freely under the tool, while the homogeneity of its particles and binding material enables it to be worked to a clean, sharp arris. Like the sandstones, also, and unlike other limestones, its formation in the ledge is massive and solid, not stratified with clay partings. It has no well-defined cleavage in either direction, and is of nearly equal strength whether on "edge" or on "bed." The formation is generally about 40 feet in thickness and presents a solid face, from which the quarryman may choose his dimensions, unrestricted by any conditions save his ability to handle and transport the blocks. The Egyptian obelisk or the mighty stones of Baalbec could be readily surpassed in these quarries.

The Indiana Geological Report for 1878 gives analyses of samples from different quarries along the outcrop of the formation, from White River, in Owen County, to the Ohio River, in Harrison County, showing a remarkable uniformity in its composition. All the samples show from 95 to 98 per cent carbonate of lime, which is indestructible by ordinary atmospheric influences, while ferric oxide and alumina, to which most perishable stones owe their failure, occur here only from 0.34 to 1 per cent. This is a degree of purity rarely found.

In so far as durability can be inferred from chemical analysis, the oölitic limestone gives every assurance of permanence, which is further attested by the perpendicular and unworn aspect of exposed faces along the outcrop and by its retention of tool marks after forty years of exposure in buildings. It is only slightly absorbent of moisture, is perfectly free from saltpeter or other efflorescent salts, and its high degree of elasticity enables it to resist, without injury, the otherwise destructive effects of freezing the absorbed moisture, and of unequal expansion or contraction from sudden and unequal changes of temperature.

From the report of 1878 I quote the analyses of stone taken from Owen, Monroe, and Lawrence Counties, as follows:

A number of tests of this stone were made by Gen. Gilmore, for the state-house commissioners, to determine its resistance to crushing, density, and ratio of absorption.

A specimen of oölitic limestone from Owen County, 4 miles east of Spencer, on the Indianapolis and Vincennes Railroad, gave the following result:

A cubic foot weighs 140.03 pounds, and it requires 7,500 pounds to crush a cubic inch; ratio of absorption, 1 to 30.

	Per cent.
Water at 212° F	0.41
Insoluble silicates	0.70
Ferric oxide and alumina	0.91
Lime	54.20
Magnesia	0.11
Carbonic acid	42.64
Sulphuric acid	0.20
Chloride of alkalies	0.32
Combined water and loss	0.51
	100.00

Lime, 54.20 equals carbonate of lime 96.80.

A sample of stone from Bloomington, Ind., gave for crushing strength per square inch 13,750 pounds; weight of a cubic foot, 137.24 pounds; ratio of absorption, 1 to 43.

	Per cent.
Water, dried at 212° F	0.25
Insoluble silicates	0.65
Ferric oxide and alumina	1.00
Lime	53.50
Magnesia	2.19
Carbonic acid	42.20
Sulphuric acid	0.40
Chloride of alkalies	0.55
Combined water and loss	1.26
	100.00

Lime, 53.50 equals carbonate of lime 95.54.

Samples of stone from Bedford, Ind., gave crushing strength 11,750 pounds; weight of cubic foot, 146.56 pounds; ratio of absorption, 1 to 28.

	Per cent.
Water, dried at 212° F	0.35
Insoluble silicates	0.50
Ferric oxide and alumina	0.98
Lime	54.10
Magnesia	0.13
Carbonic acid	42.62
Sulphuric acid	0.31
Chloride of alkalies	0.40
Combined water and loss	0.61
	100.00

Lime 54.10 equals carbonate of lime 96.60.

It will be seen from these tables that the average crushing strength or weight-sustaining power of this stone is about 135,000 pounds to the square foot.

Mr. BRETZ. Will my colleague permit me to ask him a question?

Mr. COOPER. Certainly.

Mr. BRETZ. What degree of strength is usually required to the square foot in this stone for building purposes in massive structures?

Mr. COOPER. Well Mr. Chairman, I am not a mechanical engineer nor an expert on this question, but I can say that during my investigation of this subject I have seen the statement that the weight sustained by the columns or piers that support the dome of St. Paul's Cathedral in London is only about 39,000 pounds per square foot, and in St. Peter's at Rome 33,000 pounds per square foot.

But, Mr. Chairman, we are not confined to Indiana for testimony upon this subject. I wish to read a brief extract from a work on the Building Stones of the United States by Prof. George P. Merrill, curator of geology in the United States National Museum. On pages 128 and 129, speaking of the oölitic limestone of Indiana he says:

By far the most beautiful and valuable of this stone for architectural purposes is the oölitic variety from Lawrence, Monroe, Owen, Crawford, Harrison, and Washington Counties. The supply is inexhaustible, as it lies in massive strata of 20 to 70 feet thick over an area of more than 70 square miles.

The Lawrence County stone is extensively quarried near Bedford, and is popularly known as "Bedford stone" or "Bedford oölite."

The rock is of fine texture, and is composed of small rounded concretionary grains of about the size of a grain of mustard seed, compactly cemented together by crystalline lime or calcite. The stone is soft, but tenacious (specimens having borne a pressure of 12,000 pounds per square inch), and works readily in every direction. It is therefore a great favorite for carved work, and is used more extensively for this purpose than any other of our limestones. No better example of the adaptability of the stone for this purpose can be given than the elegant mansion of Mr. C. J. Vanderbilt, on Fifth avenue, in New York City.

Of course, Mr. Chairman, that there are certain grades of limestone which are not suitable for building purposes can not be denied. I presume the same may be said of every other kind of stone in existence, but it was not necessary, neither was it fair, that in a Government publication this or any other of the valuable products of our country should be characterized by language which conveys to the public the impression that it should be subject to extreme scrutiny and handled with great caution; that certain grades and qualities of limestone are more suitable for burning into lime, or for road-making, than for building, is as certainly known to the men who have invested their fortunes in the quarries as it is to the author of this attack upon them; but in so far as this assault conveys the impression that the limestone of which I speak, and with which I am more particularly acquainted, is

in any degree unsuitable for building purposes, or that it is not equal to the best, it is as false as it is unfair.

This same character of stone, the oölitic, is found in portions of England, and in speaking of it in his work on Building and Ornamental Stones of Great Britain, Sir Edward Hull, director of the geological survey of Ireland, says, on page 209 of that work:

The most important quarries, however, are those situated along the range of the Somersetshire hills, at Stinchcombe, Minchinhampton near Stroud, Bathampton, and Bath Baynton near Box, Chippenham, and Doulting. The stone is here largely worked by tunneling underground, and is of a fine grain, compact, slightly shelly, and soft when first extracted, but afterwards hardens. In color it is nearly white, passing into yellow; and is capable of receiving sculpturings to a degree of sharpness only surpassed by Caen stone. At Bathampton the upper beds for a depth of 30 feet appear to be chiefly worked. From these quarries the stone for most of the beautiful ecclesiastical structures of the west of England has been extracted, including the Abbey Church at Bath, Glastonbury Abbey Church (eleventh century), and Wells Cathedral (twelfth to fifteenth centuries); all of which are in good preservation.

It would seem that there is no urgent demand that the nation should be put upon its guard with reference to the character of a building stone which has passed through an ordeal and submitted to a test like that.

But, Mr. Chairman, injustice is done to the limestone industry of Indiana for the further reason that the extent and value of the product is greatly understated.

Mr. A. C. Benedict, writing on this subject in the New York Sun, says:

I shall now proceed to point out some of the errors of the Census bulletins, starting with the statement that the correct figures were obtained by the writer while in the employ of the geological survey of Indiana and were used by that department in a report that is in press and will soon be ready for distribution.

Bulletin No. 78 credits Indiana with producing 7,402,325 cubic feet of building stone, valued at $994,343. A general average of 13 cents a cubic foot is given, all sorts of material being lumped together. The finest oölitic and the poorest riprap macadam are lumped together. This classification of itself is sufficient to show the utter worthlessness of the work of the Census Department, for the oölitic and the stratified have nothing in common in physical structure, and it would have been nearly as correct to have classified the oölitic with the granites as with the stratified limestones.

Statistics collected by the writer show there was invested in the oölitic quarries of Indiana in 1890 the sum of $2,778,000, employing 1,748 men and producing 5,157,900 cubic feet of stone of an average value at the quarry of 20.16 cents per cubic foot, the aggregate value of which was $1,039,832.64. Mr. Porter totally ignores this important industry in his classification and tables, and devotes about two lines, hidden in the body of an obscure paragraph, to it.

I might add that Mr. Benedict is a prominent and pronounced Republican, and a stanch supporter of the Administration, barring the census.

The freight books of the Louisville, New Albany and Chicago Railway Company show that there were shipped over that road from Bedford alone in 1889 279,555,298 pounds, and in 1890 288,643,442 pounds.

And from other quarries along the same road, viz, from Salem, Stinesville, Ellettsville, Clear Creek, and Bloomington, was shipped during the year 1889 123,870,059 pounds, and in 1890 137,658,119 pounds, making the grand totals for the year 1889 403,422,337 pounds, and for 1890 426,331,561 pounds, for which there was paid in freight to that company alone $664,999.38.

Mr. HOLMAN. I wish to inquire of my colleague whether in Southeastern Indiana there are not a great many quarries of stone that are regarded as of the highest value for building purposes, and used in large structures all over the country?

Mr. COOPER. Mr. Chairman, that is true. I have here been calling attention to one branch of the limestone industry of Indiana only, the oölitic limestone. I have done that because it is an interest with which I am familiar, and which I represent. I have only been endeavoring to show that in the oölitic limestone quarries of Indiana alone there is more money invested, and that out of them comes more product, than has been attributed to the whole State of Indiana by these tables. It is also true, as suggested by the gentleman, that in other parts of the State there are great and extensive limestone quarries.

In the county of Jennings, represented by my colleague, Mr. BROWN, and in the county of Decatur, represented by my colleague, Mr. HOLMAN, in the county of Ripley, and also I think in the county of Shelby, about St. Paul, there are what are called stratified limestone rocks, which are very valuable for foundations and other purposes. There are also, near Greencastle, in Putnam County, quarries of close-grained, hard, silicious limestone, which is very strong and durable. I have not referred to them, because I was not so well acquainted with that branch of the subject. As I have said, my purpose was to show that in the counties which I have named there is a greater output of this product than has been credited to the whole State of Indiana, and while there are something over one hundred and seventy quarries in Indiana, I have only given you the statistics as to about a dozen of them, and from those there is a greater output than has been attributed to the whole State.

And here I might remark that every pound of this stone to which I have referred has been used for building, and was not burned into lime. I do not know of a single limekiln in the district which I represent that is in operation to-day.

Mr. HOLMAN. That stone is not adapted to lime.

Mr. COOPER. It is not adapted to lime and could not be used for that purpose. I will say further, there is in the northern part of the State, in the district represented by my colleague, Mr. MARTIN, near Huntingdon, I believe, a very superior quality of limestone in which a greater per cent of magnesia appears, which makes one of the best grades of lime made in the United States.

But the stone of which I speak is building stone and not for burning into lime. It went into buildings where it may be found in almost every State in this Union to-day. It can be seen right here in the city of Washington. It is used in the Shoreham Hotel, in the Leiter residence, in the very handsome and artistic residence of Mr. Schneider, the architect, on the corner of Eighteenth and Q streets, and in many other residences here.

Mr. Chairman, here is a partial list of buildings in which Indiana limestone has been used as an exterior material either in whole or in part:

Western Union Building, New York; Wilkes Building, New York; Smith Building, New York; Emigrants' Saving Bank, New York; New York Times Building, New York; Germania Life Insurance Office, New York; London and Lancashire Fire Insurance Office, New York; Franklin Trust Company, Brooklyn; Associated Fine Arts Society, New York; Bank of North America, New York; Lamb and Rich block, New York; Delaware and Lackawanna Building, New York; the Stokes Building, New York; Havemyer Building, New York; Prudential Building, Newark; Mail and Express Building, New York; Jewish Synagogue, New York; Mount Olivet Baptist Church, New York; Eighth Street and Second Avenue Church, New York; St. Andrew's Church, New York; All Angels' Church, New York; Congregational Church, New York; First Baptist Church, New York; Mount Calvary Church, New York; St. Michael's Church, New York; Farmers' Loan and Trust Company, New York; Georgia State-house, Atlanta; Algonquin Club, Boston; Ninety-third Street School, New York; Sixty-eighth Street School, New York; Ridge and Broome Street School, New York; fire patrol station No. 5, New York; City Hall, Chicago; State-house, Indianapolis; The Savoy, New York; Olympic Theater, St. Louis; Hotel Majestic, New York; residence of Robert Gollet, Newport; residence of James J. Van Alen, Newport; residence of C. P. Huntington, New York; residence of William K. Vanderbilt, New York; residence of Cornelius Vanderbilt, New York; Harlem Library, New York; Lincoln Building, New York; Colonial Club, New York; Dugro Hotel, New York; the Holland Hotel, New York, and the Auditorum in Chicago, two of the finest hotels in the world.

It is used in three bridges over the Ohio River at Louisville, Ky., in one at Henderson, Ky., one at Cairo, Ill., and in the new bridge over the Mississippi River at St. Louis.

It is used in more than one hundred court-houses and the Government has used it in the public buildings at Louisville, Ky.; St. Joseph and Hannibal, Mo.; Quincy, Ill.; Wichita, Kans.; Shreveport, La.; Birmingham, Ala.; Charlotte, N. C., and at Terre Haute and Indianapolis, Ind., and is now being put into Government buildings at Detroit, Jackson, and Bay City, Mich.; at Duluth, Minn., and Newark, N. J. I mention this range of territory to show its popularity with the Architect of the United States Treasury. When the people of Indiana determined to erect in the heart of her great central city a soldiers and sailors' monument to commemorate the heroism and the patriotism of her sons this stone was chosen for that purpose, not, as the author of this bulletin would have you believe, "on account of its accessibility or cheapness," but on account of its beauty and its durability, and it is being supplied from the quarries at Stinesville, in Monroe County, in my district. And when this beautiful structure is completed it will stand, Mr. Chairman, not only as a monument to the memory of our soldiers and sailors, but as a splendid exhibition of one of the chief resources of our State; and it will remain a living and enduring witness to the gross inaccuracy and willful misrepresentation of the Eleventh Census.

While, Mr. Chairman, this stone has been used in every section of our country, subject to all degrees and changes of temperature, from Boston to Denver, from Chicago to New Orleans, there can not be found a single fact to justify the foreboding and fears of the author of this remarkable bulletin.

Mr. STOCKDALE. As a matter of general information, I would like to ask the gentleman, if he has the information to give, before he gets through, whether the law provides for an expression of opinion on the part of the Superintendent of the Census as to the value of these articles? Is Mr. Porter a great architect, a great chemist, or a great builder, and by what influence did his opinion get into the Census bulletin to advertise any particular interest in this country?

Mr. COOPER. The question of the gentleman is very pertinent, Mr. Chairman, and I think before I get through I will be able to demonstrate to the members of this House that the Superintendent of the Census has been influenced more by a disposition to himself become a "boomer" than he is controlled by a purpose to fairly exhibit our resources.

Not only, Mr. Chairman, is it true that this great industry has been unjustly criticised and its interests overlooked, but, strange to say, its competitors have been given unusual preference and prominence by this census. In this same limestone bulletin will be found at the bottom of each tabular statement this note:

The States here grouped in order that the business of individual establishments may not be disclosed to the public embrace Arizona, Florida, Georgia, Oregon, South Dakota, and Wyoming.

Now, Mr. Chairman, in a Government publication like this, I am inclined to think it is not best to disclose the business of individual establishments, for if we once enter into that field there is no place to stop. Every manufacturer, merchant, and business man in the whole country would be equally entitled to space, and the work would degenerate into an advertising medium. But what can be said to excuse the conduct of an official when he recognizes and lays down a proper rule of action when it operates against an enterprise towards which he is manifestly unfriendly, and who, immediately when his interest or his feeling dictates, violates that rule in order to advance the interests of a more favored enterprise.

To show you that he has done this I only need to call your attention to Bulletins No. 45, which treats of granite, and No. 73, which treats of sandstone. I hold in my hand Bulletin No. 73, and you will see that the last page of this bulletin is entirely taken up with a list of prominent structures built of sandstone, giving in tabulated form the locality of the structure, the name and date of erection, the commercial name of the stone, and the locality of the quarry. If the gentleman from Maine [Mr. DINGLEY] will give his attention, I would be glad to ask him this question. I do not see him in his seat. If any other gentleman from Maine desires to pay attention, I will invite his attention to it. While this Census Bulletin No. 73 has so grossly and unjustly attacked the limestone industries of the country, another bulletin, which I hold in my hand, contains at the conclusion of it fifteen pages of advertising matter for the granite industries of this country. It is headed "Directory of granite producers," and gives the names of the firms, their post-office addresses, and the location of their quarries.

Now, Mr. Chairman, I want to ask the gentleman from Maine [Mr. DINGLEY], who seems to be so well satisfied with the work of this census, and whom I believe to be a fair and honest man, if he thinks it is right that the granite-quarry men of his State should have their business advertised by the giving of their names, their post-office addresses, and the location of their quarries, so that the people throughout the United States can communicate with them as persons recognized by the Government, as persons who are qualified and fit to deal with, in that business, when in the same character of investigation an attack is made upon an interest which has its chief home in another State? I ask if it is fair and if it is honest.

Mr. MILLIKEN. Does the gentleman want an answer.

Mr. COOPER. I do.

Mr. MILLIKEN. I think it is a very proper thing to advertise as good a building material as granite, when it may not be proper to advertise and place before the public so very poor a material for building purposes as limestone.

Mr. COOPER. I am not now discussing the relative merits of the two kinds of stone, I will say to the gentleman from Maine, but I am discussing the question of the propriety of advertising either one, and I would like to know if the gentleman thinks it right and proper for the Government to advertise, at its expense, the business of any particular class or individual? The gentleman is too honest to make a reply in the affirmative.

Mr. MILLIKEN. Oh, Mr. Chairman, I will answer the gentleman. I am not defending the points which he has attacked. Indeed, I have just come in, and have not had the pleasure of hearing all of his speech. He addressed himself to my colleague [Mr. DINGLEY], who I saw was not present at the time.

I do not think there is any contest between the State of Maine and his State in regard to building stone. So far as granite is concerned, it has been advertised for its goodness as a building material all over this country and every country where there are civilized people living and where they erect fine buildings.

Mr. COOPER. Why not let it stand upon its own merit, and not put an advertisement of it in a Government publication. [Applause on the Democratic side.]

Mr. MILLIKEN. I will say in reply to the gentleman that it possibly may not be any more justifiable in the Superintendent of the Census to advertise granite or marble or any other building stone than it is for the gentleman from Indiana to so thoroughly advertise the limestone of his own State.

Mr. COOPER. The difference between the Superintendent of the Census and the "gentleman" is this: That the Superintendent of the Census does not represent Indiana or any district of any State, but he is employed by the people of the whole country, and I do represent a part of the State of Indiana, whose interests have been shamefully attacked in this publication.

Mr. MILLIKEN. Does not the gentleman believe that the dignity of this House is equal to the dignity of the Census Office; and does he believe that this House should be made an advertising shop any more than the Census Office?

Mr. COOPER. I agree with the gentleman, and we have now gotten upon common ground. I do not believe that there should be any advertising given. I believe in the dignity of this House, and I also believe in the power of this House; and I invoke them both against the advertising business. It is only because this officer has prostituted a bureau of the Government to advertising the interests of the State that the gentleman in part represents that I make my protest. [Applause on the Democratic side.]

Mr. MILLIKEN. Will the gentleman allow me one word more?

Mr. COOPER. Yes, sir.

Mr. MILLIKEN. If the gentleman is correct in his position, how does he defend himself for following in this House what he claims to be the bad example of the Superintendent of the Census in another Department of this Government?

Mr. COOPER. My excuse for coming on this floor in this behalf was to protest against an injustice, not for a failure to advertise; but to protest against an attack being made against an interest in my State in the interest of an industry in his State.

Mr. MILLIKEN. I will ask the gentleman in all honesty if he is not advertising the limestone interests of his State, against which I have not a word to say, but which I hope may prosper? Is he not giving it as wide and loud and as thorough an advertisement in this House of Representatives as he could even claim that the Superintendent of the Census has given to the granite interests of Maine?

Mr. COOPER. My answer to that question is this: Emphatically "no." I have not given to the House, nor to the country, the name, nor post-office address, nor the location of a quarry of any citizen of the United States, and the Superintendent of the Census has done all these things which I have mentioned.

Mr. MILLIKEN. I think the gentleman has located them all in Indiana.

Mr. COOPER. Well, Mr. Chairman, I have been trying as best I could to set those interests right before the country; and I have not violated the rules of the House in my efforts to do so.

Now, Mr. Chairman, I do not charge that the Superintendent of the Census, nor those employed under him, have deliberately sold out advertising space in this Government publication, nor that they have corruptly suppressed the facts in one case and given them undue prominence in another. Such a course may have been the result of ignorance and inexperience. I prefer to think that this is the real cause; but it can not be denied that they have conferred a very great advantage upon these favored interests and inflicted a corresponding injury upon the other, for whenever the agents and representatives of the former start out in search of contracts, in which they are likely to meet the competition of the latter, they need only to arm themselves with these Government publications in order to obtain an easy victory.

For these reasons, and for many others which I have not time here to enumerate, in the name of one of the most deserving, valuable, and extensive enterprises of our country, I denounce this work as not only being of no value for the purposes for which it was designed, but as actually harmful and detrimental to the best interests of our country; and we can only hope that this same blundering and incompetent management shall have so far made itself known in its treatment of other interests that the mischief which it has attempted will carry with it its own antidote, and that therefore it will be better for an honorable enterprise to have its known hostility than to be subject to the suspicion which must follow the doubtful compliment of its commendation. [Applause.]

NOTE.—In further answer to the question of my colleague [Mr. BRETZ] I find that Gen. William B. Franklin, while captain of Topographical Engineers, United States Army, made an examination and report, dated February 24, 1860, relating to the sufficiency of the wall of the rotunda of the Capitol to support the dome. In this report he gives the following table of pressures per square foot upon the foundations of various large structures, namely:

Girard College, Philadelphia, pounds per square foot	13,440
St. Peter's, Rome, pounds per square foot	33,330
St. Paul's, London, pounds per square foot	39,450
St. Genevieve, Paris, pounds per square foot	60,000
Toulssant, Angers, pounds per square foot	90,000
New dome, United States Capitol, pounds per square foot	13,477

The pressure per square foot in pounds upon the foundation of the walls of the Washington Monument is said to be 54,560.

Mr. SAYERS. Mr. Chairman, I would like to know from my colleague on the committee [Mr. HENDERSON of Iowa] whether any gentleman on his side of the House desires to speak?

Mr. HENDERSON of Iowa. I will make a few remarks in closing; but I understood the gentleman from Illinois [Mr. SPRINGER] wanted to occupy some time.

Mr. SAYERS. How long does the gentleman from Iowa desire?

Mr. HENDERSON of Iowa. I do not know what you are going to bring in here. We have had stone quarries and everything else, it seems, brought in.

Mr. SAYERS. If the gentleman will permit it, as soon as the gentleman from Illinois [Mr. SPRINGER] and the gentleman from Iowa himself have spoken, I will ask the committee to close general debate and proceed to consider the bill by items.

Mr. HENDERSON of Iowa. I understood the gentleman from Illinois was going to make some observations.

Mr. SAYERS. Yes, sir.

Mr. HENDERSON of Iowa. Then I will follow him for about fifteen minutes.

The CHAIRMAN. The Chair has recognized a gentleman on the right for nearly an hour and would feel constrained to recognize a gentleman on the left.

Mr. HENDERSON of Iowa. That is entirely satisfactory to us, and we will not embarrass the Chair in that respect.

Mr. SPRINGER. Mr. Chairman, I will not detain the committee long. I desire to call attention of the committee to the fact that the Census Office, it seemed to me, has devoted more time than was necessary in preparing statistics on unimportant matters, and has neglected those statistics which were of the most interest and of the most importance to the country. Soon after my appointment as chairman of the Committee on Ways and Means, I addressed a communication to the Superintendent of the Census, requesting to be furnished with the statistics of 1890 in reference to certain subjects, particularly manufactures. I have before me a letter from the Acting Superintendent of the Census, dated January 2, which is as follows:

DEPARTMENT OF INTERIOR, CENSUS OFFICE.
Washington, D. C., January 2, 1892.

SIR: This office is in receipt of your favor of December 31, 1891, requesting certain data relating to manufactures.

I have the honor to inform you in reply that it is impracticable, at the present time, to comply with your request. The schedules relating to various productive industries have not yet been examined for tabulation, and some months must necessarily elapse before the information is ready for publication, the date of which will depend upon the promptness with which Congress makes an additional appropriation to enable me to complete this branch of census work.

Your memoranda are herewith returned.

Very respectfully,

A. F. CHILDS,
Acting Superintendent of Census.

Hon. W. M. SPRINGER,
House of Representatives, Washington, D. C.

I also requested some data upon special subjects, and to that request I received the following reply:

DEPARTMENT OF THE INTERIOR, CENSUS OFFICE,
Washington, D. C., January 15, 1892.

SIR: This office is in receipt of your letter of January 14, 1892, requesting a report on the woolen industries, mixed textiles, and men's and women's clothing, for the census of 1890, similar to that published in volume 2 of Manufactures for the Tenth Census.

In reply I have the honor to advise you that the data in regard to the woolen industries have been tabulated and are now in course of examination to obtain the totals you require, and I hope to be able to furnish you the same within the next sixty days.

It is not the present intention of this office to publish data for a distinct class of textile manufactures under the head of "Mixed textiles," as contained in the report for the Tenth Census. The returns for such establishments will be included in the reports on the manufacture of wool, cotton, and silk, respectively, the component product of chief value determining the class to which the report belongs.

I regret to be compelled to inform you that no examination or tabulation has been made of the clothing industry, and it is impossible at present to state when the data for that industry can be furnished. If Congress shall make the additional appropriation requested by this office available at an early date, it will then be practicable to push forward the work of the division of manufactures as rapidly as possible.

Very respectfully,

A. F. CHILDS,
Acting Superintendent of Census.

Hon. WILLIAM M. SPRINGER,
House of Representatives, Washington, D. C.

Since then I have been informed orally by the gentleman in charge of the statistics of manufactures that the subjects mentioned in this letter will be reported upon within a very few days. I call attention to this, because the early publication of the statistics of these industries is a matter of very great importance, and I had hoped that the Census Office would have been able to furnish Congress with the figures at the very beginning of this session.

I hold in my hand a printed pamphlet containing an address on the Eleventh Census delivered by Mr. Porter, the Superintendent, before the American Statistical Association in Boston on October 16, 1891. The address sets forth the general scope of the work of the Census Office, and at the end is printed what is called an "appendix," giving a list of the bulletins that have been published, or that were to be published by the time of the convening of Congress in December last. If gentlemen will examine this list of bulletins they will find that many of them relate to subjects of trifling importance, although their preparation must have involved a great deal of time and labor.

Here are some of these subjects: Under the head of "Agriculture," for instance, I find "Viticulture," "Truck farming," "Commercial floriculture," "Irrigation in Arizona," "Irrigation in New Mexico," "Irrigation in Utah," "Irrigation in Wyoming," and so on. But there are only four or five reports, or of four or five States, in reference to farm mortgages, a subject of the greatest importance.

Then we have very detailed reports in regard to Alaska, the population, wealth, and resources of that far-away portion of our domain. Then we have statistics of the churches of the country, reported in the utmost detail. I might go on reading the titles of the subjects upon which these bulletins have been prepared, and if gentleman would examine this address they would see how unnecessary it was to spend so much of the people's money and so much valuable time in preparing these statistics to the disregard of others more important.

I will not read further from these headings, but will simply call attention to the fact that nowhere in this list of bulletins are to be found those relating to manufactures, except in very limited degree. I want to call attention also to the volumes which I hold in my hand, six in number, and which have been issued by the Census Office during the past year. Gentlemen can see for themselves the size of these volumes. That they have been prepared at a great expenditure of time and labor will be seen by an examination of the volumes themselves. As I open one of them at random, I find, for instance, this: "The Cumberland Presbyterian Church," and then a number of church organizations, with the seating capacity of the halls, the value of the church property, number of communicants, number of members, and so on; all these matters set forth in great and elaborate detail.

Mr. HOPKINS of Illinois. I would like to ask the gentleman whether he does not think the subject of churches is a proper subject for the Census Bureau to present us statistics upon?

Mr. SPRINGER. A very proper subject. I am not complaining of that.

Mr. HOPKINS of Illinois. And if the Bureau touches that subject at all does not the gentleman believe that the work ought to be done in a systematic, scientific, and exhaustive way?

Mr. SPRINGER. Certainly. I am not complaining of that. I am simply calling attention to the fact that it is much more important for us here to be put in possession at the earliest day possible of the statistics of manufactures than it is to know all these minute details of these church organizations.

Mr. DINGLEY. Will the gentleman pardon me for a suggestion at this point?

Mr. SPRINGER. Certainly, sir.

Mr. DINGLEY. The Superintendent of the Census was questioned upon that subject when he was before the subcommittee and he explained that the statistics of these minor subjects, where the facts are few and simple so that they can be arranged and prepared for publication by almost any class of clerks, necessarily come forward early, while the more important and difficult subjects, especially the industrial statistics, which require to be handled by expert clerks, involve necessarily a great deal more work and consequent delay; but he assured the subcommittee that the statistics in relation to agriculture and manufactures would be placed right at the front, and the reports laid before Congress at the earliest possible day.

Mr. SPRINGER. I am very glad indeed to have that statement, and I hope that the Superintendent of the Census will put his force to work upon those more important matters and let us have "a rest" in relation to the statistics of paupers in almshouses, classified by age and sex, and other unimportant matters upon which so much time and labor have already been expended. This bulletin which I hold in my hand (Bulletin No. 154) goes into the details of the ages and sexes of the paupers in every almshouse in the United States. These figures may be important to some gentlemen who are studying vital statistics, but to the Congress of the United States, which is now engaged in legislating upon great industrial subjects, they are of far less importance than the statistics of manufactures would be.

In regard to farm mortgages, the whole number of States reported upon up to this time is five, Alabama, Iowa, Kansas, Illinois, and Tennessee. This list embraces only four, but the statistics for Illinois have since been published. Five States, then, have been reported upon in relation to farm mortgages.

Mr. SAYERS. If the gentleman will allow me to interrupt him

I will state that the Superintendent of the Census told us that it would require a deficiency appropriation of from $350,000 to $500,000 to complete that work. Instead of $1,000,000 there may be required $1,500,000; and certainly $1,350,000 will be required in all.

Mr. SPRINGER. Did the Superintendent inform the committee at what time we shall probably have the printed reports on that subject?

Mr. SAYERS. The committee was informed that with a certain appropriation the entire work of the census, with the exception of the printing of the names of the Union soldiers, could be completed within the present year; with another appropriation it could be completed within the coming year, and with the appropriation as now made, and the employment of the present official force, amounting to about 850 in all, it would probably take six or eight months of the year 1893 to complete the entire work of the census, and have it ready for distribution. In addition to that, the Superintendent informed the committee that no provision had been made for the printing of the volume which would contain the names of the Union soldiers, and that an additional appropriation would have to be made for that purpose.

Mr. SPRINGER. In what the gentleman has just said did he refer to the fiscal year or to the calendar year?

Mr. SAYERS. To the calendar year.

Mr. SPRINGER. Then I understand the gentleman to say that the reports or bulletins in reference to farm mortgages will not be published until the latter part of the present calendar year.

Mr. SAYERS. Yes, sir. My understanding in regard to the printing is that there is a sufficient amount on hand to complete all the printing, except the volumes containing the names of the Union soldiers.

Mr. HENDERSON of Iowa. That is, the amount will be sufficient on the assumption that the same number of volumes will be printed as were printed of the Tenth Census?

Mr. SAYERS. That is so.

Mr. HENDERSON of Iowa. But the amount required will depend on the number of volumes which Congress shall order.

Mr. SAYERS. Certainly.

Mr. DINGLEY. That is to say, the money now on hand will be enough for printing the preliminary supply of volumes—not for printing the volumes which may be authorized by Congress for distribution. I desire to suggest to the gentleman in charge of the bill [Mr. SAYERS] that he print in the RECORD in connection with the communication from Mr. Porter the estimate of the cost of the printing.

Mr. SAYERS. I will print it in connection with my remarks at this point, so that it may be more intelligible. Mr. Chairman, I ask leave to print in the RECORD the statement made to the subcommittee having charge of this bill regarding the cost of printing.

There being no objection, leave to print was granted.

The statement is as follows:

In regard to preliminary printing and binding, for which there has been appropriated $800,000, which has been used to pay for all the printing of the census, including schedules, circulars, and bulletins. Of this amount there remained December 31, 1891, $175,000. Out of this has also been paid the running expenses of the printing office. I believe that the balance remaining of this appropriation will be sufficient to complete the census work in this direction, and that no further appropriation for this purpose will be made. For the final printing there has been appropriated the sum of $250,000, of which there remains at the Government Printing Office to the credit of the Census Office the sum of about $230,000. This appropriation was intended to defray the cost of printing the Compendium, the Digest, and certain volumes of the final reports authorized to be printed by the act making the appropriation. As I informed the committee, the cost of the printing will depend largely on the number of copies ordered, as will be seen from the following tables:

50,000 copies Digest (1 volume)	$5,200
25,000 copies Compendium (2 volumes)	64,200
5,000 copies final reports (15 volumes)	113,000
5,000 copies Statistical Atlas (1 volume)	100,000
	282,400
100,000 copies of Compendium (2 volumes)	260,000
12,000 copies final reports (15 volumes)	270,000
20,000 copies final reports (extra), population and manufactures (3 volumes)	90,000
12,000 copies Veterans (8 volumes)	144,000
12,000 copies Statistical Atlas (1 volume)	240,000
	1,004,000

The above tables show, as well as I am able to present it, the probable cost of printing the report of the Eleventh Census on the basis of the smallest possible number, and also on the basis of the number printed at the time of the Tenth Census.

Mr. SPRINGER. I wish to ask the gentleman from Texas (if he has information on which to answer the question) when we may expect the complete reports as to farm mortgages?

Mr. SAYERS. We have no information as to that; but I repeat that, according to the statement of the Superintendent of the Census (my colleagues on the subcommittee will correct me if I make any mistake), he will be able with a certain force, say 850 persons, to have the entire work of the census, including that relating to farms and farm mortgages, completed during the latter part of 1893; if we increase the force to say 950, he can have the work completed sooner; and if we increase the force to a still greater number, the entire work can be completed within the present year. With reference to the subject of manufactures, the Superintendent of the Census informed us that so far as concerns cotton and woolen fabrics, he will be able to furnish the bulletins on those two subjects within the next thirty or forty days. As to other manufactures he has given us no information directly.

Mr. SPRINGER. What I wished was to express my desire, and I believe in this matter I express the desire of every member of the House, for the early publication of the statistics relating to manufactures and agriculture. These are the subjects upon which especially the people desire information, and they desire it at the very earliest practicable time. The data upon which these bulletins are to be prepared has been in the Census Office for eighteen months.

Mr. RAY. Would it not be within the province of the House to require this information to be published at once?

Mr. SPRINGER. I think so, and I requested the subcommittee having charge of this bill to provide, in connection with the appropriation, that a portion of it should be devoted to the preparation and publication of statistics in relation to manufactures, and another portion to the preparation and publication of the statistics in regard to agriculture, one-third of the fund being devoted to each of these purposes. But the subcommittee thought it best not to interfere with the internal workings of the Bureau, but to leave the matter to the discretion of the Superintendent. I do not wish to antagonize the committee in reference to matters especially within their province and upon which they are better informed than I am. I simply express my desire, and that, as I believe, of every other member, that the Superintendent furnish us the bulletins upon these subjects at the very earliest time which may be practicable.

Mr. SAYERS. Mr. Chairman, with the permission of the gentleman from Illinois, and upon the subject he has just alluded to, I would state that the subcommittee on deficiencies have carefully considered that proposition, and they thought it would be exceedingly unwise to subdivide this appropriation of $200,000, for the reason that the whole work of the census is being carried on simultaneously, some portion in one state of completion, some in another, and another part in a more advanced state.

We were further informed that in the course of thirty days he would be able to take from thirty-five to fifty employés from the work on population and add them to manufactures; and also that in about the same length of time a like number from another branch of the census could be taken and added to the same work on manufactures.

We believed it to be sound policy that the legislative branch of the Government should not in any manner interfere with the administrative branch in these details, because if anything should happen by which the work was delayed Congress would be held responsible for it. We concluded that it was best, under all the circumstances, in the matter of taking the census, that the entire responsibility should rest upon the Superintendent, and we agreed that the appropriation should be in full rather than subdivided to be allotted to either this or that branch of the service.

Mr. PICKLER. That is right.

Mr. SPRINGER. Mr. Chairman, the gentleman from Maine [Mr. DINGLEY] has stated that those who sought a report upon farm mortgages were dissatisfied with the result of that investigation. I was one of those who favored the special act passed requiring a report to be made upon these mortgages, and from what I have seen of the reports—only five States having been reported upon up to this time—I think the action of Congress in requiring reports to be made by the Census Bureau has been more than vindicated; in fact, I am exceedingly gratified to have the information, and I think it of a very useful character. It establishes the fact which those who sought the statistics believed to exist, namely, that agriculture has not flourished during the past decade as it should under proper fiscal conditions. I believe that the farm mortgages show that the agriculturists of this country have labored under great exactions and burdens, and this information is useful to them and to the whole country. It is the best expenditure, in my judgment, that the Government has yet made in connection with the census.

Mr. ENLOE. Will the gentleman permit a question?

Mr. SPRINGER. I will yield for an inquiry.

Mr. ENLOE. I want to ask the gentleman from Illinois if it is not his opinion, so far as the interrogatories in reference to the administration of the Census Office are concerned and criticisms upon them, that it would be wiser for us to wait for an investigation by a committee of the House, and, if necessary, that that investigation should be had, and let us come to a vote on

this bill without further delay? I ask him if he does not think this would be better than to spend time here criticising the administration of the Census Office? Had we not better wait and investigate the matter first?

Mr. SPRINGER. If the gentleman from Tennessee means that we should not pass this bill until an investigation is had, I should say no. I think the appropriation should be passed at once.

Mr. ENLOE. Then let us have a vote at once.

Mr. SPRINGER. I have no objection.

Mr. ENLOE. I call for a vote. [Cries of "Vote!" "Vote!"]

Mr. DINGLEY. I promised to yield eight minutes to the gentleman from Ohio [Mr. TAYLOR].

Mr. JOSEPH D. TAYLOR. Mr. Chairman, I want to say by way of appendix to the remarks of the gentleman from Indiana [Mr. COOPER], that if any of the members of the House desire to examine this Indiana limestone of which Mr. Cooper has been talking, they will find a building at the northwest corner of Twelfth and G streets, in this city, in which this stone is used, the new building now being erected by the Ohio National Bank. A hint to the wise is sufficient. I have examined the dictionary to find the definition of limestone, and I want to read the definition for the benefit of my friend from Webster's Unabridged Dictionary:

> Limestone.—A kind of stone, consisting largely or chiefly of carbonate of lime, from which lime is obtained by the expulsion of its carbonic acid.

So you will see that the definition of limestone is a kind of stone from which lime is obtained. It is the stone out of which lime is made. But the kind of stone they are exporting from Indiana that goes under the general name of limestone, the kind they are using for building purposes, will not do for making lime. You can not make lime out of it. I know this to be true, from some experience I have had myself. I owned some limestone land in Indiana at one time, but unfortunately I sold it before I knew how valuable this kind of limestone was for building purposes.

The trouble, therefore, with the gentleman from Indiana is that he did not understand the kind of stone the Census Bureau was considering when the report to which he takes exception was made. There are different kinds of limestone, just as there are different kinds of sandstone. You all know how many kinds of sandstone there are, some of which are good for building purposes, while some will not do at all. It is a general name for stone of a particular character, and there are many kinds of it under the generic name. The words limestone and sandstone are a kind of general terms, embracing many varieties. This is the explanation that occurs to me, and I give it for what it is worth. I have no doubt that Mr. Porter can explain it fully.

Mr. COOPER. Will the gentleman allow me to interrupt him just there?

Mr. JOSEPH D. TAYLOR. I would be very glad to do so, if I had the time, but the gentleman knows I have only eight minutes.

I desire, now, Mr. Chairman, to speak on another subject. Some remarks have been made in regard to the character of the men employed in the Census Bureau. It is certainly well known to many members of this House that the clerical force appointed by Superintendent Porter was examined by a competent board of examiners before they received permanent appointments. I know personally that this is true, and I am well acquainted with one of the members of that board, a very excellent gentleman, who had been a prominent teacher in Ohio for many years. He served on the board for a long time, and I am perfectly satisfied that his examinations were honestly and carefully made.

I know, too, that some of those who were examined were rejected, for one of them was from my own district; and I know, too, that this rejection was final. I believed that the examination was fair and just, and hence I acquiesced in the result without a murmur. I met one of the Civil Service Commissioners at Mr. Porter's office at one time and he seemed very happy, and after he went out I was informed that he had called to compliment Mr. Porter on his satisfactory methods of examining applicants for office. Whether this was his errand or not does not matter now, but in view of the intimations which have been made as to the incompetency of the clerical force and employés of the Bureau, it is proper to call attention to the way in which they were chosen, for I am satisfied that they were selected as carefully as the Civil Service Bureau would have done if the work had been committed to them.

Mr. Chairman, I want to say another thing, and that is this, that the Republican side of this House is not responsible for the cost of this census. The scope and extent of this Eleventh Census was determined by the last Democratic Congress. The law under which this census was taken was passed by the Fiftieth Congress, and the bill was prepared by the late S. S. Cox, of New York, who gave more attention to this subject than was ever given probably by any other member of Congress. I was a member of the Census Committee in that Congress, and I know that the gentleman from New York, who was then its chairman, spent a great deal of time in the preparation of the census bill, and it was reported to the House as it was presented to the committee, with a single amendment. That was the amendment requiring the soldiers of the late war to be enumerated. Mr. Cox designed that the Eleventh Census should embrace a wide field and furnish a great deal of valuable information, and this is why it costs so much.

The immense work which this census embraces could not be otherwise than expensive.

The gentleman from Illinois [Mr. SPRINGER] may take the credit of this mortgage business. The credit of that million-dollar bill belongs to the Democratic party. I was chairman of a subcommittee to which this matter was referred, and we had the matter under consideration for more than a month. At first we were disposed to report against this expenditure of a million or more dollars of money to ascertain the indebtedness of the country, but the petitions came pouring in so numerously and so voluminously that we changed our minds and reported in favor of it, and I think every petition was presented from the Democratic side of the House, and every man who came before the committee to urge its passage was a Democrat. It was a Democratic demand, and whether it cost a million or two millions of dollars, to the Democratic side of the House belongs the responsibility of incurring that expense.

Another thing, and this is all I desire to say. Several matters came before the Census Committee of the Fifty-first Congress, involving the character of the work done by the Superintendent of the Census. We spent several weeks investigating the controversy in regard to the census in the city of New York. They tried to discredit the taking of the census of New York, and claimed that injustice had been done them, and all that. Papers were brought before the committee. All kinds of testimony was produced and the work of the Census Bureau was largely reviewed by the committee. There was no hesitancy on the part of the Superintendent in answering any question or producing any papers, and I want to say here, and I think all the members of the Census Committee, both Republicans and Democrats, will agree with me, that these investigations showed the good faith and the integrity and the ability of the Census Bureau, including the clerks and officials as well as the Superintendent.

[Here the hammer fell.]

Mr. DINGLEY. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. STONE].

Mr. STONE of Kentucky. I have listened with a great deal of patience to this discussion, in order to try to find out, if I could, why the appropriation recommended by the committee should not be made, and I found, through all the discussion, that no reason has been given why the appropriation should not be made; but gentlemen have employed the time in finding fault with the census and the Superintendent of the Census. The gentleman from Indiana finds fault with the Superintendent because the stone quarries in his district or State are not reported. The gentleman from Illinois, the distinguished leader of the Fifty-second Congress [Mr. SPRINGER], finds fault because forsooth he says unimportant subjects have been reported upon. The first unimportant subject that he mentions is the subject of agriculture.

Mr. SPRINGER. Oh, no.

Mr. WILSON of West Virginia. Religion.

Mr. STONE of Kentucky. Agriculture; and you will find the Reporter's notes will show that the first unimportant subject the gentleman mentions was the subject of agriculture. That is the occupation of the people of this country, upon which all the balance rests. Without agriculture we would not be here. Then again he complains of the statistics reported as to church organizations, or religion. That is the most important subject with which we upon this terrestrial globe have to deal. Unimportant! Why, sir, if you have your anchor fixed beyond the skies, where it should be—and I hope you have—you might turn to the balance of mankind and call their attention to the importance of the subject.

But, Mr. Chairman, all the censure seems to be cast at the Superintendent of the Census. Now, the Superintendent of the Census is a Republican, and I am a Democrat; but this is not a question of politics. It is a question of finding a correct census enumeration and report of the statistics of this country. But these gentlemen have not gone to the bottom of the subject. The Superintendent of the Census, as I believe, has been an earnest, faithful, active, and energetic worker, and he has desired to make a correct and perfect census of the country, as required of him under the law. But if there are faults, why have they arisen?

That is the question for us to find out. Do not stand here and abuse the Superintendent, but let us go to the bottom of the system. And where is the bottom? Why, the bottom of this whole

matter is with the gentlemen who have been selected throughout the country to make the enumeration and take the statistics. Now, as to the question of manufactures, everybody in this House who has kept any trace of this matter at all knows that the gentlemen who are appointed to take the statistics of manufactures were given a long time in which to do it. In the district which I have the honor to represent the Superintendent of the Census asked me to name a man for that purpose. I named a man fully competent to make the enumeration, and the statistics in regard to manufactures in my own district have been perfect and complete, but they were not made in time so that the bulletin in regard to them could be printed and reported to this Congress.

Mr. FITHIAN. Will the gentleman from Kentucky allow me to interrupt him?

Mr. STONE of Kentucky. Yes, sir.

Mr. FITHIAN. Did the gentleman name any other appointees in that office?

Mr. STONE of Kentucky. No, sir; but I am coming to that subject. Now, sir, what I said awhile ago fully relieves the Superintendent of the Census. Whereas the law requires the Superintendent to appoint the enumerators throughout the entire country, he can not name them without assistance. Where did he get that assistance? He got it, Mr. Chairman, from the Republican members of Congress, and the Republican referees in Democratic districts. That is where he got it. If the Administration had been Democratic, and the Superintendent had been a Democrat, he would have obtained his information as to enumerators from Democratic members of Congress and Democratic referees in Republican districts

The CHAIRMAN. The time of the gentleman has expired.

Mr. STONE of Kentucky. I ask the gentleman from Maine if he will give me two more minutes?

Mr. DINGLEY. I yield two minutes to the gentleman from Kentucky.

Mr. STONE of Kentucky. Now, when this investigation that has been set on foot, or attempted to be set on foot, is put into operation, those gentlemen will find, if they go into the records of the Census Office, an amount of incompetency that is perfectly astonishing. Is the Superintendent responsible? I tell you he is not; but the men who named the enumerators are responsible. Whether or not the Superintendent is responsible is not the question. This question is as to the appropriation. I can tell you what the result of that investigation will be. You will find that the Superintendent of this Census has done more, has been more vigorous, more earnest, more rapid, and more efficient in the execution of the trust imposed upon him than any Superintendent of the Census this country has ever had before. Look at the results. Only a few days ago we were notified of a number of publications of the Tenth Census only now ready for distribution; yet the committee on appropriations inform the House that the evidence is that the work of this census will probably be completed in the year 1892, except the publication of the names of the ex-Federal soldiers.

As I said before, I have sufficiently investigated the result of this work to convince me that the present Superintendent of the Census has been efficient, earnest, and has tried to render faithful service to the country in the position in which he was placed.

Mr. HENDERSON of Iowa rose.

Mr. SPRINGER. Will the gentleman allow me to correct the gentleman from Kentucky in regard to one statement he made?

Mr. HENDERSON of Iowa. I will yield to the gentleman for a moment.

Mr. SPRINGER. The gentleman from Kentucky assumed that I regarded agriculture as an unimportant matter. I stated that under the head of agriculture I had been furnished with the report on viticulture, truck farming, commercial floriculture, irrigation in Arizona and other of the far Western States, and that these were the unimportant subjects with reference to agriculture which had been reported upon, and that we had no report upon the matter of home and farm mortgages that Congress had asked by special legislation.

Mr. HENDERSON of Iowa. Mr. Chairman, I will have but few words to say, in addition to what the gentleman from Maine [Mr. DINGLEY] has said, in regard to this matter. As to the necessity for the appropriation, all are agreed, both as to the first and second clause; and the discussion which has been had here has taken a range entirely aside from what is contemplated in the appropriation bill. Reference has been made to the punching machine, and to the statement of Mr. Porter that he thought he had money enough, a statement made sometime in the summer. These are questions that have no bearing whatever upon this appropriation bill. But, since they have been referred to, I want to say that the fact is as shown in this debate, that he had money enough, with the printing fund, although they came out of different funds. Upon that subject he might change his mind in two or three months, or in two or three weeks. With regard to these electric punching machines, I think that they have probably saved this Government thousands of dollars.

Now, I am not going into this stone-quarry business. My friend from Indiana [Mr. COOPER] has had ample opportunity to speak on that subject. I know nothing about it, and have not seen the bulletin. The gentleman who had charge of that division will have to fight it out with him; but it is not a question here.

But there is a point I wish to call attention to, and that is, the effort that has been made by the gentleman from Illinois [Mr. SPRINGER] to make it appear that reports on trifling matters have been brought up to date by the bulletins, while the important matters, such as those pertaining to manufactures and to agriculture, have been kept back. It was delicately done. The fine Italian hand of the leader of the House was shown in his discussion of it. But whether it is done with the justice that should characterize that discussion, I will leave it to this House and the country to decide.

Now, if the gentleman is as familiar with this matter as I think he ought to be and must be, he knows that the branches of the Census Office whose work demands the most labor and attention are the very ones he named, and whose reports are not yet complete. As my friend himself has stated, the statistics in regard to manufactures and agriculture are the most important to be compiled and prepared. They will become the statistics that will enter into the political battle fields of the future. We understand it perfectly well, and so does the gentleman from Illinois. No careless preparation should be made, or can be made of those statistics. The question to which our attention should be directed, is the question suggested by the gentleman from Alabama [Mr. OATES]. Has the Census Office been giving its full proper attention to, and is it now employing sufficient force upon, that work?

Now, it will be remembered that the original scheme of the census, as adopted in the Fiftieth Congress under the leadership of our late friend, Mr. Cox, did not contemplate taking statistics of farm-mortgage indebtedness. There was nothing of that kind in the original scheme prepared by the Superintendent of the Census, and I have no doubt that some of the original blanks were thrown aside, as was stated by some gentleman here. This present scheme involved a different kind of work, and to-day the field work in regard to farm mortgages is not finished.

Mr. SPRINGER. Not finished?

Mr. HENDERSON of Iowa. Not finished. There are men yet in the field doing work in that line. So, too, with reference to the statistics of manufactures. In past censuses the taking of the statistics of manufactures has been left to the ordinary enumerators, but the present Superintendent, utilizing the experience of the past, has employed in the large cities men of special qualifications for taking such statistics, men having an expert knowledge of manufactures.

Now, the next question is this: Are the data thus prepared being utilized? The Superintendent assured us, when we examined him in relation to this subject, that he was utilizing every man that could be profitably employed upon these two lines, farm mortgages and manufactures, which require the most skillful employés in the Census Office. It was suggested to him that he might recall some of those who had been furloughed, but he said that he had every man employed upon the work now that could profitably be employed upon it. So that to-day we stand with the uncontradicted statement of the Superintendent that the work is being expedited as much as possible, that the most skillful clerks are employed upon it, and that in a very short time we shall have, in the form of bulletins, the fruits of their work. That is all that I desire to say in this discussion.

Mr. SAYERS. Mr. Chairman, I ask unanimous consent that general debate be closed and that we proceed with the reading of the bill by sections.

There was no objection, and it was so ordered.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated out of any money in the Treasury not otherwise appropriated, namely:

ELEVENTH CENSUS.

For salaries and necessary expenses for continuing the work of compiling the results of the Eleventh Census, $200,000.

SUPERINTENDENT OF FREE DELIVERY.

To pay the salary of the superintendent of free delivery in the office of the First Assistant Postmaster-General for the fiscal year ending June 30, 1892, $3,000.

INDIAN AFFAIRS.

For subsistence of the Sioux, as per agreement ratified by act of Congress approved February 28, 1877; being for the service of the fiscal year 1892, $115,514.17, or so much thereof as may be necessary; and the sum of $28,400, which remains of the allotment the establishment of substations from the appropriation for subsistence of the Sioux Indians for the fiscal year 1892, shall also be used for the purchase of subsistence for said Sioux Indians: *Provided*, That hereafter the Commissioner of Indian Affairs shall report to Congress the names of all employés under the supervision and direction of the Indian Bureau, under what law said employés are appointed, the amount of compensation paid to each, and the services rendered by them.

Mr. SAYERS. Mr. Chairman, the Commissioner of Indian Affairs was before us this morning and gave us the information that unless——

Mr. HOOKER of Mississippi. Mr. Chairman, I wish to reserve all points of order upon this amendment.

The CHAIRMAN. The Chair thinks it is rather late to make the point of order after debate has begun. However, the Chair will not press that point if no other gentleman does. The rule, however, is that a point of order should be made before the debate opens.

Mr. HOOKER of Mississippi. Well, the debate has not gone far. [Laughter.]

The CHAIRMAN. If the gentleman from Texas does not make the point, the Chair will not urge it.

Mr. BRECKINRIDGE of Kentucky. Mr. Chairman, I wish to reserve all points of order against any point of order that is now being made.

The CHAIRMAN. The Chair remarked to the gentleman from Mississippi [Mr. HOOKER] that his point came too late if the objection was insisted upon.

Mr. HOOKER of Mississippi. I was rising to address the Chair when the gentleman from Texas began.

Mr. BRECKINRIDGE of Kentucky. I will say to the gentleman from Mississippi that I do not think there is anything in this amendment that he will object to.

The CHAIRMAN. The gentleman from Mississippi [Mr. HOOKER] makes a point of order upon the amendment, against which point the gentleman from Kentucky [Mr. BRECKINRIDGE] reserves all points of order.

Mr. DINGLEY. What is the point of order made by the gentleman from Mississippi?

The CHAIRMAN. The gentleman states that he desires to reserve all points of order.

Mr. DINGLEY. Against this paragraph?

The CHAIRMAN. Against this amendment.

Mr. HOOKER of Mississippi. My point of order is against the amendment, not against the bill.

Mr. SAYERS. Mr. Chairman, I trust the Chair will require the gentleman from Mississippi [Mr. HOOKER] to state his point of order now.

The CHAIRMAN. The Chair remarked to the gentleman [Mr. HOOKER] when he rose to make the point of order, that it came too late, inasmuch as the gentleman from Texas [Mr. SAYERS] had entered upon debate.

Mr. HOOKER of Mississippi. Well, the gentleman had not said more than a word or two. [Laughter.] It is a very technical form of objection that the Chair is presenting.

The CHAIRMAN. The Chair is here to enforce technical objections if they are made. The debate had commenced and the gentleman from Texas had spoken a sentence or two when the gentleman from Mississippi rose, and the Chair felt constrained to call attention to the point in order that business might proceed properly.

Mr. HOOKER of Mississippi. I only desired to call the attention of the committee to the rule which we have adopted, and, as to this amendment, to raise the question whether it could be put upon an appropriation bill, as it did not seem to be in the line of economy and retrenchment. [Laughter.]

Mr. SAYERS. Mr. Chairman, as I was saying, the Commissioner of Indian Affairs was before our committee, or before a portion of it, this morning, and gave us information that unless this appropriation was made at once he would have to cut short the rations due to the Sioux Indians under our treaty stipulation. It has been contended that the difficulty that we had with this tribe of Indians last year and the year before was due to the fact that the Government had not complied with its treaty stipulations in this respect. Upon the statement made by the Commissioner of Indian Affairs I have no hesitancy in recommending this committee to adopt this amendment. It is far better to feed these Indians in accordance with our treaty stipulations, than to have to go to war to force them into obedience after they have been starved into rebellion. I am quite sure that no gentleman on this floor will insist that this amendment should not be adopted. Therefore I will not occupy further time in discussing it. I ask for a vote on the amendment.

The CHAIRMAN. The question is on agreeing to the amendment submitted by the gentleman from Texas.

Mr. HOOKER of Mississippi. What has become of the point of order which I made upon the amendment?

The CHAIRMAN. The Chair thought the point of order was made too late.

The question being taken, the amendment was agreed to.

Mr. SAYERS. I move that the Committee of the Whole now rise and report the bill to the House with the recommendation that it pass as amended.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having taken the chair as Speaker *pro tempore*, Mr. RICHARDSON reported that the Committee of the Whole on the state of the Union, having had under consideration the bill (H. R. 5399) making appropriations to supply a deficiency in the appropriation for the expenses of the Eleventh Census and for other purposes, had directed him to report the same back with an amendment, and to recommend that it be passed as amended.

The SPEAKER *pro tempore*. The question is on agreeing to the amendment reported from the Committee of the Whole.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SAYERS, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. ENLOE. I move that the House now resolve itself into Committee of the Whole for the purpose of considering business on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. RICHARDSON in the chair) and proceeded to the consideration of business on the Private Calendar.

LOUISA Q. LOVELL AND OTHERS.

The CHAIRMAN. The Clerk will report the title of the first bill on the Private Calendar.

The Clerk read as follows:

A bill (H. R. 1086) for the relief of Louisa Q. Lovell and others.

Mr. ENLOE. The gentleman from Mississippi [Mr. CATCHINGS], who introduced this bill, is, I believe, not in his seat; but I suppose, as the bill simply proposes to refer a case to the Court of Claims, there will be no objection to its passage. I ask that the bill and report be read.

The bill was read as follows:

Be it enacted, etc., That the claims of Louisa Q. Lovell, Antonio Q. Lovell, Rosalie Q. Duncan, F. Q. Ogden, and F. Q. Ogden, trustee, as set forth in their petition filed in the Court of Claims November 23, 1871, for wood and use of the real estate therein described, be and the same is hereby, referred to said court, to hear, try, and determine the same according to law and equity, as if the same was not barred by any statute of limitation or jurisdiction, and to render judgment for the fair and reasonable value of the wood and the rental of said premises while the same were under the control of the United States officers; and the evidence heretofore taken and filed in said court in cause numbered 6394, which was dismissed for want of jurisdiction, may be read in evidence on the trial of said claim, together with such further evidence as said claimants or the United States may take in relation to said claim.

The report of the Committee on War Claims (by Mr. ENLOE) was read as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 1086) for the relief of Louisa Q. Lovell and others, submit the following report:

The history of the claim is set forth in the House report from the Committee on War Claims, first session, Fifty-first Congress, which is appended as a part of this report.

Your committee adopt the said report as their own, and report back the bill and recommend its passage.

[House Report No. 790, Fifty-first Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 1341) for the relief of Louisa Q. Lovell and others, report as follows:

The facts out of which this bill for relief arises will be found stated in House report from the Committee on War Claims of the Fiftieth Congress, a copy of which is hereto appended for information.

Your committee adopt the said report as their own, and report back the bill and recommend its passage.

[House Report No. 2395, Fiftieth Congress, first session.]

This is a claim of the heirs of Gen. John A. Quitman for rent of the plantations belonging to them, situated in Warren County, Miss., known as "Pahhgra," plantation and Lake Place, for the year 1865.

The evidence shows that Louisa Q. Lovell, Antonio Q. Lovell, Rosalia Q. Duncan, F. Q. Ogden, and Eliza T. Ruth were the owners of said plantations on and before January 1, 1865, and had leased them to Alexander Warwick for the year 1865.

That in the month of January, 1865, the United States Government took possession of said premises and used the same for the purposes of the freedmen under its charge, and kept and used them until March, 1866, and cut from the premises and used 1,000 cords of wood. Said places were rented to Alexander Warwick for the year 1864.

The claimants allege that they were always loyal to the United States Government.

They filed their petition in the Court of Claims November 23, 1871, and it was dismissed for want of jurisdiction in 1875.

The claimants desire to have their cause tried before the Court of Claims, and the committee are of opinion they ought to have that privilege, and report the bill back to the House with the recommendation that it pass.

Mr. KILGORE. Mr. Chairman, I understand, from what I can gather from the reading of this bill and report, they have found some persons down in Mississippi who were loyal to the Federal Government during the war. I was in that country a good deal during that period and I never heard of such persons. If they were loyal, they ought to have been in the Federal Army testifying to their loyalty in the ranks. As I understand the bill, its

purpose is to give to these "loyal" people there and in that country a case in court. Twenty-five years after the war a great many persons in the South who were no more loyal that the rest of us are now willing to swear to their loyalty that they may get pay for their losses.

Several MEMBERS. All are loyal now.

Mr. KILGORE. It is profitable now to claim to have been loyal then. It was not profitable to assert their loyalty then. But the bill undertakes to give to these people a cause of action——

Mr. ENLOE. Which people?

Mr. KILGORE. The claimants.

Mr. ENLOE. Which claimants?

Mr. KILGORE. The Lovells, the beneficiaries in the bill. It undertakes to give to these people a cause of action which I presume has been barred for twelve or fifteen years; six years, I believe, is the usual rule in the courts of the United States. It revives their claim and gives them a cause of action which they could not have except by legislation such as is proposed by this bill. It sends their case to the Court of Claims and vests that court with authority to hear and determine the matter according to the rules of law and equity and to render judgment final and conclusive.

Mr. BOATNER. Will my friend yield for a question?

Mr. KILGORE. Yes, I am very glad to do so.

Mr. BOATNER. If these people were loyal during the war, which for the sake of argument must be taken for granted, and if the Government occupied or used their property for its own purposes, which for the sake of argument must also be taken for granted, how have they had any opportunity to obtain from the Government payment of what the Government owes them?

Mr. KILGORE. Well, sir, that question is predicated on the supposition that these persons were loyal. I say I do not believe they were loyal, I do not care what the proof may be.

Mr. BOATNER. Then if they were not loyal they can not recover; they must prove their loyalty or their action will fail.

Mr. KILGORE. But they can prove their loyalty; they swear to it themselves, and get their neighbors to do the same thing. But you will excuse me if I say I do not believe one word of their testimony. It is not true, and this kind of legislation simply operates to encourage fraud and perjury, and it ought not to be indulged in. I can not believe that this House ought to pass this bill.

Mr. ENLOE. Mr. Chairman, the gentleman from Mississippi [Mr. CATCHINGS], who is the author of this bill, is not in his seat at present. But when it was called up I supposed there could be no objection on the part of any member of this House to refer the bill to the Court of Claims, where the question of loyalty and the question of fact—the taking of the property—must be determined before the claim can be recovered. That is all this bill proposes, and I therefore ask that it be put upon its passage.

Mr. BUTLER. Mr. Chairman, it seems to me that there is another objection to the passage of the bill as I read it. It not only refers this claim to the Court of Claims, but it instructs the court to render judgment for certain things.

Now, it does not seem to me that that is placing it within the discretion of the court at all. It is the House deciding here whether these parties are loyal and that the facts are as stated in the claim. It instructs the court to render judgment for the value of the wood taken and the rental of the property.

Mr. ENLOE. Of course the court must first find that the parties are loyal.

Mr. BUTLER. I do not think that there is any such provision in the bill. As I understand it, it instructs the court to render judgment.

Mr. ENLOE. Of course, to render judgment after the finding of certain facts.

Mr. BUTLER. No, not at all. I would like to have the bill again reported, Mr. Chairman. There is certainly a misapprehension as to what it contains. I have no recollection of having heard what the gentleman from Tennessee claims is in the bill.

The bill was again reported.

Mr. ENLOE. Now, Mr. Chairman——

Mr. BUTLER. I believe I have the floor.

Mr. ENLOE. I only want a moment to make a suggestion with a view to saving time.

Mr. BUTLER. Not to come out of my time.

A MEMBER. You have an hour.

Mr. BUTLER. I was not aware that I had so long a time. Of course, I am willing to allow the gentleman to make a suggestion, as I shall not need a quarter of that time.

Mr. ENLOE. I simply wish to make this statement to the gentleman. He will see that this is a reference directly to that court to determine, according to the rules of law, the questions submitted to them in this bill, and if he understands anything of the nature of the act under which this is referred he will remember that the first fact for that court to ascertain is that the claimant was loyal. After the ascertainment of that fact the next question to be determined is, was the property taken?

Mr. BUTLER. Mr. Chairman, I am not questioning the understanding of the gentleman as to what he thinks is in the bill, but it seems that it provides for restoring jurisdiction or conferring jurisdiction upon this court to try the case according to the law and evidence already taken so far as they apply. Now, the court did not have jurisdiction before, but this gives them jurisdiction; and I think the statement is clear and unquestioned in the bill that the court shall render judgment for the value of the wood and for the rental of the premises, not conditioned upon anything else contained in the bill. It goes on to say that such and such evidence heretofore before the court may be used; but it directs positively, as I understand the meaning of language, that the court shall render judgment. It does not say "if it finds the fact of loyalty," or if it finds this or that to be true, but the clause standing by itself is clearly an instruction to the court to render judgment.

Mr. O'FERRALL. I desire to ask the gentleman from Tennessee [Mr. ENLOE] a question in regard to this claim. Does not this bill take the claim out of the jurisdiction of what is known as the Bowman act and carry it beyond its provisions?

Mr. HOLMAN. Certainly; it was intended for that purpose.

Mr. O'FERRALL. Then on what ground can the passage of this bill be justified, while all of these other claims from the Southern States, standing on the same footing, are required to be passed upon by the Court of Claims, as to the loyaly of the claimant first, and as to the justice of the claim, where the property or the goods were taken for the necessary use of the Army?

Under the Bowman act many of these claims are pending in the Court of Claims, and the court is not authorized to render judgment in any single case, but only to ascertain and report the facts to the House, and the House shall determine, on the basis of the report from the Court of Claims, whether or not the property was taken, whether the question of loyalty is satisfied, and whether the appropriation shall be made to pay for it. This claim, however, is taken from the jurisdiction of that court altogether and given a privilege not conferred upon the others. It goes beyond it, preference being given to it over all other claims of its class.

Mr. ENLOE. Mr. Chairman, I have already stated that the gentleman from Mississippi, who is the author of this bill, is not present. In his absence I would like to have the bill informally passed over.

Mr. BUTLER. Mr. Chairman, I have not yielded the floor.

The CHAIRMAN. The Chair understood the gentleman to yield.

Mr. ENLOE. The gentleman from Iowa certainly yielded the floor, for he took his seat.

The CHAIRMAN. If the gentleman reserved his time of course the Chair will recognize him.

Mr. BUTLER. I am willing to yield time to the gentleman from Tennessee.

The CHAIRMAN. The Chair will state that when a gentleman takes his seat without reserving his time he is regarded as having yielded the floor.

Mr. BUTLER. But I have not taken my seat since I first rose. [Laughter.] I yield, however, to the gentleman from Tennessee for a suggestion.

Mr. ENLOE. As the gentleman from Mississippi, who is the author of this bill, is not present, I think it will be proper, in view of the manifest opposition to its passage, that it should be passed over informally until he can be present. I therefore ask that the bill be passed over.

Mr. EZRA B. TAYLOR. I wish to ask the gentleman from Iowa or some other gentleman, in regard to this bill, a question as to the evidence which may be used in connection with it.

The CHAIRMAN. Will the gentleman from Ohio yield a moment?

The gentleman from Tennessee states that the author of the bill, Mr. CATCHINGS of Mississippi, is not in the House or in the committee, and asks unanimous consent that the bill be passed over informally until his return. Is there objection?

Mr. HOLMAN. I think we had better dispose of this now.

Mr. ENLOE. That is just what I expected from the gentleman from Indiana, and that is exactly what he intended to do in framing these rules to consume all this time. [Laughter.]

Mr. HOLMAN. Now, Mr. Chairman——

Mr. BUTLER. I yield to the gentleman from Indiana. [Laughter.]

The CHAIRMAN. How long?

Mr. BUTLER. As long as you choose to recognize him. I will quit. [Laughter.]

Mr. HOLMAN. I wish to say to the gentleman that I under-

stand him to give as a reason the fact that the gentleman who framed the bill [Mr. CATCHINGS] is not now present, and that he would wish to be heard on the bill.

Mr. ENLOE. Yes, sir.

Mr. HOLMAN. Is he detained by sickness?

Mr. ENLOE. I do not know why he is detained. I am not able to account for the absence of every member who may be absent from the House.

Mr. CATCHINGS at this point appeared on the floor.

Mr. HOLMAN. The gentleman from Mississippi [Mr. CATCHINGS] who presented this bill, is now in the House. Still, if the gentleman from Tennessee [Mr. ENLOE] requests it, as far as I am concerned, the bill may go over.

Mr. ENLOE. I shall not request it unless the gentleman from Mississippi does.

Mr. CATCHINGS. Let the bill be considered.

Mr. HOLMAN. Mr. Speaker, the last portion of this bill is the important part of it. It is as follows:

To try and determine the same according to law and equity, as if the same were not barred by the statute of limitations.

Now the first question that arises is whether it is desirable to suspend the statute of limitations in cases of this class after a lapse of twenty-five years. That is the important difference between this provision and the provision of the law known as the Bowman act. Under that law, if a claim is barred by the statute of limitations—and I hope gentlemen who have not familiarized themselves with this legislation will observe this fact—if a claim is barred by the statute of limitations it can not be considered under the Bowman act.

Mr. ENLOE. It can be considered under the Tucker act.

Mr. HOLMAN. It can not under the Bowman act.

Mr. ENLOE. If this Congress refers it it can be considered under the Tucker act.

Mr. HOLMAN. There is a case where you bring a suit founded on a contract with the Government or upon a liability created by law. Here a farm had been taken possession of at the seat of war and freedmen placed upon it. Gentlemen are aware that great camps were established all over that country where freedmen were gathered together for the purpose of farming. It is hardly necessary for me to say that at the time mentioned here, 1865, that farm must have been situated at the seat of war.

By this bill, after suspending the Bowman act, and waiving the statute of limitations, it is then provided that, without any reference to the character of the claim, whether barred on any other ground or not, final judgment shall be rendered, placing this claim upon a very different footing from the attitude it would occupy under the Bowman law, which was intended to relieve Congress of the burden of securing and reporting upon all the facts,

Mr. DICKERSON. I desire to ask the gentleman a question, if he will yield.

Mr. HOLMAN. Certainly.

Mr. DICKERSON. I wish to ask the gentleman if he is in favor of any rule that will enforce the statute of limitations against widows and orphans for supplies forcibly taken to maintain the United States Army, and is still willing to pension men who rendered services as long ago?

Mr. HOLMAN. I did not exactly get that question.

Mr. DICKERSON. I will ask it again. I will ask the gentleman from Indiana if he is prepared to insist upon this floor that the widows, orphans, and other loyal people in that section of the country who were forcibly compelled to furnish supplies for the United States Army ought to be barred by the statutes of limitations while gentlemen demand pensions for services rendered as long ago.

Mr. HOLMAN. There is no statutes of limitations as to pensions.

Mr. DICKERSON. Are you in favor of insisting on the statute of limitation against the one class and not against the other?

Mr. HOLMAN. As this is the first case that has come up——

Mr. DICKERSON. I would like to have the gentleman answer my question.

Mr. STOCKDALE. You ought not to ask a question that the gentleman can not answer.

Mr. HOLMAN. I will say to the gentleman that I feel compelled to take the course that I do because my sense of duty requires it.

Mr. DICKERSON. Are you refusing to do justice because you are not compelled to do it?

Mr. HOLMAN. If my friend will allow me, I propose to discuss this matter. There is no occasion for excitement about it.

Mr. DICKERSON. You say you are compelled by your sense of duty.

Mr. HOLMAN. I feel compelled by my sense of duty to take the course which I am taking.

Mr. DICKERSON. Are you willing to do justice to the people who were forcibly compelled to furnish supplies to the Army.

Mr. HOLMAN. I wish to do justice by everybody. Mr. Chairman, I wish to call attention to the provisions of two sections of the Bowman act, and I ask that the title of that act, and the third and fourth sections, may be read.

The CHAIRMAN. The Clerk will read the portions designated by the gentleman from Indiana.

The Clerk read as follows:

An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government.

* * * * * * *

SEC. 3. The jurisdiction of said court shall not extend to or include any claim against the United States growing out of the destruction or damage to property by the Army or Navy during the war for the suppression of the rebellion or for the use and occupation of real estate by any part of the military or naval forces of the United States in the operations of said forces during the said war at the seat of war; nor shall the said court have jurisdiction of any claim against the United States which is now barred by virtue of the provisions of any law of the United States.

SEC. 4. In any case of a claim for supplies or stores taken by or furnished to any part of the military or naval forces of the United States for their use during the late war for the suppression of the rebellion, the petition shall aver that the person who furnished such supplies or stores, or from whom such supplies or stores were taken, did not give any aid or comfort to said rebellion, but was throughout that war loyal to the Government of the United States, and the fact of such loyalty shall be a jurisdictional fact; and unless the said court shall, on a preliminary inquiry, find that the person who furnished such supplies or stores, or from whom the same were taken as aforesaid, was loyal to the Government of the United States throughout said war, the court shall not have jurisdiction of such cause, and the same shall, without further proceedings, be dismissed.

Mr. HOLMAN. It will therefore be seen that Congress in passing that law intended to bar all these claims by the operation of the statute of limitations, and probably the court considered this as a claim for the use and occupation of lands at the seat of war. Now, gentlemen will see that this bill just evades these two points. It suspends the statute of limitations as to this claim, and whether the court find it was for the use and occupation at the seat of war or not, judgment must be rendered. The House is assuming, if we are going to act upon this measure, a rather unusual degree of responsibility. The question is whether we are to inaugurate a policy contrary to a provision of law passed in the Forty-seventh Congress.

Of course, I would not object to this act if it were amended so as to provide that the court shall report the facts, and I have drawn up an amendment for that purpose. Let it go to the Court of Claims to find and report the facts to Congress. I have no objection to that, because it would be in conformity with the policy adopted in the Forty-seventh Congress, and to which from that time we have adhered. For one, I hope there will be no departure from a policy which has been followed from the Forty-seventh Congress down to the present time. Let this case go to the Court of Claims. If this party was loyal and the land was occupied at the seat of war for the use of the Federal Government, why, of course, the claim ought to be paid, and if those were the facts, it will be paid.

Mr. EZRA B. TAYLOR. Mr. Chairman, I am not so familiar with the facts in this case——

Mr. CATCHINGS. Will the gentleman yield to me for a moment?

Mr. EZRA B. TAYLOR. I have but little time, and I do not think I can yield.

Mr. CATCHINGS. What I was going to do was to make a request that this matter be allowed to lie over until next Friday.

Mr. EZRA B. TAYLOR. That request has been made once and objected to.

Mr. CATCHINGS. I renew it.

The CHAIRMAN. The gentleman from Ohio has the floor unless he yields to the request.

Mr. EZRA B. TAYLOR. I yield to the request.

The CHAIRMAN. The gentleman from Mississippi [Mr. CATCHINGS] asks unanimous consent that the further consideration of this bill be deferred until Friday next. Is there obejction? [After a pause.] The Chair hears none. The Clerk will report the next bill on the Private Calendar.

SAMUEL HOWARD.

The next business on the Private Calendar was the bill (H. R. 3888) for the relief of Samuel Howard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Samuel Howard, of Henderson County, Tenn., the sum of $950, out of any money in the Treasury not otherwise appropriated, in full for property taken from him by the forces of the United States and applied to the use of the Army of the United States.

Mr. ENLOE. Mr. Chairman, I ask that the report in this case be read in my time.

The report (by Mr. ENLOE) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 3888) for the relief of Samuel Howard, submit the following report:

The history of the claim is set forth in House report from the Committee on War Claims, first session, Fiftieth Congress, which is appended as a part of this report.

Your committee recommend the passage of the bill.

[House Report No. 1129, Fiftieth Congress, first session.]

The claim of Samuel Howard, of Henderson County, Tenn., was originally filed before the commissioners of claims and rejected by them, because the United States commissioner failed to adopt a certain set of questions then recently prescribed for the examination of claimants, instead of adhering to the earlier form of questions adopted by the commissioners. For this failure of the agent of the commissioners and of the Government to properly perform his duty the claimant was in no wise responsible, and the committee think the commissioners, instead of rejecting the claim, should have ordered the United States commissioner to retake the testimony, if the particular formula was an essential requisite. Subsequently the Quartermaster-General sent the case to the agent of that Department, who took the testimony again, and the proof in the case shows that the claimant proved the loss of his property and its appropriation and use by the United States Army, by his own testimony and the testimony of two witnesses, corroborated by the testimony of other witnesses.

The loyalty of the claimant is established by the testimony of prominent Union men and Federal soldiers, who swear that he was loyal throughout the war, and the agent of the Quartermaster's Department reports the claimant as a man of undoubted loyalty; but the Quartermaster-General refused to adjudicate the claim because it had been considered by another tribunal. The accompanying correspondence between Hon. B. A. ENLOE and Gen. S. B. Holabird is made a part of this report. The premises considered, the committee recommend the passage of the bill.

—

HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., February 23, 1888.

DEAR SIR: My attention has been called to the case of Samuel Howard, of Henderson County, Tenn., disallowed by your predecessor in office. Knowing Mr. Howard personally, and knowing his established reputation for loyalty, I was led to examine the papers in the case. It appears from the evidence on file that the loyalty of the claimant was proven by the testimony of all the prominent Union men and Federal soldiers in his county, and acknowledged as proven by Mr. Putnam, the agent of the Government.

I know Mr. Howard, and know that he would not attempt to perpetrate a fraud upon the Government. I am personally acquainted with most of the witnesses who testified in the case, and they are men of such character as to preclude the idea of combinations to defraud the Government, or that they would commit perjury, and their loyalty is unquestioned.

I desire that you personally examine the records on file in this case, and I request that you will cause the same to be reopened for a rehearing, and send the papers to your duly accredited agent for further testimony, if necessary, to be taken in the case. From the examination which I made of the papers it appears that your predecessor disallowed the claim because it had been previously considered by the commissioners of claims. From their findings it appears that they held the claimant responsible for the failure of the United States commissioner, their representative, to adopt the proper form of questions in interrogating the claimant. I am satisfied that this is a just claim and should be allowed.

Respectfully, yours,

B. A. ENLOE,
M. C. Eighth District, Tennessee.

Gen. S. B. HOLABIRD, *Quartermaster-General.*

—

WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., February 27, 1888.

SIR: Referring to your communication of the 23d instant relative to a claim of Samuel Howard, of Henderson County, Tenn., for a horse, mules, etc., stated at $955, you are respectfully informed—

That it appears from the records of this office that when the claim was taken up for consideration by my predecessor it was found that a claim embracing the items charged for in the one now in question had been filed before the commissioners of claims (commonly known as the Southern Claims Commissioners), and was by them considered and disallowed for lack of proof of loyalty and taking and use of stores.

For those reasons the claim was dismissed from further consideration in this office by my predecessor.

It is only just to state that there has been filed testimony which was not before the commissioners of claims, and which it is probable might have produced a different conclusion had it been in possession of that tribunal at the time of its decision.

It is further to be remarked that the papers in the case filed in this office were transmitted to the honorable the Secretary of War for the House Committee on War Claims, on the 30th of January last.

Your letter of the 23d instant is herewith returned in accordance with your request.

Very respectfully, your obedient servant,

S. B. HOLABIRD,
Quartermaster-General, United States Army.

Hon. B. A. ENLOE,
House of Representatives.

Mr. ENLOE. Mr. Chairman, I suppose I might have reasonable hope for the passage of this bill, because the gentleman from Texas [Mr. KILGORE], I believe, was not willing in the last Congress to make any very serious opposition to it, and it was amended to suit the views of the gentleman from Indiana [Mr. HOLMAN]. The bill was passed in the last Congress, and went to the Senate, but failed to pass there after a favorable report to the Senate because they had not time to consider it. It has been reported favorably three times, and I do not think there will be any objection to the passage of this bill. It only involves a small amount of money, and there is no doubt as to the justness of the claim.

Mr. DICKERSON. Mr. Chairman, I do not know anything about the merits of this claim, but I want to state my views upon the general proposition with regard to all these matters which are reported here by the Committee on War Claims. I believe, sir, that there is no honest way for a solvent party to escape paying an honest debt by honest methods. This Government is solvent, and able to pay its just debts. If I, as a citizen of the United States, were to go abroad and declare that it would not pay its just debts, I would be justly denounced by my fellow-citizens throughout the entire country. We have heard the honor and credit of this country glorified for the last twenty-five years. When we made the bonds payable in gold, it was said it was due to the honor and credit of this country to maintain its promise in gold and lawful money.

We heard it insisted here, when there was a threat of war with Chile, that the honor of this country demanded that we should send an ultimatum to that country, so that our honor might be vindicated, and they should be compelled to yield to this country that which we considered was proper and just. And yet we find gentlemen here insisting that the statutes of limitations should be resorted to by the Government of the United States to avoid paying an honest debt. In my section of country, a man who is solvent and will resort to that scheme to avoid his honest debts, meets the condemnation of every honest man in his section, and he ought to do. And, sir, I trust in the name of a country whose honor is dear to me, that this House will not permit a policy to be adopted by the Government that is discreditable to individuals. I think that the widow who was forced to give up every dollar of property that she had, to give up the last horse that there was to carry the grist to the mill to feed her children, for the purpose of carrying on and supporting the war against the rebellion, is as much entitled to consideration for that sacrifice she made as the brawny man who gave his body and his time in the defense of the country.

Sir, it needed not only men, but money to wage and maintain that war, and the horses and the property and the supplies were equally necessary with the money and the services of men. Upon what theory can the gentleman from Indiana [Mr. HOLMAN] say to those who live upon the opposite side of the Ohio River, that I shall stand here day by day (as I desire to do) and vote a pension to every worthy soldier who asks for it, while at the same time he holds that the loyal people upon my side of the river who surrendered their property for the support of the Government shall be debarred from receiving compensation by a statute of limitations, an act which I have no doubt he drafted and voted for, or, if he did not, I am satisfied that his policy suggested it.

Now, sir, I am opposed to this method of dealing with our citizens, and this Congress is opposed to this method. Here we are, twenty-five years after the war, keeping in existence a Committee on War Claims. What for? Is it possible to bring to the consideration of this House at this time any claim twenty-five years old that is not barred by the statute? Yet as I have said, our sense of justice, the sense of justice of every Congress from the war until now, has kept in existence a Committee on War Claims for the purpose of dealing honestly and justly with our fellow-citizens who may have proper claims against the Government arising out of the war.

Mr. HOLMAN. Will the gentleman allow me to ask him a question?

Mr. DICKERSON. Certainly.

Mr. ENLOE. Mr. Chairman, I would be glad if this discussion could be confined to the bill under consideration.

Mr. HOLMAN. My question is this. If it is proper that the statute of limitations should not apply to these cases, when they come to Congress—the few of them that do come here, and they are comparatively very few—would not the fair and honorable thing to do be to repeal the statute? Why discriminate in favor of these claims as against thousands of others that do not come before Congress?

Mr. DICKERSON. I do not believe you ought to have any such statute in cases of this kind.

Mr. HOLMAN. Then would not the proper remedy be to repeal the statute?

Mr. DICKERSON. Yes; I think that probably would be the proper remedy; but it is not possible to get that remedy now, and I am in favor of doing justice, as far as we can, in these individual cases by dealing honestly with every individual who presents his claim here. I agree that the closest scrutiny ought to be applied to all these bills. I am willing to concede that the loyalty of the people in some sections was exceedingly doubtful, but I know that in many cases it was not doubtful. The widows and children could not have been disloyal.

I have in mind a loyal old citizen, 83 years of age, who is compelled to work to maintain himself, and who, if the weather is as bad at his home as it is here to-day, is exposing himself to the storms of winter merely to earn a living, because the Government of the United States consumed every ear of corn that he had produced and took away from him every solitary head of stock that he could have used to produce more, leaving him absolutely in want. That was not done, probably, by his consent, because he could hardly have consented to be left destitute; but they came and by force stripped him of all that he possessed, although he was a loyal and faithful citizen of the United States.

This man's property was taken for the benefit of the Government without his consent; and yet the gentleman from Indiana [Mr. HOLMAN] insists that, although the Government uses force in such a case to take away the property of the citizen, there is

no such obligation on the part of the Government to compensate him as there is to compensate by pensions the men who voluntarily exposed themselves to the dangers of the war! Now, sir, I am in favor of simple justice and equality. I am in favor of the old Democratic doctrine of not discriminating in favor of anybody. If this Government owes me $1 or $100, or owes any other man that sum, it never can escape the obligation to pay it until it does pay it; and as long as I am upon this floor I shall insist, whatever may be the result to the Treasury of the United States, that whenever a claim is a just and honest one, the United States of America can not honorably escape the payment of that claim.

The position of the gentleman from Indiana [Mr. HOLMAN] is this: that, while the individual had no right to sue the United States, it is proper now to bar the claim because he did not sue.

Mr. ENLOE. Mr. Chairman, I would like to state that the statute of limitations has nothing to do with this case, and I shall be glad to have a vote, because I do not think it is a controverted case.

The CHAIRMAN. The gentleman from Tennessee [Mr. ENLOE] moves that this bill be laid aside and reported to the House with the recommendation that it do pass.

Mr. KILGORE. Mr. Chairman, I could not quite understand the case from the reading of the report. What I did catch of it led me to conclude that the bill had been before the Southern Claims Commission and, after a hearing of the proof upon the ground, had been rejected. I understood, also, that it was reopened later, but I could not tell from the reading whether the report stated that it was afterwards approved or passed upon by any court or commission, or not. I wish the gentleman would explain that.

Mr. ENLOE. I will state, in reply to the gentleman from Texas, that this claim was taken up and considered by the Southern Claims Commission, and was rejected on account of the adoption of an old form of questions by the United States commissioner. They had recently changed the form of questions, and he happened to question this particular claimant and his witnesses under the old form, so that the examination was informal, and the Commission rejected it upon that ground. The case, however, was afterwards investigated by the Quartermaster's Department, and I addressed a letter to the Quartermaster-General, which has been read, with his reply.

The agent of that department reports that the claimant was loyal, and the commissioner himself, who took the testimony, has testified to the credibility of the witnesses who gave testimony in the case in favor of the claimant. We passed the bill in the last Congress, and it went to the Senate, and, as I stated before, there is no controversy about it in the committee, and there ought not to be any in the House. I hope the bill will be laid aside to be reported to the House with the recommendation that it do pass.

Mr. KILGORE. The gentleman from Tennessee [Mr. ENLOE] states as a reason why this bill ought to pass now that I did not make any very vigorous opposition to it in the last Congress.

Mr. ENLOE. Did I say that just now?

Mr. KILGORE. The gentleman used words to that effect. Now, if I did not oppose it in the last Congress, that was probably one of my mistakes, and it is important that I should rectify it in this Congress.

Mr. ENLOE. The gentleman is always making mistakes; and I am not responsible for them.

Mr. KILGORE. The gentleman also states that the bill has been so amended as to meet the views of the gentleman from Indiana [Mr. HOLMAN], who sometimes makes opposition to measures of this kind. I do not think these are sufficient grounds for the withdrawing of my opposition to the bill. But here is the point I wish to come to: Is it not a fact—and I address the inquiry to the gentleman from Tennessee—is it not a fact that this claim was originally rejected by the Southern Claims Commission because of the disloyalty of the claimant?

Mr. ENLOE. It is not the fact.

Mr. KILGORE. Did they find that he was loyal?

Mr. ENLOE. They did not pass on that question, but the agent of the War Department did find him loyal, and so reported.

Mr. KILGORE. Well, he ought to have a chromo. [Laughter.]

Mr. ENLOE. Let us vote him the $1,000 that is due him; that will be better than a chromo.

Mr. HOOKER of Mississippi. Mr. Chairman, something has been said by my friend from Texas [Mr. KILGORE] and my friend from Indiana [Mr. HOLMAN] with reference to the manner in which matters of this kind should be disposed of, and I wish to say a word in reply. The Bowman act, which has been referred to by my friend from Indiana, was (as is very well known to gentlemen who have been members for some time) amended in 1883 by the passage of what is known as the "Tucker amendment to the Bowman act."

The purpose of this legislation was to refer all claims coming before committees of the House of Representatives or the Senate and all claims coming before the heads of the Departments to the Court of Claims—not for the purpose of having that court give judgment for a specific amount, but for the purpose of having it report back the facts, leaving the House and the Senate to determine the propriety of enacting a law for the payment of such amount. I call attention to the first section of what is known as the Tucker amendment to the Bowman act. This amendatory act is entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," and is to be found in the supplement to the Revised Statutes, volume 1, page 403. The first section provides—

That whenever a claim or matter is pending before any committee of the Senate or House of Representatives, or before either House of Congress, which involves the investigation or determination of facts, the committee or House may cause the same, with the vouchers, papers, proof, and documents pertaining thereto to be transmitted to the Court of Claims of the United States; and the same shall there be proceeded in under such rules as the court may adopt. When the facts shall have been found the court shall not enter judgment thereon, but shall report the same to the committee or to the House by which the case was transmitted for its consideration.

Now, as to the question of loyalty to which reference has been made, the act goes on further to provide that the court shall primarily and as a question lying at the threshold of all these cases, determine first the question of loyalty, and if they shall find that the claimant is loyal, they shall then proceed to investigate the facts and make report to the committee of the respective Houses or to the Department. Now, in response to what has fallen from the gentleman from Indiana and my friend from Texas, I wish to say that my only regret in regard to the Bowman act and the amendatory act of 1883, introduced by my friend Mr. Tucker from Virginia, is that this legislation did not go far enough.

Mr. HOLMAN. Will the gentleman allow me a moment?

Mr. HOOKER of Mississippi. Yes, sir.

Mr. HOLMAN. Does the gentleman regard what is known as "the Tucker law" as an amendment to "the Bowman act?" Do they not refer to entirely different classes of claims against the Government? The Bowman act, as I think the gentleman will find, applies to claims which are not in the nature of legal demands against the Government, claims of which the court without that act would not have jurisdiction. The Tucker law, on the other hand, confers upon the courts of the United States, not simply the Court of Claims, jurisdiction to hear and determine, with certain exceptions, "all claims founded upon the Constitution of the United States or any law of Congress." The authority conferred upon the Court of Claims by the Bowman act, with reference to such claims as that now under consideration, is merely to examine and report the facts without power to render any judgment thereon.

Mr. CULBERSON. Mr. Speaker, I rose a moment ago for the purpose of stating what the gentleman from Indiana has just stated—that the act known as the Tucker act has no reference whatever to the Bowman act, those two acts referring to different classes of claims. I think, too, the gentleman from Mississippi [Mr. HOOKER] will find by reference to the Bowman act that he is mistaken in stating that that act requires loyalty to be found as a jurisdictional fact in all the cases sent to the court by Congress. The first section specifies the class of cases which may be considered by the court under the act; but it is only under the third section applying to claims for stores or supplies taken for the purposes of the Army that the loyalty of the party becomes a jurisdictional fact.

Now, the Supreme Court of the United States having decided that the question of disloyalty of every person in the United States, except perhaps one or two, had been wiped out by the general proclamation of pardon and amnesty, there was no necessity to plead or allege loyalty in any petition in any court in the United States; and Congress innovated upon that decision in this act in the two cases mentioned, stores and supplies.

Mr. HOOKER of Mississippi. I will read now, Mr. Chairman, the fourth section of the Tucker amendment, which makes the provision I refer to:

SEC. 4. In any case of a claim for supplies or stores taken by or furnished to any part of the military or naval forces of the United States for their use during the late war for the suppression of the rebellion, the petition shall aver that the person who furnished such supplies or stores, or from whom such supplies or stores were taken, did not give any aid or comfort to said rebellion, but was throughout that war loyal to the Government of the United States, and the fact of such loyalty shall be a jurisdictional fact.

Mr. CULBERSON. Will the gentleman from Mississippi pardon me for one other suggestion?

Mr. HOOKER of Mississippi. Certainly.

Mr. CULBERSON. The cases referred to in that section are not the cases referred to in the first section.

Mr. HOOKER of Mississippi. I understand that very well. I was going on to say, Mr. Chairman, that my only regret is that the Bowman act, and the Tucker act, which is an amendment to

the former act with reference to a certain class of cases, had not gone farther and given to the courts of the United States, whether to the Court of Claims or the district courts of the United States in the region of country where the party resides, the power to adjudicate upon the question of the claim of any citizen against the Government.

There was a large portion of property collected immediately after the close of the war and known as captured and abandoned property, which was sold and the proceeds turned into the Treasury, amounting in the aggregate, I think, to twenty-four or twenty-five millions of dollars; and of that fund there yet remains in the Treasury of the United States a large sum, being a separate and distinct fund, under the adjudications of the Supreme Court, which can never be commingled with the other funds of the Treasury, but which has to be held as a trust fund to respond to the claims of any party who can prove he is entitled to receive a portion of it for property taken and sold under that act.

Now, Mr. Chairman, it is well said by one of the most distinguished jurists who ever graced the bench in this country, Judge Story, of Massachusetts, that it was a reproach to the freest Government on earth; that while the oldest and most autocratic governments of the old world conceded to their citizens the power to go into their own tribunals and establish their claims against the government it was refused to our citizens; and so, speaking before the creation of this Court of Claims, which has only a quasi jurisdiction, Judge Story said it was a reproach to the country that a citizen could not go into the courts and present his claim, and if upon the law and facts he was entitled to a judgment to have the privilege of obtaining it. He could not go into any court of the United States, in the region of country where he lived, or into the Court of Claims after its creation with qualified jurisdiction without finding in all of them the rights of the Government amply protected—by the Attorney-General in the Supreme Court, and by the district attorneys in the other courts, to defend the claims of the Government; and wherever a citizen can establish his claim under such circumstances he ought to be allowed to do so.

I do not think that there ought to be a bar to any man in the Southern country, who has a just claim, in presenting it before the courts of this country. Instead of putting a limit upon their jurisdiction I think the jurisdiction of the courts ought to be extended so as to cover all such cases.

Mr. ENLOE. Mr. Chairman, this is a very edifying discussion, but it has no relevancy to the bill under consideration. I hope we will have a vote upon the bill.

Mr. HOOKER of Mississippi. I only wanted to correct the erroneous ideas which seemed to prevail with the gentleman from Indiana and the gentleman from Texas.

Mr. ENLOE. I move that the bill be laid aside and reported to the House with a favorable recommendation.

The motion was agreed to.

AQUILLA JONES, SR.

The next business on the Private Calendar was the bill (H. R. 914) for the relief of Aquilla Jones, sr.

The bill was read, as follows:

Be it enacted, etc., That the Postmaster-General be, and he is hereby, authorized and directed to credit Aquilla Jones, sr., late postmaster at Indianapolis, Ind., in the final settlement of his accounts, with the sum of $2,438, amount of loss sustained by him as such postmaster by robbery on the 31st day of December, 1888.

Mr. ENLOE. Mr. Chairman, this bill was introduced by the gentleman from Indiana [Mr. BYNUM], who will make a statement to the committee in regard to the facts covered by the claim.

Mr. BYNUM. Mr. Chairman, the report in this case is quite lengthy, and would take up considerable time to read it. I can state the facts simply and briefly. They are these: The claim was presented to the Post-Office Department under Postmaster-General Dickinson, was thoroughly examined by him, and he offered to remit the full amount that he was permitted by law to remit, but as the limit was $2,000 that action was not taken, the party preferring to come to Congress for relief, for he would have had to come anyhow for the remainder. That recommendation was made in the Fiftieth Congress. The bill passed the Senate then, and was also passed in the last Congress, but never has been able to be passed by the House, for the reason that it could not be reached on the Calendar.

Mr. KILGORE. What is the amount of the claim?

Mr. BYNUM. The claim is for twenty-four hundred and some odd dollars.

Mr. BLOUNT. For what is the claim?

Mr. BYNUM. It is for a robbery of the post-office at Indianapolis during the administration of Mr. Jones as postmaster. The money was in the charge of the postmaster. This was in 1888, I think, and the robbery took place from the money-order department, not from the postmaster, but from the superintendent of the money-order division. The recommendation of the Department, I have stated, is that the relief should be granted. But this money has not been paid. The Department, in anticipation of the relief by Congress, held the accounts open, and they are still open.

The bill simply directs the Postmaster-General to close up the account and credit this postmaster with the amount, the balance of the account having been closed.

Mr. BUSHNELL. When did the robbery occur?

Mr. BYNUM. In the latter part of 1888, or the spring of 1889; I think in 1889.

Mr. BLOUNT. Let me ask if the question of fact as to the robbery was examined by the Department?

Mr. BYNUM. Yes, sir; the question of fact was examined by the Department. The whole proof was laid before the Department, and the proofs are incorporated in the report. It was all passed on by the Department favorably.

Mr. BUNN. I simply rise to say that this bill came from the Committee on Claims, and there is a very strong impression in the committee on the part of a number of the members of it that the bill ought not to pass. It is the desire on the part of that minority to file a report. I think it will settle a very important question, and it ought to be considered, and fully considered, by this House. I hope the bill will be passed over until the minority report comes in. I ask that it be informally passed over.

Mr. BLOUNT. Is there any question about the fact that a robbery occurred?

A MEMBER. No, there is no question about that.

Mr. BUNN. None whatever, but there are circumstances connected with the robbery which show that the postmaster was culpably negligent, and we want to show that fact in the report which we wish to file.

Mr. HOPKINS of Illinois. Mr. Speaker——

The CHAIRMAN. Does the gentleman from South Carolina yield?

Mr. BUNN. I yield to the gentleman from Illinois.

Mr. HOPKINS of Illinois. This claim does not come from my side of the House, and in one sense I have not the personal interest in the matter that the gentleman from Indiana [Mr. BYNUM] has, but in the interest of justice I desire to say to the members of the House that during the last Congress I took occasion to look this claim up, and in my judgment there is no reason whatever why this case should be postponed, or why the money should not be refunded. It has been delayed along because the Post-Office Department, as has already been stated by the gentleman from Indiana, have suspended action, hoping and trusting that Congress would reimburse this officer for the money. The circumstances show that he was absolutely without fault.

Mr. LOUD. I will say to the gentleman that I think under the circumstances this would be establishing a bad precedent.

The CHAIRMAN. The gentleman from North Carolina [Mr. BUNN] has the floor, and only yielded for a question.

Mr. BUNN. As I understand it, the report in this case has not been printed at all. I would like to inquire if it has been printed?

The CHAIRMAN. The Chair is informed by the Clerk at the desk that it has been printed, but it has not been read.

Mr. BYNUM. I will say that the report of the last Congress was printed, and the affidavits and papers in the case are the same.

Mr. BUNN. I insist that the minority of the committee should be heard. This minority desire to file a report. The report came in only yesterday. We have not seen the report of the majority, and we desire time, which we hope the House will give us, to file a minority report. If there is anything in the minority report, why then we desire it adopted; and if not, we think at least we should have an opportunity to be heard. After we are heard, if the House does not agree with the minority report it can be voted down. All we ask now is that the time we request be given us. I move that this bill be informally passed over.

Mr. BYNUM. Mr. Chairman, I am desirous that the House shall have full information upon this matter. It is a matter of importance, and I will say to the gentleman that the only reason I feel urgent about the matter at all is that the Government will be compelled to bring suit on this bond within the next three weeks; but I will ask that the bill be passed over until next Friday, so that a minority report may be presented to the House, if desired.

Mr. MANSUR. I ask to be heard for two minutes in reply to my friend, the chairman of the committee. I made this report. There was some contention in the committee, but I must say to the House that this is the first request I ever heard on the part of any of the minority to make a report. No such intimation has ever been given me from any source by any member of the committee. There was a discussion in the committee, but it was not asked that there be any minority report submitted. I must say this in justice to myself. Now, the committee have passed three or four cases of this kind, and the minority of the committee are taking the ground that there ought to be no relief given to any officer or employé of the post-office, from the postmaster down, because they say that the postmaster can protect himself by a

bond from every employé—overturning every precedent that has existed in that committee for the last few years.

That was the only contest in the committee that I heard of. No one denied the justness of the bill, because no one disputed the fact that there was a robbery, and the Postmaster-General, who investigated the question, expressly decided that there was no negligence, and recommended the payment.

Mr. ENLOE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having resumed the Chair as Speaker *pro tempore*, Mr. RICHARDSON reported that the Committee of the Whole, having had under consideration bills on the Private Calendar, had directed him to report to the House the bill (H. R. 3888) for the relief of Samuel Howard with the recommendation that the same do pass.

Mr. ENLOE. I ask that the bill be put upon its passage.

The SPEAKER *pro tempore*. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. ENLOE, the motion to reconsider the last vote was laid on the table.

HOUR OF MEETING ON SATURDAY.

Mr. HOLMAN. Mr. Speaker, the House is aware of the fact that the session of to-morrow after 1 o'clock is set apart for addresses in commemoration of Gen. W. H. F. Lee. After the Journal has been read there will be very little time to be occupied between 12 and 1 o'clock, so I submit a motion that when the House adjourn it be to meet at 1 o'clock; and I will state that I do this after consultation with the gentleman from Virginia [Mr. TUCKER].

The question was put, and the motion was agreed to.

Subsequently

Mr. HOLMAN said: Mr. Speaker, inasmuch as the special order for to-morrow commences at 1 o'clock, and the reading of the Journal will occupy from five to fifteen minutes, I ask unanimous consent to amend the proposition which has already been agreed to, so that the time of meeting of the House shall be fifteen minutes to 1 o'clock.

The SPEAKER *pro tempore*. Is there objection to the amendment suggested by the gentleman from Indiana?

Mr. BUCHANAN of New Jersey. I suppose it is understood that no business, except the reading of the Journal, shall be transacted.

Mr. HOLMAN. That will be the understanding.

Mr. DINGLEY. With that understanding there is no objection.

There was no objection; and the motion of Mr. HOLMAN was agreed to.

REPORT OF BOARD OF MANAGERS OF SOLDIERS' HOMES.

Mr. OUTHWAITE. Mr. Speaker, I am directed by the Committee on Military Affairs to ask for the immediate consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That there be printed one-half the usual number of the report of the Board of Managers of the National Homes for Disabled Volunteer Soldiers for the year ending June 30, 1891, and that the numbers of this document and the parts thereof ordered printed by the resolution of the House of the 26th of January, 1892, be printed for the use of the Board of Managers of the National Homes for Disabled Volunteer Soldiers, and that the Public Printer be authorized to deliver the same to the president of said Board.

Mr. OUTHWAITE. I will say that this merely provides for having some printing done.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was adopted.

On motion of Mr. OUTHWAITE, a motion to reconsider the last vote was laid on the table.

PUBLIC SCHOOL ADJOINING PENSACOLA NAVY-YARD.

Mr. HAYES. Mr. Speaker, I ask unanimous consent for a change of reference of a petition in regard to the establishment of a public school for the benefit of children living in the villages of Warrington and Woolsey, Fla., adjoining the United States navy-yard. The petition was referred to the Committee on Education, whereas a bill to carry out the idea has been referred to the Committee on Naval Affairs. I have therefore been requested to have the reference changed, so that the petition may go to that committee.

There was no objection, and the change of reference requested was ordered.

VACATION OF EVENING SESSION.

Mr. MARTIN. Mr. Speaker, in view of the fact that there are not enough reports on the Private Calendar, in the judgment of the Committee on Invalid Pensions to justify a session to-night, if there be no objection, I will ask that the order be vacated for this evening.

The SPEAKER *pro tempore*. Is there objection?

Mr. GEISSENHAINER. That is provided for by the motion of the gentleman from Indiana, already adopted.

The SPEAKER *pro tempore*. That provided that when the House adjourn to-day, it be to meet at a specified hour to-morrow. That would be after the House adjourns this evening.

There was no objection, and the motion of Mr. MARTIN was agreed to.

Mr. CATCHINGS. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned.

BILLS AND JOINT RESOLUTIONS.

Under clause 4 of Rule XXI, bills of the following titles were introduced, severally read twice, and referred as follows:

By Mr. BACON: A bill (H. R. 5435) for the advancement of the science of agriculture—to the Committee on Agriculture.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 5436) creating the office of private secretary to the Commissioner of Patents—to the Committee on Patents.

By Mr. BUNTING: A bill (H. R. 5437) repealing paragraph 209 of chapter 1244, Revised Statutes of the United States, calling for a duty of 4 cents per pound on pig tin July 1, 1893—to the Committee on Ways and Means.

Also, a bill (H. R. 5438) to reduce the tariff duty on tin plates, terne plates, and taggers tin—to the Committee on Ways and Means.

By Mr. CAMINETTI: A bill (H. R. 5439) granting to the county of Mariposa, in the State of California, the right of way for a wagon road or turnpike across a portion of the Yosemite National Park, in said State—to the Committee on the Public Lands.

By Mr. DICKERSON: A bill (H. R. 5440) providing for the examination and survey of the Licking River in the State of Kentucky with a view to providing slack-water navigation thereof—to the Committee on Rivers and Harbors.

By Mr. FITHIAN: A bill (H. R. 5441) for the free admission to American registry of ships built in foreign countries—to the Committee on Merchant Marine and Fisheries.

By Mr. HARTER: A bill (H. R. 5442) to provide for the issue of circulating notes of national-banking associations upon securities other than United States bonds, equality of taxation upon the circulating notes of national and State banks, and for other purposes—to the Committee on Banking and Currency.

By Mr. HEMPHILL: A bill (H. R. 5443) to authorize the construction of a bridge over the Anacostia River, in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 5444) to amend an act entitled "An act to incorporate the National Union Insurance Company of Washington," approved February 14, 1865—to the Committee on the District of Columbia.

Also, a bill (H. R. 5445) to repair the bridge across Rock Creek at M street NW.—to the Committee on the District of Columbia.

Also, a bill (H. R. 5446) to provide for the care of dependent children in the District of Columbia and to create a board of children's guardians—to the Committee on the District of Columbia.

By Mr. HOOKER of New York: A bill (H. R. 5447) to amend the Revised Statutes of the United States establishing the times, places, and provisions for holding terms of the district court in the northern district of New York—to the Committee on the Judiciary.

By Mr. MITCHELL: A bill (H. R. 5448) to fix the rank of the master of the sword at the United States Military Academy—to the Committee on Military Affairs.

By Mr. NORTON: A bill (H. R. 5449) for the improvement of the harbor of the city of St. Charles, Mo., with an appropriation therefor—to the Committee on Rivers and Harbors.

By Mr. RAINES: A bill (H. R. 5450) amendatory of an act passed October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," providing for the fortification of pure sweet wines with spirits, and for other purposes—to the Committee on Ways and Means.

By Mr. STONE of Kentucky: A bill (H. R. 5451) to authorize suits in the Court of Claims in certain cases therein mentioned—to the Committee on War Claims.

Also, a bill (H. R. 5452) to settle and adjust the claims of any State for expenses incurred by it in defense of the United States—to the Committee on War Claims.

By Mr. TERRY: A bill (H. R. 5453) to create the tenth judicial circuit—to the Committee on the Judiciary.

RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolutions were introduced and referred as follows:

By Mr. HEMPHILL:

Resolved by the House of Representatives (the Senate concurring), That there be printed 700 additional copies of the report of the board of sanitary engineers of the District of Columbia upon the sewerage of the District of Columbia for the official use of the Commissioners of the District of Columbia;

to the Committee on Printing.

By Mr. MONTGOMERY:

Resolved, That 2,500 copies of the Digest of the Rules of the Fifty-second Congress, prepared by the present Journal Clerk under the act approved March 3, 1891, be printed and bound for the use of the House; the same to be printed under the directions of the Speaker and the Clerk of the House;

to the Committee on Printing.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, reports of committees were delivered to the Clerk and referred to the several Calendars therein named as follows, viz:

Mr. WILSON of Missouri, from the Committee on Pensions, to which was referred the bill of the House (H. R. 1528) to pension Samuel O. Fisher, of Lynn, Mass., reported the same without amendment, accompanied by a report (No. 55) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. WILSON of Missouri also, from the Committee on Pensions, to which was referred the bill of the House (H. R. 3199) to pension Margaret Turner, reported the same without amendment, accompanied by a report (No. 56) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BUTLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 724) granting a pension to Jane Shierry, reported the same without amendment, accompanied by a report (No. 57) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. MANSUR, from the Committee on Claims, to which was referred the bill of the House (H. R. 997) for the relief of the Skrainka Construction Company, reported the same without amendment, accompanied by a report (No. 58) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. MANSUR also, from the Committee on Claims, to which was referred the bill of the House (H. R. 1534) for the relief of D. M. Winn, reported the same without amendment, accompanied by a report (No. 59) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. MANSUR also, from the Committee on Claims, to which was referred the bill of the House (H. R. 4267) for the relief of John S. Logan, assignee, reported the same without amendment, accompanied by a report (No. 60) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. MANSUR also, from the Committee on Claims, to which was referred the bill of the House (H. R. 4270) for the relief of D. P. Abbott, A. S. Keeves, and T. E. Smith, reported the same without amendment, accompanied by a report (No. 61) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. MANSUR also, from the Committee on Claims, to which was referred the bill of the House (H. R. 1535) for the relief of William F. Young, reported the same without amendment, accompanied by a report (No. 62) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. McKINNEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 670) granting a pension to Ellen Maguire, reported the same with amendment, accompanied by a report (No. 63) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. McKINNEY also, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1445) for the relief of Kate P. Mitchell, daughter of Stephen Mitchell, late of the Fifth Maine Battery, reported the same with amendment, accompanied by a report (No. 64) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. VAN HORN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2433) granting a pension to Elizabeth Kelly, reported the same with amendment, accompanied by a report (No. 65) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. VAN HORN also, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2436) granting a pension to Bridget Maloy, reported the same without amendment, accompanied by a report (No. 66) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1713) for the relief of William Bushby, reported the same without amendment, accompanied by a report (No. 67) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1356) for the relief of Anna C. Livingston, reported the same without amendment, accompanied by a report (No. 68) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1720) for the relief of the heirs of William Pitcher and Axel Haford, and Samuel Otis and George Fergusson, reported the same without amendment, accompanied by a report (No. 69) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1719) for the relief of the owners of the brig Abby Ellen, reported the same without amendment, accompanied by a report (No. 70) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2193) for the relief of John A. Lynch, reported the same without amendment, accompanied by a report (No. 71) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 887) for the relief of William D. Matthews, reported the same without amendment, accompanied by a report (No. 72) in writing thereon; which bill and report were referred to the Commtitee of the Whole House.

Mr. KRIBBS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4302) granting a pension to James McCammon, reported the same without amendment, accompanied by a report (No. 73) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. ENLOE, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2583) for the relief of Mrs. Jane L. Taylor, reported the same without amendment, accompanied by a report (No. 74) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2582) for the relief of Payne, James & Co., reported the same with amendment, accompanied by a report (No. 75) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. BELTZHOOVER, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2074) for the relief of the legal representatives of Robert R. Vandiver, deceased, reported the same without amendment, accompanied by a report (No. 76) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BELTZHOOVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2157) for the relief of Robert E. Morgan, reported the same without amendment, accompanied by a report (No. 77) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BELTZHOOVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3499) for the relief of Mrs. C. N. Graves, reported the same without amendment, accompanied by a report (No. 78) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BELTZHOOVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2158) for the relief of the legal representatives of Henry W. Archer, deceased, reported the same without amendment, accompanied by a report (No. 79) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BELTZHOOVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1475) to carry out the findings of the Court of Claims in the case of Susannah P. Swoope, reported the same without amendment, accompanied by a report (No. 80) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. ENLOE, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1228) for the relief of Randolph Wesson, reported the same without amendment, accompanied by a report (No. 81) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2577) for the relief of the estate of Henry S. French, reported the same without amendment, accompanied by a report (No. 82) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1983) for the relief of Odon Deucatte, reported the same without amendment, accompanied by a report (No. 83) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 4791) for the relief of Mrs. A. Shirley, reported the same without amendment, accompanied by a report (No. 84) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2585) for the relief of D. W. and Minna H. Glassie and Joseph C. Nash, reported the same without amendment, accompanied by a report (No. 85) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. ENLOE also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1541) for the relief of the Union National Bank of New Orleans, as the successor of the Union Bank of Louisiana, reported the same without amendment, accompanied by a report (No. 86) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. CURTIS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1425) for the relief of Wells Cheney, reported the same with amendment, accompanied by a report (No. 87) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. BELTZHOOVER, from the Committee on War Claims, to which was referred the bill of the House (H. R. 716) for the relief of Valentine Sauppe, reported the same without amendment, accompanied by a report (No. 88) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BUNN, from the Committee on Claims, to which was referred the bill of the House (H. R. 1110) for the relief of Joseph Haxthausen, reported the same without amendment, accompanied by a report (No. 89) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BUNN also, from the Committee on Claims, to which was referred the bill of the House (H. R. 2850) for the relief of F. Y. Ramsey, the heir at law and distributee of Joseph Ramsey, reported the same without amendment, accompanied by a report (No. 90) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BUNN also, from the Committee on Claims, to which was referred the bill of the House (H. R. 754) directing the issue of duplicate United States bonds to Elijah P. T. Hollcroft, guardian of Burton J. Parr, reported the same with amendment, accompanied by a report (No. 91) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. BUNN also, from the Committee on Claims, to which was referred the bill of the House (H. R. 915) for the relief of the heirs of Noah Noble, deceased, reported the same without amendment, accompanied by a report (No. 92) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BUNN also, from the Committee on Claims, to which was referred the bill of the House (H. R. 1112) for the relief of W. J. Tapp & Co., reported the same without amendment, accompanied by a report (No. 93) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. CROSBY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1084) to remove the charge of desertion now standing against Michael Keefe, deceased, reported the same without amendment, accompanied by a report (No. 94) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER, from the Committee on War Claims, to which was referred the bill of the House (H. R. 982) for the relief of Margaret Kennedy, reported the same without amendment, accompanied by a report (No. 95) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 4517) for the relief of Carl F. Kolbe, reported the same without amendment, accompanied by a report (No. 96) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BUNN, from the Committee on Claims, to which was referred the bill of the Senate (S. 69) for the relief of Betts, Nichols & Co., reported the same without amendment, accompanied by a report (No. 97) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. SNOW, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1738) to pension Mrs. Adelia S. Ferris, reported the same with amendment, accompanied by a report (No. 98) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. OUTHWAITE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 972) for the relief of Daniel McClure, reported the same without amendment, accompanied by a report (No. 99) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. ROCKWELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2049) for the relief of Aaron J. Oliver, reported the same without amendment, accompanied by a report (No. 100) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. CURTIS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1078) to pension Jane Allen, reported the same with amendment, accompanied by a report (No. 101) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. HOUK of Tennessee, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1085) for the relief of the heirs of William D. Wilson, deceased, reported the same without amendment, accompanied by a report (No. 102) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. HOUK of Tennessee also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3509) for the relief of the legal representatives of John H. Jones and Thomas D. Harris, reported the same without amendment, accompanied by a report (No. 103) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BOWERS, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1292) for the relief of Robert Casey, reported the same with amendment, accompanied by a report (No. 104) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. PATTON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3310) for the relief of Jerome H. Biddle, reported the same with amendment, accompanied by a report (No. 105) in writing thereon; which bill, amendment, and report were referred to the Committee of the Whole House.

Mr. BOWERS, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1727) to remove the charge of desertion against James E. Gray, reported the same without amendment, accompanied by a report (No. 106) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BOWERS also, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1336) granting an honorable discharge to Chester F. Grant, reported the same without amendment, accompanied by a report (No. 107) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 704) to restore William A. Winder to the United States Army, and to place him on the retired list with the rank of captain of artillery, reported the same without amendment, accompanied by a report (No. 108) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. WHEELER of Alabama, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3572) for the relief of Richard M. Edwards, of Cleveland, Tenn., reported the same without amendment, accompanied by a report (No. 109) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. COBB of Missouri, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3561) for the relief of Sarah G. Smith, executrix and devisee of Francis L. Smith, reported the same without amendment, accompanied by a report (No. 110) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. WINN, from the Committee on War Claims, to which was

referred the bill of the House (H. R. 3508) for the relief of Nemiah Garrison, assignee of Moses Perkins, reported the same without amendment, accompanied by a report (No. 111) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. COBB of Missouri also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2410) for the relief of the legal representatives of A. L. H. Crenshaw, reported the same without amendment, accompanied by a report (No. 112) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. COBB of Missouri also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1142) for the relief of Capt. I. B. Webster, of Louisville, Ky., reported the same without amendment, accompanied by a report (No. 113) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. COBB of Missouri also, from the Committee on War Claims, to which was referred the bill of the Senate (S. 2) for the relief of Ezra S. Havens, reported the same without amendment, accompanied by a report (No. 114) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER, from the Committee on War Claims, to which was referred the bill of the House (H. R. 5047) for the relief of George O. Donnell, reported the same without amendment, accompanied by a report (No. 115) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2166) for the relief of Washington Galland, reported the same without amendment, accompanied by a report (No. 116) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. PICKLER, from the Committee on War Claims, to which was referred the bill of the Senate (S. 53) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada, reported the same without amendment, accompanied by a report (No. 117) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. SMITH of Illinois, from the Committee on Claims, to which was referred the bill of the House (H. R. 2150) for the relief of Thomas J. Smith, reported the same without amendment, accompanied by a report (No. 118) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. SMITH of Illinois also, from the Committee on Claims, to which was referred the bill of the House (H. R. 2100) for the relief of Julius C. Zanone, only heir of John B. Zanone, late of Mound City, in Pulaski County, Ill., deceased, reported the same without amendment, accompanied by a report (No. 119) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. SMITH of Illinois also, from the Committee on Claims, to which was referred the bill of the House (H. R. 2099) for the relief of Mrs. Louisa Harrington, widow of Thomas Harrington, deceased, reported the same without amendment, accompanied by a report (No. 120) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1923) granting an honorable discharge to William W. Wedgwood, reported the same without amendment, accompanied by a report (No. 121) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. PEEL, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 26) providing for the payment of certain claims of the Delaware Indians of the Indian Territory, and for other purposes, reported the same without amendment, accompanied by a report (No. 122) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1417) for the relief of the heirs of Miguel Salinas, reported the same without amendment, accompanied by a report (No. 123) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. DOLLIVER also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1415) for the relief of George F. Brott, reported the same without amendment, accompanied by a report (No. 124) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3523) for the relief of the heirs of Sterling T. Austin, deceased, reported the same without amendment, accompanied by a report (No. 125) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2277) for the relief of Hugh F. McNairy, executor of A. C. Thomson, deceased, reported the same without amendment, accompanied by a report (No. 126) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2249) for the relief of J. H. Bugg and others, reported the same without amendment, accompanied by a report (No. 127) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2264) for the relief of A. W. Pollard, reported the same without amendment, accompanied by a report (No. 128) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 4519) for the relief of William B. Ennis, reported the same without amendment, accompanied by a report (No. 129) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2340) for the relief of W. C. M. Travis, reported the same without amendment, accompanied by a report (No. 130) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2222) for the relief of S. F. Crider, reported the same without amendment, accompanied by a report (No. 131) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 863) for the relief of Sarah K. T. Baker, of Lexington, Ky., reported the same without amendment, accompanied by a report (No. 132) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1203) for the relief of the heirs of Catherine Morin, reported the same without amendment, accompanied by a report (No. 133) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2173) for the relief of Samuel Fels, reported the same without amendment, accompanied by a report (No. 134) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 868) for the relief of James S. Frizel, reported the same without amendment, accompanied by a report (No. 135) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2243) for the relief of James Bishop, reported the same without amendment, accompanied by a report (No. 136) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2201) for the relief of John N. Dorr, sr., reported the same without amendment, accompanied by a report (No. 137) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2223) for the relief of Matilda Cook, reported the same without amendment, accompanied by a report (No. 138) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2178) for the relief of William G. Groom, reported the same without amendment, accompanied by a report (No. 139) in writing thereon;

which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3687) for the relief of Elizabeth D. Frobel and Anna S. Frobel, reported the same without amendment, accompanied by a report (No. 140) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2885) for the relief of Andrew Lutz, reported the same without amendment, accompanied by a report (No. 141) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 4464) for the benefit of J. C. Rudd, reported the same without amendment, accompanied by a report (No. 142) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3847) for the relief of Mrs. Ann E. Heiskell, reported the same without amendment, accompanied by a report (No. 143) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3256) for the relief of John Rhodes and wife, reported the same without amendment, accompanied by a report (No. 144) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1658) for the relief of John S. Sammis, reported the same without amendment, accompanied by a report (No. 145) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1032) for the relief of John D. Thorne, reported the same without amendment, accompanied by a report (No. 146) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2337) for the relief of the estate of Sally Sterrett Tate, deceased, reported the same without amendment, accompanied by a report (No. 147) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill to the House (H. R. 5341) for the relief of Joseph B. McClintock, reported the same without amendment, accompanied by a report (No. 148) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2421) for the relief of Mrs. Julia A. Humphries, reported the same without amendment, accompanied by a report (No. 149) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1054) for the relief of Claude H. Mastin, reported the same without amendment, accompanied by a report (No. 150) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1508) for the relief of Samuel Marsh, reported the same without amendment, accompanied by a report (No. 151) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2281) for the relief of Miss Jane Linn, reported the same without amendment, accompanied by a report (No. 152) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 869) for the relief of the estate of Marcus L. Broadwell, reported the same without amendment, accompanied by a report (No. 153) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2300) for the relief of Merritt Rose, reported the same without amendment, accompanied by a report (No. 154) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2318) for the relief of W. H. Vaughan, reported the same without amendment, accompanied by a report (No. 155) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2175) for the relief of the heirs of James A. Gregory, reported the same without amendment, accompanied by a report (No. 156) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. STONE of Kentucky also, from the Committee on War Claims, to which was referred the bill of the House (H. R. 854) for the relief of the estate of Thomas V. Stirman, deceased, reported the same without amendment, accompanied by a report (No. 157) in writing thereon; which bill and report were referred to the Committee of the Whole House.

Mr. WHEELER of Alabama, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3031) to correct the military record of Alvis Beshears, reported the same without amendment, accompanied by a report (No. 158) in writing thereon; which bill and report were referred to the Committee of the Whole House.

CHANGES OF REFERENCE.

Under clause 2 of Rule XXII, the following changes of reference were made:

A bill (H. R. 1013) for the relief of the Ammoniated Fertilizer Company of Washington, D. C.—Committee on the District of Columbia discharged and referred to Committee on Claims.

A bill (H. R. 3392) for the relief of John Kirk—Committee on Invalid Pensions discharged and referred to Committee on Military Affairs.

A bill (H. R. 1194) for the relief of James A. Hooken—Committee on Invalid Pensions discharged and referred to Committee on Military Affairs.

A bill (H. R. 1354) granting a pension to Aloysius Oberle—Committee on Invalid Pensions discharged and referred to Committee on Pensions.

A bill (H. R. 3713) for increase of pension of Francis P. Gardner—Committee on Invalid Pensions discharged and referred to Committee on Pensions.

A bill (H. R. 812) to adjust the accounts of Maj. Green Clay Goodloe, paymaster of the United States Marine Corps—Committee on Naval Affairs discharged and referred to Committee on Claims.

A bill (H. R. 1494) for the relief of Civil Engineer U. S. G. White, United States Navy—Committee on Naval Affairs discharged and referred to Committee on Claims.

A bill (H. R. 3724) for the relief of Commander George M. Bache, United States Navy (retired)—Committee on Naval Affairs discharged and referred to Committee on Claims.

A bill (H. R. 4647) to reimburse Maj. G. C. Goodloe, United States Marine Corps—Committee on Naval Affairs discharged and referred to Committee on Claims.

A bill (H. R. 3507) for the relief of George R. Mullins—Committee on Claims discharged and referred to Committee on War Claims.

A bill (H. R. 2103) for the relief of Mariam Goodloe, widow, and Joseph A. Goodloe, Laura Blinn, Richard V. Goodloe, children, and James H. Goodloe and Mrs. Fannie Hough, grandchildren of James Goodloe, deceased—Committee on Claims discharged and referred to Committee on War Claims.

A bill (H. R. 2102) to compensate George K. Kirchner for his stock of goods taken and destroyed by Federal soldiers in the year A. D. 1862—Committee on Claims discharged and referred to Committee on War Claims.

A bill (H. R. 2404) for the relief of James D. Cook—Committee on Claims discharged and referred to Committee on War Claims.

A bill (H. R. 1071) for the relief of Benjamin F. Wells, sr.—Committee on Claims discharged and referred to Committee on War Claims.

A bill (H. R. 1482) for the relief of Mrs. Eliza E. Herbert—Committee on Claims discharged and referred to Committee on War Claims.

A bill (H. R. 1743) for the relief of C. C. Roberts—Committee

on Claims discharged and referred to Committee on Military Affairs.

A bill (H. R. 1397) for the relief of Isaac H. Wheat—Committee on Claims discharged and referred to Committee on War Claims.

A bill (H. R. 2948) for the relief of the heirs of John W. West—Committee on Claims discharged and referred to Committee on Indian Affairs.

A bill (H. R. 1407) to grant relief to Thomas L. Higgins—Committee on Claims discharged and referred to Committee on War Claims.

A bill (H. R. 4488) granting a pension to James A. Davis—Committee on Invalid Pensions discharged and referred to Committee on Pensions.

PRIVATE BILLS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BELKNAP: A bill (H. R. 5454) to correct the military record of Capt. Daniel H. Powers—to the Committee on Military Affairs.

Also, a bill (H. R. 5455) granting a pension to Elizabeth Huntington, an army nurse—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 5456) authorizing the purchase of additional lots of ground adjoining or adjacent to the post-office building in the city of Philadelphia, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. BOWMAN: A bill (H. R. 5457) granting a pension to W. A. Hayes—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 5458) to amend section 10 of an act entitled "An act making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1867, and for other purposes," approved July 28, 1866—to the Committee on War Claims.

By Mr. BYRNS: A bill (H. R. 5459) for the relief of Henry Kortzendorfer—to the Committee on Military Affairs.

By Mr. CAPEHART: A bill (H. R. 5460) to correct the record of George W. Taggart—to the Committee on Military Affairs.

Also, a bill (H. R. 5461) to pay John Foster, of Elizabeth, W. Va., for ferrying United States soldiers during the late war—to the Committee on War Claims.

Also, a bill (H. R. 5462) for the relief of W. O. Wiatt—to the Committee on Claims.

By Mr. CROSBY: A bill (H. R. 5463) granting a pension to Harriett T. Vosburgh—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 5464) for the relief of the widow of Lieut. Col. M. W. Burns—to the Committee on Invalid Pensions.

By Mr. DICKERSON: A bill (H. R. 5465) granting a pension to David E. Redmon, of Pendleton County, Ky.—to the Committee on Invalid Pensions.

By Mr. DOAN: A bill (H. R. 5466) granting a pension to Mary E. Phillips—to the Committee on Pensions.

By Mr. ENLOE: A bill (H. R. 5467) for the relief of William F. Gibson—to the Committee on War Claims.

Also, a bill (H. R. 5468) for the relief of John M. Hamm—to the Committee on War Claims.

By Mr. EVERETT: A bill (H. R. 5469) for the relief of James M. Lowry—to the Committee on Claims.

By Mr. GILLESPIE: A bill (H. R. 5470) to authorize the payment of pension to certain persons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5471) for the relief of Jacob Smith—to the Committee on Military Affairs.

By Mr. HOAR (by request): A bill (H. R. 5472) to reimburse Rufus M. Hodgkins, late superintendent of post-office at Cambridgeport, Mass., for moneys stolen therefrom—to the Committee on the Post-Office and Post-Roads.

By Mr. HOPKINS of Pennsylvania: A bill (H. R. 5473) for the relief of William Magee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5474) authorizing and directing the Secretary of War to revoke the order dismissing Second Lieut. Edwin F. Nixon—to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 5475) for the relief of Andrew Phillips—to the Committee on Military Affairs.

By Mr. McCLELLAN: A bill (H. R. 5476) granting a pension to Gordon Simonds—to the Committee on Invalid Pensions.

By Mr. PENDLETON: A bill (H. R. 5477) to pension Martha A. Beerbower—to the Committee on Invalid Pensions.

By Mr. ROBERTSON: A bill (H. R. 5478) to confirm the title of St. Peter's and St. Paul's College, of Baton Rouge, La., to certain land in the city of Baton Rouge—to the Committee on Private Land Claims.

Also, a bill (H. R. 5479) for the relief of Joseph Bernard and other persons therein named—to the Committee on War Claims.

Also, a bill (H. R. 5480) to confirm to the heirs of Mrs. Courtney Ann Claiborne the title to a certain tract of land in the State of Louisiana—to the Committee on Private Land Claims.

Also, a bill (H. R. 5481) for the relief of the heirs of Lewis Allen, of Louisiana—to the Committee on Private Land Claims.

Also, a bill (H. R. 5482) to relinquish the title of the United States to certain lands occupied by the city of Baton Rouge, La.—to the Committee on the Public Lands.

Also, a bill (H. R. 5483) to reimburse the State of Louisiana for loss in the destruction of the State capitol at Baton Rouge, La., by fire while in the possession of the United States military authority in 1863—to the Committee on War Claims.

By Mr. ROBINSON: A bill (H. R. 5484) granting increase of pension to Ellis P. Phipps—to the Committee on Invalid Pensions.

By Mr. SNODGRASS (by request): A bill (H. R. 5485) for the relief of S. H. Fox—to the Committee on War Claims.

By Mr. CHARLES W. STONE: A bill (H. R. 5486) granting a pension to Lucinda Wilkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5487) to remove the charge of desertion from the record of Simon Randall—to the Committee on Military Affairs.

By Mr. TARSNEY: A bill (H. R. 5488) for the relief of the legal representatives of the estate or heirs of John Rice, deceased—to the Committee on War Claims.

By Mr. WALKER: A bill (H. R. 5489) to pension Mary A. Abbott, late army nurse—to the Committee on Invalid Pensions.

By Mr. WHEELER of Alabama: A bill (H. R. 5490) to refer the claim against the United States of the trustees of the Cumberland Presbyterian Church of Athens, Limestone County, Ala., to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 5491) for the relief of Mrs. S. Elizabeth Lauderdale—to the Committee on War Claims.

Also, a bill (H. R. 5492) for the relief of Silas M. Garrison—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5493) for the relief of John R. Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 5494) to place John M. Cunningham on the retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 5495) granting a pension to David Bolling—to the Committee on Pensions.

By Mr. WILSON of Missouri: A bill (H. R. 5496) to authorize the Beverly Lake, Ditch and Levee Company, of Platte County, Mo., to construct and maintain ditches, levees, and embankments, on the reservation at Fort Leavenworth, on the east bank of the Missouri River—to the Committee on Military Affairs.

Also, a bill (H. R. 5497) granting a pension to John Flynn—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Petitions and resolutions were, under the order adopted by the House January 5, delivered to the Clerk, and referred as follows:

By Mr. BACON: Petition of James Chaffee and others, for the suppression of the exportation of alcoholic liquor from the United States to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BUSEY: Petition of Amanda A. McGuinn, widow of Philip McGuinn, Company D, Fifty-first Ohio, for increase of pension—to the Committee on Invalid Pensions.

By Mr. BUTLER: Petition of citizens of Clayton County, Iowa, praying the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

Also, petition of citizens of Floyd County, Iowa, praying the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

By Mr. CARUTH: Petition and papers to accompany House bill 4044, for the relief of Elizabeth A. Forman—to the Committee on War Claims.

Also, papers to accompany House bill 1036, for the relief of Logan and Simpson counties and of the city of Louisville, and of Sumner and Davidson counties, Tenn.—to the Committee on Claims.

By Mr. DOAN: Petition of 28 citizens of the city of Springfield, Ohio, asking the passage of a bill to equalize the salaries of the letter-carriers of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. FITHIAN: Evidence to accompany House bill for relief of John M. Logan—to the Committee on Invalid Pensions.

By Mr. GOODNIGHT: Petition and brief and former report to accompany House bill 4474, to restore to Simpson County, Ky., certain money illegally collected—to the Committee on Claims.

By Mr. GROUT: Affidavit in support of bill granting a pension to the widow of Edward Larine—to the Committee on Invalid Pensions.

Also, petition of the Baptist Church of Ludlow, D. D. Owens, pastor, against Sunday opening of the Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, petition of E. O. Lee and others of Vernon, Vt., in favor of the option bill—to the Committee on Agriculture.

Also, petitions of Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

Also, memorial of William Cutler Lindsay to the Board of Managers of the World's Fair, relating to erection of a monument to Columbus—to the Select Committee on the Columbian Exposition.

By Mr. HALL: Memorial of Minneapolis Chamber of Commerce, against the passage of the Washburn option bill—to the Committee on Agriculture.

By Mr. HAUGEN: Petition of Daniel Kelley and other citizens of St. Croix County, Wis., in favor of free bimetallic coinage—to the Committee on Coinage, Weights, and Measures.

By Mr. HENDERSON of Iowa: Resolution of the Dubuque Trades and Labor Congress, favoring the passage of the Lodge bill regulating immigration into the United States—to the Committee on Agriculture.

Also, resolution of the same body, asking for legislation to exclude all Chinese laborers from the United States—to the Committee on Foreign Affairs.

Also, resolution of the same body, favoring the Chandler bill for increasing the comfort of immigrants—to the Committee on Commerce.

Also, resolution of the same body, favoring the election of United States Senators by direct vote of the people—to the Committee on the Judiciary.

Also, paper from Harvey Ingram, esq., president of the Upper Des Moines Editorial Association, favoring the Scott bill regulating the printing of return cards on envelopes—to the Committee on the Post-Office and Post-Roads.

By Mr. HERMANN: Petition of Board of Trade of Astoria City, in Oregon, and of 1,000 citizens of Oregon, asking for a portage railroad on the Columbia River above The Dalles Falls, in Oregon—to the Committee on Rivers and Harbors.

Also, petition for the passage of an act to facilitate the collection of debts in certain cases within the District of Columbia—to the Committee on the Judiciary.

By Mr. HOOKER of New York: Petition for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. McCLELLAN: Petition of J. H. Bueter and 12 others, of Adams Township, Allen County, Ind., asking Congress to enact such legislation as will result in the free delivery of all mail matter from every post-office in the settled portions of the country, with free collection of letters, before any reduction in postage—to the Committee on the Post-Office and Post-Roads.

By Mr. O'FERRALL: Papers in the claim of Joseph R. Keyser, of John Fox, of Aavon S. Printz, of Henry Schafer, of John W. Driver, of David Reedy, of Samuel H. Myers, of William Y. Thompson, of Joseph Windle, of David and Lewis Driver, of John A. Rucre, of George B. Slusher—to the Committee on War Claims.

By Mr. O'NEILL of Pennsylvania: Memorial of the Mercantile and Commercial Association of Philadelphia and the Board of Trade, asking for a change in the law for the removal of the islands in the Delaware River opposite Philadelphia—to the Committee on Rivers and Harbors.

By Mr. ROBERTSON: Papers in the claim of Daniel Morgan, of East Baton Rouge Parish, La.—to the Committee on War Claims.

By Mr. TARSNEY: Petition of John Rice, of Missouri, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on Claims.

By Mr. TERRY: Petition of 55 citizens of Alma, Ark., in favor of the improvement of the Arkansas River—to the Committee on Rivers and Harbors.

By Mr. TURNER: Petition of citizens of Thomasville, Ga., for the immediate improvement of the Savannah Harbor—to the Committee on Rivers and Harbors.

By Mr. WALKER: Petition asking that the metric system be exclusively used in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. WILLIAMS of Illinois: Resolutions of citizens of Hamilton County, favoring further extension of free delivery of mail—to the Committee on the Post-Office and Post-Roads.

By Mr. WISE: Papers in the claim of Jacob S. Atlee, of Richmond, Henrico County—to the Committee on War Claims.

By Mr. WHEELER of Alabama: Petition for the relief of Andrew J. Ingle, of Winston County, Ala.—to the Committee on War Claims.

Also, petition for the relief of Jordan L. Adair, of Atlanta, Ga.—to the Committee on War Claims.

Also, petition of Mrs. F. C. Harris, of Winston County, Ala.—to the Committee on War Claims.

By Mr. WILLIAMS of Massachusetts: Petition of the keeper and crew of the life-saving station at North Scituate, Mass., asking for the favorable consideration of a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. WRIGHT: Resolution passed (unanimously) at the last session of the Legislature of Pennsylvania, approved May 23, 1892, by Robert E. Pattison, governor, favoring the transfer of the Revenue Cutter Service of the United States from the Treasury to the naval authorities—to the Committee on Naval Affairs.

Also, petition of 72 citizens of West Burlington, Pa., against Sunday opening of any exhibition for which appropriations of the United States are expended—to the Select Committee on the Columbian Exposition.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 6, 1892.*

The House met at 12 o'clock and 45 minutes p. m. The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

O, Eternal God, we are here to commemorate the life and the devotion of a late eminent member of this House, illustrious by birth, illustrious in station, enshrined in the heart's core of all that knew him. As these gaps are made in our ranks by the hand of Death, grant, O God, that the solemn lesson of our mortality may come home to us with impressive weight. May we be inspired to serve Thee, our country, and our fellow-men with supreme devotion and singleness of purpose, living so that when Death shall summon us to the world so near at hand, and yet invisible, we may gather up our feet and depart in peace, and be received into the mansions of eternal blessedness. We pray through Jesus Christ, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. WISE. Mr. Speaker, I move that the House take a recess until 1 o'clock.

The motion was agreed to.

The recess having expired, the House reconvened at 1 o'clock p. m.

DEATH OF HON. W. H. F. LEE.

The SPEAKER. The Clerk will report the special order.

The Clerk read as follows:

Resolved, That Saturday, February 6, beginning at 1 o'clock afternoon, be set apart for paying tribute to the memory of Hon. William Henry Fitzhugh Lee, late a member of the House of Representatives from the Eighth district of the State of Virginia.

Mr. MEREDITH. Mr. Speaker, I offer the resolutions which I send to the desk.

The resolutions were read, as follows:

Resolved, That the business of the House be now suspended, that opportunity be given for tributes to the memory of Hon. William Henry Fitzhugh Lee, late a Representative from the State of Virginia.

Resolved, As a further mark of respect to the memory of the deceased, and recognition in of his eminent ability and distinguished public services, that the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

The resolutions were adopted.

Mr. MEREDITH. Mr. Speaker, this day having been set apart for the purpose of paying a last tribute to the memory of one who so lately was a loved and honored member of this House, I shall, in the brief remarks which I propose to make, attempt nothing but a plain and truthful narrative of some of the characteristics and public services of a Christian gentleman, who, in my judgment, measured fully up to that standard which makes man the noblest work of God.

On the 15th day of October, 1891, at Ravensworth, his beautiful home in Fairfax County, Va., surrounded by those loved ones whose constant care and tender nursing had done all that human power could do to stay the hand of the fell destroyer, all that was mortal of the Hon. William Henry Fitzhugh Lee passed from this earth, and his noble spirit returned to the God who gave it.

If the earnest supplications to Almighty God, offered by the good people of his native State, upon their bended knees, night and morning, during the period of his lingering illness, could have availed, he would have been restored to health and usefulness, and these melancholy proceedings postponed for many a long year.

The great sorrow which made the heart of Virginia heavy, and bowed in grief the heads of her true sons and daughters when the sad intelligence of his death was flashed over the electric wires, was more genuinely spontaneous than were the loud lamentations of the Roman populace (so graphically described by Tacitus) when they beheld the widow of Germanicus with her weeping children entering the gates of the imperial city.

Nor was this sorrow confined to those of his own political faith. Men of all parties vied with each other in their expressions of regret at his death and in their sympathy for his bereaved family.

The blameless life he had led, his high character, his gentle and unassuming manners won for him not only the respect but the admiration of all with whom he came in contact.

As gentle as a child and as tender as a woman, with the courage of a hero and a faith that never faltered, he proved himself a worthy descendant of that race of famous men from whom he sprung, and most worthily bore a name which will be honored as long as a liberty-loving people shall find a dwelling place upon the earth.

W. H. F. Lee was the son of Gen. Robert E. Lee, and was born at Arlington on the 31st day of May, 1837.

He was educated at Harvard, where he ranked not only as a good scholar, but on account of his splendid size and strength became quite famous in athletics, being "stroke oar" of the university rowing club.

His great ambition was to follow the profession of his father and to go to West Point; but having had an older brother there, that fact was considered in those days an insuperable obstacle. While still at Harvard completing his education, he was, through the interest taken in him by Gen. Winfield Scott, who made the request as a special and personal favor to himself, appointed in 1857 a second lieutenant in the Sixth Regiment United States Infantry, and inaugurated his military career by taking a detachment of troops to Texas by sea and then by land up the country to San Antonio.

In 1858 he accompanied his regiment, under the command of Col. Albert Sidney Johnston, in the expedition to Utah against the Mormons, taking an active part in that campaign, marching from Fort Leavenworth to Salt Lake City, and then, when the troubles were quelled there, traveling on foot to Fort Benicia, Cal. While on the Pacific coast he received a letter from his father, written January 1, 1859, in which he said:

I can not express the gratification I felt in meeting Col. May in New York, and at the encomiums he passed upon your soldiership, zeal, and devotion to your duty. But I was more pleased at the report of your conduct. I always thought and said there was stuff in you for a good soldier, and I trust you will prove it.

Resigning his commission in the Army he came home to be married to his cousin, a Miss Wickham, and settled down as a farmer at the "White House" (where Washington met Martha Custis and was married), a large estate on the Pamunkey River, left him by his maternal grandfather, G. W. Park Custis, of Arlington.

When that irrepressible conflict of 1861 was upon us, and Virginia called upon her sons to defend her soil, he, sharing the faith of his fathers, in the belief that his allegiance was due to his State, quickly raised a company of cavalry, and was attached to the Army of Northern Virginia. Serving in every grade successively from captain to major-general of cavalry, he led his regiment in the famous raid around McClellan's army, and was an active participant in all those brilliant achievements which made the cavalry service so proficient.

In that terrific fight which occurred at Brandy Station in June, 1863, he was most severely wounded and taken to the residence of Gen. William C. Wickham, in Hanover County, where he was made a prisoner by a raiding party, and was carried off, at the expense of great personal suffering, to Fortress Monroe. From the latter place he was conveyed to Fort Lafayette, where he was confined until March, 1864, and treated with great severity, being held with Capt. R. H. Tyler, of the Eighth Virginia Regiment, under sentence of death, as hostages for two Federal officers who were prisoners in Richmond, and whom it was thought would be executed for some retaliatory measure.

Exchanged in the spring of 1864, he returned to find his young wife and children dead, his beautiful home burned to the ground, his whole estate devastated and laid waste by the ruthless hand of war; and yet almost his first act on reaching Richmond was to go to Libby Prison, visit the two Federal officers for whom he had been held as hostage, and who, like himself, had been under apprehension of being hung, and shake hands with and congratulate them.

Immediately joining his command, he led his division in every engagement from the Rapidan to Appomattox, where, with his father, the greatest soldier of modern times, he surrendered to the inevitable.

In a letter written by one of the most brilliant cavalry generals of the late war, in speaking of Gen. W. H. F. Lee, he uses this language:

He was a zealous, conscientious, brave, and intelligent soldier, who fully discharged all of his duties. He was one of those safe, sound, judicious officers, and you always felt when you sent instructions to him that they were going to be obeyed promptly and to the letter.

What greater tribute could be paid a soldier?

Having been married to one of the most accomplished ladies in Virginia, Miss Bolling, of Petersburg, who, with two sons, survives him, he removed in 1874 to Ravensworth, and was the next year elected to the senate of Virginia, where he made an honorable record.

He was elected to the Fiftieth and Fifty-first Congresses, and served his State with that fidelity which had characterized his every act through life—faithful, conscientious and painstaking, ever alert to the interest of his constituents and seeking only how he could serve them.

He was again reëlected to the Fifty-second Congress, and though, by the will of Divine Providence, he was not permitted to take his seat, he will ever be held in grateful remembrance by his late constituents, and when the long roll of Virginia's noble and heroic dead is called the name of William H. Fitzhugh Lee will be mourned by his mother Commonwealth as one of her noblest and truest sons.

In conclusion, Mr. Speaker, I shall read as the most fitting tribute I have seen, an editorial from the Alexandria Gazette, written the day after the death of Gen. Lee:

Gen. William Henry Fitzhugh Lee, second son of Gen. Robert Edward Lee, is dead. The bells here tolled late yesterday evening. A few hours before the general had crossed over the river and was at rest under his rooftree at Ravensworth the southern sun lighted his deathbed and the autumn breeze sang his requiem. After life's fitful fever he sleeps well. He was sick a long time, and as his disease was incurable, death was a relief. No more pain for him now, but the long and peaceful sleep of the just. His sorrowing family were at his bedside, but he told them not good-bye, preferring to greet them when they shall rejoin him in a better world. His death is regretted by all the many who knew him; the more so by those who knew him well.

Gen. Lee, like his father, was naturally quiet and retiring, and in his intercourse with others, when right and principle were not involved, invariably acted in accordance with the rule of *noblesse oblige*, but when they were involved he was as firm in support of his convictions as any other man could be. He stood foursquare to all the winds that blow, but always with the propriety that characterizes the perfect gentleman. He did his duty to his God, his family, his State, and his country, and did it well, and executed faithfully all the trusts committed to him in both military and civil life. He liked the old manners and customs of Virginia, but tried to conform to the new order of things with becoming grace, and did so with no audible complaint and with no useless repinings. He served his State efficiently in her senate and in the national Congress, and in the Confederate army he filled, by merited promotion, every position from captain up to major-general of cavalry. It was different once, but Virginia can ill-afford to part with such a man now, and in his death, as in that of his illustrious father, she has lost a true and gallant son, who, when not on duty, was as gentle as a woman. Her fame has been increased by having had such a son. May she have many more like him.

Mr. EDMUNDS. Mr. Speaker, it is not my purpose to attempt any extended remarks upon the life and character of Gen. William H. F. Lee, late Representative from the Eighth Congressional district of Virginia, yet I can not permit this occasion to pass and my hand and heart to fail to pay my humble tribute to his memory. Gen. Lee's life had been spent, after manhood, in arms or as a tiller of the soil. In early life he saw military service as lieutenant in the Sixth Regiment United States Infantry, and was with Gen. Albert Sidney Johnston in the expedition in 1858 against the Mormons.

Resigning from the Army, he returned to his native State of Virginia and engaged in the pursuit of agriculture. Early in the late civil struggle he raised a cavalry company, and rose from the position of company commander to that of major-general, and followed the cause in which he had enlisted until the end at Appomattox. There two great military chieftains met, and one, his illustrious father, gave up to the other his sword and the mutilated remnant of an army which had fought with the utmost bravery and fortitude under a leader of unsurpassed skill and fidelity.

Gen. Lee, after the struggle had ended, resuming his citizenship in peace, returned to his farm and occupation of agriculture.

He was elected by his people from his senatorial district. He served one term in the senate of Virginia and declined a renomination. He was afterwards elected from the Eighth Congressional district of his State to the Fiftieth and Fifty-first Congresses, and again returned by his constituency to the present Congress; but the hand of death interposed, and he did not live to again take his seat in this legislative hall.

The name of Lee, Mr. Speaker, has been an illustrious one in Virginia. No one can with safety challenge the assertion that that old Commonwealth has furnished, from the time of the Revolution, as many great men, in peace and in war, as any of the States of our Union. When the foundations of this great Republic were laid, and constitutional principles evolved, whether the sword of the warrior or the mind and philosophy of the states-

man were needed, you will find the marks and handiwork of some son of that State.

Among those great men the ancestry of Gen. Lee were conspicuous. He inherited from his great father a disposition that was frank, manly, and chivalrous. Although with these distinguished surroundings, Gen. Lee had no undue pride, reserve, or self-assertion. His nature, on the contrary, was eminently amiable, generous, and sympathetic, and at the same time he was dignified, manly, brave, and ever courteous.

Identified with the agricultural interests of his State, at one time president of the State society, and himself a practical and successful farmer and proud of his occupation, he mingled freely and congenially with that great class of our citizens upon whose shoulders repose in great measure the preservation and safety of the institutions of our common country. While he was especially devoted to the interests of the farmer, he was essentially a patriot, and loved his State and all its diverse interests with an enthusiastic devotion, and yearned for her prosperity.

He was a faithful, able, and vigilant representative, and had in the greatest degree the confidence of his constituents, and the people of his entire State. No one who ever knew him could fail to implicitly trust him. His State has lost a pure and noble son, the country a wise, conservative, and faithful representative. We who knew him here can recall his manly, robust form, his genial, kindly face, his frank, accessible address, his unfailing gentleness of manner, his cheerful, friendly voice, as he walked along the aisles of this Hall.

A man of his character and bearing could but wield an influence for good wherever his presence was.

In a republic, where the people are the state, the advice, the suggestions, and the example of a citizen so high minded and incorruptible are of great value, not only in the councils of the nation but in the everyday walks and details of life, in his beautiful rural home, surrounded by and mingling with his country people; and it was ever the pleasure and practice of Gen. Lee to associate freely and unrestrainedly with the great body of the people. His generous and noble heart had a sympathetic touch with them and their struggles, their callings, their work.

But he has passed from us under the decree of the great Master to the great hereafter, leaving the record of a life of singular purity, directness of purpose, and freedom from guile; the record of a character unblurred, untarnished, unshadowed by the least stain; the record of a man high, noble, honorable, faithful to all the duties and relations of life.

Mr. Speaker, Virginia, one of the oldest of the Commonwealths, within whose borders lie the remains of many great names, and the energies and reserved force of whose people in times gone by have risen to great heights, receives to her bosom her dead son, and bows with sincere grief over his grave; for to her, whether her hand wore the mailed gauntlet or followed the gentler pursuits of peace, he had ever been faithful, loyal, and true.

Mr. TUCKER. Mr. Speaker, I shall leave to others the task of portraying the life of Gen. Lee in its diversified pursuits, and shall content myself with the effort of giving to the House my conception of some of the characteristics of our deceased friend, which made him, throughout his life, wherever placed, a conspicuous actor in private and public affairs.

In the early period of Virginia's history lived William Randolph, of Turkey Island (a plantation some 15 or 20 miles from the city of Richmond, near the scene of the terrific battle of Malvern Hill). He was the ancestor of all of that name in Virginia, and from him was descended, in direct line, Thomas Jefferson, John Marshall, and Robert E. Lee; the last named the father of our departed friend. How could *he* have manifested in his life less patriotism, justice, and courage with such examplars of these virtues ever before him?

His mother, as is well known, was a descendant from the wife of Gen. Washington by her prior marriage with Daniel Parke Custis. Sprung from such a lineage; trained in a school where the amenities of life as well as "the humanities" were taught in their highest excellence, he practiced from his earliest childhood a scrupulous regard for the rights and feelings of others, and an indulgence to all faults, except his own.

With a self-control and equipoise which were never disturbed under the most trying circumstances, and a graciousness of manner which broke down all barriers, giving to the humblest as well as to the highest the assurance of his friendly consideration, and a mind well-disciplined by education in the highest schools, it was impossible that he could have been other than a man of mark and influence in his State.

It is not claiming too much to say that Gen. Lee was the natural product of the civilization existing in Virginia during his boyhood and early manhood, which, alas, except here and there in certain localities, is fast passing away. The home, not the club, was its center; the family, not each "new-hatched, unfledged comrade," its unit. The father was the *head* of the family, not the joint tenant with the wife of a house nor the tenant at will of his wife. The wife and the mother was the queen of the household, not merely a housekeeper for a husband and the family. Obedience to those in authority was the first lesson exacted of the boy. Inculcated with tenderness, it was enforced with severity if need be, until the word of the father or the expressed wish of the mother carried with it the force of law as completely as the decree of a court or the mandate of a king.

Reverence for superiors in age and deference to all rather than arrogant self-assertion was magnified as a cardinal virtue, not as teaching humility and enforcing a lack of proper self-respect, but rather to exalt high ideals and stimulate an admiration for "the true, the beautiful, and the good."

Fidelity to truth, the maintenance of personal honor, deference for the opinions and feelings of others, without abating one's own or aggressively thrusting them on others; a kindliness of manner to dependents, a knightly courtesy to all, but with special and tender regard in thought, word, and action toward woman, were in turn patiently taught in all the lessons of the fireside and at the family altar, and earnestly insisted upon in the formation of the character of a true gentleman. "Any man will be polite to a beautiful young woman, but it takes a gentleman to show the same respect to a homely old woman," was the stinging rebuke of a father to his son who failed to remove his hat in passing a forlorn old woman on the public highway.

The old field school, the private tutor, the high school, whose excellence in Virginia I can not praise too much, the college, the university, led the young mind by easy stages to its full intellectual maturity.

Nowhere was the principle "*Sana mens, in sano corpore*" more scrupulously taught than in Virginia. The rod and stream, the gun, the "hounds and horns," the chase with the music of the pack, the bounding steed, all lent their ready aid in developing the physical manhood of the boy. In the pure atmosphere of his country home, amid its broad fields and virgin forests, contracted houses in narrow streets had no charms for him. To join the chase was the first promotion to which the boy looked as evidencing his permanent release from the nursery. The gun and dog became his constant companions, while ("Old Betsey") his father's trusted double-barreled gun of many years usage, standing in the sitting-room corner, or hanging on stag-horns or dogwood forks on the side of the wall, was the eloquent subject of nightly rehearsals of her prowess and power in the annual deer-hunt "over the mountains." Skill in horsemanship was essential, and breaking colts was naturally followed by broken limbs; but manhood found a race of trained horsemen, both graceful and skillful in the saddle, unexcelled, I dare venture to assert, by any civilized people. A child of nature, the Virginia boy communed with her as his mother, and from her purest depths drew the richest inspirations. To him no mountains were so blue as her's; no streams so clear, no forests so enchanting, no homes so sweet.

> While others hailed in distant skies the glories of the Union,
> He only saw the mountain bird stoop o'er his Old Dominion.

How vividly the picture comes to me now (never to be effaced) of a learned professor in one of Virginia's highest schools, himself three-score years and ten, a soldier of two wars, as he led the way through a quiet Virginia town on horseback followed by two sons, distinguished ministers of the gospel, and they in turn, by a younger son and the grandson of the leader with a goodly train of friends, amid the blasts of horns and baying of hounds, who followed, eager for the chase, among the beautiful hills which surround the town of Lexington, even as the mountains stand "round about Jerusalem."

Religion—the duty of man to his Creator, not sectarianism—was scrupulously taught, and Sunday morning found the family alive in preparations for attending religious service at Zion or Trinity, as it might happen to be the first or the fourth Sunday of the month. From this duty none were exempt from the least to the greatest. The pastor was the friend on whom all troubles both temporal and spiritual were cast, and his visits were long remembered and talked of in the life of each family. Deference to his wishes and reverence for his character were well nigh universal.

> A man he was to all the country dear,
> And passing rich with forty pounds a year;
> Remote from towns, he ran his godly race,
> Nor e'er had changed, nor wished to change his place.
>
> Unskillful he to fawn, or seek for power,
> By doctrines fashioned to the varying hour;
> Far other aims his heart had learned to prize,
> More bent to raise the wretched than to rise."

Such was the atmosphere in which our deceased friend was reared. He was a trustee in the venerable institution of Washington and Lee University at Lexington, Va., founded by Gen. Washington and presided over by Gen. Robert E. Lee during the

last years of his life; he was faithful to the trust, and ever watchful of the best interests of the school. The loss sustained by this institution in his death has been most fittingly expressed in the appended minute of the faculty of the university adopted on the 19th of October, 1891:

At a meeting of the faculty of Washington and Lee University, held October 19, 1891, the following minute was adopted:

Upon the announcement of the death of Gen. W. H. F. Lee the faculty of Washington and Lee University unite in sorrowful sympathy with his family, bereaved of husband, father, and brother, with the Commonwealth in the loss of a patriotic citizen, and with the board of trustees of this university, of which he was an esteemed member.

He was graduated at Harvard for the life of a civilian, but took a commission in the United States Army as lieutenant, and served with fidelity to duty under Gen. Albert Sidney Johnston in the Utah expedition of 1858.

At its close he resigned and returned to his country home, where he continued to live until 1861, when he entered the Confederate Army, and, rising by rapid promotion to the rank of major-general of cavalry, closed his efficient and faithful military career in 1865, when he again returned to country life, and died at the seat of his ancestors at Ravensworth, in Fairfax County.

In the mean time his private life was interrupted by the voice of his people, which called him to their service in the senate of Virginia, and for three terms as their Representative in Congress, two of which he completed, and left the vacancy in the third by his untimely death.

Truth, honor, and courage to do good and to resist evil, sincerity in all relations, and fidelity to all duty, were heirlooms of his race and lineage, which he kept and left untarnished to his posterity.

With a mind strong and vigorous, a judgment sound and well-poised, a calm and self-contained temper which impelled him to the right and restrained him from the wrong, and a moral sense which guided and controlled his purposes and his actions along the path of absolute rectitude, he lived a life adorned by noble virtues and filled with noble deeds. Gentle but firm, decided, and fixed in his convictions, but respectful and deferential to those of others, he was a model of all the splendid qualities which make up the character of a courteous and Christian gentleman.

In addition to all these natural gifts his convictions led him to the profession and practice of a simple and genuine faith in the religion of Christ.

After an honorable military and civil career, in the peace of God and in charity with his fellow men, this worthy son of an illustrious family died the death of the righteous, and in the hope of immortality through Him in whom he believed and trusted.

The faculty therefore declare:

That they have heard of the death of Gen. Lee with deep sorrow, and mourn it as a calamity to his family, his friends, his country, and to this university.

That they tender to his family these expressions of their affectionate esteem for him as a personal friend as well as for his services as a public man, and their sincere sympathy with them in their peculiar and irreparable bereavement.

A copy. Teste:

JNO. L. CAMPBELL,
Clerk of the Faculty.

An intimate association with Gen. Lee in the Fifty-first Congress and as members of the board of trustees of Washington and Lee University at Lexington, Va., and in private life enabled me to form a just estimate of his character and of those personal qualities of head and heart that made him beloved by all who really knew him. While they have been well expressed in the foregoing minute, I may add from my own observation a brief summary of his noble character. His mind was eminently practical and arrived at its conclusions more from an unerring instinct of justice and common sense than through the exacting processes of logic. His judgment was rarely at fault, for his intellect was not swerved by passion or prejudice, but was held in perfect equipoise to receive the truth on both sides of every question. His deference to the opinions of others and his caution in seeking the views of those on whose discretion he relied suggested to some who did not know him that he was hesitating in temperament. This was not true; he sought all the light possible on every subject patiently and earnestly, and when he arrived at his conclusion no man adhered to it more tenaciously or enforced it more earnestly.

As a speaker Gen. Lee possessed many of the attributes of the orator, a gift inherited from his grandfather, Light-Horse Harry Lee. He was graceful in delivery, persuasive in manner, and forcible in argument.

His diction was pure, unpretentious, and simple. His speeches were often embellished with references to ancient and modern history and mythology, with which he seemed to be very familiar.

Dutifulness, I believe, was the most prominent trait of his character. It was the star by which his life was guided. Once persuaded that a certain measure or a certain line of policy was right and he was unflinchingly firm in its support. No burden was too heavy, no privation too severe, if only they were borne along the path of duty.

He exemplified in his life the noble utterance of his distinguished father, "Duty is the sublimest word in the English language."

In politics he was a Democrat, but not a partisan, and he firmly believed that the supremacy of his party was necessary for the good of the country and the welfare of the people. His patriotism was exalted, and his faith in the ultimate triumph of the Right never wavered.

His manly appearance, his gracious but dignified manner, his courtly bearing and pleasing conversation marked him as a gentleman of the "old school," as one of Nature's noblemen.

Any sketch of Gen. Lee would indeed be imperfect that failed to mention his love for little children, and his friends will never fail to recall the tender interest he always manifested in the children of their families, especially in the youngest.

His life, Mr. Speaker, was a truly noble one. It was on the highest plane. His character had no spot or blemish upon it that sweet charity would now consign to oblivion, but it was robust, well-rounded, and symmetrical, open as day. His ambition was not to attain, but to deserve the praise of the good and that higher benediction, to be pronounced by the final Judge of the world, "Well done, good and faithful servant; enter thou unto the joys of thy Lord."

He was an earnest believer in the Christian faith. The abstruse doctrines of the church formed no part of his creed. His faith was in the Christ, the Saviour of mankind; a faith which illumined his pathway in life, lightening his burdens, exalting his nature, and which sustained him without fear when he met the last enemy of the race as he walked through "the valley of the shadow of death." It was the faith of a little child—

An assured belief
That the procession of our fate, howe'er
Sad or disturbed, is ordered by a Being
Of infinite benevolence and power,
Whose everlasting purposes embrace
All accidents, converting them to Good.

His funeral and burial, Mr. Speaker, will never be forgotten by those who witnessed it. The autumn sun was fast sinking behind the bright curtain of the West, bathing "the mellow autumn fields" of Old Virginia with its purple hues. Untrumpeted by official authority, scores of friends from city, town, village, farm, and cabin gathered at Ravensworth to pay the last sad honor to their beloved friend. White and colored, rich and poor, high and low, soldiers, citizens, and statesmen, all were there.

His body was borne from the house to the ivy-clad family graveyard by the sturdy yeomanry of the neighborhood. In the presence of that vast throng, with uncovered heads, his comrades, who had followed him on many a hard-fought battlefield, performed the last sad rites, and with their own hands filled his grave and planted upon it the "immortelles" of their affection and devotion. Faces that never blanched amid the storm of battle paled; hearts that never quailed in the presence of an enemy broke in the presence of the last enemy of us all, and the silent, pitiless tear which fell from the eye was hidden by the lengthening shadows of the evening, which were fast gathering round the scene.

Beloved friend! farewell and hail!
Removed from sight, yet not afar,
Still through this earthly twilight veil
Thou beamest down, a friendly star.
The prophet's blessing comes to thee,
The crown he holds to view is thine:
Forever more thy memory
In heaven and in our hearts shall shine.

Mr. O'FERRALL. Mr. Speaker, these occasions of tribute-offering in this Hall never fail to impress me with extreme sadness, increase my awe and reverence of Him who holds in the hollow of His hand every moment we live and every breath we draw, and teach me the lesson of our mortality.

These scenes have become very familiar to me, and their frequency reminds me with terrible force that—

All that lives must die,
Passing through nature to eternity.

Most naturally am I more than usually touched and pained by the death of him which now hangs its somber drapery around the walls of our hearts and casts its pall over this Chamber. It is a death within the representative circle of which I am a member. It is the death of a colleague, a friend whose presence in that circle always brought sunshine and never shadow.

Tributes to his memory, clothed in language of beauty and breathing with love and burning with pathos, have already been paid, and others will follow; and now, while I can not hope to charm with the tongue of eloquence or touch the soul with the figures of rhetoric, I come with my tribute.

It will be plain and unadorned, but it will at least have the merit of sincerity, and, like the widow's mite, be all that I can give.

William Henry Fitzhugh Lee of Virginia is no more.

How the name of Lee, whenever uttered wherever chivalry has erected her altar, sends a thrill like an electric current through every fiber of the manly man.

How the name of Virginia has been upon every tongue since Queen Elizabeth, nearly three centuries ago, gave that name to that section around which to-day historic memories linger and traditions and glories cluster as thick "as the stars in the crown of night," the section where Christopher Newport and his devoted followers "builded an altar unto the Lord and in the savage wilderness" deposited the germ of this mighty nation, "and where God blessed them as He blessed Noah and his sons, saying unto

them, 'The fear of you shall be upon the red man, upon every beast of the earth, and upon every fowl of the air, upon all that moveth upon the earth and upon all the fishes of the sea; into your hands are they delivered.'"

Virginia! The land of legends and lays—the land where the cradle of republican liberty was rocked, and where, in 1765, the first denial was heard of the right of the British Parliament to levy taxes upon the colonies which kindled the fire of patriotic fervor and led to the ever-living, soul-inspiring words of her Henry and the raising up of her Jefferson to heights of imperishable fame, and her Washington to the pinnacle of everlasting renown.

Virginia! The land of battle fields and battle gore, colonial relics and Revolutionary monuments, spotless fame and unsullied honor; the land of patriot soldiers and heroes, and of a Yorktown, where the tyrant's head was bruised and the glorious strife ended which struck from our fathers the fetters and gave to them and their posterity a country gleaming in the golden sunlight of republican liberty, and throwing wide open her gates to the oppressed of every clime.

Virginia! The land of mountains, upon whose summits and in whose gorges the spirit of freedom roams unfettered and unconquerable; the land of valleys, which are hung like alcoved aisles with scenes of heroism and pictures of daring, self-sacrifice, and devotion to principle; the land of rivers and rivulets, which reflect like mirrors the fields upon which her blood has been poured out like water upon the ground; the land of zephyrs and breezes, and where the storm king sometimes dwells gently murmuring or in thunder tones proclaiming her glories and her fame; the land of blue, beautiful skies, radiant with the virtues of her daughters and bespangled with the deeds of her sons; the land of memorials of the past, that inspire the Virginia youth, whether born in poverty or in riches, reared in the cottage humble or in the mansion stately, with a patriotism that knows not section, and yet a State love that knows not bounds.

It was in this land that Richard Henry Lee, the fire and splendor of whose eloquence burned like a hot iron into the soul of tyranny, and Francis Lightfoot Lee, both of them signers of the Declaration of Independence, were born; it was in this land that Arthur Lee, through whose instrumentality the colonies secured the friendship and support of France, and "Light-Horse Harry" Lee, whose legion, following his plume, struck the enemy in the bivouac, on the march, in the lurid glare of battle, on the flank, and in the front like a thunderbolt from the skies, were born. It was in this land that Robert Edward Lee, whose services on the fields of Mexico decked his brow with the warrior's laurel, and whose leadership of the Confederate armies in the unfortunate strife between the States made his name immortal, and whose virtues shine with the brilliancy of a polished diamond, wreath his character in moral grandeur, and draw pæans and praises from friend and foe and from every clime where exalted manhood and a spotless life find devotees, was born; and it was in this land that William Henry Fitzhugh Lee, whose memory we are here to perpetuate, was born—all, all of the same lineage and blood.

What a line of illustrious and distinguished men of one name for one State to produce. What a line of illustrious men to spring from the old cavalier family that under the reign of Charles I settled in the county of Northumberland, between the waters of the Rappahannock and Potomac, since glorified by the pen of the historian and the lyre of the poet.

William Henry Fitzhugh Lee! How sweet does that name sound to me. What recollections does it awaken. How quickly do I find my heart throbbing; how rapidly my blood rushes through its channels.

Less than a twelvemonth ago he sat in yon seat or moved hither and thither about this Hall and along these passageways, pausing here and there to speak a pleasant word or exchange a friendly greeting. His tall and commanding person, his open, frank, and benevolent face and courtly bearing marked him among the membership of this House, and would have marked him in any assemblage, whether in the glittering splendor of royalty or in the plain dignity of our republican institutions. To see him once was to remember him forever. His image is as distinct before me this moment as if he stood in the flesh with his eye beaming forth the goodness of his nature and his hand outstretched, as was his wont, to receive mine.

Mr. Speaker, his illustrious father, when the shadows of Appomattox closed round him, when the darkness of defeat enveloped him, when his soul was rent and torn and his mind was filled with anguish and his ragged and tired and worn veterans reduced to a mere thin skirmish line, the remnant of an army that had shed unfading luster upon the American arms and the American soldier, gathered with tear-moistened cheeks about him to bid him farewell and receive his blessing, gave utterance to a sentiment just quoted by my colleague [Mr. TUCKER], a sentiment as grand and noble as was ever written upon any Roman tablet or carved upon any column of enduring marble that was ever reared in the flood light of glory:

Duty is the sublimest word in our language.

Yes, Mr. Speaker, thus spoke Robert Edward Lee, the soldier, hero, Christian, and philanthropist, and when we come to study the life and character of William Henry Fitzhugh Lee we are impressed with the fact that he took duty as his talismanic word, that it was the star that guided him, and that he followed it as faithfully as the "wise men" followed the star from "the East" to Jerusalem and thence to Bethlehem.

We believe that in his youth, on the heights of Arlington, where his eyes first opened upon the light, he learned at his father's knee and by his father's daily walk and conversation the great lesson of duty which steered his course and pointed out his pathway in life.

He was born, as has been said, on the 31st day of May, 1837. In 1857 he was appointed a second lieutenant in the Sixth Regiment of United States Infantry, and served in 1858 in the then far West under Albert Sidney Johnston, whose fame Shiloh echoes and reëchoes along the banks of the Tennessee. In 1859 he resigned his commission in the Army and returned to Virginia and located on his estate in the county of New Kent. In 1861, when the Southern tocsin sounded and Virginia's voice was heard calling for troops, he raised a cavalry company and joined the Army of Northern Virginia; he rose gradually from captain to major-general of cavalry; was wounded in the terrific engagement at Brandy Station between the Confederate and Federal cavalry on the 9th day of June, 1863; was captured at Hanover Court House, and was confined at Fort Monroe and Fort Lafayette until March, 1864, when he was exchanged, and repaired to his command, and served until the flag which he loved was furled forever at Appomattox. From that time forward he cultivated his large estate with much care, serving one term in the senate of his State, declining a renomination. In 1886 he was elected to the Fiftieth Congress from the Eighth Congressional district of Virginia, and again in 1888 to the Fifty-first Congress, and still again in 1890 to the present Congress.

It was my privilege and pleasure to form his acquaintance in the army and to watch his flashing blade amid the carnage of battle, observe his cool courage and intrepid bearing and the love and confidence of his men upon more than one sanguinary field. He was as calm when the leaden hail was rattling and as cool when the shells were shrieking and bursting as he was upon this floor. He was a leader, not a follower of his men; if they went into the jaws of death, he was at their head. He fared as his men fared; if their haversacks were empty, his was empty; if they laid down in the mud, he laid there too; if they sweltered in the summer heat or shivered in the winter blast, he sweltered or shivered too, and thus it was he kindled in the breasts of his men intense love for himself and secured their implicit confidence in his leadership.

The promotions he received, rising from a captain to a major-general, speak in terms stronger than any words of mine of his courage and valor and his qualities as a soldier and military chieftain.

As a civilian, pursuing the quiet walks of rural life and devoting himself to agriculture, the noblest of all arts, he was honored by all the people and drew to him his neighbors, binding them with the steely bands of constant friendship. His word was as good as his bond, and the dusky son of toil as well as the intelligent tenant on his wide possessions relied upon it with absolute faith, and the most beautiful tribute that could be paid to his memory was the deep sorrow which manifested itself in a meeting after his death of those whose brawny muscle had held the plow handles and whose toil had made the corn and the wheat grow on his rich and fertile fields.

In politics he was a Democrat, and he was as pure in the political arena as in private life. He scorned the ways of the demagogue and the time-server, and believed that "men should be what they seem." In the councils of his State and in the councils of the nation he was found at all times in full accord with the principles and policy of his party.

As a Representative he was as true to his constituents as any subject to his sovereign, laboring in season and out of season to serve them, and even when his strong frame began to weaken and the germs of disease had been planted in his system he disregarded the warning calls for rest and continued to bend all his energies in the discharge of his trust, and I but speak the truth when I say that he fell a martyr to duty.

But, Mr. Speaker, while he was grand as a soldier, pure as a man, exalted as a citizen, and faithful as a Representative, it was in the home circle, as husband and father, and not on the battle field, in civil life, or in the halls of legislation, that the beauty and loveliness of his character cast a halo around him.

He loved home, and it had a charm for him which neither

pleasures, honors, nor fame could pluck from his bosom. Blessed by the companionship of one worthy of all adoration, and who presided like a queen over his household, entering into all his joys, sharing all his sorrows, and encouraging all his aspirations, he loved the breezes that kissed her cheeks, the birds that made sweet music to her ear, the rivulets that gently murmured her name, the flowers that shed their fragrance in her bowers, and the stately oaks under which the children of their union had prattled, and the pebbled walks upon which they had played and gamboled.

Yes, he loved home, and in its sacred circle his presence was like a sunbeam, brightening every face and warming every heart. He was all patience, gentleness, kindness, and love, and if there ever was a home which was a fit emblem of heaven it was "Ravensworth," the home of this distinguished man.

Mr. Speaker, he is gone. He lives now only in memory. In October last, when the frosts were blighting and the leaves were falling and the autumnal winds were sighing, after patient waiting for the fatal hour, it came, and God's finger touched him, and the brave soldier, honored citizen, faithful Representative, devoted husband, and affectionate father was dead.

He passed away quietly, strong in Christian faith and in the hope of a blissful eternity.

William Henry Fitzhugh Lee! His State mourns his death. Within the bosom of her soil he rests, peacefully rests. In his ancestral land near by Arlington, historic, revered Arlington, the scene of his childhood and early manhood, he sleeps—sleeps the sleep that knows no waking.

Earth, that all too soon hath bound him,
Gently wrap his clay!
Linger lovingly around him,
Light of dying day!

And Virginia—

Bending lowly,
Still a ceaseless vigil holy
Keep above his dust.

Mr. WISE. Mr. Speaker, in accordance with a beautiful and impressive custom, we put aside for to-day our legislative duties to pay a tribute of respect to the memory of Hon. William H. F. Lee, of Virginia. In November, 1890, he was elected to serve as a member of this Congress from the Eighth district of that State, receiving in that action of his devoted constituents a merited indorsement of his conduct and services as their Representative for the two preceding terms. But when the day for our assembling arrived my colleague was not present to answer to the call of his name. He had passed over the river and was resting under the shade of the trees on the other side. He was beloved and honored by all the people of Virginia, and the announcement of his death, which occurred on the 15th day of October, 1891, was received everywhere within her borders with expressions of the deepest sorrow. He was born at Arlington, on the Virginia Heights, opposite this beautiful city, on the 31st day of May, 1837, and at the time of his death was in the fifty-fifth year of his age.

In 1857, when he was pursuing his studies in the University of Harvard, in preparation for the active and serious duties of life, he received from the then President of the United States the appointment of brevet second lieutenant in the Sixth Infantry. At that time the spirit of resistance to the authority of the National Government was being exhibited to such an extent in Utah as to call for measures of repression. Assassinations and outrages of all kinds were common, and the officers of the United States were powerless either to prevent or punish their commission.

When Mr. Buchanan became President the resolution was formed that the insubordination and conflict of authority existing in that Territory should cease, and the necessary executive and judicial officers having been appointed for the enforcement of the laws of the United States and the preservation of the public peace, it was determined to send a detachment of the Army to protect them against violence and to assist them as a posse comitatus, when necessary, in the performance of their duties. Gen. Albert Sidney Johnston became the commander of this military force and Lieut. Lee had his first experience of the service in this expedition. As the occasion does not call for a recital of the events of that period, I will content myself with the remark that he was then, as on every occasion in after years, faithful to the obligations of duty. His term of service in the Army was of short duration, and from that fact we may infer that he was not enamored with the life of a soldier in time of peace.

In 1859 he resigned his commission, and soon thereafter was married to Miss Wickham, the daughter of a family distinguished in the annals of Virginia. They went to reside at the White House, on the Pamunkey River, in the county of New Kent. It was at this old historic country home that the marriage of George Washington with the Widow Custis was celebrated. It descended to Gen. Lee from his mother, who was the great-granddaughter of Washington's wife.

Here he devoted himself to the tillage of the soil and became engrossed with the pursuits of a plain and unostentatious farmer. His condition and surroundings at this time were such as to invite contentment, and encourage the cultivation of those pure and lofty sentiments for which he was ever distinguished.

Being in the flower and strength of his young manhood, and blessed with affluence and the love of an accomplished wife, there seemed wanting nothing to make his home an earthly paradise.

But the course of this peaceful and happy life was not to run thus smoothly to the end. Dark and threatening clouds of war soon lowered upon our land, and the political conflicts and antagonisms, which had grown in intensity and bitterness with the flight of years, ripened into civil war in 1861. The crisis then arrived when the appeal to arms was inevitable, and with it the necessity that all men should decide whether allegiance was first due to the State or General Government. There were honest differences of opinion on this question, which had existed from the very foundation of the Republic.

He was connected by blood with a long line of illustrious men, who had borne a conspicuous part in the events which led to the declaration of American independence and the establishment of this constitutional Government. It was Richard Henry Lee who offered in the Continental Congress, in June, 1776, that stirring resolution which proclaimed to the world "that these united colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown; and that all political connection between them and Great Britain is, and ought to be, totally dissolved."

It was his own grandfather, known in history as "Light-Horse Harry Lee," who, in the long struggle which followed this bold declaration, struck such sturdy blows for the liberties and rights of his countrymen as caused him to receive the special commendation of George Washington, of whom in turn he uttered these memorable words, "First in war, first in peace, and first in the hearts of his countrymen." Bearing a name thus associated with all the glorious achievements of the past, it was but natural that he should have felt an ardent attachment to the Union. But he was a son of Virginia, "where American liberty raised its first voice, and where its youth was nurtured and sustained."

There the doctrine of the sovereignty of the State was accepted as the true interpretation of the Constitution almost without division of sentiment. Her people held that allegiance was first due to their State, and while all deplored the necessity for, few, if any, doubted as to the right of separation. When in April, 1861, a convention representing her people passed the ordinance of secession, he felt no hesitation in adopting his course. He resolved at once to consecrate himself and his sword to the sacred duty of defending her homes and firesides.

Having raised a company of cavalry, he was made its captain, and was rapidly promoted from rank to rank until he reached that of major-general. Soon after his entry into the Confederate service he became associated with the command of Gen. J. E. B. Stuart, and participated thereafter in nearly all the movements of that fearless and dashing leader, whom the brave Gen. Sedgwick, of the United States Army, pronounced "the best cavalry officer ever foaled in North America." On June 3, 1862, Gen. Robert E. Lee, the father of my deceased colleague, assumed the command of the Army of Northern Virginia, three days after the retiracy of Gen. Joseph E. Johnston, caused by a wound received in the battle of Seven Pines.

The plans of the Federal commander for the capture of the capital of the Southern Confederacy had been well chosen. His army, according to his own report, numbered 156,000, of whom 115,000 were ready for duty as fighting men. All the vast resources of his Government were being employed to enable him to prosecute his campaign with efficiency and vigor. His troops had been furnished with artillery and small arms of the most approved description and best patterns. They had abundance of ammunition of the finest quality and ample supplies of food and clothing. Gen. McDowell, then at Fredericksburg with 40,000 men, and Gens. Banks and Frémont in the valley of Virginia, were expected to coöperate in the movement. A line of fire was slowly but steadily being drawn around Richmond. These plans, as I have said, had been well conceived, and were being executed with great precision and skill.

To oppose this formidable advance there were less than 100,000 fighting men in Virginia, and they were greatly inferior to the enemy in both equipments and supplies. Gen. Johnston, penetrating the designs of his adversary, commenced operations to prevent their accomplishment. The bloody and stubbornly contested battle of "Seven Pines" was fought in part execution of his plans. When Gen. Robert E. Lee succeeded to the command, it was apparent that some decisive blow must be struck to save the Southern capital from a state of siege. Surveying

the whole field with a keen and practiced eye, he saw that the left wing of the Union army, which had been thrown across the Chickahominy and advanced to within four or five miles of Richmond, occupied a strong and almost impregnable position. An attack upon the center promised no better results.

Under these circumstances he turned his attention to the right wing, and in order to obtain the fullest and most accurate information concerning McClellan's position and defenses on that portion of his line, ordered Gen. Stuart to make a reconnoisance in the direction of Old Church and Cold Harbor. With 1,500 picked men, that pink of Southern chivalry immediately undertook the execution of the orders of the commanding general. This daring exploit was popularly known as "Stuart's ride around McClellan." It is a fact that he did pass entirely around the Union army, and, building a bridge across the Chickahominy, reëntered the Confederate lines in safety. In this perilous expedition he was assisted by his bravest and best officers, among whom were Gens. William H. F. Lee, and his cousin, the dashing Fitz Lee.

More was accomplished than had been anticipated, and it was ascertained that the right and rear of McClellan were unprotected by works of any strength. In consequence of the information thus obtained the decision was formed to make the attack in that direction, and on the 26th of June, 1862, began that series of splendid battles which culminated in the retreat of McClellan's army to Harrison's Landing, on the James River, and the deliverance of Richmond from danger. On the 9th of June, 1863, there occurred near Brandy Station, in the county of Culpeper, Va., one of the most extensive and stubborn cavalry fights of the whole war. Two divisions of Federal cavalry, commanded by Gens. Buford and Gregg, and supported by two brigades of "picked infantry," fell upon Stuart with such suddenness and fierceness that the attack was almost crowned with victory. Nothing saved him from defeat, if not from greater calamity, but his own coolness and that of his lieutenants, coupled with the indomitable pluck and intrepidity of his troopers.

In this engagement that brave Georgian, Gen. Young, formerly a member of this House, by a splendid charge, with sabers, without carbine or pistol, repulsed a dangerous and gallant assault on the rear, while Gen. William H. F. Lee, with equal courage and dash, protected the left of the Confederate position. In this encounter Gen. Lee received a severe wound, which necessitated his retirement from the field. He was carried to Hickory Hill, in Hanover County, the home of Gen. Wickham, a near relative of his wife, and here he was captured and placed in solitary confinement in Fortress Monroe as a hostage, certain officers of the United States being then held under sentence of death in Libby Prison in retaliation for the execution of certain Confederate officers in the West.

Gen. Custis Lee, being then a young unmarried man on the staff of the Confederate President, met, under special flag of truce, representatives of the Government at Washington, and begged to be permitted to take the place of Gen. William H. F. Lee, giving as the reason for the proposed exchange his desire to save from punishment the innocent wife and children of his wounded brother. The offer was declined, and he was told that the burdens of war must fall where chance or fortune placed them.

In this incident we have a beautiful and touching illustration of the strength and warmth of brotherly love and of the knightly bearing of the Lees of Virginia. While thus detained as a prisoner of war, racked with physical sufferings and those mental tortures which a sensitive and high-strung man must feel under such circumstances, there came the sad tidings of the death of his loved wife and two children. And thus was added another, the most poignant of all the griefs with which he had been afflicted. His old Virginia home, associated with so many sacred memories, had been reduced to ashes, and now there remained of the once happy family which formerly occupied it only the captive father. This weight of woe would seem too much for human endurance, but he bore it with the fortitude of a Christian soldier. He was exchanged in the spring of 1864, and returning to his division, led it in all the engagements, from the Rapidan to the Appomatox, where the curtain fell upon the stirring and bloody scenes in which he had been such an active participant.

As a soldier he was always calm, cool, and self-possessed. Those who have had experience in the ranks know that the bravest and best soldiers will falter and hesitate when they are without confidence in the ability, judgment, and foresight of their leader. The soldiers who were ranged under the standard of Lee, believing that their noble commander was equal to all emergencies, followed him with unwavering trust; and their survivors testify to the affection in which a spirit so gentle and yet so brave was held.

No higher eulogy can be pronounced upon any man than to say of him that which can be truly alleged of Gen. Lee, that he was an honored and trusted leader in that splendid Army of Northern Virginia, which only failed where success was impossible. They challenged the respect and admiration of the world, and of their great captain it has been said that "a country which has given birth to men like him and those who followed him may look the chivalry of Europe in the face without shame, for the fatherlands of Sidney and Bayard never produced a nobler soldier, gentleman, and Christian than Robert E. Lee."

These meager details of our civil war have not been given with the purpose of reviving unpleasant memories or of perpetuating sectional animosities. They have been related because they constitute an important part of the story of the life of him whom we mourn.

On both sides were displayed the highest qualities of the military leader, and illustrated as never before the pluck, endurance, and dash of the American soldier. They were Americans all, and without distinction of sections we can claim part of the honor of their achievements and partake in the pride of their great names. We have furnished to the world the indubitable proof that these States united are invincible. When, at Appomattox, our arms were stacked and banners furled, we returned to our homes with no divided allegiance.

We believe that in the safety of the Union is the safety of the States. And we rejoice that "the gorgeous ensign of the Republic is still full high advanced, its arms and trophies streaming in their original luster, not a stripe erased or polluted, not a single star obscured, bearing for its motto no such miserable interrogatory as 'What is all this worth?' Nor those other words of delusion and folly, 'Liberty first and Union afterwards,' but everywhere, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land and in every wind under the whole heavens, that other sentiment, dear to every true American heart, 'Liberty and Union, now and forever, one and inseparable.'"

But while entertaining these sentiments, we can not, we will not, forget our glorious dead. The brave men against whom we fought neither expect nor desire such unnatural conduct. Whether the cause for which they died was just or not it would be idle to discuss. It is enough for us to know that—

> They were slain for us,
> And their blood flowed out in a rain for us—
> Red, rich, and pure, on the plain for us;
> And years may go,
> But our tears shall flow
> O'er the dead who have died in vain for us.

After the cessation of hostilities Gen. Lee resumed the occupations of a farmer on the old plantation which he had left in 1861. The implements of warfare were exchanged for those of the husbandman, and following the plow in the furrows he commenced the work of repairing the losses he had sustained. In 1868 he married Miss Mary Tabb Bolling, the daughter of Col. George W. Bolling, of Petersburg, and they continued their residence at the White House until 1874, when they removed to Ravensworth, in the county of Fairfax, where he died.

He was an able and faithful Representative, and always devoted to the interests of his constituents. As a fitting eulogy to his worth, it may be truly said that it was his disposition to follow the line of duty to the end. The conscientious performance of every trust confided to him was the watchword of his life. In his conduct as a legislator he was never ruled by faction or interest, but the promotion of the public good was the motive of all his actions. While exhibiting none of the showy and sparkling qualities of the orator, he was distinguished for the possession of good judgment and strong, practical common sense. He was a man of calm and even temperament, and was seldom, if ever, controlled by prejudices or swayed by passions. Those who were associated with him here remember his dignified and courteous bearing. No words of bitterness or reproach ever escaped his lips, and he never forgot what was due to others as well as to himself.

I never heard him speak an unkind word of another, and while reserved, and to a certain extent formal, in his demeanor, he was a man of infinite sweetness of disposition:

> And thus he bore without abuse,
> The grand old name of gentleman.

Both in his public and private life he furnished an example worthy of the emulation of all who love the true nobility of humanity. We will draw aside the curtain only for a passing glance at the domestic circle, of which his beautiful and lovely wife was at once the pride and the ornament. Surrounded by this devoted helpmeet and two manly sons, there was not a happier home in old Virginia. Warmed by the love of his big and generous heart, it was the abode of contentment and peace. The dread messenger was never more unwelcome than when he entered the portals of Ravensworth and made vacant forever the chair of the husband and the father.

We can say nothing to assuage the poignant grief of the widow and children, but our hearts are filled with the fervent prayer that Heaven's choicest blessings may be showered upon them.

Mr. HERBERT. Mr. Speaker, in this brief tribute to the memory of Gen. W. H. F. Lee I should be unworthy of the friendship which it was my privilege to claim did I indulge in anything else than the language of soberness and truth. In him there was no manner of affectation; he pretended to be nothing but such as he was, and it is certain that if he had been giving directions to his biographer he would have laid down the rule announced by Thomas Carlyle in his Review of the life of Lockhart, that the biographer in the treatment of his subject "should have the fear of God before his eyes and no other fear whatever."

Froude, as biographer, claims subsequently to have applied to the life of Carlyle his own rule; and all the world now knows that in the portrayal Carlyle's faults of character the biographer left many a sting in the hearts of those who had loved the great man while he lived, and who felt that the failings, on which the historian had dwelt, ought to have been interred with his bones. The biographer who shall perform faithfully the task of writing the life of "Rooney" Lee will not paint him as a genius like Carlyle; but, sir, if there was any single feature in the character of our friend that laid bare to the world, even by the bold hand of an Anthony Froude, would cause the faintest blush to tinge the cheek of family or friends, I, who knew him well, do not know what it was.

It is true, sir, that it was not my fortune to be thrown in contact with him in the earlier years of his life. I did not know him when his character was being shaped and molded by the generous and refining influences which surrounded him from his cradle to his manhood.

My personal acquaintance with him may be said to have begun only when he had taken his seat by my side in this Hall. But his fame had come before him. A representative of the most distinguished family in America, he had been, by this circumstance alone, conspicuous from his birth; and yet he came among us with not a spot upon his name.

During the civil war, from a subordinate position rising rapidly to high command, and always in the bright light that surrounded him as a son of the most illustrious general of modern times, he bore himself as a soldier without reproach. Neither in civil life nor in war had calumny assaulted him. Such a man, entering here upon a new career, attracted attention the moment he came into this Hall.

It soon appeared to those who watched him closely that he was singulary modest. This modesty was not diffidence. He was at all times self-poised. On this floor, addressing himself to a public question, just as in private conversation among his friends, he always had the easy, unpretentious manner of the thoroughbred gentleman, but his modesty was easily apparent in an utter lack of self-assertion. He never put himself forward except when duty prompted, and then he did nothing for display; never a word did he speak for himself, but only for his cause.

He made indeed no pretensions to oratory; he had never been trained in its arts; but his mind was broad and highly cultured, he had a vast fund of vigorous common sense, and he expressed himself readily and pointedly. With these faculties he would in time have taken rank as a strong debater.

While broadly patriotic, he had at the same time a high sense of obligation to his immediate constituency, and he was patient to a remarkable degree. His district, you will remember, Mr. Speaker, lay just beyond the Potomac.

It was an easy matter for his constituents to come to the Capitol, and, naturally, many of them, sought office at his hands. I sat near him in the Fifty-first Congress. Often have I known him to be carded out a dozen times a day; and, if he ever expressed himself to me as worried by these interruptions, he never failed to show, by what he said, that his annoyance arose not so much from the importunities of his friends as from his inability to serve them.

In address he was remarkably pleasing. Indeed, his manner was so genial, so pleasant, so hearty and sincere, that the memory of his kindly greeting will not be forgotten until the whole generation of his friends shall pass away. Who is there among his associates on this floor that will ever cease to remember him as morning after morning in the springtime he came into this Hall bringing from his home a basket of roses to distribute among his friends? He was not seeking popularity; such a thought had not occurred to him, nor did it enter into the mind of any one here. He simply loved his friends and he loved flowers, just as he loved all things beautiful and true.

Such a man could not but be, as Gen. Lee was, a model brother, husband, and father. In all his life nothing was more lovely and beautiful than his family relations.

He had about him none of the arts of the demagogue; he was always himself, and therefore never false to any man. His whole walk and conversation illustrated that he was the worthy son of his noble father; that from his youth up he had profited by the precepts and example of that illustrious chieftain, who declared, in those memorable words already quoted by my eloquent friend [Mr. TUCKER], that duty was the sublimest word in the English language. And, Mr. Speaker, let me say that the idea conveyed by this word duty, as taught by the father and practiced by the son, was far higher than that ideal, lofty though it was, expounded by philosophers like Plato and Cicero. With the Lees duty meant Christian duty.

With all these characteristics Gen. Lee could not but grow and continue to grow as he did in power and influence in a body like this; and had he been spared for that long career in this Hall hoped for by his friends he would have risen to eminence as a legislator.

But this was not to be. He has passed away from us forever. When such a man dies out from among us, let critics cavil as they may about time wasted in memorial addresses. We should do violence to our own feelings did we not pause to honor his memory; we should do wrong to the American people, whose heritage they are, did we not spread before them the lessons of his life, that the whole country may venerate his virtues and the youth of the land may emulate his example.

Mr. HERMANN. Mr. Speaker, of all picturesque spots on the face of the earth there is, perhaps, none that can rival in scenic beauty Mount Arlington, in the State of Virginia. Shaded by the primeval forest to the rear, and in front beautified by the gently sloping lawn, decorated by variegated flowers and artistically trimmed shrubbery, with the dark green waters of the Potomac ebbing and flowing not far away, and in full view the mighty nation's splendid capital city, stands the stately old mansion, with its classic columns, where, nearly fifty-five years ago, was born our departed friend and colleague, and one of the beloved representatives of the people of Virginia—Gen. W. H. F. Lee. Born in Virginia, he remained a Virginian continuously to the hour of his death.

Inheriting the martial genius of his eminent ancestry, he early aspired to a career in the military service of his country, and at the comparatively early age of 20 we find him bidding adieu to his college studies at Harvard and uniting with the army in its expedition to Utah in 1858, when he first experienced the fatigues and hardships incident to the life of the soldier in the long march over the arid plains and through the mountain canyons into the Mormon territory. The prospect of inaction, with a long period in garrison, proved a disappointment to so ambitious a spirit, and he resigned his commission and returned to the domestic welcome of his Virginia farm.

Soon, however, the indication of a long peace proved delusive, and the scene shifted. This time it was decreed that he should behold the terrible conflict in which one portion of his unhappy country was to engage in deadly array with another portion. Obeying what he conceived to be the mandate of his State, he followed the impulse of his feelings and the example of his kindred and his friends and periled all in that belief. He participated at once, and most actively, in some of the most sanguinary engagements of the civil war. Wounded at one place, taken prisoner at another, then exchanged, and again in the van of battle, we find him following the forlorn hope until the close of the struggle at Appomattox, when he again returned to the old farm. He possessed the undivided confidence of his constituents.

He was regarded by them, as he was so long observed by us in our intimate associations with him in this Hall, and especially in the committee rooms, as an intelligent and conscientious legislator, a laborious servant of the people, a courtly gentleman, a generous and devoted companion. Loyal as he was to his political convictions, he was yet the most considerate and the most conservative in his relations with those who radically differed with him. He admired frankness; he despised duplicity. While he was obedient to the reasonable edicts of caucus and party organization, we recall occasions when he was prompt to rise above the partisan. He was as broad-gauge and comprehensive in the study and performance of his duty toward all parts and all interests of his reunited country, as he was anxious for the obliteration of sectional animosity and sincere and generous of heart in his social obligations to all of his fellow-men.

The most touching remembrance we bear of Gen. Lee's goodness of heart has reference to his custom in springtime of bringing to this Hall from his farm great quantities of lovely roses, and having them distributed to his associates of both political parties on this floor with his compliments. Here we have a practical illustration that flowers are the interpreters of man's best feelings. In oriental lands the language of flowers was early studied and made expressive. As Percival says:

> Each blossom that blooms in their garden bowers,
> On its leaves a mystic language bears.

With Gen. Lee they bore tidings of good will to partisan friend and partisan foe alike. They bespoke in mute eloquence the expansive heart of one "that loved his fellow-men." Little, however, did he think at the time that these beautiful roses were

especially speaking to him as emblems of a near immortality. Awakening from their sleep of winter, they were also harbingers of a brighter day to him and of the bloom of a glorious resurrection. The Germans have a saying "that he who loves flowers loves God." If this be applied to Gen. Lee, we have the blessed assurance that he has approached close to the celestial throne.

Gen. Lee belonged to one of the most historic families of America. Looking back to the early settlement and the pioneer struggles of the peninsula, and then through the plantation and colonial period of entire Virginia, we everywhere discover the genius, the dauntless courage, the independence, and the resolute patriotism of the Lees. It has well been said, sir, that Virginia is the mother of Presidents; and this is true. A momentary reflection does not suffice to demonstrate the various causes which combine to bestow upon the Old Dominion this prominence. A mature study, however, will serve a double purpose. It will teach us not only how Virginia, more than any other State, became the nursery for Presidents and statesmen, but how at the same time was given character and fame to its distinguished family of the Lees.

The permanency and prosperity of States and political bodies are as much due to the character of their superstructures as are the strength and stability of the material edifice to the foundation upon which it rests. The Argonauts of Virginia united in a remarkable degree the pride and culture and learning and loyalty of the cavaliers, with the conviction of purpose and martial courage and discipline of the followers of Cromwell. First came the heroic vanguard—the men like Capt. John Smith—who blazed the way through the forests of the James, the York, the Chickahominy, and Pamunky. Then followed the refined, enthusiastic, and chivalric gentlemen of the polished court of Charles I, with many of the clergy, who brought with them their intense loyalty to the Crown, as well as to the episcopal government and the Anglican ritual. Among these, too, were the proselyted royalists, old and honorable families, after the defeat of Charles, seeking exile in the far distant, yet faithful Virginia. Then came those who triumphed at Naseby and overthrew the kingly office, and maintained the constitution of the realm and the integrity of Magna Charta and the Petition of Right.

The necessity for self-defense and the maintenance of order originated self-government and the assertion of individual right, and these united the widely variant elements of the community in a loyal union. It was the amalgamation of such spirits in Virginia in 1676 which demanded the right of personal liberty, of universal suffrage, and of representation, and here was fought the prelude of that great drama one hundred years later, when a Virginian, in the name of a whole nation, penned the immortal words which proclaimed to all the world the "inalienable right to life, liberty, and the pursuit of happiness." Here were the Lees, the Patrick Henrys, the Randolphs, the Jeffersons, the Madisons, and the Masons of Virginia, and here, to close the drama with freedom's triumphant army, was the most illustrious of them all—George Washington. It was from such an ancestry our late colleague was descended, and it was from such teachings and such examples he imbibed his zealous convictions of right and his sturdy regard for the exalted prerogatives of a free people.

Mr. WASHINGTON. Mr. Speaker, on the 15th of last October death again invaded the ranks of this House. The mysterious messenger laid the summons of his cold, silent hand upon one who had immeasurably endeared himself to all whose good fortune it had been to know him. To-day we pause amid the rush of a nation's public business to mourn the country's loss and to pay a just tribute to the noble dead. When such a man as our late colleague, Gen. W. H. F. Lee, is taken from our midst, a void is made which can nevermore be filled. It is not his visible presence or his tangible body that we shall so much miss. It is the magnetism of a pure mind, the silent potent influence of a spotless character, the power of a great, good, and noble soul to elevate and dignify all with whom it came in contact, that will prove our irreparable loss. No man ever associated with Gen. Lee without feeling the better for it. To have been with him made you feel like one who had drawn a long, deep inspiration of pure, fresh air into his lungs after breathing the stifling atmosphere of a close room. His thoughts, his conversation, his ideas, diffused about him a sound and healthy morality that was as natural to him as its delicate odor is to the rose. Modest and as gentle as a woman; sympathetic as a child; guileless as the day; a logical, well-trained, accurate mind; a horror of injustice; absolutely devoid of resentment; a benignant countenance, and a splendid physique, made him indeed a man among men.

Sir, I believe not only in early training but in the force of early surroundings and family traditions. Sprung from an illustrious line of statesmen and patriots, who had left their impress on every page of the history, civil and military, of this country from the colonial days to the present; born on those beautiful heights overlooking this city, at Arlington, where the house was filled with the sanctified relics and the very atmosphere he breathed in childhood was pregnant with the traditions and precepts of "the Father of his Country;" his mother the direct descendant and heir of the adopted son of that "illustrious citizen;" his father that world-renowned military commander, the self-poised, calm, patient, dignified, glorious Gen. Robert E. Lee, it would be unnatural not to expect to find the impress of all these on the heart and mind and character and life of Gen. W. H. F. Lee.

To some my words of eulogy may appear fulsome; but having known him in public and in private, at home by his own fireside, as well as abroad on the active field of life, I know that my poor words can but fail to do full justice to his true worth. With him the performance of duty was accompanied by no harsh word or cynical expression; on the contrary, his calmness and uniform sweetness of manner were almost poetical. I recall a notable instance in the Fiftieth Congress, when pressing under the most trying circumstances the passage of a bill for the relief of the Episcopal High School near Alexandria he was temperate and patient. Standing on the Republican side of this Hall, among those who questioned him, his words fell softly and evenly as snowflakes on the turbulent House, which finally by an almost unanimous vote passed his bill.

He shrank from publicity; therefore he never spoke on this floor unless it was necessary to push a measure intrusted to his charge; then he always acquitted himself with credit. In the committee and among his colleagues his influence was irresistible, because his judgment and integrity were above dispute. With him a public office was a public trust, which he accepted and administered for his State and his constituents without regard to race, color, or party affiliation. Many times have I seen him, when coming in from his country home in the morning, met at the depot by a dozen or more of his constituents, claiming his attention to their private matters with the Departments of the Government.

The patience and tender care with which he heard and looked after each was paternal and pathetic. His love for little children was intense and beautiful. Nothing made him happier than to fill some little fellow's hands and pockets with candies and fruits, claiming only in return a shy caress. In his home is where his perfectly balanced Christian character shone in its brightest light. As father and husband he was indeed a model man.

I shall attempt no extended biographical sketch; that has already been well done by others. Yet I can not refrain from saying that in every stage of his career Gen. Lee did his whole duty, actuated entirely and solely by the loftiest motives. A graduate of Harvard at 20, he was appointed a second lieutenant in the regular Army. Often I have heard him tell of the wearisome march across the plains to California with his regiment, long in advance of civilization and railroads, when most of that journey through the desert was made perilous by roving bands of hostile Indians. Retiring from the Army, he married and settled at the historic White House in Lower Virginia. There he was the typical Southern country gentleman of refinement and culture, taking an active interest in agriculture and the public affairs of his community. When the war between the States summoned Virginia's sons to her defense, he again became a soldier.

Throughout the struggle he discharged every duty and was equal to every responsibility placed upon him. His soldiers loved and trusted him as a father, for they knew he would sacrifice no life for empty glory. The saddest chapter in all his life was when, a prisoner of war at Fortress Monroe, lying desperately wounded, with the threat of a retaliatory death-sentence suspended over his head, in hourly expectation of its execution, he heard of the fatal illness of his wife and two little children but a few miles away. Earnestly his friends begged that he might be allowed to go and say the last farewell to them on earth. A devoted brother came like Damon of old, and offered himself to die in "Rooney's" place. War, inexorable war, always stern and cruel, would not accept the substituted sacrifice, and while the sick, wounded soldier, under sentence of death, lay, himself almost dying, in the dungeon of the fortress, his wife and children "passed over the river to rest under the trees," and wait there his coming. Yet no word of reproach ever passed his gentle lips. He accepted it all as the fortune of war.

In all the walks of life, as a student at college, as an officer in the regular Army, as a planter on the Pamunkey, as a leader of cavalry in the civil war, as a farmer struggling with the chaos and confusion that beset him under the new order of things following the abolition of slavery, as president of the Virginia Agricultural Society, as State senator, and as a member of Congress, Gen. W. H. F. Lee met every requirement, was equal to every emergency, and left a name for honor, truth, and virtue which should be a blessed heritage and the inspiration for a nobler and loftier life to all those who shall succeed him.

Mr. HENDERSON of Illinois. Mr. Speaker, it is not my purpose at this time to make any extended remarks upon the life and public service of the late Gen. William H. F. Lee. Other gentlemen of the House, more intimately acquainted with Gen. Lee in his lifetime, are better prepared to do justice to his memory than I am. But having enjoyed a very pleasant acquaintance with the deceased during his four years' service as a member of this body, I desire to express the great respect which I entertained for him as a gentleman of high character and of noble, manly qualities. Descended from one of the most highly honored families in the State in which he had his birth, he was liberally educated, and at an early age entered the Army as a second lieutenant, and served as such until 1859, when he resigned his commission and returned to the peaceful pursuits of civil life. In 1861 he followed his illustrious father, and entered the service of the Confederate States as a captain of cavalry. That he was a brave and gallant soldier there can be no doubt, for his military history shows that he rose step by step from the rank of a captain to that of a major-general of cavalry. In 1865 he surrendered with his father at Appomattox, and renewed his allegiance and devotion, as I am glad to believe, to the Government of the United States.

I can but wish, Mr. Speaker, that such honored names as those of Gen. William H. F. Lee and his distinguished father had never been led into rebellion against the Government of their country. But they felt it to be their duty to follow the fortunes of their State, and let us to-day, while mourning the departure of our deceased friend, rejoice that the surrender at Appomattox has been followed by a restored Union, and that our reunited, undivided country is now one of the strongest, most powerful and prosperous of all the nations of the earth.

As a Representative in this body, while he was not inclined to participate actively in the discussion of public and political questions, still Gen. Lee took great interest in all that pertained to the public welfare, and especially in that which, in his judgment, was in the interest of his immediate constituents. He was an able, faithful, and efficient Representative as well as a noble, manly man, and in all my intercourse with men I never met a more genial, warm-hearted, pleasant gentleman than the distinguished citizen to whose memory we pay tribute to-day. I well remember his kindly greetings, and I am sure all of us who knew Gen. Lee deeply regret his loss as a member of this body to which he was for a third time elected by his confiding constituents, and extend to his sorrowing, bereaved family our warm, heartfelt sympathies.

Mr. CHIPMAN. Mr. Speaker, I have not been in the habit of speaking upon occasions of this kind, but it is one of the joys of my life, a very great joy indeed, to feel that I had a place in the heart of the gentleman whom we are now commemorating. I knew him very well, and in many respects I regarded him as one of the most fortunate men whom it was ever my pleasure to know. While many men here are struggling for fame, while many of them will leave the struggle heartsick, weary, defeated, he had that power, that charm, so precious and so lovely, of attaching men to him by the ties of affection. Little children loved him.

There was a benignancy, a sweetness of demeanor, which attracted them to him, and while his name may not be sounded in the trump of fame, yet the subtle power of his gentleness and goodness has permeated many lives, will shape many destinies, and will have a force in the history of the world greater than that which will be exerted by many who will succeed him here. He was a soldier, yet he was gentle and kind. He was a descendant of a long line of honored ancestry, yet he did not believe that mere wealth was necessary either to respectability or to greatness. He was a farmer and loved the soil. He looked upon the ripened grain as the flower of human hope and as a minister to human needs. He loved the breath of cattle, and he regarded the occupation of an agriculturist as the noblest and the best in which a man could be engaged. He was a true son of the soil—hearty, simple, gentle, true.

But, sir, the particulars of his career, both public and private, have been recounted by those who knew him well; have been recounted with great force, with great eloquence, and propriety. There is, however, one part of that career to which I wish to refer. He was engaged in the memorable struggle which convulsed this nation from center to circumference and which fastened the gaze of the civilized world. I wish, upon this occasion, to say emphatically that, wherever we may have stood in that struggle, whatever was good and great in any man participating on either side of it is a precious heritage to the entire American people to-day. We proved that north, south, east, west, we had not degenerated in the qualities which make a nation great.

Grant and Lee, Sherman, Sheridan, and the two Johnstons have gone from us forever, and every day the green sward of peace, the flowers of affection, are placed above the grave of some hero of the blue or of the gray. But I love to think that above these graves stands the Genius of American freedom, serene and grand, and bids the world behold how brave the sons of the Republic were in the past; how united they are in one purpose and one destiny in the present; how certain they are to be a people noted for reasonable liberty, for perfect union, and for sufficient material power to be formidable and just alike to the other nations of the earth.

And so, sir, I come and lay the flowers of my Northern home upon the bier of this son of Virginia, this good citizen, this patriot, this man who, I am proud to believe, held even me in his affection. And when gentlemen here speak of the terror and the mystery of death, I tell them that to such a man death has no terrors, and that to the good man it has no mystery; for in that illimitable hereafter, which must be populated by all the sons of men, it must be, it will be, well with all of us.

Mr. WILSON of West Virginia. Mr. Speaker, the House has already heard from his friend and successor the story of Gen. Lee's life. I shall not, therefore, repeat it even in briefest outline. Enough for me to say that he was one in a long lineage of noted men, who by some innate force and virtue had stood forth in three generations as leaders of their fellow-men; that he was the son of the greatest of all who have borne the name, and that in early manhood he exhibited the soldierly instincts and the soldierly capacity that seemed to be historically associated with it.

With such a lineage and with such a history he came to this House, and I believe I can offer no higher tribute to his memory to-day than to say that in all his associations with us here he was the embodiment of gentleness and modesty. Indeed, Mr. Speaker, as I now recall Gen. Lee, and explore with aching heart the memory of a close and cordial friendship with him, I can say with confidence that in the blending of these rare traits I have never known his equal. They were a part of his nature, not more illustrated in business and social intercourse with fellow-members than in his relations with the page who did him service and who learned to regard himself in some way as the special friend and associate of Gen. Lee.

Many of us doubtless can recall the evident pride of the little fellow who occasionally placed upon our desks the roses which his kindly patron brought by the basketful in the spring mornings from his Virginia home to brighten the sittings of the House. And this gentleness and modesty were the more attractive because they were the adornment of a sincere and manly character. How much came to him as the rich legacy of ancestral blood and how much was wrought into his nature by the training of his youth it is idle to speculate. In both respects he was lifted far above the common lot of men. Of his mother it is said by those who knew her well that she was one of the most accomplished and at the same time most domestic, sensible, and practical of women. Of his father's influence and teaching, to say nothing of his lofty example, we have the striking proofs, if any were needed, in letters that have been published. Let me cull but an occasional expression from these unaffected outpourings of the heart of Robert E. Lee toward the son he loved so well, "My precious Roon," as he was wont to call him.

When the boy was not yet 10 years of age he closes a playful letter, adapted to such tender years, with these earnest words: "Be true, kind, and generous, and pray earnestly to God to enable you to keep His commandments and to walk in the same all the days of your life." A year later, writing from the ship Massachusetts, off Lobos, to his two sons, a letter full of interest to boys, he urges them to diligence in study: "I shall not feel my long separation from you if I find that my absence has been of no injury to you, and that you have both grown in goodness and knowledge as well as in stature; but how I shall suffer on my return if the reverse has occurred. You enter into all my thoughts, into all my prayers, and on you in part will depend whether I shall be happy or miserable, as you know how much I love you."

Ten years later, when the son had become a lieutenant in the Army, he admonishes him, "I hope you will always be distinguished for your avoidance of the universal balm, whisky, and every immorality. Nor need you fear to be ruled out of the society that indulges in it, for you will acquire their esteem and respect, as all venerate, if they do not practice, virtue. I hope you will make many friends, as you will be thrown with those who deserve this feeling. But indiscriminate intimacies you will find annoying and entangling, and they can be avoided by politeness and civility. When I think of your youth, impulsiveness, and many temptations, your distance from me, and the ease (and even innocence) with which you might commence an erroneous course, my heart quails within me and my whole frame and being tremble at the possible result. May Almighty God have you in His holy keeping. To His merciful providence I commit you, and I will rely upon Him and the efficacy of the prayers that will be daily and hourly offered up by those who love you."

A year or two later on New Year's day, 1859, he writes: "I always thought there was stuff in you for a good soldier and I trust you will prove it. I can not express the gratification I felt in meeting Col. May in New York at the encomium he passed upon your soldiership, your zeal, and your devotion to your duty. But I was more pleased at the report of your conduct; that went more to my heart and was of infinite comfort to me. Hold on to your purity and virtue; they will proudly sustain you in all trials and difficulties and cheer you in every calamity."

So, too, when the young lieutenant had married and settled down a typical Virginian farmer upon the estate left him by his grandfather Custis, the well-known "White House," on the Pamunkey, the home of Martha Washington:

I am glad to hear that your mechanics are all paid off and that you have managed your funds so well as to have enough for your purposes. As you have commenced, I hope you will continue never to exceed your means. It will save you much anxiety and mortification and enable you to maintain your independence of character and feeling. It is easier to make our wishes conform to our means than to make our means conform to our wishes. In fact, we want but little. Our happiness depends upon our independence, the success of our operations, prosperity of our plans, health, contentment, and the esteem of our friends, all of which, my dear son, I hope you may enjoy to the full. * * *

With such counsels, glowing with a father's love and enforced by the constant example of a father's life, it is no wonder that the son grew into the manliness, the gentleness and modesty, the charitableness of judgment, the unconspicuous and patient devotion to duty, and the personal lovableness of Gen. Lee.

Mr. Speaker, I might say much more from the promptings of a strong and unfeigned affection and from a sense of the public merits of our late colleague, but where there are so many to speak it is not necessary for one to attempt a catalogue of his private virtues and of his public services.

Perhaps I may fitly add a word in closing as to Gen. Lee's military career. From a captain of volunteer cavalry he rose on his own merits by the age of 26 to the rank of major-general. I have not searched the annals of war to recite his military history, for it is not the soldier that I have been commemorating, but I may recall a testimony not improper to be placed on record here to-day. I happened to be in company with Gen. Joseph E. Johnston about the time that Gen. Lee was first nominated for Congress. The old commander, who, as all know, was not given to effusive speech, expressed to me his hearty gratification at the event, and in doing so his high estimate of Gen. Lee as a man and of his ability as a soldier. His praise was strong and unstinted, and no one will question its sincerity. Mr. Speaker, what more need I add than to say that in all the acts and relations of life, as son and soldier, as husband and father, as private citizen and as representative of the people, as friend and as Christian, our departed colleague left a memory we may well cherish and an example we may well follow.

Mr. CUMMINGS. Mr. Speaker, great as is our country, its history is comparatively brief. Though brief, it is exceedingly instructive. So far as there can be an outcome in ever-recurring events, it is the outcome of a tremendous social and political struggle. Sir, it hardly suits the occasion to refer to the origin of this struggle or to trace its progress, but the effort for popular government is discernible through many centuries. As we come nearer to our time it becomes more intelligent and determined. Our great declaration was its best pronunciamento. Our written constitution was its most concise expression. The events that produced them founded a normal school for patriotism. In it was perfected a new departure. Fealty to lord and king was supplanted by fealty to human rights. Proclaimed in the council chamber, these rights had to be won in the field. Yorktown completed our first endeavor at nation-making. We graduated masters at Appomattox. The first proclaimed the prowess of the Confederation, the second testified to the strength of the Union. Both astonished the world. Both transpired in Virginia.

Conspicuous in this analogue of our history were the Lees of Virginia. They have a lineage too illustrious for praise. Its escutcheons are too bright for adornment. It reaches back for centuries loyal to honor and to truth. Him we mourn to-day was a gifted scion of that great name. His highest distinction was won in Confederate arms.

Thank God, I can now speak of our civil war with satisfaction and not with reluctance. I allude to it with a satisfaction akin to that one feels in gazing upon a plain fertilized by an inundation. Flowers spring up, birds sing, and golden grain nods in the sunlight. But our civil war was more like an upheaval than like a deluge. It shook every timber in the grand structure with which we had surprised the world. Other governments have fallen of their own weight; our matchless edifice could not be shattered by an explosion.

Both contestants stood guard over the popular principle and would not let it be mined. They were instructed in the same school and by the same teacher. Local privilege was as strong with the one as with the other. The dispute was whether the Union should endure the strain of the race and slavery issue. The long and vexing argument was adjourned to the battlefield. In no other respect was our system even threatened. This close connection at the root made the angry divergence begin to assimilate at the very outset.

So kindred was it, that when Grant met his heroic opponent at Appomattox, he says that he fell into such a reunion with him that he had twice to be reminded of the occasion that brought them together. He then conformed to it, and treated those who surrendered, not as conquered, but as reclaimed. Lincoln went further. He found a Confederate legislature ready-made to his hand, and promptly permitted it to repair the situation. In thus mingling the gray with the blue he was neither color-blind nor purblind. He knew what he was doing. He desired to blend them, as emblematic of a more perfect union. Possibly the Confederate legislature suited his purpose best.

After this testimonial, it looks to me something like treason to that great name to try to exclude Confederate worth from the annals of the strife or from the glory of its grand consummation. Neither act nor actor can be profitably spared.

Mr. Speaker, the other day in this very Hall I laid a chaplet on the bier of a dead comrade. To-day I am trying to commemorate the virtues of a Confederate colleague. Both died while members of this House. That both were my countrymen warms my heart. As my countrymen I can make no invidious distinction. If living neither would permit it, and he is more reckless than I who would profane the memory of either.

Mr. Speaker, I have said that I could speak of the civil war with satisfaction and not with reluctance. The occasion prompted me to say so. The occasion requires that, as a Union soldier, I should state my reasons. We learn from experience, and war is the toughest kind of experience. When it raised its horrid front and began its work of seeming devastation we shrank back from its terrible promise. The world looked to see us dismembered, but the great Republic, like a daring cruiser, emerged from the tempest sound from keel to truck. Not a brace swung loose, not a plank was sprung, no spar was shivered. Within there had to be readjustment. Aloft the Stars and Stripes rose and fell in graceful recognition of the trial. The thunder of her broadsides proclaimed the value of this object-lesson in nation-making.

We had learned a juster appreciation of ourselves as a whole people, and if this were all, it was worth the tuition. But we had besides garnered into our storehouse of knowledge vast consignments for the use of liberal, economic government. We had infused into our laws, our language, and our institutions, new vigor for conquest and for human enlightenment. Venality that dogs great efforts undoubtedly there was. But the high tide of the conflict showed no mercenary taint. On both sides it was urged from the highest motives of patriotism and of honor, and in defense of the popular principle. That principle with us means local self-government and representative union. The rebel yell was because they thought local government in peril. The Federal huzza was for representative union. Together they were cheering the same deeply embedded sentiment.

Those who would study the phenomenon must remember that where opinions approximate on parallel lines, but from some interest or sentiment refuse to coalesce, the passions are liable to ignite. Fusion then takes place in a terrible heat. The heat must be sufficient to remove the obstacle that the mass may become unified. We have as a result a firmly established representative union of local self-governments. The cooling and finishing process has left no flaw. Sir, what sort of a soldier must he be who is not proud of having been tempered in such a trial? If after the unmatched tournament this is not the spirit of victor and vanquished, then the lights of chivalry are burned out and magnanimity is no more.

Mr. Speaker. I know of no greater praise of a life than to say it was one of honest endeavor. Whatever faculties comprise it, this is the scope of human duty. When to this is added a conscience adequate to all the suggestions of a great and busy career, the sum of human excellence has been reached. All this I believe in my soul can be truthfully said of "Rooney" Lee, "Rooney" was his father's term of endearment, which all who knew him, without distinction of age, race, or sex, delighted to apply to him when absent. When present, it was always "general." A thorough soldier, there was an idyllic strain in his nature. He was essentially rural in his tastes. He loved the wheat fields and tobacco plantations of his native State. Its very air seemed to inspire him.

The Blue Ridge was to him the perfection of natural beauty. He was warm in his friendships and true to his kinships. Always dignified, there was a heartiness in his greetings that was irresistible. He was as broad as his acres. Riding or driving over his vast estate, or in its vicinity, his cheerful halloo rang in the ears of those who had not seen him, and the cheery swing of his

hat, though paid to all, was a cherished compliment. If the spirit of mortal be proud, it was not his spirit. Courteous, sympathetic, unobtrusive, patriotic, knightly, and beneficent, he was a part of the soil of Virginia itself. He had the loving hospitality that would take all into the march of progress. How much of these qualities was innate, how much he drew from his high lineage, how much from the teachings of his illustrious father can never be known, but he blended them in a halo that will not soon fade from his momory.

Sir, others have spoken of the incidents of his life and of his unabated fidelity to its claims. I can not add to his record. I have met him in battle array; I have embraced him with a soldier's warmth. We entered Congress together; we have fought here side by side. It has fallen to my lot to eulogize him. This I will venture: It would mar the catalogue of bright names of which America is so proud if his was omitted from the roll.

[Mr. COWLES withholds his remarks for revision. [See Appendix.]

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I never had the pleasure of Gen. Lee's acquaintance, so far as I could recall, until he entered this House as a Representative of the district which lies just across the river; but there were many things in common between us which soon caused a kindliness of feeling much more warm than the frequency of our association would indicate. It happened that we were almost of the same age, born within a few weeks of each other, and that on all great questions of the day we were singularly alike in our opinions, and if I may use such an expression, even in our prejudices.

Amid all the trials of life we two found we had adhered to the simple beliefs of those Southern homes in which we were reared; that no advance in civilization, no pretense of progress, had ever obscured our views as to the olden beliefs and the simpler truths which had been inwrought into our being by the venerable fathers and beloved mothers with whom we had been blessed. The substratum of our beliefs was precisely the same. And we found that we were not ashamed of that substratum, that we were not given to apologizing for adhering to so-called "obsolete" traditions, or to creeds "that were passing out of fashion."

We also found that on the political questions of the day we were similarly in accord. We believed in the same political principles. And so it was a very rare occurrence that when the roll was called in this House we were not found voting, even on what seemed to be trivial matters, upon the same side. It was not strange that with these coincidences of belief, and with our having both served in the Confederate army, and the local accident of the nearness of our seats which threw us together, there grew up a regard greater than was indicated by our association outside of this Hall.

If I were to select in my acquaintance him who, as much as any other, deserved the title, I would say of Gen. Lee that he was a gentleman. All that had concurred in producing him was of the best. The blood which gave him life, the soil out of which he grew, the kindly influences which always surrounded him, the molding powers to which he had been subjected—all were of the noblest. A son of such houses, reared at such knees, influenced by such powers, he passed early under the influences of Harvard. Later he took his young experience as a soldier under Sidney Johnston. He began his civil life in a delicious home, with the love of an exquisite young wife. And in the Confederate service he was associated with the best and the bravest volunteers of the Old Dominion herself.

It was not strange that the product of such influences should be a gentleman. All that was courageous, all that was loyal to truth, all that was courteous to those with whom he came in contact, all that was gentle and kindly, was not only the heritage which he received with his name and his blood, but it was developed by all the environments which he was so fortunate as to have surround him. If I were to select a character of which it might be said that it was round, without angles, even without salient points, it would be his—not because he was weak, but because the calmness, the serenity, and the magnificence (if I may use a word that seems to be hyperbolic) of the equipoise of his qualities made each of them seem less important than it would have seemed if other qualities had been less.

It would not be extravagant to apply to him the paraphrase of the apostolic description of a Christian gentleman—loving without dissimulation; abhorring the evil; cleaving to the honorable; preferring to confer honor rather than to receive it; earnest in the work of life, and careful of time and opportunity to labor; hopeful of all good; patient in tribulation; forbearing to resent trespass; charitable in thought and word as in deed; given to hospitality; at peace with his own conscience and with God.

We live, Mr. Speaker, in a heroic age. I constantly hear of this being an age of materialism, of the worship of the "almighty dollar." I challenge all the past, in all the endeavors of man, to reach a higher level, to equal the heroism of the age in which we have been called to perform our part—the devotion to duty, the readiness to make sacrifices, the willingness to give all for the truth, which have marked our generation—the era in which we have to act our part.

This simple, kindly, unaffected, modest gentleman; this man, with his sweet, calm smile, who met us every day, passing in and out with a certain reticence of modesty, was himself but the type of the age in which he lived and of the people from whom he sprang. All modest as he was, he had given up everything at the call of duty. All simple and kindly as he seemed to be, he had at the head of charging squadrons captured cannon, and with more heroic endurance had lain without complaint in the cell of solitary confinement. He carried about with him in the simple modesty of his everyday life the heart that at a moment's notice was ready to still its beating at the call of duty; and with the same simplicity, with the same freedom from ostentation, with the same delicious smile, he would have walked into the jaws of death if it had become him as a gentleman to do so.

To live in such an age, to be associated with such men—and, thank God, they are not uncommon amongst us—the bar at which I practice, the tables at which I sit in the kindliness of social intercourse, the men with whom I have been blessed enough to be called into contact, the very strangers who call on business at my house, rank among them men just like unto him. I say to live in such an age, to be associated with such men, to play a part, however obscure, in such drama, make life worth the living; make the hereafter nobler for him who has been so blessed.

Mr. Speaker, to-day, in the midst of this the ending of the nineteenth century, we who will soon pass away, we who are but the remnants of a generation of war, can proudly hand over to those who shall come after us the example of lives that in war feared nothing but God, in peace strove for nothing but the good of the people. [Applause.]

Mr. TUCKER. Mr. Speaker, I ask unanimous consent that any gentleman who desires to do so may have leave to print in the RECORD remarks on the life and character of Gen. Lee. I know that a number of gentlemen who wished to be present to-day were necessarily detained from the House.

The SPEAKER *pro tempore* (Mr. COBB of Alabama). Is there objection to the request of the gentleman from Virginia?

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BOATNER, for two weeks.

To Mr. DUNPHY (on motion of Mr. TRACEY), for ten days, on account of illness.

And then, on motion of Mr. MEREDITH (at 4 o'clock and 3 minutes p. m.), the House adjourned.

BILLS AND JOINT RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced and severally referred as follows:

By Mr. SMITH of Arizona: A bill (H. R. 5499) to amend an act entitled "An act approving with amendments the funding act of Arizona, approved June 25, 1890—to the Committee on the Territories.

Also, a bill (H. R. 5500) to provide for the development of the coal lands in the San Carlos or White Mountain Apache Reservation in Arizona—to the Committee on Indian Affairs.

REPORTS OF COMMITTEES.

Under clause 2, Rule XIII, private bills were reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House:

By Mr. STONE of Kentucky, from the Committee on War Claims: A bill (H. R. 1306) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852. (Report No. 177.)

By Mr. PATTON, from the Committee on Military Affairs:

A bill (H. R. 1662) removing the charge of desertion against John Van Fassen. (Report No. 178.)

A bill (H. R. 2876) for the relief of Ezra A. Wilson. (Report No. 179.)

A bill (H. R. 3419) for the relief of the estate of S. K. N. Patton, deceased. (Report No. 180.)

A bill (H. R. 3844) for the relief of Curtis P. Wise. (Report No. 181.)

By Mr. PEEL, from the Committee on Indian Affairs, adversely: A bill (H. R. 1878) to pay Bluford West for Saline salt works, in Cherokee Nation, and in lieu thereof a bill (H. R. 5498) to pay the administratrix of the estate of Bluford West, deceased, for the Bluford West Saline, in Cherokee Nation. (Report No. 182.)

By Mr. JOLLEY, with amendment, from the Committee on Invalid Pensions: A bill (H. R. 2425) granting a pension to Mrs. Jennie Vaughan. (Report No. 183.)

Also, by Mr. JOLLEY, from the same committee: A bill (H. R. 1938) granting a pension to Caroline E. Quigg, formerly C. Elizabeth Henry, an army nurse in the late war. (Report No. 184.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the following bill, and the same was referred to the Committee on War Claims:

A bill (H. R. 2919) for the relief of Alexander Stoddard, of New York.

PRIVATE BILLS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BANKHEAD: A bill (H. R. 5501) for the relief of the estate of Daniel H. Avery, of Tuscaloosa, Ala.—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 5502) for the relief of D. B. Greene—to the Committee on Claims.

By Mr. CATE (by request): A bill (H. R. 5503) for the relief of Samuel G. Cabell—to the Committee on War Claims.

By Mr. COBB of Missouri: A bill (H. R. 5504) to permit the withdrawal of certain papers and the signing of certain receipts by John Finn or his attorney—to the Committee on Claims.

By Mr. DOAN: A bill (H. R. 5505) to remove the charge of desertion from the record of Winfield S. Barnett—to the Committee on Invalid Pensions.

By Mr. FELLOWS: A bill (H. R. 5506) granting an honorable discharge to John Harvey—to the Committee on Military Affairs.

By Mr. GOODNIGHT: A bill (H. R. 5507) for the relief of James M. Phelps, of Morgantown, Ky.—to the Committee on War Claims.

By Mr. GORMAN: A bill (H. R. 5508) to place the name of Sabra A. Wolcott upon the pension rolls—to the Committee on Invalid Pensions

Also, a bill (H. R. 5509) to place the name of Mrs. E. M. Bannister, an army nurse, on the pension rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5510) for the relief of Hiram W. Eidenier—to the Committee on Military Affairs.

By Mr. HARTER: A bill (H. R. 5511) directing the correction of the record of John Irwin, late of Company E, Sixty-fourth Ohio Volunteers—to the Committee on Military affairs.

By Mr. HATCH: A bill (H. R. 5512) for the relief of Sarah E. B. Smith—to the Committee on War Claims.

By Mr. HITT: A bill (H. R. 5513) to remove the charge of desertion from the military record of Joseph Wertz—to the Committee on Military Affairs.

By Mr. LESTER of Georgia (by request): A bill (H. R. 5514) for the relief of Henry Fields and Alfred Shellman, of Savannah, Ga.—to the Committee on War Claims.

By Mr. McCLELLAN: A bill (H. R. 5515) granting a pension to George W. Gelvin—to the Committee on Invalid Pensions.

By Mr. McRAE (by request): A bill (H. R. 5516) to increase the pension of Eliza A. Johnson—to the Committee on Pensions.

Also (by request), a bill (H. R. 5517) to increase the pension of Charles P. McGimsey—to the Committee on Pensions.

Also, a bill (H. R. 5518) to pension Reuben Riggs—to the Committee on Pensions.

By Mr. PATTON: A bill (H. R. 5519) for the relief of Daniel Eldridge, Company D, Fifteenth Illinois Volunteers—to the Committee on Military Affairs.

By Mr. RUSK: A bill (H. R. 5520) authorizing the Secretary of War to donate certain cannon to the Naval Veteran Association of Maryland—to the Committee on Military Affairs.

By Mr. STOCKDALE: A bill (H. R. 5521) for the relief of A. H. Sprich, of Pike County, Miss.—to the Committee on War Claims.

By Mr. STONE of Kentucky: A bill (H. R. 5522) for the relief of W. H. Dupre—to the Committee on War Claims.

Also, a bill (H. R. 5523) for the relief of John R. Elkins—to the Committee on War Claims.

Also, a bill (H. R. 5524) for the relief of William Wallis—to the Committee on War Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 5525) for the relief of Mrs. Camila Tills—to the Committee on War Claims

Also, a bill (H. R. 5526) for the relief of Nancy J. Watkins—to the Committee on War Claims.

Also, a bill (H. R. 5527) for the relief of John P. Lewallen, administrator of Madison Lewallen, deceased, of Jackson County, Ala., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 5528) for the relief of Masonic lodge of Tuscumbia, Colbert County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5529) for the relief of Pauline Pepin—to the Committee on War Claims.

Also, a bill (H. R. 5530) for the relief of George Caperton, Jackson County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5531) for the relief of W. H. Rice, of Florence, Lauderdale County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5532) for the relief of Rice A. Coffey, administrator of A. J. Peacock, of Jackson County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5533) for the relief of James A. Heard, of Florence, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5534) for the relief of John R. Caldwell, of Jackson County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5535) for the relief of Giles W. Bass—to the Committee on War Claims.

Also, a bill (H. R. 5536) for the relief of William S. Webb, of Lauderdale County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5537) for the relief of Jane W. Locke—to the Committee on War Claims.

Also, a bill (H. R. 5538) for the relief of T. C. Greenhill—to the Committee on War Claims.

Also, a bill (H. R. 5539) for the relief of Thomas Brown—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5540) for the relief of Orin R. McDaniel—to the Committee on Military Affairs.

Also, a bill (H. R. 5541) for the relief of James T. Anderson—to the Committee on Military Affairs.

By Mr. WILSON of Kentucky: A bill (H. R. 5542) for the relief of James Cuthbirth, of Whitley County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 5543) for the relief of P. H. Bridgewater—to the Committee on War Claims.

Also, a bill (H. R. 5544) granting a pension to John G. Hobson—to the Committee on Pensions.

By Mr. WILSON of Missouri: A bill (H. R. 5545) for the relief of Platte County, Missouri—to the Committee on War Claims.

Also, a bill (H. R. 5546) for the relief of the Presbyterian Church and the Masonic lodge at Platte City, Mo.—to the Committee on War Claims.

By Mr. YOUMANS; A bill (H. R. 5547) to authorize the Secretary of War to place on the rolls of Company B, Fifth Regiment of Michigan Volunteers, as second lieutenant, from June 10, 1863, until June 27, 1865, the name of David K. Halsey—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRECKINRIDGE of Arkansas: Petition of 124 citizens of Lincoln County, Ark., in favor of the improvement of the Arkansas River—to the Committee on Rivers and Harbors.

By Mr. BUTLER: Petition of citizens of Chickasaw County, Iowa, praying the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of farmers of the same county, praying the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

Also, petition of citizens of same county, praying the passage of the so-called Butterworth option bill—to the Committee on Agriculture.

Also, petition of Local Assembly No. 2031, Knights of Labor, of Washington, D. C., praying the passage of a bill for the investigation of the "slums" of cities of 200,000 population and over—to the Committee on Labor.

By Mr. COOLIDGE: Petition of the Holyoke Bricklayers and Plasterers' Union, for the passage of House bill 257—to the Committee on Labor.

By Mr. CRISP: Resolutions of the National Farmers' Alliance and Industrial Union, in favor of the repeal of the tariff on manufactured goods—to the Committee on Ways and Means.

By Mr. DUNPHY: Petition of John H. Rogers, for increased compensation—to the Committee on Accounts.

By Mr. ENGLISH: Papers to accompany House bill 3536—to the Committee on War Claims.

By Mr. ENLOE: Papers to accompany the bill for the relief of John M. Hamm—to the Committee on War Claims.

By Mr. GEARY: Resolution of Sonoma County Pomono Grange, demanding that their Representative and his colleagues favor the election of United States Senators by a direct vote of the people—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

By Mr. GORMAN: Petition of Washtenaw (Mich.) farmers, in favor of free delivery and collection of mail in country districts in preference to reduction of postage—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMILTON: Petition of the Minneapolis Chamber of Commerce, against the Washburn option bill—to the Committee on Agriculture.

By Mr. HARE: Petition of Philip Hain and 35 other citizens of Union County, Ohio, for the passage of House bill 5353, Fifty-first Congress, defining options and futures—to the Committee on Agriculture.

By Mr. HERMANN: Petition of Federated Trades Assembly of Portland, Oregon—to the Committee on Labor.

By Mr. HOAR: Statement and evidence in the case of Rufus M. Hodgkin, in support of House bill—to the Committee on the Post-Office and Post-Roads.

By Mr. LAYTON: Petition of B. F. Finkel, of West Middleburg, Ohio, for the use of the metric system of weights and measures in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

Also, petition of J. R. Jones & Son, of Lima, Ohio, for 1-cent postage—to the Committee on the Post-Office and Post-Roads.

By Mr. MALLORY: Petition of the citizens of the villages of Warrington Woolsey, adjoining the United States navy-yard and on the naval reservation on Pensacola Bay, in Florida, praying for the establishment of a public school for the benefit of children living in said reservation—to the Committee on Education.

By Mr. OATES: Papers in the claim of William Suntha, of Alabama—to the Committee on War Claims.

By Mr. OUTHWAITE: Resolutions of the Bricklayers' Union No. 21, of the city of Columbus, Ohio, in favor of the passage of House bill 257—to the Committee on Labor.

By Mr. PAYNTER: Petition of Robert Ross, Company B, Sixty-first Pennsylvania Infantry, for a discharge certificate and allowance of his pension—to the Committee on Military Affairs.

By Mr. CHARLES W. STONE: A concurrent resolution providing for extra copies of the report of the Commissioner of Labor on Marriage and Divorce—to the Committee on Printing.

By Mr. EZRA B. TAYLOR: Petition of 54 citizens of Ashtabula, Ohio, praying for the passage of a bill to build a home for the crippled, infirm, and aged seamen of the merchant marine—to the Committee on Merchant Marine and Fisheries.

By Mr. JOSEPH D. TAYLOR: Petition officially signed by the United Presbyterian Congregation of Piney Fork, Jefferson County, Ohio, representing 60 persons, praying that Congress take such action as will insure the closing of the World's Fair of 1892-'93 on the Lord's Day, in accordance with the law of God, the rights of man, and all precedent of American history—to the Select Committee on the Columbian Exposition.

Also, memorial for a ship canal from the Mississippi River to the Atlantic Ocean, which would cheapen transportation, prevent floods, and furnish employment to an army of idle men, respectfully submitted by A. H. Condict, a citizen of Mansfield, Ohio—to the Committee on Rivers and Harbors.

Also, petition officially signed by the Presbytery of Steubenville, Ohio, of the Presbyterian Church of the United States, representing 37 ministers, 61 churches, and over 8,000 members, praying that Congress appropriate money for the World's Fair only on condition that the fair be closed to visitors on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. TRACEY: Petition of the Buffalo Merchants' Exchange, praying that the duty on barley be reduced to 10 cents a bushel—to the Committee on Ways and Means.

By Mr. WHEELER of Alabama: Petition for the relief of Mrs. S. Elizabeth Lauderdale—to the Committee on War Claims.

Also, petition for the relief of Silas M. Garrison—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: Evidence in the case of John R. Miller—to the Committee on Military Affairs.

By Mr. WILSON of Missouri: Papers to accompany bill to grant a pension to John Flynn—to the Committee on Invalid Pensions.

Also, petition of K. B. Cecil, Hy. Burt, W. H. H. Baker, Frank Olvis, and a large number of others, of Platte County, Mo., praying for the passage of a law to authorize a ditch and levee company in said county to construct and maintain ditches and levees on the United States reservation at Fort Leavenworth, to prevent overflows of the Missouri River in said county—to the Committee on Military Affairs.

Also, papers to accompany bill for relief of the Presbyterian Church and Masonic lodge at Platte City, Mo.—to the Committee on War Claims.

Also, papers to accompany a bill for the relief of Platte County, Mo.—to the Committee on War Claims.

By Mr. WRIGHT: Memorial of the Young People's Society of Christian Endeavor of Athens, Pa., protesting against the exportation of intoxicating liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of 15 citizens of Wysox, Pa., against opening of any exhibition on Sunday which has the benefit of Government aid—to the Select Committee on the Columbian Exposition.

SENATE.

MONDAY, *February 8, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War transmitting, in compliance with a resolution of the 1st instant, a letter from the Chief of Engineers communicating the report of Maj. G. L. Gillespie, United States Engineers, together with the report of Assistant Engineer J. S. Polhemus, on the improvement of the entrance to Yaquina Bay, Oregon; which, with the accompanying papers, was referred to the Committee on Commerce and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, informing Congress that the available balance to the credit of the appropriation for transportation of silver coin, under the requirements of the act of March 3, 1881, was on the 1st of this month about $14,000, and requesting that an additional appropriation of $20,000 be made to meet the necessities of that service for the remainder of the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 3d instant, a copy of the report made by the Hampton Institute in response to a resolution of February 28, 1891, in regard to Indian students educated at that place; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Indian Affairs.

FISH-CULTURAL STATIONS IN ROCKY MOUNTAIN REGION.

The VICE-PRESIDENT laid before the Senate the report of the Commissioner of Fish and Fisheries respecting the advisability of establishing fish-cultural stations in the Rocky Mountain region and Gulf States; which, with the accompanying papers, was referred to the Committee on Fisheries, and ordered to be printed.

COURT OF CLAIMS REPORT.

The VICE-PRESIDENT laid before the Senate a communication from the Court of Claims transmitting the conclusion of fact and of law and the opinion of that Court in the French spoliation claim of John S. Cole, administrator of John Storer, *vs.* the United States, number 1066, brig Venus; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

SECURITY OF DISTRICT BUILDINGS.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 13th ultimo, certain information in regard to the safety of theaters and public halls in the District of Columbia; which was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a communication from the Secretary of War, transmitting petitions from a number of first lieutenants of the line of the United States Army, praying for legislation which will secure the readjustment of the relative rank of first lieutenants so as to give precedence to those who have had the longest continuous service as commissioned officers, excepting only those who have forfeited relative rank by a sentence of court-martial or by voluntary transfer, and giving to such officers relative rank in accordance with their sentences or the conditions of their transfers; also, the application to first lieutenants of the system of lineal promotion now existing in all other regimental grades; which was ordered to be printed, and,

with the accompanying petitions, referred to the Committee on Military Affairs.

He also presented a petition adopted at the thirty-ninth annual session of the International Typographical Union, praying for the passage of House bill No. 9791, to compel the enforcement of the original eight-hour law; which was referred to the Committee on Education and Labor.

He also presented a petition of the National Farmers' Alliance and Industrial Union, praying that manufactured articles of cotton be relieved from any duty whatever and placed on the free list of American products; which was referred to the Committee on Finance.

Mr. WILSON presented a petition of the Young People's Society of Christian Endeavor of Lincoln, Iowa, numbering 50 members, praying for a loan to the World's Columbian Fair on condition that the fair be closed on Sunday, that the sale of liquors be prohibited thereat, and that the art department be conducted in accordance with the American idea of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 30 citizens of Floyd County, Iowa, and a petition of 31 citizens of Johnson County, Iowa, praying for the passage of the Butterworth option bill; which were referred to the Committee on the Judiciary.

He also presented a petition of 34 citizens of Johnson County, Iowa, and a petition of 30 citizens of Floyd County, Iowa, praying for the passage of a bill similar to the one known in the Fifty-first Congress as the Conger lard bill; which were referred to the Committee on Agriculture and Forestry.

Mr. CASEY presented a petition of the Chamber of Commerce of Grand Forks, N. Dak., praying for the speedy passage of Senate bill 72, providing for the survey of the Red River of the North, and for the passage of Senate bill 1035, providing for the improvement of that river; which was referred to the Committee on Commerce.

Mr. PEFFER presented a petition of the Reformed Presbyterian Church of Topeka, Kans., praying that the Government make a loan to the World's Columbian Fair on condition that it be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Johnson County, Kans., praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. PADDOCK presented a petition of the Railway Postal Clerks' Association, of Omaha, Nebr., praying for the passage of House bill No. 3629, providing for the reclassification and increase of salary of the railway postal clerks of the United States; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of the Minneapolis (Minn.) Chamber of Commerce, remonstrating against the passage of the bill defining options and futures, known as the Washburn bill; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of South Bend, Cass County, Nebr., praying for the passage of a law donating a portion of the funds received from the sale of public lands toward the procurement of the means necessary for their irrigation; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. CAMERON presented a petition of the Business Men's Association of Norfolk, Va., praying for the transfer of the Revenue Marine Service to the Navy Department; which was referred to the Committee on Naval Affairs.

He also presented a petition of the National Woman's Christian Temperance Union of Manheim, Lancaster County, Pa., containing 41 signatures, and a petition of the National Woman's Christian Temperance Union of West Burlington, Pa., containing 72 signatures, praying that no exposition or exhibition for which appropriations are made by Congress be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. ALLEN. I present a petition of the Chamber of Commerce of the city of Tacoma, Wash., setting forth that over twenty years ago the salaries of inspectors of hulls and boilers of the district of Puget Sound were fixed at a very small sum; that the inspectors of that district now inspect as great a number of vessels as are inspected in any other district, and license as great a number of officers, with one or two exceptions, as any district in the United States. The petition prays for adequate compensation for these officers in the passage of what is commonly known as the Frye shipping bill, or otherwise that they be relieved by special legislation. I move that the petition be referred to the Committee on Commerce.

The motion was agreed to.

Mr. ALLEN. I present resolutions of the Board of Trade of the city of Aberdeen, Wash., of like import to the petition just presented, which I move be referred to the Committee on Commerce.

The motion was agreed to.

Mr. ALLEN presented the petition of P. K. Spencer, J. E. Vest, and 20 other citizens of Sneider County, Wash., and the petition of J. A. McNall, W. E. Forrest, and 17 other citizens of Lincoln County, Wash., praying for the passage of what is known as the Butterworth option bill; which were referred to the Committee on the Judiciary.

He also, presented the petition of J. A. McNall, W. E. Forrest, and 20 other citizens of Lincoln County, Wash., praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. FELTON. I present the petition of the Angora Goat Breeders' Association of California, praying that the Secretaries of State and Agriculture may be authorized to negotiate with the Turkish Government for the purchase, sale, and removal of a flock of Angora goats from Asia Minor. I will state that the necessity for this arises from the fact that the Turkish Government for the last ten years has not permitted the exportation of any of these animals. From past experience it is believed that the production of goats in this country may become a somewhat extensive and a profitable industry.

I move that the petition be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. WASHBURN presented the petition of F. E. Titus and 55 other citizens of Fillmore County, Minn., and the petition of Peter Ivesson and 25 other citizens of Chippewa County, Minn., praying for the passage of what is known as the option bill; which were referred to the Committee on the Judiciary.

Mr. PALMER presented a petition of citizens of Illinois, praying for the passage of a law imposing a revenue tax on dealers in options; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Edgar County, Ill., praying for the passage of a bill prohibiting options, etc.; which was referred to the Committee on the Judiciary.

He also presented a petition of 86 citizens of Whiteside County, Ill., praying for a law defining options and futures, and imposing a special tax on dealers therein; which was referred to the Committee on the Judiciary.

He also presented a petition of 14 citizens of Illinois, praying for the passage of a law imposing a revenue tax on compound lard; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of A. Y. Trogdon, of Paris, Ill., praying for the passage of an act to simplify the practice in the Bureau of Pensions and board of pension appeals, etc.; which was referred to the Committee on Pensions.

Mr. BLACKBURN presented a petition of sundry citizens of Kentucky, praying for the passage of what is known as the option bill; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented sundry petitions of citizens of Vermillion County, Ill., praying for the passage of what is known as the Butterworth bill, prohibiting dealing in options; which were referred to the Committee on the Judiciary.

Mr. CARLISLE presented a petition of citizens of Louisville, Ky., praying for the adoption of certain amendments to the internal-revenue law; which was referred to the Committee on Finance.

He also presented a petition numerously signed by citizens of Kentucky, praying for the passage of an amendment to section 5258 of the Revised Statutes of the United States; which was referred to the Committee on Commerce.

He also presented a petition of 9 citizens of Boone County, Ky., praying for the passage of a law to prohibit dealing in options and futures; which was referred to the Committee on the Judiciary.

Mr. BUTLER presented resolutions adopted by the Chamber of Commerce of Charleston, S. C., favoring the transfer of the Revenue Marine to the Navy Department; which were referred to the Committee on Naval Affairs.

He also presented resolutions adopted by the Farmers' Alliance of Richland County, S. C., favoring the passage of what is known as the Butterworth option bill; which were referred to the Committee on the Judiciary.

Mr. HARRIS presented a memorial of the Association of Printers of Nashville, Tenn., remonstrating against the printing by the Government of stamped envelopes without charge to consumers; which was referred to the Committee on Printing.

Mr. GORDON presented a petition of the Board of Trade of Savannah, Ga., and a petition of the Savannah (Ga.) Cotton Exchange, praying for the transfer of the Revenue Marine to the Naval Establishment; which were referred to the Committee on Naval Affairs.

He also presented a petition of the State Assembly of Georgia, Knights of Labor, praying for the passage of a bill to authorize the collection of statistics relative to the slums of cities contain-

ing 200,000 inhabitants and over; which was referred to the Committee on Education and Labor.

Mr. TURPIE presented a petition of citizens of Jackson County, Ind., praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. GIBSON of Maryland presented sundry petitions collected by the National Woman's Christian Temperance Union signed by 61 citizens of Maryland, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. BRICE presented a petition of 41 citizens of Knox County, Ohio, praying for the passage of what is commonly known as the option bill, prohibiting gambling in grain and other agricultural products; which was referred to the Committee on the Judiciary.

He also presented a petition of the Ohio State board of health, praying for the adoption of measures to establish a national department of health; which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented a petition of the Congregational Church and Sunday school of Canterbury, N. H., praying for the ratification of the so-called Brussels treaty; which was ordered to lie on the table.

Mr. DANIEL presented a joint resolution of the Legislature of Virginia, praying that the interstate commerce act be extended; which was referred to the Committee on Commerce.

He also presented a joint resolution of the Legislature of Virginia, praying for the erection of a monument to Matthew Fontaine Maury upon the Ripraps in Hampton Roads, off Old Point, Va.; which was referred to the Committee on the Library.

He also presented a joint resolution of the Legislature of Virginia, praying for the extension of the navy-yard and the location of a foundry at Norfolk, Va.; which was referred to the Committee on Naval Affairs.

Mr. TELLER presented a petition of the Chamber of Commerce of Denver Colo., praying for the cession of the arid lands to the various States for the encouragement of irrigation; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. ALLISON presented a petition of Algona Grange, No. 1684, Patrons of Husbandry, of Kossuth County, Iowa, praying for the enactment of a law to restore the free bimetallic coinage of silver and gold coins; which was referred to the Committee on Finance.

He also presented a petition of Algona Grange, No. 1684, Patrons of Husbandry, of Kossuth County, Iowa; the petition of P. Lawson and other citizens of Clayton County, Iowa, and the petition of J. Stewart and other citizens of Black Hawk County, Iowa, praying for the passage of what is commonly known as the option bill; which were referred to the Committee on the Judiciary.

He also presented the petition of William J. Kruger and other citizens of Clayton County, Iowa, and the petition of A. W. Crouch and other citizens of Sac County, Iowa, praying for the passage of what is commonly known as the Conger lard bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Dubuque (Iowa) Trades and Labor Congress, favoring the proposition to elect Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented resolutions adopted by the Dubuque (Iowa) Trades and Labor Congress, favoring the passage of House bill 575, relating to immigrants, etc.; which were referred to the Committee on Immigration.

He also presented a resolution adopted by the Dubuque (Iowa) Trades and Labor Congress, favoring the passage of what is known as the Chandler bill to enlarge the ship room and increase the comfort of immigrants, etc.; which was referred to the Committee on Immigration.

He also presented resolutions adopted by the Dubuque (Iowa) Trades and Labor Congress, favoring the passage of a law excluding all Chinese laborers from coming into this country, and praying special attention to the existing law for that purpose, as it is not receiving proper attention; which were ordered to lie on the table.

Mr. SAWYER presented a petition of citizens of Barron County, Wis., praying for the passage of what is commonly known as the option bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Business Men's Association of Sturgeon Bay, Wis., praying for the purchase by the Government of the Sturgeon Bay Ship Canal, and that navigation thereof be made free; which was referred to the Committee on Commerce.

Mr. COCKRELL presented resolutions adopted by the Business Men's Association of Lexington, Mo., favoring the improvement of the Missouri and Mississippi Rivers and their navigable tributaries; which were referred to the Committee on Commerce.

WITHDRAWAL OF MEMORIAL.

Mr. PEFFER. I ask leave to withdraw a memorial that I had the honor to present a few days ago. It was the memorial of John Cowden, of Washington, D. C., relative to the construction of bridges across the Missouri River. It is a private matter and Mr. Cowden wishes to have it withdrawn.

The VICE-PRESIDENT. The Senator from Kansas will be permitted to withdraw the memorial referred to by him if there be no objection. The Chair hears none.

REPORTS OF COMMITTEES.

Mr. SHERMAN, from the Committee on Foreign Relations, to whom was referred the bill (S. 1971) providing for the appointment of representatives from the United States to the Columbian Historical Exposition at Madrid in 1892, reported it with an amendment.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1450) to incorporate the Zoo Street Railway Company of the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1477) to incorporate the Cross-Town Railroad of the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DOLPH. By direction of the Committee on Public Lands I report adversely the bill (S. 1534) to resurvey township 18, range 9 west, 6th principal meridian of Kansas.

Mr. PERKINS. I ask that the bill may go on the Calendar. I recognize that the report is right with the information that we have at the time, but I hope that further investigation may justify the committee in changing the report.

The VICE-PRESIDENT. The bill will be placed upon the Calendar with the adverse report of the committee.

Mr. DOLPH. By direction of the Committee on Public Lands I report back the bill (S. 1963) to incorporate the Yellowstone Park Company. The committee is aware that measures relating to the Yellowstone Park have heretofore been referred to the Committee on Territories. Not wishing to divide the jurisdiction upon this question I am instructed by the Committee on Public Lands to report back the bill with the recommendation and request that it be referred to the Committee on Territories.

The report was agreed to.

Mr. PROCTOR, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 329) granting an honorable discharge to Luther L. Martin; and

A bill (S. 519) for the relief of Francis Irsch.

Mr. PROCTOR also, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1039) to define the grade of certain medical officers of the Army, and for other purposes: and

A bill (S. 1040) authorizing the Secretary of War to lease certain public property.

Mr. SANDERS. I am directed by the Committee on Public Lands to report back the bill (S. 667) changing the boundaries of the Yellowstone National Park, and for other purposes. The bill pertains to the public lands of the United States as well as to the Yellowstone National Park, and I report it with a recommendation that it be referred to the Committee on Territories, having charge of the park.

The report was agreed to.

Mr. WILSON, from the Committee on the Judiciary, to whom was referred the bill (S. 1988) to amend sections 2139, 2140, and 2141 of the Revised Statutes, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1418) to amend an act entitled "An act to divide the judicial district of North Dakota," reported it with an amendment.

Mr. MORRILL, from the Committee on Finance, to whom were referred the following bills, reported them severally without amendment, and submitted a report thereon:

A bill (S. 1538) for the relief of the heir of James S. Ham; and

A bill (S. 1539) for the relief of the heirs of John W. Vose.

Mr. PEFFER, from the Committee on Claims, to whom was referred the bill (S. 567) for the relief of Paul McCormick, reported it with an amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Post-Offices and Post-

Roads, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 479) for the relief of Mrs. E. Trask; and

A bill (S. 390) authorizing and directing the Secretary of the Treasury to pay to Frank Rother $225 due him for services as route agent.

Mr. SAWYER, from the Committee on Commerce, to whom was referred the bill (S. 1310) to amend section 3117 of the Revised Statutes of the United States, in relation to the coasting trade on the Great Lakes, reported it without amendment.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (S. 1741) to vest the title to public square 1102, in the city of Washington, D. C., in the trustees of the Fourth Street Methodist Episcopal Church, and for other purposes, reported it without amendment.

Mr. HIGGINS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1931) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1882, and for other purposes," approved March 3, 1881, reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom were referred the following bills, reported them each with amendments:

A bill (S. 1643) authorizing the Velasco Terminal Railway Company to construct a bridge across the Brazos River, in the State of Texas; and

A bill (S. 1750) to authorize the construction of a bridge across the Missouri River at some accessible point within 2 miles north and 2 miles south of the city of Leavenworth, in the county of Leavenworth, in the State of Kansas.

He also, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1202) to increase the limit of cost for the erection of a public building in Camden, N. J.;

A bill (S. 1926) to provide for the construction of a public building in Bridgeton, N. J.; and

A bill (S. 1996) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri.

Mr. MITCHELL, from the Committee on Transportation Routes to the Seaboard, to whom was referred the bill (S. 525) making an appropriation for the construction of a boat railway at The Dalles and Celilo Falls and Ten-Mile Rapids of the Columbia River, and for the improvement of Three-Mile Rapids, reported it with an amendment, and submitted a report thereon.

He also, from the Committee on the Judiciary, to whom was referred the bill (H. R. 1487) to remove the political disabilities of John R. F. Tatnall, reported it without amendment.

Mr. COKE, from the Committee on Commerce, to whom was referred the bill (S. 1645) making Velasco a subport of entry, reported it without amendment.

Mr. DANIEL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1545) to provide for the erection of a public building at Bedford City, Va., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1925) to provide for the erection of a post-office building at Fortress Monroe, Va., reported it without amendment.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 676) for the erection of a public building at Laredo, Tex., reported it without amendment, and submitted a report thereon.

USE OF LINE-CARRYING PROJECTILES.

Mr. SAWYER. I am directed by the Committee on Commerce, to whom was referred the bill (S. 2056) to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to steamers plying exclusively upon any of the lakes, bays, or sounds of the United States, to report it back favorably, without amendment; and I am also directed by the committee to ask for immediate action upon the bill, as it is important.

The VICE-PRESIDENT. The bill will be read for information subject to objection.

The Chief Clerk read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to the carrying of line-carrying projectiles and the means of propelling them on steamers plying exclusively upon any of the lakes, bays, or sounds of the United States. But nothing contained in the act shall be construed to repeal or affect the provisions so far as they apply to ocean-going steamers.

Mr. COCKRELL. When was the bill reported—this morning?

The VICE-PRESIDENT. This morning.

Mr. COCKRELL. Let us have some explanation of it.

Mr. FRYE. The Committee on Commerce authorized the Senator from Wisconsin [Mr. SAWYER] to ask for the immediate consideration of the bill because the season in the lakes commences about the first of March, and we have been suspending this law so far as the lakes were concerned for the last three or four years. We have not reported in favor of a general repeal of the law because the matter related to human life, and the committee desired to go very slowly indeed in relation to it.

The Secretary of the Treasury, by resolution of the Senate, last year was requested to have this matter thoroughly investigated by experts and to report to the Senate. That investigation during vacation has been made, and they report very decidedly in favor of a repeal of the law so far as vessels exclusively used in lakes, sounds, and bays are concerned. This bill simply carries out that recommendation, repealing the law so far as steamships are concerned exclusively used in lakes, bays, and sounds.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. VANCE introduced a bill (S. 2069) for the relief of G. M. Woodruff; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BUTLER introduced a bill (S. 2070) for the relief of the heir of Hamilton Slawson, jr.; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Maryland introduced a bill (S. 2071) granting a pension to Elizabeth M. Black; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2072) to provide for the purchase of a site and the erection of a public building thereon at Pekin, in the State of Illinois; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2073) to remove the charge of desertion from the military record of Lewis D. Simmonds; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2074) for the relief of Eugene B. Payne; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 2075) granting a pension to Mrs. Mahala Wood; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2076) for the erection of a public building at Creston, Iowa; which was read twice by its title, and referred the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2077) for the erection of a public building in Atlantic, Iowa; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. DIXON introduced a bill (S. 2078) creating the office of private secretary to the Commissioner of Patents; which was read twice by its title, and referred to the Committee on Patents.

Mr. SHERMAN introduced a bill (S. 2079) for the relief of Ebenezer Comstock; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2080) granting an honorable discharge to Barnes Robinson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DAVIS introduced a bill (S. 2081) to grant the Duluth, Missabe and Northern Railway Company a right of way through the Fond du Lac Indian Reservation in the State of Minnesota, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MCMILLAN introduced a bill (S. 2082) to provide for the erection of a municipal building in the city of Washington, D. C.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. PROCTOR introduced a bill (S. 2083) to provide for the enlistment as part of the Army of a force not exceeding 3,000 Indians; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2084) to amend the Articles of War;

which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PEFFER (by request) introduced a bill (S. 2085) to regulate steam engineering in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SAWYER introduced a bill (S. 2086) for the relief of widow and children, as heirs at law of Jacob L. W. Doxtater, deceased; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2087) for the relief of Charles Fletcher, alias James H. Mitchell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2088) granting a pension to Lewis D. Denny; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 2089) to purchase the portrait of Daniel D. Tompkins, late Vice-President of the United States, painted by Jarvis, in 1812; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 2090) to authorize the President to appoint and retire William Henry Browne as a colonel in the United States Army; which was read twice by its title, and with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CAREY introduced a bill (S. 2091) granting 5 per cent of the net proceeds from the sale of public lands to several of the States for the support of common schools; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2092) to fix the price of lands entered under the desert-land laws; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2093) to provide for the disposal of certain abandoned military reservations in the State of Wyoming; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CAMERON introduced a bill (S. 2094) to promote the efficiency of the enlisted force of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HIGGINS introduced a bill (S. 2095) to refund certain import duties; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PEFFER introduced a bill (S. 2096) granting the right to erect and maintain dams across the Kansas River, within Shawnee County, in the State of Kansas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. COCKRELL introduced a bill (S. 2097) for the relief of George A. Orr; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 2098) establishing a ship channel in the Columbia River, near Vancouver, Wash.; which was read twice by its title.

Mr. ALLEN. I desire especially to call the attention of the Committee on Commerce to this bill. I will state that the obstruction the bill seeks to remove is just below the city of Vancouver, in the State of Washington, the most important city of the State of Washington on the Columbia River. It is 103 miles above the ocean, within that reach of the river upon which such large appropriations have been made for a number of years past.

Vancouver is an important commercial city, with a rapidly developing commerce demanding an open river. In addition to that, it is the headquarters of the military department of the Columbia.

The importance of this improvement has been called to the attention of the House of Representatives through the Secretary of War of the preceding Administration. The removal of this obstruction was earnestly pressed at that time. It has been called attention to by resolution of this body.

The commerce of Vancouver is growing at such a rate that it imperatively demands that this single obstruction between it and the ocean may be removed in order that this city may have the facilities this great river affords to general commerce. Its growing shipping trade, particularly in lumber, is being seriously obstructed by reason of the bar sought to be removed. Large contracts to the amount of millions of feet of lumber for the Chinese market must inevitably fail unless this improvement is made.

For these reasons, and others to be hereafter, presented, I wish to impress the importance of this measure upon the members of the Committee on Commerce. Unfortunately, owing to the failure of a survey and estimate by the Engineer's Department, it was not embraced in the river and harbor act of the last Congress. No more worthy improvement will be presented to this Congress.

I move that the bill be referred to the Committee on Commerce.

The motion was agreed to.

Mr. ALLEN introduced a bill (S. 2099) to amend section 4414 of the Revised Statutes, relating to inspectors of hulls and boilers; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MANDERSON introduced a bill (S. 2100) for the relief of the estate of Emmet Crawford, deceased, late captain of the Third Regiment United States Cavalry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

Mr. JONES of Arkansas introduced a bill (S. 2101) for the relief of the children and heirs at law of Albert Pike, deceased, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. TELLER introduced a bill (S. 2102) granting a pension to Charles L. Hanna; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 2103) to increase the pension of Mrs. Ellen Key Messersmith; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENT TO AN APPROPRIATION BILL.

Mr. CASEY submitted an amendment intended to be proposed by him to the urgency deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

REPRINTING OF A BILL.

Mr. DIXON. I move that the bill (S. 1899) to regulate the fisheries, and for other purposes, be reprinted for the use of the Senate, as the print of the bill is exhausted.

The motion was agreed to.

ACCOUNTS WITH VIRGINIA.

Mr. DANIEL. Mr. President, I beg leave to submit the resolution which I send to the desk, and I shall ask the privilege of making a few remarks thereon.

The resolution was read, as follows:

Resolved by the Senate, That the Secretary of the Treasury be, and he is hereby, requested to have restated the accounts of the State of Virginia reported in the letter of the Secretary of the Treasury to the Senate dated December 17, 1890, from the original entries of advances and payments on the books of the Treasury, and to consider such evidence of advances and payments by Virginia as may be offered by that State or the auditor thereof from the original entries on the books of the State of Virginia.

In his restatement of accounts the Secretary of the Treasury is requested to consider all bonds of the State of Virginia held on any account by the United States as offsets to any claim of Virginia, and also to cause a statement to be made showing how the account between the United States and Virginia would stand provided that the funds turned over by the United States to the Wheeling government of Virginia on account of distribution of public-land fund, and to the State of West Virginia on account of war expenditures and other funds paid to West Virginia were calculated as offsets of Virginia to the bonds of that State held by the United States; and also to make any alternative statements or explanations which he may deem necessary to the clear exposition of the status of accounts between the United States and Virginia.

Mr. DANIEL. Mr. President——

Mr. CHANDLER. Does the Senator ask to have the resolution referred to a committee?

Mr. DANIEL. No, I wish to have it adopted. I intend to explain the resolution.

Mr. CHANDLER. I desire that the resolution shall go over until to-morrow, but of course I have no objection to the Senator making a statement in regard to it.

Mr. DANIEL. I beg leave to make a brief statement in support of the resolution at the time of offering it, and to ask that there may be printed in the RECORD certain papers which I possess which I think will throw light upon it.

In 1890 the Senate called upon the Secretary of the Treasury for information respecting "the amounts due to the States of New York, Pennsylvania, Delaware, Virginia, and South Carolina, and the city of Baltimore, on account of advances and expenditures made by them in the war of 1812, computing the interest on said advances and expenditures," and so on. In reply to that resolution the Secretary of the Treasury states respecting Virginia what I will quote from his language:

I have no means of ascertaining the correctness of the amount stated by the Third Auditor to be due Virginia January 1, 1859 ($1,076,683.35). The papers in the claim, it appears, were in 1870 handed to Hon. J. W. Johnson, then a Senator of the United States from Virginia, for the purpose of presenting them, to the proper committee having charge of such matters, and he never returned them, but stated that they had been lost or mislaid.

At the request of the Committee on Claims, House of Representatives, the Third Auditor made in 1886 a careful computation, showing what would be the status, at that time, of the claims of Virginia for expenses in the war of 1812, by applying the principle laid down in the act of March 3, 1857. The total advances made by Virginia, as shown by reimbursements made by the United States in the various settlements, was $1,807,438.06.

The Auditor assumed that a reasonable equation of the several expenditures would fix upon July 1, 1814, as a fair approximate date from which to compute interest on the aggregate sum.

By applying the rule which governed in the Maryland case, the Auditor found, in 1886, that on July 14, 1829, there would be due Virginia—

Principal	$298,369.74
Interest	61,949.87
To which was added interest on above principal from July 14, 1829, to February 1, 1886, amounting to	1,012,318.80
To which I now add further interest on same principal from February 1, 1886, to January 1, 1891, amounting to	88,019.07
Total principal and interest January 1, 1891	1,460,657.48

Against this aggregate—

And it is to this point that I ask attention—

Against this aggregate I find offsets, as shown later in this report, amounting to $1,612,547.70, thus showing a final balance due the United States January 1, 1891, of $151,890.22.

In other words, Mr. President, the Secretary of the Treasury thus explains that some of the important papers in this case were lost in the hands of Senator John W. Johnston, who then in part represented Virginia; but if the computation were made upon the basis which he sets forth as nearly correct as he can reach, there would be, upon a settlement of accounts between the old Commonwealth of Virginia and the Government of the United States, a balance due by Virginia of $151,890.22.

In this connection I ask leave to offer and to have printed in the RECORD a communication from the auditor of public accounts of Virginia, in which he sets forth what seems to him to be an error in this computation. Unless it is objected to, I will ask that the communication may be printed in the RECORD for information, without troubling now the Senate to have it read. If it be desired, I have no objection whatsoever to having it read.

The VICE-PRESIDENT. Is there objection to printing the communication in the RECORD? The Chair hears none.

The communication referred to is as follows:

COMMONWEALTH OF VIRGINIA,
Second Auditor's Office, Richmond, January 8, 1892.

DEAR SIR: Since sending Mr. Bernard P. Green, as I wrote you I had done, on the 6th instant, the report of Mr. W. F. Taylor, late auditor of public accounts for this Commonwealth, on the amount due the State of Virginia from the United States, it occurred to me that it would be better to send you the same paper directly. This I now inclose in this letter; and I add to it a calculation of the amount due to December 31, 1891. This, as you will see, is a considerable addition to the sum brought down by Mr. Taylor. The statement of the credit we allow for the bonds bought by the Secretary of the Interior for certain Indian tribes is the one made by the Government itself.

If you will read the paragraph inclosed within the red line on page 3, you may think it worth while to send to the auditor of public accounts for a copy of the paper there referred to. This paper may take the place of the paper that they claim was lost by Hon. John W. Johnston, which statement I discredit.

Your obedient servant,

FRANK G. RUFFIN.

Hon. JOHN W. DANIEL,
United States Senate, Washington City.

[(Virginia.) Senate Document No. 19. January 15, 1878.]

Statement of the auditor of public accounts in relation to claims due the State of Virginia by the United States and by the State of Virginia to the United States.

It appears that the General Assembly of Virginia adopted a resolution, dated 17th January, 1850, appointing "Thomas Green an agent to recover from the Government of the United States all interest, arrears of interest, or other moneys due from the said Government to the Commonwealth of Virginia on account of advances made by the Commonwealth for the Government of the United States." Upon the recovery of the said claims the resolution made it the duty of the said agent to obtain payment of the same by a draft from the United States Government in favor of the auditor of public accounts of this Commonwealth.

In 1859, February 14, the then governor, Henry A. Wise, received a communication from John A. Parker, stating that a large balance seems to be due from the United States Government to the State of Virginia on account of money paid by her in the war of 1812. This communication was filed among the executive papers of that date. The governor indorsed thereon the following:

"Upon the terms proposed in the within I consent to authorize Mr. Parker to examine and report upon any claim due Virginia referred to by him. He will inquire of the First Auditor and the Attorney-General as to any question of law or fact respecting such claim; and also at Washington, and if there be any such claim he may proceed to put it into the course of prosecution as he proposes."

These gentlemen are still engaged (1878) in attending to these claims before the Congress of the United States.

In a letter to Governor Wise, dated 4th of March, 1859 (see governor's message to Legislature, 1859–'60, Document No. 1, page 316) Mr. Green states "that the entire amount of all the claims of the several States would have been a little less than $1,750,000, of which Virginia would have been entitled to about $1,100,000." He also states that this claim had passed the Senate of the United States and been rejected by the House of Representatives by a small majority.

In a report made by John A. Parker, dated February 10, 1860, he incloses the report of the Hon. Howell Cobb, Secretary of the Treasury of the United States, dated 8th of January, 1859, in which the report of the Third Auditor of the United States, of the 30th of October, 1858, relative to these claims, is inclosed.

Mr. Parker sums up the amount stated by this report to be due to the State of Virginia at $1,076,683.35.

There is also on file in this department a manuscript statement of the amount due the State of Virginia, proceeding from the Third Auditor's Office of the United States, authenticated by the certificate of George S. Boutwell, the Secretary of the Treasury of the United States, dated 11th May, 1870.

The Third Auditor certifies that he has examined and adjusted the account of the State of Virginia, under the act of Congress passed on the 3d of March, 1825, entitled "An act authorizing the payment of interest due to the State of Virginia," and then proceeds to state the adjustment, item by item, calculating the payments made, and the interest ascertained in the manner prescribed by law, and showing a balance due to the State, on the 31st of December, 1832, of $483,758.

If the mode of calculation adopted by the Third Auditor, which seems to be the proper and just mode, be pursued, from the 31st of December, 1832, to the 31st December, 1877, there are just forty-five years, and the interest on the $483,758 will be $1,306,146.60, which, added to the amount due, makes the amount now (then) "due this State" $1,789,904.60.

The resolution of the Senate also calls for a statement of the amount claimed by the United States to be due to them by Virginia.

There is nothing in this Department to show what claims the United States now has against the State. But it appears that the Secretary of the Interior of the United States for the time being, purchased, under various acts of assembly—

Bonds of the State amounting to	$13,600.00
In like manner, under an act of the 23d of March, 1860, providing for a loan for the James River and Kanawha Canal Company, he purchased bonds, as trustee for the Cherokee national fund	90,000.00
To the Choctaw general fund, for	450,000.00
And for the Creek orphans	28,200.00
Total	581,800.00

On this amount the State is indebted for interest calculated to 1st July, 1871, to wit:

To the Secretary of the Interior	$7,208.00
To the Cherokees	47,700.00
To the Creek orphans	14,946.00
To the Choctaws	157,500.00
	227,354.00
Also interest from 1st July, 1871, to 1st of January, 1878 (six and one-years) at 6 per cent	226,902.00
	454,256.00

Then the account would stand thus:

Amount due by the United States to Virginia	1,789,904.00
Amount due by Virginia to United States	454,256.00
Leaving balance due Virginia 1st January, 1878	1,335,648.00
Or take the amount due the State on 31st December, 1832, as stated	483,758.00
With interest to date, 31st December, 1891 (fifty-nine years)	1,712,503.32
Amount of principal and interest now due	2,196,261.32

Amount of principal due United States by Virginia on 1st January, 1878 $581,800
Interest to 1st July, 1871 227,354
Interest to 1st January, 1878 226,902
Interest to 1st January, 1892 488,712

Making amount of principal and interest now due	1,524,768.00
Leaving balance due Virginia, 1st January, 1892	671,493.32

Mr. DANIEL. I will also request to have printed a document which I hold in my hand entitled "The claim of Virginia *vs.* The United States, as stated by Peter Hagner, Third Auditor, in 1825; by Richard Cutts, Second Comptroller, in 1825, and by A. M. Gangewer, Third Auditor, April 12, 1870, in a letter to Senator John W. Johnston. Copy certified by William F. Taylor, auditor of public accounts of Virginia, on February 25, 1878." I ask that this document may be also associated with the resolution and that it be printed in the RECORD for the reason that it is believed by many that this is one of the papers which were lost or misplaced in some way during the time when Senator Johnston was representing this claim here, and because, furthermore, it seems to be impracticable to get another copy of this document, and any committee which might consider this matter would be unlikely to have the information which it contains before them.

The paper referred to is as follows:

The claim of Virginia *vs.* The United States, as stated by Peter Hagner, Third Auditor, in 1825; by Richard Cutts, Second Comptroller, in 1825; and by A. M. Gangewer, Third Auditor, April 12, 1870, in a letter to Senator J. W. Johnston. Copy certified by William F. Taylor, auditor of public accounts of Virginia, on February 25, 1878.

Be it remembered, that A. M. Gangewer, esq., who certified the annexed transcripts, is now, and was at the time of doing so, Acting Third Auditor of the Treasury; and that full faith and credit are due to his official attestations.

In testimony whereof, I, George S. Boutwell, Secretary of the Treasury of the United States, have hereunto subscribed my name and caused to be affixed the seal of this Department, at the city of Washington, this 11th day of May, in the year of our Lord 1870.

GEORGE S. BOUTWELL.
Secretary of the Treasury.

TREASURY DEPARTMENT,
Third Auditor's Office, May 10, 1870.

I, A. M. Gangewer, Acting Third Auditor of the Treasury of the United States, hereby certify that the annexed are true copies of papers on file in this office with the claim of the State of Virginia.

A. M. GANGEWER.
Acting Auditor.

TREASURY DEPARTMENT,
Third Auditor's Office, July 1, 1828.

"Act authorizing the payment of interest due the State of Virginia."

I certify that I have examined and adjusted the account of the State of Virginia under the act of Congress passed on the 3d day of March last, entitled "An act authorizing the payment of interest due to the State of Virginia," and find that the State is chargeable with the amount of requisition No. 3288, issued on the 19th April last, on account, being $50,000.

And that the State is entitled pursuant to said act and to the opinion of the Attorney-General thereon, for interest on loans or moneys borrowed and actually expended by Virginia for the use and benefit of the United States, during the late war with Great Britain, to a credit for $178,480.11.

Leaving due to Virginia from the United States this sum, $128,480.11.

Send to Jerman Baker, treasurer of the State of Virginia.
As appears from the statement and vouchers herewith transmitted for the decision of the Second Comptroller of the Treasury thereon.

PETER HAGNER, *Auditor.*

To RICHARD CUTTS, Esq.,
Second Comptroller of the Treasury.

SECOND COMPTROLLER'S OFFICE.

I admit and certify the above balance, this 8th day of July, 1825.

RICHARD CUTTS,
Second Comptroller.

TREASURY DEPARTMENT,
Third Auditor's Office, April 12, 1870.

I certify that the foregoing is a true copy of the report in the settlement of interest with the State of Virginia under act of Congress of 3d of March, 1825, the original report being on file in this office.
Very respectfully, your obedient servant,

A. M. GANGEWER, *Acting Auditor.*

Hon. JOHN W. JOHNSTON,
United States Senate.

THE STATE OF VIRGINIA.

Dr.

Oct. 4, 1814.	To warrant 1504		$100,000.00
Jan. 27, 1816.	To warrant 3694		400,000.00
Mar. 23, 1816.	To warrant 2571, advanced by P. M. General		200,000.00
Oct. 18, 1816.	To warrant 359		350,000.00
Apr. 21, 1817.	To warrant 252		250,000.00
Nov. 14, 1817.	To warrant 1263		200,000.00
June 26, 1818.	To warrant 2237		150,000.00
May 4, 1819.	To warrant 3592		48,991.19
			1,698,991.19
Mar. 7, 1820.	To amount received by John Chew, account of Governor Barber, staff expenses		262.76
Mar. 7, 1820.	To warrant 5286		40,628.33
			40,861.09
May 11, 1821.	To warrant 8047		30,000.00
Apr. 25, 1822.	To warrant 9831		5,868.99
			35,868.99
Jan. 17, 1823.	To warrant 643		6,841.50
Apr. 19, 1825.	To requisition 3280		50,000.00
July 11, 1825.	To requisition 3513		128,480.11
			178,480.11
Jan. 5, 1828.	To requisition 1080		7,591.20
Jan. 14, 1829.	To requisition 2392		2,216.88

Cr.

Aug. 14, 1818.	By Quartermaster's Department, expenditures	$35,000.00	
	Contingencies, expenditures	30,000.00	
	Subsistence, expenditures	35,000.00	
	Payment of balances, expenditures	450,000.00	
	Ma., expenditures	919,695.97	
	No. 3086		1,469,695.97
Sept. 15, 1818.	By Ma., expenditures, No. 3264		46,595.84
May 1, 1819.	By Ma. supplies, from August 29 to October 10, 1814	$102,873.36	
	By Ma. supplies, from October 15, 1814, to January 14, 1815	79,826.02	
	No. 4893		182,699.38
			1,698,991.19
Mar. 7, 1820.	By Ma. supplies between October 17, 1817, and February 18, 1819, No. 6607		40,861.09
Mar. 7, 1822.	By Ma. supplies during the late war, No. 10636		35,868.99
Dec. 23, 1822.	By Ma. supplies during the war; payment made by the State between December 1, 1820, and August 23, 1822, No. 791		6,841.50
July 8, 1825.	By allowance for interest, No. 4388		178,480.11
Jan. 5, 1828.	By Ma. supplies in 1813, 1814, and 1815, No. 7127		7,591.20
July 14, 1829.	By Ma. supplies in late war; payment made in 1825, 1826, 1827, and 1828, No. 8740		2,216.85

VIRGINIA.

Advances in 1812			47,500.00
Interest thereon from October, 1812, to October, 1814, two years, at 6 per cent		$5,700.00	
Advances in 1813			377,300.00
Interest thereon from July 1, 1813, to October 1, 1814, one and one-fourth years, at 6 per cent		28,297.00	
Add 1 per cent on $424,800 for six months (see loan accounts)		2,124.00	
Advances in 1814			813,600.00
Interest thereon from July 1 to October 1, 1814, at 7 per cent		14,238.00	
		50,359.00	1,238,400.00
Refunded October 4, 1814	$100,000.00		
Off four days' interest	19.00		
	99,981.00		
			49,622.00
			1,188,778.00
Interest on $1,188,778 from October, 1, 1814, to April 1, 1816, one and a half years, at 7 per cent		124,822.00	
Advances in 1815			477,300.00
Interest on $477,300 from July 1, 1815, to April 1, 1816, nine months, at 6 per cent		21,478.00	
		146,300.00	1,666,078.00
Refunded January 27, 1816	$400,000.00		
Interest thereon to April 1, two months four days, at 7 per cent	4,978.00		
Refunded March 23, 1816	200,000.00		
Interest, eight days	311.00		
		$605,289.00	
			$458,969.00
			1,207,089.00
Interest on $1,207,089 from April 1 to October 1, 1816, at 6½ per cent		39,230.00	
Advances in 1816			48,700.00
Interest on $48,700 from July 1 to October 1, 1816, three months, at 6½ per cent		791.00	
		40,021.00	1,255,789.00
Refunded October 18, 1816	$350,000.00		
Off eighteen days' interest, at 6½ per cent	1,138.00		
		348,862.00	
			308,841.00
			946,948.00
Interest on $946,948 from October 1, 1816, to April 1, 1817, six months, at 6½ per cent		30,776.00	
Refunded April 21, 1817	$250,000.00		
Off twenty-one days' interest, at 6½ per cent	948.00		
		249,052.00	
			218,276.00
			728,672.00
Interest on $728,672 from April 1, 1817, to January 1, 1818, at 6½ per cent		35,522.00	
Advances in 1817			14,200.00
Interest on $14,200 from July 1, 1817 to January 1, 1818, at 6½ per cent		462.00	
		35,984.00	742,872.00
Refunded November 14, 1817	$200,000.00		
Add interest thereon to January 1, 1818, at 6½ per cent	2,022.00		
		202,022.00	
			166,038.00
			576,834.00
Interest on $576,834 from January 1 to July 1, 1818, at 6½ per cent		18,747.00	
Refunded June 26, 1818	$150,000.00		
Error, add four days' interest	108.00		
		149,296.00	
			130,549.00
			446,285.00
Interest on $446,285 from July 1, 1818, to July 1, 1819, at 6½ per cent		29,009.00	
Advances in 1818			3,300.00
			449,585.00
Interest on $3,300 from July 1, 1818, to July 1, 1819, at 6½ per cent		214.00	
		29,223.00	
Refunded May 4, 1819	$48,991.00		
Add one month, twenty-seven days, at 6½ per cent	504.00		
Add one month, twenty-seven days, short	265.00		
		49,230.00	
			20,007.00
			429,578.00
Interest on $429,578 from July 1, 1819, to April 1, 1820, nine months, at 6½ per cent		20,941.00	
Advances in 1819			5,400.00
Interest on $5,400, nine months, at 6½ per cent		263.00	
		21,204.00	434,978.00
Refunded March 7, 1820	$40,628.00		
Add twenty-four days' interest at 6½ per cent	176.00		
		40,804.00	
			19,600.00
			415,378.00
Interest on $415,378 from April 1, 1820, to April 1, 1821, at 6½ per cent		27,000.00	
Advances in 1820			1,700.00
Interest on $1,700 from July 1, 1820, to April 1, 1821, nine months, at 6½ per cent		83.00	
		27,083.00	417,078.00
Refunded May 11, 1821	$30,000.00		
Off one month eleven days' interest, at 6½ per cent	222.00		
		29,778.00	
			2,695.00
			414,383.00
Interest on $414,383 from April 1, 1821, to April 1, 1822, at 6½ per cent		26,935.00	
Advances in 1821			1,300.00
Interest on $1,300 from July 1, 1821, to April 1, 1822, nine months, at 6½ per cent		63.00	
		26,998.00	415,683.00
Refunded April 25, 1822	$5,869.00		
Off twenty-five days' interest, at 6½ per cent	26.00		
		5,843.00	
		21,155.00	
Interest on $415,683 from April 1, 1822, to January 1, 1823, nine months, at 6½ per cent		20,265.00	
Advances in 1822			7,000.00

Interest on $700 from July 1, 1822, to January 1, 1823, six months, at 6½ per cent		$23.00	
		41,443.00	
Refunded January 17, 1823	$6,841.00		
Off seventeen days' interest, at 6½ per cent	21.00		
		6,820.00	
		34,623.00	$416,383.00
Interest on $416,383 from January 1 to April 1, 1825, two and one-fourth years, at 6½ per cent		60,896.00	
		95,519.00	
Refunded April 19, 1825	$50,000.00		
Off nineteen days' interest, at 6½ per cent	172.00		
		49,828.00	
		45,691.00	
Interest on $416,383 from April 1 to July 1, 1825, three months, at 6½ per cent		6,766.00	
		52,457.00	
Refunded July 11, 1825	$128,000.00		
Off eleven days' interest	254.00		
		127,746.00	
			75,289.00
			341,094.00
Interest on $341,094 from July 1, 1825, to January 1, 1828, two and one-half years, at 6½ per cent		55,428.00	
Advances in 1825			600.00
Interest on $600 from July 1, 1825, to January 1, 1828, two and one-half years, at 6½ per cent		98.00	
Advances in 1826			700.00
Interest on $700 from July 1, 1826, to July 1, 1828, one and one-half years, at 6½ per cent		71.00	
Advances in 1827			100.00
Interest on $100 from July 1, 1827, to January 1, 1828, at 6 per cent		3.00	
		55,600.00	
Refunded January 5, 1828	$7,591.00		
Off five days' interest	7.00		
		7,584.00	
		48,016.00	342,494.00
Interest on $342,494 from January 1, 1828, to July 1, 1829, one and one-half years, at 6½ per cent		33,393.00	
		81,409.00	
Refunded July 1, 1829	$2,217.00		
Off fourteen days' interest, at 6½ per cent	6.00		
		2,211.00	
		79,198.00	
Interest on $342,494 from July 1, 1829, to December 31, 1832, three and one-half years, at 6½ per cent		77,917.00	
			157,115.00
			499,609.00
Deduct:			
For errors in second page	$812.00		
Fourteen and one-half years' interest	765.00		
		1,577.00	
	265.00		
Thirteen and one-half years' interest	232.00		
		497.00	
			2,074.00
			497,535.00

VIRGINIA.

Whole amount refunded			$1,792,370.83
Assume as advanced in—			
1813		$350,000.00	
1814		750,000.00	
1815		450,000.00	
1816		150,000.00	
1817		50,000.00	
1818 to 1828, say 1822 as a medium		42,370.83	
		1,792,370.83	
Advances in 1813		350,000.00	
Advances in 1814		750,000.00	
			1,100,000.00
Interest on $350,000, July 1, 1813, to October 1, 1814, one and one-quarter years		30,650.00	
Interest on $750,000, July 1 to October 1, 1814, three months		13,125.00	
		43,775.00	
Refunded, say October 1, 1814		100,000.00	
			56,225.00
			1,043,775.00
Advances in 1815			450,000.00
			1,493,775.00
Interest on $1,043,775, October 1, 1814, to April 1, 1816, one and one-half years		109,597.00	
Interest on $450,000, July 1, 1815, to April 1, 1816, nine months		23,625.00	
		133,222.00	
Refunded January 27, 1816	$400,000.00		
Interest thereon, January 27 to April 1, two months, four days	4,933.00		
Refunded March 23, 1816	200,000.00		
Interest, eight days	267.00		
		605,200.00	
			471,978.00
			1,021,797.00
Interest on $1,021,797 from April 1 to October 1, 1816, six months		$35,763.00	
Refunded October 18	$350,000.00		
Deduct eighteen days' interest	1,225.00		
		348,775.00	
			$313,012.00
			708,785.00
Advances in 1816			150,000.00
			858,785.00
Interest on $708,785, October 1, 1816, to April 1, 1817, six months		$24,807.00	
Interest on $150,000, July 1, 1816, to April 1, 1817, nine months		7,875.00	
		32,682.00	
Refunded April 21, 1817	$250,000.00		
Deduct twenty-one days' interest	1,021.00		
		248,979.00	
			216,297.00
			642,488.00
Advances in 1817			50,000.00
			692,488.00
Interest on $642,488, April 1, 1817, to January 1, 1818, nine months		$33,731.00	
Interest on $50,000, July 1, 1817, to January 1, 1818, six months		1,750.00	
		35,481.00	
Refunded November 14, 1817	$200,000.00		
Interest thereon to January 1, 1818	2,178.00		
		202,178.00	
			166,697.00
			525,791.00
Interest on $525,791, January 1 to June 1, 1818		18,403.00	
Refunded June 20, 1818	$150,000.00		
Deduct twenty-six days' interest	758.00		
		149,242.00	
			130,839.00
			394,952.00
Interest on $394,952 from June 1, 1818, to June 1, 1819		27,647.00	
Refunded May 4, 1819	$48,991.00		
Add twenty-seven days' interest	257.00		
		49,248.00	
			11,601.00
			362,736.00
Interest on $362,736, April 1, 1820, to April 1, 1821		25,392.00	
Refunded May 11, 1821	$30,000.00		
Deduct one month eleven days' interest	239.00		
		29,761.00	
			4,369.00
			358,367.00
Interest on $358,367, April 1, 1821, to April 1, 1822		25,086.00	
Refunded April 25, 1822	$5,869.00		
Deduct twenty-five days' interest	29.00		
		5,840.00	
		19,246.00	
Interest on $358,367, April 1, 1822, to January 1, 1823		18,814.00	
		38,060.00	
Refunded January 17, 1823	$6,841.00		
Deduct seventeen days' interest at 6 per cent	19.00		
		6,822.00	
		31,238.00	
Advance, 1818 to 1828			42,371.00
			400,738.00
Interest on advance, $42,371, from a medium date, say July 1, 1822, to January 1, 1823		1,483.00	
Interest on $400,738 from January 1, 1823, to April 1, 1825		63,116.00	
		95,837.00	
Refunded April 19, 1825	$50,000.00		
Deduct nineteen days' interest	185.00		
		49,815.00	
		46,022.00	
Interest on $400,738, April 1, 1825, to July 1, 1825		7,013.00	
		53,035.00	
Refunded July 11, 1825	$128,480.00		
Deduct eleven days' interest	275.00		
		128,205.00	
			75,170.00
			325,568.00
Interest on $339,212 from July 1, 1825, to January 1, 1828, two and one-half years		59,362.00	
Refunded January 5, 1828	$7,591.00		
Deduct five days' interest	7.00		
		7,584.00	
		51,778.00	339,212.00
Interest on $339,212 from January, 1828, to July 1, 1829, one and one-half years		35,617.00	
		87,295.00	
Refunded July 14, 1829	$2,217.00		
Deduct fourteen days' interest	6.00		
		2,211.00	
		85,184.00	

Interest on $339,212 from July 1, 1829, to December 31, 1832, three and one-half years	$59,362.00	
		$144,546.00
		483,758.00

RICHMOND, VA., OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
February 25, 1878.

I certify the foregoing to be a correct copy of an account filed in this office, showing a balance due from the Government of the United States to the State of Virginia as of the 31st December, 1832, of $483,758.

WM. F. TAYLOR.
Auditor Public Accounts.

[Indorsed.]

Copy of a paper on file in the room of the Committee on Military Affairs House of Representatives, in the matter of H. R. 940, Forty-fifth Congress, first session.

CHARLES W. DIETRICH,
Clerk of Committee.

APRIL 30, 1878.

Mr. DANIEL. Furthermore, Mr. President, I beg leave to say in respect to this resolution that I have been in a measure prompted to offer it by the fact that the State of West Virginia is now asking that the sum of about $150,000 claimed to be due to her treasury on account of direct tax, not paid by the people but out of the treasury, should be reimbursed and paid to her. I call attention to the fact that this amount now in the Treasury and which is claimed by the State of West Virginia as a fund which should be paid directly to her is about equal to the amount which the State of West Virginia by this letter of the Secretary of the Treasury is claimed to owe the United States.

The debt due to the United States by the State of Virginia is evidenced by certain bonds, mainly investments on behalf of the Indian trust fund at the time when this money was loaned to the State of Virginia by the Government of the United States. A favorable report had already been made in respect to the Virginia claim as long ago as 1859, and it was then anticipated that it would pass in consonance with the precedents which had been established, and that the one would in all probability offset and counterbalance the other.

In respect to the State of West Virginia I will not now anticipate further than to suggest the considerations which make proper in my judgment the inquiry as to how the accounts stand, if balances from the Treasury which have been paid to the State of West Virginia had been retained as an offset to the claim against the old Commonwealth.

In brief, Mr. President, although I do not seek by this inquiry to intimate any opinion on the part of the Senate or to prejudge a question to which it leads but does not undertake to decide, I base its pertinency upon the opinion of the Attorney-General of the United States that both Virginia and West Virginia are bound to the Government on the bonds which were given by that Commonwealth when it was one and entire. I shall not argue that question now or seek to go into the differentiations and shades of opinion which may exist concerning it. I merely state it that it may be seen that the inquiry is a proper one for enlightenment in order that the whole matter may be before the Senate when it shall come to pass ultimately upon it.

Mr. BUTLER. May I ask the Senator from Virginia if he has any objection to incorporating in his resolution the inquiry as to the State of South Carolina? I should like to have that included.

Mr. DANIEL. None whatever. I beg leave to state that in the letter of the Secretary of the Treasury, which I have now before me, I think the Senator will find that all the information which he seeks is amply supplied. It was furnished to the Senate in response to a resolution which I had the honor to offer in a previous Congress. The difficulty as to the amounts due Virginia—I do not believe there is any question as to the other States—arises from some loss of papers or difference of opinion as to the details of her account.

Mr. BUTLER. May I inquire if the letter is printed?

Mr. DANIEL. Yes, sir; I had it here before me.

Mr. BUTLER. I can get it, then.

Mr. DANIEL. The letter has been handed to the Secretary, and I think the Senator will find that all the information he desires is there.

Mr. FAULKNER. Mr. President, with reference to the resolution of the Senator from Virginia, I wish simply to ask that it may go over until to-morrow, so that I may have an opportunity to read it more carefully. I did not hear the resolution read from the desk, but so far as I have been able to catch the contents of it I do not know of any objection which I shall intervene to prevent its passage by the Senate.

I will say, though, in relation to the joint resolution which was introduced in the Senate with reference to the payment back by the Government of the United States to the State of West Virginia of the amount paid by it on the direct tax of 1861, that I do not see that the pending resolution will affect in any way the consideration of that joint resolution, which will soon again come before the Senate. I do not concur with the Senator from Virginia in the view which he has taken that it can have any bearing upon that joint resolution.

I desire further to dissent from another conclusion which the Senator has announced, that the Attorney-General by any opinion that he has issued, so far as I have any knowledge, has ever held as a legal proposition that the two States were equally bound for the debt existing prior to the separation and division of those States and the creation of the State of West Virginia; but I understand the Attorney-General has decided that whatever is an equitable proportion of that debt due by the State of West Virginia, if any, to the State of Virginia, is a matter that may be settled. That is, as far as I understand, the decision of the Attorney-General.

I suggest, however, that we should not go into the discussion of that joint resolution at this time, and I limit my remarks here to simply correcting what I conceive to be a misapprehension of the facts as stated by the Senator from Virginia.

Mr. CHANDLER. Mr. President, I objected to the passage of the resolution before knowing whether the Senator from Virginia [Mr. DANIEL] desired to have it passed at this time, because I noticed it was not a simple call upon the Secretary of the Treasury for information within his possession, but that it undertook to instruct the Secretary to make up certain accounts in a particular manner. For that reason I thought the resolution ought either to go over or to be referred to a committee of the Senate, and, if it is agreeable to the Senator, I will submit such a motion.

Mr. DANIEL. I have no objection to the resolution going over.

Mr. CHANDLER. Then I move that the resolution be referred to the Committee on Finance.

Mr. BUTLER. I trust the Senator from New Hampshire will not make that motion just at this time. The Senator from West Virginia [Mr. FAULKNER] has requested that the resolution go over until to-morrow.

Mr. CHANDLER. I will enter the motion to refer, and let it go over with the resolution, if there be no objection.

Mr. BUTLER. I trust the resolution will not be referred to a committee to-day, as I am very anxious to see the RECORD containing the documents which have been presented by the Senator from Virginia [Mr. DANIEL].

Mr. CHANDLER. I make the motion to refer, and ask that it may go over with the resolution.

The VICE-PRESIDENT. The motion to refer will be entered, and the resolution will lie over until to-morrow.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 4th instant approved and signed the act (S. 1762) for the relief of the University of the State of Missouri.

MESSAGE FROM THE HOUSE.

A message from the House of Representative, by Mr. T. O. TOWLES, its Chief Clerk, returned to the Senate in compliance with its request the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by act of Congress, approved August 5, 1861."

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 3888) for the relief of Samuel Howard; and

A bill (H. R. 5399) making appropriations to supply a deficiency in the appropriation for the expenses of the Eleventh Census, and for other purposes.

The message further announced that the House had passed resolutions commemorative of the life and services of Hon. William Henry Fitzhugh Lee, late a Representative from the State of Virginia.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890; and it was thereupon signed by the Vice-President.

PERSONAL EXPLANATION.

Mr. STEWART. I dislike to rise to a question of privilege, but a series of newspaper criticisms on my conduct in relation to the contested-election case from the State of Idaho so misrepresent me, that I think, in justice to the contestant, I ought to present them, have them read, and make such statement as I think proper with regard to them. They are contained in four slips. No. 1 appears in the Idaho Daily Statesman of January

29; No. 2 in the issue of the same paper of February 2; No. 3 in the Star of this city of February 4, and No. 4 in the New York Sun of February 5. I ask the Secretary to read these slips in their order. They are all numbered.

The VICE-PRESIDENT. The papers will be read if there be no objection.

The Secretary read as follows:

(1)

STEWART'S PURPOSE—HE DESIRES TO REVENGE HIMSELF ON SENATOR DUBOIS FOR THE LATTER'S PART IN DEFEATING HIS SCHEME TO DISRUPT IDAHO.

* * * * * * *

Senator STEWART continues his campaign in Clagett's favor. To-day he is begging for a few Republican votes for his protégé, basing his appeal on Clagett's alleged past services to the party, etc. He does not hope to seat Clagett, but pleads that a few votes may be cast for him in order to give his case standing. Senators, however, understand what the animus of STEWART'S attitude is. They know that the Nevada Senator has never forgiven DUBOIS for thwarting his attempts to dismember Idaho and annex the southern portion of its territory to his State. They know that Clagett actively cooperated with him in that effort to disrupt and destroy Idaho, and they are alive to the fact that STEWART is now actuated by a desire to "get even" with the man who defeated his scheme of destruction, by ousting him from his seat and giving the place to the man who assisted in that nefarious attempt.

The subcommittee of the Senate Elections Committee, consisting of Senators MITCHELL, HOAR, and PUGH, have agreed upon the report that will be made to the full committee for presentation to the Senate in favor of DUBOIS. It is full, convincing, and exhaustive.

The two Democratic members of the committee who voted against DUBOIS, GRAY and VANCE, may make a minority report, but it is not thought that they will do so.

(2.)

CLAGETT'S CONTEST—HE SEEMS TO HAVE MOVED OVER BODILY TO THE DEMOCRATS—CLOAKROOM TALK—STEWART IS ROASTED BY REPUBLICAN MEMBERS.

[Special to the Statesman.]

WASHINGTON, *February 1.*

STEWART and Clagett have evidently concluded that the Republican Senators are hopelessly against them in their effort to unseat Senator DUBOIS. The Republican members have become aroused over Senator STEWART'S action, and they are very indignant at him. Several of them have told him in very plain terms what they think of his conduct.

Since Pride left, the overtures to the Democrats had not been so bold until to-day, when Clagett seemed to get back to the ground occupied while his Boisé lieutenant was here. After an earnest talk with Democrats in the Senate Chamber for Democratic support, some Senators retired with him to the Democratic cloakroom, where over an hour was spent in consultation.

Clagett has generally sat on the Republican side of the Chamber, but, as he relies entirely on Democratic support, his action to-day leads to the inference that he has already moved over into the other camp, bag and baggage.

He also had a private interview with Senators GRAY and VANCE, and it is understood that they have agreed to make a minority report in his favor.

It is fair to remember that Senators PUGH and TURPIE, the other two Democratic members of the Elections Committee, signed the majority report in favor of DUBOIS with the five Republicans. It will be impossible, it is thought, to get a majority of the Democratic Senators to indorse any tricky scheme, as they will be governed by the law and precedents.

(3.)

STEWART AND CLAGETT—WHY THE NEVADA SENATOR WANTS TO SEAT A DEMOCRAT.

More than a few Republicans have been endeavoring for some time past to find out why Senator STEWART, who is a Republican, should be so earnest in his endeavor to seat Contestant Clagett, who is a Democrat. Some of Senator DUBOIS's friends have been investigating a little, and now it is rumored they have discovered the true cause of STEWART'S activity. During the lifetime of the Fiftieth Congress Senator STEWART, they say, tried his best to wipe Idaho off the map of the United States. He proposed to divide the then Territory, and wanted the lower half to be tacked onto Nevada; the upper half was to become a part of the State of Washington. Mr. DUBOIS, who was at that time Idaho's Delegate in the House, fought the scheme with that vigor which is one of his most marked characteristics. Senator STEWART, too, was persistent. He realized that Nevada was retrograding with disheartening rapidity, and it was as evident to him as it was to everyone else that new territory and new blood were necessary to Nevada's existence. Delegate DUBOIS came out ahead. Idaho was ultimately admitted as a State and Delegate DUBOIS was promoted to Senatorial honors. The contestant in the pending case—Mr. Clagett—was, they say, one of the Idahoians who supported Senator STEWART in his effort to remove Idaho and increase Nevada. The contest, they intimate, affords Senator STEWART an opportunity to scratch the back of him who four years ago scratched his, STEWART'S, back, or words to that effect.

(4.)

Senator STEWART of Nevada is and has been for several weeks throwing every possible obstacle in the way of a settlement of the contested seat of Senator DUBOIS of Idaho. Mr. STEWART is about the only Republican Senator who is in favor of the claim of Mr. Clagett, the contestant, and there is no possibility that Mr. DUBOIS can be disturbed in his seat. The Committee on Privileges and Elections were unanimously in favor of his undisputed title to the seat, and every Republican Senator except Mr. STEWART will doubtless vote for him. The Nevada Senator, however, still keeps up the fight, and until to-day no explanation of his peculiar course has been forthcoming. It is now learned what the trouble is. It appears that during the Fiftieth Congress Senator STEWART was much opposed to the admission of Idaho into the Union. He wanted to see the Territory divided, the lower half to be attached to Nevada and the upper half to become a part of the State of Washington. The Senator realized that Nevada was rapidly being depopulated and that new blood and new territory were needed to its continued existence. Senator DUBOIS, then a Delegate, made a strong fight for Idaho, and won. Mr. Claggett, who now wants the seat of Mr. DUBOIS, was, it is said, in favor of Mr. STEWART'S plan to split Idaho in twain, and gave his best efforts to the movement. Senator STEWART is now inclined to assist the man who then assisted him. Mr. DUBOIS, notwithstanding, will retain his seat in the Senate without serious opposition.

Mr. STEWART. Mr. President, I should not have called the attention of the Senate to these criticisms solely on my own account, but they are so unjust to Mr. Clagett, representing throughout that he is a Democrat, that I thought I ought, having known him so long, to make some allusion to them.

Mr. Clagett, to my personal knowledge, has been a consistent Republican for more than thirty years. Furthermore, it is not true that Mr. Clagett coöperated with me in any effort to dismember Idaho; on the contrary, he lived in the northern part of Idaho, in the mining section, and he was opposed to the annexation of what is known as Northern Idaho to Washington in case it included the mining region. He drew a petition, which was numerously signed by miners there, and sent it here, praying that in case there was any division of Idaho the mining section of the Territory might be annexed to Montana; and in that way he divided the sentiment in Northern Idaho. He did not wish it annexed to Washington, because he said that Washington was purely an agricultural State, and it would be prejudicial to the mining interests. His efforts in that connection did a great deal to prevent the consummation of what was originally proposed.

Some years ago the Legislature of Idaho, both political parties concurring, passed a resolution for the division of the Territory, and providing that the northern part be attached to Washington. That division suggested to me the idea that in that case it would be a good thing to annex Southern Idaho to Nevada.

I am aware that Nevada has a small population and that it will be a long time before it gets a large population, but that it ultimately will become a large State there can be no doubt at all. It has sufficient resources, agricultural and otherwise, when developed, to make it a good State, but the agricultural portion is in isolated valleys, a long way from market, and the people have not occupied as yet those remote portions, except to supply the local market for mining. But Nevada is not a hopeless case, and no one need have any apprehension but what Nevada will come out all right.

At that time I thought there was a sentiment in the East that we should not make so many small States, and I then had no idea that the East would consent to the admission of Idaho with its then population and resources. I was not then as familiar with its resources as I have become since, but when I found that there was a disposition on the part of the larger States to admit Idaho I at once fell into the plan and advocated it in the committee and here in the Senate and elsewhere, and did all I could to promote the passage of the bill to admit Idaho.

Mr. DUBOIS was opposed to the division of Idaho, very properly. I never objected to his position and it never changed our personal relations. I had nothing against him on that account, nothing in the world. So upon that question there was no feeling whatever. I should hate to have the idea go out that I am influenced in deciding a question of law on account of personal feeling between these gentlemen. I have no such feeling whatever and never have had. I have known these gentlemen for many years, but I have known Mr. Clagett longer than Mr. DUBOIS. They are both Republicans, and the question before the Senate, as I have said, is purely a question of law and the character of these men can not enter into the discussion to bias any man.

I simply say this in all fairness, and I should not have said it if all Senators here had known Mr. Clagett as I do. I should have thought it unnecessary to say anything in his behalf anywhere in the region where he has ever lived. I have said this much because I thought it but just and right to remove any idea that may obtain among any class of people that I would be influenced in my decision of a question of law by personal feeling.

HOUSE BILLS REFERRED.

The bill (H. R. 3888) for the relief of Samuel Howard was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 5399) making appropriations to supply a deficiency in the appropriation for the expenses of the Eleventh Census, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

EXECUTIVE SESSION.

The VICE-PRESIDENT. If there be no further morning business, the Calender, under Rule VIII, is in order.

Mr. HISCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and twenty-five minutes spent in executive session the doors were reopened.

PRINTING AND DISTRIBUTION OF PUBLIC DOCUMENTS.

The VICE-PRESIDENT. The Chair lays before the Senate the unfinished businsss.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1549) providing for the public printing and binding and the distribution of public documents.

The VICE-PRESIDENT. The reading of the bill will be resumed.

The Chief Clerk read section 75.

Mr. GALLINGER. I suggest that we were considering section 74, and the Senator from Missouri [Mr. COCKRELL] desired to be heard on that section.

The VICE-PRESIDENT. The Chair is informed that there is no amendment pending to section 74.

Mr. COCKRELL. That section was under discussion at the time when we last considered the bill. I stated then that I certainly very seriously objected to the provision of that section that—

All documents in excess of 25 copies of any one publication remaining in the folding room of the Senate or House at the expiration of two years, after being placed to the credit of a Senator or Representative or Delegate, shall be turned over to the superintendent of documents for distribution by him to public libraries or depositories or for sale, as in his judgment shall best subserve the public interest.

I think that is very unjust; but as we were acting upon the amendments of the committee I simply gave notice that at the proper time I should call attention to it, in order that we might go on with the committee amendments.

Mr. MANDERSON. I am very glad to have that course taken; but before passing from section 74 I desire to call the attention of the Senate, particularly the attention of the Senator from Missouri, to what will be the result if the section is adopted.

If 25 copies of any one document are allowed to remain indefinitely as to time to the quota of any member of Congress, then this section will only apply to such documents as are furnished in very large amounts. Multiplying 25, the number of copies proposed to be retained, by 90, the number of the Senate including the Vice-President and the Secretary of the Senate, and it makes 2,250 copies. Multiplying 25 by 360, the number of members of the House of Representatives under the last apportionment, and it will be 9,000 copies. There are very few documents that are published in excess of 11,250 for distribution by the two Houses of Congress.

Now, if the Senator will examine this report he will find, and I think the showing will surprise him, that by the statement of the superintendent of the House folding room, to be found on page 214 of the report, at the time of the last invoice, which was the 2d of December, 1889, and mark it, that was the beginning of a Congress when the long vacation had elapsed and the opportunity had been given to distribute documents, there was the large sum of 900,000 volumes, weighing in the neighborhood of 1,500 tons, as Mr. Palmer states on page 219, under the control of the superintendent of the House folding room. The fact appears, and it is notorious, that in both Houses of Congress there is an enormous accumulation of documents until they become stale and worthless, because members of Congress do not see fit to exercise their privilege of distribution.

This proposition is simply that in excess of 25 to each member of either House, if he sees fit to permit documents to accumulate beyond that amount in the folding room, they shall be turned over to the superintendent of documents for distribution to the libraries, etc., of the country. It seems to me this provision will commend itself to the Senator from Missouri as he shall further consider it.

Mr. COCKRELL. I am not disposed to punish Senators who attend to the distribution of their documents and desire to retain certain documents for the purpose of keeping sets to be furnished to new libraries and institutions of learning as they are established, and they are being established very rapidly in the Western States. I have been able, by keeping some of mine over, to supply a number of libraries that are very important now, which have sprung into existence since the commencement of the publication of that series of documents. I do not think that the faithful Senator should be punished because some Senators will not distribute their documents.

I understand that in the other House they have a large number of documents which have accumulated, as shown on the pages to which the Senator referred. There is no trouble about that. We can arrange about a member distributing at the close of his term, and they generally do there distribute at the close of their terms, as Mr. Palmer indicates. However, we can bring this matter up when we get through with the amendments of the committee.

Mr. MANDERSON. All right.

Mr. COCKRELL. There should certainly not be a punishment inflicted upon Senators who reserve their documents and distribute them to libraries and new institutions, simply because some Senators do not distribute their documents. As a distinguished Senator once said, in a very playful way, he did not have much trouble with his documents; his constituents who could read them did not call upon him for them, and those who were his friends could not read, and therefore he had no trouble about them. [Laughter.]

Section 76 was read, as follows:

SEC. 76. Any Senator, Representative, or Delegate having public documents to his credit at the expiration of his term of office shall take the same within nine months after his term has expired, and if he shall not do so within such period he shall forfeit them to his successor in office.

Mr. COCKRELL. I thought that was the law now, Mr. President.

Mr. MANDERSON. No.

Mr. COCKRELL. I thought we had a rule that Senators were allowed until the beginning of the next session after the expiration of their term.

Mr. MANDERSON. That is only as to the right to frank documents. I do not think it reaches to the extent that if a Senator or a Member does not take his public documents, he shall forfeit them to his successor in office, but simply that he has a right to frank documents for nine months after his term expires.

The first clause of section 77 was read, as follows:

SEC. 77. Extra copies of documents and reports shall be printed promptly when the same shall be ready for publication, and shall be bound in paper or cloth, as directed by the Joint Committee on Printing, and shall be of the number following in addition to the usual number.

Mr. MANDERSON. Mr. President, before passing to the consideration of this section, the purport or extent of which is to fix the number for distribution by Congress and by the Departments under the order of Congress, I wish to say that in almost every instance as to the general and current publications that come periodically, the effort of the committee has been to ascertain whether the number now published or which has been published under concurrent resolution has been greater than was needed. If Senators will turn to the concurrent resolution of Congress under which the committee acted, they will find that the main feature of that resolution was that there should be an effort to economize the public printing.

Now, as we run along through this bill by sections it will be found by reference to the sectional annotations in the report that we have materially reduced many of these publications. It may be that we have gone further than Senators think we should have gone with reference to this matter, but we have made a thorough investigation. Take, for instance, the very first item in this section, that of the Agricultural Report. The number of that report usually printed under concurrent resolution of Congress of late years has been 400,000 volumes. Our investigation showed the fact that within a very short period of time after this work issued from the press, while the cost is from 40 to 50 cents per volume, it could be bought by the hundred and thousand copies at from 5 to 10 cents a volume. It seemed to us that that fact showed that that particular publication was published in excess of the demand.

Mr. COKE. Will the Senator allow me a moment?

Mr. MANDERSON. Certainly.

Mr. COKE. The reason for the fact that he states I imagine is that a large number of those reports are issued to gentlemen residing in cities who have no use for them at all. They certainly are not disposed of in that way by Representatives and Senators who represent agricultural districts and agricultural people.

Mr. MANDERSON. I think not.

Mr. COKE. So far as that particular reduction is concerned, whenever it is in order I shall propose an amendment to restore it at least to the original number.

It will be observed that there has been an addition of twelve new Senators to this body. That reduces the proportion of reports issued to each Senator. Now, when you make an additional reduction of one-fourth of the entire number, you bring it down to a very small dividend for each one of the Senators, and the same way with the Representatives, I imagine.

The Agricultural Report is the most attractive, the most instructive, and the most popular report issued from any of the Departments of this Government. The farming people of the United States especially desire those reports. There is a great demand for them. None of us ever are able to supply the demand with the number of copies that we get now. To reduce it below its present number is, in my judgment, false economy. The people ought to have these reports, and they would buy them if they knew where they could get them.

The farmers constitute nearly one-half of the voting population of this country, and this report is the only one that is issued for their benefit. The number should not be reduced, but, on the contrary, in my judgment 500,000 copies should be printed.

I will propose an amendment to this clause of the section whenever the committee's amendments are disposed of, and also to the next clause relative to the report of the Bureau of Animal Industry. There were 50,000 copies of those printed heretofore. They have been reduced down to 40,000. I shall ask that the original number of that report be also restored.

Mr. MANDERSON. I should be very glad to have the Senator take the sense of the Senate upon those propositions after the committee amendments shall be disposed of.

The Chief Clerk continued the reading, and read the second clause of section 77, as follows:

Of the Agricultural Report, 300,000 copies, of which 50,000 shall be for the

Senate, 225,000 for the House, and 25,000 for distribution by the Agricultural Department.

Mr. BUTLER. May I inquire for information of the Senator from Nebraska, because I really am not informed about it, are these documents distributed equally among Senators?

Mr. MANDERSON. Certainly they are.

Mr. BUTLER. Each Senator gets as many as any other Senator?

Mr. MANDERSON. As many as any other Senator.

Mr. BUTLER. Without any regard to the geographical area, the population, or the character of the constituency that he represents?

Mr. MANDERSON. Yes, that has been the practice, and yet I see, as undoubtedly the Senator has seen, that frequently that works somewhat unfairly. For instance, I realize that a member representing an agricultural constituency would have great demand for the agricultural report, take that as one instance, and that those who live in cities and represent a municipal constituency would have little or no need for that report; but the difficulty is to make any different division of documents except that which now obtains. We have sought to do so in certain instances, and when we come to that section of this bill which has reference to the distribution of eulogies upon deceased members of Congress, there is a new method of distribution proposed.

This bill, I might say, encourages by its terms a system of exchange of documents among members. That has obtained in practice in both Houses of Congress, and I think it frequently occurs that a member from a city will exchange his agricultural reports with some member from an agricultural district, receiving in lieu thereof the work on commerce and navigation or something else that is desirable to his constituents. This bill encourages that idea.

Mr. BUTLER. I was going to inquire of the Senator whether the committee had had the matter under consideration as to a change in the form of the distribution of these documents?

Mr. MANDERSON. We did have it under consideration, but when we attempted to reach legislation which would accomplish the purpose that the Senator has in view, we found it almost impossible to reach any other method of distribution.

Mr. BUTLER. I did not know how practicable it was, and yet it occurred to me, while this debate was going on and in view of what has fallen from the Senator from Texas [Mr. COKE], that possibly some system might be adopted which would obviate some of the difficulties to which he called attention.

Mr. MANDERSON. I think we reach the result by the inauguration of this distribution bureau, as it may be termed, which is under the control of Congress, and that as a part of the duties of the superintendent of documents he can make this exchange. That is very easily accomplished. It is a matter of detail, the work of the superintendent of documents. I have no question but that as the result of the establishment of that bureau, taking it out of the Interior Department and placing it here, there will come, as the favorite method of exchange, that it shall be done through this superintendent.

Mr. BUTLER. Of course there are a great many of the States where there is small territory with very many large towns and cities, where the Agricultural Reports, as the Senator from Texas has said, would be of no earthly value. There are very many other States with large agricultural communities, as is the case in my own State, where there would be great demand for them, and they would be very valuable. We should get a larger number of them. Hence it was that I made the inqury that I made, in the hope that it might result in something of that kind. I do not know exactly how it can be accomplished.

Mr. PADDOCK. I have just come into the Chamber, and I should like to inquire of my colleague if the proposition to reduce the number of Agricultural Reports has been voted upon?

Mr. MANDERSON. It has not been. The bill is subject to amendment.

The reading of section 77 was resumed with the clause beginning in line 11, as follows:

Of the report of the Bureau of Animal Industry, 40,000 copies, of which 10,000 shall be for the Senate, 20,000 for the House, and 10,000 for distribution by the Agricultural Department.

Mr. COCKRELL. I should like to ask the Senator in charge of the bill if any attention has been paid, in fixing these numbers for each respective document, to the number of members of the Senate and the persons who receive them in the Senate and in the House of Representatives, so that there will be no surplus. I should like to know how many persons receive documents in the Senate. Each Senator, there being 88 Senators, now receive them. Who else is entitled to each one of the documents issued?

Mr. MANDERSON. The Vice-President of the United States and the Secretary of the Senate.

Mr. COCKRELL. That makes 90 persons. Who is entitled to them in the House of Representatives?

Mr. MANDERSON. Each member of the House and the Clerk of the House, and my impression is the Doorkeeper of the House also, but of that I am not absolutely certain.

Mr. COCKRELL. It seems to me that if a close calculation were made, all this overflow or surplus of 25 or 50 or 75 documents of this one and that one and the other kind could be avoided, and there would be no trouble; but if it has heretofore existed, it must have been because we did not print such a number as would enable the whole amount to be consumed by those entitled to them in an equal distribution. You print 300 copies of one document and there are 90 persons in the Senate entitled to receive copies. That is 270 copies, allowing 3 to each, and there are 30 copies over, which are stored away in the document room here. We order another print of 400 copies, we have 90 persons entitled to them, and we give each 4 copies. There are 360 copies, and there are 40 copies in excess. It seems to me that all that wastage can be avoided by fixing an exact number, so that there will be only 1 or 2 extra copies, if necessary; and I should like to know whether in the amount fixed here that kind of distribution has been kept in view?

Mr. MANDERSON. That consideration has received very great care at the hands of the committee. In the exploration that has been made I think I can safely say that there is no proposition which can be suggested as we proceed through this bill that has not challenged the attention either of a member of the committee or some witness before the committee; and this particular matter received consideration.

Mr. COCKRELL. Then, will the Senator explain this provision:

Of the Astronomical and Meteorological Observations of the Naval Observatory, 1,800 copies; 300 for the Senate, 700 for the House.

Three hundred for the Senate. Three times 9 are 27. That leaves 30 surplus there. Then of the very next report mentioned 200 copies are to be printed for the Senate. Twice 90 is 180. There is a surplus of 20 there. It seems to me there is a pretty large surplus in every one of these documents, as far as I have taken the time to divide them.

Mr. MANDERSON. If the Senator will rest his soul in patience I will try to explain what the action of the committee was. It was not considered desirable to multiply the number to be printed for the Senate by 90, and in every instance publish that number. We make an even distribution among Senators, because we were told by the superintendents of the folding rooms that it frequently happened that owing to defective printing, defective binding where the different signatures were gathered in that hurry which characterizes this sort of work, sometimes to cover deficiencies where the folding room had perhaps made a miscount, it was well to have some surplus numbers; that frequently a Senator found himself stripped of all documents of a certain character, and that after a year or two had elapsed he wanted an additional copy for some constituent to fill a set. This supernumerary or extra number that is left as a remainder after the division of a round number among the members of Congress has been used for that purpose.

The great demand upon Congress has been, and it has been evidenced by repeated petitions from the librarians of the country, that libraries which are not now designated depositories should receive the best or the cream of Government publications. The best are those that are printed in excess of the usual number, in extra numbers for distribution by Congress. So the committee concluded that it would leave this round number. That in some instances will leave a surplus of 30, sometimes of 40, more or less. The committee concluded that it would leave this round number as it has been heretofore, and leave 25 copies of this remainder in the folding room of each House to supply any excess of the character that I have mentioned, where a Senator or Member had exhausted his supply and desired another number out of the general quota. We provided that all of the remainder in excess of 25 to each House should be turned over to the superintendent of documents. That provision will be found at the foot of page 29:

Where, in the division among Senators, Representatives, and Delegates of extra copies of documents printed for the use of Congress, there shall be a remainder beyond the number of 25 to each House of Congress the surplus beyond 25 shall be turned over by the superintendents of the folding rooms to the superintendent of documents for distribution and sale by him under the provisions of this law.

Then it goes on to provide by the amendment that of the surplus numbers from the accumulation in the Departments and in Congress turned over to him the distribution shall be as follows:

First, to public and school libraries for the purpose of completing broken sets; second, to public and school libraries that have not been supplied with any portion of such sets; third, to other parties, which persons and libraries shall be named to him by Senators, Representatives, and Delegates in Congress; and in this distribution the superintendent of documents shall see that as far as possible an equal allowance is made to each member of Congress.

So there is in the hands of the superintendent, of this remainder

over, a fund or accumulation from which he can supply the school and public libraries that are not designated depositories. I think it will be ascertained that that is a far better method than to multiply by the number in each House, 90 in the Senate and 362 perhaps, as it will be in the House of Representatives at the next Congress, and make that the exact and unvarying number.

Mr. COCKRELL. What will be the number in the present House?

Mr. MANDERSON. The number in the other House under the new apportionment will be 360. I think perhaps 362 will be the number in the next Congress.

Mr. COCKRELL. That depends upon what other officers besides members get the documents.

Mr. MANDERSON. I have said that my impression is that in the other House the Clerk of the House and the Doorkeeper of the House are also entitled to documents, but as to that I am not very positive.

The VICE-PRESIDENT. The reading of the bill will be continued.

The Chief Clerk read the next paragraph of section 77, as follows:

Of the Astronomical and Meteorological Observations of the Naval Observatory, 1,800 copies: 300 for the Senate, 700 for the House, and 800 for distribution by the Navy Department.

Mr. MANDERSON. On page 33, section 77, line 22, I move to strike out the words "Astronomical and Meteorological;" so as to read:

Of the Observations of the Naval Observatory, 1,800 copies.

The amendment was agreed to.

Mr. MANDERSON. In line 25 of the same paragraph, I move to strike out the words "Navy Department" and to insert the words "Naval Observatory;" so as to read:

Eight hundred for distribution by the Naval Observatory.

The amendment was agreed to.

Mr. MANDERSON. I move to add at the end of the paragraph:

And of the Astronomical Appendices to the above Observations, 1,200 separate copies, and of the Meteorological and Magnetic Observations, 1,000 separate copies, for distribution by the Naval Observatory.

The amendment was agreed to.

Mr. MANDERSON. These amendments are made to the section by reason of a communication received from the Superintendent of the Naval Observatory. This reaches a very much better condition, I think, than the section as reported by the committee. I ask that the letters be printed in the RECORD, as showing the abundant reason for this change.

The VICE-PRESIDENT. The letters will be printed in the RECORD if there be no objection. The Chair hears none.

The letters are as follows:

UNITED STATES NAVAL OBSERVATORY,
Washington, December 5, 1890.

SIR: I have the honor to submit to your attention the inclosed draft of a proposed concurrent resolution whose substance I would respectfully recommend be embodied in legislation, for the following reasons:

The printing of the complete annual volumes of observations for the years 1886, 1887, and 1888, which will contain the appendices referred to in the proposed resolution, was authorized by a concurrent resolution of the Senate of the second session of the Fiftieth Congress, which resolution passed the House of Representatives January 8, 1889. It would seem fitting that the separate copies of the appendices to the same volumes should be printed under the same auspices.

The distribution by the Naval Observatory of the 800 copies of the complete annual volume of observations is mostly confined to public and college libraries and to exchanges with other observatories and scientific institutions, while the separate copies of the appendices (which contain the condensed results of observations and investigations, and which are issued a considerable time in advance of their complete volumes) are distributed mostly to individuals—astronomers, mathematicians, and physicists—to whom it is of importance that they receive these published results as promptly as possible.

With the rapid progress of astronomy and its allied branches of science, the number of able workers in these fields increases in a corresponding degree, and the exchange list of those who receive these appendices from the Observatory has grown so rapidly in the last few years that the number of the copies needed makes too great a demand upon the printing fund of the Navy Department, which has heretofore borne the expense, and the progress of the printing has been much delayed in consequence. The passage of the inclosed resolution will allow this important work to proceed without interruption as the material is made ready for the printer.

The estimated approximate cost of the 1,200 copies of the appendices to these three annual volumes (as nearly as it can be estimated from the volumes already published) will be about $4,000.

I trust that this matter may receive your early and favorable consideration.

I am, very respectfully, your obedient servant,

F. V. MCNAIR,
Captain U. S. Navy, Superintendent Naval Observatory.

The CHAIRMAN *of the Senate Committee on Printing and Binding.*

NAVY DEPARTMENT,
Bureau of Equipment, December 5, 1890.

Approved and forwarded.

GEO. DEWEY, *Chief of Bureau.*

UNITED STATES NAVAL OBSERVATORY,
Washington, January 20, 1892.

SIR: Referring to my letter of November 18, 1891, inclosing a draft of a proposed resolution for printing the observations of the Naval Observatory for the years 1889–'92, with separate copies of the Astronomical Appendices and of the Meteorological and Magnetic Observations for the use of the Observatory, which was forwarded to you by the Navy Department too late, I understand, to be incorporated in the bill (S. 1549 or H. R. 3513) recently reported to each House of Congress, and noting the fact that this bill is now intended to provide for the permanent publications of the current annual volumes of the observations of this Observatory, I take the liberty of addressing you directly (as the bill is already under consideration in the House of Representatives) and to suggest that the following amendments to the bill will make it conform to the substance of the proposed resolution in my former letter, and would respectfully request that the present bill be amended accordingly:

Page 33, section 77, line 22, cross out "Astronomical and Meteorological."

Page 33, section 77, line 25, for "Navy Department" read "Naval Observatory."

Page 33, section 77, at end of line 25, add, "and of the Astronomical Appendices to the above observations 1,200 separate copies, and of the Meteorological and Magnetic Observations 1,000 separate copies, for distribution by the Naval Obervatory."

In explanation of the last amendment my reasons for requesting the printing of 1,200 separate copies of the Astronomical Appendices have been briefly summarized in my letter of a year ago (1890, December 5), which was embodied in your report on a resolution to print these same appendices for previous years, and of which I have the honor to inclose a printed copy. I may add that it is a measure of economy to print these separate copies of the appendices to the larger and more expensive volumes, since the smaller and cheaper appendices contain results of the Observatory work more interesting to the general public and satisfy a large personal exchange list of astronomers, mathematicians, and physicists, who would otherwise need to be supplied with the large volumes in order to receive the information which they ought to expect. As to the Meteorological and Magnetic Observations, these are also supplied to a list of meteorological and magnetic observatories and observers, most of whom do not receive the whole volume of observations, but who should be entitled to it if these particular observations were not extracted and printed for exchange with them alone.

The printing of these separate copies out of the printing fund of the Navy Department is problematical, and I would most earnestly urge that relief be granted the Observatory in this matter by having them printed regularly by Congress.

Very respectfully,

F. V. MCNAIR,
Captain, U. S. Navy, Superintendent.

HON. CHARLES F. MANDERSON,
Chairman Committee on Printing, United States Senate.

The Chief Clerk read the next paragraph of section 77, as follows:

Of the report of the Superintendent of the Coast and Geodetic Survey, 2,800 copies: 200 copies for the Senate, 600 copies for the House, and 2,000 copies for distribution by the Superintendent of the Coast and Geodetic Survey.

Mr. MANDERSON. After the word "survey," in line 27 of section 77, I move to insert:

One thousand five hundred copies of Part 1, 200 copies for the Senate, 600 copies for the House, and 700 copies for distribution by the Superintendent of the Coast and Geodetic Survey, and—

And after the word "copies," in line 27, I move to insert "of Part 2;" so as to make the paragraph read:

Of the report of the Superintendent of the Coast and Geodetic Survey, 1,500 copies of Part 1, 200 copies for the Senate, 600 copies for the House, and 700 copies for distribution by the Superintendent of the Coast and Geodetic Survey; and 2,800 copies of Part 2, 200 copies for the Senate, 600 copies for the House, and 2,000 copies for distribution by the Superintendent of the Coast and Geodetic Survey.

The amendment was agreed to.

Mr. MANDERSON. I present a letter which I have received from Prof. Mendenhall, the Superintendent of the Coast and Geodetic Survey, giving the reasons for this change. The committee adopt his view upon the matter, and believe that this is a great economy and a better distribution, and will reach the purposes desired. I ask that the letter be printed in the RECORD in connection with the amendment just made.

The VICE-PRESIDENT. The letter will be printed in the RECORD if there be no objection. The Chair hears none.

The letter is as follows:

UNITED STATES COAST AND GEODETIC SURVEY,
Washington, D. C., January 20, 1892.

DEAR GEN. MANDERSON: In response to your request, I send herewith memoranda of changes which are very desirable in the provisions of your bill regulating the public printing and distribution of public documents, as far as it relates to the Coast and Geodetic Survey.

In explanation of the first, I will say that it embodies a change I have been contemplating for some time under existing regulations, and is directly in the line of a more economical and sensible distribution pointed out by your bill. Our report has long been printed in one large quarto volume, so large and heavy that we are obliged to divide it to send it through the mails to foreign correspondents and exchanges. The first half of it relates chiefly to formal office reports, financial statements, statistics of work, including progress sketches which, although important to Congress and the Departments, and necessary for our own administration, has little, if any, interest to the general public and to professional men to whom our operations are of the greatest interest and value.

My proposition is to print in two parts, and provide a limited distribution of the first, as indicated in the proposed substitute. The 700 allotted to us will enable us to supply the principal libraries and such of our foreign exchanges as would value this part. The second part should be printed in octavo instead of quarto, would be a much more manageable volume, and would contain all of the important results of our work, with discussions, methods, etc. This would be the part which the engineers and surveyors would desire and be satisfied with. The cost by the proposed substitute would be, I think, nearly 20 per cent less than by the plan proposed in the bill, while the result would be vastly more satisfactory.

The change proposed in section 80, line 2, is simply explanatory of the word 'cost," and in accord with the present practice. The addition to line 4 is to provide for a very important and necessary distribution of charts to the principal libraries and institutions of learning in this country, where they are valued very highly, and from which we get, in many ways, returns of greater value than the material thus expended, and to foreign governments and cartographic bureaus and institutions whose charts, maps, etc., we receive in exchange, and which are of great value to us. This is in accord with

long existing practice, and authorized by law as long ago as 1844. (Act of June 3.) In the act of 1878 this act is referred to, and it is stated that the distribution is to be "in accordance with the act of June 3, 1844."

I trust that the changes suggested may be incorporated in the bill, and I will be pleased to answer any further inquiries relating to them which you may desire to make.

I am, yours, faithfully,

T. C. MENDENHALL,
Superintendent.

Gen. CHARLES F. MANDERSON,
United States Senate, Washington, D. C.

The Chief Clerk read to line 49 of section 77.

Mr. PLATT. I should like to inquire why so large a proportion of the reports of the Bureau of Ethnology is given that Bureau for distribution, when, as a general thing, other bureaus do not have the same proportionate number of books given to them. I know we have passed the clause, but I was busy at the time. I meant then to make the inquiry, or call the attention of the chairman to the particular paragraph.

Mr. MANDERSON. Is it at the foot of page 33, line 34?

Mr. PLATT. Yes; "1,000 for the Senate, 2,000 for the House, and 5,000 for distribution by the Bureau of Ethnology."

Now, go over a little further, on page 40, to the distribution of the report of the Smithsonian Institution. The character of the books does not differ so very much, but on line 199, page 40, of the report of the Smithsonian Institution, 10,000 copies are to be printed, "1,000 for the Senate, 2,000 for the House, 5,000 for distribution by the Smithsonian Institution, and 2,000 for distribution by the National Museum." But in a good many other cases the proportion is different. Take the report of the Commissioner of Fish and Fisheries, "8,000 copies; 2,000 for the Senate, 4,000 for the House, and 2,000 for distribution by the Fish Commission." The proportion is entirely different in the different cases.

I would not speak about it if it were not for one thing, and that is, that every little while, and very soon after I get my quota of the report of the Ethnological Bureau, I begin to receive letters from all over the State indicating that, if people will apply to me, I can furnish them. They have evidently written to the Bureau of Ethnology and have received word from there that if they will write to their Member or Senator they can be supplied, but that the report can not be furnished by the Bureau.

Mr. MANDERSON. Of course I know nothing of the correspondence suggested by the Senator from Connecticut. The committee having this bill in charge for preparation found this to be the existing condition, that this large number of certain documents had been held from time almost immemorial by the bureaus themselves for distribution. I understand that the reason for it is largely this: Take the report of the Commissioner of Education. The Ethnological report, I believe, comes under the Smithsonian Institution rather than the Geological Survey, but it is under the direction of Maj. Powell, who is at the head of the Geological Survey. Take the report of the Smithsonian Institution itself. The matter that goes to make up these reports is contributed by scientists all over this country and perhaps all over the world; and that has been one reason probably why this large number has always been given to these bureaus by Congress. The committee want to make no startling change in that regard. It presumed that Congress in this respect had acted with that wisdom which usually characterizes the action of Congress, and especially of the Senate, as suggested by my colleague [Mr. HAWLEY], and did not want to strain the existing condition.

We have cut down the number of this report to be distributed by Congress, but we have not cut down the number to be distributed by the Bureau of Ethnology, presuming that they had some intelligent method of distribution by which from their quota they were keeping up in consecutive number full sets of these publications. If reference will be made to the testimony of Maj. Powell, the chief of the Geological Survey——

Mr. ALLISON. On what page?

Mr. MANDERSON. His statement is on page 220. In that statement will be found his account as to the method of distribution, which he seemed to think was a very admirable one, and I have no doubt but that it is. We did not feel like disturbing the action of Congress or the course which had been pursued by the different bureaus.

Mr. PLATT. I presume I am treading upon pretty dangerous ground, but I should like to inquire whether the Civil Service Commission have said anything about having a very excellent method of distribution for 20,000 copies of their report, of which the Senate gets only 1,000 copies and the House 2,000.

Mr. MANDERSON. Yes, I think that will be found to be done for this reason. The Civil Service Commission has received by concurrent resolution of Congress this very large proportion of its report for several years past. I think perhaps it would be ascertained that of each annual report it has had about this number; and the reason the Commission has always urged upon Congress is that this was the best method by which it could instruct those who were seeking examination by that Commission. In the small pamphlet or report that is issued by the Commission there are the necessary forms and instructions for those who desire to be examined; and the Commission represents that it is cheaper, when application is made to it, to send this report, which contains the forms and instructions, than to send out a separate publication devoted to that particular purpose. I do not think that any more copies of the report are needed by Congress than it has received. But the Civil Service Commission has frequently urged that instead of 20,000 copies, there should be a substantial increase of that amount printed for distribution by it.

Mr. PLATT. I do not wish to be understood as complaining from a personal standpoint in this matter. I should be extremely obliged to this committee if they had taken away practically the entire distribution from Senators and Members of Congress. I do not believe that any Senator or any Member of Congress can make a very intelligent distribution of these documents without spending more time than he can afford to devote to that portion of his duties.

Mr. ALLISON. I should be glad to have the Senator in charge of the bill state what portion of Maj. Powell's testimony relates to a reduction in the number of copies to be printed of the report of the Ethnological Bureau.

Mr. MANDERSON. The Senator misunderstood me if he supposed that I said he would find in the testimony any suggestion as to a reduction in number.

Mr. ALLISON. I find that there is a reduction in the number.

Mr. MANDERSON. There is, and that was considered desirable by the committee in the interest of a proper economy, the committee believing that too many of these publications had heretofore been made.

Mr. ALLISON. My own experience and observation respecting the report of the Bureau of Ethnology is that I not only exhaust my own quota from year to year, but I am obliged frequently to make requests of Maj. Powell. I find in his testimony that he regards these reports as very valuable.

Mr. MANDERSON. Oh, yes.

Mr. PLATT. Very much sought for.

Mr. ALLISON. On page 233 he states in answer to an inquiry by the chairman that—

> The report of the Geological Survey and of the Bureau of Ethnology become with the lapse of time more and more valuable, so that institutions wanting the back numbers can not get them. * * * My second ethnological annual is selling for £5 in London to-day.

So that seems to be a very valuable report, and I should be glad to know why it is that such a large reduction is made to members of Congress from 7,500 to 2,000 copies practically? I do not oppose the reduction proposed by the committee, but it seems to me that these are very valuable reports, according to the statement of the chief of the Bureau.

Mr. MANDERSON. I imagine that to many individuals the report of the Bureau of Ethnology is a very valuable publication. It would be so to anyone with a scientific turn of mind. But I also realize, as I think the Senator will realize, that the reports of the Bureau of Ethnology, largely technical in their character, are to the great mass of people simply an attractive picture book.

Mr. ALLISON. The request for these annuals which I receive comes chiefly from the libraries of my State, and I receive a great number of them. It seems to me that 1,000 copies would hardly supply the libraries of the country.

Mr. MANDERSON. No, it would not.

Mr. ALLISON. Nor 2,000 copies.

Mr. MANDERSON. It would not; but the Senator must remember that it is not proposed to issue of the report of the Bureau of Ethnology 1,000 or 2,000 copies. It is proposed to issue——

Mr. ALLISON. It is proposed to give the chief of the Bureau 5,000 copies and Senators 1,000.

Mr. MANDERSON. More than that. Now, let us see what will be the operation of the bill as to the report of this particular Bureau. In the first place, it comes to Congress as one of the documents accompanying the message of the President of the United States, and as such the usual number, 1,862, as I recall it, is published. In addition to that, as a part of the full messages and documents, 1,000 copies are printed for the Senate and 2,000 for the House of Representatives. In addition to that, as a separate report of the Bureau of Ethnology, when it is ordered printed under the provision at the foot of page 33, the usual number is printed as a separate publication. So all the designated depositories of the United States and the State and Territorial libraries, numbering 496, are supplied out of the usual number. Then, in addition to that, there comes for distribution the 8,000 copies provided for in this section. It seemed to the committee that when these designated depositories and the State and Territorial libraries were supplied out of the usual number by two

methods, first, as a part of the documents accompanying the message of the President and the reports of heads of Departments, and, next, as a separate publication, that with this additional number there would be enough.

Mr. ALLISON. I was not aware that there was any additional number to be printed except as stated here. My understanding of the reports of the Bureau of Ethnology is that they are not printed usually with the other public documents. They are generally a year or two behind. I should be glad to know of the Senator is he is certain——

Mr. COCKRELL. It is included, you mean, in the executive documents, unabridged?

Mr. ALLISON. No, I mean the full set of the documents.

Mr. COCKRELL. I do not think they go into the sets now.

Mr. MANDERSON. I think perhaps it is the fact that the report of the Bureau of Ethnology comes in as a Smithsonian Institution document.

Mr. ALLISON. I think it does, and in a separate form.

Mr. MANDERSON. That I referred to as being part of the messages and documents would be the report of the Superintendent of the Geological Survey, which is a report quite similar in its general characteristics.

Mr. COCKRELL. We used to get the messages and documents unabridged, and as I understood, that included all the Department reports of every kind. Now, since 1880, it is my recollection that we do not get any more messages and documents unabridged.

Mr. MANDERSON. No, you get the Abridgment of Messages and Documents.

Mr. COCKRELL. We have always gotten that. That is one volume. In 1874 and 1875 the messages and documents unabridged amounted to some eight or ten volumes, and for a number of years thereafter, but that has been discontinued. Now we get the messages and documents abridged. We get the report of the Secretary of War in so many volumes, the report of the Secretary of the Navy in so many volumes, the report of the Postmaster-General in so many volumes, and the reports of the different Departments, all in separate volumes, and we get them at different times and sometimes in different numbers.

Mr. MANDERSON. Let me interrupt the Senator to say that I think he will find that of the reserve number, which has been distributed in the manner with which we are all familiar, the messages and documents constitute a part.

Mr. COCKRELL. I am not sure whether those that go to a Senator are marked or not. I have been trying for years to get something marked on the back of these volumes to indicate what was inside of them, but I have not been able to get it done.

Mr. MANDERSON. That is provided for in this bill.

Mr. COCKRELL. If they were marked as a report of the Secretary of War or of the head of any Department it would be a great deal better. I do not remember noticing about that; but I know we do not get them in distribution any longer as unabridged documents. They come in now as separate, independent reports.

Mr. TELLER. I wish to suggest to the Senator who has the bill in charge—I do not know whether it has been done or not—that the most important thing in connection with these publications is an editor who will edit them properly. For instance, the report of the Director of the Geological Survey is frequently bound up with the reports, I will say, of the Committee on Claims, or some other absolutely inconsequential thing, which nobody wants except the members of the committee. The volume is never marked on the back so that anybody can tell what it contains unless it may be somebody who can do it from memory, perhaps a librarian.

Mr. COCKRELL. You can not tell from memory, for the arrangement is different every year.

Mr. TELLER. That is the fact, I presume. You can not remember what is contained in the volumes, and therefore that part of the report is worthless for all practical purposes. The only value that the geological report has to anybody is that portion of it which is published as a separate document, which is a limited number. If they could have eliminated from them the mass of stuff and rubbish that comes in with them they might be of some value. The Senator is right about the ethnological report. The ethnological report is a Smithsonian report, and not a geological report. Each Senator will get 11 copies of that report under this bill.

Mr. MANDERSON. May I interrupt the Senator for a moment to call attention to what he has just suggested?

Mr. TELLER. Certainly.

Mr. MANDERSON. My colleague on the committee, the Senator from Connecticut [Mr. HAWLEY], congratulated the committee the other day that this bill was receiving so much of commendation in advance of reaching of its provisions. Here is another instance of the same fact. I recognize the difficulty as to the labeling on the backs of the books referred to by the Senator. If he will turn to section 86 he will find the very remedy for the difficulty he has complained of. That section reads:

SEC. 86. Every public document of sufficient size on any one subject shall be bound separately, and receive the title suggested by the subject of the volume, which shall be the chief title, and the classification of the volume shall be placed on the back at the bottom, as simply indicating its classification and not as a part of the title.

The executive and miscellaneous documents and the reports of each House of Congress shall be designated as "House documents," "Senate documents," "House reports," "Senate reports," thus making two classes for each House.

Obviating the unpleasant difficulty which the Senator has so properly referred to.

Mr. TELLER. That is a very good amendment in the present condition of things; but I wish to call the Senator's attention to the report of the Bureau of Ethnology, of which 8,000 copies are to be printed, 1,000 for the Senate, 2,000 for the House, and 5,000 for the Bureau of Ethnology.

The printing and binding of five or ten thousand more would be a very small sum compared with what it costs to get the report put in book form. The great expense of that Bureau is not the printing, but it is the work that precedes the printing, and it is a pretty large expense. The same may be said of the Geological Survey also. It seems to me when we have gone to such great expense—and this work is more called for than almost anything else that is published by the Government—it should be printed in numbers to meet at least the reasonable demand of libraries, the scientific people in the country, and that class of persons who have a right to expect, when the Government has expended a large sum of money in the publication of a document of this kind, that sufficient copies will be published, so that more than merely the favored few may have an opportunity to see it.

As the Senator from Iowa [Mr. ALLISON] said, this is a document that we could distribute profitably in very great numbers. If they are worth publishing at all, they are worth publishing in sufficient quantities to reasonably meet the demand. I do not mean to say you can give to everybody a copy of these reports, but you can give to every public library, to every man who spends his money to create a library in the community in which he lives, as a great many do, and to private libraries an opportunity to get them. I do not know the fact, but I suppose a large number are sent abroad. It seems to me that the number could be increased very materially without any burden upon the Treasury.

Mr. WHITE. I should like to ask the Senator what is the relative cost of printing another copy—taking the cost of the volume as originally printed, what is the percentage of the increased cost of printing an additional copy after the forms are made up and the type set? I suppose it is the mere cost of the paper and the presswork. What proportion does that cost bear to the original cost of the book?

Mr. COCKRELL. What would be the difference, for instance, between 10,000 and 15,000 copies of the same book?

Mr. MANDERSON. That is a question which can not be answered with accuracy as to the percentage. It would depend upon the particular volume. Take a report, we will say, like that of the Commissioner of Education. After you have printed 10,000 copies of that report the cost of printing 5,000 more would simply be the cost of the paper, the cost of the presswork, and the cost of the binding—quite immaterial as compared with the cost of the original 5,000. But when you come to reports that are profusely illustrated, take, for instance, the report of the Bureau of Ethnology, which frequently has within it colored plates, then the cost is increased by the cost of those plates, always expensive, and dependent upon the number of colors introduced. No lithographic work of that kind, whether it is in white and black or in colors, is ever done at the Government Printing Office. There is no plant of that kind there. Under the operation of the statute such work is contracted for with lithographers, the lowest bidder who has reputation for good werk getting the contract. He owns the stones. He does not make a plate or stone and turn that over to the Government, but he holds the stones and owns them, because after they have performed this use they can be used for another purpose, and his contract price depends upon the number of plates that he is to furnish to the Government.

Mr. WHITE. That does not meet my difficulty. Suppose you contract with a lithographer for 5,000 lithographs, now the question is, what is the increased cost of contracting for 10,000?

Mr. MANDERSON. The percentage I can not give, but, of course, it is trifling as compared with the original cost, no doubt.

Mr. WHITE. That is what I think.

Mr. MANDERSON. There is no doubt about that.

Mr. WHITE. Then the economy effected by the diminution of the number of copies is insignificant?

Mr. MANDERSON. Insignificant in itself, but yet when you aggregate it as to all these publications, it amounts to a great

deal. The saving in matter of crude material, the matter of paper, the material for the binding, the mechanical work by the printers, the pressmen, and the bookbinders as to a particular volume may be comparatively insignificant, but when you aggregate it in all these publications it runs into an enormous amount of money.

I want it to be understood that the committee have not aimed to be parsimonious or mean about this supply, but we were charged with the duty of making an inquiry and of cutting this supply down to the lowest possible number that would meet the demand. We may have erred in that, but it is very easy for members of the Senate, looking at this report and seeing in the annotations to this section what was the former number, to restore that number if they think it well. We are not tenacious for this number or tenacious for anything in this bill. We have simply, under orders of the Senate, attempted to perform what has been an unpleasant duty, because it has been one that has required an enormous amount of labor and of investigation, made, too, under very adverse circumstances. I simply desire when we come to the consideration of amendments other than those of the committee that Senators shall take the sense of the Senate upon any of these numbers.

I have an amendment, to come in on lines 42 and 45, which I should like to have now considered.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The amendment will be stated.

The CHIEF CLERK. In section 77, line 42, it is proposed to strike out the word "four," before "thousand," and insert "five;" and in line 44, before the word "thousand," to strike out "one" and insert "two;" so as to read:

Of the bulletins of the Fish Commission, 5,000 copies; 1,000 for the Senate, 2,000 for the House, and 2,000 for distribution by the Commission.

Mr. MANDERSON. I make this proposed amendment based upon a letter from the Commissioner of Fish and Fisheries, which seems to give abundant reasons for it. I ask that it may be printed in the RECORD as part of my remarks.

The PRESIDING OFFICER. The letter referred to will be printed in the RECORD in the absence of objection.

The letter is as follows:

UNITED STATES COMMISSION OF FISH AND FISHERIES,
Washington, D. C., January 21, 1892.

SIR: I have the honor to request that a modification be made of Senate bill 1549 as far as it relates to the allotment to the United States Fish Commissioner of copies of its reports and bulletins, and especially the latter. In my response to the questions propounded by your honorable committee, I stated that the Commission needs at least 2,500 copies each of the report and bulletin to supply the demands upon it. With our present quota of the bulletin it is possible to fill only the requirements of our regular distribution list, and none are available for the numerous applicants who address the Commission. The demand for the publications is steady and constantly increasing, and it comes from persons whose requests ought to be granted.

I am very much surprised to find that upward of 200 copies of section 1, Fishery Industries, were in the Senate document room still unassigned at the beginning of the Fifty-first Congress.

Our invariable reply to applicants for this work for the past four years has been that it is out of print, the suggestion being made to them that they might be able to procure copies from second-hand book-dealers. The bulk of the applications made to the Commission for its publications come from fish and game protective associations, fish-culturists, State fish commissions, and others interested in fish and fisheries.

If the percentage of distribution by one or both Houses of Congress appears to be low, as shown in the report of your committee, page 464, the Commission could dispose of the surplus to very great advantage.

Hoping that my request will have your favorable consideration, and that you will assist in securing a proper recognition of our needs, I am,

Very respectfully,

M. MCDONALD, *Commissioner.*

Hon. C. F. MANDERSON,
Chairman Special Joint Committee on Printing,
United States Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska.

The amendment was agreed to.

The Chief Clerk resumed the reading of section 77 and read from line 46 to the end of line 74.

The clause from line 75 to line 83 of section 77 was read, as follows:

The Secretary of State shall cause to be printed and bound at the Government Printing Office as many volumes of the Revised Statues of the United States, the Supplement to the Revised Statues published under the act of June 7, 1880, and the second Supplement to the Revised Statutes authorized under the act of April 9, 1890, as he may deem needful for public distribution and for sale by his office at the cost thereof.

Mr. COCKRELL. That clause reads:

The Supplement to the Revised Statutes published under the act of June 7, 1880, and the second Supplement to the Revised Statutes authorized under the act of April 9, 1890.

Why do we authorize both of them?

Mr. MANDERSON. In this section we simply follow the existing law in that regard, adding to it the law passed last winter. I think the probabilities are that as the second edition of the supplement is complete in itself and contains all of the laws since the revision of 1878, perhaps that ought not to have been in, but the Senator will notice that it fixes no number for distribution. It simply authorizes the Secretary of State to publish such numbers as he may deem needful for public distribution and for sale.

Mr. COCKRELL. If we are going to act upon the principle of economy by restriction, I move to strike out the words "the Supplement to the Revised Statutes published under the act of June 7, 1880."

Mr. MANDERSON. I do not object to that.

Mr. COCKRELL. There is no occasion for publishing that, simply because "the second Supplement to the Revised Statutes authorized under the act of April 9, 1890," contains all that the first one does.

Mr. MANDERSON. I have no objection to that amendment.

Mr. ALLISON. I do not understand the amendment.

Mr. MANDERSON. The Senator from Missouri moves to strike out any authorization to the Secretary of State to print the first Supplement to the Revised Statutes.

Mr. COCKRELL. As I understand, the last Supplement, the second edition, as it is called, goes back to the Revised Statutes, and contains all since then up to the 3d of March, 1891.

Mr. MANDERSON. Commencing when?

Mr. COCKRELL. Commencing December, 1873. That is really the time the revision of the statutes commenced.

Mr. MANDERSON. I think the Senator is mistaken as to that. I think it goes back to 1878.

Mr. ALLISON. The new edition of the Revised Statutes was printed in 1878.

Mr. COCKRELL. The new edition of the Revised Statutes was printed in 1878. That goes back to the second edition or revision of the statutes in 1878, to the date that that brings them.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In section 77, line 77, after the words "United States," it is proposed to strike out all down to and including the word "eighty," in line 79, as follows:

The Supplement to the Revised Statutes published under the act of June 7, 1880.

So as to read:

The Secretary of State shall cause to be printed and bound at the Government Printing Office as many volumes of the Revised Statutes of the United States, and the second Supplement to the Revised Statutes authorized under the act of April 9, 1890, as he may deem needful for public distribution and for sale by his office at the cost thereof.

Mr. ALLISON. Before that is agreed to, I call the attention of the Senator from Missouri to the fact that this phraseology may be necessary in order to print the volume containing both of the Supplements. Under an act passed, I think, in 1890 the second Supplement was authorized, which was to bring the statutes down from the time of the first Supplement to that period. Therefore, there ought to be phraseology here which will cover both supplements. The Supplement authorized in 1890 only brings the statutes down from the time of the printing of the prior statutes.

Mr. COCKRELL. The best way will be to say "the Supplement to the Revised Statutes of the United States, volume 1, second edition, from 1874 to 1891." That ought to embrace it.

Mr. ALLISON. That will cover it. That is the volume the Senator has in his hand.

Mr. COCKRELL. Yes, sir.

Mr. ALLISON. I suggest that phraseology.

Mr. MANDERSON. While we are on this subject I wish to call the attention of the Senate—and I regret that the Senator's colleague [Mr. WILSON], who is the efficient chairman of the Committee on the Revision of the Laws, is not present——

Mr. ALLISON. He was here a moment ago.

Mr. MANDERSON. This seems to be the condition as to this revision of the statutes. There was a revision of the statutes authorized in 1874, or rather there came as the result of legislation prior to that time, the revision that we know as the revision of 1874, and then afterwards, in 1877, there was an authorization by Congress for another revision of the statutes. Under the construction placed upon that law by the State Department, those who revised the law and issued the Revised Statutes of 1878 took no notice of any new legislation between 1874 and 1878. They construed their duty to be to simply note in the revision of 1878 any changes that had been made in the statutes of a general character passed before 1874; so that there were no new laws to be found in the revision of 1878 which had passed between 1874 and 1878, and I think there is no lawyer who has had occasion to consult the Revised Statutes but has frequently been surprised that he has not been able to find in the revision of 1878 that which he knew was the law. The only recourse for him was to go to the Statutes at Large to find the new legislation between those years.

In 1880 there was a supplement to the Revised Statutes authorized to be published. That Supplement, as I understand it, took in for the first time all legislation anterior to the revision of 1874, and in that Supplement was found——

Mr. COCKRELL. Not anterior to the revision of 1874, but the revision of 1878.

Mr. MANDERSON. The revision of 1878, I should have said. As I understand it, this second supplement, or the second edition of the Supplement, to name it as it is, takes in all of the statute laws of general character after the revision of 1874. So it is complete in itself. Where one now has the Revised Statutes of 1874, and the second edition of the Supplement, he ought certainly to find, if the work has been well done—and I presume it has been, for Justice Richardson is a most careful compiler of statutes, and has done excellent work—he ought to find in those two volumes what the general law is upon any subject.

I make this general explanation because, having had a conversation with the Senator from Iowa upon that subject, he said he believed it was desirable to call the attention of the Senate to that fact, and he agrees with me that it will be a very excellent work for some committee of Congress or some commission to undertake to revise the statutes of the United States up to date and have annotated statutes which shall contain references, not only to the changes in the law, but to a greater degree than has heretofore been done, call attention to all the constructions placed on the statutes by the Supreme Court of the United States and perhaps the United States circuit court.

Mr. COCKRELL. There is no question but what one supplement is all that is necessary, and that is the last one.

Mr. MANDERSON. Yes.

Mr. COCKRELL. If the Senator from Iowa does not think the language there is sufficient, I suggest to him to say:

And the Supplement to the Revised Statutes of the United States, volume 1, second edition, 1874 to 1891, authorized under the act of April 9, 1890.

That will make it specific enough.

The PRESIDING OFFICER. Will the Senator be good enough to indicate the part in the clause which he desires to have stricken out?

Mr. COCKRELL. Strike out, beginning in line 77, the words:

The Supplement to the Revised Statutes, published under the act of June 7, 1880.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In section 77, on page 35, line 77, after the words "United States," it is proposed to strike out—

The Supplement to the Revised Statutes, published under the act of June 7, 1880.

And insert:

And the Supplement to the Revised Statutes of the United States, volume 1, second edition, 1874 to 1891, authorized under the act of April 9, 1890.

Mr. COCKRELL. That is right.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

Mr. ALLISON. I do not wish to make any criticism on the phraseology of this paragraph, but I do not quite comprehend what is meant in lines 81, 82, and 83. The Secretary of State is to cause to be printed the Revised Statutes first, and then the Supplement, and as many volumes "as he may deem 'needful' for public distribution and for sale at his office at the cost thereof."

I see further on that where the same phraseology is used there is a limitation of the number of copies. A new edition of the Revised Statutes and of this Supplement will be very large if the Secretary of State is authorized to publish all that may be needful for public distribution. It seems to me that there is an implication in that language that there is to be a free distribution of whatever the Secretary of State may think is necessary to be distributed free. I am sure that there will be a great many of these needed in my State, if they can be procured without cost to the attorneys.

Mr. COCKRELL. And there will be some few applications from Missouri if that is permitted.

Mr. MANDERSON. The startling proposition is true, that that is the present law, and that the Secretary of State has the right as to the Revised Statutes, within his discretion, as I recall it, to distribute and to sell the statutes. I suppose that Congress granting him this power has presumed that it would not be abused by him.

Mr. COCKRELL. He sells them now and makes an annual report about it, so far as that is concerned.

Mr. TELLER. They are sold for $2.90 a volume.

Mr. MANDERSON. This refers to the Revised Statutes, not the Statutes at Large.

Mr. TELLER. I am speaking of that.

Mr. COCKRELL. You can get all the bound volumes of the Statutes at Large and also the Supplement by paying for them at the Department. As I understand, this distribution by the Secretary of State is only a distribution to the depositories and places authorized by law to receive public documents.

Mr. TELLER. I think that is correct.

Mr. COCKRELL. I do not understand that the Secretary of State can, under existing law, publish just as many copies of the Revised Statutes as he chooses and distribute them to Tom, Dick, and Harry.

Mr. MANDERSON. I do not think it is so construed at all.

Mr. COCKRELL. I do not think he can. I think the distribution referred to there is a distribution to the designated depositories and institutions to which the Revised Statutes go.

Mr. CULLOM. That ought to be made plain, if it is not so.

Mr. ALLISON. In a subsequent provision for the distribution of copies of the session laws there is a very clear statement made as to the number, and then there is also a statement that—

The Secretary of State is authorized to have printed as many additional copies of the pamphlet laws as he may deem needful for distribution and sale by him, at cost price, not exceeding 1,000 copies of the laws of any one session in any one year.

So that there seems to be a limit there. I call attention to this so that there may be no mistake in the phraseology, because I think it would be unwise to furnish the Revised Statutes and the Supplement for general and universal distribution.

Mr. CULLOM. Or for sale.

Mr. ALLISON. I think it is well enough to print them for sale. I do not think there is any objection to that. The Supplements and the Revised Statutes are sent free to people who pay for them as a public document, being printed under the authority of the United States. I do not know precisely what phraseology would make that certain, but I think if it could be made more definite it would be wise to do it.

Mr. GALLINGER. I suggest that the words "public distribution," in line 82, be stricken out and that the words "designated depositories" be inserted. That, I think, would cover the point.

Mr. MANDERSON. That is good, perhaps, as far as it goes, but I do not think the Statutes at Large, especially the very excellent second edition of the Supplement, should be confined to designated depositories. It certainly should go to all courts of the United States.

Mr. ALLISON. It should, and I think there is a provision that carries these statutes into all the courts.

Mr. MANDERSON. There is as to the Statutes at Large and the pamphlet laws. If this particular section may be passed for the present, I will attempt to prepare an amendment to it before we leave the bill which will reach the purpose. It is evidently the desire of the Senate to limit the power of distribution and not leave it subject to requisition in any number that the Secretary of State may see fit.

Mr. ALLISON. That was my idea.

Mr. MANDERSON. I will aim to make an amendment that shall reach that end.

Mr. HARRIS. I desire to ask the Senator from Nebraska whether it is his purpose to complete the consideration of this bill to-night?

Mr. MANDERSON. I shall be very glad to do so if it is within the bounds of reasonable probability.

Mr. HARRIS. Will the Senator cast his eye upon the clock and inform me whether he thinks it is within the bounds of probability?

Mr. MANDERSON. That depends upon how many suggestions I get from my brethren of the body. I am ready to submit to the pleasure of the Senate in reference to an adjournment, although I am exceedingly anxious to get through with this bill.

Mr. PADDOCK. I hope the Senate will continue in session until 5 o'clock.

Mr. HARRIS. I move that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 9, 1892, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 8, 1892.

UNITED STATES MARSHAL.

John E. Kendrick, of Rhode Island, to be marshal of the United States for the district of Rhode Island, vice Samuel L. Blaisdell, whose term will expire February 9, 1892.

COMMISSIONER OF NAVIGATION.

Edward C. O'Brien, of New York, to be commissioner of navigation, to succeed William W. Bates, resigned.

RECEIVER OF PUBLIC MONEYS.

William H. C. Woodhurst, jr., of North Platte, Nebr., to be receiver of public moneys at North Platte, Nebr., vice Anson S. Baldwin, resigned.

INDIAN AGENT.

George H. Monk, of Custer County, Idaho, to be agent for the Indians of the Lemhi Agency, in Idaho, vice Egbert Nasholds, resigned.

POSTMASTERS.

John E. Chatten, to be postmaster at Oxford, in the county of Butler and State of Ohio, in the place of Daniel O. Corcoran, whose commission expires February 9, 1892.

Richard Butler, to be postmaster at Clinton, in the county of De Witt and State of Illinois, in the place of Cyrus J. Carle, whose commission expired January 9, 1892.

WITHDRAWAL.

Executive nomination withdrawn from the Senate February 8, 1892.

William C. Elder, to be receiver of public moneys at North Platte, Nebr., which was sent to the Senate February 4, 1892.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 8, 1892.

CONSUL.

Peter Scandella, a citizen of the United States, to be consul of the United States at Ciudad Bolivar.

UNITED STATES MARSHALS.

John E. Kendrick, of Rhode Island, to be marshal of the United States for the district of Rhode Island.

Frank W. Oakley, of Wisconsin, to be marshal of the United States for the western district of Wisconsin.

Alexander Walker, of New York, to be marshal of the United States for the eastern district of New York.

REGISTERS OF THE LAND OFFICE.

Anson S. Baldwin, of Lexington, Nebr., to be register of the land office at North Platte, Nebr.

Iver E. Shelley, of Devils Lake, N. Dak., to be register of the land office at Devils Lake, N. Dak.

William W. Boyle, of Folsom, N. Mex., to be register of the land office at Folsom, N. Mex.

RECEIVERS OF PUBLIC MONEYS.

Peter Paquet, of Oregon City, Oregon, to be receiver of public moneys at Oregon City, Oregon.

Warren C. Plummer, of Casselton, N. Dak., to be receiver of public moneys at Minot, N. Dak.

W. H. C. Woodhurst, jr., to be receiver of public moneys at North Platte, Nebr.

INDIAN AGENT.

George H. Monk to be Indian agent at the Lemlhi Agency, Idaho.

POSTMASTERS.

Newton McBain, to be postmaster at Owosso, in the county of Shiawassee and State of Michigan.

Lewis Conant, to be postmaster at Osceola, in the county of St. Clair and State of Missouri.

Henley A. Sparks, to be postmaster at McGregor, in the county of McLennan and State of Texas.

David H. Long, to be postmaster at Burnet, in the county of Burnet and State of Texas.

John Boreen, to be postmaster at Stillwater, in the county of Washington and State of Minnesota.

Frank B. Ransford, to be postmaster at Caro, in the county of Tuscola and State of Michigan.

George G. Hartung, to be postmaster at Romeo, in the county of Macomb and State of Michigan.

John J. Jordan, to be postmaster at Fargo, in the county of Cass and State of North Dakota.

Grant S. Hager, to be postmaster at St. Thomas, in the county of Pembina and State of North Dakota.

Thomas B. Roberts, to be postmaster at Armour, in the county of Douglas and State of South Dakota.

Benjamin J. Maltby, to be postmaster at Northford, in the county of New Haven and State of Connecticut.

Alfred E. Goddard, to be postmaster at Essex, in the county of Middlesex and State of Connecticut.

Charles N. Downs, to be postmaster at Birmingham, in the county of New Haven and State of Connecticut.

Edward J. Holdbrook, to be postmaster at Falls City, in the county of Richardson and State of Nebraska.

Charles F. Warren, to be postmaster at Kennebunk, in the county of York and State of Maine.

Everett M. Stacy, to be postmaster at Oakland, in the county of Kennebec and State of Maine.

William J. Granger, to be postmaster at Frankfort, in the county of Marshall and State of Kansas.

Barbara A. Henry, to be postmaster at Monticello, in the county of Drew and State of Arkansas.

Silas L. Churchill, to be postmaster at Colebrook, in the county of Coos and State of New Hampshire.

Pinckney B. Weaks, to be postmaster at Shreveport, in the parish of Caddo and State of Louisiana.

Mrs. Jennie Curtis, to be postmaster at Thibodeaux, in the parish of La Fourche and State of Louisiana.

John W. Pugh, to be postmaster at Downs, in the county of Osborne and State of Kansas.

Martin E. Stanger, to be postmaster at Downers Grove, in the county of Du Page and State of Illinois.

John Roosa, to be postmaster at Trinidad, in the county of Las Animas and State of Colorado.

Charles G. Lashley, to be postmaster at Davis, in the county of Tucker and State of West Virginia.

Charles E. Moore, to be postmaster at Corvallis, in the county of Benton and State of Oregon.

Joseph H. Hamill, to be postmaster at Globe, in the county of Gila and Territory of Arizona.

John W. Coverstone, to be postmaster at Shenandoah, in the county of Page and State of Virginia.

Joseph M. Brothers, to be postmaster at Knox, in the county of Clarion and State of Pennsylvania.

Michael A. Flanagan, to be postmaster at Fort Benton, in the county of Choteau and State of Montana.

Matwell G. Mains, to be postmaster at Billings, in the county of Yellowstone and State of Montana.

William H. Thompson, to be postmaster at Somerville, in the county of Somerset and State of New Jersey.

Joseph B. Roe, to be postmaster at Woodbury, in the county of Gloucester and State of New Jersey.

Edward A. Hamilton, to be postmaster at New Bethlehem, in the county of Clarion and State of Pennsylvania.

Walter W. Patton, to be postmaster at Kent, in the county of Portage and State of Ohio.

John M. Datchler, to be postmaster at Franklin, in the county of Warren and State of Ohio.

Hiram J. Haldeman, to be postmaster at Salem, in the county of Columbiana and State of Ohio.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 8, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday was read and approved.

APPROPRIATIONS FOR CERTAIN ARSENALS.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting supplemental estimates submitted by the Secretary of War, for appropriations for the Rock Island Arsenal and bridge, Springfield Arsenal, and Columbia Arsenal; which was referred to the Committee on Appropriations.

JOHN ASH ET AL. VS. UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting copies of the findings of the court in the cases of John Ash, John Beck, Susan Brown, J. L. Nicodemus, John Nicodemus, deceased, J. F. Wilson, and Benjamin Welck, deceased, *vs.* The United States; which was referred to the Committee on War Claims.

REVENUE STEAMER FOR BALTIMORE DISTRICT.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting additional estimates for the construction of the revenue steamer at Baltimore, Md.; which was referred to the Committee on Appropriations.

OFFICIAL EMOLUMENTS, CUSTOMS SERVICE.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an abstract of the official emoluments of the officers of the customs service received by them during the fiscal year ending June 30, 1891; which was referred to the Committee on Expenditures in the Treasury Department.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SHIVELY, for one week, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. BENTLEY to withdraw from the files of the House, without leaving copies, papers filed in the Forty-eighth Congress in support of the claim of Charles P. Mahan.

ORDER OF BUSINESS.

The SPEAKER. The first business in order is the call of committees for reports.

Mr. HEMPHILL. Mr. Speaker, I do not wish to make any point this morning in reference to this call on the day set apart for business from the Committee on the District of Columbia; but I do not want to feel committed to it, and hence waive the matter of objection only for the present.

The SPEAKER. The gentleman can make the point at any time hereafter he desires.

The committees were then called, when reports were severally submitted, ordered to be printed, and referred as indicated:

WATER WAY, LAKE SUPERIOR TO THE SEA.

By Mr. LIND, from the Committee on Interstate and Foreign Commerce: A joint resolution (H. Res. 11) to promote the improvement of the water way from the head of Lake Superior by way of the Welland and St. Lawrence Canals and St. Lawrence River to the sea—to the House Calendar.

SPECIAL RATES TO COMMERCIAL TRAVELERS.

By Mr. RAYNER, from the Committee on Interstate and Foreign Commerce, with amendments: The bill (H. R. 372) to amend section 22 of an act entitled "An act to regulate commerce," approved February 4, 1887, and amended March 2, 1889, so as to give common carriers the right to allow a greater weight of sample baggage to commercial travelers and their employés and reduced rates for transportation—to the House Calendar.

Mr. LIND. Mr. Speaker, in regard to the report just now submitted by the gentleman from Maryland, I desire in behalf of the minority to present their views in opposition.

The SPEAKER. The views of the minority will be printed, to accompany the report of the committee.

LIGHT AND FOG SIGNAL, BUTLER FLATS, MASSACHUSETTS.

By Mr. RANDALL, from the Committee on Interstate and Foreign Commerce: The bill (H. R. 421) for the establishment of a light and fog signal station near Butler Flats, New Bedford, Mass.—to the Committee of the Whole House on the state of the Union.

LIFE-SAVING STATION, GAY HEAD, MASSACHUSETTS.

By Mr. RANDALL, from the Committee on Interstate and Foreign Commerce: The bill (H. R. 191) to establish a life-saving station at Gay Head, on the coast of Massachusetts—to the Committee of the Whole House on the state of the Union.

ECKINGTON AND SOLDIERS' HOME RAILROAD.

By Mr. HEARD, from the Committee on the District of Columbia: The bill (H. R. 410) to amend the charter of the Eckington and Soldiers' Home Railroad Company—to the House Calendar.

CHARGES BY UNITED STATES JUDGES.

By Mr. BOATNER, from the Committee on the Judiciary: The bill (H. R. 5564), as a substitute for H. R. 565, to require judges of the courts of the United States to conform to the laws of the several States in delivering charges to juries.

NICARAGUA SHIP CANAL.

Mr. BARTINE. Mr. Speaker, I ask unanimous consent to have printed in the RECORD the text of a petition relative to the construction of the Nicaragua Ship Canal. I will state that it is very brief.

The SPEAKER. Is there objection?

Mr. RICHARDSON. I do not think the RECORD ought to be loaded down with the printing of petitions, Mr. Speaker. I think it is unwise to begin this practice.

Mr. BARTINE. I will state to the gentleman that this is quite brief. It will not make ten lines.

Mr. RICHARDSON. It had better be presented and referred under the rule in the usual way.

The SPEAKER. Objection is made.

Under the rule this day is set apart for business from the Committee on the District of Columbia, if the committee desires to occupy the time.

RESPITES AND PARDONS IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I desire to call up the bill (H. R. 4429) to empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases.

The bill was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia may grant pardons and respites for offenses against the late corporation of Washington, the ordinances of Georgetown and the levy court, the laws enacted by the legislative assembly, and the police and building regulations of the District.

Mr. HEMPHILL. I call for the reading of the report.

The report was read, as follows:

The Committee on the District of Columbia, to whom was referred House bill No. 4429, entitled a bill "To empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases," has considered the same and reports it back to the House with the recommendation that it do pass.

The letter of the Commissioners, hereto appended, and made part of this report, gives the general reasons for the passage of the bill.

WASHINGTON, *January 20, 1892.*

SIR: The Commissioners have the honor to transmit herewith draft of a bill to authorize the Commissioners to grant pardons and respites for offenses the punishment for which is commitment to the municipal workhouse in default of the payment of the fine. The object of this bill is to confer on the Commissioners the power possessed by the executives of the former municipal corporations which were in force in this District prior to the establishment of a single government for the District of Columbia. The law which abolished those corporations continued in force all valid laws and ordinances which those corporations had enacted, but did not transmit to the Commissioners the power to grant respites and pardons for offenses against those laws and ordinances. The lack of this power prevents the Commissioners from exercising executive clemency in many cases where it is obviously in the interest of public morals and justice to abate such sentences or diminish their severity.

Respectfully,

J. W. DOUGLASS, *President.*

Hon. J. J. HEMPHILL,
Chairman House Committee on the District of Columbia.

Mr. DOCKERY. Will the gentleman from South Carolina allow me to ask him a question?

Mr. HEMPHILL. Yes, sir.

Mr. DOCKERY. Where is the pardoning power now lodged that you seek to confer upon these Commissioners?

Mr. HEMPHILL. There is no pardoning power for these small offenses, and we simply desire to confer it upon the Commissioners of the District.

I move the passage of the bill.

Mr. BUCHANAN of New Jersey. I was unable to distinctly hear the reading of the bill, owing to the confusion on the floor. I would like to know whether it provides that the Commissioners shall be unanimous, or that a majority of them may exercise the pardoning power?

Mr. HEMPHILL. It says "the Board of Commissioners," and I suppose it takes a majority to act.

Mr. BUCHANAN of New Jersey. You are not certain about that?

Mr. HEMPHILL. Well, they are to act as a board, and I think it is safe to say, as a general proposition, that the majority can act.

The bill was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. HEMPHILL, a motion to reconsider the last vote was laid on the table.

NATIONAL SAFE DEPOSIT COMPANY, WASHINGTON, D. C.

Mr. HEMPHILL. Mr. Speaker, I call up the bill (H. R. 4197) to change the corporate name of the National Safety Deposit Company of Washington.

The bill was read, as follows:

Be it enacted, etc., That the corporate name of the National Safe Deposit Company of Washington, a body corporate now doing business in the District of Columbia, and incorporated under an act of Congress entitled "An act to incorporate the National Safe Deposit Company of Washington, in the District of Columbia," approved January 22, 1867, be, and the same is hereby, changed to, and shall hereafter be, "The National Safe Deposit, Savings, and Trust Company of the District of Columbia."

Mr. HEMPHILL. Mr. Speaker, this simply proposes to authorize this company to change its name in conformity with the powers granted by the recent act of Congress.

The bill was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. HEMPHILL, a motion to reconsider the last vote was laid upon the table.

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

Mr. HEMPHILL. I call up the bill (H. R. 410) to amend the charter of the Eckington and Soldiers' Home Railway Company.

The bill was read, as follows:

Be it enacted, etc., That the charter of the Eckington and Soldiers' Home Railway Company be, and the same is hereby, amended so as to authorize said company to lay its tracks and to run its cars thereon through and along the following-named streets and avenues: Beginning at the intersection of Fifth and G streets northwest, east along G street to New Jersey avenue; thence southeasterly along New Jersey avenue to C street northwest; thence east along C street to North Capitol street, and thence south along North Capitol street to B street north, and also beginning at the intersection of G street and New Jersey avenue, east to Massachusetts avenue; thence southeasterly along Massachusetts avenue to North Capitol street, and thence north along North Capitol street to New York avenue, connecting with its main line and North Capitol street branch: *Provided*, That if electric wires or cables are used to propel its cars over any of the routes hereby authorized within the limits of the city of Washington the same shall be placed under ground. Wherever the foregoing route or routes may coincide with the duly authorized route or routes of any other duly incorporated street railway company in the District of Columbia, both companies shall use the same tracks upon such fair and equitable terms as may be agreed upon by said companies; and in the event said companies shall fail to agree upon equitable terms, either of said companies may apply by petition to the supreme court of the District of Columbia, which shall hear and determine summarily the matter in due form of law, and adjudge to the proper party the amount of compensation to be paid therefor. Said company shall charge not exceeding 5 cents fare for one continuous ride from any point on its line to the terminus of its main line or any of its branches.

SEC. 2. That said company is authorized to increase its capital stock $300,000 for the purpose of enabling it to extend and equip its line as provided in this act.

SEC. 3. That unless said extensions are commenced within three months and the cars run thereon within one year from the passage of this act, the authority hereby granted shall be void: *Provided*, That said railroad shall be con-

structed on such grade and in such manner as shall be approved by the Commissioners of the District of Columbia.

SEC. 4. That Congress reserves the right to alter, amend, or repeal this act.

The SPEAKER. Has this bill been reported by a committee?

Mr. HEMPHILL. I will state that this bill has been unanimously agreed upon by the committee, and that it was ordered to be favorably reported to the House. It was reported this morning, but the report has not been printed. The reason why it was not reported before was on account of the sickness of the gentleman from Missouri [Mr. HEARD], who had the bill in charge.

Mr. SEERLEY. Mr. Speaker——

The SPEAKER. The Chair will recognize the gentleman from South Carolina [Mr. HEMPHILL], who is in charge of the bill. The gentleman from Iowa [Mr. SEERLEY] will be recognized later.

Mr. HEMPHILL. Mr. Speaker, this bill is simply an amendment to a charter granted by the House of Representatives some years ago to what is known as the Eckington and Soldiers' Home Railroad Company. Gentlemen at all acquainted with the city will remember that the road runs from the Treasury Department, opposite the Riggs House, on G street, down toward the Pension Building, and from there it turns to the left and goes out to what is known as the Soldiers' Home, and a little suburb which is called Eckington. This bill provides that when it gets down to this side of the Pension Office it shall run up to the Capitol, so that persons can go from the Capitol to the Treasury Department by the Pension Office and the Interior and Post-Office Departments by this route. It provides that it shall also extend its route so as to give a connection between the Capitol and the Government Printing Office.

Mr. TURNER. I will ask the gentleman how the road is to get onto the hill.

Mr. HEMPHILL. The gentleman from Georgia asks me how it gets onto Capitol Hill. It comes up on the other side of the Capitol, over here next to the Senate wing.

Mr. HEARD. Over the tracks of the Metropolitan Railway.

Mr. HEMPHILL. Over the tracks of the Metropolitan Railway Company, as I understand from the gentleman from Missouri [Mr. HEARD].

Mr. LONG. Is any appropriation called for?

Mr. HEMPHILL. No, sir; no appropriation is called for.

Mr. BUSHNELL. Was the bill reported this morning?

Mr. HEMPHILL. I will state to the gentleman that the bill was agreed upon by the committee some time ago and put into the hands of the gentleman from Missouri [Mr. HEARD]——

Mr. HEARD. On last Friday.

Mr. HEMPHILL. On last Friday, as stated by the gentleman, with instructions to report it to the House, but it has not been reported until this morning on account of the sickness of the gentleman [Mr. HEARD].

Mr. BUSHNELL. Is it on the Calendar?

Mr. HEMPHILL. It is not on the Calendar of the House; no, sir.

Mr. BUSHNELL. What is the number of the bill?

Mr. HEARD. Four hundred and ten.

Mr. OATES. I would like to ask the gentleman from South Carolina [Mr. HEMPHILL] whether he thinks the maximum of 5-cent fares is not rather high?

Mr. HEARD. The original charter, of which this is amendatory, requires them to sell six tickets for a quarter.

Mr. HEMPHILL. The same as all other roads?

Mr. OATES. I heard the expression in the bill, "not exceeding 5-cent fares."

Mr. KILGORE. I would like to inquire of the gentleman from South Carolina how much is the authorized increase of capital stock?

Mr. HEMPHILL. Three hundred thousand dollars.

Mr. KILGORE. I would like to inquire if there is any objection to the running of this street railway along the streets named, on the part of property owners on the street or the city authorities?

Mr. HEMPHILL. The city authorities report in favor of the bill. Only one gentleman has objected to it, and he does not live on the streets where it passes, and he had an opportunity to appear before the committee and did not, but wrote a letter objecting to the extension. Then, there are some people in a place called Brookland, where this road runs, who object to the passage of the bill, because the company does not give them trains as often as they desire.

Mr. HEARD. If the gentleman from South Carolina will allow me, I will state that that is on the original road and not on the extension, which is practically without opposition.

Mr. HEMPHILL. If no other gentleman requires information in regard to this matter, I move the engrossment and third reading of the bill.

Mr. SEERLEY. I, for one, ask more information than I have thus far been able to secure. I do not see the reason why this report was made this morning and this House should be asked to grant rights without knowing anything about it; and therefore I am unwilling to grant those rights without further information and opportunity to consider the matter.

Mr. HEMPHILL. As I said before, there is a report; but the gentleman who had the bill in charge was not able to make the report by reason of sickness. The report is already printed. It is a very simple matter as to whether this railroad shall be permitted to come to the Capitol and go by the way of the Government Printing Office.

Mr. SEERLEY. Is there any reason why it can not go over until next week?

Mr. HEMPHILL. It is all the business that we have now ready for this day, which is set apart for the consideration of District business; and we have only one day in two weeks.

Mr. SEERLEY. I oppose granting any rights of this kind until this House has had opportunity to examine the bill and report.

Mr. HEARD. I will state to the gentleman from Iowa that on last Friday the Committee on the District of Columbia unanimously authorized me to report the bill. I prepared the report and had it typewritten by Friday evening. On Saturday morning I came here, although sick, feeling that as we had but little work on our Calendar for the District of Columbia, and as we only had a day every two weeks, I felt that being in a measure responsible for getting the bill ready by to-day I came Saturday morning to make the report; but by reason of the order under which the House adjourned on Friday it was impossible to make the report then, as the gentleman understands. Therefore, I made the report this morning, but in order to have the printed report here to-day I got the bill clerk to have it set up in type Saturday so that it would be ready to lay before members of the House this morning. The report is in print and will be here shortly. If the gentleman prefers to have the bill lie over for any reason I would ask the gentleman from South Carolina to let it take that course.

Mr. SEERLEY. I do not know that I object to the bill; but I want to know what it is.

Mr. HEARD. If it is desirable, I will say to the gentleman from Iowa and other members of the House who feel an interest in the matter, that this is simply an extension of the track of a railroad that is already in existence in the District of Columbia, to the Capitol and from the Capitol by the Government Printing Office on North Capitol Street. On G Street, on which this road now runs, there is a building being constructed which has been leased by the Government for a temporary city post-office, and it is to be used very soon and leased for a period of three or five years. There is no herdic or street-car line on that road except this, and on that account it would be an advantage to have it extended to the Capitol and by the Government Printing Office.

Mr. O'NEIL of Massachusetts. What is the length of the proposed extension?

Mr. HEARD. The proposed extension is something over a mile.

Mr. O'NEIL of Massachusetts. And you authorize them to issue $300,000 of capital stock?

Mr. HEARD. I will explain to the gentleman, Mr. Speaker, if I can have the attention of the House for a moment why the increase of capital stock asked for is $300,000. When this company was organized in this city it was the pioneer in electric railroads in the District. According to the estimates then made by Lieut. Griffin, formerly an army officer, and an expert in electrical matters, who was before our committee in the Fiftieth Congress, the probable cost of the road would be $350,000. They found, however, by experience that the expense of building the road now constructed overwent that expense by more than $160,000.

The equipment of the line, Mr. Speaker, so far as it has gone under the law, with the cost of the storage batteries cars of $9,000 each, has proved that the capital stock originally authorized to be issued, was too small. Of the original stock authorized 80 per cent has been paid in, and the company has been obliged to go into debt $170,000 to build and equip the road they have now. The $300,000 increase of capital stock that is authorized under the bill, will enable them, by paying up all stock in full to pay for the equipment they now have, to fully construct and equip the new road, and to pay off the debt in full. That is the reason why they ask the authorization of the issue of an additional $300,000 stock—to enable them to take up the bonds for about $160,000 which they have issued for the completion and equipment of the present road.

I will say to the gentleman from Massachusetts [Mr. O'NEIL] that it is in the interest of every taxpayer of the District, for the reason that if the stock is issued it will represent the value of the road, and it will be taxed at its value and in this District, while the bonds outstanding may pay no tax here.

Mr. O'NEIL of Massachusetts. I do not see that you have a single provision in this bill which compels this company to pay its debts.

Mr. HEARD. If the gentleman desires to have incorporated in the bill a provision which will compel this company to apply the necessary part of this money to the taking up of their debts already incurred in building and equipping the road, I will consent to it.

Mr. O'NEIL of Massachusetts. I think you had better let the bill go over.

Mr. HEARD. Well, Mr. Speaker, so far as I am concerned, I am willing that it should take that course. If the gentleman from South Carolina has the mind to do so, he may let the matter go over until the report is brought in, if he has other work to do.

Mr. HEMPHILL. I will state, Mr. Speaker, that I have no other business to present to the House, and therefore I make this report——

Mr. O'NEIL of Massachusetts. The gentleman from Missouri had better let it go over.

Mr. HEARD. Put in the amendment that you desire.

Mr. O'NEIL of Massachusetts. You had better let it go over.

Mr. HEMPHILL. I will state, Mr. Speaker, that this bill has been before the House for thirty days. This company has made the best improvements that have been made in the District by a street railroad company.

I think that can be stated without the slightest fear of contradiction. They have paid a large sum of money into the treasury of the District in taxes and private assessments. They have paid within the last few days one bill of over $8,000, for paving the streets of this city. There can be no objection to the bill, and if the House want the road let them vote for it; or, if they do not, let them kill it.

Mr. O'NEIL of Massachusetts. Mr. Speaker, I do not want to be understood as being opposed to the extension of this line, but what I am opposed to is the authorization of a capitalization away beyond the cost of building these roads. We have the Washington and Georgetown Railroad as a striking example. There has been about $25 or $30 per share paid in upon the total capitalization of that road, and its stock sells for 230, and at the last sale it sold for 285. There has not been a charter for a street railroad which has gone through Congress for years that has not allowed an almost unlimited watering of stock.

Mr. HEARD. The gentleman is clearly mistaken.

Mr. HEMPHILL. The gentleman states what is not so when he makes that statement. That is all there is to that.

Mr. O'NEIL of Massachusetts. It can not be denied, Mr. Speaker, that what I have said about the Washington and Georgetown Railroad is absolutely true.

Mr. HEMPHILL. The Washington and Georgetown Railroad was chartered long before we came here.

Mr. HEARD. Mr. Speaker, I want to correct the gentleman from Massachusetts for his own sake, as well as in justice to the facts of this case. The Washington and Georgetown Railroad, of which he speaks, has a capitalization of, I believe, $500,000 only, and the property is worth three or four millions. It was built by the issue of bonds, and those bonds are held and taxed in Boston, Baltimore, and New York, and elsewhere. If it had been paid for out of the stock issued, so that the stock represented the value of the property, that stock would be taxable here, just as we propose to make this property. Now, this Eckington company had in the first place an issue of $350,000, which proved to be insufficient to build the road. It has 5¼ miles of double track, or 11 miles of single track, and it is known to every gentleman who knows anything about the character of the road at all to be, perhaps, the best built road in the world to-day. Certainly it is the best road in the city, and the best equipped. The $350,000 issue of stock, as appears by the books, was $160,000 short of the amount required for the construction of the road, and the reason they ask for this additional issue is to take up that $160,000 and to pay for the storage-battery cars now in use and hereafter to be used in further equipping the line.

Mr. O'NEIL of Massachusetts. Why did you not put that in your bill?

Mr. HEARD. Because we supposed that the House would be willing to accept our statement as to the facts. I have no objection, however, to the amendment suggested by the gentleman from Massachusetts, and if he will permit me I will draw that amendment so as to make this issue of stock applicable to taking up the indebtedness already incurred so far as necessary.

Mr. O'NEIL of Massachusetts. That ought to be in the bill. It is the duty of the committee to bring in a proper bill.

Mr. HEARD. Well, I say I think that amendment is a proper one and I am willing to accept it.

Mr. SEERLEY. Will the gentleman from Missouri permit me to ask him a question?

Mr. HEARD. Certainly.

Mr. SEERLEY. Supposing this company makes 30 or 40 per cent on its capital stock, is there anything in the bill which provides that the city or the District of Columbia shall get any benefit from it?

Mr. HEARD. Yes, sir. I will say to the gentleman that the original charter, of which this is amendatory, requires a full statement to be filed, showing who are the stockholders and the amount of money received, and how disposed of. I will say further, in justice to this company, that they have built a good road. The stockholders, ten or twelve of them, have put in the money to do the work to a great extent, and they borrowed the money necessary to complete the road. They have not one single salaried officer in the company, and yet the receipts just about meet the expenditures necessary to its operation.

Mr. SEERLEY. One other question. If this is an honest bill, as I take it to be, what is the objection to letting it go over for one week, so that members of this House may have an opportunity to examine into its features?

Mr. HEARD. If the gentleman is familiar with the rules of the House he knows that if the bill goes over now it goes over for at least two weeks. So far as I am concerned I have no objection whatever to letting it go over except that which arises from my desire to expedite the business of the House as much as possible. This bill was unanimously reported by our committee. I have never known a bill to which there has been less opposition manifested, either in the committee or elsewhere. It is a bill intended to effect an important public good; it has been reported without opposition, and I think the House ought to dispose of it promptly.

Mr. O'NEIL of Massachusetts. In estimating the cost of construction of this road, which is a road built for the purpose of selling land rather than for the purpose of carrying passengers, the passenger business being only an incident—in estimating the cost of the construction of the road is the cost of the right of way put in?

Mr. HEARD. The right of way which they have had to pay for is certainly included.

Mr. O'NEIL of Massachusetts. Why should it be? Because ultimately this is intended to be a public highway——

Mr. HEARD. I will say to the gentleman from Massachusetts that, so far as this road has been constructed over the streets and avenues of the city, there has been no right of way paid for. There is one section of the road beyond Eckington—between there and the Soldiers' Home, where, as I am advised, these gentlemen have paid a considerable sum for the right of way—how much I am not advised; but they have paid for the right of way wherever the road went through private property not owned by themselves.

Mr. SEERLEY. Mr. Speaker——

The SPEAKER. Does the gentleman from Missouri [Mr. HEARD] yield to the gentleman from Iowa [Mr. SEERLEY]?

Mr. SEERLEY. I move that the further consideration of this bill be postponed for two weeks.

The SPEAKER. Does the gentleman from Missouri yield?

Mr. HEARD. I thought the gentleman's purpose was to ask me a question. I do not yield to him to make the motion he has indicated. If the bill is to be withdrawn from the consideration of the House I prefer that it be done by the committee.

Mr. SEERLEY. So do I; but if the committee will not do it, I want to make the motion myself.

Mr. HEARD. I wish to suggest to the gentleman from South Carolina [Mr. HEMPHILL], the chairman of the committee, as a matter of personal preference and perhaps in justice to all concerned, that the bill be laid over until the next District day. There is nothing in the bill which will not bear the closest scrutiny; and rather than have any contention about it—rather than have the committee placed in any embarrassing position—I would prefer myself that the bill go over.

Mr. HEMPHILL. Any action which the House may take on this question will not put me personally in an "embarrassing position." The bill has been reported by the committee unanimously; and the report in its favor from the Commissioners of the District of Columbia was also unanimous. Not a single protest has been entered against the measure by any person owning property along the route. The proposed improvement seems to me the best that has been made in this city with reference to street-car transportation within the six or eight years that I have been a member of Congress. The measure contemplates simply giving to members of this House and to the public an opportunity to reach the public buildings of the city, especially the Capitol and the Printing Office, by railway instead of being obliged in many cases to go by cab. The Metropolitan Railway, known as the F street road, gets now all the travel going from the Capitol to the part of the city which will be reached by this proposed line. Therefore it is not unreasonable that there should be some

opposition to this bill. So far as I am concerned, I am convinced that this is not only a desirable but an important improvement to the city.

The stock of this company has not been watered. It is not worth to-day upon the market what has been paid in by a considerable sum. Not a single officer of the road draws a cent of salary. So far as the offices are concerned, the road is run without expense, so as to enable the corporation to keep the business going.

Mr. SEERLEY. The gentleman says that these officers are drawing no salary. Are they running this road for the public benefit without any private benefit at all?

Mr. HEMPHILL. They expect of course to reap benefit eventually.

Mr. HEARD. Because they own the stock.

Mr. HEMPHILL. But the road thus far has not paid a cent in dividends; and the information of the committee is that it will not pay a dividend for at least five years. Of course if the company obtains additional facilities the property may improve more rapidly. That of course is understood; otherwise these men would not ask this extension of their line. The question is simply whether we shall grant this company the privilege of extending their road to the Capitol and the Printing Office. That is all there is in it. If the House chooses to grant it, well and good; if not, members must suffer the penalty of being obliged to patronize the F street line alone. That is the substance of the whole business.

Mr. BUCHANAN of New Jersey. What length of line does this bill add to the existing line?

Mr. HEMPHILL. The gentleman from Missouri [Mr. HEARD] can answer that question. He has been over the matter more carefully than I have. I will ask the gentleman from Missouri to state what length of line this bill will add?

Mr. HEARD. The present length of line is about 11 miles single track, or 5½ miles double track.

Mr. HEMPHILL. How much will be added by this bill?

Mr. HEARD. About a mile of double track. The entire road is now about 5½ miles, double track.

Mr. BUCHANAN of New Jersey. I asked how much of an extension would be granted by this bill. I understand the gentleman to say about a mile.

Mr. HEARD. About a mile.

Mr. BUCHANAN of New Jersey. How much do you propose to increase the capital stock?

Mr. HEARD. I made a statement on that point a few moments ago. The gentleman probably was not in his seat.

Mr. BUCHANAN of New Jersey. I was in my seat, but I could not hear the friendly conversation which was carried on between gentlemen over there.

Mr. HEARD. I will say to the gentleman from New Jersey that the present application is for an increase of $300,000, which will make the entire capitalization of this road (11 or 12 miles in length of single track) $650,000. When this road was commenced it was an experiment so far as the building of an electric road was concerned. An estimate made by Lieut. Griffin, formerly of the Army, who has been connected with the District government, was furnished to the committee in the Fiftieth Congress as a basis of what amount we should allow originally for the capital stock.

His estimate was that it would take $350,000, but completing the construction and equipment of the road proved to be much more expensive, and the books of the company will show that it has overgone the estimate by about $160,000 or $170,000. This issue of stock authorized by the present bill is designed to take up the $160,000 or $170,000 of indebtedness incurred in completing and equipping the road now built and to build and complete the equipment of the new line contemplated, and it will take all of the money here authorized for that purpose.

I will say to the gentleman from Massachusetts, he having objected that there was no provision in the bill requiring a portion of the money so raised to be applied to the liquidation of the outstanding indebtedness, that I have now prepared an amendment which will require the application of a portion of the money to the liquidation of the debt not incurred in the operation of the road, but incurred in its actual construction and equipment.

Mr. BUCHANAN of New Jersey. A very proper amendment.

Mr. HEARD. I send it to the desk and ask that it be read.

The Clerk read as follows:

After the word "act," in line 4 of section 2, add:
"And to liquidate the present indebtedness incurred in completing and equipping the road already constructed."

Mr. O'NEIL of Massachusetts. And that no bonds shall be issued in place of the bonds so redeemed.

Mr. HEARD. No; the object is to take up the old bonds, to pay off the indebtedness.

Mr. SEERLEY. Mr. Speaker, I move that the further consideration of this bill and the amendment be postponed for two weeks.

Mr. HEARD. I suppose that motion is debatable. I wish to be heard for a moment upon it.

Mr. Speaker, I think that I have indicated to the House a disposition not to be captious or arbitrary with regard to considering fairly any objections which may be made to this bill. I have endeavored to meet every point which has been urged against it, and remove by amendment the objections which have been suggested in opposition. And since the only objection offered to the bill has been met, and will be entirely cured by the amendment I have offered, I hope the House will not agree to lay aside the consideration of the bill as proposed, but will complete it now.

It has been stated by the gentleman from South Carolina, chairman of the committee, that the only persons who objected to the road had a hearing before the District Commissioners. These objectors were, none of them, from persons living along the line of the road; and they objected not to the construction of this important connection or link, but objected to the number of trains run every day on a certain part of the road running far out into the country.

The Commissioners of the District of Columbia heard the complaints and unanimously disapproved of them. Our committee did the same, and we also believed the complaints had no just foundation. And there is, I will say, less opposition to the passage of this bill than I have ever know to any bill so important to the public in this District. It is designed to give, as has been stated by the gentleman from South Carolina, an independent line and direct connection between the Capitol and the Treasury Department, and by the transfer arrangement now in operation with the Washington and Georgetown road to Georgetown and all intermediate points.

This has never before been had, and I will also state that on this line—on the main line—the building erected for the new city post-office is situated, and will be accessible directly from here by no other line. This also provides for a direct connection between the Capitol and Government Printing Office, a very important matter to those of us who have occasion to go down there, as well as to the general public.

Mr. Speaker, I believe I have never had occasion to offer a bill to the House which presented so little that was objectionable, and which promised more of public good and benefit as an equivalent for the franchise asked than the present one.

Mr. HENDERSON of Iowa. Will the gentleman yield for a question?

Mr. HEARD. Yes, sir.

Mr. HENDERSON of Iowa. I understood the gentleman to say that some parties had objected—parties living along the line of the road. Where were they?

Mr. HEARD. I will state to the gentleman from Iowa that one of them was made by a gentleman living right here near the corner of New Jersey avenue and B street—one door from the avenue on B street. He objected to the extension of the road because it would make too much noise, although the projected line is a block away from him, and although he has voluntarily located himself within one block of the steam railroad down here at the Baltimore and Ohio depot.

Mr. BUCHANAN of New Jersey. And only one block away from this Hall. [Laughter.]

Mr. HEARD. He is only one block from the steam-railroad station of the Baltimore and Ohio road, where he located voluntarily, and yet he objects to this extension on account of its noise, which can be no possible annoyance to him.

Another objection comes from a little hamlet out in the country known as Brookland, a half mile or more from the end of the road. I will state that this little village has, as I am advised, some sixty houses. It is half a mile from the road, on the Metropolitan Branch of the Baltimore and Ohio road.

Mr. HENDERSON of Iowa. Beyond Eckington?

Mr. HEARD. Yes. I will state that before this Eckington and Soldiers' Home road was constructed they had access to this city only by the railroad trains on the Baltimore and Ohio road, a few trains a day stopping there, whereas they now have seventy-two trains on this road.

Mr. STOCKDALE. What is the objection they make?

Mr. HEARD. Because they do not run the trains every ten minutes while the schedule gives them a train every twelve minutes. [Laughter.] As I stated, they have now seventy-two trains a day, and before the construction of this road they had perhaps but two or three a day on the Metropolitan Branch.

One mile of the track before reaching this village passes through a region where there is not a single house. They are running a mile through the country to bring the conveniences of the road to these people. The fact is that these objectors have derived more benefit than any other people in the District of Columbia from the construction of the road, in proportion to

what they pay, and they are complaining now of the schedule run by the road, and not objecting to the extension asked here.

Mr. HENDERSON of Iowa. This is a sort of back fire at the other end.

Mr. HEARD. Yes; an opposition from an unlooked-for quarter. And, although the road is run largely for their benefit, as the books of the road show, and the officers' statements demonstrate, that the receipts from this point actually do not pay for the axle grease used on the cars on that end of the line to give these people their seventy-two trains a day.

Mr. O'NEIL of Massachusetts. I have drawn a little amendment, to modify the amendment of the gentleman from Missouri [Mr. HEARD].

Mr. SEERLEY. Mr. Speaker——

The SPEAKER. To whom does the gentleman from Missouri yield?

Mr. HEARD. I do not wish to yield the floor. I will yield for an inquiry, but I do not desire to do so for anything further.

The SPEAKER. The gentleman from Iowa [Mr. SEERLEY] desires to be recognized in his own right.

Mr. HEARD. I must decline to yield for the present.

Mr. O'NEIL of Massachusetts. Would the gentleman from Missouri object to this amendment, to add at the end of the second section the following:

And to redeem bonds issued to take care of present indebtedness incurred in building and equipping the road already constructed, and no additional bonds shall be issued by said company without special authority of Congress.

Mr. HEARD. I am perfectly willing to accept that. It carries out the intent of these people, and I will be glad to have it offered.

The SPEAKER. The Chair will state that the motion now is to postpone, and the amendment is not in order at this time.

Mr. HEARD. As that amendment is a modification of the amendment which I offered, I would ask the gentleman from Iowa [Mr. SEERLEY] to withhold his motion till the amendment can be perfected, so as to express the purpose desired.

Mr. SEERLEY. I waited for the gentleman to take this action, and he did not do it.

Mr. HEARD. Let the gentleman make his motion, then.

Mr. SEERLEY. Mr. Speaker, I do not rise at this time to say that I am opposed to this bill, but I do say that the only reason I can see why there is not something back of this bill is the high character of the gentleman who is presenting it here [Mr. HEMPHILL]. It seems to me, if this is an honest bill, there can be no objection to letting the members of this House have two weeks for its consideration, and that is all that has been asked by myself. I say it seems strange that this bill has to be railroaded through in an hour here this morning. Here is a bill that was not reported until this morning, and they ask us now to take it up and pass it, important as it is, without our knowing anything about it.

Mr. BUSHNELL. It is not on the Calendar.

Mr. SEERLEY. That is all I have to say. I do not say this bill is a vicious one, but I do say that the House ought to have time to consider it. I move the previous question on my motion.

Mr. HEMPHILL. I hope the gentleman will not try to cut off debate in this way.

The SPEAKER. The gentleman from Iowa moves to postpone the further consideration of the bill for two weeks——

Mr. HEMPHILL. I trust the gentleman will not undertake to take snap judgment on the committee in this way.

The SPEAKER (continuing). And on that motion he demands the previous question.

The question being taken, it was decided in the negative.

So the previous question was refused.

Mr. HEMPHILL. I desire to say that the House is in full possession of every fact that we have.

Mr. HEARD. That is true.

Mr. HEMPHILL. If the House chooses to pass the bill, let us do it. If the House does not believe the bill ought to be passed, then let it be killed. That is all there is to it.

Mr. BUTLER. I am free to say that I do not know whether I favor this bill or not, but I would like time enough to investigate it. I can not understand at all why a bill that is reported this morning for the first time, the report upon which has not been printed and which has not come into our possession, a bill which is not even on the Calendar, should be called up in this way and that we should be compelled to vote upon it to-day without knowing whether we favor it or not. I shall not vote for any bill that I do not understand, and yet I think perhaps if I had time enough to examine it I might approve it, and I think we are asking none too much to have time in which to consider this bill quietly by ourselves. Therefore I favor the motion to postpone for two weeks.

The SPEAKER. The question is upon the motion of the gentleman from Iowa [Mr. SEERLEY] to postpone for two weeks.

The question being taken, the Speaker announced that the noes seemed to have it.

Mr. SEERLEY. I call for the yeas and nays.

The yeas and nays were refused.

The motion was rejected.

Mr. HEARD. Now I ask——

The SPEAKER. The question is upon the amendment of the gentleman from Missouri.

Mr. HEARD. As amended by the gentleman from Massachusetts [Mr. O'NEIL].

The SPEAKER. The Chair is not informed that the gentleman from Massachusetts offered any amendment.

Mr. HEARD. I will ask permission to withdraw my amendment in order to allow the gentleman from Massachusetts [Mr. O'NEIL] to present another amendment, which has been sent to the Clerk's desk.

The Clerk read as follows:

By Mr. O'NEIL of Massachusetts:

Add to section 2 the following:

"And to redeem bonds issued to take care of present indebtedness incurred in building and equipping the road already constructed, and no additional bonds shall be issued by said company without special authority of Congress."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. HEMPHILL, a motion to reconsider the last vote was laid upon the table.

Mr. HEMPHILL. I desire to say that the Committee on the District of Columbia has no further business to present to the House this morning.

ADDRESSES UPON EX-SPEAKERS RANDALL AND GROW.

Mr. RICHARDSON. I desire to submit a concurrent resolution and a report from the Committee on Printing.

The SPEAKER. A privileged report?

Mr. RICHARDSON. No, sir, I can not say that it is privileged.

The SPEAKER. The gentleman from Tennessee [Mr. RICHARDSON] asks unanimous consent for the present consideration of a resolution which will be reported by the Clerk.

The Clerk read as follows:

The committee have considered the House resolution introduced by Mr. POWERS on January 21 "to print 5,000 copies of the proceedings of the House attending the presentation to the House by the Commonwealth of Pennsylvania of the portraits of the Hon. Galusha A. Grow and Hon. Samuel J. Randall," and direct me to report, as a substitute therefor, a concurrent resolution, which is herewith submitted, and to recommend the passage of the same.

The printing provided for in said resolution will cost more than $500, and therefore it can not be ordered by the House by a simple resolution. The committee recommend that such resolution lie on the table, and, as stated, that the substitute therefor do pass.

The estimated cost of printing 10,000 copies, as provided in the concurrent resolution, will be about $2,900.

Mr. RICHARDSON. Now the concurrent resolution should be read, Mr. Speaker.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 10,000 copies of the addresses delivered in the House of Representatives on January 21, 1892, upon the presentation of the portraits of Hon. Galusha A. Grow and Hon. Samuel J. Randall by the Commonwealth of Pennsylvania. That out of this number the Public Printer will deliver 50 copies to Mr. Grow, 50 copies to Mrs. Samuel J. Randall, 100 copies to the committee of the Pennsylvania Legislature touching said portraits, and the remainder to the House for the use of Members and Delegates.

Mr. RICHARDSON. I move the previous question on the adoption of the substitute.

The previous question was ordered, and under the operation thereof the substitute for the concurrent resolution was adopted.

On motion of Mr. RICHARDSON, a motion to reconsider the last vote was laid on the table.

The SPEAKER. Without objection the original resolution will be ordered to lie on the table.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

The SPEAKER. The Chair will proceed to call the committees regularly for one hour, upon which call each committee on being named shall have the right to call up for consideration any bill reported by it on a previous day on either the House or Union Calendar.

The morning hour commenced at 1 o'clock and 5 minutes.

WORLD'S COLUMBIAN EXPOSITION.

When the Committee on Appropriations was called,

Mr. SAYERS said: Mr. Speaker, I desire to call up the resolution which was referred to the Committee on Appropriations and reported back.

The report of the committee was read, as follows:

The Committee on Appropriations, to whom was referred the resolution asking for information touching the management of the World's Fair and

expenditures therefor, having considered the same, report herewith and recommend the adoption of the accompanying substitute therefor:

CONGRESS OF THE UNITED STATES,
In the House of Representatives, January 5, 1892.

Mr. HENDERSON of Iowa submitted the following; which was referred to the Committee on Appropriations:

Whereas Congress, by act approved April 25, 1890, provided for holding an International Exposition of the progress made in civilization, at the city of Chicago, in 1893, to commemorate the four hundredth anniversary of the discovery of America by Columbus; and

Whereas the act designating Chicago as the site of said Exposition required the people of that city to provide a suitable site and $10,000,000 to complete the appropriation for holding said Exposition; and

Whereas in response to the requirements of said act, the citizens of Chicago have furnished a site and provided over $10,000,000, a sum deemed adequate by Congress; and

Whereas fifty-nine nations have accepted the invitation of the Government of the United States to be present and participate in said Exposition, and fifty States and Territories of the Federal Union have indicated their intention to participate, and have expressed their desire that said exhibition shall in all things be commensurate with the importance of the event to be celebrated, and be worthy of the wealth and character of the United States; and

Whereas the Government has already appropriated the sum of $1,088,000 and estimates are now before the Committee on Appropriations asking for further appropriations:

Therefore, in order that Congress may be fully advised as to the scope and plan adopted by those having jurisdiction and management of said Exposition, and also concerning the progress made, the amount of money expended, the manner of such expenditures, and the necessity therefor, together with such further information concerning the amount available for said work, and the sum that may become necessary to complete the same and prepare the Exposition for opening its gates to visitors,

Be it resolved, That an inquiry be, and is hereby, ordered to ascertain whether those obligated and undertaking to do so have justly and properly complied with the requirements of the said act of Congress approved April 25, 1890, and the subsequent appropriations made for said Exposition; whether the money provided has been judiciously expended; whether the number of employés and appointees to carry out and into effect the laws is excessive and their compensation reasonable or otherwise; and to ascertain and report the salary or compensation paid to each officer and employé; from what States the several appointments have been made, and, generally, whether in the care and conduct of the Exposition proper management has been had; and that a full report of those in charge of the expenditure of money be made of all such expenditures; and that copies of the monthly pay rolls of all officers and appointees be transmitted to Congress for its full information; and that the report based upon said inquiry may be made at any time to Congress, but at the earliest day possible consistent with the necessities of the inquiries involved in this resolution.

Attest:

JAMES KERR, *Clerk*.

SUBSTITUTE PROPOSED BY THE COMMITTEE ON APPROPRIATIONS.

Resolution of inquiry concerning the management of the World's Fair and expenditures therefor.

Whereas Congress by act approved April 25, 1890, provided for holding an International Exposition of the progress made in civilization at the city of Chicago in 1893, to commemorate the four hundredth anniversary of the discovery of America by Columbus; and

Whereas the act designating Chicago as the site of said Exposition required the people of that city to provide a suitable site and ten millons of dollars to complete the appropriation for holding said Exposition; and

Whereas in response to the requirements of said act the citizens of Chicago have furnished a site and provided over ten millions of dollars, a sum deemed adequate by Congress; and

Whereas fifty-nine nations have accepted the invitation of the Government of the United States to be present and participate in said exposition, and fifty States and Territories of the Federal Union have indicated their intention to participate and have expressed their desire that said exhibition shall in all things be commensurate with the importance of the event to be celebrated, and be worthy of the wealth and character of the United States; and

Whereas the Government has absolutely appropriated the sum of $1,088,000, and estimates are now before the Committee on Appropriations asking for further appropriations: therefore, in order that Congress may be fully advised as to the scope and plan adopted by those having jurisdiction and management of said Exposition, and also concerning the progress made, the amount of money expended, the manner of such expenditures, and the necessity therefor, together with such further information concerning the amount available for said work, and the sum that may become necessary to complete the same, and prepare the exposition for opening its gates to visitors:

Be it resolved, That the Committee on Appropriations is hereby ordered to inquire and report to this House whether those obligated and undertaking, and now engaged to do so, have justly and properly complied with the requirements of the said act of Congress approved April 25, 1890, and whether all expenditures of whatever character for said exposition have been judiciously made; whether the number of employés and appointees to carry out and into effect the laws is excessive and their compensation reasonable or otherwise, and to ascertain and report the salary or compensation paid to each officer and employé, from what States the several appointments have been made, and generally whether, in the care and conduct of said Exposition, proper management has been had; that they obtain a full report of those in charge of the expenditure of money, of all such expenditures, together with copies of the monthly pay rolls of all officers and appointees, and that the report of the committee, based upon said inquiry, may be made at any time to Congress, but at the earliest day possible consistent with the necessities of the inquiries involved in this resolution; and that the expenses of the committee or of any subcommittee it may designate to prosecute these inquiries and examinations shall be paid out of the contingent fund of the House, and the chairman of said committee or of such subcommittee, if one be designated, is authorized to draw for the same on the Clerk of the House in sums not to exceed $500 at any one time.

Mr. DURBOROW. Mr. Speaker, I desire to call up the substitute offered by the Committee on the Columbian Exposition.

The SPEAKER. The gentleman from Texas has the floor.

Mr. SAYERS. I ask unanimous consent that this resolution and the substitute be considered in the House as in Committee of the Whole.

The SPEAKER. To what substitute does the gentleman refer?

Mr. SAYERS. The substitute reported by the Committee on Appropriations.

The SPEAKER. The gentleman from Texas asks unanimous consent that the substitute for the original resolution reported by the Committee on Appropriations be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. SAYERS. Mr. Speaker, if the House will give me its attention, I desire to explain in a very few words the nature of this resolution.

Under the original act, which provides for the holding of a World's Fair, the limit of appropriation for a Government exhibit was $1,500,000. The appropriation for that purpose to date amounts to $1,088,000; the balance still to be appropriated is $412,000.

Now, Mr. Speaker, it will be borne in mind by the House, that this appropriation is simply for a Governmental exhibit, and nothing else. Since the organization of the Committee on Appropriations of the present House, in the hearings on the sundry civil appropriation bill, it has been discovered that a part of the appropriation of $40,000, which was designated for the current expenses of the Life-Saving Service, has been or is sought to be diverted, under a ruling of the Secretary of the Treasury, for the building of a life-saving station, to be used in connection with the Government exhibit at the World's Fair.

Thus, you see, if that be permitted, instead of the appropriation being confined to $1,500,000, a sum equal to at least $25,000 will be taken from the annual current appropriation for the Life-Saving Service—a thing not contemplated by Congress when the World's Fair act was passed. It is not going too far to say that it is generally understood that the World's Fair Association will apply to this Congress either for a loan or for a direct appropriation amounting to near $5,000,000, or for an investment in the stock of the association to that amount.

Mr. REILLY. Before the gentleman leaves the point of the Life-Saving Service, I desire to inquire whether he is aware and takes into consideration the fact that the original bill of April 25, 1890, authorizes the construction of a life-saving station at the Columbian Exposition?

Mr. SAYERS. I do not understand that the original act authorizes the use of moneys outside of the direct appropriation for the governmental exhibit. I do not believe that it was the intention of Congress when the act was passed to allow any expenditure of money except that which was specified in the act itself and for the purposes named in the act.

Returning to the point which I was going to make when interrupted by the gentleman from Pennsylvania, I will say that it is understood, from statements in the public press and from the conversation of gentlemen who have visited Washington in the interest of the Exposition, that an application will be made to Congress either for a loan of $5,000,000 or thereabouts, or for a direct appropriation of that amount, or for the investment of such a sum in stock to be held by the Government.

When the gentleman from Iowa [Mr. HENDERSON] introduced his resolution early in the present session it was referred to the Committee on Appropriations, and that committee came to the conclusion that, inasmuch as this proposition would probably be before Congress, it would be well for Congress to have full information touching the expenditures made by the Exposition, whether under that portion of the act which refers to governmental exhibits or otherwise.

Therefore the substitute which is reported by the committee provides for a thorough examination into all the expenditures of the Exposition, whether for the governmental exhibit or for other purposes. This is the proposition involved in this resolution. With this statement, Mr. Speaker, I yield to the gentleman from Iowa [Mr. HENDERSON], the author of the original resolution.

The SPEAKER. The gentleman has consumed ten minutes.

Mr. HENDERSON of Iowa. Mr. Speaker, I desire to say a few words first as to the purpose I had in introducing that resolution into this House. I refer to that point because, in the public prints and in other quarters, some effort has been made to make it appear that the resolution was unfriendly in spirit and purpose toward that great Exposition. From the commencement of the discussion of this great Centennial Exposition I have been an earnest and outspoken supporter of the enterprise, and have never swerved from my fidelity to its interests.

But I have heard many reports and rumors, and have read statements in the press which, if they were true, would have a tendency to prejudice the public mind in regard to it. My desire in introducing this resolution was to recite briefly the object of the Exposition and what had been accomplished in connection with it by that wonderful city of cities, Chicago; and further, to elicit such full and complete information as would enable Congress to

act intelligently in making any further appropriations that might be required.

In the original act there was a limit fixed of a million and a half. As stated by the gentleman from Texas [Mr. SAYERS] in charge of the resolution, $1,088,000 was appropriated. That leaves now something over $400,000 still to be appropriated under that limit. The Book of Estimates before the Committee on Appropriations contains items which we are asked to appropriate, and in the President's hands there are, I understand, further estimates under this $400,000 balance, which are still to come before us.

Under the original act of April 25, 1890, there was appropriated: For admission of foreign goods, $20,000; for Government building, $100,000; for care and transportation of Government exhibits, etc., $200,000. In the last sundry civil act, which was approved March 3, 1891, having passed at the second session of the last Congress, there was reported by the Committee on Appropriations and appropriated: For the completion of the Government building, $300,000; for care, etc., of Government exhibits, $350,000; for expenses of commission, $95,500; for admission of foreign exhibits, $20,000; for contingent expenses of the World's Congress Auxiliary, $2,500.

Mr. Speaker, after the introduction of this resolution and its reference to the Committee on Appropriations, which was an eminently proper reference, for that committee has jurisdiction of the appropriations for this purpose; it exercised that jurisdiction in the last Congress and the matter is before that Committee in this Congress also. After the introduction of that resolution by me some one introduced a resolution calling on the Secretary of the Treasury for information on this subject. That is one good result of the introduction of the resolution proposed by me.

Mr. REILLY. If the gentleman will permit me I will say to him that that resolution to which he refers was offered by myself by authority of the Committee on the Columbian Exposition.

Mr. HENDERSON of Iowa. Very good. I was not familiar with the details. I understood, before the resolution was introduced, that that committee were going to take some action on the subject, and they have done so, and no one has objected, certainly I have not. We have here, in consequence of that call, a report from the Secretary of the Treasury, which has developed facts which I think it was important for the country to know. It specifies the expenditures of the money which has been appropriated, showing the payment of salaries running from $15,000 per annum, the salary of the director-general, down to $2,000 and $2,500 for clerks and others. In the last Congress the tremendous appropriations made for salaries of officers of the United States Commission were, as I remember it, cut down about one-half, with the exception of the salary of the director-general, which still remains at $15,000. This information in itself is, I think, valuable.

In my opinion, Mr. Speaker, the country will not sustain us in making appropriations for this great enterprise, either under the million and a half limit or otherwise, unless we act with wisdom and with patriotism in regard to it. Now, I want to call the attention of the House, while on this subject of salaries, to the salaries that are paid in this country in a few instances. The President of the United States gets $50,000, and the next highest salary paid in this country is that of the director-general of the World's Fair, $15,000. In other words, this director-general ranks next in salary to the President. The Chief Justice of the Supreme Court of the United States gets only $10,500; the justices of the Supreme Court, $10,000; the Vice-President of the United States, $8,000; the distinguished gentleman who presides over our deliberations, $8,000; the Cabinet officers, $8,000; the members of the Interstate Commission, $7,500; circuit judges, $6,000; the Commissioner of Internal Revenue, the Director of the Geological Survey, the Superintendent of the Coast Survey, each, $6,000; the chief clerks of the War, State, and Navy Departments, $2,750 each; the Secretary of this World's Fair Commission, however, I see got $10,000, and the president of the commission, $12,000. This was cut in two after the storm of a year or more ago.

Mr. CUMMINGS. Will the gentleman allow me to ask him a question?

Mr. HENDERSON of Iowa. Very gladly.

Mr. CUMMINGS. Will the gentleman be so kind as to state what our minister to the court of St. James gets?

Mr. HENDERSON of Iowa. I am discussing officers here in this country. I think our minister to the court of St. James gets $17,000, though I do not speak by the card.

Mr. DOCKERY. Seventeen thousand five hundred dollars.

Mr. HENDERSON of Iowa. Every one knows that that compensation leaves the minister out of pocket, and that no foreign service on earth is so poorly paid as the foreign service of the United States Government. That opens up another field of discussion. I am limiting my remarks to salaried officers in this country. But the poor salaries to our foreign service ought to admonish us of the spirit of this country.

Mr. HOPKINS. Will the gentleman allow me a question?

Mr. HENDERSON of Iowa. Very gladly.

Mr. HOPKINS. When the gentleman refers to the salaries of Federal judges, does he understand that those are life positions, and that those judges, after serving ten years and reaching the age of 70 years, can retire and continue to draw their salaries without rendering any service——

Mr. HENDERSON of Iowa. I understand that.

Mr. HOPKINS. And that the offices now under consideration are temporary in their character, taking men from their ordinary pursuits and breaking up their regular business——

Mr. HENDERSON of Iowa. Yes, I know that.

Mr. HOPKINS. And that of necessity——

Mr. HENDERSON of Iowa. The gentleman must not make a speech in my time; he can take his own time. Every schoolboy knows what the gentleman is calling my attention to.

Mr. HOPKINS of Illinois. If every schoolboy knows it, it would be wise for the gentleman to adopt some other illustration.

Mr. HENDERSON of Iowa. I think I have used a good illustration; but I gave several others, if the gentleman had listened to me.

Mr. TAYLOR of Illinois rose.

Mr. HENDERSON of Iowa. Now if Illinois will hear me patiently——

Mr. TAYLOR of Illinois. I know that the gentleman desires to be correct.

Mr. HENDERSON of Iowa. Certainly I wish to be.

Mr. TAYLOR of Illinois. The gentleman has referred to the secretary of this commission as receiving a salary of $10,000; in fact he draws only $5,000.

Mr. HENDERSON of Iowa. I am aware that the salary was reduced to $5,000 by the last Congress.

Mr. TAYLOR of Illinois. These salaries were reduced by the board themselves, not by Congress at all.

Mr. HENDERSON of Iowa. It was done in pursuance of the Candler investigation.

Mr. TAYLOR of Illinois. I will say to the gentleman from Iowa that the reduction was not made by Congress, but by the board.

Mr. HENDERSON of Iowa. But it was after a committee had reported upon the matter, and the board were forced to do it. Public sentiment, like the waves of the ocean, drove them to the shore of reduction. But when appointed they took hold of that $1,500,000 as though it had been a private fund intended for their own benefit. If you gentlemen want to have plain talk we will have it.

Mr. HOPKINS of Illinois. Now I do not understand that this is a question of "plain talk" or of ornamental talk, but a question of what is right.

Mr. HENDERSON of Iowa. That is exactly what I am trying to get at.

Mr. HOPKINS of Illinois. I trust that the gentleman from Iowa, because he has been interrupted, will not allow his blood to course more rapidly in his veins, and reach a degree of excitement where he will do injustice to those affected by the resolution.

Mr. HENDERSON of Iowa. My blood never flowed more pleasantly than now; and my head is clear as to the meaning of this issue. The blood of the blond gentleman from Illinois is a little excited, I fear. [Laughter.]

Now, Mr. Speaker, I merely say that for one I do not propose to stand before the country to make such appropriations. Members of this House receive a salary of $5,000; United States Senators receive the same amount. You go before your people every two years. This commission is to continue, if I remember correctly, until 1898. This director-general was glad to fight, at no light expense, hard to get a two-year seat in this House at $5,000 salary. Has he so suddenly expanded in intellectual powers that no less than $15,000 will satisfy him, when he does not even have to bear the current and legitimate expenses of an election? Many of us served beside him here in Congress. He was a good man and an able man; but I remember nothing for which he was conspicuous except for his dead silence on most public questions. If you can vindicate a $15,000 salary for him, every gentleman on this floor is entitled to $25,000 salary. [Laughter and applause.] That is what I think about it. But let us have no misunderstanding; let there be no confusion——

Mr. TAYLOR of Illinois. Mr. Speaker, it seems to me that this discussion is uncalled for. I do not know a man on this floor who is opposed to this resolution, I do not believe there is one. The dragging in of these matters without a chance for any defense seems to me unnecessary and uncalled for.

Mr. HENDERSON of Iowa. Why, Mr. Speaker, there will be plenty of opportunity for any gentleman who may wish to be heard

in defense of this matter. I am giving my reasons for supporting this resolution. I will say to my friend from Illinois that there is a substitute pending here which seems to discredit the Committee on Appropriations as the proper committee to make the investigation. Now I say this, that on these immense expenditures we have a right to look these questions in the face and it is our duty to do so.

Mr. TAYLOR of Illinois. We all agree to that.

Mr. HENDERSON of Iowa. And I caution this House and the friends of the Exposition, of which I am one, that if you are going to get further aid from the American Congress you have got to begin and cut where cutting is needed.

Now, let us have one thing understood, Mr. Speaker, for fear that we may make a mistake in comprehending the scope of this discussion. There are two bodies dealing with this Exposition. We have the United States Commission, provided for by the act of Congress, and we have the local Chicago corporation, which, I think, is called the "World's Exposition of 1892." That, I believe, is its corporate name. The latter body, I think, deserves all the praise that any man can voice with human speech for what they have accomplished; and I want no sentence or sentiment of mine to reflect in any manner or for an instant on that great body of men, who have raised over $10,000,000 for this enterprise, and, I understand, will raise, if necessary, from three to four millions of dollars more to make it a great success. They are deserving of all praise. That body of men and their work my resolution does not touch and does not seek to touch, unless they may voluntarily wish to give us information in regard to the Exposition. The aim, the scope, the sole purpose of the resolution is to go thoroughly into the investigation of such appropriations as have heretofore been made and are to be made by the Congress itself hereafter.

Now, then, Mr. Speaker, in regard to these two institutions or bodies we must keep in mind a clear distinction. We have a right to deal with the World's Commission; we have a right to pass upon the sufficiency of their salaries, or we can "turn off the fodder," so to speak. Understand, that under that law they (the Commission) had a right to fix the salaries of their officers, subject to the approval of the Secretary of the Treasury, as I remember, and my aim and purpose is to get all the information we can possibly get in regard to these. The report from the Secretary of the Treasury, which is now in hand, states in itself that he is not able to go into all of these matters, that it will be too big a job.

Our friends who offer the substitute want this investigation to go into the hands of the Columbian Exposition Committee. Gentlemen, you have the five-million proposition coming before you. No one contests your prerogatives in investigating that or recommending the advisability of acceding to the request in the House. But we have the appropriations before us. These items belong to us; they are properly a part of the functions of our committee, and for one I feel that I should be quite as willing to have my friend, Brother HOLMAN of Indiana, run his "massive brain and eagle eye" over the items of expenditures of this Commission as I would be to have the chairman of the Columbian Exposition, my friend, Mr. DURBOROW, from Chicago. I think we would all feel just as well satisfied, and that one might do just as well as the other.

Now then, as my friend from Chicago, Col. TAYLOR thinks, as I understand him, nobody objects to an investigation. The great journals of Chicago have approved of it.

Mr. TAYLOR of Illinois. We not only approve of it, but we invite it.

Mr. HENDERSON of Iowa. They have indorsed the resolution, but you do not want any investigation by the Committee on Appropriations. You have a substitute here, and when I take my seat gentlemen will be on their feet to fight for that substitute, which proposes to take this away from the Committee on Appropriations and give it to the Committee on the Columbian Exposition.

Mr. TAYLOR of Illinois. And I will say to the gentleman from Iowa that there are members right on this floor now from Chicago who will vote for that resolution.

Mr. HENDERSON of Iowa. Well, I always took you for a "thoroughbred," and the more I see of you the more I like you on that point. [Laughter.]

Mr. TAYLOR of Illinois. I do not say that I would vote for it myself. [Laughter.]

Mr. HENDERSON of Iowa. Well, then, perhaps you had better let the other fellow talk who is going to vote for it. [Laughter.]

Mr. TAYLOR of Illinois. There are plenty of Chicago people who would not object to it.

Mr. HENDERSON of Iowa. Now, Mr. Speaker, my thought is simply this: That the "World's Columbian Exposition" should look——

Mr. McKENNA. Let me interrupt the gentleman a moment.

Mr. HENDERSON of Iowa. Certainly.

Mr. McKENNA. In order to avoid any confusion—I do not think my friend from Iowa has expressed himself as clearly as usual. To avoid any confusion as to the demarcation or jurisdiction of these two commissions of which he is speaking, and which one he proposes to investigate, I hope he will inform us a little more explicitly. The gentleman has paid a very high tribute to the Chicago corporation. He does not touch or criticise that, but has referred to some salaries paid by them. I wish that my friend from Iowa would make clear exactly the point that he is seeking to accomplish in this investigation.

Mr. HENDERSON of Iowa. I thought I had made it clear.

Mr. McKENNA. Not as clear as usual.

Mr. HENDERSON of Iowa. I am never as clear, nor can I hope to be as clear, as my friend from California in any statement. [Laughter.]

Mr. McKENNA. I can not agree to that statement.

Mr. HENDERSON of Iowa. Because he is one of the clearest men on the floor, as well as one of the most gentlemanly of Representatives. [Laughter.]

Mr. McKENNA. Thank you.

Mr. HENDERSON of Iowa. My theory of this proposition is just this: That this Committee on Appropriations is the only committee having jurisdiction over the proceedings of the World's Fair Commission. That is my theory; and that we do not seek through this investigation to reach the operations of the local corporation at all. That is the purpose and scope of this resolution. If these gentlemen, as they have said to me, want to give us information on the whole matter, and I believe they will—I believe the local corporation will be glad to do so if we want them to—while I see no objection to it, yet that is not the scope and aim of this resolution.

Mr. COX of Tennessee. Will the gentleman allow me to ask him one question?

Mr. HENDERSON of Iowa. Certainly.

Mr. COX of Tennessee. How are these salaries you speak of fixed? What power fixes them?

Mr. HENDERSON of Iowa. They are fixed by the Commission, subject to the approval of the Secretary of the Treasury, under the act, as I remember. I referred to that a few moments ago.

Mr. COX of Tennessee. And the local corporation has nothing to do with that?

Mr. HENDERSON of Iowa. The local corporation has nothing to do with that. That act does not so apply to them, but only to the other. But I wish to say—I have been switched off two or three times from my line of talk, but the switch was always an appropriate one—that I feel that this House, that the Congress, and the country will be better satisfied with all these investigations, if the Committee on the Columbian Exposition pursues its own proper investigations in the line of the proposed $5,000,000 legislation, which will certainly go to that committee, and if the Committee on Appropriations, of which the distinguished gentleman from Indiana [Mr. HOLMAN] is chairman, to which this other resolution of investigation was referred, as to the half million or less that we still have to appropriate, be permitted to conduct this investigation. That is my judgment upon it, and as my time is limited I will not occupy the attention of the House any longer at present.

Mr. SAYERS. Mr. Speaker——

Mr. HOPKINS of Illinois. Can not the gentleman give me a little time?

The SPEAKER. The gentleman from Texas [Mr. SAYERS] is recognized.

Mr. HENDERSON of Iowa. You will have an hour on the other side, if you are opposed to this resolution.

Mr. HOPKINS of Illinois. I intend to vote for your resolution.

Mr. HENDERSON of Iowa. I am glad to hear it.

Mr. SAYERS. I ask unanimous consent that this debate may be extended until 4 o'clock, at which time a vote be taken upon the resolution, the substitute, and all amendments that may be offered.

Mr. McCREARY. Mr. Speaker, I understood the gentleman from Texas [Mr. SAYERS] to ask that this question be considered until 4 o'clock, and then that there be a vote.

Mr. SAYERS. Yes, sir.

Mr. McCREARY. Upon the proposition submitted by the Committee on Appropriations, as well as the proposition submitted by the Committee on the Columbian Exposition?

Mr. SAYERS. Certainly.

The SPEAKER. The Chair so understands it.

Mr. REILLY. And all pending amendments.

Mr. McCREARY. All amendments that may be pending at that time. I am in favor of that, but I want to have it understood that the substitute reported by the Committee on the Columbian Exposition shall also be considered.

Mr. SAYERS. Certainly.

The SPEAKER. The Chair will recognize the gentleman from Illinois [Mr. DURBOROW] if the gentleman from Texas [Mr. SAYERS] yields the floor. The Chair will first submit the request for unanimous consent.

Mr. McKENNA. How is the time to be divided?

Mr. McCREARY. I think the time ought to be equally divided.

Mr. SAYERS. I will attend to that.

The SPEAKER. In the absence of any agreement the Chair proposed to recognize gentlemen in such a way as to divide the time equally. The Chair will be very glad if an arrangement can be made about it.

Mr. DOCKERY. I ask in that connection that the gentleman from Texas [Mr. SAYRES] be allowed to control the time on behalf of the Committee on Appropriations, and that the gentleman from Illinois [Mr. DURBOROW] be allowed to control the time on the other side.

The SPEAKER. The Chair will state that that would allow an hour and a half on a side.

Mr. McCREARY. I want to state here—because it has not yet been stated—that this is not a fight between those who are in favor of $5,000,000 as a donation or a loan to the World's Fair and those who are against it. The struggle here is between the Committee on Appropriations and the Committee on the Columbian Exposition as to the right of jurisdiction.

The SPEAKER. The Chair will submit the request for unanimous consent. The gentleman from Texas [Mr. SAYERS] asks unanimous consent that the consideration of this bill shall continue before the House till 4 o'clock, at which hour a vote be taken, and that the time, from the beginning of the debate, be equally divided; that the substitute offered by the Committee on the Columbian Exposition be considered as pending, and also any other amendments that may be submitted in order; the vote to be taken at 4 o'clock. Is there objection? [After a pause.] The Chair hears none. The gentleman from Texas is recognized.

Mr. SAYERS. The gentleman from Illinois [Mr. DURBOROW] can go ahead.

The SPEAKER. The gentleman from Texas [Mr. SAYERS] has consumed thirty-seven minutes of his time.

Mr. SAYERS. That is including the time used by the gentleman from Iowa [Mr. HENDERSON].

The SPEAKER. Does the gentleman from Texas yield the floor?

Mr. SAYERS. Yes, sir.

The SPEAKER. The Chair will recognize the gentleman from Illinois [Mr. DURBOROW], chairman of the Committee on the World's Columbian Exposition.

Mr. DURBOROW. I desire to take up and have read the substitute that was offered on Friday by the Committee on the Columbian Exposition.

The SPEAKER. The gentleman from Iowa offers a substitute for the resolution submitted by the Committee on Appropriations, which the Clerk will report.

The Clerk read as follows:

Whereas Congress, by an act approved April 25, 1890, provided "for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and products of the soil, mine, and sea, in the city of Chicago, in the State of Illinois;"

Whereas, according to the requirements of said act, the citizens of Chicago have furnished a site and provided about $10,000,000 in aid of said international exhibition;

Whereas thirty-nine nations and twenty-four colonies have accepted the invitation of the Government of the United States to be present and participate in said exhibition, and their appropriations made or officially proposed, amount to $4,004,505, and twenty-six States and two Territories have made appropriations for representation at the exhibition, amounting to $2,695,000, and the Government of the United States has appropriated the sum of $1,088,000 and directed the Secretary of the Treasury to cause a suitable building to be erected on the site selected for the World's Columbian Exposition, for the purpose of exhibiting from its Executive Departments, the Smithsonian Institution, the United States Fish Commission, and the National Museum such articles and materials as illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power and which tend to demonstrate the nature of our institutions and their adaptations to the wants of the people; and

Whereas officers of the World's Columbian Exposition have been before the Committee on the Columbian Exposition asking for further appropriations: Therefore, be it

Resolved, That the Committee on the Columbian Exposition is hereby ordered to ascertain and report whether the said act of Congress, approved April 25, 1890, is being complied with, and whether subsequent appropriations made for said Exposition are being judiciously expended, and whether the officers and employés are being properly and reasonably paid, and what amount of money has been expended by the United States Government, and the manner and necessity of such expenditure, and what additional amount, if any, is necessary to be expended, and what further legislation, if any, is necessary, and all other facts that may conduce to the protection and benefit of the Government of the United States and the success of the Columbian Exposition; and in order to make such report the committee is authorized to send for persons and papers, administer oaths, and to present its report to the House of Representatives for consideration at any time.

The SPEAKER. Before the gentleman proceeds, the Chair was not clear as to the understanding arrived at concerning the control of the time. If there be no objection the Chair will recognize the gentleman from Texas [Mr. SAYERS] to control the time in favor of the view presented by the Committee on Appropriations, and the gentleman from Illinois [Mr. DURBOROW] to control the time to be used by the Committee on the Columbian Exposition. [After a pause.] The Chair hears none.

Mr. DURBOROW. Mr. Speaker, the resolution which was presented by the Committee on Appropriations was, as you have heard, offered by the gentleman from Iowa [Mr. HENDERSON] on the 5th of January, and referred to the Committee on Appropriations. Unfortunately, I was not present in the House on that day. Had I been, I should have objected to its reference to that committee, and have endeavored to have the resolution referred to the Committee on the Columbian Exposition, where, in my opinion, it properly belongs. I waited for a couple of weeks to see what action the Committee on Appropriations would take on the subject. It not appearing that they had taken any action, the gentleman from Kentucky [Mr. McCREARY] presented a resolution of very similar purport (that which has just been read), which was referred to the Committee on the Columbian Exposition. At their subsequent meeting this committee instructed me to report it to the House, and offer it as a substitute to the report of the Committee on Appropriations when that report should be brought in. This substitute, therefore, comes before the House in this way.

I want to say, Mr. Speaker, that I most heartily and fully agree with what the gentleman from Texas [Mr. SAYERS] and the gentleman from Iowa [Mr. HENDERSON] have said in regard to the necessity of an investigation. I believe that I am perhaps better posted on the affairs of the Columbian Exposition than any other member of this House; and I want to say that I am not prepared to-day to vote for any appropriation of money or any other assistance whatever until more information is given to this House than we at present have before us. I am heartily in favor of an investigation, and I want to see the investigation started as soon as possible.

Mr. SAYERS. Will the gentleman allow me to ask him a question there?

Mr. DURBOROW. Yes, sir.

Mr. SAYERS. Suppose that an investigation should show that there has been no misuse of power or misappropriation of money by the World's Fair people, would you support an appropriation of $5,000,000, either as a loan, as an investment, or as a gift to the World's Fair?

Mr. DURBOROW. Suppose it should be shown that there was no misappropriation of money?

Mr. SAYERS. Yes, sir.

Mr. DURBOROW. Certainly I would. I am very much in favor of it.

Mr. McKENNA We can not hear what the gentleman has said.

Mr. DURBOROW. I do not care, I believe, to be interrupted in this manner.

Mr. SAYERS. I understand the gentleman to say that——

Mr. DURBOROW. I decline to yield.

The SPEAKER. The House will be in order.

Mr. DURBOROW. The question is before the House, therefore, in this manner. It is not a question of an investigation, but it is a question of the jurisdiction of the Committee on the Columbian Exposition; and that is the subject to which I desire to address myself. I am as clearly in favor of an investigation as the gentlemen who have just had the floor.

I wish to cite the precedent of the last Congress, or previous Congresses, on the matter. The subject of the Columbian Exposition was first brought before the Fiftieth Congress in the matter of having a number of petitions presented to Congress favoring the holding of this fair.

No action was taken, if I understand it correctly, until the Fifty-first Congress, when a very large number of petitions were presented and referred to certain committees, and a conflict of jurisdiction came up. But, to settle this conflict of jurisdiction, the House authorized the appointment of a Special Committee on the Quadro-Centennial. This committee was afterwards appointed and given jurisdiction in the following terms:

That all proposed legislation referring to the quadro-centennial shall be referred to the Select Committee on the Quadro-Centennial.

This committee exercised that power, Mr. Speaker, by considering all legislation on that subject. It considered and reported the act of April 25, 1890, which is now the law. It reported that act to the House, and that act carried with it an appropriation of one million and a half, I believe. At any rate, the act was considered and reported by the Committee on the Quadro-Centennial. At the beginning of this Congress the Committee on Rules reported among its select committees a Committee on the Quadro-Centennial. The name of this committee was afterwards changed to the "Committee on the Columbian Exposition," for the reason

that the corporate authorities in charge of the Exposition had changed the name of their corporation, and it is now known as the "World's Columbian Exposition Corporation."

In the RECORD of January 6, the present session, the Committee on Rules reported a rule prescribing the jurisdiction of the regular committees, and proposing that the regular committees should be governed by Rule XI of the Rules of the Fiftieth Congress. Paragraph 3 of that rule, in relation to the Committee on Appropriations, provides that questions relating—

to appropriation of the revenue for the support of the Government as herein provided, viz: for legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications and coast defenses; for the District of Columbia; for pensions, and for all deficiencies [shall be referred] to the Committee on Appropriations.

Now, Mr. Speaker, we maintain that legislation or appropriations relating to the World's Columbian Exposition do not come under any power which, by that rule, is delegated to the Committee on Appropriations. On the other hand, on the 6th of January last, the Committee on Rules reported a rule governing the jurisdiction of the select committees of this House in which it is provided that—

All proposed legislation concerning the Columbian Exposition shall be referred to the Committee on the Columbian Exposition.

There are no limitations in that rule. Under it all legislation of whatever character relating to the World's Fair, whether it includes appropriations or no, is to be referred to the Committee on the Columbian Exposition. Now, Mr. Speaker, the Committee on the Columbian Exposition have not brought up this question because of any objection to the proposed investigation, because we are a unit as to the necessity of having an investigation. The entire subject should be investigated, and I am authorized by the officials of the World's Fair at Chicago to state that they desire an investigation of the most complete character, and will offer every facility in their power to the committee that shall be appointed by this House to make that investigation.

But the Committee on the Columbian Exposition believe and maintain that the jurisdiction conferred upon them in relation to this subject gives them the right and the power to attend to all legislation in relation to the Exposition, and, as a consequence of that belief they have presented this substitute to the House for adoption. I will ask the Chair how much time I have consumed?

The SPEAKER *pro tempore*. The gentleman has consumed seventeen minutes.

Mr. DURBOROW. I now yield twenty minutes to the gentleman from Kentucky [Mr. MCCREARY].

Mr. MCCREARY. Mr. Speaker, before I commence I would like to have a further agreement about time. There was one hour consumed before we agreed upon two hours' debate, and I take it that we shall be allowed our part of the time, taking into consideration what was consumed by members of the Committee on Appropriations.

Mr. REILLY. Mr. Speaker, I understood that the time from the beginning of the morning hour until 4 o'clock was to be equally divided.

The SPEAKER *pro tempore*. The Speaker of the House stated that the gentleman from Iowa [Mr. HENDERSON] and the gentleman from Texas [Mr. SAYERS] had consumed thirty-seven minutes, and that that time would be charged up in the total time allowed for debate.

Mr. MCCREARY. Mr. Speaker, I have been in favor of celebrating the four hundredth anniversary of the discovery of America ever since that subject was presented to Congress. I believe that an international exposition or world's fair, participated in by all the nations of the earth, is the best way to emphasize and commemorate the greatest event of the kind that ever occurred in this world, and I stood here upon this floor less than two years ago and advocated the World's Fair, and advocated its being located at Chicago.

Preparations are being made to-day in the city of Chicago for a grand pageant of civilization, a splendid picture of progress and prosperity, a great display of the arts, industries, products, minerals, and manufactures of all nations, and, so far as I know, everything at the great city is moving along in a way which shows that the people of Chicago appreciate the responsibility that rests upon them and the great occasion that is soon to come. I say this much in order that my position may be understood; and I desire to say further that the history of the world does not present another such instance as that we now have in Chicago, where a city furnishes a site for a world's fair and raises $10,000,000 to pay the expense of the fair.

The first international exposition was held in London in 1851. The cost of this exposition was less than $1,000,000.

The next international exposition was held in New York in 1853, and the cost of the buildings, added to other expenditures, amounted to $640,000.

In 1855 the Emperor Napoleon declared the Universal Exposition opened at Paris.

The total cost of the exposition was $2,257,000, or, including the cost of the Palais d'Industrie, which was met by the French Government, $5,000,000.

The next great international exposition was held in London in 1862. The cost of buildings and of the entire exhibition, including all expenses, was $2,300,000.

The Paris Exposition of 1867 ranks among the most magnificent and successful expositions ever attempted. The receipts were $2,103,675, but the expenses were kept secret by the Government.

The Vienna International Exposition of 1873 was one of the grandest expositions ever held. It cost about $6,000,000.

The Centennial Exhibition, at Philadelphia, was the greatest ever held up to 1876. The total amount collected was $3,813,726, but it is said the cost of the Exposition was a little more than this amount.

Thus it appears that the citizens of Chicago have raised nearly double the amount heretofore expended in paying expenses of other international expositions.

The real question now under consideration is, whether we will adopt the resolution reported by the Committee on Appropriations, or whether you will adopt the resolution reported by the Committee on the Columbian Exposition. I have great respect for the Committee on Appropriations of this House, and I desire to call the attention of members to the vast responsibilities that are resting upon that committee. At an early day in this session, when the House of Representatives had not adopted rules for its government, my friend from Iowa [Mr. HENDERSON] introduced a resolution authorizing an investigation of the World's Fair.

We are informed by those connected with the World's Fair that they do not shrink from an investigation. I have never heard anything against those men, except I believe those who have charge of that World's Fair are now trying to make it the greatest, the grandest, the most magnificent exposition ever held in the world. They do not object to an investigation. The distinguished gentleman of the Committee on Appropriations [Mr. HENDERSON of Iowa] introduced his resolution directing an investigation to be made, and had it referred to the Committee on Appropriations.

Mr. HENDERSON of Iowa. Will the gentleman allow me to interrupt him?

Mr. MCCREARY. Certainly.

Mr. HENDERSON of Iowa. My original resolution did not provide what committee should do the work.

Mr. MCCREARY. But you referred your resolution to the Appropriations Committee.

Mr. HENDERSON of Iowa. It was referred by the Speaker to the Committee on Appropriations, and the substitute reported names the Committee on Appropriations and gives it greater power than I proposed in my original resolution.

Mr. MCCREARY. The gentleman from Iowa [Mr. HENDERSON], who is a member of the Committee on Appropriations, offered that resolution, and it was referred to the Committee on Appropriations.

Now, the Committee on Appropriations reports a resolution authorizing the Committee on Appropriations to make the investigation.

Mr. Speaker, I have great respect for that committee. Beginning with the chairman, Judge HOLMAN, and going through its membership, it is composed of many of the best members in this Congress. But I do not desire to overburden that committee. The Committee on Appropriations has already six great appropriation bills to consider and prepare. Recently our code of rules in this House added to the responsibilities of that committee by giving them the power to report general legislation on their appropriation bills and to reduce salaries. In addition to what I have stated, the distinguished chairman of that committee brought in resolutions, which were adopted defining the position of the majority of this House on economy, retrenchment, and reform.

Mr. HENDERSON of Iowa (to Mr. MCCREARY). Did you not vote for them?

Mr. MCCREARY. I did; and I wish you had voted for them.

Mr. HENDERSON of Iowa. I did vote for a part of them.

Mr. MCCREARY. The proposition was not in accordance with the way your party acted in the last Congress, and therefore you voted against it.

Mr. MCKENNA. I hope the gentleman will not be partisan!

Mr. MCCREARY. I was speaking of the responsibilities of the members of the Committee on Appropriations when I was interrupted. They have the six appropriation bills. They have been intrusted with authority to place new legislation on the appropriation bills. The chairman of the committee has reported resolutions, which were adopted, defining the position of the majority in this House on the subject of economy, retrenchment, and reform. Now they are not satisfied with their power, but

must have more. They seek to be authorized to investigate the World's Fair.

Mr. Speaker, there are three committees of this House that have as much right to make this investigation as the Committee on Appropriations. The Committee on Public Buildings and Grounds, because that committee is specially authorized to consider matters relating to buildings erected by the Government, and nearly a half million of dollars have been expended in erecting a building for Government exhibits at the World's Fair. The Committee on Foreign Affairs, because thirty-nine of the great nations of the world have made arrangements to be represented there, and have already expended millions of dollars in erecting buildings. And last, but not least, there is a select committee appointed by the Speaker of this House to look into matters connected with the World's Fair—the committee known as the Committee on the Columbian Exposition. This resolution, providing for an investigation, should have been referred to the Committee on the Columbian Exposition because that Committee, under the rules, is specially charged with matters connected with the Columbian Exposition.

The gentleman from Iowa [Mr. HENDERSON] has very kindly said that after a while when the officers of the World's Fair ask a donation or a loan the bill will be referred to the Committee on the Columbian Exposition. I expect the Committee on Appropriations will desire control of that bill also.

I do not wish to be misunderstood in this connection when I am talking about donations for the benefit of the World's Fair. Congress has already appropriated a little over $1,000,000 to pay the expenses connected with the Government exhibits and for the erection of a public building at Chicago. I am in favor, Mr. Speaker, of holding the distinguished representatives from Illinois to the position they took in this House when they were asking us to locate the World's Fair at Chicago. I remember when my distinguished friend from Illinois [Mr. SPRINGER] said:

Give us the World's Fair at Chicago. We will ask nothing from Congress except what will be required for the building and the Government exhibits. I suppose five or six hundred thousand dollars will be enough to provide for the Government exhibits.

The distinguished representative at that time on the Republican side, Mr. Mason, said practically the same thing. I desire to hold these gentlemen to that position. I said on this floor myself, in advocating Chicago as the proper location for the World's Fair, that I was willing to vote a sufficient amount of money for Government exhibits and for the erection of proper buildings by the United States in which to display these exhibits, but that I was unwilling to give another dollar. I have not changed my mind on this question. The people of Chicago and of Illinois have embarked in a great enterprise—one of the grandest the world has ever seen. I am not in favor of interrupting them in their great work. Let them go on with it. They have raised $10,000,000—nearly twice as much as was ever expended on any other world's fair; and I see no reason why that amount together with what the Government has given for the purpose of erecting buildings and for securing a proper display of Government exhibits will not be sufficient.

I come now to the resolution offered by the Committee on Appropriations and the substitute submitted by the Committee on the Columbian Exposition. I do not believe that the resolution as framed by the Committee on Appropriations is framed in the proper way, and I call attention to its language. The Committee on Appropriations very properly propose to direct a subcommittee to be appointed by its chairman to inquire and to report to this House.

To inquire and report to this House whether those obligated and undertaking, and now engaged to do so, have justly and properly complied with the requirements of the said act of Congress approved April 25, 1890.

That is very good.

And whether all expenditures of whatever character for said Exposition have been judiciously made; whether the number of employés and appointees to carry out and into effect the laws is excessive and their compensation reasonable or otherwise; and to ascertain and report the salary or compensation paid to each officer and employé, from what State the several appointments have been made, etc.

Then, Mr. Speaker, they authorize the chairman of the subcommittee to draw $500 at any time when it seems to be proper for him to do so for the purpose of carrying on the inquiry. That is substantially what the Committee on Appropriations recommend in their resolution. I do not believe that that resolution is as full as it should be. The substitue authorized by the Committee on the Columbian Exposition and offered by the chairman, Mr. DURBOROW, provides:

That the Committee on the Columbian Exposition is hereby ordered to ascertain and report whether the said act of Congress approved April 25, 1890, is being complied with, and whether subsequent appropriations made for said Exposition are being judiciously expended, and whether the officers and employés are being properly and reasonably paid, and what amount of money has been expended by the United States Government.

No man knows to-day exactly what amount has been expended under the act of April 25, 1890. It also provides for ascertaining—

the manner and necessity of such expenditure and what additional amount, if any, is necessary, and all other facts that may conduce to the protection and benefit of the Government of the United States and the success of the Columbian Exposition.

I believe that that select committee should inquire what further legislation is necessary if any. I believe that that committee should inquire how the money has been expended that has been expended up to this time out of the Treasury of the United States, and I believe the committee should ascertain and report what amount if any is necessary to have our Government exhibits properly displayed, but nothing further.

At the last session of Congress the Committee on the World's Fair appointed a subcommittee which investigated matters connected with the World's Fair, and made a report to this House, and I believe the Committee on the Columbian Exposition, which has the same jurisdiction, should make the investigation at this session.

I reserve the remainder of my time.

The SPEAKER *pro tempore*. The gentleman has three minutes remaining.

Mr. SAYERS. I now yield five minutes to the gentleman from Ohio [Mr. OUTHWAITE].

Mr. OUTHWAITE. Mr. Speaker, I do not belong to either of the contending committees, but I wish to express briefly my views as to which of the two should, in my judgment, make the proposed investigation.

The question of jurisdiction is raised in these resolutions, and the consideration of them, as to which of the two committees shall have authority to report any appropriations that Congress may choose to make for this exposition. To my mind it is not at all clear that the Committee on the Columbian Exposition should have any such power and authority under the rules giving them jurisdiction upon such subjects on which they may report under the rules.

The gentleman from Kentucky [Mr. MCCREARY], who has just closed, has called the attention of the House to the fact that some of the members on this floor representing the great city of Chicago at the time this subject was under consideration in the Fifty-first Congress, expressed themselves as not intending to ask for any subsequent appropriation from the United States Treasury. Such an expression was general; it was so understood by this House; it was accepted by all of those who favored the location at Chicago, of which number I was one.

During the discussion of that question in the House a member from the city of Chicago then, Mr. Lawler, said:

We will accept this bill, and live up to it—

when the question was asked whether they would come back for another appropriation in the future. Mr. Mason, another representative from the city of Chicago, said:

All we ask is that this House will give us the bill which the committee has reported. We will comply with the terms on the part of Congress, and endeavor to make it a success.

But now the proposition is urged that further appropriations should be granted. These two resolutions have come in for our consideration because of the pendency of that proposition.

Both sides, both committees, agree that an investigation should be had. The scope of the resolutions authorizing the investigation should be considered, and that will enable us, perhaps, to determine which of the two committees desires to make the more thorough and searching investigation, and which of these two will push the investigation further and deeper. The resolution of the Committee on the Columbian Exposition has but three propositions that they propose to investigate:

Whether the said act of Congress, approved April 25, 1890, is being complied with.

Second—

Whether the subsequent appropriations made for said exposition are being judiciously expended, and whether the officers and employés are being properly and reasonably paid; what amount of money has been expended by the United States Government, and the manner of such expenditure; and

Third—

What further legislation, if any, is necessary; and all other facts that may conduce to the protection and benefit of the Government of the United States and the success of the Columbian Exposition.

While the resolution coming from the Committee on Appropriations goes further and deeper. First, they are to investigate—

Whether those delegated and undertaking and now engaged to do so have justly and properly complied with the requirements of said law of Congress; second, whether all expenditures of whatever character for said Exposition have been judiciously made; third, whether the number of employés and appointees to carry out and into effect the laws—

Not are properly paid as stated in the other resolution, but—

whether their number is excessive, whether their compensation is reasonable or otherwise, and to ascertain and report the salary or compensation paid to each officer and employé and from what State the several appointments have been made.

Fourth—

Going beyond anything in the former resolution, and of more importance and wider scope—

Generally, whether in the care and conduct of said Exposition proper management has been had, and that they obtain a full report of those in charge of the expenditure of money, of all such expenditures, together with copies of the monthly pay rolls of all officers and appointees, and that the report of the committee based upon said inquiry may be made at any time to Congress, but at the earliest day possible.

One word more, and that is this, that this resolution reported from the Committee on Appropriations is certainly the better resolution, and that committee the better one to make the investigation.

[Here the hammer fell.]

Mr. SAYERS. I yield ten minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Speaker, the question at issue here is, which of two committees has proper jurisdiction over the subject-matter of this inquiry. It seems to me that this is the only point, and that it lies within a very narrow compass. In the last Congress a special committee was appointed to which was referred legislation looking to a world's fair or quadro-centennial exposition. Of that matter, when in that shape, the Appropriations Committee would have had no jurisdiction. It was deemed necessary and proper to form a new committee, which could consider that new subject-matter. That committee was formed, it performed its duty, made its report, and the Government entered upon the new enterprise, established rightfully, under the rules of this House, after a report had been made by this new committee. So a law was passed which authorized the Government to expend under a special act, approved April 25, 1890, the sum of $20,000 for the admission of foreign goods, $100,000 for a Government building, and $200,000 for the care and transportation of Government exhibits to be carried to this Exposition.

If there was anything at all irregular in that, it was that the Commission itself, which established this new enterprise, also appropriated money to begin it; but this is not uncommon.

Now that act was passed at the first session of the Fifty-first Congress. The law having been passed and expenditures authorized, then came the question, at the second session of that Congress, when it was proposed to continue those appropriations, what committee should have jurisdiction. That question was referred naturally and properly to the Committee on Appropriations, and at the second session of that Congress that committee, in the sundry civil bill, reported and Congress passed appropriations amounting to $670,000 to carry on this work.

All this was in accordance with the rules of this House, which in this respect were precisely the same in the last Congress as in this. I was very much astonished that the gentleman from Kentucky [Mr. MCCREARY], with all his experience here, should have said that the Committee on Public Buildings would have a better right to jurisdiction here than the Committee on Appropriations. Does not that gentleman know that the usual practice is for a public building to be authorized upon a report made from the Committee on Public Buildings and Grounds, and that after the building is authorized its construction becomes a lawful enterprise, upon which the Government has entered, and that after this the Appropriations Committee always continue the appropriation?

Mr. MCCREARY. Will the gentleman allow me to interrupt him?

Mr. HERBERT. Just for a question, nothing more.

Mr. MCCREARY. I agree with you in what you state. I have been in Congress for some time; this is my fourth term, and I have never known the Committee on Appropriations before to become an investigation committee. I said the Committee on Public Buildings and Grounds, or on Foreign Affairs, or on the Columbian Exposition, had as much right to make this investigation as the Committee on Appropriations had, and I still say so.

Mr. HERBERT. I will answer the gentleman before I get through. He admits that what I said was true, that according to rule, a public enterprise having been established by law, the jurisdiction is in the Committee on Appropriations to report all apropriations toward the completion of that enterprise.

And now, let me say right here that the rules under which these two laws were passed by the last Congress were precisely the same as now, identical with the rules read by the gentleman from Illinois [Mr. DURBOROW] that now exist.

But the gentleman from Kentucky [Mr. MCCREARY] rose to make a still more startling statement than he made before, when he said a moment ago that he had never known the Committee on Appropriations to be an investigating committee.

Why, sir, the precise object of this resolution is that this House shall have furnished to it, through some appropriate committee, information as to how the appropriations made heretofore are being expended, in order that we may properly judge as to what appropriations shall be made in the future.

Mr. MCCREARY. Only one moment.

Mr. HERBERT. I beg the gentleman's pardon. I want to answer this question before he asks me another.

Mr. MCCREARY. Very well.

Mr. HERBERT. Now, then, he never knew that the Appropriations Committee could rightfully be an investigating committee! Why, Mr. Speaker, when I left the room of the Committee on Naval Affairs this morning I dropped right there an investigation of the expenditure of money appropriated in the last Congress. Other committees having charge of appropriations call before them, as our committee did this morning, officials who have to do with the expenditure of the Government moneys. The committee questions the official to know why and how moneys are expended so that it can get information necessary to enable it to appropriate or withhold appropriations in the future. And I wish to know if the gentleman, when at the head of the Committee on Foreign Affairs in the Fiftieth Congress, in considering appropriations to carry on that Department of the Government, did not himself make investigations precisely of that character?

Mr. MCCREARY. Mr. Speaker——

Mr. HERBERT. I do not require an answer at this time.

Mr. MCCREARY. I want to answer. I insist on replying. I have the right to reply.

Mr. HERBERT. You can not take my time for that purpose.

Mr. MCCREARY. I have got no time. I want to answer that question.

Mr. HERBERT. I do not yield to the gentleman.

The SPEAKER *pro tempore*. The gentleman from Alabama declines to yield.

Mr. HERBERT. Mr. Speaker, that is precisely the business of every committee of this House that appropriates money—to inquire how the money which has been appropriated in the past has been expended, especially when Congress is about to be called upon for new appropriations in the same direction. Bills have already been introduced in this Congress to appropriate large sums of money for the purpose of carrying on this Exposition; and I say that, beyond all doubt, the Committee on Appropriations alone has jurisdiction under the rules of this House to investigate questions like this.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. MCCREARY. Mr. Speaker, the gentleman from Alabama asked me a question, and would not yield for a reply.

The SPEAKER. Does any gentleman yield time to the gentleman from Kentucky [Mr. MCCREARY]?

Mr. MCCREARY. I rise in my own time. I have three minutes remaining.

Mr. DURBOROW. I yielded twenty minutes to the gentleman from Kentucky, of which he used seventeen minutes, and reserved three minutes.

Mr. MCCREARY. I am speaking now in my own time, and I hope the Speaker will not count until I commence. [Laughter.]

My friend from Alabama [Mr. HERBERT], who has been here longer than I have, but who does not seem to be very well posted on the work of the Committee on Appropriations, asks me if the Committee on Foreign Affairs did not sometimes look into appropriations; and he said that the Committee on Naval Affairs, of which he is chairman, this morning looked into appropriations. There are certain kinds of appropriations that his Committee on Naval Affairs and that the Committee on Foreign Affairs have a right to look into without any resolution on the subject. The members of the Committee on Appropriations knew they had no right or no authority to investigate the expenditures of money by the officers of the World's Fair until they were authorized so to do by the House of Representatives, and therefore the resolution was reported.

Mr. HERBERT arose.

Mr. MCCREARY. I will not let the gentleman from Alabama interrupt me, as he refused to let me interrupt him. [Laughter.]

Mr. HERBERT. They have just as much right as they ever had. They have got this power. [Laughter.]

Mr. MCCREARY. No, no; I will not allow the gentleman to interrupt me.

The SPEAKER *pro tempore*. The gentleman from Kentucky declines to yield, and the House will be in order.

Mr. MCCREARY. I desire to call the attention of my polite friend from Alabama to the jurisdiction given to the Committee on Appropriations by Rule XI. Rule XI, adopted by the action of the House, provides:

Subjects relating to appropriations of revenue for the support of the Government, as herein provided.

And then gives the names of the six appropriation bills of which the Appropriations Committee have jurisdiction. That is

what the rule says about that committee. It does not give the committee power to investigate, but it gives the committee authority to report bills, to appropriate money for the legislative, executive, and judicial expenses, for the sundry civil expenses, for fortifications and coast defense, for the District of Columbia, for pensions, and for all deficiencies. But it does not say that the committee shall have power to investigate the World's Fair. The rule authorizing the appointment of a Committee on the Columbian Exposition gives that committee jurisdiction of all matters relating to the Columbian Exposition. I reserve the balance of my time.

The SPEAKER *pro tempore*. The gentleman has consumed his time.

Mr. DURBUROW. I now yield ten minutes to the gentleman from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. I do not expect to occupy ten minutes. I heartily agree with everything that has been said by my colleague [Mr. HENDERSON] upon the necessity for an investigation of the World's Fair management. Whatever may have been the original necessity for such an inquiry, now that the question has been asked, it is certain that it should be answered without delay and without reservation, and I am gratified to know that the officials of the World's Fair agree heartily with the spirit which suggests a complete and thorough investigation of all that they have done. The only question here is, whether the investigation shall be referred to the Committee on Appropriations or to the committee appropriately charged with that business under the rules of this House.

Now, to those of us who are familiar with the cheerful appetite with which the Committee on Appropriations has learned to eat up the business of this House, the reference of this resolution, by inadvertence, to that committee is not amazing, but to those of an inquiring disposition, those who look at the reason and the motive of things, the assignment of this resolution to a group of gentlemen whose business lies in a wholly different sphere, raises some very interesting, though possibly quite vain, questions. [Laughter.] The committee upon the World's Fair in the last Congress was an appropriation committee. It reported the law creating the national relation of the World's Fair enterprise, and I would like to know upon what theory or practice in this House a resolution relating to the management of the World's Fair has been referred to a committee the field of whose jurisdiction and operations is entirely different?

Mr. HENDERSON of Iowa. Will my colleague allow me an observation?

Mr. DOLLIVER. Certainly.

Mr. HENDERSON of Iowa. In that very same Congress our committee reported appropriations for the World's Fair, as my colleague would have heard me state this morning if he had been listening. Furthermore, it was not by inadvertence that this resolution was referred to the Committee on Appropriations. It was referred by the Speaker regularly, not by the House.

Mr. DOLLIVER. In the absence of the chairman of the World's Fair Committee, however. If this were a question of appropriations under the rules of this House, we could debate that, but it does not rise even to the dignity of a question of appropriations. It is a question whether an humble committee of this House shall have its jurisdiction taken away from it by a group of gentlemen whose occupations are already so vast and arduous as to have tired almost everybody in the House. [Laughter.] Now the Scriptures contemplate that we shall bear one another's burdens in this world, but I have never heard that precept interpreted to mean that we should steal one another's burdens. [Laughter.]

Mr. HENDERSON of Iowa. That is what you boys are trying to do.

Mr. DOLLIVER. Not at all. We simply want to keep our own.

Mr. EZRA B. TAYLOR. If the gentleman will permit me, I will suggest another passage of Scripture which may be applicable.

The SPEAKER *pro tempore*. Does the gentleman yield to the gentleman from Ohio?

Mr. DOLLIVER. Not for Scripture. [Laughter.]

Mr. EZRA B. TAYLOR. I remind the gentleman that the Scripture also says:

> For whosoever hath, to him shall be given, and he shall have more abundance: but whosoever hath not, from him shall be taken away even that he hath.

Mr. DOLLIVER. That precept of cold, worldly philosophy we seek to overrule. [Laughter.]

Now, Mr. Speaker, unless it is the purpose of this House to abolish the jurisdiction of the Committee on the World's Fair, I think the contention made by the chairman of that committee ought to be supported here. To be candid with the House, and especially with the humbler membership of the House that has very little connection with the business of this body, I say plainly that we on the Committee on the World's Fair do not wish to be left in the crypt of this Capitol with nothing to do but gaze at the portrait of Christopher Columbus which our chairman has hung upon the wall of the dungeon where we dwell. [Laughter.] Already we have to employ a guide to find our committee room, and we do not desire the House, by supporting the contention of the Committee on Appropriations, to leave us in a position where we shall have to employ a detective to find out our business. [Laughter and applause.] I reserve the balance of my time.

Mr. LIVINGSTON. Mr. Speaker, this is a question of jurisdiction between two committees of this House, and in the absence of any clear and explicit rules defining to which committee this particular business should go, I want to direct the minds of members to one fact which will settle the question. Upon what basis were these two committees organized and for what purposes? The one, the Committee on the Columbian Exposition, was organized with special reference to friendship for the World's Fair at Chicago: upon that and upon no other ground.

Mr. MCCREARY. Did the gentleman hear what I said a moment ago, that while I am a friend to the World's Fair, I will not vote for a donation of $5,000,000?

Mr. LIVINGSTON. Yes, sir. It is understood, Mr. Speaker, as I have already said, that the Committee on the Columbian Exposition is friendly to the Exposition and to its expenditures, while the other committee, the Committee on Appropriations, was organized with a special view to looking critically into the expenditures of the public money. We see the case illustrated every day in court, where a murder trial is coming on and where the attorneys, on the one hand, try to catch a jury that will be favorable to their client, while the prosecuting attorney, on the other side, makes every effort to get a jury that will condemn the culprit at the bar. In this case the practical question is simply this: The report that will come from the committee—will it be favorable to an extravagant expenditure of the people's money or not?

That is the issue in this House to-day, and I want to say to gentlemen here that if the adoption of the Holman resolutions meant anything at the time, if those resolutions are to continue to mean anything, and if we are not here to deceive our constituents about our purpose with regard to expenditures of the public money, then the House had better leave this matter in the hands of the Committee on Appropriations with HOLMAN at its head, for there is no question better settled than that that committee will take care of the public funds this session of Congress.

Now, Mr. Speaker, the only question is whether or not this Commission has expended properly the public money which has been appropriated. They are now asking for a continued appropriation. The Committee on Appropriations must consider this part of the proposition; and I am very glad to know that the gentleman from Iowa [Mr. DOLLIVER] has at last concluded that the Scripture rule is a good one—that we ought to bear one another's burdens. But I want to say to the gentleman and to other members of the House who take the other view of this question, that the Committee on Appropriations has not asked any one yet to bear its burdens. It may be that before the end of the session we shall ask the House in its clemency to divide our business with other committees; but up to this date we have regarded ourselves as perfectly competent, as we are willing, to transact the business which this House has put upon our shoulders.

The SPEAKER *pro tempore* (Mr. RICHARDSON). To whom does the gentleman from Texas [Mr. SAYERS] now yield?

Mr. SAYERS. Let us hear from the other side.

The SPEAKER *pro tempore*. To whom does the gentleman from Illinois [Mr. DURBOROW] yield?

Mr. DURBOROW. I yield five minutes to the gentleman from Mississippi [Mr. HOOKER].

Mr. HOOKER of Mississippi. Mr. Speaker, I have not had the pleasure of hearing all the addresses that have been made on this subject; but it has been my good fortune to hear a considerable portion of the speech of the gentleman from Illinois [Mr. DURBOROW] and the speech of the gentleman who last addressed the House. This question, as I understand, is simply as to the committee to which this resolution of investigation ought to be referred. Now, by your rules (a good many of which I did not entirely approve and do not now approve, though I shall have to act under and live up to them)—according to your rules as adopted, all matters referring to the Columbian Exposition must be referred to the committee having that matter in charge.

It is insisted, however, that this proposition ought to go to the Committee on Appropriations; and one of the arguments urged is that the Committee on the Columbian Exposition may be regarded as favorable to the project. Are we to understand by this that the Committee on Appropriations is opposed to it? Why, sir, it is a settled fact that we are to have that Exposition. We have adopted legislation in relation to it. The location was not

fixed exactly where I wanted it. There was a great contest between the city of New York and the city of Chicago as competitors for the site of this World's Fair. I preferred that it should be held at the national capital.

This Congress having determined that question, and determined it in favor of the city of Chicago, and there having been created in the last Congress a committee to take this special matter into consideration, why should a proposition of this kind be referred to the Committee on Appropriations, more particularly as the resolution does not affect, according to my understanding, the question of appropriation. I am advocating the reference to the Committee on the Columbian Exposition without regard to the question of what amount of money should be voted, or whether any should be voted.

This is a simple question of investigation. You have a committee upon this special subject. Why should the Committee on Appropriations undertake to claim that it is better qualified to discharge the duty here called for than the special committee already created by the House? I am not aware of any reason for such a position. The Committee on Appropriations has its function, which is to report appropriations to be paid out of the public Treasury. The committee by whom this investigation is to be made will be called upon to discharge a special function—to determine what has been done with the money already appropriated, and how many employés have been put into office by the Commission. Peculiarly, therefore, should this question go to the Committee on the Columbian Exposition, because it is a matter in reference to past transactions, not in regard to future appropriations.

I very well remember the occasion when we had presented to us the question of "robbing" (for that was the expression sometimes used) the Committee on Appropriations of its great and overgrown powers. That proposition was resisted by every gentleman connected with the Appropriations Committee, and it was insisted that the Committee on Appropriations should hold on to all the power that it had before exercised. The House, however, determined to make the division. The reform was first adopted with reference to the Committee on Agriculture, the House believing that the gentleman at the head of that committee and the members associated with him were better qualified to dispose of questions pertaining to that particular Department of the Government than was the Appropriations Committee. So, afterward, a number of other committees were clothed with similar power with reference to other great Departments of the Government. And these rules do not interfere with that.

Now you have created a special committee on the Columbian Exposition. Why should it not deal with questions pertaining to that subject—at least with regard to the expenditure of appropriations heretofore made? Is not this committee in a better position to make the investigation than the Appropriations Committee? Why, sir, when I look at the *personnel* of this Committee on the Columbian Exposition—when I look at the character of its members, whether belonging on one side of the House or the other—I can not but recognize that this subject has been intrusted to gentlemen amply capable of dealing with the question and of making a fair report to the House upon such a question as this—a simple question as to what has become of the money appropriated by Congress—how it has been dealt with by the authorities who have the Columbian Exposition in charge?

Peculiarly does it belong to that committee. Why should the Committee on Appropriations have it? It does not involve the question of appropriations—not a dollar, I understand. It is a preliminary inquiry looking, probably, to the appropriation of money hereafter, and I want to express no opinion upon that. But it is simply an investigation of the application of money heretofore appropriated; and to that extent it belongs exclusively to the committee having charge of that particular subject, namely, the Exposition at Chicago.

[Here the hammer fell.]

Mr. SAYERS. I now yield five minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Speaker, when I was on the floor before I think I demonstrated the fact that it was the proper and legitimate duty of the Committee on Appropriations to investigate the expenditures of moneys heretofore reported by that committee. The gentleman from Kentucky [Mr. MCCREARY] sought to obviate that point by asking, why then the necessity of a special resolution to authorize this investigation to be made? The answer is this, Mr. Speaker: Simply because this investigation is to be made in a distant city requiring a special power to enable the Committee on Appropriations, or any other committee, to make the investigation there. The resolution provides—as all such resolutions must provide—for the payment of the expenses necessarily incurred. So a special resolution would be necessary to enable the World's Fair Committee or any other committee to act. So much for that.

Now, then, as to what the resolutions are. I showed what was the practice under a former Congress, when the rules were precisely or substantially as they are to-day. Rule XI provides:

All proposed legislation shall be referred to the committees named in the preceding rule as follows, namely:

And here I take as a sample the Judiciary Committee—

Subjects relating to judicial proceedings, civil and criminal law: to the Committee on the Judiciary.

I use that as an illustration. No one can contend for a moment that this language gives the Committee on the Judiciary any power whatever over appropriations, although they might be for the expenses of courts. That committee can make laws relating to courts or establishing courts, but for the money to carry on those courts we must look to the Committee on Appropriations. The same words that give jurisdiction to the Judiciary Committee give also jurisdiction to the World's Fair Committee. That committee has jurisdiction over proposed legislation relating to the Exposition.

No committee ever has a right to make appropriations unless words conferring such jurisdiction are used specifically in the rule defining the powers of the committee. No committee has any power except as it derives it from the rules. So, then, the World's Fair Committee would have no right to consider the further question of appropriations at all. And every gentleman here knows that the purpose of this resolution is to obtain information to enable the House to act advisedly with reference to appropriation bills now pending or hereafter to be introduced into the House relating to this enterprise.

Mr. MCCREARY. I would like the gentleman to read from the resolution now under consideration anything that looks like appropriating money to the World's Fair.

Mr. HERBERT. I did not say that the resolution made an appropriation of money. I said that the resolution now pending would necessitate an expenditure of money which no committee would have the right to incur without some special authority given in a resolution like this. I said some such rule was necessary to give any committee jurisdiction to make an investigation in a distant city like that contemplated here. The rule establishing this special committee does not give it any power whatever over this question of appropriations; it was not so construed in the last Congress, and can not be properly so construed here.

[Here the hammer fell.]

Mr. DURBOROW. I yield ten minutes to the gentleman from Pennsylvania [Mr. REILLY].

Mr. REILLY. Mr. Speaker, I do not know what occasion there is, if any, for an investigation into the expenditures of the money heretofore appropriated to the World's Columbian Exposition. Neither do I propose to discuss that question now. Nor do I raise any question as to the right or power of this House to direct an investigation into that matter if it so decides. Nor, Mr. Speaker, do I question the right of the House, or its power, to have that investigation made in any manner and form and by any committee it pleases. The question that is now before the House is one which involves the jurisdiction of two separate committees.

So far as I am personally concerned, and speaking, I think, for my colleagues on the Committee on the Columbian Exposition, no one wants to antagonize in any manner any investigation that this House desires to have made in respect to the management of the Exposition up to this time. I have been curious, however, Mr. Speaker, to learn upon what theory and authority the Committee on Appropriations arrogates to itself the right to make this investigation. Since the subject of celebrating the four hundredth anniversary of the discovery of America by Columbus was first brought to the attention of Congress, in no manner and at no time has the House ever conferred upon the Appropriations Committee jurisdiction over the subject, nor has that committee had anything to do with the matter up to this time.

Mr. HENDERSON of Iowa. Will my friend allow me——

Mr. REILLY. Yes, sir.

Mr. HENDERSON of Iowa. In the last Congress, as I read from the statement awhile ago, $700,000 were appropriated on the sundry civil bill; and that committee did not arrogate this to themselves. This resolution was referred in due process to that committee.

Mr. REILLY. I do not know about that. I infer that it was so referred on the suggestion of the gentleman from Iowa, who introduced the resolution. Am I correct in that?

Mr. HENDERSON of Iowa. The Speaker made the reference.

Mr. REILLY. But I infer that he made it at the suggestion of the gentleman from Iowa.

Mr. HENDERSON of Iowa. I said to the Speaker that the estimates were before the Committee on Appropriations, involving appropriations, and that in the last Congress they had made appropriations; upon which statement he promptly made the reference to that committee.

Mr. REILLY. I know that the resolution was referred, and

I supposed it was done in a *pro forma* manner, at the suggestion of the gentleman who introduced it. I find no fault and pass no criticism upon that; but I have a right to refer to it as a matter of record, as showing how this question came before the House. Now I submit that in the regular course of practice that resolution should have gone either to the Committee on Rules under the uniform practice of the House, or else to the Committee on the Columbian Exposition. But be that as it may, I do not propose to wander off into a discussion of the merits of an investigation.

To anyone who desires to be informed, there is no difficulty in learning all the particulars connected with this Exposition. The amount of money that has been appropriated by Congress has been specifically designated for specific purposes, and a very small amount of it, the minimum amount of it, has been expended by the World's Columbian Commission. The sum of $400,000 has been expended in the erection of a public building under the direction of the Secretary of the Treasury, in pursuance of the laws regulating the construction of public buildings. More than one-half or two-thirds of the balance of the appropriation has been or will be expended by the board of control and management appointed by the heads of Departments in the preparation of the Government exhibit.

Now I call the attention of the House to the fact that in the report submitted by the Committee on Appropriations they give the House no reason—there is not a single allegation or assertion—why this investigation should be made, and particularly no reason why the Committee on Appropriations should make it. My distinguished friend from Texas [Mr. SAYERS] gives as his reason for having this investigation made, that under certain rulings of the Secretary of the Treasury——

Mr. SAYERS. One reason——

Mr. REILLY. One reason he gives, and the only one stated on the floor when he was addressing the House, why the Committee on Appropriations should make this investigation was, he complained, that under certain rulings of the Treasury Department, the Secretary of the Treasury claimed the right to erect a light-house as an exhibit on the part of the Government at the Columbian Exposition out of moneys that were specifically appropriated for the erection of light-houses at other places, and not specifically appropriated for expenditures of the World's Columbian Exposition.

The correctness of that ruling I do not wish to stop to discuss; but I am sorry that my friend from Texas had not informed himself as to the language of the act of April 15, 1890, when he made that complaint, or he would have found no fault with it, because that act specifically authorized and commanded and directed the Secretary of the Treasury to erect one of the light-houses authorized by existing law to be placed on exhibition at the Columbian Exposition, and afterward removed, to be located at the place where existing law directs; but if the gentleman's statement was correct I submit it is very trivial, to say the least.

Then my friend, the gentleman from Iowa [Mr. HENDERSON], who introduced this resolution, when he addressed the House, gave as his reason that one of the officials of this World's Columbian Commission has received what he regards as an excessive salary. Perhaps I might agree with him in that, but I think it is entirely foreign to the discussion here, and I will say in passing, that that whole subject was investigated by the Quadro-Centennial or World's Columbian Exposition Committee in the last Congress, and their report on that subject was made to this House.

However, in the few moments that are allotted to me I wish to confine myself simply to the naked question that is before the House, and that is a question that demands the serious attention of this House, because it involves the etiquette and the courtesy and the spirit and sense of fair play that should characterize our action in our intercourse with each other in the proceedings of this body. As the attention of the House has been already called to the matter, the Committee on Appropriations have a well-defined jurisdiction, as was read by my colleague, the gentleman from Kentucky [Mr. MCCREARY], and there can be no pretense that that rule can be tortured into any sort of construction that would give the Committee on Appropriations jurisdiction over matters connected with the World's Fair.

Now, I have said that at no time and in no manner since this subject came before Congress was jurisdiction ever conferred upon the Committee on Appropriations by this House; and when the subject did come before Congress in the Fiftieth and Fifty-first Congresses, all those matters were referred to the Committee on Foreign Affairs, and that committee took jurisdiction of the matter. In the Fifty-first Congress they had the subject under consideration for many months, until, as the subject grew in importance, the Committee on Rules, in pursuance of a resolution that was introduced in the House and referred to them, reported back in favor of the appointment of a select committee to take charge of this subject; and I ask the Clerk, for the information of the House, to read that resolution.

The Clerk read as follow:

Resolved, That a select committee of nine members be appointed by the Speaker, to be called the World's Fair Committee, to whom shall be referred all matters relating to the proposed celebration of the four hundredth anniversary of the discovery of America, or the World's Fair of 1892.

Mr. REILLY. Now when that resolution was reported by the Committee on Rules, it was antagonized by Mr. Cannon, who was also a member of the Committee on Rules and also chairman of the Appropriations Committee, with a minority report, in which he recommended the retention of the jurisdiction of this subject in the Committee on Foreign Affairs. The House considered the question, and upon its being debated and voted upon by this House, the judgment of the House was that the subject was of importance enough to demand and require the consideration of a select committee, and it voted for the appointment of a select committee. That committee entered upon the discharge of its duties, and all matters referred theretofore to the Committee on Foreign Affairs were taken and referred to the Committee on the Quadro-Centennial.

[Here the hammer fell.]

Mr. DURBOROW. I yield two minutes more to the gentleman from Pennsylvania.

Mr. WATSON. Will the gentleman allow me to ask him a question?

Mr. REILLY. If it does not come out of my time.

Mr. WATSON. I ask the gentleman to state whether or not he does not expect their resolution to be virtually a committal of this House to further appropriations?

Mr. REILLY. No, sir; I do not so consider it, and I do not think it can fairly be given that construction by anybody.

Mr. BUSHNELL. Does the gentleman——

Mr. REILLY. I beg that the gentleman will excuse me. I will yield to the gentleman if it does not come out of my time.

The SPEAKER *pro tempore*. It will come out of the gentleman's time.

Mr. BUSHNELL. Very well.

Mr. REILLY. If I had time I would be glad to answer any question of the gentleman.

I want to say, in answer to the proposition of the gentleman from Iowa [Mr. HENDERSON], that all the legislation that has been enacted by Congress thus far has been by measures reported by the Committee on the World's Fair.

Mr. SAYERS. What as to the appropriations?

Mr. REILLY. I will come to that directly.

In the last session of the last Congress there was a recommendation or report recommending further legislation, made by the Committee on the World's Fair, but owing to the pressure of time it could not be taken up separately for consideration, and was incorporated in the sundry civil appropriation bill; and every dollar appropriated in the sundry civil appropriation bill was in pursuance of some purpose that was authorized by the act of April 25, 1890, and was made upon precisely the same theory that you appropriate to pay the salary of the President of the United States.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. SAYERS. I yield to the gentleman from Iowa [Mr. HENDERSON] five minutes.

Mr. HENDERSON of Iowa. Mr. Speaker, one thing should not be forgotten by this House. I call attention to that part of the discussion which claims that the jurisdiction over appropriations should be given to the Committee on the Columbian Exposition. When the gentleman from Mississippi [Mr. CATCHINGS] in charge of the report of the Committee on Rules brought in the rule creating that special committee, the gentleman from Kentucky [Mr. BRECKINRIDGE] arose in his place and asked if that would confer the power of appropriation on the Committee on the Columbian Exposition. The gentleman from Mississippi [Mr. CATCHINGS] stated that it would not; and the rule creating that special committee was adopted without opposition.

Now it is contended, after that statement and after the unanimous adoption of the organization of that committee, that the Appropriation Committee has no power even to appropriate, although my friend who has just taken his seat [Mr. REILLY] admits that in the sundry civil appropriation bill of the last Congress appropriations were made. The amount covered in that bill, out of the total appropriation of $1,088,000, was $668,000. It was put upon the appropriation bill. Now a word as to the argument——

Mr. REILLY. You are mistaken about that.

Mr. HENDERSON of Iowa. As to what?

Mr. REILLY. As to the whole amount being appropriated for.

Mr. HENDERSON of Iowa. I say that $668,000 out of the

$1,088,000 was appropriated on the sundry civil appropriation bill.

Mr. REILLY. That is right. I say that the appropriation for the World's Fair was in pursuance of law.

Mr. HENDERSON of Iowa. All the appropriations are made in pursuance of law.

Mr. REILLY. Exactly.

Mr. HENDERSON of Iowa. Exactly. There is no contention on that point. But now it is contended that under Rule XI this matter can not go into the sundry civil appropriation bill. Gentlemen say that these matters can not go to the Committee on Appropriations, and contend that this appropriation can no longer go on that bill. We have a construction of it given by the appropriation of $668,000 in the last Congress. But where did the gentleman get his interpretation of the meaning of the sundry civil appropriation bill. Why, according to their construction, they would put in that bill just what pleases them and exclude from it what does not please them.

The sundry civil bill, in its operation, has always had scope and sweep enough for the purpose of covering many things required to be done by the Government. It is one of the most important bills coming from the Committee on Appropriations, and there is nothing that any gentleman can produce in this House to show that this matter should be excluded from the sundry civil appropriation bill; and besides, that authority has been exercised already in the last preceding Congress.

Now, I want to say one word about the investigation. So far as I am concerned, I have no personal pride or preference about this matter.

I do not want to be on any investigating committee, but I believe there are things that should be investigated. The gentleman from Illinois [Mr. DURBOROW], who offers the substitute has himself repeatedly made the same statement. I have cited one illustration of the necessity for investigation and for action, and, under the rules adopted by the House, there is no question but that we have the power to reduce expenditures and to cut down the enormous salaries that these gentlemen, or some of them at least, are drawing.

I want to say once more that there is no occasion for rivalry in this matter. We are simply exercising here the power which belongs to the appropriating committee, to get all needed information to enable it to make the appropriations. The new rules give to the committee increased powers; and if it is found upon investigation that things are being done which ought not to be done, and expenditures are being made which should be cut down or curtailed, the committee has power, under the new rule, to cut them down or to curtail them.

Mr. DURBOROW. Mr. Chairman, I yield one minute to the gentleman from Iowa [Mr. BUTLER].

Mr. BUTLER. I want a minute to present an amendment which expresses my view better than I could do it myself.

The amendment was read, as follows:

Amend by striking out the words "Committee on Appropriations" in the first line of the resolution and in the substitute proposed by the Committee on Appropriations, and insert in their stead the following words:

"A select committee of seven members of this House be appointed by the Speaker, which committee so appointed, etc." so that it will read: "*Resolved*, That a select committee of seven members of this House be appointed by the Speaker, which committee so appointed is hereby ordered to inquire," etc.

Mr. DURBOROW. I yield five minutes to the gentleman from Illinois [Mr. HOPKINS].

Mr. HOPKINS of Illinois. I have five minutes more from the gentleman from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. No, that was covered back into the Treasury. [Laughter.]

Mr. HOPKINS of Illinois. Mr. Speaker, I rise to correct the impression, or the seeming impression, which the gentleman from Iowa [Mr. HENDERSON] has who first addressed the House on this subject regarding the position of the members of the House from Illinois with respect to this great Exposition. We stand in precisely the same relation to this question that the Representatives from Iowa and other States do. It is a great national enterpise. The city of Chicago has given to the nation a site for this World's Fair, and her people have contributed the munificent sum of $10,000,000, a sum of money twice as large as that raised for any other great exposition of a similar character in the history of the world.,

I am proud to represent on this floor, in part, a State whose citizens have shown such princely liberality and patriotism. But upon the matter at issue on the pending resolution my position is no different from that of any other member of the House. The members from Illinois neither seek an investigation as contemplated in the resolution nor attempt to avoid one. This is for the House to determine, not as a local but a national question. Speaking for myself, I do not believe there is any occasion for such an investigation, but inasmuch as the question has been raised I believe now that it will be in the interest of the Fair that a committee be appointed to make an investigation.

I have had a long personal acquaintance with Director-General Davis, and I speak what all who are acquainted with him will verify when I say that no better selection could have been made for this position. He is a man of superb executive ability, honest, fearless, and faithful, in the prime of life, zealous, and ambitious to make this great enterprise a grand success.

The salary that is being paid him is no higher than he could command in the private walks of life, where neither the annoyances or vexations of the position would disturb him nor the necessary expense of the place would be incurred by him.

I very much deprecate, Mr. Speaker, the remarks made by the gentleman from Iowa [Mr. HENDERSON] when he was discussing this resolution, in his reference to the salary paid to the director-general. I feel sure that in his calmer moments the criticisms he has made upon that gentleman will be withdrawn. Among the statements made by him was a reference to the service of Mr. Davis as a member of this House, and that in his service here he was conspicuous principally for his silence upon the floor. It was not my fortune to be a member of this House during Mr. Davis's service, but I know from tradition that he left his impress upon the Congresses in which he served, and that he was not as frequently upon his feet in debate as some members is no charge against his ability or influence as a member.

I remember, Mr. Speaker, years ago as a boy having as a part of my duties as a farm hand to turn the crank of an old-fashioned fanning mill to clean the wheat used for seeding purposes in the springtime, and I always noticed that when the wheat in the hopper ran low and the mill was running empty it made the most noise.

My observation since I have been a member of this House has taught me that it often happens that the lightest-headed and the least influential member is the man who makes the most noise, and is most frequently upon his feet. [Laughter.]

A MEMBER. No personal reflection upon the gentleman from Iowa, I hope?

Mr. HOPKINS of Illinois. Oh, no; no personal reflection at all upon any one.

Mr. HENDERSON of Iowa. Is it personal experience? [Laughter.]

Mr. HOPKINS of Illinois. No further than it grows out of my relations with the gentleman from Iowa. [Laughter.]

Mr. HENDERSON of Iowa. Which are very close.

Mr. HOPKINS of Illinois. True; we are friends and I hope ever shall be.

Another point, Mr. Speaker, on this question of salary that I desire to bring to the attention of the House:

The director-general of the World's Fair has certain social obligations that require the expenditure of a large annual sum of money to discharge. I can well illustrate this by the case of the Speaker of the House. As a member of this Congress he receives the same salary that all others do, namely, $5,000 per annum. In electing him as Speaker over this body he is required to perform certain social obligations that are not incumbent upon the members. The law recognizes this, and has provided that the Speaker of the House shall receive $3,000 per annum more than a member upon the floor. Now, it is no disparagement to the present Speaker of this House to say that in ability, experience, and all other qualities he is no greater than when he was a member upon the floor receiving only $5,000 per annum, and if we were to apply the same rule to him that the gentleman from Iowa, judging from his remarks, seemingly seeks to apply to the director-general, he would not be entitled to this additional $3,000 furnished him by virtue of his being Speaker of the House.

As was explained in the last Congress when the special committee was appointed and sent to Chicago for the purpose of investigating this very question, the director-general of the World's Fair is given this salary not only to compensate him for his splendid services, but in part, as in the case of the Speaker just referred to, to enable him to discharge with dignity the social part of the duties of the great position which he holds.

Mr. HENDERSON of Iowa. The local corporation does all the work; he does not do any of it.

Mr. HOPKINS of Illinois. The gentleman is mistaken. The director-general is the man who supervises the entire work, and who is required to and has an exact knowledge of all the departments and of all the work that is being done. Now, Mr. Speaker, inasmuch as this matter has been so prominently brought before the House and the country, as I have already stated, it may be wise to appoint a committee and have them investigate the whole subject contemplated in the original resolution offered by the Committee on Appropriations; but inasmuch as there is a question of conflict of jurisdiction between the Committee on Appropriations and the Committee on the Columbian Fair, it seems to me that it would be better for all concerned to have a special committee

appointed for this purpose by the Speaker of the House; and in the interest of harmony and to avoid the question of jealousy which has arisen between the two committees contending for the right to name this committee, I now offer an amendment to the substitute offered by the gentleman from Illinois on behalf of the Committee on Columbian Exposition. The amendment reads as follows:

Amend by striking out the words "the Committee on the Columbian Exposition" and insert "a special committee of nine members of the House, to be appointed by the Speaker as a select committee."

If this statement is adopted, the investigation will go on, and the House will be put in possession of all the facts that any member may think is necessary for him to know in order to properly cast his vote upon any question of appropriation for this Exposition which may come up hereafter during this session of Congress.

This puts the selection of these nine members into the hands of the Speaker. Some of them can be taken from the Committee on Appropriations and others from the Committee on the Columbian Exposition, and this will get a committee who will do equal and exact justice to the country and the Commission as well, and by their report will present all the facts that are covered in the resolutions which have been offered by the respective committees now contending for the right to take charge of the proposed investigation. [Applause.]

Mr. DURBUROW. I yield five minutes to the gentleman from Michigan [Mr. CHIPMAN].

Mr. CHIPMAN. Mr. Speaker, I hope that the resolution for the appointment of a special committee will be adopted. We are now in the midst of a contest very common in this House between two committees as to their power and jurisdiction—a contest which, it strikes me, is entirely unprofitable, and which, by the adoption of the motion which has been submitted, can be disposed of agreeably, as I hope, to everybody concerned.

The Appropriations Committee has plenty to do; it is a crowded committee, and whether it will have time to devote to an investigation as thorough as this ought to be is in my mind extremely problematical. I have great confidence in that committee. On the other hand, I have great confidence in the Committee on the Columbian Exposition. I took occasion a few moments ago to look at the names of the members who compose these two committees. Among them I find men well known in this House for their devotion to the public business and for their watchfulness as to the public expenditures. Yet these men, equally good—members of these two committees—are engaged in this contest. Now, I submit to the House that we may get rid of the whole matter, so far as a contest between these two committees is concerned, by the simple process of having a committee appointed with special reference to this investigation. With that in view the Speaker would be careful in his choice.

The men appointed would be adapted to this investigation—would be men without any local prejudice, or without any prejudice whatever, in the matter of the Columbian Exposition, and would be animated entirely by a disposition to ascertain the exact facts of the expenditure of the public money in this connection.

I submit, sir, that instead of wasting our time here in determining who are good men for this work, the Speaker be authorized to select good men from both these committees, and constitute a committee in which the House will have full confidence. They will be men in whom I, for one, and in whom other gentlemen who have served with them as long as I have, entertain unlimited confidence. This strikes me as the proper way out of the present difficulty; and this I hope will be the course adopted by the House.

Mr. DURBOROW. I yield ten minutes to the gentleman from California [Mr. MCKENNA].

Mr. BUSHNELL. I would like to ask the gentleman from Illinois [Mr. DURBOROW] whether he objects to the scope of this inquiry being as great as that proposed by the Committee on Appropriations.

Several MEMBERS. No.

Mr. BUSHNELL. Why not then adopt an amendment to that effect?

A MEMBER. We propose to do so.

The SPEAKER *pro tempore*. The gentleman from California is entitled to the floor.

Mr. MCKENNA. Mr. Speaker, contests between committees are too apt to be considered as having their impulse in jealousy, and too apt to assume the form of an attempt to take or to keep power. Such a contest at first view is a vulgar one, and not likely to excite sympathy anywhere; or if it does excite sympathy, it is of that neutral kind which the old lady permitted herself to feel when her husband was in conflict with the bear.

But, Mr. Speaker, such contests are inevitable. Else, committees would be of little use. Does not jealous vigilance preside everywhere in our governmental system, standing sentinel over little things as well as over big things?

But, sir, if the present contest is invidious, it is less in degree and more justifiable in fact on the part of the World's Fair Committee than on the part of the Appropriations Committee. The latter is a committee of high dignity and engrossing functions, and would be such whether there was or was not a World's Fair or a World's Fair Committee; and its functions would engross all its time without its assuming detective duties or powers, or starting on inquisitorial junketings to inquire into disorders, extravagances, or misdoings. On the other hand (and I invite the strict attention of the House to this view), the Committee on the World's Fair is a special creation.

If it has not the power that is claimed for it, it is "as idle as a painted ship upon a painted ocean." It was constituted in the last House, with its jurisdiction exactly defined and exactly interpreted. It framed, reported, and passed the bill that gave national character to the World's Fair, and made it and its business of Congressional concern and cognizance. It should not require any argument to show that the jurisdiction which was adequate to create Congressional cognizance is adequate to take and exercise that cognizance, because its jurisdiction is defined in this House exactly in the terms in which it was defined in the last Congress. That can not be disputed.

What then is involved? Fair play to the Committee on the World's Fair is involved. Is the House interested in that? I think so. It is the "touch of nature" that makes everyone of us feel "how it is himself." Before the assignment of members to committees we may not care about questions of this kind; but after the assignment we do care how our committees are treated. That is not jealousy; it is duty. The rules which define the jurisdiction of committees define their privileges as well; and those privileges should be respected unless the interest of the House commands otherwise. Does the interest of the House command otherwise? The Appropriations Committee is competent and able to exercise any duty that the House may devolve upon it. It is composed, it is true, of able men; and the gentleman from Iowa [Mr. HENDERSON] says that the "eagle eye of Mr. HOLMAN" is there.

Well, Mr. Speaker, I looked at the gentleman to see if he was smiling when he necessarily called to mind the concluding words of his resolution, which looked to a junketing trip and $500 for other expenses each time the chairman of the committee should think necessary. I did not know but that he was laughing through his sleeve at the House; for a man must be devoid of humor indeed who can not see something incongruous, something absolutely grotesque and funny in the idea of the gentleman from Indiana at the head of the Committee on Appropriations bearing aloft a banner with that strange device, the Holman amendment, parading in palace cars, wining and dining in sumptuous saloons and gilded caravansaries at the expense of a suffering Treasury.

Mr. HENDERSON of Iowa. You are measuring this by your San Francisco customs. [Laughter.]

Mr. MCKENNA. No; I am measuring it by the "eagle eye" of which you spoke.

What fun and play we mice will have when he is away! What can not then be performed with an unguarded Treasury?

But, sir, does the House demand that this matter should be referred to the Committee on Appropriations? I admit that it is an able committee, but has it more time, has it more willingness, more ability to do the work or greater facilites to carry on an investigation than the Committee on the World's Fair? And, as has been suggested, we have two of their men, and two of the best of them, because we would not take anyone else on our committee.

Now, Mr. Speaker, I do not see any necessity for the resolution at all. If we have jurisdiction of the World's Fair management, sir, it owes us attention and reports. Has it been derelict. There is no intimation that it has been.

Mr. Speaker, at the commencement of this session of Congress this House passed the resolution which I hold in my hand. I invite the attention of the House to the language of the resolution, because it has a bearing directly upon this subject. The concluding proviso is as follows:

Provided, That the Committee on Appropriations shall have power to send for persons and papers and administer oaths in pursuance of inquiries touching any matter of legislation referred to it by the House, and shall have leave to sit during the sessions of the House.

Now, the gentleman from Iowa [Mr. HENDERSON] says that properly the Committee on Appropriations has jurisdiction of this matter. Under that resolution, Mr. Speaker, I apprehend that they can investigate the World's Fair management so far as it touches the appropriations that are requested by it, and no further than that did the gentleman from Iowa [Mr. HENDERSON] say they desired to go. I would like to ask him, or some other member of the Committee on Appropriations, having that juris-

diction why do they claim the additional jurisdiction asked for by this special resolution? Do they want to go to further expense? Do you want further powers, when you have all the powers you have asked for in the resolution that I have just read?

Mr. HENDERSON of Iowa. I will answer if you will allow me.

Mr. McKENNA. Not in my time, if you please.

Mr. HENDERSON of Iowa. We want to make an investigation, and while we may spend $500 we may possibly thereby save millions.

Mr. McKENNA. A great deal has been said about appropriations that may be called for hereafter. I am a member of the Committee on the World's Fair. I should, Mr. Speaker, I think, be very derelict in my duty if I voted one dollar of appropriation, if my judgment approved otherwise, until I had investigated all the purposes to which that appropriation was to be devoted, and until I had considered all the objects to which the former appropriations had been applied. Can the Committee on Appropriations do any more than that? They have the power to do it, as far as their appropriations are concerned now, under the resolution on which has been passed already by the House, vesting them with the functions to which I have already referred. What more do they want?

[Here the hammer fell.]

Mr. DURBOROW. I yield five minutes to the gentleman from New York [Mr. FELLOWS].

Mr. FELLOWS. Mr. Speaker, I have listened with very much of curious interest for the assignment of some reason on the part of those gentlemen of this House who represent the Committee on Appropriations, to ascertain why it was that we should be called upon to vote a lack of confidence in a committee to whom we have delegated a peculiar and important duty here, for surely there can be no other construction placed upon our action, if this substitute shall not prevail. Some time ago, in another Congress and under another name, you gave to a committee complete and absolute control over affairs relating to our great Exposition. Recently you have given to that same committee another name, but in doing so have subrogated them to all the rights, powers, privileges, and responsibilities which attached to the first committee.

I can not concur with those gentlemen who assume that no distinction is to be drawn between the mere ascertainment of the possible necessity for an appropriation and the appropriation itself. The scope of the duty which we seek to impose here upon either one of these committees does not necessarily contemplate an appropriation. It is merely an inquiry into the necessity perhaps for an appropriation. An investigation may disclose the fact that no such necessity exists; and I certainly can not agree with the argument, earnest and zealous as it was, of the gentleman from Alabama [Mr. HERBERT], who seeks to find some analogy between the action of the Committee on Appropriations in its scrutiny of the use of money that has been before appropriated to great departments, great purposes of government, and that work which is asked of this committee now.

The governmental purposes exist forever. There is no lapse. They remain permanent. Your sundry civil bill existed in the last Congress, it exists in this, and will in the next. Your deficiency bill and the other great matters over which this committee is called upon to exercise its functions and control forever have their place in this House and before the country; and the Appropriations Committee exist forever for the discharge of this duty. This is a permanent, existing thing, but your Columbian Exposition, vast as it is in its scope, splendid in its design, is after all but incidental, transient, and ephemeral. You made one appropriation, for one purpose. There is no gentleman upon the floor of this House who can say with absolute certainty that any additional appropriation will ever be needed, and therefore the right and power of the Appropriations Committee to inquire into this one appropriation, made once for all and for a particular purpose, is not, I insist, at all akin to that power they exercise in the investigation of the expenditure of money made from year to year and appropriations for the great purposes of the Government.

There is one other reason why this power should not be intrusted to the Committee on Appropriations. Already their powers are vast. The volume of work they are called upon to perform is infinitely in excess of that assigned to any other committee of this House. Very largely they have drawn within their grasp the control of the legislative function of this House. I am not disposed to enlarge it, by my vote, beyond its appropriate limitations. I believe that there is some work for others to do, and with the most absolute confidence in the ability and desire of the gentleman upon that committee to perform well and patriotically the work that has been assigned to them, it is so vast in extent now that any enlargement of it must necessarily impair something of its efficiency.

But the gentleman from Alabama [Mr. HERBERT] tells us that the committee is required to go to Chicago and that that requires an appropriation. Surely he does not believe that that limited expenditure for that purpose is within the peculiar scope of the Committee on Appropriations, for if that rule was to prevail no member of the House could be buried except under the direction of the Committee on Appropriations, because the committee you appoint to accompany the deceased to his last home necessarily incurs an expense in going and returning. It is not that character of expenditure, that kind of work, that is properly relegated to the control of this important committee, but it is that work which I have referred to which exists this year and will exist next year, and which relates to the permanent function of government.

Now, sir, I come back to the proposition with which I first started. Why shall we vote to this Committee on the Columbian Exposition an expression of our lack of confidence, either in their ability or their capacity, to perform the work contemplated, both in the resolution and in the substitute? It seems to me we have no right to fix that which will be a reproach upon the committee by denying to them in this seemingly important work the privilege of performing a duty which the clear letter of the law, under which they are created, contemplates. And, unless some reason can be given, unless some assurance can be expressed here, that enables me to know that the public service will be better attended to——

[Here the hammer fell.]

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. HOOKER of Mississippi. I ask unanimous consent that the gentleman be allowed to proceed.

The SPEAKER *pro tempore*. The time belongs to the gentleman from Illinois [Mr. DURBOROW].

Mr. FELLOWS. I have no desire to further occupy the time of the House.

Mr. DURBOROW. I yield five minutes more time to the gentleman from New York.

Mr. FELLOWS. I will not avail myself of the courtesy offered.

The SPEAKER *pro tempore*. The gentleman from Illinois still has additional time, which he proposes to yield to the gentleman from New York [Mr. FELLOWS] if he wishes it, but the Chair understands the gentleman from New York to say that he does not care to avail himself of the privilege.

Mr. SAYERS. Mr. Speaker, I desire to invite the attention of this House at this time to the difference in the character of the two pending resolutions. It will be remembered that no step whatever was taken by the Committee on the World's Columbian Exposition until after the resolution had been offered by the gentleman from Iowa [Mr. HENDERSON] and referred to the Committee on Appropriations. The resolution which is presented in the form of a substitute by the Committee on Appropriations does not contemplate that that committee shall in its report commit this House to any proposition looking to further appropriations to assist the Exposition. The only object of the resolution, its sole purpose, is to inquire into the manner in which the law has been executed, and the methods which have been adopted in the appointment of officials and the salaries which have been allowed such officials.

Mr. REILLY. I desire to say to the gentleman, while he is discussing that particular point, that it is my purpose at the proper time to offer an amendment to the resolution reported by the Committee on Appropriations, striking out the words "Committee on Appropriations" and inserting the words "Committee on the World's Columbian Exposition," so as to take your resolution just as it is, if there is any difference on that point.

Mr. SAYERS. I observe, Mr. Speaker, that the gentlemen who constitute the World's Fair Committee are asking that an amendment shall be offered to the resolution proposed by the Committee on Appropriations, and also to their own resolution, to strike out both the committees and to insert a special one.

Mr. REILLY. I want to deny that statement, Mr. Speaker. I do not think it ought to be left unchallenged. I do not know that anything of that kind has been done.

Mr. SAYERS. Ask the gentleman from Illinois, the chairman of your committee.

Mr. REILLY. I do not believe the chairman of the committee has done anything of the kind.

Mr. SAYERS. I say, ask the gentleman from Illinois if he has not made the proposition.

Mr. DURBOROW. What was that?

Mr. SAYERS. I suggested that the gentleman should ask you whether a proposition had not been made to strike out both committees and to insert a special committee.

Mr. DURBOROW. The proposition was made to me.

Mr. SAYERS. Did I make the proposition to you?

Mr. DURBOROW. What did the gentleman say?

Mr. SAYERS. Did I make that proposition?

Mr. DURBOROW. I said that that was a proposition which was made to me on the floor.

Mr. SAYERS. The gentleman came to me with the proposition, and that was the first I heard about it.

Mr. REILLY. The gentleman from Illinois [Mr. HOPKINS] offered such an amendment; but he did that of his own volition.

Mr. SAYERS. They do not favor this resolution, and I think that the House should understand the scope and character of their own proposition. Now, let us see what their proposition is.

Mr. HOOKER of Mississippi. Will the gentleman allow me to ask him a question?

Mr. SAYERS. Certainly.

Mr. HOOKER of Mississippi. If the gentleman from Illinois proposes to adopt this resolution reported by the Committee on Appropriations, and simply to insert that the matter shall be referred to the Committee on the Columbian Exposition, what objection has the gentleman to it?

Mr. SAYERS. That the matter should be referred to the Committee on the Columbian Exposition?

Mr. HOOKER of Mississippi. This resolution. If he proposes to adopt your resolution, and simply substitutes that it shall go to the Committee on the Columbian Exposition, what objection have you to that?

Mr. SAYERS. I am opposed to it, for the reason that the Committee on Appropriations is authorized by the rules of the House to consider questions of appropriations, and will be called upon to consider and report upon the appropriation of the balance between that which has already been appropriated and $1,500,000 originally authorized to enable the Government to make its exhibit.

Mr. HOOKER of Mississippi. Now, Mr. Speaker, if the gentleman will allow me, is there any appropriation contained in this resolution, either that proposed by the Committee on the Columbian Exposition, or that of the Committee on Appropriations?

Mr. SAYERS. Certainly not.

Mr. HOOKER of Mississippi. Then your reason is not a good one.

Mr. SAYERS. Mr. Speaker, what is the resolution proposed by the Committee on the Columbian Exposition? If any gentleman thinks it is a matter of consequence whether this committee or that committee should have charge of this investigation, let me say to him that it is of greater consequence that the resolution to be adopted should be carefully considered before it is finally acted upon.

The resolution proposed by the Committee on the Columbian Exposition reads:

Resolved, That the Committee on the Columbian Exposition is hereby ordered to ascertain and report whether the said act of Congress, approved April 25, 1890, is being complied with—

So far so good—

and whether subsequent appropriations made for said Exposition are being judiciously expended—

So far so good—

and whether the officers and employés are being properly and reasonably paid—

So far so good—

and what amount of money has been expended by the United States Government, and the manner and necessity of such expenditure—

So far so good. But here is the point to which I desire to call the special attention of the House—

And what additional amount, if any, is necessary to be expended, and what further legislation, if any, is necessary.

Mr. McCREARY. Right at that point will the gentleman from Texas allow me to interrupt him?

Mr. SAYERS. I will.

Mr. McCREARY. I desire to say that that part of the statement you have just made, taken from the resolution reported by the Committee on the Columbian Exposition, with reference to the expenditures to be made, is in order to finish the building now being erected by the Secretary of the Treasury for a proper display of the Government exhibits. That is what that part of the resolution refers to. But, in addition to that——

Mr. SAYERS. It does not say so.

Mr. McCREARY. But, in addition to that, I wish to say that I understand the chairman of the Committee on the Columbian Exposition is in favor of substituting for "Appropriations" the words "Columbian Exposition" in that resolution, and take just what you ask for in your resolution.

Mr. SAYERS. Of course. Now the gentlemen are abandoning their own resolution.

Mr. HOOKER of Mississippi. You are abandoning your own resolution.

Mr. SAYERS. After a discussion of your resolution, you are abandoning it, except that part as to the committee.

Mr. HOOKER of Mississippi. Will the gentleman allow me to ask him a question?

Mr. SAYERS. Certainly.

Mr. HOOKER of Mississippi. Do you not want your resolution adopted?

Mr. SAYERS. Certainly, I do; but your action indicates this: After you have given a careful study to the subject, you have brought in your resolution, and now abandon it, excepting only that you hope that the House would be moved by sympathy for the Committee on the Columbian Exposition to permit it to execute a resolution which it first antagonized.

Mr. REILLY. Nobody has antagonized the resolution offered by the Committee on Appropriations, except as to the power of making the inquiry.

Mr. SAYERS. Now, if the resolution reported from the Committee on the Columbian Exposition be adopted, then that committee can go to Chicago, if it pleases, or remain here. It may inquire into the manner in which the affairs of that Exposition have been conducted, and can recommend to this House legislation providing for the expenditure of five or six millions of dollars, in one form or another, for the relief of that association.

Mr. HOOKER of Mississippi. Will the gentleman permit a question?

Mr. SAYERS. Yes, sir.

Mr. HOOKER of Mississippi. If the Committee on the Columbian Exposition is authorized to investigate these matters and does investigate them and does report how the money has been expended, and we adopt your resolution, then there is no power in that committee to make any investigation with reference to the future.

Mr. SAYERS. Of course not, if your resolution is not adopted.

Mr. HOOKER of Mississippi. Then why do you object to it?

Mr. SAYERS. For the reason that your resolution is standing now as a substitute for ours and will be voted upon unless you withdraw it, and for the further reason that your every action shows you to be hostile to our resolution. Mr. Speaker, if these gentlemen had intended that the World's Fair should be inquired into, if they had desired that a calcium light of a close investigation should be thrown upon its acts and doings, then why were they not here in advance, proposing a resolution of inquiry? Instead of that they waited until a resolution had been offered by the gentleman from Iowa [Mr. HENDERSON] and reported back to the House by the Committee on Appropriations, and then they come forward with a substitute which, if adopted, would authorize them to bring into the House a resolution to expend upon the World's Fair five or six million dollars more.

Mr. DOLLIVER. We have that power now.

Mr. REILLY. Why was not that resolution referred in the first place to the Committee on the Columbian Exposition instead of to the Committee on Appropriations?

Mr. SAYERS. You must ask the Speaker.

Mr. REILLY. Well, we have heard how that happened.

Mr. SAYERS. I do not care about further detaining the House, but will reserve the balance of my time.

Mr. DURBOROW. I yield two minutes to the gentleman from Pennsylvania [Mr. REILLY].

Mr. REILLY. Mr. Speaker, I offer the amendment which I send to the desk as an amendment to the substitute reported by the Committee on Appropriations.

The SPEAKER. The Chair will state that, as the Chair understands it, no more amendments are now in order.

Mr. REILLY. I do not understand it so, Mr. Speaker.

The SPEAKER. There is pending a resolution reported by the Committee on Appropriations in lieu of the original; there is pending a motion to amend that; there is pending a substitute and a motion to amend the substitute.

Mr. REILLY. I do not understand that there is any amendment pending to the resolution reported by the Committee on Appropriations.

The SPEAKER. There is an amendment proposed by the gentleman from Iowa [Mr. BUTLER].

Mr. REILLY. Well, would not an amendment to an amendment be in order?

The SPEAKER. An amendment to that amendment would be in order.

Mr. REILLY. Well, then, I offer the amendment which I send to the desk.

The amendment to the amendment was read, as follows:

Amend by striking out, on the first line of the resolution, the word "Appropriations" and insert in lieu thereof "Columbian Exposition."

Mr. DOCKERY. Mr. Speaker, a parliamentary inquiry. Is an amendment in the second degree to a substitute in order under the rules?

The SPEAKER. Under the rules an amendment to an amendment, a substitute and an amendment to the substitute are in order.

Mr. DOCKERY. But there is one amendment to the substitute pending.

The SPEAKER. But the amendment of the gentleman [Mr. REILLY] is not to the substitute. It is to the original text, as the Chair understands.

Mr. REILLY. Yes; it is an amendment to the original resolution reported by the Committee on Appropriations.

Mr. McCREARY. Mr. Speaker, there was so much confusion that we did not hear the reading very distinctly in this part of the Hall, and therefore I wish to ask the Speaker with reference to the amendment of the gentleman from Pennsylvania. As I understand it, he proposes to strike out the Committee on Appropriations where it occurs in the resolution reported by that committee and to substitute for it the Committee on Columbian Exposition.

The SPEAKER. The gentleman understands it correctly. The Chair will ask the gentleman from Illinois [Mr. DURBOROW] how much time he has remaining.

Mr. DURBOROW. Five minutes. I have yielded two minutes to the gentleman from Pennsylvania.

Mr. SAYERS. I call the attention of the Chair to the fact that it is near 4 o'clock and that I have some unexpired time as well as the gentleman on the other side.

Mr. REILLY (to Mr. SAYERS). Do you consider that the debate is closed?

Mr. SAYERS. It closes at 4 o'clock.

Mr. REILLY. But now? Are you through on your side?

Mr. SAYERS. Oh, no.

Mr. REILLY. Then I simply desire to say, Mr. Speaker, in offering this amendment to the original resolution, as I stated to the gentleman from Texas when he was addressing the House a moment ago, that at no time has there been a disposition on our part to antagonize the resolution reported by the Committee on Appropriations in its substance, character, or form. We have not sought to make any issue either as to the necessity or the propriety of the proposed investigation or the scope or the character it shall take.

But we have antagonized and denied the claim of the Appropriations Committee, under the rules of this House, to be the propers committee to make that investigation, and I offer this amendment now in perfect good faith, for the purpose of carrying an assurance to the House that, so far as the Committee on the Columbian Exposition is concerned, the desire of the members of that committee is simply to make an investigation of any character, or to any extent, or in any form that the House shall direct, if it shall decide to direct one at all.

Mr. HENDERSON of Iowa. You do not object to any kind of weapon, provided it is in friendly hands. [Laughter.]

Mr. REILLY. I don't know what the gentleman means by that. He has expressed himself as being "friendly" to the Exposition.

Mr. HENDERSON of Iowa. I am; but not to any vicious condition or mismanagement in connection with it.

Mr. HOPKINS of Illinois. No vicious conditions or mismanagement have been shown, and the gentleman has no right to indulge in such remarks.

Mr. REILLY. The gentleman says he is not in favor of any vicious conditions or mismanagement. Neither am I, sir, and the gentleman has no right to impugn my motives or those of the members of our committee, or to attribute to them any motives which he is not willing to have attributed to himself. I assume that the integrity of the members of the Committee on the Columbian Exposition and the integrity of the other members of this House is equal to that of the members of the Committee on Appropriations, and that the gentlemen of that committee do not monopolize all the integrity or all the virtue of the House.

Mr. HENDERSON of Iowa. That is right. But this does not touch the question of integrity at all. There is the question of integrity, and there is the question of zeal.

Mr. REILLY. Well, I do not know what you mean by such remarks.

Mr. DURBOROW. Mr. Speaker, I believe I have some time left, and I yield two minutes to the gentleman from New York [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Speaker, I shall vote against this proposition from the Committee on Appropriations, and for this reason: It seems to me, sir, to be a proposition based upon a supposition that the Committee on the World's Fair are not worthy of being intrusted with the proposed investigation. Now, sir, as a man, as a member of this House, and as a member of a committee of this House, I can not and I will not cast any such imputation upon a committee of this House.

Sir, the only basis that I have heard so far suggested for an investigation is the fact that Mr. Davis gets $15,000 a year as superintendent or director of the World's Fair. Why, Whitelaw Reid, our minister to France, gets $17,500; William Walter Phelps, as minister to Germany, gets the same; Robert T. Lincoln, as minister to England, gets the same; the justices of the supreme court of New York City, the same; Charles A. Dana, of the Sun, gets $50,000 a year salary; Col. John A. Cockerill, late managing editor of the World, got $15,000. Why should not Mr. Davis have his money if he is worth it? [Laughter.]

The SPEAKER. The hour of 4 o'clock having arrived, the House will proceed to vote on the pending proposition. The Committee on Appropriations has reported, in lieu of the original proposition, a resolution proposing an investigation "into the management of the World's Fair and the expenditures therefor." The first amendment to be voted upon is that submitted by the gentleman from Pennsylvania [Mr. REILLY], which will be reported by the Clerk.

The Clerk read as follows:

Mr. REILLY moves to amend by striking out, in the first line of the resolution reported as a substitute, the word "Appropriations," and inserting in lieu thereof the words "Columbian Exposition."

Mr. BLOUNT. I would like to have the resolution reported by the Committee on Appropriations read.

The SPEAKER. The Committee on Appropriations has reported a substitute for the resolution referred to it. The Clerk will report that substitute, omitting the preamble, unless the reading of that be insisted upon.

Mr. SAYERS. I suggest that the substitute be read instead of the original.

The SPEAKER. The Chair is treating as the original the resolution reported by the committee in lieu of the original.

The Clerk read as follows:

Be it resolved, That the Committee on Appropriations is hereby ordered to inquire and report to this House whether those obligated and undertaking, and now engaged to do so, have justly and properly complied with the requirements of the said act of Congress approved April 25, 1890, and whether all expenditures of whatever character for said Exposition have been judiciously made; whether the number of employés and appointees to carry out and into effect the laws is excessive and their compensation reasonable or otherwise, and to ascertain and report the salary or compensation paid to each officer and employé, from what State the several appointments have been made, and generally whether, in the care and conduct of said Exposition, proper management has been had; that they obtain a full report, of those in charge of the expenditure of money, of all such expenditures, together with copies of the monthly pay rolls of all officers and appointees, and that the report of the committee, based upon said inquiry, may be made at any time to Congress, but at the earliest day possible, consistent with the necessities of the inquiries involved in this resolution; and that the expenses of the committee or of any subcommittee it may designate to prosecute these inquiries and examination shall be paid out of the contingent fund of the House, and the chairman of said committee or of such subcommittee, if one be designated, is authorized to draw for the same on the Clerk of the House in sums not to exceed $500 at any one time.

The SPEAKER. The first amendment on which the House will vote is that offered by the gentleman from Pennsylvania [Mr. REILLY].

The amendment of Mr. REILLY was again read.

Mr. McCREARY. The effect of that amendment, as I understand, is to substitute the Committee on the Columbian Exposition for the Committee on Appropriations. [Cries of "Order."]

The question being taken on the amendment of Mr. REILLY, there were—ayes 79, noes 102.

Mr. REILLY. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. O'FERRALL. I ask unanimous consent that the amendment be again read.

The Clerk again read the amendment of Mr. REILLY.

Mr. O'FERRALL. How will the substitute read as proposed to be amended?

The SPEAKER. The Chair will state, with the permission of the House, that the whole effect of the amendment is to substitute the Committee on the Columbian Exposition for the Committee on Appropriations as the committee to make the proposed investigation.

The question was taken; and it was decided in the negative—yeas 99, nays 147, not voting 85; as follows:

YEAS—99.

Alderson,	Dolliver,	Kribbs,	Ray,
Amerman,	Donovan,	Lewis,	Rayner,
Babbitt,	Durborow,	Lind,	Reilly,
Belden,	Epes,	Little,	Reyburn,
Belknap,	Fellows,	Loud,	Rusk,
Bentley,	Funston,	Magner,	Shonk,
Bergen,	Gantz,	Martin,	Sperry,
Boutelle,	Geissenhainer,	McAleer,	Springer,
Bowers,	Griswold,	McClellan,	Stephenson,
Brosius,	Harries,	McCreary,	Steward, Ill.
Brunner,	Hayes,	McKenna,	Stone, C. W.
Buchanan, N. J.	Haynes,	Meredith,	Stout,
Busey,	Henderson, Ill.	Milliken,	Tarsney,
Bushnell,	Hermann,	Mitchell,	Taylor, Tenn.
Caminetti,	Hitt,	O'Donnell,	Taylor, E. B.
Catchings,	Hooker, Miss.	O'Neill, Pa.	Taylor, J. D.
Chipman,	Hooker, N. Y.	Owens,	Walker,
Clancy,	Hopkins, Pa.	Page, Md.	Weadock,
Clark, Wyo.	Hopkins, Ill.	Patton,	Wever,
Crawford,	Houk, Ohio	Payne,	Wheeler, Ala.
Cummings,	Huff,	Perkins,	Wilson, Wash.
Curtis,	Johnson, Ind.	Pickler,	Wolverton,
Dingley,	Johnson, N. Dak.	Post,	Wright,
Dixon,	Jolley,	Powers,	Youmans.
Doan,	Kendall,	Price,	

NAYS—147.

Abbott,	Covert,	Houk, Tenn.	Outhwaite
Allen.	Cowles,	Hull,	Parrett,
Andrew,	Cox, N. Y.	Johnson, Ohio	Paynter,
Arnold,	Cox, Tenn.	Kem,	Pearson,
Bailey,	Crosby,	Kilgore,	Peel,
Baker,	Culberson,	Lane,	Pendleton,
Bankhead,	Davis,	Lanham,	Pierce,
Barwig,	De Armond,	Lapham,	Raines,
Beeman,	De Forest,	Lawson, Va.	Richardson,
Blanchard,	Dickerson,	Lawson, Ga.	Rife,
Bland.	Dockery,	Layton,	Rockwell,
Blount,	Edmunds,	Lester, Ga.	Sayers,
Bowman,	Elliot,	Livingston,	Scott,
Branch.	Ellis,	Lockwood,	Simpson,
Brawley,	English,	Long,	Smith.
Breckinridge, Ark.	Everett,	Mallory,	Snodgrass,
Breckinridge, Ky.	Fithian,	Mansur,	Snow,
Bretz.	Forman,	McDonald,	Stockdale,
Brookshire,	Forney,	McGann,	Taylor, Ill.
Brown.	Fowler,	McKaig,	Taylor, V. A.
Buchanan, Va.	Fyan,	McKeighan,	Terry.
Bunn.	Geary,	McKinney,	Tucker,
Bunting.	Goodnight,	McMillin,	Turner,
Butler.	Gorman,	McRae,	Warner,
Bynum,	Grady,	Miller,	Washington,
Byrns.	Greenleaf,	Mills,	Watson,
Capehart,	Grout,	Montgomery,	Wheeler, Mich.
Caruth,	Hall,	Moore,	White,
Cate,	Hallowell,	Moses,	Wike,
Clarke, Ala.	Halvorsen,	Mutchler,	Williams, Mass.
Clover,	Hamilton,	Newberry,	Williams, Ill.
Cobb, Ala.	Hare,	Norton,	Wilson, Ky.
Cobb, Mo.	Hatch,	Oates,	Wilson, Mo.
Coburn,	Hemphill,	O'Ferrall,	Wilson, W. Va.
Compton,	Henderson, Iowa	O'Neil, Mass.	Winn,
Coombs,	Henderson, N. C.	O'Neill, Mo.	Wise.
Cooper,	Herbert,	Otis,	

NOT VOTING—85.

Alexander,	Coolidge,	Lagan,	Stevens,
Atkinson,	Crain,	Lester, Va.	Stewart, Pa.
Bacon,	Cutting,	Lodge,	Stewart, Tex.
Bartine,	Dalzell,	Lynch,	Stone, W. A.
Beltzhoover,	Daniell,	Meyer,	Stone, Ky.
Bingham,	Dungan,	Morse,	Storer,
Boatner,	Dunphy,	Page, R. I.	Stump.
Brickner,	Enloe,	Patterson, Tenn.	Sweet,
Broderick,	Enochs,	Pattison, Ohio	Tillman.
Bryan.	Fitch,	Quackenbush,	Townsend,
Bullock,	Flick,	Randall,	Tracey,
Burrows,	Gillespie,	Reed,	Turpin.
Cable,	Harmer,	Robertson,	Van Horn.
Cadmus.	Harter,	Robinson,	Wadsworth,
Caldwell,	Haugen,	Russell,	Warwick,
Campbell,	Heard,	Sanford,	Waugh,
Castle.	Hoar,	Scull,	Whiting,
Causey,	Holman,	Seerley,	Willcox,
Cheatham,	Johnstone, S. C.	Shell,	Williams N. C.
Chapin.	Jones,	Shively,	
Cockran.	Ketcham,	Stackhouse,	
Cogswell,	Kyle,	Stahlnecker	

So the amendment was rejected.

The following pairs were announced:

Mr. ENLOE with Mr. HAUGEN, for this day.

Mr. PAGE of Rhode Island with Mr. MORSE, until further notice.

Mr. WHITING with Mr. BURROWS, until further notice.

Mr. STEVENS with Mr. RANDALL, until further notice.

Mr. TURPIN with Mr. CALDWELL, until further notice.

Mr. DANIELL with Mr. LODGE, until further notice.

Mr. SEERLEY with Mr. CUTTING, for the rest of the day.

Mr. HOAR with Mr. COGSWELL, for the rest of this day.

Mr. ALEXANDER with Mr. ROBINSON for this day.

Mr. DUNPHY with Mr. BARTINE, for this day.

Mr. FITCH with Mr. QUACKENBUSH, for this day.

Mr. LAGAN with Mr. KETCHAM, for this day.

Mr. SHIVELY with Mr. SWEET, for this day.

Mr. PRICE with Mr. HARMER, for this day.

Mr. STONE of Kentucky with Mr. SCULL, for this day.

Mr. BRYAN with Mr. DALZELL, for this day.

Mr. CAUSEY with Mr. BINGHAM, until Tuesday next.

Mr. PATTERSON of Tennessee with Mr. TOWNSEND, until Thursday next.

Mr. KYLE with Mr. SANFORD, until further notice.

The result of the vote was then announced as above recorded.

The SPEAKER. The question recurs upon the amendment proposed by the gentleman from Iowa [Mr. BUTLER], which the Clerk will read.

The Clerk read as follows:

Amend by striking out the words "the Committee on Appropriations," in the first line of the resolution contained in the substitute proposed by the Committee on Appropriations, and insert in lieu thereof: "A select committee of seven members of this House, to be appointed by the Speaker, which committee so appointed;" so that it will read:

Resolved, That a select committee of seven members of this House be appointed by the Speaker, which committee so appointed shall be ordered to inquire, etc.

The question was taken; and on a division there were—ayes 90, noes 94.

Mr. BUTLER. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 106, nays 125, not voting 100; as follows:

YEAS—106.

Alderson,	Doan,	Lewis,	Raines.
Amerman,	Dolliver,	Lind,	Ray,
Andrew,	Durborow,	Little,	Rayner,
Atkinson,	Edmunds,	Lockwood,	Reilly,
Babbitt,	English,	Loud,	Reyburn,
Barwig,	Epes,	Magner,	Rusk,
Beeman,	Fellows,	Mallory,	Scott,
Belknap,	Funston,	McAleer,	Smith,
Bentley,	Gantz,	McClellan,	Sperry,
Bergen,	Griswold,	McCreary,	Springer,
Bowers,	Hamilton,	McGann,	Stephenson,
Brosius,	Hare,	McKinney,	Steward, Ill.
Brunner,	Harries,	Meredith,	Stewart, Pa.
Buchanan, N. J.	Hayes,	Miller,	Stone, C. W.
Busey,	Haynes,	Mitchell,	Stout,
Bushnell,	Henderson, Ill.	Newberry,	Stump.
Butler,	Hitt,	O'Donnell,	Tarsney,
Bynum,	Hooker, Miss.	O'Ferrall,	Taylor, Ill.
Caminetti,	Hooker, N. Y.	O'Neill, Pa.	Taylor, Tenn
Chipman,	Hopkins, Pa.	O'Neill, Mo.	Taylor, J. D.
Clancy.	Hopkins, Ill.	Owens,	Taylor, V. A.
Clark, Wyo.	Houk, Ohio	Page, Md.	Tillman.
Cox, N. Y.	Hull.	Patton,	White,
Cummings,	Johnson, Ind.	Perkins,	Wolverton.
Curtis,	Jolley,	Pickler,	Wright.
De Forest,	Kribbs,	Post,	
Dixon.	Lawson, Ga.	Powers,	

NAYS—125.

Abbott,	Covert,	Herbert,	Paynter,
Allen.	Cowles,	Houk, Tenn.	Pearson,
Arnold,	Cox, Tenn.	Johnson, N. Dak.	Peel,
Bailey,	Crawford,	Johnson, Ohio	Pendleton.
Baker.	Crosby,	Kem,	Pierce,
Bankhead,	Culberson,	Kilgore,	Richardson,
Bland.	Davis,	Lane,	Rife,
Blount.	De Armond,	Lanham,	Rockwell,
Boutelle,	Dickerson,	Lapham,	Sayers,
Bowman,	Dingley,	Layton,	Shonk,
Branch.	Dockery,	Lester, Ga.	Simpson,
Breckinridge, Ark.	Elliott,	Livingston.	Snodgrass,
Breckinridge, Ky.	Ellis,	Long,	Stockdale.
Bretz,	Everett,	Mansur,	Terry.
Brickner.	Fithian,	Martin,	Tucker,
Brookshire.	Forman,	McDonald,	Turner,
Buchanan, Va..	Forney,	McKaig,	Warner.
Bunn.	Fowler,	McKeighan,	Washington,
Bunting.	Geary,	McKenna,	Watson,
Byrns,	Geissenhainer,	McRae,	Wheeler, Mich.
Capehart,	Goodnight,	Milliken,	Wike,
Caruth.	Gorman,	Mills,	Williams, Mass.
Catchings,	Grady,	Montgomery,	Williams, Ill.
Cate,	Greenleaf,	Moore,	Wilson, Ky.
Clarke, Ala.	Grout,	Moses,	Wilson, Wash.
Clover,	Hall,	Mutchler,	Wilson, Mo.
Cobb, Ala.	Hollowell,	Norton,	Wilson, W. Va.
Cobb, Mo.	Halvorsen,	Oates.	Winn,
Coburn,	Hatch,	O'Neil, Mass.	Wise.
Compton,	Hemphill,	Otis,	
Coombs,	Henderson, Iowa	Outhwaite,	
Cooper.	Henderson, N. C.	Parrett,	

NOT VOTING—100.

Alexander,	Crain,	Kyle,	Snow,
Bacon,	Cutting,	Lagan,	Stackhouse,
Bartine,	Dalzell,	Lawson, Va.	Stahlnecker,
Belden.	Daniell,	Lester, Va.	Stevens,
Beltzhoover,	Donovan,	Lodge,	Stewart, Tex.
Bingham,	Dungan,	Lynch,	Stone, W. A.
Blanchard,	Dunphy,	McMillin,	Stone, Ky.
Boatner,	Enloe,	Meyer,	Storer,
Brawley,	Enochs,	Morse,	Sweet,
Broderick,	Fitch,	Page, R. I.	Taylor, E. B.
Brown,	Flick,	Patterson, Tenn.	Townsend,
Bryan.	Fyan,	Pattison, Ohio	Tracey,
Bullock,	Gillespie,	Payne,	Turpin.
Burrows,	Harmer,	Price,	Van Horn,
Cable,	Harter,	Quackenbush,	Wadsworth.
Cadmus,	Haugen,	Randall,	Walker.
Caldwell,	Heard,	Reed,	Warwick,
Campbell,	Herman,	Robertson,	Waugh,
Castle,	Hoar,	Robinson,	Weadock,
Causey,	Holman,	Russell,	Wever,
Cheatham,	Huff,	Sanford,	Wheeler, Ala.
Chapin.	Johnstone, S. C.	Scull,	Whiting,
Cockran.	Jones,	Seerley,	Willcox,
Cogswell,	Kendall,	Shell,	Williams, N. C.
Coolidge,	Ketcham,	Shively,	Youmans.

So the amendment was rejected.

The following additional pairs was announced:

Mr. MCMILLIN with Mr. WHEELER of Alabama, on this vote.

Mr. TUCKER. Mr. Speaker, I desire to state that my colleague, Mr. LAWSON, has been called home on account of sickness.

Mr. ENLOE. I am paired with the gentleman from Wisconsin [Mr. HAUGEN]. If he were present I should vote no.

Mr. CURTIS, Mr. MOSES, and others, having failed to hear their names called during the roll call, asked permission to record their votes.

The SPEAKER. The Chair will state that the rule is very explicit on this subject. The Clerk will read clause 1 of Rule XV.

The Clerk read as follows:

RULE XV.

ON CALLS OF THE ROLL AND HOUSE.

1. Upon every roll call, the names of the members shall be called alphabetically by surname, except when two or more have the same surname, in which case the name of the State shall be added; and if there be two such members from the same State, the whole name shall be called; and after the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting; and thereafter the Speaker shall not entertain a request to record a vote or announce a pair.

The SPEAKER. The Chair will state that this has been the rule for many years. There has been some latitude in respect to this matter allowed by various occupants of the Speaker's chair. The gentleman who presided in the Fifty-first Congress adopted a rule which I believe required a gentleman to state that he was in his seat listening when his name was called. Prior to that Mr. CARLISLE adopted a practice, notwithstanding the express provision of the rule then in force which the Clerk has just read, that if a gentleman stated he was in his seat and had not heard his name called, he might be permitted to vote. And yet the rule, as will be observed, is imperative that after the second call of the roll the Chair shall not be permitted to entertain a request for unanimous consent to record a vote. But it seems hard if a gentleman is in his place and does vote and the vote is not recorded, or if the Clerk should fail to call the name, that he should be prohibited from having his vote recorded.

Therefore, the present occupant of the chair will go back, as he understands it, to the practice in the Fiftieth Congress, so that when a gentleman states he was in his seat and had not heard his name called he should be permitted to vote.

Mr. OATES. Mr. Speaker, the rule was that if a member stated he was in the Hall or within the bar of the House.

The SPEAKER. The Chair is not positive.

Mr. ENLOE. I think that was the rule.

Mr. OATES. That was the practice.

The SPEAKER. The Chair will look to it, and conform to the rule then existing.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now recurs upon the substitute offered by the gentleman from Illinois [Mr. DURBOROW], to which an amendment is pending. The Clerk will first report the substitute and then the amendment.

The Clerk read as follows:

Resolved, That the Committee on the Columbian Exposition is hereby ordered to ascertain and report whether the said act of Congress, approved April 25, 1890, is being complied with, and whether subsequent appropriations made for said Exposition are being judiciously expended, and whether the officers and employés are being properly and reasonably paid, and what amount of money has been expended by the United States Government, and the manner and necessity of such expenditure, and what additional amount, if any, is necessary to be expended, and what further legislation, if any, is necessary, and all other facts that may conduce to the protection and benefit of the Government of the United States and the success of the Columbian Exposition; and in order to make such report the committee is authorized to send for persons and papers, administer oaths, and to present its report to the House of Representatives for consideration at any time.

The SPEAKER. To this substitute the gentleman from Illinois [Mr. HOPKINS] offers the amendment which the Clerk will report.

The Clerk read as follows:

Amend by striking out the words "on the Columbian Exposition" and insert the following:

"A special committee of nine members, who shall be appointed by the Speaker as a select committee."

The SPEAKER. The question is upon agreeing to the amendment presented by the gentleman from Illinois [Mr. HOPKINS] just read.

The amendment was rejected.

The SPEAKER. The question now is upon the substitute offered by the gentleman from Illinois [Mr. DURBOROW].

The substitute was rejected.

The SPEAKER. The question now is upon the resolution submitted by the Committee on Appropriations.

The resolution was agreed to.

On motion of Mr. SAYRES, a motion to reconsider the last vote was laid upon the table.

The SPEAKER. Without objection the original resolution will lie upon the table.

Mr. CATCHINGS. I move that the House do now adjourn.

The SPEAKER. The Chair will ask the gentleman from Mississippi to withhold that motion for a moment in order to allow the Chair to submit certain personal requests of members.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ALEXANDER, for five days, on account of important business.

To Mr. HOLMAN, upon the request of Mr. MARTIN of Indiana, on account of sickness.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, leave was granted to Mr. COOMBS to withdraw the papers relating to the claim of John T. Bruen before the Fifty-first Congress, there being no adverse report or vote thereon.

COMMITTEE RESIGNATIONS AND APPOINTMENTS.

The Clerk read as follows:

Mr. BUSEY asks to be relieved from further service upon the Committee on the Eleventh Census.

Mr. M. A. SMITH asks to be relieved from further service on the Committee on Private Land Claims.

The SPEAKER. The requests will be granted, if there be no objection.

There was no objection.

The SPEAKER announced the appointment of the following additional members of committees:

On Banking and Currency: Mr. S. T. Busey, of Illinois; Mr. Charles A. Russell, of Connecticut.

On Interstate and Foreign Commerce: Mr. A. G. Caruth, of Kentucky; Mr. W. J. Coombs, of New York.

On District of Columbia: Mr. Edwin Hallowell, of Pennsylvania; Mr. S. T. Busey, of Illinois.

On War Claims: Mr. C. A. Cadmus, of New Jersey.

On Eleventh Census: Mr. George W. Fithian, of Illinois.

Under Rule XII the Delegates were assigned to the committees named:

On Coinage, Weights, and Measures: Mr. Caine of Utah.

On Agriculture: Mr. D. A. Harvey of Oklahoma.

On Military Affairs: Mr. Antonio Joseph of New Mexico.

On Post-Office and Post-Roads: Mr. Caine of Utah.

On Public Lands: Mr. M. A. Smith of Arizona.

On Indian Affairs: Mr. D. A. Harvey of Oklahoma.

On Private Land Claims: Mr. Caine of Utah.

On Mines and Mining: Mr. M. A. Smith of Arizona.

On Territories: Mr. Antonio Joseph, of New Mexico, and Mr. M. A. Smith, of Arizona.

ENROLLED BILLS SIGNED.

Mr. SANDERS, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah; when the Speaker signed the same.

The motion of Mr. CATCHINGS was agreed to; accordingly (at 5 o'clock and 10 minute p. m.) the House adjourned until to-morrow, February 9, at 12 o'clock, noon.

BILLS AND JOINT RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced and severally referred as follows:

By Mr. SPRINGER: A bill (H. R. 5548) to establish a railway bridge across the Illinois River, between a point at or near the city of Havana, in Mason County, and a point on the opposite side of said river in Fulton County, in the State of Illinois—to the Committee on Interstate and Foreign Commerce.

By Mr. ELLIS: A bill (H. R. 5549) to amend sections 4 and 5 of an act approved September 19, 1890, and for other purposes—to the Committee on Revision of the Laws.

By Mr. WILSON of Washington: A bill (H. R. 5550) to continue in force an act entitled "An act to execute certain treaty stipulations relating to Chinese," approved May 6, 1882; an act entitled "An act to amend an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved May 6, 1882," approved July 5, 1884, and an act entitled "An act, a supplement to an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved May 6, 1882," approved October 1, 1888—to the Committee on Foreign Affairs.

By Mr. MITCHELL: A bill (H. R. 5551) amendatory of section 3919, of the Revised Statutes of the United States, relative to compensation of stamp agents—to the Committee on the Post-Office and Post-Roads.

By Mr. TAYLOR of Illinois: A bill (H. R. 5552) to provide pensions for freedmen, etc.—to the Committee on Invalid Pensions.

By Mr. MCCREARY: A bill (H. R. 5553) to provide for holding terms of the circuit and district courts of the United States for the District of Kentucky at Richmond, Ky.—to the Committee on the Judiciary.

By Mr. BUCHANAN of New Jersey: A bill (H. R. 5554) appointing commissioners to revise the statutes relating to patents, trade, and other marks—to the Committee on Patents.

By Mr. LYNCH: A bill (H. R. 5555) to provide for the erection of a public building for the use of the post-office and Government offices at the city of Wausau, Wis.—to the Committee on Public Buildings and Grounds.

By Mr. COX of Tennessee: A bill (H. R. 5556) to extend and increase the pensions of soldiers in the Mexican war—to the Committee on Pensions.

By Mr. LYNCH: A bill (H. R. 5557), to provide for the erection of a public building for the use of the post-office and Government offices at the city of Marinette, Wis.—to the Committee on Public Buildings and Grounds.

By Mr. OTIS: A bill (H. R. 5558) to provide public revenue by the loan of money to the several States of the Union, and for other purposes—to the Committee on Ways and Means.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 5559) concerning the rank and pay of certain officers of the Navy having served a full term as chief of a bureau in the Navy Department—to the Committee on Naval Affairs.

By Mr. ENOCHS: A bill (H. R. 5560) authorizing the Secretary of War to cause a survey to be made for a ship canal connecting the waters of Lake Erie and the Ohio River between the city of Cleveland and the city of Portsmouth, Ohio—to the Committee on Rivers and Harbors.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 5561) directing the payment of bounties to veteran volunteers who were promoted after reënlistment—to the Committee on Military Affairs.

By Mr. HARVEY: A bill (H. R. 5562) to provide for the sale of surplus or unallotted lands of the Western Miami Indians of the Indian Territory—to the Committee on Indian Affairs.

By Mr. BOWMAN: A bill (H. R. 5563) authorizing and directing the Secretary of the Treasury to pay the city of Council Bluffs, Iowa, the cost of constructing pavements and building sewers in front of lots 1, 2, and east 20 feet of lot 3, in block 6, Bayliss's first addition to Council Bluffs, owned by the United States Government, in said city, and used as United States court-house and post-office—to the Committee on Claims.

By Mr. JOSEPH: A bill (H. R. 5565) for the relief of actual settlers on the Navajo Reservation addition—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 5566) in relation to confirmed town grants in the Territory of New Mexico—to the Committee on Private Land Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 5567) to establish a marine hospital at Florence, Ala.—to the Committee on Interstate and Foreign Commerce.

By Mr. CULBERSON: A bill (H. R. 5568) to regulate the revival of suits in certain causes—to the Committee on the Judiciary.

By Mr. CHAPIN: A bill (H. R. 5569) to amend section 828 of the Revised Statues of the United States—to the Committee on the Judiciary.

By Mr. COBB of Missouri: A bill (H. R. 5570) to provide for the payment of one-half of the expense of paving streets around the United States custom-house at St. Louis, Mo.—to the Committee on Claims.

By Mr. WILSON of Washington: A bill (H. R. 5571) to ratify and confirm an agreement with the Indians residing on the Colville Reservation, in the State of Washington, with certain modifications, and to make appropriations for the carrying into effect of the same—to the Committee on Indian Affairs.

By Mr. ANDREW: A bill (H. R. 5572) to reduce the duty on certain manufactures of iron and steel and on crude iron and waste iron and steel, and iron ore—to the Committee on Ways and Means.

By Mr. LAPHAM: A bill (H. R. 5573) relating to patents, trademarks, and copyrights—to the Committee on Patents.

By Mr. ABBOTT: A bill (H. R. 5574) to provide for the purchasing of sites, the securing of plans, and for the erection of the public buildings of the United States—to the Committee on Public Buildings and Grounds.

By Mr. HEMPHILL: A bill (H. R. 5575) for the erection of a municipal building in the city of Washington, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. TUCKER (by request): A bill (H. R. 5576) to aid and encourage military training and instruction by donation of public lands—to the Committee on the Public Lands.

By Mr. DALZELL: A bill (H. R. 5577) to amend section 5 of an act approved March 3, 1891, entitled "An act for the protection of the lives of miners in the Territories"—to the Committee on Mines and Mining.

By Mr. POWERS: A bill (H. R. 5578) to impose duties upon maple sugar and maple sirup imported from foreign countries—to the Committee on Ways and Means.

By Mr. SPRINGER: A joint resolution (H. Res. 82) proposing an amendment to the Constitution in reference to the election of President and Vice-President of the United States and Representatives in Congress—to the Committee on Election of President and Vice-President and Reprepresentatives in Congress.

By Mr. BABBITT: A joint resolution (H. Res. 83) proposing an amendment to the Constitution so as to permit the choosing of United States Senators by a direct vote of the people when any State shall so elect—to the Committee on Election of President and Vice-President and Representatives in Congress.

PRIVATE BILLS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BELDEN: A bill (H. R. 5579) removing the charge of desertion from James Nicholas, late member Company A, Third Pennsylvania Cavalry Volunteers—to the Committee on Military Affairs.

By Mr. BELKNAP: A bill (H. R. 5580) to correct the military record of Samuel E. Cooper—to the Committee on Military Affairs.

By Mr. BLOUNT: A bill (H. R. 5581) for the relief of Eli Frasuer, of Wilkinson County, Georgia—to the Committee on War Claims.

By Mr. BOWERS: A bill (H. R. 5582) for the relief of Ellen N. Sheldon—to the Committee on Invalid Pensions.

By Mr. BRETZ: A bill (H. R. 5583) for the relief of Theodore B. Starr—to the Committee on Military Affairs.

By Mr. BRODERICK: A bill (H. R. 5584) for the relief of John H. Tullis—to the Committee on Military Affairs.

Also, a bill (H. R. 5585) granting an increase of pension to William W. Frazier—to the Committee on Invalid Pensions.

By Mr. BRANCH: A bill (H. R. 5586) for the relief of John J. Tolson, administrator of Kilby Tolson—to the Committee on War Claims.

Also, a bill (H. R. 5587) for the relief of L. T. Oglesby—to the Committee on War Claims.

By Mr. BUSEY: A bill (H. R. 5588) for the relief of Joshua P. Davis—to the Committee on Military Affairs.

By Mr. BRANCH: A bill (H. R. 5589) for the relief of O. F. Adams—to the Committee on War Claims.

By Mr. BUCHANAN of Virginia: A bill (H. R. 5590) granting a pension to Mary A. Lawson, widow of Spencer A. Lawson—to the Committee on Invalid Pensions.

By Mr. BRETZ: A bill (H. R. 5591) to increase the pension of Charles McCarty—to the Committee on Invalid Pensions.

By Mr. CARUTH: A bill (H. R. 5592) granting a pension to Michael O'Bryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5593) for the relief of John H. Brunning, afflicted son of John G. Brunning, late a member of Company I, Twenty-eighth Kentucky Infantry—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 5594) for the relief of John B. Brabston, Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 5595) for the relief of the estate of Edward B. Willis, deceased, of Warren County, Miss.—to the Committee on War Claims.

By Mr. CAPEHART: A bill (H. R. 5596) for the relief of Marlin Parks—to the Committee on Military Affairs.

By Mr. CARUTH: A bill (H. R. 5597) for the relief of William Smith and others—to the Committee on Military Affairs.

By Mr. COOPER: A bill (H. R. 5598) to remove charge of desertion from military record of Benjamin Cornwell—to the Committee on Military Affairs.

Also, a bill (H. R. 5599) to increase pension of George Marshall—to the Committee on Pensions.

Also, a bill (H. R. 5600) to pension James O. Lawlis—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 5601) granting a pension to Eliza A. McEwen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5602) granting a pension to Lucy Haskell, mother, by adoption, of John Haskell—to the Committee on Invalid Pensions.

By Mr. ENOCHS: A bill (H. R. 5603) for the relief of the heirs of Henry A. Shadel, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5604) for the relief of James Forgey—to the Committee on War Claims.

Also, a bill (H. R. 5605) for the relief of the estate of Edwin E. Saunders, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5606) for the relief of Theodore J. Gillett—to the Committee on War Claims.

Also, a bill (H. R. 5607) for the relief of W. T. Scoville and John Kouns, surviving partners of George L. Kouns, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5608) for the relief of Ammon McLaughlin—to the Committee on War Claims.

By Mr. FUNSTON (by request): A bill (H. R. 5609) for the relief of the estate of Mrs. Christiana Turner, late of the District of Columbia—to the Committee on War Claims.

Also, a bill (H. R. 5610) for the relief of J. R. Wasson—to the Committee on War Claims.

Also, a bill (H. R. 5611) to remove charge of desertion against Louis P. Cayot—to the Committee on Military Affairs.

By Mr. FYAN: A bill (H. R. 5612) for the relief of David C. Allen—to the Committee on War Claims.

By Mr. FUNSTON: A bill (H. R. 5613) to revoke, annul, and set aside the charge of disloyalty against John Kinchlow—to the Committee on Military Affairs.

By Mr. HEARD: A bill (H. R. 5614) to carry out the findings of the Court of Claims in the case of Thaddeus Collard—to the Committee on War Claims.

Also, a bill (H. R. 5615) to carry out the findings of the Court of Claims in the case of George Withers, administrator of the estate of H. M. Withers, deceased—to the Committee on War Claims.

By Mr. HARTER: A bill (H. R. 5616) granting an honorable discharge to Benjamin Dull—to the Committee on Military Affairs.

By Mr. HOUK of Tennessee: A bill (H. R. 5617) for the relief of Asa Faulkner, McMinnville, Tenn.—to the Committee on War Claims.

By Mr. HOOKER of Mississippi: A bill (H. R. 5618) for the relief of the legal representative or representatives of Franklin S. Whitney, deceased—to the Committee on War Claims.

By Mr. KENDALL: A bill (H. R. 5619) to correct the military record of H. C. Jett—to the Committee on Military Affairs.

By Mr. LAGAN: A bill (H. R. 5620) for the relief of Mrs. Mary I. Holland—to the Committee on War Claims.

By Mr. McCLELLAN: A bill (H. R. 5621) granting an honorable discharge to Peter H. Hanner—to the Committee on Military Affairs.

By Mr. McKINNEY: A bill (H. R. 5622) to increase pension of Hannson Gray—to the Committee on Invalid Pensions.

By Mr. McRAE (by request): A bill (H. R. 5623) for the relief of the estate of B. B. Ward, deceased—to the Committee on Claims.

By Mr. OTIS: A bill (H. R. 5624) for the relief of Jacob Neighbarger—to the Committee on Military Affairs.

By Mr. MAGNER: A bill (H. R. 5625) for the relief of Mrs. Mary O'Neill—to the Committee on Invalid Pensions.

By Mr. MITCHELL: A bill (H. R. 5626) for the relief of Daniel O'Connell, of Company B, Third United States Infantry—to the Committee on Military Affairs.

By Mr. PARRETT: A bill (H. R. 5627) to pension Jacob Ulmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5628) granting relief to Thomas Burns—to the Committee on Military Affairs.

Also, a bill (H. R. 5629) to reimburse Frank D. Bolton for losses sustained by burglary while postmaster at New Harmony, Ind.—to the Committee on Claims.

By Mr. PEARSON: A bill (H. R. 5630) for the relief of James H. Gardner—to the Committee on Military Affairs.

By Mr. PATTERSON of Tennessee: A bill (H. R. 5631) for the relief of the estate of Stephen A. Norton, deceased, late of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5632) for the relief of the estate of Daniel Lake, deceased—to the Committee on War Claims.

By Mr. PAYNE: A bill (H. R. 5633) granting a pension to Newell F. Osterhout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5634) granting a pension to Phœbe A. Leonard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5635) to increase the pension of the survivors of the war of 1812—to the Committee on Pensions.

Also, a bill (H. R. 5636) granting a pension to Maria Owen, mother of Cornelius Owen, late private Company M, First New York Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5637) granting a pension to Adelaide M. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5638) granting a pension to Dolphia S. Mead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5639) granting a pension to Juliette De H. Roberts—to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 5640) to increase the pension of Cassie A. Davis—to the Committee on Invalid Pensions.

By Mr. RUSK: A bill (H. R. 5641) for the relief of the heirs and legal representatives of Gerard Wood, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5642) for the relief of the officers and crews of the United States revenue steamers Reliance, Hercules, and Tiger—to the Committee on Invalid Pensions.

By Mr. STONE of Kentucky: A bill (H. R. 5643) for the relief of the estate of Sally Sterrett Tate, deceased—to the Committee on War Claims.

By Mr. SNOW: A bill (H. R. 5644) granting a pension to Mrs. Mollie E. Jenkins—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 5645) granting compensation to Joseph Dawson—to the Committee on Claims.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 5646) for the relief of Edgar H. Bates for the loss of his minor son, Millard F. Bates, who was killed on or about September 3, 1872—to the Committee on War Claims.

Also, a bill (H. R. 5647) for the relief of Margaret Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5648) granting a pension to widows in certain cases—to the Committee on Invalid Pensions.

By Mr. CHARLES W. STONE: A bill (H. R. 5649) for the relief of Lieut. F. W. Davis and granting him an honorable discharge—to the Committee on Military Affairs.

By Mr. TERRY (by request): A bill (H. R. 5650) for the relief of the widow of Patrick P. Burton—to the Committee on Claims.

By Mr. TOWNSEND: A bill (H. R. 5651) to authorize the Secretary of War to remove the charge of desertion from the military record of John Dilliner, late of Company D, First Colorado Cavalry—to the Committee on Military Affairs.

By Mr. WILSON of Kentucky: A bill (H. R. 5652) for the relief of L. D. Hutchison—to the Committee on War Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 5653) for the relief of James N. Maples—to the Committee on War Claims.

Also, a bill (H. R. 5654) for the relief of James M. Hankins—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 5655) for the relief of George Tait, late a private Company C, Fourth United States Infantry—to the Committee on Claims.

Also, a bill (H. R. 5656) for the relief of Alexander Lanier—to the Committee on Pensions.

Also, a bill (H. R. 5657) granting a pension to Mrs. Mima Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5658) granting a pension to Mrs. Tabitha Hankins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5659) granting a pension to John H. Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5660) to refer the claim against the United States of John H. Elliott, of Limestone County, Ala., to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 5661) for the relief of Matthew B. Nale—to the Committee on Pensions.

Also, a bill (H. R. 5662) for relief of estate of Thornton Cox—to the Committee on War Claims.

By Mr. WHITE: A bill (H. R. 5663) for the relief of Jesse R. K. Lamb, alias Fred P. McCadden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5664) for the relief of Percival S. Perdue, late of Company D, Eighteenth Iowa Volunteers—to the Committee on Military Affairs.

By Mr. WILSON of Kentucky: A bill (H. R. 5665) for the relief of Rufus M. Moss—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5666) granting a pension to George L. Frymire—to the Committee on Invalid Pensions.

By Mr. YOUMANS: A bill (H. R. 5667) granting an honorable discharge in the case of George E. Lonsbury—to the Committee on Military Affairs.

By Mr. CAMPBELL: A bill (H. R. 5668) for the relief of Regis P. Garry—to the Committee on Military Affairs.

By Mr. LYNCH: A bill (H. R. 5669) authorizing the erection and maintenance of a dam on the water-reserve lands in Lincoln County, Wis., and the flowage of certain of said lands—to the Committee on the Public Lands.

By Mr. CRAWFORD: A bill (H. R. 5670) for relief of Sarah J. Groomes—to the Committee on Invalid Pensions.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to Committee of the Whole House, as follows:

By Mr. DOLLIVER, from the Committee on War Claims:

A bill (H. R. 2540) for the relief of the trustee of St. Joseph's Catholic Church at Martinsburg, W. Va. (Report No. 211.)

A bill (H. R. 2546) for the relief of the trustees of the German Evangelical Church of Martinsburg, W. Va. (Report No. 212.)

A bill (H. R. 2539) for the relief of the trustees of the Methodist Episcopal Church of Martinsburg, W. Va. (Report No. 213.)

A bill (H. R. 2544) for the relief of C. M. Shaffer. (Report No. 214.)

By Mr. STONE of Kentucky, from the Committee on War Claims:

A bill (H. R. 4892) for the relief of St. Charles College. (Report No. 215.)

A bill (H. R. 1116) for the relief of George Lewis Cousens. (Report No. 216.)

A bill (H. R. 1413) for the relief of Col. Jesse H. Strickland, Eighth Tennessee Cavalry, United States Volunteers. (Report No. 217.)

By Mr. SCOTT, from the Committee on War Claims:

A bill (H. R. 3353) for the relief of John Sullivan. (Report No. 218.)

A bill (H. R. 2152) for the relief of Edward P. Alsbury, sole surviving heir of Harriet R. Alsbury, deceased. (Report No. 219.)

By Mr. COBB of Missouri, from the Committee on War Claims: A bill (H. R. 1824) directing the Secretary of the Treasury to examine and settle the accounts of certain States and the city of Baltimore growing out of moneys expended by said States and the city of Baltimore for military purposes during the war of 1812. (Report No. 220.)

By Mr. WILSON of Missouri, with an amendment, from the Committee on Pensions: A bill (H. R. 3204) to pension Lewis L. Lane. (Report No. 221.)

Also, by Mr. WILSON of Missouri: A bill (H. R. 1093) granting an increase of pension to Samuel J. Bolings. (Report No. 222.)

Also, by Mr. WILSON of Missouri, with an amendment: A bill (H. R. 4043) granting an increase of pension to William Birch. (Report No. 223.)

Also, by Mr. WILSON of Missouri: A bill (H. R. 3202) to pension Nancy E. Renfro. (Report No. 224.)

By Mr. HOUK of Tennessee, from the Committee on War Claims:

A bill (S. 5) for the relief of John S. Neet, jr. (Report No. 225.)

A bill (S. 4) for the relief of Alfred J. Worcester. (Report No. 226.)

A bill (S. 3) for the relief of Napoleon B. Giddings. (Report No. 227.)

A bill (S. 6) for the relief of Joseph W. Camack. (Report No. 228.)

By Mr. RICHARDSON, from the Committee on Printing: A concurrent resolution to print 10,000 copies of the addresses delivered in the House on the presentation of the portraits of Speakers Grow and Randall by the State of Pennsylvania. (Report No. 229.)

ADVERSE REPORTS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees adversely, as follows:

By Mr. WHEELER of Alabama, from the Committee on War Claims:

A bill (H. R. 3142) for the relief of George W. Thompson. (Report No. 192.)

A bill (H. R. 2845) for the relief of John V. Bovell, second lieutenant Company E, Sixty-sixth Illinois. (Report No. 193.)

A bill (H. R. 2936) for the relief of Peter Casey. (Report No. 194.)

A bill (H. H. 2532) for the relief of James A. McFarland. (Report No. 195.)

A bill (H. R. 2896) for the relief of Benjamin F. Buckner and Taylor Buckner. (Report No. 196.)

A bill (H. R. 3403) for the relief of George Jackson, of Grainger County, Tenn. (Report No. 197.)

A bill (H. R. 3128) for the relief of August Schlapp, second lieutenant of Company F, Fifth Iowa Cavalry. (Report No. 198.)

A bill (H. R. 3126) for the relief of Austin A. Scott. (Report No. 199.)

A bill (H. R. 3129) for the relief of Benjamin F. Hershe. (Report No. 200.)

A bill (H. R. 3132) for the relief of Willis F. Hanson. (Report No. 201.)

A bill (H. R. 3130) for the relief of Joseph Murray. (Report No. 202.)

A bill (H. R. 3125) for the relief of Henry H. Wright. (Report No. 203.)

A bill (H. R. 2362) for the relief of Orris O. King. (Report No. 204.)

A bill (H. R. 2132) for the relief of George Bagshaw. (Report No. 205.)

A bill (H. R. 917) to authorize the Secretary of War to amend the records of the late war so as to show that John C. Burdette was mustered in as a member of Company E, Thirty-ninth Regiment Indiana Volunteers, on the 14th day of January, 1862, and served until October 1, 1862, and to grant said Burdette an honorable discharge as of said date of October 1, 1862, on account of general disability. (Report No. 206.)

A bill (H. R. 2471) granting muster and pay and allowance of captain of cavalry to Michael Sheehy from June 13, 1864, to March 25, 1866. (Report No. 207.)

A bill (H. R. 2472) granting pay and allowances of a second lieutenant of infantry to Samuel Bevins. (Report No. 208.)

A bill (H. R. 3175) for the relief of Fritz Horn. (Report No. 209.)

A bill (H. R. 2460) to correct the military record of Thomas C. Workman. (Report No. 210.)

RESOLUIONS.

Under clause 3 of Rule XXII the following resolutions were introduced and referred as follows:

By Mr. WHEELER of Alabama:

Resolved, That a special committee, to consist of seven members, be appointed by the Speaker to investigate and report upon the causes of the depression of American industries, and to suggest remedies therefor.

By Mr. CHARLES W. STONE:

Resolved by the House of Representatives (the Senate concurring therein), That there be printed 5,000 copies, in cloth binding, of the special report of the Commissioner of Labor on the statistics of and relating to marriage and divorce in the several States and Territories and in the District of Columbia, for the use of the Department of Labor.

By Mr. HOOKER of New York:

Resolved, That there be printed 20,000 copies of the President's annual message for the use of the House.

By Mr. WHEELER of Michigan:

Resolved, That the Secretary of War be requested to transmit to the House any information or reports which may be in his Department relative to the further improvement of the harbor at Muskegon, in the State of Michigan, together with any recommendations or estimates in relation thereto made by United States engineers in charge.

CHANGES OF REFERENCE.

Under clause 2 of Rule XXII committees were severally discharged from the consideration of the following bills and memorials; which was respectively referred as follows:

A bill (H. R. 5055) for the relief of Arterberry Chapman—Committee on Military Affairs discharged and referred to the Committee on Invalid Pensions.

A bill (H. R. 4722) to grant a pension to Mary Dunt, widow of Jeremiah Dunt—Committee on Military Affairs discharged and referred to the Committee on Invalid Pensions.

A bill (H. R. 4793) restoring the name of Dorothea A. Wildt, now Anderson, to the pension roll—Committee on Military Affairs discharged and referred to the Committee on Invalid Pensions.

A bill (H. R. 3767) granting an increase of pension to George W. White—Committee on Invalid Pensions discharged and referred to the Committee on Pensions.

A bill (H. R. 5401) for the relief of J. H. Rector—Committee on Invalid Pensions discharged and referred to the Committee on Military Affairs.

A bill (H. R. 60) granting to the State of California 5 per cent of the net proceeds of the cash sale of public lands in said State—Committee on Claims discharged and referred to the Committee on Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABBITT (by request): Resolutions passed by Rock County Pomona Grange, of Wisconsin—to the Select Committee on the Election of President and Vice-President and Representatives in Congress.

By Mr. BARTINE: Petition with reference to the Nicaragua Canal, from Battle Mountain, Nev.—to the Committee on Railways and Canals.

Also, petition with reference to the Nicaragua Canal, from Carson City—to the Committee on Railways and Canals.

Also, petition with reference to the Nicaragua Canal, signed by the governor—to the Committee on Railways and Canals.

By Mr. BARWIG: Petition of citizens of Ripon, Wis., that on and after July 1, 1893, the metric system of weights and measures be used exclusively in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. BOWERS: Petition of 55 citizens of West Highlands, Cal., regarding the exportation of alcoholic liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of 42 citizens of San Bernardino County, Cal., for the same purpose—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of 37 members of the Young People's Society of Christian Endeavor of Redlands, Cal., praying that the exportation of alcoholic liquor to Africa be surpressed—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BRECKINRIDGE of Arkansas: Petition of 23 members of the Planters and Farmers' Association of Jefferson County, Ark.; of 71 citizens of Victoria Township, Jefferson County; of 27 citizens of Dexter County; of 31 citizens of Humphrey; of 32 citizens of Richland Township, Jefferson County; of 10 citizens of Madding; of 52 members of the Board of Trade of Pine Bluff; of 203 citizens of Pine Bluff; of 28 employés of the Dilley machine shops; of 71 citizens of Auburn Township, Lincoln County; of 19 citizens of William Township, Lonoke County; of 78 citizens of Lonoke County; of 205 employés of the railroad shops at Pine Bluff; of 13 citizens of Sherrill Station, in favor of the improvement of the Arkansas River—to the Committee on Rivers and Harbors.

By Mr. BRETZ: Petition of Nancy Pittman, for pension, to accompany House bill No. 759—to the Committee on Invalid Pensions.

Also, petition and affidavits of Joseph Veney and others, for pension, to accompany House bill 764—to the Committee on Invalid Pensions.

By Mr. BRODERICK: Petition and memorial for Federal liq-

uor license in Kansas—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BULLOCK: Petition of the board of county commissioners of Brevard County, asking an appropriation for building a breakwater at Cape Canaveral—to the Committee on Rivers and Harbors.

By Mr. BURROWS:

Resolved, That there be printed 30,000 copies of the annual message of the President of the United States for the use of the House of Representatives; to the Committee on Printing.

By Mr. BUSEY: Petition of C. F. Black and 15 others, of Sidney Township, Champaign County, Ill., for free delivery of mails, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petition of John Smoot and 30 other citizens of Vermilion County, Illinois, in favor of the Conger lard bill—to the Committee on Agriculture.

By Mr. BYNUM: Petition of Mary J. Matson, for pension—to the Committee on Invalid Pensions.

Also, petition of Bertha Test, asking that she be granted a pension—to the Committee on Invalid Pensions.

Also, petition of Elizabeth Schriver, widow of John Schriver, of Company M, Fourth Massachusetts Volunteers, to remove the charge of desertion—to the Committee on Military Affairs.

Also, petition of Thomas Cox, for removal of the charge of desertion—to the Committee on Military Affairs.

By Mr. BYRNS: Petition, to accompany House bill 4981, of Verina Korn, for dependent mother's pension by special act of Congress—to the Committee on War Claims.

Also, papers, with a copy of the names of the men that served in Capt. William Stossberg's Company, F, Pacific Battalion of Missouri Home Guards, taken by F. W. Steines, Pond, Mo., to accompany House bill 4934—to the Committee on War Claims.

By Mr. CAINE: Resolutions and memorial of the Irrigation Congress held in Salt Lake City, Utah, September 15, 16, and 17, 1891, in favor of granting in trust all public lands, excepting mineral lands, to the several States and Territories wherein situate for the purpose of developing irrigation, etc.—to the Select Committee on Irrigation of Arid Lands in the United States.

Also, petition of 142 citizens of Spring City, Utah, for ceding of the public lands—to the Select Committee on Irrigation of Arid Lands in the United States.

By Mr. CAPEHART: Papers to accompany House bill 4860—to the Committee on War Claims.

Also, memorial of Mary A. Millar—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: Papers in the matter of the claim of Sidney R. Smith and others—to the Committee on War Claims.

By Mr. CLOVER: Petition of W. H. Baily and 50 others, for the closing of the World's Columbian Exposition on the American Sabbath—to the Select Committee on the Columbian Exposition.

Also, petition of Fannie Leter and others, praying for the establishment of international courts to adjust cases that can not be settled by negotiation—to the Committee on the Judiciary.

By Mr. COOPER: Papers to accompany House bill 960, for relief of Joseph B. Sellers—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 2908, for relief of William M. Neal—to the Committee on Invalid Pensions.

By Mr. COVERT: Statement to accompany House bill for relief of Nugent T. Rennell—to the Committee on Naval Affairs.

By Mr. CUTTING: Five petitions from San Francisco and one from Sausalito, Cal., to provide or guarantee such necessary measures as will assist, protect, and hasten the completion and secure the national control of the Nicaragua Canal—to the Committee on Foreign Affairs.

By Mr. DOLLIVER: Petition of Harvey Ingham, in favor of the Scott bill regarding the printing of return cards on envelopes—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Kossuth County, Iowa, for free bimetallic coinage—to the Committee on Coinage, Weights, and Measures.

Also, petition of William T. Foot and others, in favor of the option bill—to the Committee on Agriculture.

Also, petition of citizens of Kossuth, Iowa, urging the necessity of the passage of the bill imposing a revenue tax on compound lard—to the Committee on Agriculture.

Also, petition of citizens of Kossuth County, Iowa, in favor of the option bill—to the Committee on Agriculture.

By Mr. DURBOROW: Petition of certain citizens of Chicago, Ill., in favor of spelling reform—to the Committee on Education.

By Mr. ENGLISH: Petition to accompany House bill 3887 in case of Eleanor Everett (now Conver), widow of Joseph C. Everett, Company A, Fifteenth New Jersey—to the Committee on Invalid Pensions.

By Mr. ENLOE: Papers to accompany House bill for the relief of Thomas F. Lee—to the Committee on Military Affairs.

By Mr. FITHIAN: Papers to accompany House bill for the relief of Francis M. Lewis—to the Committee on Invalid Pensions.

Mr. GEISSENHAINER: Petition of captains of vessels and others, for an appropriation for improving Raritan Bay between South Amboy and Great Beds Height, N. J.—to the Committee on Rivers and Harbors.

Also, petition of captains of vessels and others, of New Jersey, for an appropriation for the same purpose—to the Committee on Rivers and Harbors.

Also, petition of the Board of Trade of Trenton, N. J., for the same purpose—to the Committee on Rivers and Harbors.

Also, petition of the Young People's Society of the First Presbyterian Church of Freehold, N. J., against opening the Columbian Exposition on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. HALL: Petition of citizens of Chippewa County, Minn., for the passage of the Conger compound lard bill—to the Committee on Agriculture.

Also, petition of E. R. Horton and others, for a deep-water canal from the Great Lakes to the seaboard—to the Committee on Railways and Canals.

Also, petition of H. Wilson and others, of Minnesota, for a deep-water canal connecting the Great Lakes with the seaboard—to the Committee on Railways and Canals.

Also, petition of citizens of Chippewa County, Minn., for the passage of the Butterworth option bill—to the Committee on Agriculture.

By Mr. HARTER (by request): Petition in favor of the so-called Conger lard bill—to the Committee on Agriculture.

By Mr. HATCH: Petition of Thomas J. Smith and others, in reference to what is designated as the "Washburn-Hatch anti-option bills"—to the Committee on Agriculture.

By Mr. HAYNES: Resolution of Toledo Produce Exchange, approving any law which will make trading in futures or calls a criminal offense, and opposing any bill to restrict legitimate trading in futures which would destroy competition—to the Committee on Agriculture.

By Mr. HAUGEN: Memorial of the Board of Trade of Superior, Wis., asking Congress to appropriate $175,000 for the purpose of building a new revenue cutter in lieu of the Andrew Johnson, as recommended by the Secretary of the Treasury—to the Committee on Naval Affairs.

By Mr. HAYES: Petition of citizens of Johnson County, Iowa, in favor of the Conger lard bill—to the Committee on Agriculture.

Also, petition of citizens of Johnson County, Iowa, in favor of option bill—to the Committee on Agriculture.

By Mr. HEMPHILL: Petition against the Zoo Street Railway in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HENDERSON of Iowa: Petition of Alliance No. 1582, Black Hawk County, Iowa, urging the passage of the Butterworth bill defining options and futures—to the Committee on Agriculture.

Also, petition of 26 citizens of Black Hawk County, Iowa, urging the passage of the Conger lard bill—to the Committee on Agriculture.

By Mr. HITT: Memorial and resolutions of city council of Pekin, Ill., favoring a public building at Pekin, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. KRIBBS: Papers in the case of Daniel Black—to the Committee on War Claims.

Also, papers relating to the claim of Philip Amer, for pension—to the Committee on Invalid Pensions.

Also, petition of 113 citizens of the Twenty-eighth Congressional district of Pennsylvania, praying for the passage of a law to prevent the importation or immigration of Chinese to the United States—to the Committee on Immigration and Naturalization.

Also, petition of 66 citizens of the Twenty-eighth district of Pennsylvania, in favor of the Department of Labor investigating the slum population of cities having over 200,000 inhabitants—to the Committee on Labor.

Also, petition of 130 citizens of the Twenty-eighth Congressional district of Pennsylvania, in favor of Mr. CHANDLER'S bill (S. 1127) to increase the comforts of immigrants—to the Select Committee on Immigration and Naturalization.

Also, petition of 62 citizens of the Twenty-fifth district of Pennsylvania, praying for the election of United States Senators by direct vote of the people—to the Select Committee on the Election of President and Vice-President and Representatives in Congress.

By Mr. LOUD: Petition of citizens of California, urgently requesting Congress to provide or guarantee such necessary laws as will assist, protect, and hasten the completion and secure the national control of the Nicaraugua Maritime Canal, as recommended to Congress by the President of the United States in his recent message—to the Committee on Foreign Affairs.

By Mr. LAWSON: Petition of the Chamber of Commerce of the city of Norfolk for Government appropriation to build a

breakwater at Lynnhaven River for the protection of the commerce of the city—to the Committee on Appropriations.

Also, paper in the claim of the First Baptist Church of Suffolk, Va., for damages to property by Federal troops in 1862 and 1865—to the Committee on War Claims.

By Mr. MARTIN: Petition of fourth-class postmasters of Huntington County, Ind., for increased compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. MITCHELL; Petition of Milwaukee Steamship Company and other vessel owners and agents of Milwaukee, Wis., urging an appropriation for a new revenue cutter to replace the worn-out Andy Johnson—to the Committee on Appropriations.

By Mr. O'NEILL of Pennsylvania: Resolutions of the Legislature of Pennsylvania, favoring the transfer of the Revenue Cutter Service from the Treasury to the Navy Department of the United States—to the Committee on Naval Affairs.

Also, paper to accompany House bill 5561—to the Committee on Military Affairs.

By Mr. PATTON: Papers and documents to accompany House bill 5237, for the relief of Charles W. E. Welty—to the Committee on Military Affairs.

Also, papers to accompany House bill 5519, for the relief of Daniel Eldridge—to the Committee on Military Affairs.

By Mr. RAYNER: Petition of Christian Hammensderfer, for removal of the charge of desertion—to the Committeeon Military Affairs.

By Mr. RAY: Petition of J. M. Taylor, of Madison University, as to metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

Also, resolution of the Sunday School Society of Madison County, N. Y., as to closing the Chicago Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. STONE of Kentucky: Papers to accompany the bill for the relief of W. H. Dupre—to the Committee on War Claims.

Also, papers to accompany bill for the relief of John R. Elkins—to the Committee on War Claims.

By Mr. JOSEPH D. TAYLOR: Petition bearing signatures of 171 citizens of the State of Ohio, praying that Congress support the request from the directors of the World's Fair for a sum of $5,000,000, provided that the enactment granting the same shall contain an impregnable guaranty that the Exposition will be closed on the Lord's Day—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the United Presbyterian Congregation of Richmond, Ohio, representing 91 persons, praying that Congress take such action as will insure the closing of the World's Fair on the Lord's Day, in accordance with the law of God, the rights of man, and all precedents of American history—to the Select Committee on the Columbian Exposition.

By Mr. TERRY: Petition of 160 citizens and business firms of Little Rock, Ark., in favor of the improvement of the Arkansas River—to the Committee on Rivers and Harbors.

Also (by request), memorial of John A. Clark, of Greenwood, Ark., offering the United States Government information as to plan for the improvement of water ways, etc.—to the Committee on Rivers and Harbors.

By Mr. TOWNSEND: Resolutions of the city council of Durango, Colo., indorsing the resolutions of the Irrigation Congress held at Salt Lake, Utah, September 17, 1891, favoring the granting of the arid lands to the States and Territories—to the Select Committee on Irrigation of Arid Lands in the United States.

By Mr. WHEELER of Alabama: Petition for the relief of Mrs. Anna Bradford—to the Committee on War Claims.

By Mr. WHEELER of Michigan: Petition of citizens of Milwaukee for improvement of the harbor at Muskegon, Mich.—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS of Illinois: Papers in the claim of James T. Anderson, private of Company D, Fifty-fourth Regiment Illinois Infantry—to the Committee on Military Affairs.

By Mr. WINN: Papers to accompany House bill 2556, relative to the estate of Frank H. Nichols, deceased—to the Committee on War Claims.

Also, papers to accompany House bill 3505, in relation to Benjamin F. Rogers—to the Committee on War Claims.

By Mr. WRIGHT: Memorial of the Young People's Society of Christian Endeavor of Burlington, Pa., against the exportation of intoxicating liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of E. T. Tiffany and A. Lee Tiffany, of Hartford, Pa., against Sunday opening of the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. YOUMANS: Petition in favor of an appropriation to improve, beautify, and maintain the National Park of Mackinaw, Mich.—to the Committee on the Public Lands.

SENATE.

TUESDAY, *February 9, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs, in relation to the agreement with the Indians of the Yakima Reservation, in Washington, for the right of way of the Northern Pacific Railroad across that reservation, with the draft of a bill to ratify the agreement; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. DAWES. Yesterday, in my absence, a letter was received from the Secretary of the Interior, in response to a resolution of the Senate of February 3, transmitting the report from the Hampton School, which was in response to a resolution of the Senate of February 28, 1891. The resolution and report were referred to the Committee on Indian Affairs without being ordered printed. I ask that they may be printed, and with them the notes accompanying the report, which were intended to be a supplement to it.

The VICE-PRESIDENT. It will be so ordered if there be no objection.

Mr. DAWES. The report itself is in the committee room. I will furnish it.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of citizens of Floyd County, Iowa, praying for the passage of the so-called option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Floyd County, Iowa, praying for the passage of the so-called Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Young People's Society of Christian Endeavor of Delaware County, N. Y., praying for the enactment of such laws as will suppress the exportation of alcoholic liquor from the United States to Africa; which was ordered to lie on the table.

He also presented the petition of John Conway, of Cold Springs, Cal., praying for the repeal of the Yosemite National Park law; which was referred to the Committee on Public Lands.

Mr. HARRIS presented a petition of the Merchants' Exchange of Memphis, Tenn., praying that liberal appropriations be made for the improvement of the Missouri and Mississippi Rivers; which was referred to the Committee on Commerce.

Mr. PADDOCK presented the petition of John Conway, of Cold Springs, Mariposa County, Cal., praying for the repeal of the Yosemite National Park law; which was referred to the Committee on Public Lands.

He also presented a petition of 81 citizens of Gage County, Nebr., praying for the enactment of a law establishing the free delivery and collection of mails in country districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BRICE presented the petition of the Congregational Club, of Cleveland, Ohio, and vicinity, praying for favorable action by the Senate on the Brussels treaty of July 2, 1890, made for the purpose of putting an end to the African slave trade and the rum traffic; which was ordered to lie on the table.

Mr. CHANDLER presented a petition of Local Assembly No. 3526, Knights of Labor, of Grand Rapids, Mich., praying for the passage of Senate bill 1127, to enlarge the ship room and increase the comfort of immigrants; which was referred to the Committee on Immigration.

He also presented petitions of the Congregational Church of Canterbury, N. H.; of the Home Benevolent Society of Canterbury, N. H.; of the Christian Endeavor Society of Canterbury, N. H., comprising 45 members; of the Woman's Christian Temperance Union of Canterbury, N. H., comprising 48 members; a petition of the Rockingham County Temperance Association of New Hampshire; a petition of 100 members of the Christian Church of Franklin, N. H.; petitions of the Methodist Episcopal Church of Sunapee, N. H., comprising 116 members; of the Woman's Christian Temperance Union of Sunapee, N. H., comprising 46 members; of the Christian Endeavor Society of Sunapee, N. H., comprising 91 members; of the Methodist Episcopal Sunday school of Sunapee, N. H., comprising 150 members, and of the Progressive Literary Society of Sunapee, N. H., comprising 12 members, praying for the passage of a bill to prohibit the opening of any exhibition or exposition on Sunday where appropriations of the United States are expended; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. TURPIE presented the petition of John Bergin and other citizens of Lake City, Colo., praying for the passage of a joint

resolution proposing an amendment to the Constitution of the United States providing that Senators be elected by a direct vote of the people of the several States, and also a law preventing the immigration or importation of a single Chinaman into this country; which was referred to the Committee on Privileges and Elections.

Mr. WASHBURN presented a petition of the Chamber of Commerce of St. Paul, Minn., and a petition of the Chamber of Commerce of Stillwater, Minn., praying that an appropriation be made for a survey for a canal to unite Lake Superior with the Mississippi River, via the St. Croix River; which were referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Stillwater, Minn., indorsing a resolution of the Missouri River Improvement Association, adopted December 15 and 16, 1892, favoring the improvement of the Mississippi and Missouri Rivers; which was referred to the Committee on Commerce.

Mr. PEFFER presented a petition of citizens of Cherokee County, Kans., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. SHERMAN presented a petition of 13 citizens of Clarke County, Ohio, praying for the passage of the so-called Butterworth option bill; which was referred to the Committee on the Judiciary.

Mr. COKE presented a petition of the members of the Viola Harbor, No. 20, of the American Brotherhood of Steamboat Pilots, of Galveston, Tex., praying for the passage of Senate bill No. 67, providing for the transfer of the Revenue Marine to the naval establishment; which was referred to the Committee on Naval Affairs.

Mr. HAWLEY presented a petition of the president and professors of Yale University praying for the passage of legislation to authorize the President to appoint, as director of the United States Naval Observatory, the best astronomer, whether from civil life or the Navy; which was referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the petition of Levenia D. Athon, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 2104) granting a pension to Mrs. Levenia D. Athon; which was read twice by its title.

He also, from the same committee, to whom was referred the petition of Bertha Test, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 2105) granting a pension to Bertha Test; which was read twice by its title.

He also, from the same committee, to whom was referred the petition of Thomas M. Chill, praying for an increase of pension, submitted a report thereon, accompanied by a bill (S. 2106) granting an increase of pension to Thomas M. Chill; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 1878) to increase the pension of Ambrose B. Carlton, reported it without amendment, and submitted a report thereon.

Mr. SQUIRE, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 616) for the erection of a monument and statue of Gen. Ulysses S. Grant on ground belonging to the United States Government in the city of Washington, D. C., reported it without amendment, and submitted a report thereon.

Mr. MORRILL. I am directed by the Committee on Finance to report back adversely the bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes. I ask that the bill be placed on the Calendar.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. MORRILL. I am also directed by the same committee to report back adversely the bill (S. 1269) to increase the circulating medium by issuing Treasury notes based on gold and silver coin and bullion, and to amend the coinage laws accordingly. I ask that the bill be indefinitely postponed.

The VICE-PRESIDENT. The bill will be postponed indefinitely, if there be no objection.

Mr. MORRILL. I am also directed by the same committee to report back adversely the bill (S. 468) to provide for the retirement of national-bank notes, the free coinage of silver, for the promotion of the international free coinage of silver, and for other purposes, with a recommendation that the same be indefinitely postponed.

Mr. MITCHELL. Would the chairman of the committee have any objection to permit those bills which have been reported adversely to go on the Calendar?

Mr. COCKRELL. I ask that they be placed on the Calendar.

Mr. MITCHELL. That is the purpose for which I rose.

Mr. SHERMAN. The first bill reported, the bill introduced by the Senator from Nevada [Mr. STEWART], was placed on the Calendar, and it is a bill similar in general framework and design to the others. It is only necessary to have one bill upon the Calendar. It will be open to amendment.

Mr. COCKRELL. We can dispose of them the first time they are reached on the Calendar. We should like to look at them and see what they are.

Mr. SHERMAN. It will be an unnecessary printing to place them on the Calendar. The others are measures of the same character which have been indefinitely postponed.

Mr. COCKRELL. We can dispose of all the first time they are reached on the Calendar. I should like to look at them and see what they are. There may be some very material difference, although it may be apparently insignificant.

Mr. SHERMAN. All right.

The VICE-PRESIDENT. The bills reported adversely will be placed on the Calendar with the adverse report of the committee.

Mr. MORRILL, from the Committee on Finance, to whom were referred the following bills, reported them adversely, and moved that they be indefinitely postponed; which was agreed to:

A bill (S. 581) to amend and reënact the act entitled "An act to prescribe a national currency secured by a pledge of United States bonds and to provide for the circulation and redemption thereof;"

A bill (S. 1590) making certain issues of money a full legal tender in payment of all debts; and

A bill (S. 1434) providing for the loan of money to the farmers of Indiana.

Mr. ALLEN, from the Committee on Public Lands, to whom was referred the bill (S. 125) for the relief of Jacob W. Parker, submitted an adverse report thereon, which was agreed to, and the bill was indefinitely postponed.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1331) granting an increase of pension to Stephen D. Smith; and

A bill (S. 372) granting a pension to Ralph Waldo Nason.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 1596) to grant a pension to Martha Noble Brainerd, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 851) granting an increase of pension to Sophia J. Hamilton, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1474) granting a pension to Marrilla Parsons, of Detroit, Mich., reported it without amendment, and submitted a report thereon.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 2049) to authorize the Secretary of the Interior to carry into effect certain recommendations of the Mission Indian Commission, and to issue patents for certain lands, reported it with amendments.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 639) granting an increase of pension to Michael O'Brien, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 527) for the relief of the legal representatives of Chauncey M. Lockwood, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 735) for the relief L. A. Davis, reported it without amendment, and submitted a report thereon.

Mr. PLATT. I am instructed by the Committee on the Judiciary, to whom was referred a memorial of the Centennial Board of Finance of Pennsylvania, praying for a dissolution of the corporation, to report in favor of granting the prayer of the petition and to submit a bill to accomplish that purpose. I ask that the bill may have its first and second reading, and be placed on the Calendar.

The bill (S. 2107) to enable the Centennial Board of Finance, incorporated by an act approved June 1, 1872, to close its affairs, and dissolving said corporation, was read twice by its title.

Mr. SHOUP, from the Committee on Indian Depredations, reported an amendment intended to be proposed to the urgency deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 2108) to continue beyond his sixteenth year the pension of the insane son of Pryor Boatwright, late of Company D, Seventeenth Kentucky Infantry;

which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SHERMAN. I introduce a bill, prepared at the Treasury Department, to prohibit the coming of Chinese persons into the United States, and for other purposes. The bill was framed in the Department with a view to carry out the provisions of the existing laws in regard to Chinese immigration. It is accompanied by correspondence which sets out the objects and purposes of the bill. I ask that the accompanying papers be printed with the bill, and that it be referred to the Committee on Foreign Relations.

The bill (S. 2109) to prohibit the coming of Chinese persons into the United States, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident in the United States, and fixing penalties and punishments for violation of this act, and providing for deportation of criminals, was read twice by its title.

Mr. DOLPH. I should like to ask the Senator from Ohio to state again the purpose of the bill.

Mr. SHERMAN. The bill was prepared at the Treasury Department to enable the Department more readily and properly to enforce the provisions of the existing laws in regard to Chinese immigration.

Mr. DOLPH. The Senator is aware that the Committee on Foreign Relations reported a bill covering that subject, which is on the Calendar.

Mr. SHERMAN. I know; but that relates simply to the extension of time and not to details, which are set out in this bill. It is quite a long bill. As a matter of course, it will be referred to the Committee on Foreign Relations, and the Senator will see it.

The VICE-PRESIDENT. The bill will be referred to the Committee on Foreign Relations, with the accompanying papers, which will be printed.

Mr. SHERMAN introduced a bill (S. 2110) for the relief of Henry Halteman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2111) to correct the record of Christopher Parish; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2112) granting a pension to Lucinda Roberts; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SANDERS introduced a bill (S. 2113) amending section 2139 of the Revised Statutes, relating to the sale of intoxicants to Indians; which was read twice by its title.

Mr. SANDERS. I ask that the bill be referred to the Committee on Indian Affairs.

Mr. WILSON. I desire to call the attention of the Senator from Montana to the fact that the Committee on the Judiciary reported a bill covering the entire subject of the sale of liquors to Indians in the Indian Territory, and that it is sufficiently comprehensive to include all classes of intoxicating liquors.

Mr. SANDERS. In that case I will ask that the bill be referred to the Committee on the Judiciary. I had contemplated that the Committee on Indian Affairs might examine it, possibly change it, and then ask to have it referred to the Committee on the Judiciary, to which it would ultimately appropriately belong.

Mr. WILSON. I will state that before referring the bill reported from the Judiciary Committee to that committee I consulted with the chairman of the Committee on Indian Affairs, and the bill to which I called attention has been reported unanimously by the Committee on the Judiciary.

The VICE-PRESIDENT. The bill will be referred to the Committee on the Judiciary.

Mr. SANDERS introduced a bill (S. 2114) for the relief of William H. Rhett; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2115) for the relief of Henry R. Horr; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2116) for the relief of Ellen P. Clark; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2117) to prevent the sale of firearms and ammunition to Indians and providing for their disarmament; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2118) restoring the name of Ellen De Witt Hatch to the pension rolls of the United States; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2119) granting a pension to Eliza Adalaide Ball; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2120) declaring the function of patents for lands in confirmation of statutory grants thereof in certain cases; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. WASHBURN introduced a bill (S. 2121) for the erection of a public building at Crookston, Minn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. FELTON introduced a bill (S. 2122) making an appropriation for the improvement of Alviso River, or slough, in the State of California; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2123) to set apart a tract of land in the State of California for the use of the Lick Observatory of the astronomical department of the University of California; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PADDOCK introduced a bill (S. 2124) granting an increase of pension to Anne M. Abbott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLIN (by request) introduced a bill (S. 2125) to authorize the construction of a bridge over the Anacostia River, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2126) for the relief of Catherine E. Whitall; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 2127) granting an increase of pension to Clara B. Davidson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PASCO (by request) introduced a bill (S. 2128) for the relief of John S. Sammis; which was read twice by its title, and referred to the Committee on Claims.

Mr. WHITE (by request) introduced a bill (S. 2129) for the relief of Amire R. Hertzog, of Natchitoches, La., for stores and supplies taken from her by the military forces of the United States during the war for the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 2130) for the relief of Mrs. Mary P. C. Hooper; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

Mr. SAWYER introduced a bill (S. 2131) to correct the military record of Homer K. Nichols; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BLACKBURN introduced a bill (S. 2132) for the relief of Thierman & Frost; which was read twice by its title, and referred to the Committee on Claims.

Mr. GEORGE introduced a bill (S. 2133) to repeal the internal-revenue tax on the circulation of bank notes issued under State authority; which was read twice by its title.

Mr. GEORGE. This bill is an exact copy of one I introduced at the last session and upon which the Committee on Finance made no report. Two other bills of a similar character have been introduced at this session and referred to the committee. I move that the bill be referred to the Committee on Finance with the hope that they will make a report upon it.

The motion was agreed to.

Mr. TURPIE (by request) introduced a bill (S. 2134) granting a pension to John F. Langenbough; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 2135) to provide for the sale of surplus or unallotted lands of the Ottawa Indians of the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2136) to amend an act entitled "An act to incorporate the National Union Insurance Company of Washington," approved February 14, 1865; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SANDERS introduced a joint resolution (S. R. 39) to provide for removing obstructions in the Clarke Fork of the Columbia River, and making an appropriation therefor; which was read twice by its title.

Mr. SANDERS. I move that the joint resolution be referred, for the present, to the Committee on Fisheries.

The motion was agreed to.

Mr. GIBSON of Louisiana. I introduce a joint resolution and ask that it may be read in full and referred to the Committee on Agriculture and Forestry.

The joint resolution (S. R. 40) creating a commission to inquire

into the causes of depression in the prices of agricultural products and how far they may be removed by legislation was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives, etc., That a commission is hereby authorized and constituted, to consist of five Senators, to be appointed by the Senate, seven members of the House of Representatives, to be appointed by the Speaker, and experts, not exceeding three in number, to be elected by and associated with them, with the authority to determine the times and places of meeting, and to take evidence, and whose duty it shall be to inquire into the depressed condition of the agricultural interest and low prices of agricultural products, especially of cotton, and the causes thereof; whether those causes are of a permanent character, and how far they have been created or can be remedied by legislation, and to report by bill or otherwise.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Agriculture and Forestry.

Mr. PETTIGREW introduced a joint resolution (S. R. 41) extending an invitation to the Presidents of the American Republics and the governors of the American Colonies to participate in the World's Columbian Exposition; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

He also introduced a joint resolution (S. R. 42) extending an invitation to the King and Queen of Spain, and the descendants of Columbus, to participate in the World's Columbian Exposition; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

He also introduced a joint resolution (S. R. 43) requesting the loan of certain articles for the World's Columbian Exposition; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

He also introduced a joint resolution (S. R. 44) authorizing the Librarian of Congress to exhibit certain documents at the World's Columbian Exposition; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. PASCO, it was

Ordered, That the papers in the case of Mrs. Mary E. Boyd be withdrawn from the files of the Senate and referred to the Committee on Claims.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 410) to amend the charter of the Eckington and Soldiers' Home Railway Company;

A bill (H. R. 4107) to change the corporate name of the National Safety Deposit Company of Washington; and

A bill (H. R. 4429) to empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases.

The message also announced that the House had passed a concurrent resolution providing for the printing of 10,000 copies of the addresses delivered in the House of Representatives on January 21, 1892, upon the presentation of the portraits of Hon. Galusha A. Grow and Hon. Samuel J. Randall by the Commonwealth of Pennsylvania.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah; and it was thereupon signed by the Vice-President.

REMOVAL OF UTE INDIANS.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be reprinted for the use of the Senate Ex. Doc. No. 67 of the Fiftieth Congress, second session, and with it testimony taken for use of Committee on Indian Affairs at said session in relation to the removal of the Ute Indians.

TRANSFER OF REVENUE MARINE.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury is hereby directed to communicate to the Senate any information in his Department in respect to the expediency of transferring the Revenue Marine Service to the Navy Department and to express his opinion whether the public service would be promoted by such a change.

WEST VIRGINIA DIRECT TAX.

Mr. FAULKNER. Mr. President, several days ago there was passed by the Senate, in the absence of the two Senators from Virginia, the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress, approved August 5, 1861." The succeeding day, at their request, I entered a motion to reconsider the vote by which the joint resolution was passed and moved to recall the joint resolution from the possession of the other House, to which it had been sent, the understanding at that time being that if requested by those Senators, after consultation, I would ask that the motion to reconsider be passed; that the joint resolution be reëstablished on the Calendar as Order of Business No. 74, and that it be laid for consideration before the Senate.

In pursuance of that agreement, I now ask unanimous consent that the motion to reconsider be agreed to, that the joint resolution take its place on the Calendar as Order of Business No. 74, and that it be now laid before the Senate for its consideration.

The VICE-PRESIDENT. The Chair hears no objection, and lays the joint resolution before the Senate as in Committee of the Whole.

Mr. DOLPH. Has the resolution been referred to a committee and reported back?

Mr. FAULKNER. I will state to the Senator that the joint resolution has had the unanimous report of the Committee on Claims. It was on the Calendar for some time, and passed in the regular course of proceeding, and a motion to reconsider entered.

The VICE-PRESIDENT. The joint resolution is before the Senate as in Committee of the Whole.

Mr. DANIEL. Mr. President, I move to refer the joint resolution to the Judiciary Committee. This resolution, which was offered by the Senator from West Virginia [Mr. FAULKNER] and referred to the committee of which he is a member, was reported back to the Senate in an elaborate report made by him with the indorsement of the entire committee, is one that involves the relations of the Government of the United States as the holder of certain bonds signed by the State of Virginia in 1860, when both the States of Virginia and West Virginia were in the Commonwealth of Virginia.

It is a question of great financial interest to Virginia, involving, it may be, an expression of opinion on the part of the Senate which will apply to a much larger amount (running up into the millions) than that which West Virginia now asks to put into her treasury.

The question involved, apart from its pecuniary importance, is one that concerns two States and the Federal Government. In its legal aspect, if we regard that alone, it is a question of the highest dignity. The position which I occupy upon this subject is one which has been expressed by the Attorney-General of the United States in an opinion which I shall presently quote for the information of the Senate, and the report which was made by the honorable Senator from West Virginia is one which undertakes to override and to set aside the opinion of the Attorney-General of the United States.

This, Mr. President, can scarcely be regarded as in the nature of a claim which should properly in the first instance have been referred to the Committee on Claims. There was no question as to the facts of the case and no fact for it to investigate. The mere question was whether or not the Attorney-General of the United States, who is the highest legal officer in this Government in an advisory relation to the President, should be overridden and an amount acknowledged to be due by the Government should be paid in contravention of his opinion.

This being the attitude of this matter, it seems to me patent that the appropriate reference in the beginning was to the Judiciary Committee, and I ask that that reference may now be made; that a tribunal entirely impartial passing upon a judicial question shall be that tribunal selected by the Senate for such purpose.

Mr. MITCHELL. Will the Senator allow me to ask him a question?

Mr. DANIEL. With pleasure.

Mr. MITCHELL. What is the legal question involved in this case, in the opinion of the Senator from Virginia?

Mr. DANIEL. I will state the legal question involved, in the language of the Attorney-General, by reading his opinion to the Senate.

The VICE-PRESIDENT. The time of the Senator has expired.

Mr. STEWART, I hope the Senator will be allowed by unanimous consent to complete his statement in regard to the pending matter.

The VICE-PRESIDENT. Is there objection? [No objection.] The Chair hears none, and the Senator from Virginia will proceed.

Mr. DANIEL. The opinion of the Attorney-General, in a letter addressed to the Secretary of the Treasury, is as follows:

DEPARTMENT OF JUSTICE, *Washington, D. C., August 12, 1891.*

SIR: By your letter of April 13 last, you ask whether, under the law, the Secretary of the Treasury is authorized and required to retain the whole or any part of the amount due to the State of West Virginia on account of the refund of direct taxes, under the act approved March 2, 1891, by reason of the

alleged liability of the State of West Virginia for a part of the indebtedness of Virginia prior to the separation and erection of West Virginia into a new State.

The constitution of West Virginia, which went into effect in 1863, declared that "An equitable portion of the public debt of the Commonwealth of Virginia prior to the 1st day of January, 1861, shall be assumed by this State; and the Legislature shall ascertain the same, as soon as may be practicable, and provide for the liquidation thereof by a sinking fund sufficient to pay the accruing interest and redeem the principal within the period of thirty-four years." (Article 8, section 8.)

Upon this constitution the State of West Virginia was admitted into the Union.

The indebtedness of the Commonwealth of Virginia prior to the 1st day of January, 1861, was, as I am advised, something over $30,000,000. I am informed by your letter that of this indebtedness nearly $1,600,000 was due to the United States, and that the same, with interest, remains mainly unpaid.

Section 3481 of the Revised Statutes of the United States reads as follows:

"Whenever any State is in default in the payment of interest or principal on investments in stocks or bonds, issued or guarantied by such State and held by the United States in trust, the Secretary of the Treasury shall retain the whole, or so much thereof as may be necessary, of any moneys due on any account from the United States to such State, and apply the same to the payment of such principal and interest, or either, or to the reimbursement, with interest thereon, of moneys advanced by the United States on account of interest due on such stocks or bonds."

In my opinion—

I call the attention of the honorable Senator from Oregon [Mr. MITCHELL] to this, which states the question and gives the opinion of the Attorney-General upon it:

In my opinion, under this statute, it is your duty to insist upon the right of set-off against the demand of the State for a refund of the direct tax to the extent of the "equitable proportion" of the debt of Virginia for which West Virginia is liable. What this "equitable proportion" may be is not a question of law but of fact, or of mixed law and fact, and is not for my determination.

Very respectfully,

W. H. H. MILLER, *Attorney-General.*

The SECRETARY OF THE TREASURY.

Mr. MITCHELL. As I understand, the Attorney-General there refers to the provision by which it was agreed that West Virginia should pay an equitable proportion of the debt of old Virginia whenever that should be ascertained. He says that is a question of fact with which he has nothing to do. That has not been ascertained, and the Senator from Virginia does not assert that this question of fact has ever been ascertained.

Mr. DANIEL. This resolution does not seek to ascertain it, and the legal opinion of the Attorney-General is that with that amount unascertained—though I maintain, further, that both States are liable for the whole amount—this measure should not be passed; but whether correct or not, I ask that this question shall be referred to the Judiciary Committee, the proper tribunal of this body, according to its rules, to pass upon those cases which present nothing but legal questions.

I may be permitted to say there are other grounds of statutory and international law upon which the Attorney-General might as well have predicated this opinion, and furthermore, while I criticise in no hostile spirit the report which has been made by the Committee on Claims, I beg leave to advert to the fact that in that report most substantial and important facts have been omitted from the recital, and one of them is this. It is commented upon by the Attorney-General of the United States that West Virginia came into the Union with a constitution which obliged her Legislature to assume an equitable proportion of this debt and to provide a sinking fund which in thirty-four years would pay it.

I beg leave to call attention to the fact that those thirty-four years have well nigh passed. West Virginia, which came into the Union with such a constitution, has never unto this day paid one dime upon that debt, nor ascertained what it is, in so far as I am advised, or if she has ascertained what it is, the amount does not appear in this report made by her Senator.

If there be a delinquency in the ascertainment of a debt which is due to the United States Government, and that delinquency is not the delinquency of the Government itself, shall it part with the assets which it holds in its hands on account of the delinquency of others?

Furthermore, I beg leave to call the attention of the honorable chairman of the Committee on Claims to the fact that while West Virginia came into the Union with this constitutional obligation imposed upon her Legislature, she has changed her constitution and has omitted that provision from it, an indication which you may interpret according to its necessary implication.

Furthermore, Mr. President——

Mr. MITCHELL. If the Senator will allow me, he will concede I think that there is nothing in this bill, if it should become a law, from beginning to end, that in any manner interferes with the relations now existing either by virtue of constitutional provision or agreement between the two States of Virginia and West Virginia in reference to the debt of old Virginia, or in reference to the equitable proportion which West Virginia may have to pay when that debt or amount is ascertained. There is nothing in this bill, or resolution I will say, that undertakes to decide that question or pass upon it directly or indirectly.

Mr. DANIEL. I am obliged to the Senator from Oregon for his interpretation of the bill which is now before us, and in response to his suggestion I beg leave to ask him a question. He states that there was a compact between the two States. He must mean that a compact between the two States was contained in the constitutional provision of West Virginia which is quoted in this report, does he not?

Mr. MITCHELL. I understand it is provided in the constitution of West Virginia which went into effect in 1863, that an equitable proportion of the public debt of the Commonwealth of Virginia prior to the 1st day of January, 1861, shall be assumed by the State of West Virginia.

Mr. DANIEL. That is what you refer to?

Mr. MITCHELL. That is the provision of the original constitution.

Mr. FAULKNER rose.

Mr. DANIEL. I hope the Senator from West Virginia will allow me to finish my remarks in reply to the Senator from Oregon.

Mr. FAULKNER. I merely wish to say a word on this point.

Mr. DANIEL. I can not yield to my honorable friend at this time.

Mr. FAULKNER. If the Senator does not want the facts, I can reserve them in my possession until he has concluded.

Mr. DANIEL. I wish the facts. The Senator is very much in error if he thinks I mean any discourtesy to him, but a gentleman can not possibly answer two at once. It only leads to a confusion of his ideas and to a confused presentation of them to the Senate.

Mr. FAULKNER. I wish simply to say, Mr. President, that I was going to answer the Senator's question and not to ask him one.

Mr. DANIEL. I should be very glad to yield the floor to the Senator from West Virginia.

Mr. FAULKNER. When the Senator has concluded his remarks on his motion I will take the floor.

Mr. DANIEL. I had not even concluded answering the question of the Senator from Oregon.

Now, Mr. President, with the assurance to my honorable friend that I shall be gratified, as soon as I have replied to a question which the chairman of the Committee on Claims propounded to me and ascertained what he means by it, to yield the floor to him for any other question, I beg now to say to the Senator from Oregon, who refers to a provision of the constitution of West Virginia as being part of a compact between West Virginia and the Government of the United States and between West Virginia and Virginia—do I correctly understand him?

Mr. MITCHELL. I merely referred to a provision in the constitution of West Virginia. I am not undertaking to decide what the compact is between the two States. What I said and what I repeat is this: Whatever that compact was, whether by virtue of constitutional provision or by statutory provision or by agreement between the two States, this joint resolution does not undertake directly or indirectly to interfere with it one way or the other. It ignores that question, it leaves it entirely out of consideration, and simply passes upon the single question as to whether the United States Government is justified in withholding the amount of the direct tax to which West Virginia is entitled upon any ground recognized by the statute which recognizes the right of set-off.

That is the only question passed upon by the committee, and that is all there is in the resolution reported by the committee. It leaves the questions, as I understand—if I am in error I wish to be corrected—as to the relations growing out of the separation of West Virginia from old Virginia entirely as they exist now, whatever they may be. It leaves that matter to be settled between the two States

Mr. DANIEL. Is the Senator aware that the State of West Virginia has repealed the constitutional provision to which he refers as part of the compact?

Mr. MITCHELL. I am not going into that matter.

Mr. DANIEL. I ask if the Senator is aware of that fact?

Mr. MITCHELL. I have nothing to do with that matter. I have said I care nothing about the relations between the two States. I have simply said that this joint resolution leaves that question entirely out of consideration and merely passes upon the single question as to whether or not under existing law the State of West Virginia is or is not entitled to her share of the direct tax under the law passed at the last Congress.

Mr. DANIEL. I can not precisely understand the Senator from Oregon. He referred in the first place to a provision in the constitution of West Virginia which appears in the report of the committee of which he is chairman, as fixing that the government of West Virginia was not bound for the entire debt under the international legal provision which is quoted in that report, but was only bound for the assumption of an equitable proportion according to her constitution. I ask him now if he knew that

that constitutional provision had been abrogated, and the very thing which he has quoted, or his committee has quoted, as the basis of their opinion he says has nothing to do with it. Mr. President, if it has nothing to do with the question, and is yet quoted as the ground of action, it seems to me that the Judiciary Committee would be the proper committee to investigate it, and not one which has such views upon this subject as the Senator from Oregon.

I take up this report, which is made by the committee of which the Senator is chairman, and I see laid down in it the law of international regulation which maintains that both Virginia and West Virginia are liable for the entire amount of those bonds which were issued by the State in its entirety. I will quote from that, for it appears in this report:

A State neither loses any of its rights nor is discharged from any of its duties by a change in the form of its civil government. The body politic is still the same, though it may have a different organ of communication. So, if a State should be divided in respect to territory, its rights and obligations are not impaired; and if they have not been apportioned by special agreement, those rights are to be enjoyed and those obligations fulfilled by all the parts in common. (1 Kent's Com., 25.)

Mr. MITCHELL. What does the Senator read from?

Mr. DANIEL. I read from Kent's Commentaries, quoted in the report of the committee of which the Senator is chairman.

Mr. MITCHELL. Will the Senator allow me right there?

Mr. DANIEL. Yes, sir.

Mr. MITCHELL. Is not the doctrine laid down in the very authority which the Senator quotes from——

Mr. DANIEL. I have not finished quoting.

Mr. MITCHELL. Allow me a moment. Is not that authority to the effect that where a sovereign State is divided and there is no agreement between the two portions of the State, then the doctrine is that each portion is liable for the debt; but where there is an agreement between the two portions of the old sovereign State then the rule is just the reverse?

Mr. DANIEL. The Senator interrupts me before I have finished reading the sentence of his report, when, if he will be kind enough to be a little patient, I would lay the whole matter before him and the Senate.

Mr. MITCHELL. Allow me to say one word. The Senator from West Virginia [Mr. FAULKNER] made the report in this case. I am not going to interrupt the Senator from Virginia again, but I hope the Senator who made the report from the Committee on Claims will have the privilege, as I have no doubt he will at the close of the Senator's remarks, to answer all that can be said upon the subject.

Mr. DANIEL. Mr. President, I continue to read from the citations of this report, as I was doing when the Senator made the remarks which he has just submitted.

Section 27: The case is slightly different where one State is divided into two or more distinct and independent sovereignties. In that case the obligations which had accrued to the whole before the division are (unless they have been the subject of a special agreement) ratably binding upon the different parts. This principle is established by the concurrent opinions of text writers, the decisions of courts, and the practice of nations. (1 Halleck's International Law, pages 76, 77.)

Mr. President, accepting this statement of international law according to the meaning and significance of it as quoted by the committee, I beg leave to say that not only has the Senator from Oregon this morning but as well the committee which has made this report to the Senate endeavored to place West Virginia within the exceptional and modified clause of the statements of law on the ground of this constitutional provision which I have cited; and that I do not misinterpret the argument of the Senator from Oregon, which is concurrent with the language of the report, I read now from the report of his committee:

What is known as the reorganized government of Virginia, on the 20th day of August, 1861, adopted "an ordinance providing for the formation of a new State out of a portion of the territory of this State," and in the ninth section of said ordinance it provides as follows in reference to the debt existing prior to the 1st day of January, 1861:

"The new State shall take upon itself a just proportion of the public debt of the Commonwealth of Virginia prior to the 1st day of January, 1861, to be ascertained by charging to it all State expenditures within the limits thereof and a just proportion of the ordinary expenses of the State government since any part of said debt was contracted; and deducting therefrom the moneys paid into the treasury of the Commonwealth from the counties included within the said new State during the same period."

The ordinance which is thus referred to by the committee is an ordinance adopted by what is known as the "reorganized government of Virginia" which occupied the territory of West Virginia, and which a little later transformed itself by a process unknown to the Constitution and to peace into the State of West Virginia. Now, the Senator from West Virginia states in his report, which the committee of which the Senator from Oregon is chairman has indorsed and submitted to the Senate:

This proposition of the reorganized government of Virginia was accepted by the inhabitants of that section of the State which subsequently formed the State of West Virginia by the adoption in its first constitution of the following provision:

"An equitable proportion of the public debt of the Commonwealth of Virginia, prior to the 1st day of January, in the year 1861, shall be assumed by this State; and the Legislature shall ascertain the same as soon as may be practicable, and provide for the liquidation thereof by a sinking fund sufficient to pay the accruing interest and redeem the principal within the period of thirty-four years."

Then this report says, commenting upon that clause in the new constitution of the new State:

On the 31st of December, 1862, Congress passed an act in which it recited the consent of the Legislature of Virginia, the framing of the constitution of the State of West Virginia, its adoption by the voters of said State, and in the same act provided for its admission into the Union as a State.

I have examined the constitution of 1872; I have inquired of the Senator from West Virginia lest my examination might be misleading, and according to the information which I have received from the text of that constitution and the author of that report, every provision of the constitution of West Virginia which is relied upon by the Senator from Oregon as a part of the compact which takes this matter out of the provisions of international law has been abrogated, set aside, and repealed.

Furthermore, I need not go beyond the report which has been made by the Committee on Claims and the exhibits which it has laid before the Senate to see that the State of West Virginia today in this very report denies the obligation of that constitution which the Senator from Oregon relies upon as the basis for overriding the opinion of the Attorney-General of the United States.

Let the Senator turn to the copy of the report of his committee which he has before him, on pages 10 and 11, and let him read there the letter written to the Treasury Department of the United States by the present executive of that Commonwealth. In that letter, which is dated October 28, 1891, which is fresh from the office of the governor of West Virginia, I read this language:

We claim to owe Virginia nothing, and that we are not liable for any part of her antewar debt.

And yet, sir, with the paper before him and before this committee in which the executive of the Commonwealth declares that they claim to owe nothing, and in spite of the fact that with thirty-four years of constitutional obligation resting upon them they have not paid a cent, we are told in the Senate that the Treasury should turn over to them all that is owed because an equitable portion has not yet been ascertained.

Mr. President, the appropriate place for this joint resolution is before the committee on courts of justice. I beg leave to say that in my humble opinion this resolution has no place in the Senate.

I have before me the one hundred and twenty-third volume of the United States Court Reports, and I find that if the Senator from West Virginia is correct in his views of the law and the Attorney-General of the United States is wrong, there is a tribunal ready and open to them at all times, in which this question might ere this have been settled. I read from the case of the United States *vs.* Louisiana in the one hundred and twenty-third volume of the United States Reports, page 32:

The Court of Claims has jurisdiction of an action by a State against the United States for a demand arising upon an act of Congress.

Mr. President, if the Attorney-General is wrong, why is the Senate instead of the Court of Claims asked to overrule him? When the State of Louisiana had a question like this, involving the direct tax, it went from the Treasury Department to the Court of Claims and won it; and when the State of Georgia had a question like this before the Treasury of the United States it also went to the Court of Claims and won it; but when the Attorney-General of the United States has given his opinion that this claim of West Virginia is not tenable in law, not following the precedents by which Louisiana and Georgia had blazed the course of procedure, this case is presented here and the Committee on Claims, of which my honorable friend from West Virginia is an able member, presents a report written by himself, in which this opinion is overruled and Virginia is told that she should say nothing upon this subject.

Mr. President, I do not criticise with any asperity my honorable and able friend, nor do I criticise the State of West Virginia. She was the last child born of Virginia to this Union, and the confusion, the anarchy, the distress, and differences of opinion which arose between her people and those of the old Commonwealth I rather attribute to conditions which were unchangeable and which rested deeply in our social system than to any indisposition of her people to do the thing that is right and just.

For my State, however, it is not without some pride that I may recite the fact that, although it was the theater upon which a half million men fought during the period of four years of war, up to the present time she has paid $17,000,000 of interest upon her public debt; that in the feeble days after the war, when the sparks in ashes of her homes were scarce yet extinguished, she sent to the Government of the United States and paid the only interest which has ever been paid upon these bonds, and I do not think, sir, that it would be the correct treatment of that Commonwealth in her contention to have her overridden upon this floor when the provision to which the Senator refers has been ab-

rogated from the constitution of West Virginia, and when her assumption of an equitable proportion of that debt is thirty-four years past due.

Mr. MITCHELL. Will the Senator permit me one question right there?

Mr. DANIEL. With pleasure.

Mr. MITCHELL. Does the Senator think that there is to-day a subsisting agreement between the two States by which West Virginia is to contribute an equitable proportion of the old debt?

Mr. DANIEL. Suppose I admit that, what good does it do the United States?

Mr. MITCHELL. The Senator contends that this provision in the original constitution of West Virginia referred to in the report has been abrogated.

Mr. DANIEL. I have so understood.

Mr. MITCHELL. And he has argued that there was no understanding between the two States as to the indebtedness, and therefore the rule of international law comes in making each State liable for the whole debt of the old State. Now, what I want to know is this: Is there or is there not, in the opinion of the Senator from Virginia, a subsisting agreement to-day between the two States by which West Virginia shall or shall not contribute an equitable proportion of the debt of old Virginia when that is ascertained?

Mr. DANIEL. The Senator has asked me a question which it is not altogether easy to answer, but I shall be entirely frank in giving to him the best conceptions that I can form upon that subject. There is certainly not such a subsisting agreement as the one to which he refers to, because the constitution of West Virginia was different from the ordinances of the restored loyal government of Virginia, as it is called.

Furthermore, there may be a very grave question arising in this case as to the validity of the provision of the constitution of the restored government which undertook to speak for Virginia and in her name at a time when three-fifths of the people of Virginia were engaged in war and were excluded by a line of battle from even participating in the proceedings which were held in the name of that Commonwealth. If the Senator relies now not upon the constitution of West Virginia, which I understood in the first place to be the gravamen of his argument, but on the constitution of the Wheeling government of Virginia, which was adopted during the war through the agency of a mass meeting, called a convention by way of complimentary consideration, then I would say that that constitution was itself set aside and overturned by the reconstruction law of the United States, and it would be indeed a hardship to hold old Virginia by a constitution framed out in West Virginia to every obligation, and then to repudiate it and set it aside as to every benefit which it might possibly confer.

Mr. President, I shall also refer to a fact which does bear upon this question in so far as the Commonwealth of Virginia is concerned and which I have not as yet quoted. It is the provision in the constitution of Virginia which was adopted in 1869, the constitution under which we now live, by which it was provided:

> The General Assembly shall provide by law for adjusting with the State of West Virginia the proportion of the public debt of Virginia proper to be borne by the State of Virginia and West Virginia, and shall provide that such sum as shall be received from West Virginia shall be applied to the payment of the public debt of the State.

We must read carefully this provision of the constitution of Virginia to understand its meaning and effect. It is a very different thing for that constitution to be obligatory upon the State of Virginia and for it to constitute a compact with West Virginia, just as it is a very different thing for the constitution of West Virginia to constitute an obligation upon its people and for it to be spoken of as part of a compact with another. This constitution of Virginia, when it is analyzed and read, will not bear out, as I understand, the full force and effect of the construction which my learned friend and the Committee on Claims attribute to it.

> The General Assembly shall provide by law for adjusting with the State of West Virginia the proportion of the public debt of Virginia proper, to be borne by the State of Virginia and West Virginia—

That signifies nothing except a tentative effort to be made by the Commonwealth of Virginia to ascertain to what equitable proportion each might be bound in order that the obligation which bound both might thus be separated, dissevered, and divided—

> and shall provide that such sum as shall be received from West Virginia shall be applied to the payment of the public debt of the State.

Mr. President, there has been no opportunity for the law of Virginia to provide for any portion that was paid by West Virginia into the treasury of the State, for to this day there has not the value of a postage stamp been paid. Furthermore, this was not a compact between Virginia and West Virginia; it was a mere matter of local regulation for the people of the State to show that they held forth the desire to separate an obligation which bound both, and to provide that if West Virginia should be paid anything from her treasury it should be immediately applied to that obligation.

Mr. President, Virginia puts herself in the attitude of readiness or attempted readiness to conform her conduct to any view which may be held respecting this obligation. If the United States Government held both States bound she was ready to take steps to pay her proportionate part; but if, on the other hand, it might be held that she alone was bound, and West Virginia chose to pay into her treasury a portion of the obligation to be given to the United States, she only provided the constitutional machinery by which it could be done; but in no event, in no aspect, can the Senator, as it seems to me, appropriately contend that this matter, which contemplated a settlement on one plan, which has never been carried out, shall preclude the obligations which exist to the United States Government.

Let us look at this question in the aspect which appropriately affects our relation to it, not as Senators of Virginia or of West Virginia, but as Senators of the United States. The committee contends in its report for two legal propositions and gives appropriate citations which seem to support them. The first is that—

> If a State should be divided in respect to territory, its rights and obligations are not impaired; and if they have not been apportioned by special agreement, those rights are to be enjoyed and those obligations fulfilled by all the parts in common.

Mr. President, can the Senator from Oregon, can the Senator from West Virginia, can any human being point me to any special agreement between Virginia and West Virginia by which the amount of this debt has been apportioned? On the contrary, to construe the matter even in the language of the Senator from Oregon, there has by no condition and by no interpretation been anything more than a general understanding that it should be apportioned and the equitable proportion of West Virginia ascertained.

Now, it is only when the equitable proportion has been ascertained—it is not when each has acknowledged that it owes an equitable proportion, but it is only when the apportionment has been made between the two that, according to the text which the committee itself cites, the obligation is dissevered.

Mr. President, let me say further that I think my learned friends of the Committee on Claims have misinterpreted the full force and effect of international law in another respect. Two obligors in a bond, two persons who owe the bond, can not separate and divide the obligation of the bond so as to release either one or the other, in whole or in part, from the whole of the bond, unless the obligee, who is the holder of the bond, consents to and acquiesces in the agreement; and if there had been any special agreement, as the Senator contends, between the States of Virginia and West Virginia—and I deny the fact—let him show where the United States Government has made itself a party to that agreement by which it is estopped from asserting the obligation of the whole bond against both.

The United States Government has never acted upon this subject save to accept into this Union as States of the Union the States of Virginia and West Virginia. In the first constitutions of West Virginia it was provided that she should assume an equitable proportion of the debt. Is that an apportionment of her equitable proportion of the debt, or is it an obligation to go about the apportionment of it? Shall a thing undone, which was commanded to be done, be substituted as a plea for a thing accomplished? Can two persons, apart and aside from their creditor, go and separate their obligation as to him and say what they will do to pay him, when he has never been a party thereto?

Mr. President, it is on the part of the Government of the United States that I speak. I am a Senator from Virginia, but I am a Senator of the United States. It is true—and I do not disguise the fact—that in the maintenance of that position which I think the Government of the United States should and ought to maintain, my State may perhaps get the incidental advantage of not having a creditor to pursue her alone when another is equally liable with her, just, for instance, as if the Senator and I were so unfortunate as to indorse the bond of a friend, or if I in a firm name were to obligate him and myself conjointly and separately to pay a debt, and if, perchance, the creditor were levying upon me who for thirty-four years had never paid a cent of that debt, while he had been struggling to do it and had paid $17,000,000, would the Senator say that because he and I had agreed to pay the debt and I had agreed to pay an equitable proportion, that the execution upon me, when I had paid nothing, should be released and that the whole burden should be left to fall upon him? Would he so advise his clients in the State of Oregon? I think not. If, on the other hand, he said to the creditor, "Here both of us are bound for this debt. I have done the very best that I could to pay and the other has done nothing. Now that you have

got the lien of an execution upon him, I would prefer that you should not release it and come against me."

There, Mr. President, if you analyze this question by any principle of international law, by any principle of constitutional law, by the ordinary rules of practice which obtain in courts and among men, I can see nothing in it which would induce me to advise the Government of the United States to pay to either Virginia or West Virginia what was due them when she held a bond upon which the Committee on Claims say both are liable.

Let me call the attention of the Senator from Oregon to the fact that he does not deny the obligation of West Virginia upon this bond, but maintains it. It was made by the State in its entirety when every citizen and when every county was under one jurisdiction. He only contends that by a special agreement between the two the joint obligation has been absolved.

I say, in the first place, no such agreement has been made; and, in the second, that the United States Government is not a party to it, and that in view of the fact that neither Virginia nor West Virginia is paying up much upon this debt to the United States, it is not judicious to advise the Treasury to override the opinion of the Attorney-General and to release the only security on earth that it has got for any part of it.

Mr. GEORGE. I should like to ask the Senator a question. What is the basis of the statement that there was an agreement between the State of Virginia and the State of West Virginia to apportion this debt? What are the elements now upon which that statement is based?

Mr. DANIEL. Mr. President, it has been a little difficult for me to discover, but as well as I could make out from the argument of the Senator from Oregon and this report, which passes very lightly over that very weak point in its presentation of this matter, it relies upon the constitutional provisions of Virginia and West Virginia as constituting an agreement between the two States—that is the substance of it—an agreement which is unexecuted, and to which the Government of the United States is not a party in any other sense than that it has admitted these two States into the Union with such provisions in their constitutions.

Mr. GEORGE. I wish to ask the Senator if he has before him the constitutional provisions which are alleged to constitute the contract between the two States?

Mr. DANIEL. Yes, sir; I have them here, I will read, first, in response to the question of the Senator from Mississippi from—I said constitutions, but I should have said the ordinance of one State and the constitution of the other—from the ordinance adopted by the Wheeling Legislature, calling itself a Virginia Legislature.

Mr. GEORGE. For the purpose of this argument we will call it the Virginia Legislature.

Mr. DANIEL. The Virginia Legislature of that portion of Virginia which adhered to the Government of the United States during the war, the loyal Legislature, or restored government of Virginia, as it is sometimes called. That says, touching West Virginia:

> The new State shall take upon itself a just proportion of the public debt of the Commonwealth of Virginia, prior to the 1st day of January, 1861, to be ascertained by charging to it all State expenditures within the limits thereof and a just proportion of the ordinary expenses of the State government since any part of said debt was contracted; and deducting therefrom the moneys paid into the treasury of the Commonwealth from the counties included within the said new State during the same period.

As to that, I wish my comment to be associated with the quotation from the constitution which undertakes to bind Virginia. Let me say that that constitution was itself overridden and set aside by the Government of the United States, and that we are now living under another.

Mr. GEORGE. Is that by the Virginia ordinance?

Mr. DANIEL. That is the Virginia ordinance.

Mr. GEORGE. And that was accepted by West Virginia?

Mr. DANIEL. By West Virginia. In the first constitution of West Virginia article 8, section 8, there is this provision:

> An equitable proportion of the public debt of the Commonwealth of Virginia, prior to the 1st day of January, in the year 1861, shall be assumed by this State; and the Legislature shall ascertain the same as soon as may be practicable, and provide for the liquidation thereof by a sinking fund sufficient to pay the accruing interest and redeem the principal within the period of thirty-four years.

That constitution of West Virginia has never been complied with by West Virginia. Furthermore, as I understand it, that provision of the constitution of West Virginia no longer exists, but has been abrogated in the constitution of 1872; at least I inquired of the Senator from West Virginia [Mr. FAULKNER] whether that was not true, and I have not been informed to the contrary.

Mr. GEORGE. Which preceded in point of time?

Mr. DANIEL. Virginia preceded West Virginia.

Mr. GEORGE. That was an ordinance?

Mr. DANIEL. An ordinance.

Mr. GEORGE. Now, I want to know where, when, and in what terms the State of Virginia accepted the proposition made by West Virginia, because it requires an acceptance to make a contract. Has the Senator read that?

Mr. DANIEL. I have read the language.

Mr. DIXON. We can not hear what is being said, Mr. President.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Chair states to Senators that the reporters are almost utterly unable to hear the colloquy which is now going on. Senators on the floor will please speak louder, and other Senators will please converse less audibly.

Mr. GEORGE. My understanding of a contract is that two parties get together and accede to the same thing, each promising the other to do the same thing, and if all that has been done by West Virginia and Virginia has been read by the Senator from Virginia, it raises not a very grave doubt, because it seems to me to be very clear there was no contract made.

Mr. DANIEL. Mr. President, I have never understood that any contract was made further than these constitutional provisions, and they constitute all the light that this committee has shown upon this subject.

I beg leave now, as I am about to conclude, to impress this point: If two States desiring to come into the Union, let us say Idaho and Nevada, for instance, were, in consequence of negotiations between the governments of those two States, to agree about an adjustment of a certain matter, I do not think that because Congress admitted them into the Union with a substantial contract between the two, the Government of the United States thereby made itself a party to the contract, which it simply recognized by the admission as subsisting between the two.

Furthermore, if that contract was one which related to a debt held by the United States which bound the two and by arrangements between them as two debtors, contemplated that each should provide for a portion of that debt, and they were thus admitted into the Union, I would not understand that the Government of the United States by admitting them into the Union with a contract to provide between themselves for a matter which was intregral in itself, could release the one that had broken the contract and provided nothing for the obligation to pay the whole debt for which it was bound. That would be a new version of law which I have never discerned in any text-writer that I have had the opportunity to read, and which I venture to say can find no justification in any municipal or international court.

One more item, Mr. President, that bears upon this matter. The statute of offsets, which the Attorney-General cites in his report as one which justifies him in advising the Government to withhold the sum of some $150,000 from the treasury of West Virginia, is contained in the Revised Statutes of the United States, and is a part of the general law of the land applicable to all matters of cross debts between States and parties and the Government. In the direct-tax law, however, which was passed at the last Congress of the United States, there is a particular provision of offset which, it seems to me, is different in its language from that which the Attorney-General has cited. It provides:

> That no part of the money collected from individuals—
>
> That is, of the direct tax—
>
> and to be held in trust as aforesaid shall be retained by the United States as a set-off against any indebtedness alleged to exist against the State, Territory, or District of Columbia, in which said tax was collected: *And provided further*, That no part of the money hereby appropriated shall be paid out by the governor of any State or Territory or any person to any attorney or agent under any contract for services now existing or heretofore made between the representative of any State or Territory and any attorney or agent.

The facts in this case are these, and they are, I think, innocently misstated by this committee. The committee says that under the provisions of the direct-tax act, from which I have just read, and which was passed at the last Congress—

> that under the provisions of the same act there was paid from the treasury of the State of West Virginia its proportion—

I am mistaken in my citation. It was the direct tax of 1861 that I refer to.

> Under the provisions of the same act there was paid from the treasury of the State of West Virginia its proportion of the tax under said law, aggregating the sum of $153,978.75.

It also adverts to the fact that individuals in Berkeley and Jefferson Counties paid $27,328.18.

The amount which was paid into the Treasury of the United States by individuals in West Virginia, it has received in trust and has returned to them.

Mr. MITCHELL. That was trust money.

Mr. DANIEL. That was trust money, and that has all been returned. Now, then, as to the statement here:

> Under the provisions of the same act there was paid from the treasury of the State of West Virginia its proportion of the tax under said law, aggregating the sum of $153,978.75.

That is inaccurate. There was never, as I am informed and as I believe without having access to official documents, a dime paid out of the treasury of West Virginia into the Treasury of the United States of that direct tax, and yet I do not esteem it that the committee have intended to mislead the Senate. They made a shorthand statement, so to speak, a stenographic report of a number of facts which, in their judgment, was the equivalent thereto, but in the correlation of those facts, if they were all set forth I do not know but that other questions than those here before us might be presented.

It seems that the State of West Virginia incurred certain expenditures for the equipment and support of troops during the war. It came to the United States Government after the war, as other States did, and asked to be reimbursed. The Government of the United States at that time having a claim of some $150,000 against the individuals and lands of West Virginia, an understanding was entered into, an agreement doubtless made (but the committee have not shed the light of any official history upon the subject) by which the claims of West Virginia against the Government of the United States for the support and equipment of troops were offset by the $150,000; so that, while lawyers may argue that this was the same, the precise statement of facts as it is here in the report is incorrect, and here may arise a matter that may affect very materially the State of Virginia in this wise——

Mr. MITCHELL. Will the Senator allow me right there?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. DANIEL. I do.

Mr. MITCHELL. Is it not a fact that the Treasury Department recognizes to-day that West Virginia is entitled to about $153,000 of the money refunded under the direct-tax law, and that the only objection that is made to the payment of the amount is that there is an outstanding claim of the United States? Is not that amount certified to the State of West Virginia?

Mr. DANIEL. I have never said it is not.

Mr. MITCHELL. I did not understand the Senator's argument, then.

Mr. DANIEL. The Senator would understand the argument if he understood the facts.

Mr. MITCHELL. I understood him to insist that the committee had not stated the facts correctly. All the committee has said upon the subject is that West Virginia is entitled to one hundred and fifty-three and some odd thousand dollars by virtue of the appropriation made in the refund act of last Congress. I thought that was the fact. That is the way I understand it.

Mr. DANIEL. I have never denied the fact which the Senator recites, but I am taking the statement of this report, that the direct tax, which is sought to be reimbursed, was paid into the Treasury of the United States out of the treasury of West Virginia. I have given both the Senator and the committee the benefit of a most frank relation of the circumstances, and was going on to explain why, in my judgment, the full history of the facts might develop a matter in which the old State of Virginia is interested in this wise: What is known now as West Virginia was territorially, except in an ideal sense, then known as Virginia, and there were two governments asserting the right to the name "Virginia."

There was a Confederate Virginia in Richmond, and there was a Union Virginia at Wheeling. This Union Virginia at Wheeling, in which were represented no counties but those which now constitute West Virginia, with the exception perhaps of Fairfax and Alexandria, Va.—that Union Virginia, thus to describe it in order that it may be at once recognized, took part with the Federal side during the war, sent troops into its armies, and there were upon fields of battle in Virginia regiments on the Federal side, and in Virginia regiments upon the Confederate side.

If the full history of this matter may be developed and if that Union Virginia, which first was metamorphosed into West Virginia, and then was continued and was finally recognized as Virginia by a movement of its government to Richmond—if that Virginia by her constitution, which is cited in this report, is to be taken to have made an agreement touching this debt which binds the Virginia of to-day, it may be that the Virginia of to-day into which that government was transformed may have a claim upon the United States Government for the equipment and for the supply of those troops which it sent out into the field in the name of the Commonwealth of Virginia.

All I seek or ask is that the legal status may be determined here and not left in the obscure position which, as I humbly conceive, the report of this committee may leave it; that we may be put in one place or another, and have our legal, constitutional, and equitable rights so defined that we may not be to-day interpreted as belonging to the Virginia over the mountains when it is against us, and another day as belonging to Virginia east of the mountains when it is against us; but that on the highest legal authorities which can be invoked ascertain the matter, our rights may be defined and we may receive them accordingly.

Mr. FAULKNER. Mr. President——

The PRESIDING OFFICER. The Senator from West Virginia being recognized by the Chair, he is asked to suspend for a time in order that the Chair may lay before the Senate the unfinished business, which is the bill (S. 1549) providing for the public printing and binding and the distribution of public documents.

Mr. MITCHELL. I hope the Senator from Nebraska [Mr. MANDERSON] will at least permit the Senator from West Virginia [Mr. FAULKNER] to submit his remarks in response to what has been said on the other side.

Mr. MANDERSON. Mr. President, I dislike very much to appear in the least degree discourteous but the bill which has been laid before the Senate has dragged its weary length along here for many days, and I am as tired of it as the Senate can possibly be. I am extremely anxious to finish it so that I at least can go to the consideration of other matters.

Mr. KENNA. I appeal to the Senator to allow my colleague to proceed, and at the conclusion of his remarks, if it appears that there is to be further discussion, we shall allow the matter to go over.

Mr. MANDERSON. Can we not fix a time when the debate shall close, at least for to-day, on the matter which has been pending?

Mr. KENNA. Let us proceed for a while, and if the Senator becomes impatient it can be laid aside and he can go on with his bill.

Mr. MANDERSON. The Senator need not wait for me to become impatient, for I have become that already. Suppose we say that the debate shall be limited to half past 2 o'clock.

Mr. KENNA. Then I will submit the proposition in the alternative, and say we will wait until the Senator from Nebraska shall become patient.

Mr. COCKRELL. Permit me to make a suggestion. At 3 o'clock, just one hour from now, memorial services are to be had or addresses are to be delivered that will prevent the completion of the printing bill at that time, and possibly the Senator from West Virginia and other Senators may get through with the discussion of this subject before that hour.

Mr. MANDERSON. I hope at least that I may get a half hour on the printing bill to-day.

Mr. COCKRELL. In the interest of economy of time, the pending matter had better be concluded.

Mr. FRYE. I should like to make one suggestion, and that is that if the Senator in charge of the printing bill will not allow the Senate to adjourn about 4 o'clock each day, there will be ample time to get through with his bill.

Mr. MANDERSON. I have resisted, I think, with such force as I ought to resist the almost unanimous desire of the Senate on a motion to adjourn at unreasonable hours, but the Senate has overruled me every day. Yesterday we adjourned at a quarter to 5 o'clock, and the only demand that I heard from any Senator was that we should run on for fifteen minutes more, and that the Senate overruled. But I do not want to waste any time. If Senators will proceed for half an hour, I will again make an effort to have the unfinished business laid before the Senate.

Mr. FAULKNER. I am satisfied that the Senator will be so interested in this question at the end of half an hour that he will not interrupt it.

Mr. MANDERSON. The Senator is always interesting, but there are other interests besides those of West Virginia before the body.

Mr. FAULKNER. Mr. President, I have been somewhat surprised at the character of the discussion of this question by the distinguished Senator from Virginia [Mr. DANIEL]. I am frank to say that I regret many of the allusions he has made to the State of West Virginia, to me personally, and to the committee of which I have the honor to be a member. I should have thought that he could have gone into the discussion of a purely legal question without indulging in personalities which are necessarily disagreeable not only to those at whom they are hurled but also to the members of this body.

Mr. DANIEL. Will the Senator from West Virginia permit me to interrupt him?

Mr. FAULKNER. The Senator may.

Mr. DANIEL. I beg leave to state that I was entirely unconscious that I made any remarks which might in the least be unpleasant or disagreeable to the Senator from West Virginia or to the committee. If I have made such, sir, it was unintentional upon my part, and I beg leave to assure the Senator that without even having it pointed out to me I shall instantly withdraw it. My desire and disposition was to speak as I feel, with the profoundest respect for him and the Commonwealth which he represents.

Mr. FAULKNER. Such a manly disclaimer should be met by me in the same spirit. I assure the Senator that I am delighted he has made this statement, and I accept this disclaimer in the same spirit in which it is made. My reference was to his remark in which he referred to the fact that this bill had been submitted to a committee of which I am a member, that by reason of a personal interest which I had as a representative of the State of West Virginia I was biased, and this was followed by the remark that he desired it transferred to a committee which would be impartial. The insinuation at least might have been drawn by the Senate that in the judgment of the Senator from Virginia the Committee on Claims was not impartial, and, by reason of the fact that I am a member of it, capable of passing impartially upon this question.

Mr. President, I shall oppose with all the influence I have as a member of the Committee on Claims the transfer of this subject to the committee named as a supervisory body in the Senate to the Committee on Claims. Sir, what are the questions which are continually coming before that committee? They are questions which involve the liability of the United States under the Constitution and laws of this country. They are important, they are vital often to the interests not only of the United States, but of the citizens of this country. And has it come to such a pass that when a question is presented of that character and submitted to the Senate and ordered by them to be referred to the Committee on Claims, that when that committee make a unanimous report, which report can be attacked and overthrown if improperly made, on the floor of the Senate, because it involves some legal question of importance in the judgment of the Senator from Virginia it should be transferred to another committee to supervise the work of the Committee on Claims?

I am satisfied that it will not be the sense of the Senate to so consider the Committee on Claims, who, with the exception of myself at least, are as able a body of lawyers as can be found on any committee, with perhaps the exception of the Judiciary Committee of the Senate, in either branch of Congress. They have acted upon this matter after deliberate consideration, after earnest investigation, and they have made their unanimous report to this body. Now let Senators attack the report if they can, and overthrow the conclusions of that committee.

I wish to say further, Mr. President, that the Committee on Claims or the Senator who introduced the joint resolution are not responsible for having dragged into the United States Senate the question of the indebtedness existing between the State of Virginia and the State of West Virginia. This report is based upon legal propositions that eliminated from the consideration of that committee in passing upon the joint resolution which it favorably reported all questions of consideration as to the existence or liability of indebtedness between those two sovereign States.

In fact the very basis and foundation of the action of the Committee on Claims is that not the Treasury Department, not the Court of Claims, not the district or circuit court of the United States, nay, sir, not even the Federal Congress has the jurisdiction to interfere between two sovereign States and to demand a settlement of matters existing between those two sovereignties. That is the basis on which rests the report of the committee. That is the legal proposition upon which rests the favorable action of that committee in reporting this claim to the Senate.

Sir, I do not feel like being dragged into a discussion of the relations between West Virginia and the mother Commonwealth, a Commonwealth that I claim, as one of its sons, all its glories and its traditions as a part of the heritage of my people, a Commonwealth that I would not for anything in this world utter one word against that would reflect upon the integrity or the honor of her people, for it is at last the people who constitute the Commonwealth. But, sir, some things must be met. Some remarks must be answered when uttered here in the presence of the country by so distinguished an authority as my friend from Virginia.

West Virginia has not paid a dollar of the debt in thirty years. Has Virginia paid one dollar of West Virginia's debt in thirty years? I ask the distinguished Senator that question. Certainly not. Then no complaint should fall from his lips. By the funding act of Virginia she set apart $15,000,000 of the public indebtedness of Virginia, which was estimated to be one-third of it, as the proportion for the State of West Virginia, not to be paid by West Virginia to a creditor to whom she issued the certificates of $15,000,000 and who accepted those certificates, but to be paid by the Commonwealth of Virginia when a settlement had been made between the State of Virginia and the State of West Virginia, recognizing the principle which is embodied in her organic law that in controlling, managing, and settling the indebtedness of the State of Virginia, West Virginia had no concern as to that settlement, as to the method of its liquidation, as to the terms or purposes of its compromises, but that she, the mother Commonwealth, had the entire control, not only of the assets that were held there at the close of the war to meet the indebtedness, but of the entire settlement of the original liability as between herself and her creditors. Such was the provision which appeared on the face of those certificates.

I shall not undertake, because it is not germane to this discussion, to explain to the Senate and to the country what is not the country's business, the relations which have existed between those States and the efforts which one or both have made to settle and bring to a determination the question in dispute between them. I shall discuss this report from the standpoint of a lawyer, and I shall ask every lawyer and Senator present to follow me, that they may see whether the law embodied in the report is unsound.

There is one other question. My friend, the distinguished Senator from Virginia, is hypercritical. This report has made a mistake, he says, in stating the fact that there was paid from the treasury of the State of West Virginia $153,000, which amount is involved in this resolution. As I wrote the report I feel that, if there is an inaccuracy, I should admit it frankly to the Senate, and if the assertion of my distinguished friend is inaccurate I should demonstrate that inaccuracy to the Senate while considering this report. Is it not a play upon words, taking the facts as stated by the Senator, that in 1868 West Virginia presented a claim in its corporate capacity against the United States for $456,000 indebtedness due to that State for subsistence and military expenditures on behalf of the United States, and that claim of $456,000 was allowed to West Virginia in its corporate capacity; but, said the Secretary of the Treasury, "your State is assessed with $153,000 on account of that direct tax, and this assessment appearing on the books of the Treasury against the State I will pay your State the $456,000, less the $153,000 that the State owes under the direct-tax law of 1861."

Why, says the Senator from Virginia, is that paying it out of the treasury of the State? According to his view, if the money is not actually in the treasury of the State and can not be taken out and handed over but was in a bank and a draft given against it, I can not properly assert that it was paid out of the treasury of the State. That $456,000 was in the vaults of the Treasury Department of the United States Government, admitted by the Treasury to be due to the State of West Virginia. Instead of giving a draft upon it the Secretary of the Treasury simply says, "I will arbitrarily deduct that amount claimed to be due by the State, as shown by the books of the Treasury, from the amount and pay you the balance." That was the way the direct tax of West Virginia was paid in 1868.

I admit that as a question of law in 1885 the Supreme Court of the United States decided that the direct tax was not a debt chargeable to any State, but chargeable to the inhabitants thereof, and that therefore it could not be set off by the Treasury Department in the settlement of any debt due by the United States to any State that had not yet paid the direct tax. But that decision was rendered for the first time in 1885. This money was paid in 1868. The statute of limitations prevented the recovery of that money by the State of West Virginia. West Virginia stands in the equitable position before the Senate to-day that, under the decision in the case of Louisiana *vs.* The United States, found in 123 United States Reports, if it were not for the simple bar of a statute it would have the right to recover in the Court of Claims the $153,000 paid in 1868, without any appeal to the appropriation under the act passed last year to refund the direct tax. But, sir, the bar of a statute would now be a conclusive answer to such an action.

The next proposition that the Senator from Virginia urges is that the Committee on Claims have asked the Senate and Congress to overrule the opinion of the Attorney-General in reference to this matter. Senators giving me their attention will permit me to read a clause found in the report which is quoted from the decision of the Attorney-General of the United States:

> Under this statute it is your duty to insist upon the right of set-off against the demand of the State for a refund of the direct tax to the extent of the—

Now, remember, "to the extent"—

> of the "equitable proportion" of the debt of Virginia for which West Virginia is liable. What this equitable proportion may be is not a question of law, but of fact, or of mixed law and fact, and is not for my determination.

What is the meaning and extent of the decision of the Attorney-General? "I do not know whether a dollar is due under this equitable clause of the constitution of West Virginia from that State to the State of Virginia, but if there is any equitable liability due under that clause you must ascertain the proportion of that equitable liability for which West Virginia is liable, and when ascertained you may set off the $153,000 due to West Virginia against that equitable proportion of the indebtedness which the Treasury Department ascertains to be due by West Virginia to the State of Virginia."

What position has the Committee on Claims taken as to that

proposition? We do not take issue with the Attorney-General on the law he has announced, but the Committee on Claims reports to the Senate unanimously that there is no function or power conferred on that Department or instrumentality provided by which the Secretary of the Treasury can ascertain that equitable proportion of the indebtedness of the State of West Virginia, if any, to the State of Virginia. The Attorney-General, in his own letter addressed to the governor of the State of West Virginia, admits that that equitable proportion could not be ascertained even in the Court of Claims without making Virginia a party to that controversy, and as a lawyer and legal adviser of the Government he does not desire to take a position upon a proposition that was doubtful, and would not perhaps be sustained in court. He adds: "I have not examined whether Virginia can be made a party to that proceeding."

Mr. KENNA. If my colleague in this connection will turn to page 10 of the report he will see that the letter of John Wilson, the Third Auditor, in reference to the claim of 1861, addressed to the Secretary of the Treasury, sustains precisely what my colleague now advances. It is not a question as to whether the Third Auditor is a law officer or not; the question is if the Secretary of the Treasury, who had control of this matter, acted upon that statement and paid this money. The Third Auditor says:

> From this it is apparent that the adjustment of this question is a matter purely and entirely between the States, and depending upon debits and credits of which the accounting officers of the Government know nothing and which are entirely beyond their reach.

And upon precisely the position my colleague is now presenting the Treasury Department paid the money without any let or hindrance from Virginia or from elsewhere.

Mr. FAULKNER. That was the position taken by the Attorney-General. The committee hold, and I am satisfied there is no lawyer upon this floor who will question the correctness of that conclusion, that there is but one forum known to the Constitution and laws of the United States that can take cognizance and jurisdiction of a controversy between two sister States. The Constitution and the Federal judiciary act of 1789 gives the Supreme Court exclusive jurisdiction in such a case, and none will question the fact that unless brought there by the voluntary act of one or the other State even the Supreme Court of the United States could not in any way interfere as between these two States. That forum is open to either the one or the other, but until one or the other demands the exercise of the jurisdiction conferred the jurisdiction can and will never be exercised.

Could an equitable proportion of the indebtedness, under the opinion of the Attorney-General, I ask any Senator, be ascertained in any method known to an accountant without the power of process to bring before some court or the Treasury Department all the books of the auditor's office of Virginia running over a period of thirty-nine years, which under the basis of settlement of the indebtedness provided in the ninth section of the ordinance of separation between the two States must be the evidence of the debit and credit account upon which the equitable liability claimed against the State of West Virginia must be ascertained? Could it be ascertained except by taking into consideration all these questions? If this is true, how could it be found by the Treasury Department? How can you ascertain it in the Court of Claims? You could not do it unless Virginia was before the court, and this is legally impossible. If you seek to bind one, should you not bind both?

Under this view of the case the governor of the State of West Virginia, recognizing that this was a question between the State of Virginia and the State of West Virginia, which did not admit of the interference of any other party, stated to the Treasury Department and to the Attorney-General that he could not give his consent to any such proceeding in the Treasury Department or in the Court of Claims, as the court had no such jurisdiction, and consent could not have conferred it, as consent in no case can give jurisdiction.

Mr. President, I wish to read from page 12 of the report an extract to show how correctly I have stated the position of the Attorney-General where he states more elaborately in a letter addressed to the governor of the State of West Virginia his conclusions. He says:

> The only question before me, then, is, Does the right of set-off exist if a debt is found to exist?
>
> "If a debt is found to exist."
>
> And that question, under section 3481 of the Revised Statutes of the United States, I will, I think, have to answer in the affirmative.

He will have to answer what in the affirmative? That the right of set-off exists if a debt is found to exist. Somebody must find it; some authority must ascertain it; some forum or Department must adjudicate it.

Mr. DANIEL. Will the Senator allow me to ask him a question?

Mr. FAULKNER. With pleasure.

Mr. DANIEL. It is the whole debt of West Virginia.

Mr. FAULKNER. I will come to the question of international law after a while, and will discuss the question whether West Virginia owes the whole debt. I will add here that this is the first authoritative statement from any representative of the State of Virginia that has ever asserted the claim that West Virginia owes the whole debt, and that she is liable to the creditors for the entire debt. With all of the magnificent, brilliant genius that has guided her destiny and given dignity and honor to the legal profession in that noble old Commonwealth, we learn for the first time to-day, thirty years after the division of the State, the fact that Virginia claims that West Virginia owes the entire debt. But I shall come to that question presently.

Mr. DANIEL. If the Senator will allow me to interrupt him just there, I beg leave to state to him that while he was occupying the bench, and I was a member of the Legislature of Virginia, it was always held that both States were liable for the whole debt. It was not denied by Virginia that she was liable for the whole debt.

Mr. FAULKNER. I ask the distinguished Senator whether he was not a member of the Legislature of Virginia in 1871?

Mr. DANIEL. I was.

Mr. FAULKNER. The date of the passage of the funding act?

Mr. DANIEL. I was; and that proposition made in the funding act, against which I voted, was one made by the creditors of Virginia as a matter of compromise for the purpose of separating the obligation. But on the broad proposition that so far as the bonds were concerned they were both parties in 1860 and bound in that sense that they were both obligors legally bound by the bond; the international authorities have always held that.

Mr. FAULKNER. I would then ask the Senator from Virginia why did he set apart $15,000,000 of it and issue certificates payable by Virginia, but known on the market as West Virginia certificates?

Mr. DANIEL. By a proposition of the creditors it was brought to Richmond, and they being willing to accept it, legislation was urged to adopt it. That was all.

Mr. BARBOUR. And to release Virginia?

Mr. DANIEL. And to release Virginia.

Mr. FAULKNER. I beg the Senator's pardon, it does not release Virginia. There is no such provision in that bill. I ask the Senator further whether in that very funding act there was not inscribed upon its very pages what is now part of the law of the State of Virginia, a provision giving permission to the State of West Virginia to settle with the holders of certificates authorized to be issued under that act?

Mr. DANIEL. Undoubtedly.

Mr. FAULKNER. This act recognized the fact that it required the legislative authority of the State of Virginia to justify West Virginia in any attempt to negotiate with the creditors of the State of Virginia. By the legislative provision in the funding act of 1871 permission was given, a limited permission, to the State of West Virginia to negotiate with the creditors of Virginia as to a portion of the original debt. In passing permit me to say to my distinguished friend from Mississippi [Mr. GEORGE] that it did not require the formal acceptance on the part of West Virginia of the basis of settlement prescribed in the ninth section of the ordinance of separation.

Has he forgotten the fact that West Virginia was once part of the Commonwealth of Virginia, and that the territory now embraced within her boundaries could not be clothed with the attributes of Statehood under the provisions of the Constitution and laws except upon the terms and conditions prescribed by the mother State, and when those conditions were prescribed it required no formal assent? The creation of the State of West Virginia was an acceptance of the condition-precedent upon which Virginia authorized the formation of the new State from territory formerly embraced within her boundaries; that acceptance was the only acceptance required in law.

That ordinance was followed by what I may term an honest acquiescence by the State of West Virginia in its provisions by placing in her constitution the declaration that she would be liable for an equitable proportion of the public debt of the State of Virginia prior to 1st January, 1861. The people of Virginia in her organic law gave the construction to section 9 of the ordinance by providing that any indebtedness found to be due by the State of West Virginia to the State of Virginia should be paid—to whom? A creditor of Virginia? No. To whom then was this indebtedness, if any existed, to be paid? Under the very terms of the constitution which Congress approved, and under which Virginia was restored to her rights in the Union, it was provided that the money to discharge any such liability found against West Virginia should be paid to the State of Virginia in her corporate capacity.

Mr. DANIEL. The proposition was never accepted by Virginia.

Mr. FAULKNER. Accepted! It is your own constitution and the history and acts of your State from the day of the separation of the State until the Senator himself voted on the funding act of 1871 recognized no right upon the part of the State of West Virginia to interfere with the indebtedness existing prior to the separation. Not a single act of the Legislature of Virginia, not a single act of her governor, not a single act of her Representatives in Congress can be pointed to by which it can be shown that Virginia, until she expressly gave permission in the funding act of 1871 to West Virginia to negotiate with a portion of her creditors, ever claimed that West Virginia could participate in anyway in the settlement of the debt of Virginia.

It is a matter of history known to everyone here that very recently an important settlement of the Virginia debt has been made, acquiesced in by the bondholders, indorsed by the sovereign power, the Legislature of that State. Where has West Virginia had a voice in that settlement. She is to be liable, and yet has had no voice in any transaction regarding that indebtedness for thirty years. I think that public history settles the question that all parties and both States have acted under the clear statement in the ordinance of separation and in the constitution of Virginia, that whatever liability there was on the part of West Virginia should be paid into the State treasury of Virginia.

But, says my friend, the State of West Virginia (as I infer, at least, from his remarks) was trying to avoid some obligation that she assumed at the time she was admitted into the Union by the repeal of a constitutional provision. West Virginia stands among the galaxy of the forty-four States to-day without a dollar's indebtedness, except what may be found to exist on a settlement between the mother State and herself. Her constitution prohibits the creation of a dollar of indebtedness by her Legislature. There is but one exception to that provision, and that is she is authorized in the constitution of 1872–'73 to create a bonded indebtedness to pay any liability that might be ascertained to be due to the State of Virginia.

My friend thought that he was putting the State of West Virginia in a rather unenviable attitude before the Senate of the United States and the country when he insinuated that the repeal of a provision found in the constitution of 1863, which provided for the payment of an equitable proportion of the indebtedness due by the State of West Virginia prior to January, 1861, abrogated that provision and was equivalent to a repudiation of any liability whatever on the part of the State of West Virginia.

I assert, sir, that the men who composed the constitutional convention of 1872–'73 in the State of West Virginia were the equals in character, in patriotism, in honesty of any class of men who were ever brought together in a deliberative body. Those men assembled at that period to revise the organic law of the State of West Virginia; and they would never have placed that Commonwealth in the position of repudiating one dollar of the honest indebtedness of the State. Although that constitution prohibits the creation of a dollar of indebtedness except for casual deficits, which have to be made up within a very brief period, it provides in article 10, section 4:

SEC. 4. No debt shall be contracted by this State, except to meet casual deficits in the revenue, to redeem a previous liability of the State, to suppress insurrection, repel invasion, or defend the State in time of war; but the payment of any liability, other than that for the ordinary expenses of the State, shall be equally distributed over a period of at least twenty years.

Mr. DANIEL. What other previous liability was there?

Mr. FAULKNER. None, sir.

Mr. DANIEL. None but this?

Mr. FAULKNER. None but the liability that might fall upon the State by a settlement between the State of West Virginia and the State of Virginia. By that provision her Legislature is authorized to pay any liability whenever ascertained, and the power is given her Legislature to bind the honor and faith of her people by the issuing of bonds to the full amount.

Mr. DANIEL. What provision is there in the constitution as a substitute for the provision under which West Virginia was admitted into the Union?

Mr. FAULKNER. There need be no other substitute than the one quoted.

Mr. DANIEL. Is there a provision to provide a sinking fund to pay an equitable proportion of this debt? Where is there such a provision?

Mr. FAULKNER. There is another provision of the constitution that applies to all indebtedness and provides for the sinking fund to discharge at maturity any liability created by virtue of the provisions of the fourth section of the tenth article.

Mr. DANIEL. Then let me ask the Senator, has the Legislature within the thirty-four years ever carried out the provision of any of these constitutional clauses to create any sinking fund or to provide any amount on account of this debt?

Mr. FAULKNER. I regret that the distinguished Senator has asked me that question. I would rather that my lips should be sealed and this question remain unanswered. I do not want to go into the question as to the efforts made by the State of West Virginia to settle this liability with Virginia.

Mr. DANIEL. What has she done to carry out her own constitution? I do not ask what she has done with Virginia; I ask, has West Virginia carried out its own constitution, which imposed an obligation upon its Legislature?

Mr. FAULKNER. What obligation, Mr. President?

Mr. DANIEL. The one in that clause which obligates her to pay an equitable proportion.

Mr. FAULKNER. How was that obligation to be carried out and ascertained but by a settlement between the two States? And we could not obtain that settlement.

Mr. DANIEL. Your constitution does not say that.

Mr. FAULKNER. How can you pay the equitable proportion unless you have a settlement between the two States and ascertain what that equitable proportion is?

Mr. DANIEL. The Senator has claimed that the constitution of Virginia, the ordinance of Virginia, fixed the basis of the calculation. If it fixed the basis of calculation, you had nothing to do but to apply the calculation to the basis fixed.

Mr. FAULKNER. Then I must go further and tell all the facts, as the Senator insists upon it.

Mr. DANIEL. I have no objection to your stating any facts.

Mr. FAULKNER. It was impossible to get the two States together upon the same basis. Commissioners at one time were to be appointed by Virginia. We accepted that proposition, but when we went to Richmond to meet the commissioners of Virginia they had changed it to arbitration, and our Legislature had adjourned, and we could not agree to this mode of settlement.

Mr. DANIEL. You mean when our commissioners went there.

Mr. FAULKNER. No, when our commissioners went there. Then, when we went a little further, we found that the funding act had been passed, and $15,000,000 of this debt had been set aside, only payable after a settlement between the two States, by the State of Virginia. We found then there was very little urgency on the part of our neighbor in bringing this question to a conclusion. Under these circumstances, when that was so, I answer now further the statement of the Senator, with this obligation on you, why did you not go on and settle your equitable proportion upon the information in your possession on the basis of the ordinance of separation?

Mr. DANIEL. The constitution prevented.

Mr. FAULKNER. I——

Mr. DANIEL. If the Senator will allow me; he asked me a question, let me answer. That whole constitution was set aside by the United States Government.

Mr. FAULKNER. This is the question the Senator has propounded to me: Why did not the State of West Virginia then go on with this basis of settlement before it, with the facts that ought to be in its possession, and make this equitable settlement?

As a last resort, and with an honest desire to vindicate the integrity and bona fides of her people, her sovereign power, that could alone act for her, did go to work, and when refused the books and other data, from the best information they could obtain through a committee of her Legislature they ascertained that, instead of a liability under the terms of the ordinance of separation existing against the State of West Virginia, there was a balance due to the State of West Virginia from the State of Virginia of $525,000. That may seem strange to you, Senators, who have not gone through with the account. Under the terms of the ninth section, every figure upon which the statement rests could be laid before the Senate; but I only mention it as a vindication of my people, and as evidence that they were acting with perfect bona fides in making this *ex parte* statement, on the refusal of Virginia to meet her commissioners and make this settlement. I wish to say further, before I close this question on the opinion of the Attorney-General, that he uses this further language:

Whether there is such a debt, and, if there be, what may be the amount, are questions with which I have nothing to do.

I add that the Committee on Claims have simply held as a legal proposition that as it involves intricate and complicated accounts between two States, and that under the opinion of the Attorney-General only an equitable proportion of the indebtedness could be held against West Virginia, there was no form by which the Treasury Department could ascertain the equitable proportion of the indebtedness of the State of West Virginia. But my friend, with his tenderness for the feelings of the Attorney-General, with that deep anxiety to see the law officer of the Government upheld in all his legal rulings in the interest of the Government of the United States, said, you should not act contrary to the judgment of the Attorney-General in this matter.

In the first place, the Committee on Claims have not acted contrary to his opinion. They have simply found that the Treasury

Department could not ascertain the fact which he says is essential before the set-off could be allowed, but the next moment my distinguished friend turns around and says the Attorney-General does not know anything about the law; that instead of its being true, as the Attorney-General declares, that West Virginia only owes an equitable proportion of the indebtedness of Virginia, West Virginia owes all the debt of Virginia existing prior to the separation. My friend ought to hang on one horn of the dilemma or the other. He ought not to be willing to overrule the judgment of the Attorney-General when it conflicts with the interest of his State, but feel horrified to do so when it is to the interest of his State.

Mr. SAWYER. I ask the Senator from West Virginia if he will not give way, as it is very near 3 o'clock, so that we may have a short executive session?

Mr. FAULKNER. I will yield for that purpose.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

The VICE-PRESIDENT. Before putting the question on the motion of the Senator from Wisconsin the Chair will lay before the Senate bills from the House of Representatives for reference.

Mr. SAWYER. I withdraw the motion for that purpose.

Mr. FAULKNER. I ask unanimous consent that the Senate will continue the consideration of this measure in the morning hour to-morrow.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (H. R. 410) to amend the charter of the Eckington and Soldiers' Home Railway Company;

A bill (H. R. 4107) to change the corporate name of the National Safe Deposit Company of Washington; and

A bill (H. R. 4429) to empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases.

PORTRAITS OF SPEAKERS GROW AND RANDALL.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed 10,000 copies of the addresses delivered in the House of Representatives on January 21, 1892, upon the presentation of the portraits of Hon. Galusha A. Grow and Hon. Samuel J. Randall by the Commonwealth of Pennsylvania; that out of this number the Public Printer will deliver 50 copies to Mr. Grow, 50 copies to Mrs. Samuel J. Randall, 100 copies to the committee of the Pennsylvania Legislature touching said portraits, and the remainder to the House for the use of Members and Delegates.

BILL RECOMMITTED.

Mr. PASCO. By consent of the Senator from Wisconsin [Mr. SAWYER], I ask that the bill (S. 1393) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first and seventh sections thereof to the port of Fernandina, Fla., to be taken from the Calendar and recommitted to the Committee on Commerce. I make this request with the consent of the chairman of that committee.

The VICE-PRESIDENT. The Chair hears no objection, and the bill will be recommitted to the Committee on Commerce.

EXECUTIVE SESSION.

Mr. SAWYER. I renew my motion.

The VICE-PRESIDENT. The Senator from Wisconsin moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

DEATH OF THE LATE REPRESENTATIVE HOUK.

Mr. HARRIS. I ask that the resolutions from the House of Representatives in relation to the death of Leonidas C. Houk, late a Representative from the State of Tennessee, be laid before the Senate.

The VICE-PRESIDENT. The Chair lays the resolutions of the House of Representatives before the Senate. The resolutions will be read.

The Chief Clerk read as follows:

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. Leonidas Campbell Houk, late a Representative from the State of Tennessee.

Resolved, As a further mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, that the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Mr. HARRIS. I offer the resolutions which I send to the desk, and ask for their present consideration.

The VICE-PRESIDENT. The resolutions will be read.

The Chief Clerk read as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Leonidas Campbell Houk, late a Representative from the State of Tennessee.

Resolved, That the business of the Senate be now suspended, in order that fitting tribute be paid to his memory.

Resolved, That as an additional mark of respect, the Senate at the conclusion of these ceremonies do adjourn.

Mr. HARRIS. Mr. President, we are again called upon to pause in the performance of our legislative duties in order that we may pay the last tribute of respect to the memory of a deceased colleague.

Leonidas C. Houk, for twelve years a Representative from the Second district of Tennessee, and a member elect to the present Congress, departed this life at his home in Knoxville on the 25th day of May, 1891.

He was born on the 8th day of June, 1836, in the county of Sevier, in the mountain region of East Tennessee.

In the poverty and obscurity of his early life his boyhood was devoted to learning the trade of cabinet-maker, which deprived him of all the ordinary educational advantages.

But with maturer years came an ardent desire for knowledge and to better his condition in life, which prompted him, while devoting his days to the manual labor of his trade to devote the greater part of his nights to earnest study. And in this way he acquired an average English education.

Then, while yet following his trade, he commenced the study of law, and was finally admitted to the bar, and commenced the practice.

His severe application, perseverance, and intense earnestness of purpose soon secured him rank in the profession, and his ability and ingenuity in debate not only gave him a measure of professional success, but secured to him also a degree of prominence in the politics of the surroundings of his mountain home.

Early in the civil war of 1861–'65 he became a volunteer in the Union Army, and not long thereafter he was promoted to the command of the Third Tennessee Infantry Regiment.

In 1864 he was the elector for his district upon the Presidential ticket of Lincoln and Johnson.

In 1865 he was a member of the constitutional convention of the State.

In 1866 he was made judge of the judicial circuit in which he resided.

In 1868 he was a delegate to the Chicago Republican National Convention, and has been a member of all Republican national conventions, but one, since that time.

In 1873 he was elected to the State Legislature, where he became the recognized leader of his party in the house.

He was elected to the Forty-sixth, Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, and Fifty-second Congresses, but in the maturity of his intellect and full vigor of his physical manhood he was, on the 25th of May, stricken down and suddenly passed away.

Mr. President, even under institutions such as ours, where the humblest citizen may properly aspire to the highest positions within the gift of a self-governing people, the career of Leonidas C. Houk was remarkably successful. Born and reared in poverty and obscurity, and compelled to devote that portion of his life to manual labor which is usually devoted to acquiring at least the rudiments of an education, a laudable and earnest ambition to better his condition and rise in the world prompted him to burn the midnight lamp in the effort to educate himself, in which he succeeded, not to the point of scholarship, but to the extent of such practical education as enabled him, with his strong practical common sense, sleepless energy, and ambition, not only to take respectable rank in the legislation of the country, but to acquire an influence in and control of the district he represented that no one before him had been able to do.

Mr. President, success under such adverse circumstances is worthy of most honorable record.

There were, perhaps, no two men in Tennessee who differed more widely upon political questions than Mr. Houk and myself, and growing out of these differences of opinion our personal relations were not always kind, but in the presence of death all differences, political and personal, are hushed into silence and forgotten.

While he was in politics an able, active, earnest, aggressive, and bitter partisan, in social life he was kind, genial, and generous. In his death his party in the State lost its most efficient leader, and his party throughout the South sustained a loss almost if not quite as great, for he was justly regarded as one of the most able and efficient Republicans of the Southern States, whose

opinions largely influenced, if they did not actually control, the action of his party throughout that section.

But his life's work is finished. His struggles, political and personal, are ended. May his ashes rest in peace.

Mr. SHERMAN. Mr. President, the duty the living owe to the dead is to be kind to their faults and generous to their merits; to be truthful always, but with charity and loving kindness. We do not fight over the grave, but in view of the common fate that awaits us all, we scatter flowers, pronounce eulogies, and shed tears when our companions precede us to the inevitable bourn to which we must soon follow. Sometimes it is urged that the pressing demands of the living do not justify us in suspending for a time our public duties to pay fitting tributes to the memory of an associate who dies. I do not think so. The time is not wasted when we note and record the impressive lesson so frequently given us of the brevity and uncertain tenure of our life here, the vanity of human ambition, and the utter insignificance and speedy oblivion of the greatest amongst us when the spark of life is extinguished. On occasions like this resentments are forgotten, party feeling dies away, and each surviving member turns from the open grave with a chastened spirit, better fitted to perform the important duties and obligations he owes, not to his party, but to his country.

The death of Leonidas C. Houk, of Tennessee, brings before us one of the striking actors in the events of the most important period of American history. The civil war will always be regarded in future ages, whether viewed from the North or the South, by our own or foreign nations, as one of the memorable epochs in the history of mankind. It is now so far distant from us that even those who participated in its bloody battles, or its grave and difficult civil problems, can look back upon them with calmness and moderation. I do not see how the war could have been avoided. Its seeds were planted in conditions that existed before the Revolutionary war. They were recognized and pointed out by the framers of the Constitution, but even their wisdom could only postpone the evil, but could not find a remedy. These elements of discord cropped out in every stage of our growth, and gave birth to parties and sectional divisions. They arrayed State and national governments against each other, and ripened into open warfare free and slave institutions.

It was beyond the power of poor, frail human wisdom and forbearance to peacefully reconcile these opposing elements into a harmonious union. A peaceful voluntary separation would have been a hollow truce and only an incitement to a greater war. It would have sanctioned the doctrine of despotisms, that republics were only born to die. If war was to come it was better that it came when it did, when the recollections of a common but glorious history and the ties of a common origin, language, and religion, and the wonderful growth and development of a great country by the common efforts of both North and South were the mystic cords that still held us together and pleaded for union in spite of slavery and opposing views of State and national authority. The war came, in which both sides proved their courage and endurance. In spite of the fearful loss of life and property, of the great pension rolls, of the wounded and disabled, and of widows and orphans, we can all agree, without passion or irritation, that the civil war has secured to the innumerable throng that will follow us the blessings of a stronger government than was possible before, freed from the grave contentions of the past. The people of every State and section and class will in due time have their full share of these benefits. We may now all hope for a perpetual Union of indestructible States, in which the people, all free, are the source of all power, whether exercised in the smallest school district or municipality, or in the numerous States, old and new, or in a Federal Government of limited but ample powers over the better part of a continent.

In this great struggle Mr. Houk was a humble but not an insignificant actor. He was born and bred in the mountainous region of East Tennessee where love for the Union was the dominant sentiment. Though the State of Tennessee had formally adopted an ordinance of secession, yet the majority of the people of East Tennessee rebelled against this secession. In most of the States, North and South, when the lines were drawn the minority acquiesced and the battle was fought on sectional lines, but not so among the brave mountaineers in East Tennessee. With them it was not a territorial war; a war between sections; it was a civil war, dividing communities, neighborhoods, and families, a war more desperate and cruel than modern war between nations. Mr. Houk enlisted in this war for the Union against his State. Born in poverty, of humble parentage, without aids in education, he had passed through the trying ordeal of self-education, learning his letters and pouring over his books by the pine torchlight, working at his trade as a carpenter, studying law in the hours of rest, admitted to the bar, and steadily maintaining in intellectual contests the cause of his clients.

This was the early experience of many of the greatest men who won their way, especially in the South and West, to the highest rank among statesmen, soldiers, and lawyers, and to the greatest success among scientific, professional, and business men. So numerous have been these examples that we have come to regard such obstacles as the necessary incentives to exertion and success, and the result is the best fruit of American institutions. Certain it is that no one ever won the measure of his success over greater difficulties than Mr. Houk. When he entered the Army he had attained a respectable position at the bar of his native district. On the great question of secession or union he had no doubts, but took his position, with a majority of his neighbors, against his State. He soon commanded a regiment in the Union army, and served as such until April, 1863, when he resigned on account of ill health. He afterwards took an active part in the reorganization of the State government of Tennessee, resumed the practice of law, was several times an elector for President, was a member of the convention that amended the constitution of Tennessee, and served as a judge for years. He was elected as a Republican member of Congress in 1880, and re-elected to each successive Congress to the present time by the same constituency. He died before he could enter upon the last term for which he was elected.

This brief epitome of a life, active and varied in peace and war, from humble poverty to assured success, long trusted by a people among whom he was born and who knew him best, prematurely cut off by death at the age of 55, before his mental or physical faculties had begun to decay, is but the faint shadow of the rugged experience, character, and personality of Leonidas C. Houk. I came to know him well in his later years. He often came to me for my opinion and advice. Why, I do not know, but presume it was because we, in the main, agreed. He was strong, earnest, and honest in his view of the powers and duties of the National Government. He believed in protection, improvements, development, and progress as these words are used in political creeds. He had no jealousy of sections or States, but only insisted that Tennessee should have its full share of the blessings that come from national authority, whether in the form of offices or tariff protection or appropriations.

In late years his mind was full of the enormous mineral resources of East Tennessee, of its developed and undeveloped wealth. He loved the mountains among which he was born, and was proud that their hidden treasures were being revealed at a time when his people would be most benefited by them. He was always true to his constituents, a champion of his people, faithful to every representative duty. He was bold and aggressive in maintaining their rights, but generous to his adversaries and prompt to secure to them their restoration to the elective franchise and to all the rights of citizenship. The hearty expressions of respect that have been said of him here and in the House of Representatives by his enemies in war and his political adversaries in peace, are the best evidence of his manly and generous traits. Let us hope also that this kindly appreciation of the merits of the great actors in our civil war, whether on the Union or Confederate sides, may be continued and expressed until the last one has met the common foe, when a new generation may impartially cherish a just pride in the courage and heroism of their ancestors, and expend their energy in the peaceful development of a free and great Republic committed to their care.

Mr. CULLOM. Mr. President, I can not allow this sad occasion to pass without saying a few words expressive of my appreciation of the life and character of Judge Houk and of my sorrow on account of his death. It was my good fortune to be intimately acquainted with him, and my admiration for his sturdy qualities became stronger as I knew them better. He was a warm-hearted man, fond of his friends, and had an undying devotion to his party, his country, and its flag. His nature was full of enthusiasm, and all through his life no man who knew him ever doubted Judge Houk's position or belief on any public question, for he reached conclusions quickly and was quick to avow them. While he was brave and determined, he was equally generous. Brave men are seldom found to be unfair in dealing with their adversaries.

As has been related by the honorable Senator from Tennessee, he was a Union soldier, and was seven times elected a member of Congress from his district. No man was braver in war, and none displayed a greater devotion to the interests of the people of his district or State. It became my sad duty, Mr. President, to attend the funeral of Mr. Houk, and the occasion was a solemn one indeed. As has been stated, he was a resident of the beautiful city of Knoxville. On my arrival in that city in the morning of the day of the funeral services, I found business suspended for the day, and a universal recognition of the sad event in and along the streets of the city in all directions. The plain people, as the great body of the people were once designated, I believe by Mr.

Lincoln, toward midday filled the streets. They had come by railroad, in wagons, or on horseback, for many miles, and, on inquiry by me, from whence and how far they had come, I was told that many had come on horseback 40 miles and more. The equal of the demonstration of grief on account of the death of Mr. Houk has been seldom witnessed in this country on other like occasions.

The people all knew him. They knew him as a boy, as a private citizen, as a lawyer, as a soldier, calling upon the brave men in the valleys and hills and mountains of Tennessee to come to the rescue of the Union and the flag, and he had led many of them in battle to victory and had suffered with them defeat. They had known him as a judge upon the bench, and finally as their Representative in Congress. He had done something for them all at some time. His life was a part of theirs. His death was a sad and terrible blow to them, and sorrow entered into every household in all that region of the great State of Tennessee.

Mr. President, men die, their mortal remains are carried to the tomb, and their names are soon forgotten, because they have done nothing to place the world under obligations. They leave the world unhonored or unsung. Not so with the deceased whose life and character we commemorate to-day. He had spent a life in doing acts of kindness to the poor and the needy of his district and State, and as a legislator had done great service in securing general legislation in the interest of the business and commerce of Tennessee. He believed in the foundation principles of liberty; he believed in the Union, and that it could not be dissolved except by revolution too powerful to be successfully resisted, and he fought in the line of his convictions.

The world is placed under obligations to a man for great thoughts, great deeds, or great devotion to principle. This country, Mr. President, owes a debt of gratitude which can never be paid for the courage and devotion which he displayed in behalf of the Union and the principles of free government.

Men have their faults and failings—who can say that he has none?—but the man who improves the condition and happiness of one life struggling against adversity, and in the shadows of despair, is a benefactor of his race. The life of Judge Houk was replete with acts of kindness and noble deeds, even to the almost entire neglect of his own interests and comfort. He was generous, brave, liberty-loving, and patriotic. His remarkable career has ended, and we can do no less than to express briefly to the world our estimate and appreciation of his qualities as a man, as a citizen, as a soldier, and as a statesman, now that he is gone.

Mr. GALLINGER. Mr. President, in the presence of death we stand awe-struck and powerless. Its mystery and its meaning are alike beyond human reach and human comprehension. We are born, we live, we die, and there the story ends so far as this life goes; but beyond this life, concerning which faith directs the mind and belief illumines the heart, we look for a better, a sweeter, and a more enduring world. But here death comes to all. The blow falls whether or not we are prepared for it. It is no respecter of persons, but comes to all classes and conditions of men.

The great questions of life, death, and immortality challenge the thought and overwhelm the imagination. Philosophers and sages alike stand in awe as they contemplate the plans and purposes of the Unseen. Speculation is lost in the realm of doubt, and the limitations of human knowledge are on the border line of the beyond. After all, we can but realize that—

> The will of God is all in all. He makes,
> Destroys, remakes, for His own pleasure all.

Good Bishop Hall teaches that "Death borders upon our birth, and our cradle stands in the grave." Bacon says "It is as natural to die as to be born;" and while Byron declares that—

> * * * it is a fearful thing
> To see the human soul take wing,

with what comfort can we turn to the words of our own Longfellow:

> There is no death! What seems so is transition:
> This life of mortal breath
> Is but a suburb of the life elysian,
> Whose portal we call death.

On occasions like this, when we recall those who have passed from our sight—whose activities are hushed and whose spirits have departed—we comfort our own hearts and extend words of cheer rather than sorrow to those who are bereaved, in the thought that "there is no death," in the consolation of a future life, and in the assurance of a better world than this.

I had no knowledge of the home life of Leonidas C. Houk. I knew him only as a public man, being associated with him in the Forty-ninth and Fiftieth Congresses. There I saw much of him, and our relations were more than ordinarily friendly. He impressed me as being a whole-souled, kind-hearted, earnest, honest man. Representing a district that gave him from ten to twelve thousand majority, he was proud of his constituency, and devoted to his people. In debate he was strong. His language was vigorous, his ideas clear, and his knowledge of public affairs comprehensive and just. He was frank, outspoken, and sincere—an able man, a good friend, and a loyal defender of what he believed. Judge Houk was the acknowledged leader of his party in Tennessee, presiding at conventions, dictating nominations, and shaping platforms. In political life he was aggressive, perhaps sometimes autocratic, but through a long series of years he held the confidence of the party in his State, and no political gift in their power to bestow would have been withheld from him.

And so to-day we bring our tribute of love and place it on the grave of our dead friend. It is the last and only offering we can bring. His genial presence is missed. His kindly greeting is no more heard. His tumultuous spirit is forever at rest. His faults will be forgotten, while the memory of his virtues will remain with those who knew him, and the excellent qualities of his character will be a help and an inspiration to those he left behind. And it will be well for us all, remembering the suddenness of our friend's death, to adopt the words of Jeremy Taylor; "He that would die well must always look for death, every day knocking at the gates of the grave; and then the grave shall never prevail against him to do him mischief."

Mr. BATE. Mr. President, "Thy scythe and glass, O Time, are not the emblems of thy gentler power." The sands run fitfully and swiftly through thy glass, and thy scythe cuts its broad swath by day and by night, and never wearies reaping its harvest of death. In doing so, it claims alike for its victims the young and old, the grave and gay, the exalted and the humble. In its relentless demands it recently invaded again our national Legislature, and laid claim to the Hon. L. C. Houk, of Tennessee, one of the most prominent and influential members of the House of Representatives. He was taken from the activities of life in his ripe and healthful manhood; at that period when his intellectual vigor was at its greatest strength; at a time when he was master of a field of political operations from which he had practically driven competition; at a time, too, when holding a seat for the seventh successive term in Congress, where he had made an extended reputation, and where the future to him was more inviting than ever.

After the adjournment of Congress last spring Judge Houk returned to his home in East Tennessee to enjoy a respite from official labors among those friends whose confidence and affection had for so many years been unwavering, and where alone in the bosom of his family could be found that sweet and quiet domesticity so soothing to the public official after the turmoil and strife of a Congressional session.

When Judge Houk was thus surrounded, and at a moment when least expected that dread messenger, which stops not and relents not, came suddenly—swift as the sped arrow from the bowstring—and claimed him as a victim.

Judge Houk was a man of characteristics, the features of which were boldly and strongly marked. He was a man of convictions, and those convictions were of the most pronounced type, and showed forth distinctively, alike in peace and in war, in the quiet walks of life and in the national forum, representing those whom he loved and who loved and honored him.

Mr. President, living in the same State with him, and belonging to opposing political parties, I but do his memory justice when I say he was the most efficient political leader known to the history of the Republican party in Tennessee. In its councils he was wary, and his advice was always given with caution, which added much to his influence and control; but when the campaign was rife and the battle on, he was its Ajax Telamon.

Astute, quick to perceive and understand the situation, he was bold and fearless in taking advantage of it. Judge Houk was a dangerous political adversary; one who could command his resources and put them in shape with wonderful facility. His capacity and power for handling his resources in a political encounter have been shown no less in contests with party opponents than with rivals in his own camp. His forte was on the hustings, where, with the exercise of rare good judgment, bottomed on a practical everyday knowledge of human nature, he always commanded attention. With fluent speech, abounding in ready retort and happy illustrations; with a humor that often broadened into the ridiculous, whenever it pleased his audience for him to do so, and all guided by a self-possession that never deserted him in debate, made him, among the people with whom he had been brought up and with whom he was in political touch, almost invincible.

He was born and reared in the shadows of the mountains and the sunlight of the valleys of that Switzerland of America, East Tennessee. Being a native of the district he so long represented,

his constituents knew his virtues as they did his faults. He was but human, and had follies and faults. Who has not?

"Poor race of man," said the pitying spirit,
"Dearly ye pay for your primal fall;
Some flowerets of Eden ye still inherit,
But the trail of the serpent is over them all."

Of humble origin, with poverty as a heritage, and at a tender age, Judge Houk was left without a father's arm on which to lean or hand to guide; with few facilities for education—indeed none save such as he himself created—he started on life's voyage. The way seemed dark and his equipment poor, but with talents and courage he dissipated the darkness and blazed his way to the open field where the sunlight invited prosperity. Thus we see him, from humble life, without means, without influential friends, and comparatively uneducated, battling with iron fortune until he held place in the front rank, where intellect, culture, fortune, and family influence held sway.

At the bidding of his people Judge Houk was, by turns, State legislator, Presidential elector for his party, president of his party's State convention, delegate to his party's national conventions, judge of the circuit court of his judicial district, and Congressman for thirteen consecutive years, dying with his official harness on.

His long retention in office as the Representative in Congress of the same district, his native one, is the highest tribute that can be paid to his memory. This district he made a Republican Gibraltar, and when his political robe fell from him it found lodgment on the shoulders of his son, who, as one of the youngest and brightest members, occupies his father's seat in the other end of this Capitol.

Leonidas C. Houk is gone, but his influence survives. His example as a self-made man will encourage many a poor and friendless boy to push towards the front; for his is a living chapter in the personal history of our country.

Mr. President, I ask for the adoption of the resolutions.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the Senator from Tennessee.

The resolutions were agreed to unanimously; and, under the last resolution, the Senate (at 3 o'clock and 30 minutes p. m.) adjourned until to-morrow, Wednesday, February 10, 1892, at 12 o'clock meridian

NOMINATIONS.

Executive nominations received by the Senate February 9, 1892.

THIRD ASSISTANT SECRETARY OF STATE.

William M. Grinnell, of the State of New York, by and with the advice and consent of the Senate, to be Third Assistant Secretary of State, vice John B. Moore, resigned.

PROMOTIONS IN THE ARMY.

Cavalry arm.

First Lieut. Robert P. P. Wainwright, First Cavalry, to be captain, February 4, 1892, vice Upham, First Cavalry, retired from active service.

Second Lieut. George L. Byram, First Cavalry, to be first lieutenant, February 4, 1892, vice Wainwright, First Cavalry, promoted.

CONFIRMATIONS.

Executive nomination confirmed by the Senate February 8, 1892.

REGISTER OF LAND OFFICE.

Thomas E. Olsgard, to be register of the land office at Minot, N. Dak.

Executive nominations confirmed by the Senate February 9, 1892.

POSTMASTERS.

Fred. E. Holmes, to be postmaster at Canton, in the county of Norfolk and State of Massachusetts.

Orren C. Houghtaling, to be postmaster at Housatonic, in the county of Berkshire and State of Massachusetts.

Charles A. Merrill, to be postmaster at Winchendon, in the county of Worcester and State of Massachusetts.

George Cushing, to be postmaster at Hingham, in the county of Plymouth and State of Massachusetts.

George Flood, to be postmaster at Maynard, in the county of Middlesex and State of Massachusetts.

Mrs. Lizzie F. Graves, to be postmaster at East Weymouth, in the county of Norfolk and State of Massachusetts.

Thomas H. Jackman, to be postmaster at Peabody, in the county of Essex and State of Massachusetts.

Henry A. Pope, to be postmaster at Milton, in the county of Norfolk and State of Massachusetts.

Martin E. Stockbridge, to be postmaster at Dalton, in the county of Berkshire and State of Massachusetts.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 9, 1892.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

ELECTION OF UNITED STATES SENATORS BY DIRECT VOTE OF THE PEOPLE.

The SPEAKER. The Clerk will report the title of the joint resolution sent up by the gentleman from Wisconsin.

The Clerk read as follows:

Joint resolution (H. Res. 84) proposing an amendment to the Constitution so as to permit the choosing of United States Senators by a direct vote of the people when any State shall so elect.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that this resolution be printed in the RECORD. Is there objection?

Mr. RICHARDSON. Mr. Speaker, I object.

The SPEAKER. Objection is made.

FINDINGS OF COURT OF CLAIMS.

The SPEAKER laid before the House a letter from the assistant clerk of the Court of Claims, transmitting copies of the findings of the court in the cases of the following-named persons against the United States: John Grice; James Wysong; B. K. White, deceased; Elizabeth Gunnell, deceased; which was referred to the Committee on War Claims, and ordered to be printed.

GEORGE T. DUDLEY.

Mr. BUCHANAN of New Jersey, by unanimous consent, obtained leave to withdraw from the files of the House the papers in the case of George T. Dudley, no unfavorable report having been made thereon, and the bill having become a law.

KEYSTONE AND SPRING GARDEN NATIONAL BANKS, PENNSYLVANIA, AND MAVERICK NATIONAL BANK, MASSACHUSETTS.

Mr. MCMILLIN. Mr. Speaker, I report from the Committee on Rules the resolution which I send to the Clerk's desk, and ask for its present consideration.

The Clerk read as follows:

JANUARY 11, 1892.

Mr. MUTCHLER submitted the following, which was referred to the Committee on Rules:

Whereas the Keystone National Bank and the Spring Garden National Bank, located in the city of Philadelphia, in the State of Pennsylvania, have become bankrupt, and are now in the hands of receivers; and

Whereas it is alleged that large sums of money belonging to the public, to the city of Philadelphia, and to the State of Pennsylvania have been lost by reason of bankruptcy; and

Whereas it is further alleged that the losses sustained, to a great extent, are due to willful negligence or inefficiency on the part of the officials of the United States Government, whose duty it was to examine and report the financial condition and standing of said banks: Therefore,

Be it resolved, That the Committee on Banking and Currency be instructed and required to investigate and report to the House the causes which led to the bankruptcy of said banks, or either of them, and to inquire and report whether any official or ex-official of the Government of the United States whose duty it was to examine and report the financial condition and standing of said banks neglected or refused to discharge or perform that duty; whether the losses sustained by the patrons of these banks or any part of such losses were occasioned by such neglect, and to inquire and report as to any fact or facts connected with the bankruptcy of said banks, the loss of any money by their depositors or patrons, and acts of any official of the United States necessary in said investigation as the committee may deem important, and also whether any, and, if any, what amendments to the national banking laws are necessary for the protection of the public against similar losses in the future.

That said committee have power to send for persons and papers and to employ experts to assist it in making the investigation. The expense attending the investigation to be paid out of the contingent fund of the House.

Mr. MCMILLIN. Read the report.

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution introduced by Mr. MUTCHLER of Pennsylvania, authorizing the Committee on Banking and Currency to investigate the failure of the Keystone National Bank and the Spring Garden National Bank, have considered the same, and report it back with a recommendation for its adoption.

Mr. MCMILLIN. Mr. Speaker, the resolution sets forth the object to be attained and also by way of preamble the charges that have been made in connection with them. I do not desire to discuss the matter, and, unless some gentleman does, I will ask for the adoption of the resolution.

Mr. O'NEIL of Massachusetts. Mr. Speaker, I desire to offer an amendment to the resolution.

The SPEAKER. Does the gentleman from Tennessee yield for that purpose?

Mr. MCMILLIN. I yield for that purpose.

Mr. O'NEIL of Massachusetts. I move to amend by inserting, after the words "Spring Garden National Bank," the words "and the Maverick National Bank of Boston."

The SPEAKER. The question is upon agreeing to the amendment proposed by the gentleman from Massachusetts.

The question was put, and the amendment was agreed to.

Mr. MCMILLIN. I demand the previous question upon the resolution.

Mr. ENLOE. I beg the gentleman to withdraw that demand and let us have the resolution reported again.

Mr. McMILLIN. I have no objection.

The SPEAKER. The Clerk will report the resolution.

Mr. BURROWS. Let it be reported as amended.

The resolution was again reported as amended.

The SPEAKER. The gentleman from Tennessee demands the previous question on the adoption of the resolution.

Mr. ENLOE. Before that demand is insisted upon I should like to make an inquiry.

Mr. McMILLIN. I yield to the gentleman from Tennessee, if he desires to discuss the matter, for five minutes.

Mr. ENLOE. I would like to ask my colleague if in his judgment the resolution is broad enough in its scope to bring out in full copies of the latest affidavits on file in the office of the Comptroller of the Currency, which were sworn to by the officers and attested by the directors, as to the actual condition of said banks at the close of business on the days appointed for all national banks by the Comptroller prior to the failure and suspension or after discovery of defalcation in any of the banks mentioned in the resolution? We want to know in each instance how soon after the date or filing of the affidavits in any case the suspension and discovery occurred.

Mr. McMILLIN. I will state, in response to my colleague, that the resolution is broad enough for that purpose. It was certainly the intention to give authority to investigate every material fact connected with the failure of the bank and the connection of the officers of the Government therewith. The resolution authorizes the committee, as my colleague will observe, to send for persons and papers and to take whatever steps are necessary for the development of the facts, and that authorization would, of course, embrace the right to investigate as to the day and hour to which my colleague's inquiry relates.

Mr. ENLOE. One other question. Will this resolution authorize the committee to ascertain whether any officer or director certifying under oath and attesting the correctness of the statements of the bona fide condition of any of these banks, as required by the Revised Statutes, is now or was then an officer or director of or in any other manner or capacity connected with any of those banks or any other national bank; and whether the affidavits at the time they were made were published in the newspapers as the law directs; and whether the true condition of any or of all of the banks named in the resolution was ascertained and reported by a national-bank examiner, or did the true condition of the banks in any case first become known through the public press? We want information on these points.

Mr. McMILLIN. I think the resolution is broad enough to elicit every fact material to the investigation; but if my colleague is of opinion that it is not, perhaps he can suggest such amendments as will make it broad enough to cover the entire case. What we want is a full investigation. I yield now five minutes, or whatever time he desires, to the author of the resolution, the gentleman from Pennsylvania [Mr. MUTCHLER].

Mr. MUTCHLER. Mr. Speaker, I wish to say that in my judgment the resolution is broad enough to cover anything which the committee may desire to inquire into with respect to the conduct of national banks generally. The scope of the resolution is so wide as to authorize inquiry into any fact which the committee itself may deem necessary to be inquired into in order to ascertain what were the causes which led to the failure of these different banks. And it goes further; it authorizes the committee to consider and report to this House any amendment to the national banking law which it may think necessary in order to protect the public in the future against losses through these institutions.

Mr. O'NEILL of Pennsylvania. Mr. Speaker——

The SPEAKER. Does the gentleman from Pennsylvania [Mr. MUTCHLER] yield to his colleague?

Mr. MUTCHLER. Certainly.

Mr. O'NEILL of Pennsylvania. I only desire to state, Mr. Speaker—and probably my colleague would have stated it—that there have been three special examinations into these bank matters in Philadelphia in relation to the Keystone National Bank and the Spring Garden National Bank. One of those investigations was made by a committee appointed by his excellency the governor of the State of Pennsylvania, another by a committee appointed by the citizens of Philadelphia, and the third by a committee appointed by the councils of the city of Philadelphia, each committee making a thorough examination. I simply wish that fact to go on record in connection with this resolution.

Mr. MUTCHLER. I am aware of all that, Mr. Speaker, and I am not here to find any fault with the manner in which those investigations have been conducted, but these institutions are the creatures of the National Government, they carry the name of the National Government, they receive credit because of the fact that they are national banks and the fact that the Government is presumed to exercise some advisory control or power over them.

Mr. O'NEILL of Pennsylvania. I do not want it to be understood for a moment that I oppose the adoption of this resolution. On the contrary, I favor it.

Mr. MUTCHLER. I think that we owe it to the people of this country, the people who put faith in the national banks and who deal with them because of their connection with the Government, to exercise whatever power we possess to protect the public against future losses in connection with such institutions. During the last year the defalcations and embezzlements in the State of Pennsylvania alone are reported to amount to upward of $7,000,000.

Mr. COOMBS. In connection with national banks?

Mr. MUTCHLER. No, not all in connection with national banks; but largely through those institutions. Now, I repeat, the public have a right to expect that the Congress will make a thorough investigation into the manner in which these national banks are conducted, and, if the power which the Government now exercises over them is found to be insufficient for the protection of the people, then they have a right to expect that we shall amend the national-banking laws so as to make these institutions more secure in the future; and that is the purpose of my resolution.

Mr. McMILLIN. Mr. Speaker, I demand the previous question on the adoption of the resolution.

The previous question was ordered.

The resolution was then adopted.

Mr. McMILLIN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CHANGE OF REFERENCE.

Mr. PENDLETON. Mr. Speaker, I desire to ask attention to House bill No. 1949, for the relief of the late A. S. Core, a bill introduced by myself. It was introduced in the Fiftieth and Fifty-first Congresses and was referred to the Committee on War Claims, and was twice favorably reported to the House by that committee. In this House, however, it has been referred to the Committee on Claims, and I now ask unanimous consent that that committee be discharged from its further consideration, and that the bill be referred to the Committee on War Claims.

The SPEAKER. The Chair has made some investigation and finds that the bill should go to the Committee on War Claims. Is there objection to the request of the gentleman from West Virginia?

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

The SPEAKER, as the next business in order, proceeded to call the committees for reports of a public nature when the following reports were presented, and referred as respectively stated:

EASTERN JUDICIAL DISTRICT OF TEXAS.

By Mr. CULBERSON, favorably, from the Committee on the Judiciary: A bill (H. R. 5176) to change the time of holding the courts in the eastern district of Texas—to the House Calendar.

ADDITIONAL JUSTICES, SUPREME COURT OF UTAH.

By Mr. RAY, adversely, from the Committee on the Judiciary: A bill (H. R. 3939) providing for two additional associate justices of the supreme court of the Territory of Utah, and for other purposes—to the Committee of the Whole on the state of the Union.

SAFETY OF NATIONAL BANKS.

By Mr. BACON, from the Committee on Banking and Currency: A bill (H. R. 5681), as a substitute for H. R. 4281, for the better control of and to promote the safety of national banks—to the House Calendar.

BRIDGE AT BURLINGTON, IOWA.

By Mr. MILLS, favorably, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 4631) to amend an act entitled "An act to authorize the construction of a railroad, wagon, and foot-passenger bridge at Burlington, Iowa, approved August 6, 1888," as amended by act approved February 21, 1891—to the House Calendar.

PORT OF OGDENSBURG, N. Y.

By Mr. WISE, favorably, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 610) extending the privileges of the first and seventh sections of the act approved June 10, 1880, governing the transportation of merchandise without appraisement to the port of Ogdensburg, in the State of New York—to the House Calendar.

DETAIL OF ARMY OFFICERS TO THE WORLD'S FAIR.

By Mr. OUTHWAITE, with amendment, from the Committee on Military Affairs: A bill (H. R. 618) authorizing the Secretary

of War to detail certain officers of the Army for special duty in connection with the World's Columbian Exposition—to the House Calendar.

INHABITANTS OF CHELAN, WASH.

By Mr. STOUT, favorably, from the Committee on Public Lands: A bill (H. R. 2568) for the relief of the inhabitants of the town of Chelan, in Okanogan County, State of Washington—to the House Calendar.

COURTS IN WISCONSIN.

The SPEAKER (having concluded the call of committees). The morning hour now begins at half past 12 o'clock. The call rests with the Committee on the Judiciary.

Mr. CULBERTSON. On behalf of the Committee on the Judiciary I call up the bill (H. R. 497) to determine the sessions of the circuit and district courts for the eastern district of Wisconsin. I yield to the gentleman from Mississippi [Mr. STOCKDALE].

Mr. STOCKDALE. I ask for the reading of the bill.

The Clerk read as follows:

Be it enacted, etc., That the regular terms of the circuit and district courts of the United States for the eastern district of Wisconsin shall be held at the times and places following: At Milwaukee, on the first Mondays of January and October, and at Oshkosh on the second Tuesday of June in each year.

SEC. 2. That sections 572 and 658 of the Revised Statutes, so far as they provide for different times for holding said courts, are hereby amended to conform to this act.

Mr. STOCKDALE. Mr. Speaker, it will not be necessary to read the report in this case unless some gentleman asks for the reading. The only change that this bill makes is in providing for holding the term of court at Oshkosh in June instead of July. Court is now held there once a year in the month of July; and this bill provides for an annual court at that place in June, the reason being that it is hot in July while it is pleasant in June. I sympathize with those people up there in that hot climate. [Laughter.]

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. STOCKDALE, a motion to reconsider the last vote was laid on the table.

PRESIDENTIAL SUCCESSION.

Mr. CULBERSON. On behalf of the Judiciary Committee, I call up the bill (H. R. 3927) to amend "An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice-President," approved January 19, 1886. I yield to the gentleman from Vermont [Mr. POWERS].

Mr. POWERS. I ask for the reading of the bill.

The Clerk read as follows:

Be it enacted, etc., That in the first section of the act of which this is amendatory there shall be inserted after the words "Secretary of the Interior" the words, "or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of Agriculture."

Mr. POWERS. Mr. Speaker, in 1886 an act of Congress was passed providing that in case of the death or inability of both the President and Vice-President, the succession to the Presidential office should devolve upon the different members of the Cabinet in the order of their commissions. At that time the last official in the line of succession was the Secretary of the Interior. Since that time, the Department of Agriculture has been created, the Secretary of that Department being made a Cabinet official. In order, therefore, to preserve the harmony of our legislation and to avoid a seeming discrimination against the Department of Agriculture, this bill provides in reference to the succession to the Presidential office that the Secretary of Agriculture shall stand after the Secretary of the Interior. I ask a vote upon the bill.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. POWERS, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, in writing, was communicated to the House by Mr. PRUDEN, one of his secretaries.

The message also announced the approval of the following bills:

A bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapaho Indians;

A bill (H. R. 28) to amend an act entitled "An act granting right of way to the Hutchison and Southern Railroad Company through the Indian Territory;"

A bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882; and

A bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas.

AMENDMENT OF INTERNAL-REVENUE LAWS.

Mr. CULBERSON. Mr. Speaker, I now call up for consideration the bill (H. R. 566) to amend the internal-revenue laws, and for other purposes; and yield the floor to the gentleman from Indiana [Mr. BYNUM].

The bill was read, as follows:

Be it enacted, etc., That whenever in any statute denouncing any violation of the internal-revenue laws as a felony, crime, or misdemeanor there is prescribed in such statute a minimum punishment, less than which minimum no fine, penalty, imprisonment, or punishment is authorized to be imposed, every such minimum punishment is hereby abolished; and the court or judge in every such case shall have discretion to impose any fine, penalty, imprisonment, or punishment not exceeding the limit authorized by such statute, whether such fine, penalty, imprisonment, or punishment be less or greater than the said minimum so prescribed.

SEC. 2. That no warrant in any case under the internal-revenue laws shall be issued upon an affidavit making charges upon information and belief, unless such affidavit is made by a collector or deputy collector of internal revenue or by a revenue agent: and with the exception aforesaid no warrant shall be issued except upon a sworn complaint, setting forth the facts constituting the offense and alleging them to be within the personal knowledge of the affiant. And the United States shall not be liable to pay any fees to marshals, clerks, commissioners, or other officers for any warrant issued or arrest made in prosecutions under the internal-revenue laws, unless there be a conviction or the prosecution has been approved in writing, either before or after such arrest, by the attorney of the United States for the district where the offense is alleged to have been committed, or unless the prosecution was commenced by information or indictment: *Provided*, That in each case where such prosecution has been approved by the district attorney as herein required, he shall make out a written statement of the grounds upon which he rests such approval, and shall send a copy of the same to the Attorney-General.

SEC. 3. That whenever a warrant shall be issued by a commissioner or other judicial officer having jurisdiction for the arrest of any person charged with a criminal offense such warrant, accompanied by the affidavit on which the same was issued, shall be returnable before some United States judicial officer named in section 1014 of the Revised Statutes residing in the county of arrest, or in the county in which the offense is alleged to have been committed, or, if there be no such judicial officer in either of said counties, before some such judicial officer residing in another county nearest to the place of arrest. And the judicial officer, before whom the warrant is made returnable as herein provided, shall have exclusive authority to make the preliminary examination of every person arrested as aforesaid and to discharge him, admit him to bail, or commit him to prison, as the case may require: *Provided*, That this section shall not apply to the Indian Territory.

SEC. 4. That the circuit courts of the United States, and the district courts or judges thereof exercising circuit-court powers, and the district courts of the Territories are authorized, with the approval of the Attorney-General, to appoint in different parts of the several districts in which said courts are held as many discreet persons to be commissioners of the circuit courts as may be deemed necessary. And the Attorney-General shall have authority to remove at pleasure any commissioners heretofore or hereafter appointed in said districts.

SEC. 5. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may compromise or discontinue any civil or criminal case arising under the internal-revenue laws upon such terms as shall be deemed reasonable.

SEC. 6. That this act shall take effect sixty days after its approval.

Mr. BYNUM. Mr. Speaker, this bill substantially has the approval of the Department of Justice, and was favorably reported by the committee during the last Congress.

The first section of the bill simply removes the limitations of minimum punishments in cases of the violation of the internal-revenue laws. It is found that in some sections of the country there have been great abuses upon the part of certain court officers, as well as upon the part of certain citizens themselves, in stirring up prosecutions under the internal-revenue laws for the purpose of creating and securing fees. The Government has been put to great expense in many States, notably in the State of Alabama, and probably in North Carolina and Georgia.

Mr. LIVINGSTON. Will the gentleman yield for a question?

Mr. BYNUM. Certainly.

Mr. LIVINGSTON. Does this fix and limit the powers of marshals with processes of arrest?

Mr. BYNUM. That is contained in another section of the bill. I am speaking now of the first section. I will state to the gentleman that there are limitations as to the powers of marshals provided in another portion of the bill.

I have stated that it has been found that a great many prosecutions are inaugurated in some sections of the country, many of which have no foundation and others are mere cases of technical violation of the law. The minimum punishment fixed by the present law being a considerable fine, not less than $100, and thirty days' imprisonment, it has been found that the courts have been suspending sentence rather than inflict punishment in many cases.

I will state that this modification of the law meets the approval of the Department of Justice as well as of courts throughout the country. All of them agree that this limitation should be removed, and the matter of punishment left to the discretion of the court where there is a mere technical violation of the law. There are many cases where the court might properly impose a less punishment than the minimum now fixed by the statute. Under the present law these parties are required to remain in prison for the thirty days—the minimum time fixed by law—and at the same time to pay the fine and costs or to remain in prison thirty days longer before being discharged.

The second section has reference to the steps necessary to be

taken to begin prosecutions in some cases before commissioners and provides how and under what circumstances warrants shall issue.

Mr. McMILLIN. Before the gentleman from Indiana leaves the first section let me ask if that is not substantially the provision that was contained in the Mills bill reported by the Committee on Ways and Means on the same subject?

Mr. BYNUM. I will state to the House that this is the same provision that was contained in the Mills bill, and also in a previous appropriation bill, except that there is a greater restriction in this section, in this, that even where a prosecution has commenced under this section it still remains with the district attorney to approve the prosecution before the fees can be paid to the commissioner, marshal, and clerk, unless there has been a conviction.

Mr. McMILLIN. I examined this whole subject with a good deal of care, having been chairman of the subcommittee that had charge of it, and I agree fully that the views expressed by the gentleman from Indiana are correct.

Mr. BYNUM. There is no question that this will be a great protection to the Treasury of the United States, as well as a protection to the people themselves against unjust prosecutions.

Another change is made, which gives to the Department of Justice the power of removal of the commissioners, a power that does not now exist in the Department of Justice, and it is somewhat doubtful whether it exists even in the circuit judges themselves.

Mr. OATES. If the gentleman from Indiana will allow an interruption——

Mr. BYNUM. Certainly.

Mr. OATES. The gentleman might add in that connection that there is no class of United States officials where, here and there, will be found a case that is more worthy of removal.

Mr. BYNUM. I have no doubt of it; though I have no complaints of this character from my own district, I hear of many in various other parts of the country, where commissioners are in collusion with professional witnesses, and to some extent with the parties who desire to get up prosecutions in order to obtain fees. There is no adequate remedy existing at present, and this bill is intended to provide against that class of cases.

Mr. BOUTELLE. Will the gentleman permit me to ask if the Internal Revenue Bureau have been consulted in regard to this?

Mr. BYNUM. They have been heretofore. They have not been consulted with regard to the preparation of the present bill. The Department of Justice, however, has been in previous Congresses, and has given its assent to the different provisions, many of which have been incorporated at the suggestion of the Attorney-General.

Mr. BOUTELLE. Do you know the views of the Treasury Department upon the matter?

Mr. BYNUM. They are all in favor of the measure, so far as the Revenue Department is concerned.

Mr. OATES. If the gentleman from Indiana will allow me just there, I wish to state that I was on a subcommittee that investigated the crookedness of these officials in different parts of the country last year, and in one notable case where the Attorney-General on information found requested the removal of the commissioner, the United States circuit judge, in whom the power was supposed to exist, refused to concur in the recommendations of the Department to remove the man, although the evidence was clear and convincing as to the manufacturing of illegal fees on the part of that official.

Mr. BYNUM. I will say in reply to the gentleman from Maine [Mr. BOUTELLE], in regard to the provision affecting the Internal Revenue Department, that the department, as I understand it, are favorable to the measure.

The amendments are of no great consequence. The bill as reported in the last Congress contained a provision empowering the Commissioner of Internal Revenue to compromise all cases with the approval of the Secretary of the Treasury. That section seemed to be so broad that it might authorize the Commissioner of Internal Revenue to compromise all suits, whether they arose under the internal-revenue laws or not. One of the amendments simply restricts the power of the Commissioner of Internal Revenue to compromise suits in cases arising under the internal-revenue laws.

So far as the hearings before the commissioners are concerned, this law requires the preliminary case to be brought before the commissioner nearest the point where the crime is committed. This provision is to save traveling expenses of witnesses, and so forth. That section of the statute confers the same powers upon justices of the peace of the State as upon United States commissioners, and the committee thought best not to limit preliminary hearings to commissioners alone, but to leave the law as it now stands.

Mr. REED. Is that by section 3?

Mr. BYNUM. That is by section 3, I believe. That section, by striking out the words "United States," simply leaves the same powers existing under the section that now exist. It does not limit prosecutions before commissioners of the United States.

Mr. REED. Under section 3 every warrant has to be returnable before some judicial officer?

Mr. BYNUM. Some judicial officer.

Mr. REED. But not a United States judicial officer?

Mr. BYNUM. Not necessarily a United States judicial officer. It leaves the law standing just at it is now, and the provision incorporated in this third section would be a restriction upon the law as it now exists; and the committee were of the opinion that the law should remain just as it is now, without any change in that particular.

So I say that this bill is the same which was favorably reported in the last Congress without these two changes.

Mr. BROSIUS. Will the gentleman yield to me for an inquiry?

Mr. BYNUM. Certainly.

Mr. BROSIUS. In what respect does section 4 of this act alter the existing law?

Mr. BYNUM. That is, in regard to commissioners?

Mr. BROSIUS. The appointment of commissioners, and the unlimited power of the Attorney-General to remove?

Mr. BYNUM. That is a power that does not exist; nor is he, I believe, consulted as to the appointment of commissioners.

Mr. BROSIUS. Do you think it is desirable to clothe the Attorney-General with that power?

Mr. BYNUM. That is the opinion of the committee, and it is also the opinion of the Department of Justice.

Mr. BROSIUS. May I ask you another question?

Mr. BYNUM. Certainly.

Mr. BROSIUS. You may have stated it before, but I did not hear it. Does the Commissioner of Internal Revenue approve of this bill?

Mr. BYNUM. The provisions of this bill have not been submitted to the Commissioner of Internal Revenue this session; but I am credibly informed that heretofore the provisions of the bill have met with the approval of the State and Internal Revenue Departments.

I yield to the gentleman from New Jersey [Mr. BUCHANAN] for ten minutes.

Mr. BUCHANAN of New Jersey. I shall probably occupy less than ten minutes. This bill arises because of certain abuses which have been practiced in connection with prosecutions under the internal-revenue laws for the past few years. It is stated here that the provisions of the bill have the sanction of the Department of Justice. In a general way I think that is true; but there are some provisions in the bill which I do not know to be specifically approved by the Attorney-General. The first section embodies a principle that we have engrafted into a number of laws that have been passed by recent Congresses, doing away with the minimum punishments. As the revenue laws now stand, where a man is charged with an offense he may be only technically guilty, yet the judge is compelled under the law, if he sentences him at all, to give him a sentence of perhaps five years imprisonment. In such cases the judge is obliged either to suspend sentence or to inflict a penalty that is far out of proportion to the technical offense which has been committed.

As to the second section, I think it carries provisions which should receive the most careful scrutiny at the hands of this House. While practices that are entirely improper have prevailed in the past, in connection with the arrest of prisoners charged with offenses against the internal-revenue laws, and while a remedy should be devised, in my judgment, the remedy here given goes entirely too far and affords too much immunity to the offender; and I repeat that I do not understand that this section as it stands worded to-day has the approval of the Department of Justice. The section as it stands provides that no warrant, in any case under the internal-revenue laws, shall be issued upon an affidavit making charges on information and belief, unless such affidavit be made by a revenue agent.

Now, I might know of an offense against the internal-revenue law——

Mr. BYNUM. It is not limited to a revenue agent, but if made by a party not a revenue officer it must be made on actual knowledge.

Mr. BUCHANAN of New Jersey. Well, I will read the exact words. I thought I had stated the matter accurately:

That no warrant in any case under the internal-revenue laws shall be issued upon an affidavit making charges upon information and belief, unless such affidavit is made by a collector or deputy collector of internal revenue.

Mr. BYNUM. Well, continue reading.

Mr. BUCHANAN of New Jersey (reading):

Or by a revenue agent.

Mr. BYNUM. Well, continue to read, and you will see.

Mr. BUCHANAN of New Jersey. Precisely. I am continuing to read; but I can not read it all first.

Mr. BYNUM. You have not read the whole sentence yet.

Mr. BUCHANAN of New Jersey (reading):

That no warrant in any case under the internal-revenue laws shall be issued upon an affidavit making charges upon information and belief, unless such affidavit is made by a collector or deputy collector of internal revenue, or by a revenue agent.

I may have information and belief that is as strong to my mind as actual knowledge; yet, not being a revenue agent, I can not make any complaint, and while I am hunting up a revenue agent the offender escapes. That contingency ought not to be possible.

And—

I continue to read—

with the exception aforesaid, no warrant shall be issued except upon a sworn complaint, setting forth the facts constituting the offense and alleging them to be within the personal knowledge of the affiant.

I repeat what I was saying, that to get a warrant for an infraction of the revenue laws that warrant must be upon the affidavit of a revenue agent, with the exception that it may be issued upon the affidavit of an outsider when such outsider has actual knowledge.

Mr. DOLLIVER. Will the gentleman allow me to ask him a question?

Mr. BUCHANAN of New Jersey. Certainly.

Mr. DOLLIVER. Is that difference to the measure of the knowledge of the informant that prevails in the ordinary criminal cases in the United States courts? In other words, can an information be filed upon information and belief in ordinary cases in the United States courts in charges of murder, treason, and so on?

Mr. BUCHANAN of New Jersey. They can in my section. In our State practice anyone having information and belief that a crime has been committed may make an affidavit, and on that a warrant issues, the offender is arrested, and the fact is determined.

I do not see why the United States should extend a greater degree of immunity from arrest to the moonshiners of this country than to anybody else; and this bill as it stands does just that thing. So far as the purpose of the bill is concerned, to prevent illegal prosecutions, the purpose is good, but the language is bad. I want to say here, in justice to the Department of Justice, that by the exertions of that Department, seconded by an investigation made by the Committee on the Judiciary of the last Congress, these practices have been very largely broken up, and the difficulty does not exist to anything like the degree to-day that it has in former years.

As to the other portions of the bill, it will be noticed that section 4 authorizes the appointment of as many commissioners of the United States courts, by those courts, as they may deem necessary, if it be a dozen to the county. There is no limitation. There ought to be a limitation. There ought to be sufficient commissioners to enable each offender charged with a crime to be brought before a commissioner near his home; but we can not afford, in view of the accounts of these commissioners, which are coming in from day to day before the Department of Justice to be investigated, passed upon, and paid, to plaster this whole country with commissioners; and under the provision of this section as it stands, that thing is possible.

I have said all I cared to say in reference to this bill. There are many good things in it and its purpose is good; but, as I have said, and especially so far as section 2 is concerned, the language is very unfortunate in my judgment.

Mr. BYNUM. Mr. Speaker, how much time is there remaining of the morning hour?

The SPEAKER. Of the morning hour there are thirty minutes remaining. More than that is remaining of the gentleman's time.

Mr. BYNUM. For the consideration of this bill how much time is remaining?

The SPEAKER. Twenty minutes has been consumed in the consideration of this bill.

Mr. CULBERSON. Mr. Speaker, how much time is there remaining of the morning hour?

The SPEAKER. Thirty minutes are remaining of the morning hour.

Mr. BUSHNELL. I would like to ask the gentleman from Indiana a question.

Mr. BYNUM. Certainly, I will answer a question of the gentleman.

Mr. BUSHNELL. The bill, if I understand it correctly, provides that complaint against an offender shall be returnable before a commissioner nearest to where the arrest is made.

Mr. BYNUM. That is the object of the bill.

Mr. BUSHNELL. And under another provision the Attorney-General is given power to remove all the court commissioners that he desires to remove?

Mr. BYNUM. Yes, to remove them.

Mr. BUSHNELL. He superintends the appointment of the commissioners, or, rather, their term of office.

Mr. BYNUM. He is given that power.

Mr. BUSHNELL. It strikes me that that is not a good provision, it will not work well in many portions of the country, I am certain.

Mr. BYNUM. But he has nothing to do with the appointments.

Mr. BUSHNELL. I find that he has nothing to do with the appointments. Several of these provisions, it seems to me, are not what they ought to be, and I would like this bill to go over for examination.

Mr. BYNUM. It can not go over in the morning hour. It goes on the Calendar as unfinished business. I understand the gentleman from North Carolina wishes to have a few minutes.

Mr. HENDERSON of North Carolina. I would like to have a few minutes. I think I can get through with what I desire to say in five minutes.

Mr. BYNUM. I yield to the gentleman from North Carolina for five minutes.

Mr. HENDERSON of North Carolina. Mr. Speaker, this bill has been before the Congress of the United States for four terms. It was practically adopted in the Forty-ninth Congress. That is to say, on the 3d of March, 1887, a vote was taken upon all the paragraphs of this bill, but a two-thirds vote was required to pass it, and it fell short of that, there being 139 votes in the affirmative and 112 in the negative. The bill has been unanimously reported by every Judiciary Committee that has ever considered it. The Judiciary Committee of the Forty-ninth Congress favorably reported it, and it was considered in the House with the result which I have stated. Then, in the Fiftieth Congress it passed the House unanimously without objection. It was reported unanimously by the Judiciary Committee of the Fifty-first Congress, but there was no vote taken upon it in the House, and it has been again reported favorably by the Judiciary Committee of the present House.

This bill was submitted by me to the present Attorney-General of the United States during the last Congress, and if I had known that it was to be considered this morning I would have looked up his letter. The letter, however, is alluded to in the report. My recollection is that the bill was amended in every part so as to conform to the wishes of the Attorney-General. There would seem to be only two or three objections to the bill. One objection is that it prohibits unofficial persons from swearing out affidavits upon information and belief. The second section authorizes a collector, deputy collector, or revenue agent to have a warrant issued upon an affidavit upon information and belief, and it is no hardship to the Government that private citizens should be prevented from doing that. The Government has these officials everywhere. If any offense or crime is committed there is no difficulty in obtaining one of these official persons to make an affidavit upon information and belief, and unless that is done there is seldom a conviction. On the other hand, if there is no official person to make the affidavit upon information and belief, all that the bill requires is that some citizen who knows of the fact shall make the affidavit upon his own knowledge.

[Here the hammer fell.]

Mr. HENDERSON of North Carolina. I should like a little more time.

Mr. BYNUM. I will yield the gentleman three minutes more.

Mr. BURROWS. Will the gentleman permit a question?

Mr. HENDERSON of North Carolina. Yes, sir.

Mr. BURROWS. I wish to ask the gentleman whether the provision of which he has just spoken finds its counterpart in any statute relating to other criminal offenses against the Government of the United States—counterfeiting, for instance?

Mr. HENDERSON of North Carolina. No, sir; this is something new.

Mr. BURROWS. Entirely new, is it not?

Mr. HENDERSON of North Carolina. It is new, but it is something that is approved by every man, in office and out of office, who has ever carefully studied the internal-revenue laws.

Mr. BURROWS. I do not ask the question for the purpose of intimating that I am against the bill, but I would like to have some explanation of why it is thought necessary to make this exceptional provision.

Mr. HENDERSON of North Carolina. Well, the reason of is it that under the present law there are hundreds of frivolous prosecutions for violations of the internal-revenue laws. There are professional affidavit-makers all over an internal-revenue district. That state of things does not exist with reference to any other offenses or crimes against the Government, and the object of this provision is simply to discourage frivolous prosecutions.

Mr. BROSIUS. Won't it be just as likely to obstruct and prevent honest prosecutions?

Mr. HENDERSON of North Carolina. It can not prevent honest prosecutions.

Mr. BROSIUS. Will not a man who has the fear of paying the costs himself be deterred from making a complaint that ought to be made?

Mr. HENDERSON of North Carolina. No, sir; all he has to do is to report the case to the district attorney, or to the revenue agent, or the deputy collector of internal revenue, or to the collector, and each one of those officers, except the district attorney, is authorized to make an affidavit upon information and belief.

Mr. BROSIUS. Suppose they decline to approve it, then the complaint is not made.

Mr. HENDERSON of North Carolina. Well, I say that if they decline to approve it, there ought to be no prosecution until the grand jury meets and finds an indictment.

Mr. BYNUM. I yield five minutes to the gentleman from Tennessee [Mr. COX].

Mr. COX of Tennessee. Mr. Speaker, there is one provision of this bill that I wish to bring to the attention of the House, because it will cure a very great evil which exists in my part of the country. When we understand the evil we shall find it easier to get at the remedy, and therefore I will say a word in explanation of this particular abuse. Under the existing law in thinly populated regions there are people who make complaints and swear out warrants for the sake of the costs which the cases carry.

More than two-thirds of such cases result in nothing except that men are arrested, carried a considerable distance from their homes, charged with these costs, and discharged. Outrages of a very grave character have often occurred in this way, where a man is carried out of his neighborhood, amongst strangers, and kept in prison until it suits the pleasure of the officials to try him. The citizen making such a complaint incurs no liability under the present law, while the injury inflicted upon the accused is often very serious. In the absence of any restraining power in the law, unprincipled men, through ill will and malice, frequently make these complaints, and the accused is subjected to great hardship, inconvenience, and loss; yet generally such a case amounts to nothing so far as the Government is concerned, and the man who is actuated by this ill will and malice is rewarded in the amount of the costs.

Now, this bill will put a stop to that evil. And, as suggested by a gentleman awhile ago, if there is any foundation for making a complaint, there is nothing in this to prevent its being made, because the citizen who knows the facts can report them to the district attorney, or to any of the Government officers, and if, upon examination of his statement, they come to the conclusion that the case ought to be prosecuted, they can swear out a warrant. Or, if they think it proper, they may postpone the matter until the grand jury is impaneled and can examine the case. I could give instances within my own knowledge where these abuses which I have briefly described have amounted to absolute oppression. More than that, unscrupulous men sometimes get into the positions of deputy marshals and go all over the country making oppressive arrests. Of course it is proper that these officials should be active in the discharge of their duty, it is proper that the law should be enforced, but the evil of which I have spoken certainly ought to be corrected, and this bill proposes to correct it.

[Here the hammer fell.]

Mr. BUSHNELL. Mr. Speaker, I desire to say a word or two.

Mr. BYNUM. How much time does the gentleman desire?

Mr. BUSHNELL. Five minutes.

Mr. BYNUM. I can not give the gentleman five minutes, but I will give him two.

Mr. BUSHNELL. Very well, two minutes. I want to offer an amendment.

Mr. BYNUM. I do not yield for an amendment——

Mr. BUSHNELL. The gentleman will not object to it.

The SPEAKER. The Chair will state that there are now pending several amendments recommended by the Committee on the Judiciary.

Mr. BUSHNELL. I simply wanted to add a provision excepting the State of Wisconsin from the operation of section 3.

My reason for the amendment I have proposed is this: From experience I have had as district attorney in Wisconsin I know that the bill, unless amended, will increase two or three times the present expenses of prosecuting persons charged with selling liquor to Indians on this reservation in Wisconsin. It will require the district attorney to travel from 300 to 400 miles to the northern end of the State every time there is a complaint made that anybody is taking liquor upon the reservation or selling it to the Indians.

Mr. OATES. Can not the duty to which the gentleman refers be performed by the assistant district attorney? That is the practice now.

Mr. BUSHNELL. There is but one assistant district attorney there; and if the necessity of this extra travel devolves upon him, the fees will be the same as if the work were done by the district attorney. The additional expense thus entailed is wholly unnecessary. Under the existing circumstances there is scarcely ever a report of a case of that kind for prosecution, unless clear evidence has been obtained against the party, who is then brought before the commissioner by a deputy marshal. The parties accused generally waive examination, are admitted to bail, and appear at the proper term of the court to make their defense. I repeat that in Wisconsin the proceeding now proposed will increase several times the present expense.

Mr. BYNUM. I demand the previous question on the bill and amendments.

Mr. BURROWS. I wish to inquire of the gentleman from Indiana whether this bill in its present form, in all its sections, has been submitted to the Department of Justice and the Commissioner of Internal Revenue and received their approval.

Mr. BYNUM. The bill has not been submitted by the present committee, but it was submitted by the committee of the last House, and a favorable report was made.

Mr. BURROWS. Was it submitted in its present form?

Mr. BYNUM. Just as it now stands, with the exception of the amendments which have been made by the committee. It was favorably passed upon by the committee in the last House.

Mr. BURROWS. But it was not passed by the House.

Mr. OATES. For the information of the gentleman from Michigan [Mr. BURROWS], I will state that though this measure as a whole has not been submitted to the Attorney-General, I know that the different propositions embraced in it were approved by that officer when submitted to him during the last Congress.

Mr. BYNUM. I was so informed.

Mr. BURROWS. I wish the gentleman from Indiana [Mr. BYNUM] and the House would consent to let this matter lie over by unanimous consent until to-morrow, when it can be taken up the first thing. I think that that would be the best course.

Mr. BYNUM. If the gentleman will ask and obtain unanimous consent to that effect, I have no objection.

Mr. BURROWS. I ask unanimous consent that this matter may lie over until the morning hour to-morrow.

Mr. CULBERSON. What is the gentleman's proposition?

Mr. BURROWS. I ask unanimous consent that this matter may be postponed until to-morrow, to be taken up in the morning hour. I would like to make, meanwhile, some inquiry about it.

Mr. CULBERSON. I have no objection to the gentleman's suggestion, but would like him to add to his request a provision that the time consumed upon this bill during the present morning hour be not counted against the committee.

The SPEAKER. The Chair will state that there are thirteen minutes of the morning hour remaining.

Mr. BURROWS. Thirteen minutes will undoubtedly be sufficient to complete the matter to-morrow.

Mr. CULBERSON. I would like to have the thirteen minutes added to our hour.

The SPEAKER. Of course this bill, under the rule, can continue before the House until the expiration of the morning hour to-day, and will then be in order in the morning hour to-morrow.

Mr. CULBERSON. I understand that; but I would be glad to use the thirteen minutes remaining upon another bill.

The SPEAKER. But suppose that bill be not finished?

Mr. CULBERSON. That is what I am afraid of.

Mr. HATCH. I demand the regular order. There are other committees waiting to be called.

The SPEAKER. The regular order is demanded, which is the motion of the gentleman from Indiana [Mr. BYNUM] for the previous question upon the pending bill and amendments.

Mr. BYNUM. I withdraw the demand for the previous question.

Mr. MILLIKEN. I desire to offer an amendment.

The SPEAKER. The gentleman from Indiana [Mr. BYNUM] is entitled to the floor.

Mr. BYNUM. In answer to the statement of the gentleman from Michigan [Mr. BURROWS] I will say that I was informed by the gentleman from North Carolina [Mr. HENDERSON] and by other members who have had the question under consideration for some time that this bill in its general provisions met the approval of the Department of Justice. I know that the provision in regard to the removal of minimum punishments meets with no opposition from any source. The provision to which the gentleman from New Jersey [Mr. BUCHANAN] makes serious objection in regard to the commencement of prosecutions was, substantially, incorporated into an appropriation bill in the Forty-ninth Congress.

Mr. BUCHANAN of New Jersey. But it was not submitted to the Attorney-General.

Mr. BYNUM. It was not; but I understand it has since that time met his approval. I understand also that the bill conforms to what has actually been the practice of the Federal courts in the State of Ohio—that in order to prevent frivolous prosecutions, prosecutions gotten up simply for the purpose of putting the Government to expense for witness fees, an order was issued by the district attorney prohibiting any commissioner from bringing prosecutions unless the cases were approved by the district attorney. So that there is nothing in this bill that is really new in this House or in Congress, because these provisions have been before Congress to my certain knowledge ever since the Forty-ninth Congress. The provision in section 3 of the bill really makes no change in the law as it now stands except to require criminals to be taken before the nearest officer.

In regard to the removal of commissioners, that is a change. There is no power now by which the commissioners for any cause may be removed. It is doubtful whether the courts have the power of removal. Some of them refuse to exercise it, and I think it is rightfully conferred some Department, and can be conferred upon none so well as upon the Department of Justice. For that reason I think the bill should pass.

Now, Mr. Speaker, I understand no gentleman desires to occupy the remaining time. I ask the previous question on the bill and amendments.

Mr. MILLIKEN. I would like to offer an amendment.

The SPEAKER. That would not be in order pending the demand for the previous question.

Mr. BURROWS. If the previous question is not ordered then an amendment would be in order?

The SPEAKER. It would.

The question was taken; and on a division there were—ayes 89, noes 38.

Mr. DINGLEY. No quorum.

Mr. BYNUM. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 173, nays 39, not voting 119; as follows:

YEAS—173.

Allen,	Cowles,	Johnstone, S. C.	Pearson,
Amerman,	Cox, N. Y.	Kendall,	Peel,
Arnold,	Cox, Tenn.	Kilgore,	Pendleton,
Babbitt,	Crawford,	Lagan,	Pierce.
Bacon,	Crosby,	Lane,	Powers,
Bailey,	Culberson,	Lanham,	Ray,
Baker,	Cummings,	Lapham,	Reilly,
Bankhead,	Daniell,	Layton,	Richardson,
Bartine,	De Armond,	Lester, Va.	Rockwell,
Barwig,	De Forest,	Lester, Ga.	Sayers,
Beeman,	Dickerson	Lewis,	Scott,
Bentley,	Dixon,	Little,	Seerly,
Bowman,	Dockery,	Livingston,	Shell,
Branch,	Donovan,	Long,	Snodgrass,
Brawley,	Dungan,	Lynch,	Snow,
Breckinridge, Ky.	Edmunds,	Magner,	Sperry,
Bretz,	Elliott,	Mallory,	Springer,
Brickner,	Ellis,	McClellan,	Stackhouse,
Broderick,	Enloe,	McCreary,	Stevens,
Brookshire,	Epes,	McGann,	Stockdale,
Brunner,	Everett,	McKaig,	Stout,
Buchanan, Va.	Fithian,	McKeighan,	Tarsney,
Bullock,	Forman,	McKinney,	Taylor, Tenn.
Bunn,	Forney,	McMillin,	Taylor, E. B.
Busey,	Fowler,	McRae,	Terry,
Butler,	Fyan,	Meredith,	Tucker,
Bynum,	Gantz,	Meyer,	Turner,
Cable,	Geary,	Miller,	Warner,
Cadmus,	Geissenhainer,	Milliken,	Warwick,
Campbell,	Goodnight,	Mills,	Watson,
Capehart,	Gorman,	Mitchell,	Wheeler, Ala.
Caruth,	Grady,	Montgomery,	Wheeler, Mich.
Catchings,	Greenleaf,	Moore,	White,
Cate,	Hallowell,	Moses,	Wike,
Causey,	Halvorsen,	Mutchler,	Williams, Mass.
Chipman,	Hare,	Newberry,	Williams, Ill.
Clancy,	Hatch,	Oates,	Wilson, Ky.
Clover,	Hemphill,	O'Neil, Mass.	Wilson, W. Va.
Cobb, Ala.	Henderson, N. C.	O'Neill, Mo.	Winn,
Cobb, Mo.	Herbert,	Otis,	Wolverton,
Coburn,	Hooker, Miss.	Outhwaite,	Youmans.
Coolidge,	Houk, Ohio	Owens,	
Coombs,	Houk, Tenn.	Parrett,	
Covert,	Johnson, Ohio	Paynter,	

NAYS—39.

Abbott,	Cogswell,	Hopkins, Pa.	Reyburn,
Belden,	Dalzell,	Hopkins, Ill.	Scull,
Belknap,	Dingley,	Huff,	Shonk,
Bingham,	Dolliver,	Jolley,	Smith,
Boutelle,	Enochs,	Ketcham,	Sweet,
Bowers,	Flick,	Loud,	Taylor, Ill.
Brosius,	Funston,	O'Donnell,	Taylor, J. D.
Buchanan, N. J.	Griswold,	O'Neill, Pa.	Taylor, V. A.
Bushnell,	Haugen,	Payne,	Waugh.
Cheatham,	Hitt,	Randall,	

NOT VOTING—119.

Alderson,	Blanchard,	Bryan,	Castle,
Alexander,	Bland,	Bunting,	Chapin,
Andrew,	Blount,	Burrows,	Clark, Wyo.
Atkinson,	Boatner,	Byrns,	Clarke, Ala.
Beltzhoover,	Breckinridge, Ark.	Caldwell,	Cockran,
Bergen,	Brown,	Caminetti,	Compton,
Cooper,	Hoar,	Page, Md.	Stewart, Tex.
Crain,	Holman,	Patterson, Tenn.	Stone, C. W.
Curtis,	Hooker, N. Y.	Pattison, Ohio	Stone, W. A.
Cutting,	Hull,	Patton,	Stone, Ky.
Davis,	Johnson, Ind.	Perkins,	Storer,
Doan,	Johnson, N. Dak.	Pickler,	Stump,
Dunphy,	Jones,	Post,	Tillman,
Durborow,	Kem,	Price,	Townsend,
English,	Kribbs,	Quackenbush,	Tracey,
Fellows,	Kyle,	Raines,	Turpin,
Fitch,	Lawson, Va.	Rayner,	Van Horn,
Gillespie,	Lawson, Ga.	Reed,	Wadsworth,
Grout,	Lind,	Rife,	Walker,
Hall,	Lockwood,	Robertson, La.	Washington,
Hamilton,	Lodge,	Robinson, Pa.	Weadock,
Harmer,	Mansur,	Rusk,	Wever,
Harries,	Martin,	Russell,	Whiting,
Harter,	McAleer,	Sanford,	Wilcox,
Hayes, Iowa	McDonald,	Shively,	Williams, N. C.
Haynes, Ohio	McKenna,	Simpson,	Wilson, Wash.
Heard,	Morse,	Stahlnecker,	Wilson, Mo.
Henderson, Iowa	Norton,	Stephenson,	Wise,
Henderson, Ill.	O'Ferrall,	Steward, Ill.	Wright.
Hermann,	Page, R. I.	Stewart, Pa.	

So the previous question was ordered.

The following pairs were announced:

Until further notice:

Mr. WHITING with Mr. BURROWS.

Mr. STEVENS with Mr. RANDALL.

Mr. TURPIN with Mr. CALDWELL.

Mr. KYLE with Mr. SANFORD.

Mr. HOAR with Mr. LODGE.

Mr. STONE of Kentucky with Mr. WEVER.

Mr. PAGE of Rhode Island with Mr. MORSE.

Mr. PATTERSON of Tennessee with Mr. TOWNSEND, until Thursday.

For this day:

Mr. ALEXANDER with Mr. WILLIAM A. STONE.

Mr. ALDERSON with Mr. CHARLES W. STONE.

Mr. COOPER with Mr. HERMANN.

Mr. DUNPHY with Mr. QUACKENBUSH.

Mr. BRYAN with Mr. WRIGHT.

Mr. FITCH with Mr. FLICK.

Mr. SHIVELY with Mr. STORER.

Mr. BRECKINRIDGE of Arkansas with Mr. HENDERSON of Iowa.

During the roll call the following proceedings took place:

Mr. HATCH. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. HATCH. I understand the morning hour has expired. We are now in the midst of a roll call, and I desire as a matter of precedent under the rule to have the Speaker decide the point of order I now raise.

The SPEAKER. The gentleman will state it.

Mr. HATCH. I make the point of order that the morning hour having expired, the continuation of the roll call goes over until the morning hour to-morrow.

The SPEAKER. So far as the Chair is informed and believes, it has always been held that when the roll call has been commenced it can not be interrupted either by a standing order of the House that at a given hour the House shall adjourn, or by the expiration of the morning hour, or by any other similar case. The gentleman is aware of the fact, that frequently it has happened when under the order of the House the hour of 5 o'clock on Friday has arrived and the House should take a recess until 7:30, a roll call was in progress, and when the hour of 5 o'clock arrived the roll call would not be completed but would be continued to completion although it may have extended fifteen or twenty minutes beyond the hour of 5 o'clock.

The Chair will hold, therefore, that where a roll call has begun before the expiration of the morning hour it must be completed although its completion extends beyond the hour.

Mr. HATCH. I simply desired to make the point of order that we might have a ruling upon the question at the beginning of the session.

The result of the vote was then announced as above recorded.

Mr. MILLIKEN. I move to reconsider the vote by which the previous question was ordered.

The SPEAKER. That motion can be entered. Let it be entered. The morning hour having expired, and the matter not being disposed of, it will come up in the morning hour to-morrow as unfinished business.

APPENDIX TO CONGRESSIONAL DIRECTORY.

Mr. RICHARDSON. Mr. Speaker, I desire to submit a privileged report from the Committee on Printing. I desire to ask the attention of the gentleman from Alabama [Mr. OATES] to this report, inasmuch as it is upon a resolution which he introduced at an earlier day of this session. I ask first that the resolution be read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Printing are hereby directed to inquire

into and inform the House by what authority the compiler of the Congressional Directory embraced in the last edition thereof the appendix from pages 149 to 406, inclusive, the additional cost thereof, and whether the same should not be omitted from future editions of said Directory.

Mr. RICHARDSON. Now, Mr. Speaker, I ask that, as a part of my remarks, the report be read.

The Clerk read as follows:

The Committee on Printing have considered the House resolution introduced by Mr. OATES, directing the committee to inquire into and report to the House by what authority the compiler of the Congressional Directory embraced in the last edition thereof the appendix from pages 149 to 406, inclusive, the additional cost thereof, and whether the same should not be omitted from future editions of said Directory. The committee addressed a communication to W. H. Michael, the clerk of the Senate Committee on Printing, who, under the law, compiles the Directory, inclosing a copy of said resolution and asking a reply thereto. The reply of the compiler is herewith inserted:

"[Congressional Directory, W. H. Michael, editor and compiler.]

"UNITED STATES SENATE, *Washington, D. C., January 26, 1892.*

"MY DEAR SIR: I have the honor to acknowledge the receipt of your communication of the 25th instant, inclosing House resolution directing your committee to inquire into and inform the House 'by what authority the compiler of the Congressional Directory embraced in the last edition thereof the appendix from pages 149 to 406, inclusive.'

"Section 77 of the Revised Statutes of 1878 reads:

"'A Congressional Directory shall be compiled at each session of Congress, under the direction of the Joint Committee on Public Printing.'

"All the work I have done as compiler of the Directory has been performed under the direction of the Joint Committee on Printing.

"Very truly, yours,

"W. H. MICHAEL.
"*Clerk of Printing Records.*

"Hon. JAMES D. RICHARDSON, M. C.,
"*Chairman of the Committee on Printing of the House of Representatives.*"

It will thus be seen that the compiler claims that he did this work by direction of the Joint Committee on Printing. This, of course, means the joint committee in the Fifty-first Congress. The writer of this report was a member of that committee, the minority member. He was not present when any authority was given the compiler to publish said appendix and never heard of it until he saw it in the Directory.

The additional cost for inserting said appendix was $676.15.

The second edition of the Directory of this Congress has been published, and it will be seen by reference thereto that said appendix is omitted therefrom.

The committee, having thus answered the inquiries proposed in said resolution, can not see that there is any necessity to pass same, and recommend that it lie on the table.

Mr. RICHARDSON. Mr. Speaker, just a word. The resolution of the gentleman from Alabama [Mr. OATES] came to the committee, and we took steps to investigate or make inquiries, as directed in the resolution. The letter from the compiler of the Directory, who is the clerk of the Senate Committee on Printing, shows, as he states, that he had the authority of the joint committee to insert this appendix, which consists simply of maps of the Congressional districts. The additional cost is shown to have been $676.15. It will be seen that the inquiries of the gentleman from Alabama are answered, and the committee could not see that it was necessary to adopt the resolution or to authorize the making of any further inquiry. I therefore suggest that the resolution lie on the table, and that the report be printed as a part of my remarks, showing the answer of the compiler. Therefore we think it is not necessary to take any further steps.

Mr. OATES. I only wish to say that I think there is a good deal of printing done which costs the Government large sums of money, and which might well be omitted, in which opinion I believe the gentleman from Tennessee [Mr. RICHARDSON] fully concurs. I am satisfied with this report, and do not care to prosecute the inquiry any further.

Mr. MCMILLIN. Do I understand my colleague to say that he never had any notice of any action being taken by his committee for having this additional matter put into the Congressional Directory?

Mr. RICHARDSON. I had no knowledge of the meeting of the joint committee in the last session. Of course I know action was taken authorizing the printing of this appendix. It is proper for me to say that the gentlemen comprising the majority of the committee last session were my colleagues, Mr. RUSSELL of Connecticut and Mr. Stivers of New York, neither of whom I believe is present at this time. Therefore I have not been able to ascertain as to whether authority was given in the committee to have this printing done; but inasmuch as the clerk of the committee and the compiler of the Directory stated that he had such authority, I presume he had.

Mr. MCMILLIN. I was very glad to hear the resolution when it was introduced by the gentleman from Alabama [Mr. OATES]. I thought then that important collection of biographies was being unnecessarily encumbered by a lot of stuff that I did not think was necessary for constant publication; and therefore I think it is well enough for the House to start out by not encouraging such a line of publication.

Mr. RICHARDSON. I will say that it is omitted from the second edition; and I do not know that it will ever be published again. Therefore I ask that the resolution be laid on the table.

The SPEAKER. The gentleman from Tennessee moves that the resolution be laid on the table. Without objection that order will be made.

There was no objection, and it was so ordered.

PRESIDENT'S MESSAGE.

Mr. MCMILLIN. Mr. Speaker, I am directed by the Committee on Ways and Means to report the resolution which I send to the Clerk's desk, providing for the distribution of the President's message. That message has been sent to the Committee of the Whole, and I will ask (unless the reading of the resolution be demanded by some member) that the report be referred to the Committee of the Whole, my purpose being to move that the House resolve itself into Committee of the Whole for the purpose of disposing of the President's message under the resolution now reported.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole for the purpose of considering the President's message.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. MCCREARY in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering the President's message.

Mr. MCMILLIN. Mr. Chairman, I ask for the reading of the resolution referred to the committee, which is now at the Clerk's desk, and will then, without some gentleman wishes to offer some amendment to it, or to take some other steps, move its adoption.

The Clerk read as follows:

Resolved, That so much of the annual message of the President of the United States to the two Houses of Congress at the present session as relates to our foreign relations, together with the accompanying correspondence and documents, to the admission of the Chinese, to the marking of frontier lines, and to the improvement of the harbor of Pearl River, in the Hawaiian Islands, be referred to the Committee on Foreign Affairs.

That so much as relates to the national finances, the public debt, and the public revenues, to treaties with foreign countries relating to revenue questions, and to the wants and conditions of the Treasury, be referred to the Committee on Ways and Means.

That so much as relates to the appropriation of the public revenue for the support of the Government, as herein provided, namely, for the legislative, executive, and judicial expenses, for sundry civil expenses, for fortifications and coast defenses, for pensions, for the District of Columbia, and for all deficiencies, be referred to the Committee on Appropriations.

That so much as relates to the judiciary of the United States, to suffrage, citizenship, and naturalization, to legislation relating to the protection of foreigners under treaty rights, to international copyright, to bankruptcy, to polygamy in the Territories, to the administration of justice, and the organization of courts, be referred to the Committee on the Judiciary.

That so much as relates to banking and currency and to national banking associations be referred to the Committee on Banking and Currency.

That so much as relates to the mints of the United States and to the purchase and coinage of gold and silver bullion be referred to the Committee on Coinage, Weights, and Measures.

That so much as relates to the improvement of rivers and harbors be referred to the Committee on Rivers and Harbors.

That so much as relates to the merchant marine and fisheries and to tonnage dues be referred to the Committe on Merchant Marine and Fisheries.

That so much as relates to the commerce of the United States, domestic and foreign; intercolonial railways, and to the Nicaragua Canal, be referred to the Committee on Interstate and Foreign Commerce.

That so much as relates to agriculture and forestry, to the destruction and eradication of diseases of domestic animals, and to the inspection of cattle and pork products intended for shipment to foreign countries, be referred to the Committee on Agriculture.

That so much as relates to the military establishment, to the public defense, to the Military Academy, and to the enlistment of Indians, be referred to the Committee on Military Affairs.

That so much as relates to the naval establishment and to the construction of additional vessels for the Navy be referred to the Committee on Naval Affairs.

That so much as relates to the post-offices and post-roads, to the use of the telegraph in the postal service, and to the carrying of the foreign mails, be referred to the Committee on Post-Offices and Post-Roads.

That so much as relates to the public domain be referred to the Committee on Public Lands.

That so much as relates to the relations of the United States with the Indian tribes be referred to the Committee on Indian Affairs.

That so much as relates to the civil service be referred to the Committee on Civil Service.

That so much as relates to pensions for service in the civil war be referred to the Committee on Invalid Pensions.

That so much as relates to the election of the President and Vice-President of the United States, and to the election of Representatives in Congress, be referred to the Committee on the Election of the President and Vice-President and Representatives in Congress.

That so much as relates to the manufacturing industries of the United States be referred to the Committee on Manufactures.

That so much as relates to the District of Columbia, other than appropriations therefor, be referred to the Committee on the District of Columbia.

That so much as relates to the Pacific railroads be referred to the Committee on the Pacific Railroads.

That so much as relates to the Territories be referred to the Committee on the Territories.

That so much as relates to the census be referred to the Committee on the Eleventh Census.

That so much as relates to the protection of life on railways be referred to the Committee on Railways and Canals.

Mr. MCMILLIN. Mr. Chairman, so far as the subjects usually embraced in the President's message are concerned, the recommendations in this resolution are those which are usually made, and as to other matters, the recommendations are believed to be

the proper ones. I move that the committee rise and report the resolution to the House with the recommendation that it do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MCCREARY, from the Committee of the Whole, reported that they had had under consideration a resolution in regard to the distribution of the President's annual message, and had directed him to report it back to the House with the recommendation that it do pass.

Mr. MCMILLIN. Mr. Speaker, unless some gentleman desires to have the resolution read again, I move that the reading be dispensed with.

There was no objection.

The resolution was adopted.

Mr. MCMILLIN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. WHEELER of Alabama. Mr. Speaker, I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering general appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. MCCREARY in the chair.

MILITARY ACADEMY APPROPRIATION BILL.

The CHAIRMAN. The Clerk will report the title of the first bill.

The Clerk read as follows:

A bill (H. R. 4636) making appropriations for the support of the Military Academy for the year ending June 30, 1893.

Mr. WHEELER of Alabama. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. KILGORE and Mr. BRETZ objected.

The Clerk proceeded to read the bill. After the reading had continued for some time, Mr. KILGORE withdrew his objection.

The CHAIRMAN. The gentleman from Texas [Mr. KILGORE] withdraws his objection to dispensing with the first reading of the bill; is there further objection?

Mr. NEWBERRY. I object. I desire now to have the bill read through.

The Clerk resumed the reading, but before it was completed, Mr. NEWBERRY withdrew his objection, and unanimous consent was given to dispense with the further first reading.

Mr. WHEELER of Alabama. Mr. Chairman, if no gentleman desires to speak to the bill, I am ready to proceed with the consideration of it by paragraphs.

Mr. DOCKERY. I wish to say that a number of gentlemen on this side do desire to discuss the bill.

Mr. WHEELER of Alabama. How much time do gentlemen desire?

Mr. DOCKERY. I am not prepared to speak for any one but myself. I should like fifteen or twenty minutes.

Mr. BLOUNT. Before the gentleman from Alabama [Mr. WHEELER] undertakes to fix the time for general debate, as this bill is larger than those of preceding years, I trust he will give the House some explanation of that fact.

Mr. WHEELER of Alabama. I ask unanimous consent that general debate be limited to two hours; one hour on each side.

Mr. OUTHWAITE. I think we can get along with less time than that.

Mr. BLOUNT. I think the gentleman from Alabama will find that the House does not care much about general debate upon this bill, and if he will explain the bill, we may then be able to consider it by paragraphs.

The CHAIRMAN. The gentleman from Alabama [Mr. WHEELER] asks unanimous consent that general debate upon this bill be limited to two hours. Is there objection?

Mr. OUTHWAITE. I hope the gentleman will withdraw that request and make an explanation of the bill, and then it may be found that it will not be necessary to occupy so much time as two hours in general debate.

Mr. WHEELER of Alabama. I withdraw the request.

Mr. Chairman, the duty has been cast upon the Committee on Military Affairs to prepare a bill for the support of this Military Academy for the year ending June 30, 1893. During the period that I have had the honor to be in Congress I have never known a committee to take the pains or to exercise the scrutiny that has been exercised in this case to reduce this bill to the lowest figure possible consistent with the well being of the institution which it is their duty to protect. The recommendations of the officers in charge of the Academy included a recommendation for expenditures there of between $600,000 and $700,000, and they were sustained in that recommendation by the report of the Boards of Visitors to the Academy for the last several years.

The officers of the War Department, in their anxiety to reduce expenses as far as possible, cut down the recommendations to the sum of $554,000, and sent those estimates to the House, recommending that Congress should appropriate that amount for the Academy for the year for which this bill is designed to support the institution. The Committee on Military Affairs, in their anxiety to still further reduce these expenses, has struck off $88,000 from the amount recommended and have presented a bill which appropriates $465,000, which is $115,000 less than the average appropriation for the last three years.

Since reporting the bill the Committee on Military Affairs have used every effort to ascertain if any items could by possibility be reduced or omitted. As a result of that investigation the committee have considered the advisability of striking out items still further reducing the bill to about $439,000, which is less than half the amount of the bill enacted by the last Democratic House of Representatives and $141,000 less than the average of the appropriations for the Academy for the last three years, or, to make the comparison more definite, this bill is but a trifle over two-thirds the average of the bills for the past three years.

Such action on the part of the committee would enable the House to appropriate sufficient to increase the lighting facilities, which the evidence before the committee showed to be a matter of urgent and pressing necessity.

The method of examination is now changed, and the number of cadets will be larger during the year for which this bill appropriates than for any preceding year since the Academy was established.

Some criticism has been made, and will doubtless be made in the House, because this bill is larger than the bill of the last Congress and a little larger than the bill of the preceding Congress. The reason for that increase is that the preceding bill gave such adequate appropriations for repairs and buildings that the two later ones did not require to be so large.

The bill enacted three years ago by a Democratic House appropriated over $900,000, more than half of which was for improvements and betterments, and the expenditure of this large sum has extended over the period since that time.

It will be observed that there was no necessity for large bills during the last two sessions of Congress, and therefore it is hardly just to compare the present bill with that of last year.

Mr. BLOUNT. The gentleman refers to the bill of 1890 as having been large.

Mr. WHEELER of Alabama. Yes, sir.

Mr. BLOUNT. Now, will my friend compare this bill with the bills of preceding years?

Mr. WHEELER of Alabama. Well, our bill is a little larger than some and smaller than others. It runs about $20,000 above the average.

Mr. BLOUNT. The bill of 1890 was an exceptionally large one, was it not, under exceptional conditions?

Mr. WHEELER of Alabama. Yes. That bill contained a number of items that were deemed by Congress and the country to be essential to the maintenance of the Academy, and, those matters having been provided for, the necessity for such large items has not arisen since and does not arise in this bill. But the inspection of the post of West Point and of the Academy by officers of the Medical and the Engineer Department has developed the fact that radical changes are essential in order to fit the post and the Academy for the uses for which they were designed. Some three or four years ago epidemics of diphtheria and scarlet fever and malarious diseases of several kinds were developed at that place, where, for very many years before, there had been perfect health and perfect exemption from diseases of that character.

An inspection has shown that a false system of sewerage and plumbing has resulted in such evils, that the officers who made the inspection expressed surprise that there was not more sickness than was really developed at that place. These officers have recommended that a modern system of plumbing and sewerage should be adopted. Last year we appropriated $15,000——

Mr. SAYERS. Will the gentleman allow me to ask him a question?

Mr. WHEELER of Alabama, Yes, sir.

Mr. SAYERS. You say that $15,000 was appropriated for this purpose last year?

Mr. WHEELER of Alabama. Yes, sir.

Mr. SAYERS. Can you state to the committee how much of that $15,000 had been expended up to the 1st day of January of the present year?

Mr. WHEELER of Alabama. I can not say how much was expended up to that time, but nearly all of that appropriation has been expended up to the present time, and the opinion of the board was that $33,000 would be necessary to complete this work; but we have cut down that estimate to the extent of $3,000. They

asked $18,000 in addition to what has already been appropriated, and we have given but $15,000.

The board further reports that the soldiers' quarters are, to use the language of one gentleman, almost a pest-house—a place where the Government has no right to quarter men employed in its service, and they recommend $15,000 for improving subsoil and surface drainage and to place those quarters in a sanitary condition.

In addition to this: An inspection of the eyes of the cadets within the last two years has, as is shown in the report before me, developed the fact that with very few exceptions every one of the three hundred cadets of that Academy has had his eyes very materially injured; and of the last graduating class almost a third, more than one-fourth, had their eyes so materially and permanently injured that the academic board reported that they were not fit to be officers of the Army. Several plans were suggested to correct this evil. One was to leave the gas plant as it is and to add an electric plant. This would involve an estimated cost of $69,000, and the running of it an annual cost of $11,000 to $13,000.

Another estimate was that by an expenditure of $48,000 for improving the present gas plant an adequate and proper light could be given to the cadets. This was recommended as in the interest of economy, because a larger plant could be run with very little extra expense, thus virtually saving $11,000 to $13,000, or, according to some estimates, $15,000, which it would cost to run the electric plant.

Mr. BLOUNT. Will the gentleman allow me a moment?

Mr. WHEELER of Alabama. Certainly.

Mr. BLOUNT. The gentleman has just been referring to the fact that within a year or two many of the cadets have been almost threatened with blindness.

Mr. WHEELER of Alabama. Yes, sir.

Mr. BLOUNT. I would like to know when that complaint originated—whether it is not a new development there?

Mr. WHEELER of Alabama. It is thirty-five years since the present gas plant—the present gas fixtures—were put in that Academy.

Mr. BLOUNT. I wish to know from the gentleman from Alabama whether this trouble about the eyes of the students is not a modern development, within the last two or three years?

Mr. WHEELER of Alabama. I will come to that point in a moment. The gas plant there within the last two or three years has been subjected to extra work in order to supply light to half as many more rooms, and the consequence has been that with the deterioration of the pipes and the deterioration of the plant and by reason of extending the gas to numerous new buildings, the evil has become manifestly much worse now than it was some ten or fifteen years ago.

Mr. BLOUNT. Have we not every year been making appropriations for the purpose of keeping those works in good condition?

Mr. WHEELER of Alabama. I do not think there has been any appropriation within the last year or two for improving the gas plant. We have, as any business people would have done, made appropriations for repairs of the building, for sewerage, plumbing, and the necessary appendages to the Academy. No man with business capacity or common sense would undertake to maintain public buildings in good order and repair for constant use without an annual expenditure of 5 or 6 per cent of their value to overcome inevitable deterioration. And we have adopted that system in reference to West Point, except when some false economist has been willing to let the buildings go to ruin, and therefore has struck out such items.

The committee were confronted with reports from the Board of Visitors, the medical inspectors, engineer inspectors, and the superintendent of the Academy, which showed an imperative necessity for immediate improvement of the lighting facilities and perfecting the sanitary condition of the establishment.

These reports were transmitted to Congress by the Secretary of the Treasury and the Secretary of War.

To remedy these evils they recommended appropriations amounting to $144,000.

The committee struck out $40,000, leaving $104,000 for what was ascertained to be the most imperative improvements. The committee also cut down other items in the bill to a lower point than for many years, so that, with the $104,000 added for permanent improvements, the bill reaches $465,000, and this the committee contemplate reducing to $439,000, and they submit the other items to Congress for its judgment and action.

Mr. WATSON. Will the gentleman allow me a question?

Mr. WHEELER of Alabama. Yes, sir; I yield to the gentleman from Georgia.

Mr. WATSON. I wish to call the gentleman's attention to line 24, page 2, of this bill, and ask him to give us the information necessary, on the part of some of us at least, to understand it.

Mr. WHEELER of Alabama. Does the gentleman refer to the item for pay of cadets, $166,000?

Mr. WATSON. Yes, sir; the item reads:

For pay of cadets, $166,000; and no cadet shall receive more than at the rate of $540 a year.

Mr. WHEELER of Alabama. That is statutory.

Mr. WATSON. Now, will the gentleman be kind enough to explain what in practice is charged up against cadets to be deducted from that allowance?

Mr. WHEELER of Alabama. There is charged against him, first, $4 per month as a fund to be retained until graduation; second, about $15 a month for his food; third, his clothes; fourth, his books; and all of his pay is consumed, and more than consumed, by these necessary expenditures which are involved.

A MEMBER. And the circular states that he must put up another $100?

Mr. WHEELER of Alabama. Yes, sir.

Mr. WATSON. You do not mean that $50 per month is retained for his food?

Mr. WHEELER of Alabama. No; about $15. It runs from $14 to $17.

Mr. WATSON. I misunderstood you. I thought you said $50.

Mr. DOCKERY. Right there, if the gentleman will allow me. I have not the figures at hand, but I wish to ask him a question in regard to this bill.

Mr. WHEELER of Alabama. Certainly.

Mr. DOCKERY. I do not know that I understood correctly, but if I did, the gentleman stated this, that the bill was about in the line, so far as the aggregate appropriation carried by the bill was involved, of preceding bills for this purpose?

Mr. WHEELER of Alabama. The bill will average within about $20,000 of previous bills, I should think.

Mr. DOCKERY. I have in my hand printed tables showing the appropriations for the support of the Military Academy from the Forty-third to the Fifty-first Congress inclusive, and it reveals the fact that this is the second largest bill ever presented to the House of Representatives.

Mr. WHEELER of Alabama. Well, I did not go back to the Forty-third Congress, because it is not to be compared with the present time. The number of cadets is larger now than were in the institution at that time, and it required much less expense to keep up the institution. But I say that the bill does not average exceeding $20,000 in excess of the bills which have been submitted since the institution has reached its present size.

Mr. BLOUNT. What is the difference as to the number of cadets now and in the Forty-third Congress?

Mr. DOCKERY. I am not prepared to state exactly.

Mr. WHEELER of Alabama. You all know that the institution has been gradually increasing. When you increase the number of Representatives on the floor of course you also increase the number of cadets; and hence it will take a larger sum to keep up the institution now than ever before.

During the year for which this appropriation is to be used the number of cadets will be greater than at present, and will exceed the number ever at the Academy.

Under the new method of examination the next fourth class will be very large.

Mr. DOCKERY. The only bill that exceeds in the amount of the appropriation the present bill, as I gather from a table prepared by the clerks of the Senate and House Committees on Appropriations, is the bill of the Fiftieth Congress, second session of that Congress, which carried $902,000; $600,000 of that amount being for the purpose of erecting new buildings. And hence the statement stands, according to this table, that this is the second largest bill ever presented to the House or to the country, and will be the largest appropriation ever made, but one, for the Military Academy if the House approves of it.

Mr. WHEELER of Alabama. Well, there is a reason for it.

Mr. DOCKERY. I should be very glad to know the reason.

Mr. WHEELER of Alabama. I am endeavoring to give the reason. The development has been made that these permanent improvements are absolutely essential for the preservation of the health of the cadets and the protection of their eyes.

Now, one item alone carried by this bill is $48,000 for increasing the gas plant, which is, as all know, a matter of economy, because if we do not provide a gas plant of suitable size we will be compelled to adopt the electric light, with its attendant expenses for maintenance.

Mr. DOCKERY. Will the gentleman please state to the House, so that every member can hear it, a response to this inquiry? If I am correctly informed that item of $50,000 for gas plant is not carried in the estimates at all. The Department has not asked for it.

Mr. WHEELER of Alabama. The Department has asked for it, and asked for it specially; and it is the only item in the whole bill that they did ask for specially.

Mr. LIVINGSTON. Is it in the estimates?

Mr. DOCKERY. Is the $50,000, on page 17—

For enlarging and increasing gas plant, and for placing a two-light pendant with side light in each cadet room, to be immediately available upon approval of this act $50,000—

is that in the estimates submitted by the Department?

Mr. WHEELER of Alabama. In the estimates—when the appropriation of $3,320 was made for the gas fixtures. At that time it was undetermined by the Government whether it was best to have an electric plant or to increase the gas plant. After they had investigated it, and found the economy of increasing the gas plant, they sent this letter to the committee:

WAR DEPARTMENT, *Washington, January 23, 1892.*

SIR: Referring to the call at the Department of Hon. Joseph Wheeler, of your committee, in regard to the propriety of inserting in the estimates for the United States Military Academy at West Point, for the next fiscal year, an item making an appropriation for the extension of the gas plant at that institution, I have the honor to advise you that this subject was fully treated of in the last annual report of the superintendent of the Academy, who recommended that an appropriation of $48,000 be made for the purpose of carrying out a proposed plan to provide better lighting facilities, which he remarked was a very important and almost absolutely necessary improvement.

I heartily concur in the views of the superintendent, and recommend that the appropriation asked for be granted.

Very respectfully,

S. B. ELKINS,
Secretary of War.

THE CHAIRMAN OF THE COMMITTEE ON MILITARY AFFAIRS,
House of Representatives.

Now, I will send to the desk, and ask the Clerk to read, the report of the superintendent.

Mr. DOCKERY. Before that is read, will the gentleman allow me another question? I wish to ask whether or not that letter is in reply to a request from himself or the committee?

Mr. WHEELER of Alabama. It was in reply to an inquiry as to the best plan of meeting this difficulty, which was an insurmountable obstacle, and an imperative duty devolved upon the committee to provide for the exigency with which they found themselves confronted.

Mr. DOCKERY. It did not come from the Secretary of the Treasury?

Mr. WHEELER of Alabama. It comes from the Secretary of War, Mr. Elkins.

Mr. DOCKERY. The law requires that all estimates shall be transmitted by the Secretary of the Treasury. Is not that correct?

Mr. WHEELER of Alabama. I do not think it is at all material where the letter comes from. It might have originated with the committee, or it might have originated with any member of this House.

Mr. DOCKERY. It is very material, Mr. Chairman, if the gentleman will allow me to say so, because that is the course prescribed by law.

Mr. WHEELER of Alabama. Now, I ask the Clerk to read the extract from the report which I have sent to the desk.

The Clerk read as follows:

EXTENSION OF GAS PLANT AND METHOD OF LIGHTING CADET BARRACKS.

During past years great complaint has been made of the character of light furnished cadets for studying at night, and in my last annual report I submitted a plan and estimate for a complete electric light and power plant for this post.

This plan did not meet with favorable consideration and no action was taken upon my recommendation.

During the past year the post surgeon has recommended the use of glasses for studying in a number of cases of cadets, and at the medical examination of the graduating class in June, the surgeons informed me that the eyes of nearly every graduate were more or less congested; nineteen of the young gentlemen failed to come up to the requirements of the War Department as to vision, and six failed to read the test type at three-fourths of the required distance. In every instance the young gentlemen claimed that the difficulty had commenced since they entered the Military Academy.

The gas furnished for the use of the post is reported by the professor of chemistry, who tests it frequently, as of excellent quality. Owing to some bad coal furnished by the contractor, it contained more or less sulphur on two or three occasions during the year.

The gas jet used in barracks is what is known as the bat-wing burner, placed upon an arm 10 inches long projecting directly from the side wall of the room and over the table. Two cadets, one on each side of the table, study by this light, which not only is of insufficient power, but gives out so much heat near the head of the student as to be exceedingly uncomfortable.

In order to furnish a better light I propose to increase the gas plant sufficiently to furnish a full supply for all buildings on the post and to place in every room in barracks a plain iron chandelier with two arms and a slide drop light. This chandelier will be in the center of the ceiling, immediately over the table, so that the cadets can study without difficulty.

An estimate of $48,000 is submitted for the purpose of carrying out this plan, and I earnestly urge that an appropriation be made for this very important and, I may say, almost absolutely necessary improvement.

Mr. WHEELER of Alabama. Now, Mr. Chairman, I will ask to have the Clerk read the report by the medical officer of the inspection of these barracks.

The Clerk read as follows:

The light now in general use in the cadet barracks is the gas flame or jet supplied by what is known as the "beacon-light," "bat-wing burner." This burner consists essentially in a short horizontal tube terminating at each end in a small vertical tube from which the gas is fed. Attached to the center of the horizontal piece is a longer vertical tube, which seems to have been designed to act in some way as a pressure regulator. A short nipple beneath the horizontal piece (appearing as a prolongation downward of the vertical tube) is screwed for attachment to the gas pipe, the whole arrangement having the appearance of an inverted cross, with the extremities of the horizontal arm bent up, and provided with the narrow openings or slits for the exit of the gas. It is seen, therefore, that it is a double jet. This constitutes the entire illumination for each room. There is no special feature about this burner, except the central vertical pipe, which, as above stated, is probably intended to regulate the pressure of the gas as it is supplied to the burners.

There is no arrangement for regulating the flow of gas except the key on the common supply pipe, by which the flame may be turned down or out. This (double) burner is provided with a white glass shade, having the shape of a truncated cone, the diameters of top and bottom being 5 inches and 10 inches. The shade is suspended over the two flames by means of a wire frame, into which the upper or small rim of the shade is fastened. The frame is attached to the top of the vertical pipe or stem already described as the special feature of the burner.

The general character and defects of the light produced by this burner may be briefly stated as follows: (1) Good illuminating power; the light is indeed, unless suitably modified by distance and proper shading, much too bright for the eyes; (2) unsteadiness (flickering); (3) variability of intensity; (4) high degree of heat; and (5), as a necessary result of the combustion of the gas, a large and rapid production of carbonic acid in the apartment.

Mr. DOCKERY. To what time does this report refer?

Mr. WHEELER of Alabama. This was the condition of affairs last year.

Mr. LOUD. Will the gentleman yield for a question?

Mr. WHEELER. Yes, I will yield for a question.

Mr. LOUD. The gentleman from Georgia asks if this defect of eyesight had not developed itself during the last few years. I would like to have the gentleman state, having once been in the Academy, if the scope of study and the strictness of the rule enforced there to-day is not much greater than it was a few years ago?

Mr. WHEELER of Alabama. I am much obliged to the gentleman for asking the question, because it develops a point which I ought to have thought of and mentioned myself; and I will say that he is correct, that the length of study required to master the course now is much greater than it was, and the strain upon the eyes of the cadets is much greater; and while that is true, the light facilities are very much inferior.

Mr. BRECKINRIDGE of Kentucky. The gentleman from Alabama does not mean to say that the more they study there the less light the students have? [Laughter.]

Mr. WHEELER of Alabama. As the years have advanced they have increased the amount of study required, and it takes a longer time to be devoted to study; and although the study has become more intense, this gas plant, thirty-five years old, has been getting worse and worse, and been giving these cadets less and less light facilities.

Mr. LIVINGSTON. Will the gentleman allow me to ask him a question?

Mr. WHEELER of Alabama. Yes, sir.

Mr. LIVINGSTON. Will you look at page 20, lines 8 and 9, of the bill and explain to the House the item—

For balls, pins, and fixtures for bowling alley.

Will the gentleman explain how these enter into a military education or improve the eyesight of the boys?

Mr. WHEELER of Alabama. It will not improve their eyesight; but $100 invested in that manner will give these poor cadets, who have to be at their studies or in their recitation rooms or in their beds twenty-two hours out of the twenty-four, and an hour and a half at their meals, a little opportunity during the severe winter periods, when they can not exercise out in the snow, to go to this bowling alley and have that necessary exercise which the facilities offer, and which everyone recognizes as essential for their health, and when the Government of the United States gets so poor that it can not appropriate $100 for the health of the cadets at this institution, a majority of them being the sons of farmers, we ought to hang our heads in shame and bow down to Chile as our superior. [Laughter and applause.]

Mr. DOCKERY. Was an item of similar import in the last appropriation bill?

Mr. WHEELER of Alabama. I think it was not. I do not know that it was, because the bowling alley and gymnasium have just been completed. They had a very inferior bowling alley before.

Mr. DICKERSON. Do not all first-class colleges have gymnasiums?

Mr. WHEELER of Alabama. All first-class colleges and schools that our farmers' sons go to have gymnasiums.

Mr. LIVINGSTON. Do you think the Government ought to put people to the expense of paying for that bowling alley who have not bread and meat enough to feed their wives and children?

Mr. WHEELER of Alabama. No, I do not think so, and if the gentleman will estimate it, I think he will find that it will not amount to more than the one-hundredth or one-thousandth part of a cent to any one person.

Mr. LIVINGSTON. But the increase in this appropriation amounts to over $63,000 over the last appropriation, and that is a part of it.

Mr. WHEELER of Alabama. This hundred dollars is essential to carry out the purposes of a former Congress, which appropriated $35,000 for a gymnasium; and that gymnasium would be of no service at all unless it had the furniture necessary to equip it; and if there is anybody to be criticised it is the preceding Congress, that appropriated for the building of a gymnasium, and not this Congress, which simply proposes to appropriate $100 to give furniture for this purpose.

I am the last man in the world that would advocate an extravagant or improper expenditure, but I will inform my friend that before a month passes over us we will be confronted by bills involving millions and hundreds of millions of the people's money, many of the items involving expenditures which should be subjected to the closest scrutiny.

If we exclude Sundays and holidays our Government is expending nearly $2,000,000 every day. When these bills come up we will want my friend's strongest efforts in behalf of the people.

Mr. SIMPSON. Will the gentleman from Alabama yield for a question?

Mr. WHEELER of Alabama. I will gladly yield to my friend.

Mr. SIMPSON. I would like to know why you ask for an appropriation of $9,240 for the Military Academy band. Is it necessary to have so large an appropriation to pay for a band?

Mr. WHEELER of Alabama. That is very much smaller than the appropriation used to be in the economical times my friend from Missouri [Mr. DOCKERY] speaks of; it used to be sometimes double and triple that, but in a spirit of economy we have reduced it to $9,000.

Mr. SIMPSON. Are the members of the band cadets?

Mr. WHEELER of Alabama. Oh, no; they are soldiers.

Mr. SIMPSON. Regularly enlisted soldiers?

Mr. WHEELER of Alabama. Regularly enlisted soldiers.

Mr. SIMPSON. Do they get their pay as soldiers?

Mr. WHEELER of Alabama. They get their allowance as soldiers. And I want to say, in answer to my friend from Georgia [Mr. LIVINGSTON], that these cadets at West Point are three-fourths of them the sons of these very farmers that he and I reverence and whose rights we defend [applause]; and when my farmer friends send cadets to West Point I am determined that those farmers' sons shall be taken care of. Some of the brightest cadets are sons of farmers. I answer my friend that if he will be as earnest in advocating the interests of farmers as I have been (and I feel certain that he will), I hope we can accomplish something for these excellent citizens.

Mr. BUTLER. Will the gentleman allow me to ask him a question for information?

Mr. WHEELER of Alabama. Yes, sir.

Mr. BUTLER. I have noticed very closely the report of the surgeon who made the examination of the light. He says that there is plenty of light, and he comments on it in certain ways; but I can not quite determine what the effect of that light is that they wanted to remedy.

Mr. WHEELER of Alabama. I think the gentleman will find what the defect is.

Mr. BUTLER. He says sometimes the light is such as to be confusing to the eyes—too much light. Now, I want to know where the defect is that you want to remedy?

Mr. WHEELER of Alabama. The defect is in not having a strong enough flow of gas, so that they may be able to control it and yet give a steady light.

Mr. PICKLER. He says it is sometimes strong and sometimes too weak.

Mr. WHEELER of Alabama. If the gentleman has ever been under an electric light in the streets, he must have observed that at times there would be a sudden flash of light and the next moment it would be dark; and he must see the necessity for a steady light. Sometimes this light may be so strong as to almost blind the eyes and the next moment the students are in comparative darkness, and yet they are expected in that kind of light to prepare their studies for the next day.

Mr. JOHNSON of North Dakota. On page 19 I find an item appropriating several thousand dollars for tearing up a board floor and putting in a tile floor. Now, I would like to know what necessity there is for that, and whether that will affect the eyes of the students, and whether they would not likely live a year or two more if they had a board floor? There are lots of people in my State, who pay the tax, living on sod floors.

Mr. WHEELER of Alabama. I will read the recommendation of the officers on that subject. [After a pause.] I can not put my hand on the paper this moment, but I will say that it has been recommended by the Board of Visitors and by the superintendent. They especially recommend the tile floor at this time because the plank floor has worn out, and they thought it more economical in replacing it to replace it with a tile floor, which would be more durable, lasting forever, and be easier cleaned than a plank floor. The actual cost of cleaning a plank floor would exceed the whole cost of the tile floor in a very few years.

The policy of a great Government like this is to erect all their buildings in the most durable and permanent manner. All of the buildings at West Point and at our new military posts are built of stone. I know that my intelligent friend would not advocate that these buildings should be built of wood, and for the same reason I know when he reflects upon it he would concur with the Government officials that it is cheaper to replace this worn-out floor with permanent material than with wood, which would wear out in a short time.

I am very sorry to hear that there are people in North Dakota who live on sod floors.

If these people will only come to the rich fields and balmy climate of Alabama they will never be subjected to the fearful hardships which befall the people of North Dakota.

Alabama offers hospitable and comfortable homes to them all.

Mr. LONG. I desire to ask the gentleman a question.

Mr. WHEELER of Alabama. I will yield to the gentleman for a question.

Mr. LONG. On page 18, from line 9 to 14, there is an item which relates to work on a road there.

Mr. WHEELER of Alabama. I will explain that to the gentleman. Up to two years ago that property did not belong to the Government. Then what is known as the Kingsley estate was purchased, which extended from the Government property down to Highland Falls. Before they purchased it, the county of Orange kept up that road. Since it has become the property of the Government it is compelled to keep it up, and, as there is a great deal of traffic on the road, they must keep it in repair.

Mr. LONG. How is it?

Mr. WHEELER of Alabama. It is about a mile in length.

Mr. LONG. Then the Government owns that land now?

Mr. WHEELER of Alabama. Yes, sir, the Government owns it. They bought it two years ago.

I do not think it necessary to say anything more about the gaslight. I do not think it necessary to discuss where this recommendation came from. If it had originated in the mind of any member of Congress on this floor it would be commendable in that Congressman to have conceived of an amendment to this bill by adding to it a provision to carry out an absolutely indispensable purpose.

Mr. McMILLIN. Will my friend allow me to ask him a question?

Mr. WHEELER of Alabama. I will yield to the gentleman from Tennessee for a question.

Mr. McMILLIN. The gentleman may have answered the question, but I was called out once and did not catch his response, if he did. Is this recommendation for a new gas plant made for the first time, or was it made before?

Mr. WHEELER of Alabama. It was made to the last Congress and has been made to other Congresses.

Mr. DOCKERY. And declined.

Mr. WHEELER of Alabama. No, it was not declined. The reason why it was not adopted by the last Congress was because they were discussing whether it would be better to put in a gas plant or an electric plant. After a careful investigation of estimates obtained from all quarters as to its advantages and as to the economy and the well-being of the Academy, it was determined that this would be the most economical, and they ask to have the gas plant put in. It will save the Government some $12,000 to $15,000 a year. That is a good showing in the interest of economy, and they recommend the putting in of the gas plant rather than to put in an electric plant.

I do hope that this great Academy, which is conducted and has been conducted by those in charge of it in a manner to enlist the admiration of the military men of the world who come over to examine the details of that institution, will be granted this improvement. Never has that Academy, with all the able men in control of it, been conducted with more wisdom and more economy, and in a manner more conducive to carry out its purpose, than under its present able and distinguished superintendent, who made these recommendations.

Now, Mr. Chairman, there is another item that is criticised, upon which I regret to have to speak.

Mr. PICKLER. Will the gentleman allow me a question?

Mr. WHEELER of Alabama. Yes, sir.

Mr. PICKLER. I would like to inquire whether the Committee on Military Affairs, after an investigation of this matter, have found that something is necessary looking toward the improvement of the light, in order to actually save the eyes of the cadets in that institution?

Mr. WHEELER of Alabama. They regard it as absolutely essential. Not satisfied with those reports, the committee sent for the medical officers in charge and brought them before it,

and I will say, in repetition of what I said awhile ago, that even after the bill had been reported, out of deference to the opinions of gentlemen whom we all respect and who seem to think that some further reduction might be possible, the committee was reconvened and went over these items again, examining experts, corresponding with officials, and devoting days to the investigation; finally, however, they felt themselves unable, in the performance of the duty imposed upon them, to reduce these items further in any way whatever, and therefore they have come to the House with the bill in its present form.

Mr. BRETZ. Will the gentleman permit me to ask him a question for information?

Mr. WHEELER of Alabama. With pleasure.

Mr. BRETZ. On page 3, beginning with line 5, there is an appropriation of $9,240 for the band, referred to by the gentleman from Kansas [Mr. SIMPSON].

Mr. WHEELER of Alabama. Yes, sir.

Mr. BRETZ. Now, on page 15, beginning with line 14, there is an appropriation of $250 for the purchase of musical instruments and music for this band; and what I want to know is, whether it is the purpose of the committee that the Government shall pay the members of this band $9,000 and purchase instruments for them in addition.

Mr. WHEELER of Alabama. The Government owns the instruments, and there has been a small annual appropriation like this one for many years. I have never known an Academy appropriation bill that did not contain an item for some little increase of or repairs to musical instruments.

Mr. BRETZ. How many members are in that band?

Mr. WHEELER of Alabama. I had a paper showing the exact number, but I do not find it at this moment. I think the Military Academy band numbers twenty-three.

Mr. BRETZ. Can the gentleman state what would be the cost of an entire new outfit of instruments for the band?

Mr. WHEELER of Alabama. I never saw an estimate for that. The band has been built up gradually in this way by small appropriations from year to year, and I have never seen an estimate or a proposition to renew it entirely.

Mr. BUTLER. Mr. Chairman, I wish to ask the gentleman a question.

Mr. WHEELER of Alabama. I will always yield to my friend for a question.

Mr. BUTLER. I am very deeply interested in this question of the eyesight of the cadets. If it can be shown clearly that there is a defect of the gas fixtures, or in the gas itself, by which the cadets are liable to become injured in their sight, it is important for us to know it and to act accordingly. But I notice that in the report upon this subject much stress is made upon the fact that the gas jets come out at the side, and that, being immediately over the cadets, the gas overheats their heads and eyes. Now, can the gentleman tell us whether these gas jets are in any different position from that which they have occupied in the past?

Mr. WHEELER of Alabama. They have been in the same place for thirty-five years.

Mr. BUTLER. Then the position of the gas jets did not make the cadets blind twenty or thirty years ago?

Mr. WHEELER of Alabama. Well, the light twenty years ago was even, the gas fixtures were comparatively new, the gas plant was sufficient.

Mr. BUTLER. But the point I am on now is that the position of the gas jets is not what is injurious to the sight of the cadets.

Mr. OUTHWAITE. If the gentleman will permit me, I will state that there has been a considerable increase in the number of buildings supplied with gas, and that, therefore, the force of the gas is diminished.

Mr. BUTLER. I am coming to that in a moment. It appears, then, that the position of the jets really has nothing to do with this difficulty about the eyesight of the cadets; the trouble is that the light flickers, that it is unsteady; there is power enough, as stated in this report, sometimes too much; it is not lack of power but the lack of steadiness that makes the difficulty.

Mr. OUTHWAITE. I will suggest to the gentleman that there is only $2,000 asked to take out the old pipes and fixtures and put in new ones.

Mr. BUTLER. Well, allow me to get this question of mine to a focus. The difficulty, as I have said, is in the unsteadiness of the light. Now, is there anything to show that experts in gas matters have been consulted to see how that difficulty can be overcome by improving the old appliances?

Mr. WHEELER of Alabama. They have had experts there, and the experts have reported that the old plant can be enlarged and improved so as to make the gaslight steady, but it will require the insertion of new pipes. The pipes they have are old and worn out, and I think they are not large enough for a proper flow of gas.

Mr. BUTLER. How much will that cost?

Mr. WHEELER of Alabama. Fifty thousand dollars will be needed for a complete outfit, refitting, and enlargement, in order to give adequate light to the Academy.

Mr. OUTHWAITE. Including the $2,000 that is required to renew the pipes and fixtures. Forty-eight thousand dollars is the amount estimated for the increased plant itself, and $2,000 for the change of pipes and fixtures.

Mr. BUTLER. What is proposed in the way of increase in the plant?

Mr. WHEELER of Alabama. An increase in the force of the plant.

Mr. OUTHWAITE. A new building and new retorts and new machinery for the manufacture of gas, and, in some instances, larger mains than those which now exist.

Mr. WHEELER of Alabama. I will say to the gentleman further, in reply to his question, that while it is true that thirty or thirty-five years ago it was a disadvantage to have the gaslight in the position which they occupied then and still occupy, yet, the light being steady, it was then tolerable; but when you add evil after evil the accumulation of evils finally becomes intolerable, and a change becomes necessary, and then, as wise men always do in making that change and remedying one evil, they propose at the same time to remedy all other evils that they can.

It is an evil to have the lights in the positions in which they are, as I will show the gentleman from a picture of the rooms. Nevertheless, if the lights were good that evil might be borne; but, as the light is not good, the evil has become intolerable, and, it being necessary to change the gaslights and fixtures through the building, wisdom of course dictates that in doing that we shall give them droplights and slide lights, so as to have everything of the best, and we know that it will cost but very little additional to do that.

If the gentleman would examine the matter as closely as it has been investigated by the officials and by the Committee on Military Affairs, he would concede that what is recommended is in the strictest line of economy.

Mr. SIMPSON. Will the gentleman allow me——

Mr. WHEELER of Alabama. I always yield with pleasure to my friend.

Mr. SIMPSON. It has been stated that it will cost $2,000 to repair or replace the gas plant——

Mr. OUTHWAITE. Gas fixtures.

Mr. SIMPSON. Are we to understand that the $2,000 is for putting in the pipes and the $46,000 for the plumber's time?

Mr. WHEELER of Alabama. No, sir; it is for materials for the work, new work entirely. The appropriation is for both work and materials.

Mr. SIMPSON. That is to protect home industry, I suppose?

Mr. WHEELER of Alabama. Oh, we shall have everything done to protect home industry; the work will be done by American workmen, directed by American brains, and with American materials.

Mr. BROSIUS. And paid for with American money. [Laughter.]

Mr. LONG. The gentleman from Alabama, in reply to my question a while ago, conveyed the idea that the Government owned the land on which this work is to be done.

Mr. WHEELER of Alabama. It owns the land which it recently purchased—about a mile in length—from what is called the south gates, the southern boundary of the old West Point grounds, to Highland Falls.

Mr. LONG. If the Government owns the ground what is the meaning of the provision that this work for which $1,300 is appropriated is to be "confined to that part of the road and walk which adjoins the land owned by the Government?"

Mr. WHEELER of Alabama. That is an amendment which I improvidently inserted in the bill myself. From my recollection I did not know that the corporate limits of Highland Falls extended as far north as it does. I did not know but that the land angled off so that there might be some little space which would not be included in the land owned by the Government; so I said to the committee that we had better confine this work to the road and walk adjoining the Government property. But when I came to make further inquiry and to examine the map (for I have taken a great deal of pains to obtain information) I learned that the Government land extended to the edge of Highland Falls; but the bill having been passed by the committee I thought it unnecessary to make any change in this respect. That provision can be struck out; it is immaterial to the bill; but it does no harm.

Mr. SAYERS. Would the gentleman be willing to strike out all the appropriations for new offices and increased salaries?

Mr. WHEELER of Alabama. Yes, sir; all appropriations for increased salaries, provided that will satisfy my vigilant friend

from Texas. I am quite as anxious as my Texas friend to reduce the appropriations to the lowest limit possible.

Mr. SAYERS. Very well, then, Mr. Chairman, it is agreed—

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Texas?

Mr. WHEELER of Alabama. I do.

Mr. SAYERS. The agreement between the gentleman and myself—and I ask unanimous consent to it—is that all items in this bill which provide for new offices or increased salaries shall be considered as stricken out.

Mr. WHEELER of Alabama. Provided that will satisfy my friend from Texas and his friends who are arrayed with him.

Mr. SAYERS. I will ask nothing more; that will satisfy me. [Laughter.]

Mr. WHEELER of Alabama. That was my proviso. The gentleman is too fair to strike out a proviso which is a part of a proposition.

Now, Mr. Chairman, as we have got through with the eyesight business I want to make an allusion to another item in the bill which has been criticised. That item is $24,000 for extending and improving the sinks of the Academy. Now it is necessary for me to explain the absolute necessity for this. All the cadets take their breakfast at the same time; about twenty-five minutes before 8 o'clock, there being then about twenty-five minutes before they go to recitation. The first captain gives the command to those young men to "break ranks, march." The 300 men rush as fast as their feet can carry them, for the purpose of reaching the locality where the sinks are. As only 40 can be accommodated, 260 must wait, possibly the greater part of the day, before they can get accommodation.

Now the physicians have reported that in consequence of this condition of things there is most serious injury to the health of those young men; that it is absolutely necessary there should be enlarged facilities in this regard. I do not think it is necessary for me to say anything more on that subject, except to repeat that year after year the physicians have asserted that the health of those young men has suffered materially for want of proper buildings of that character. I say it is a shame and a disgrace that young men sent there by our members of Congress should be compelled to submit to such deprivation. I will ask the Clerk to read the portion of the report which I have marked.

The Clerk read as follows:

Cadet sink.—The sketch herewith shows arrangement of cadet sink, which contains forty closets of the pan style and twenty urinals. Every effort appears to have been made to keep the premises clean; but the arrangement is extremely faulty and can not but be offensive, as the pipes and fixtures are without ventilation and the closets are not provided with a proper flush. I would recommend that the present closets be replaced with short hoppers, provided each with a fore-and-after flushing tank; that each group of urinals be provided with an automatic flushing tank, and that the main soil pipe be carried as near the closets as is consistent with a proper fall. A trap with fresh-air inlet should be provided on the main soil pipe where it enters the sewer, and the pipe should be carried full size for some distance above the roof and a special ventilating pipe provided from the traps. The floor of this room should be of stone laid in cement, and inclined toward a point and there trapped off from the sewer. This arrangement will give opportunity to thoroughly wash the place out by means of hose.

Mr. WHEELER of Alabama. Now, Mr. Chairman, I will state to the committee that the Committee on Military Affairs, after incorporating these items that in their judgment were so essential to the maintenance of the health of the cadets, in order to reduce this bill have struck out items amounting in the aggregate to about $100,000, which have been certified to two different Congresses as absolutely essential to the comfort of the officers and men stationed there. We struck out, for instance, $3,000 for continuing the repairs on married men's quarters. We struck out $6,000 for a set of officers' quarters that are reported as absolutely essential because of the small houses in which they are quartered; they have two sets of officers' families crowded together in a space that no member of Congress would allow himself or his family to be crowded into at any time.

Then there are the married enlisted men. For several years there has been a demand for proper quarters for them, and the Secretary of War urged that this item for married enlisted men's quarters, costing $9,000, should be allowed. But we struck that out in order to bring about an economy as far as possible to do so. We then reduced the estimates for modernizing the sewerage $3,000. We reduced the appropriations for bathrooms and sinks $4,700. The clerk to the adjutant, who ought to be at the post but has no quarters there, although recommendations to that effect have been frequently made, and they have recommended in the present estimates $3,000 for that work. This has also been stricken out by us.

Then the teacher of music and the master of the sword: they are gentlemen of the very highest attainments in their profession, men of a standing which should give them the same consideration that is given to officers, and for two or three years past it has been urged upon Congress that a double set of quarters costing $10,000 should be built for their accommodation. But that is also stricken out. Then the repairs of quarters for the battalion of engineers, $3,500, we have also struck out. Then there are several other small items, which I will not read, which have also been stricken out.

We also struck out $2,800, new sewer from Rugertown. We also struck out the $1,300 which was recommended for a new sewer from Logtown. We also struck out $6,840 recommended for a new 10-inch water main from the corner of cadet barracks to south gate. We also struck out $1,800 which was asked for building a breast-high masonry wall on east side of road from north gate to entrance to post cemetery. We also materially reduced the appropriation for improving the subsoil and surface drainage, etc.

The soldiers' bath house, regarded as essential, we have struck out. If the Government employs soldiers at all, it is of the utmost importance that the private soldier should have good bathing facilities, but this bath house proposed an expenditure of $4,450 and we struck it out.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. WHEELER of Alabama. Mr. Chairman, I ask just three minutes longer to complete this statement.

Mr. DOCKERY. I hope that will be granted.

There was no objection.

Mr. WHEELER of Alabama. Mr. Chairman, when interrupted I was speaking about the soldiers' bathroom. You know where you have a building in which many men sleep, and in one room, it is absolutely essential that the utmost cleanliness should be observed and facilities given for that purpose; and yet the estimate for the soldiers' bathroom has been stricken out in our efforts to economize. And we have stricken out other items, on down, until we come to the officials that were the clerks of the Academy, some of them for forty years, and one of them succeeded a paymaster and performed the duties of paymaster. And this paymaster who performed the duties prior to the present incumbent must have cost the Government from $4,000 to $5,000 annually.

This clerk to the disbursing officer was originally paid $1,650 per annum. In 1877 his pay was reduced from $1,650 to $1,200; it was afterwards raised to $1,500, and this bill reduces it to $1,200. The pay of the clerk to the adjutant and the pay of the clerk to the treasurer was $1,500 each for many years prior to 1877; their pay was then reduced to $1,200; it was afterwards restored to $1,500, and this bill reduces it again to $1,200. The clerk to the adjutant has been employed since May, 1851. These reductions have been made by the committee in the interest of economy.

Now, in the moment I have at my disposal, I shall ask to have read at the desk the last paragraph of the report of the last Board of Visitors sent to the Academy, which alludes to this subject, and appeals to Congress and appeals to the country—for we all advocate economy—not to adopt false economy and deny absolute necessities to this important institution.

You criticise this bill because it appropriates some $90,000 for permanent improvements which are actually essential to the well-being of the Academy.

In one or two months these same men will be dragging into the House bills which appropriate millions upon millions for purposes of very questionable merit. They will ask a million dollars for this building, two millions for this, and half a million for another building, and millions for other appropriations which could be omitted without serious detriment to the Government. Some of these same men voted for the return of the direct tax and the French spoliation bills.

I want to say to the House, and to the Committee on Appropriations, who have to wrestle with some $350,000,000 to $450,000,000 appropriation, that this little bill, which does not appropriate one dollar to five thousand in bills which they have in charge, is not the place to commence the character of attack which some of these gentlemen seem disposed to inaugurate under the false idea of pretended economy. The country demands economy; it demands wise economy; but it does not demand, and will not tolerate or sustain injudicious and ill-advised reductions in matters of this kind, which, under the name of economy, does a serious injury to an institution in which the whole country feels a just pride.

I ask the Clerk to read what I send to the desk.

The Clerk read as follows:

The Board earnestly commends the Military Academy to the fostering care of Congress and the liberal support of the people. It is the only national military school we have, and nothing should be left undone to maintain its high character, promote its efficiency, and increase its usefulness. National pride, regard for the common defense, and sound public policy require that its equipment should be thorough, and that the highest patriotism and best talent should continue to characterize its direction. Its graduates in the past have met every requirement of the public service, and there can be no manner of doubt that should occasion arise West Point will in the future fully meet the expectations of the American people. No consideration of economy should be permitted to thwart or delay the furnishing of proper sup-

plies and equipment so urgently needed to place the Military Academy abreast of similar institutions in other countries.

Mr. WHEELER of Alabama. Now, Mr. Chairman, in conclusion I desire to say that I have endeavored to answer every question propounded to me. I have gladly yielded to every gentleman who had any inquiry to propound or any suggestion to make. I hope the matters inquired about have been satisfactorily explained. The Committee on Military Affairs regret that the duty of bringing the first appropriation bill before Congress was imposed upon them. They expected the broadsides of artillery which are always brought to bear upon the appropriation bill which is first up for consideration, but they have the satisfaction of knowing that this bill is capable of standing the closest investigation and scrutiny, and they only ask that the House will accord the bill intelligent and fair consideration.

[Here the hammer fell.]

Mr. DOCKERY. Mr. Chairman, I only desire the attention of the House for a few minutes. It has been alleged in some quarters that there was possibly some division in the Democratic ranks upon the silver question. It has also been intimated that there was some difference as to the methods of tariff revision, but I have not yet seen it charged in the columns of the Republican press or heard the statement by any gentleman on this floor that there was any division upon this side of the House in respect to the necessity for judicious economy in the disbursement of public money. I have no doubt, Mr. Chairman, but that every gentleman on this side of the main aisle, as well as the overlapping Democracy on the other side——

Mr. REED. Why not say "lapping" instead of "overlapping?"

Mr. DOCKERY. Well, we did indulge in some "lapping" in 1890, as the gentleman from Maine will remember.

Mr. Chairman, every gentleman on this side has united in the chorus of denunciation of the stupendous aggregate of the appropriations of what has passed into history as the billion-dollar Congress. I do not believe that there is a Democrat on this floor who indorsed the lavish appropriations of the last session. And yet, Mr. Chairman, the very first general appropriation bill that comes from a Democratic committee in this House carries $63,730.54 more of appropriations than were carried by a similar bill in the last Congress.

The question therefore for Democratic Representatives to consider, is whether we shall keep the pledges made to the people in 1890, when they demanded economy, or whether we will approve this bill, reported by the gentleman from Alabama [Mr. WHEELER], adding as it does $64,000 to the burdens of the taxpayers of the United States, and taking second rank in its aggregate with all the bills that have heretofore been reported providing for the support of the Military Academy.

Mr. WHEELER of Alabama: Will the gentleman allow me a question?

Mr. DOCKERY. Certainly.

Mr. WHEELER of Alabama. Will not the first public building bill that may come in the House, that may appropriate say a half a million of dollars, be the first measure of that character that comes from this Congress, and will it not be a half a million dollars greater than was ever appropriated for that same thing before?

Mr. DOCKERY. I did not catch the question of the gentleman.

Mr. WHEELER of Alabama. Will not the first public building bill which comes before this House, appropriating say a half a million dollars, be an appropriation of a half a million dollars more than ever was appropriated for that same purpose? [Laughter.]

Mr. DOCKERY. I do not know, Mr. Chairman, what public building bills are coming before the House. I have not examined the Calendar. Perhaps the gentleman has information that I have not; but I desire to say, Mr. Chairman, in justice to the Secretary of the Treasury, that the paragraph recommended by the gentleman from Alabama [Mr. WHEELER], providing for "enlarging and increasing gas plant and for placing a two-light pendant with slide light in each cadet room," was disapproved by the Secretary of the Treasury. It has no place in the estimates; but finds a place in the bill, after the gentleman from Alabama called upon the Secretary of War. The letter which he read and which I now return to him is in no sense an estimate as required by law. Not only that, Mr. Chairman, but——

Mr. WHEELER of Alabama. I will ask the gentleman if all the estimates for all the appropriations for the Army and for the Military Academy do not come from the Secretary of War?

Mr. DOCKERY. Every estimate is submitted to Congress by the Secretary of the Treasury.

Mr. WHEELER of Alabama. But it is made up by the office of the Secretary of War, by the military officers.

Mr. DOCKERY. Certainly; but the Secretary of the Treasury passes upon the sufficiency of all estimates. Secretary Foster passed upon this identical estimate and disapproved it.

Mr. WHEELER of Alabama. The gentleman is mistaken. I will say, as a matter of fact, that the Secretary of War held it in abeyance until it was determined whether there should be a new gas plant or an enlargement of the gas plant.

Mr. DOCKERY. But, Mr. Chairman, the estimate does not appear in the Book of Estimates, and that is evidence of its disapproval.

Now, Mr. Chairman, another item: On page 7 there are ten new offices created, at a cost of $4,800, whilst a provision for "soap to be used in scrubbing cadet barracks" appears for the first time. These new provisions will take from the Treasury of the United States $4,850.

A MEMBER. I hope no Democrat will object to the use of "soap."

Mr. WALKER. Does the gentleman move to strike out the "soap"?

Mr. DOCKERY. I anticipated an interruption on that side. It has been alleged, as gentlemen will remember, that our friends have been quite proficient in the use of "soap." Something has heretofore been said about its use in the State of Indiana.

Mr. BOUTELLE. Does the gentleman refer to those immediately on this side?

Mr. DOCKERY. No, on this side of the "Cherokee strip" and just beyond the first row of Democrats. [Laughter.]

Now, Mr. Chairman, as I was about to say when interrupted, on page 7 there is a provision for ten new offices and an appropriation for "soap," the effect of which is to take $4,850 from the taxpayers and add it to the salary of the cadets. Heretofore the salaries of barracks policemen have been paid by the cadets, as I now remember.

Mr. OUTHWAITE. Will the gentleman allow me?

Mr. HOPKINS of Illinois. How much is for soap and how much for new offices?

Mr. OUTHWAITE. Are you not mistaken in stating that this bill creates ten new officers? Are not those barrack policemen provided for in former appropriation bills.

Mr. SAYERS. Can the gentleman show in his last appropriation bill any provision for the payment of these ten policemen for that purpose?

Mr. DOCKERY. I do not think it has appeared in former bills.

Mr. WHEELER of Alabama. If the gentleman will allow me I can explain that——

Mr. DOCKERY. Ten new offices have been created at this point, and yet we have been denouncing the Republican party all along the line for creating 1,305 more new offices, and increasing the salaries of 432 more, at an annual increased cost of $1,701,681.62, as compared with the Fiftieth Congress.

Mr. BOUTELLE. I hope the gentleman will make his apology now. [Laughter.]

Mr. DOCKERY. I shall feel inclined to tender an apology if this House fails to strike from the bill its objectionable items.

Now, Mr. Chairman, in this connection the question naturally presents itself to the minds of Representatives whether the condition of the Treasury is such as to warrant any unusual expenditure. Admitting, however, for the sake of the argument that some increased expenditure ought to be made, the question presents itself whether, in the present condition of the Treasury, we can afford to launch out upon any new enterprises.

Now, what is the condition of the Treasury? On the first of the present year, it being the close of the first six months of this fiscal year, the expenditures of the Government had exceeded its revenues for the period stated more than $200,000.

Mr. LIVINGSTON. Will the gentleman allow me to call his attention to one item?

Mr. DOCKERY. In just a moment.

Mr. LIVINGSTON. It is on page 6, No. 1. Please look at it:

For the purchase of one hundred saddlecloths for the use of the cadets, $500.

That is $5 apiece for saddlecloths.

Mr. DOCKERY. That seems to be a little high, but I am now directing my remarks to another branch of the subject.

I want to say now, and I challenge successful contradiction, that at the beginning of this calendar year, it being as I have heretofore stated, the close of the first half of the fiscal year, the expenditures of the Government exceeded its revenues more than $200,000. I challenge denial.

Mr. DINGLEY. Will the gentleman pardon me if I interrupt him there? Does not the gentleman include in the ordinary expenditures of the Government $7,000,000 and more paid out on account of the redemption fund, which has been used in the reduction of the public debt? That is not a part of the "ordinary expenditures."

Mr. DOCKERY. Gentlemen will bear me witness that I did not use the words "ordinary expenditures," I referred to the "expenditures," and I do not care whether they be classed as "ordinary" or "extraordinary," inasmuch as they are paid out of the income.

Mr. DINGLEY. But he used it in the sense of the ordinary expenses, including all the funds that were paid out in payment of the public debt.

Mr. DOCKERY. The expenditures should include everything except the redemption of Government bonds. As their proceeds were originally deposited in the Treasury, it would make a double charge to include their redemption in the total of expenditures.

Mr. DINGLEY. But it was all paid for the reduction of the public debt.

Mr. DOCKERY. Why, Mr. Chairman, the gentleman possibly has forgotten section 6 of the act covering the national-bank deposit fund into the public Treasury.

Mr. DINGLEY. I have not forgotten it; but I think that the gentleman has.

Mr. DOCKERY. If he has not forgotten it, he will remember that the act expressly provides that the money deposited for the redemption of national-bank notes shall be covered into the general Treasury——

Mr. DINGLEY. And how was it used?

Mr. DOCKERY. Let me complete my statement. The notes must be redeemed from the general Treasury. That is the command of the law. Now, if I understand the position of the gentleman from Maine, after having covered the $54,207,975.75 of money belonging to the holders of national-bank notes into the Treasury, and after having added to that amount $11,045,013 that has been deposited since, thus using the amount to pay ordinary current expenses——

Mr. DINGLEY. Not a dollar of it was used for ordinary current expenses.

Mr. DOCKERY. After pursuing that course with the national-bank redemption fund, he would now seem to desire to eliminate it from the statement of receipts and expenditures because the expenditures exceed receipts. The gentleman proposes to evade the plain requirements of section 6 of the silver act. If the gentleman has any doubt about it I will read it to him.

Mr. DINGLEY. Before the gentleman passes from that, do I understand him to assert that any part of the $54,000,000 covered into the Treasury by the act of July 14, 1890, has been used for the ordinary expenditures of the Government?

Mr. DOCKERY. Why, certainly; and if the gentleman will examine the Treasury statement he will find this to be true. Indeed, if that fund had not been used there would be but $18,082.79 in the Treasury now.

Mr. DINGLEY. Not a dollar of it has been used for ordinary expenses——

Mr. DOCKERY. Not only this, Mr. Chairman, but if the $25,364,500 of 4½ per cent bonds had not been extended without warrant of law there would be an actual deficiency of more than $25,000,000.

Mr. DINGLEY. Now, will the gentleman, right at that point, pardon me?

Mr. DOCKERY. I think I can better state this question by reading from a recent report of the Secretary of the Treasury.

Mr. DINGLEY. I want to call the attention of the gentleman——.

Mr. DOCKERY. Well, let me complete my statement. On the 14th of January the gentleman from Iowa replied to some observations that I made. I quote now from Mr. HENDERSON of Iowa, who asserted that I was in error in the statement that "the receipts fell short of the expenditures of the Government for the first half of the fiscal year."

Mr. DINGLEY rose.

Mr. DOCKERY. Will the gentleman from Maine please allow me to complete my statement?

Mr. DINGLEY. I will take my own time.

Mr. DOCKERY. The gentleman from Iowa [Mr. HENDERSON] then submitted a statement from the Acting Secretary of the Treasury, giving the "ordinary" receipts and expenditures of the Government, in which it appeared that, limiting the exhibit to the "ordinary" receipts and expenditures, there was a surplus of $7,100,308.22, instead of a deficiency exceeding $200,000. Now, Mr. Chairman, the Acting Secretary of the Treasury, in reply to a letter addressed to him by the chairman of the Ways and Means Committee on the 4th of this month, sent to that committee a statement of the receipts and expenditures, including the receipts and expenditures on account of national-bank notes. This exhibit verifies the absolute accuracy of the statement I made on the 14th of last month, when I asserted that the expenditures of the first half of the present fiscal year were in excess of the receipts. I will incorporate the letter of the Acting Secretary in my remarks.

TREASURY DEPARTMENT, *February 4, 1892.*

SIR: In reply to your communication of the 26th ultimo, asking for a statement of the receipts and expenditures of the Government from July 1, 1891, to December 31, 1891, inclusive, which statement you desire shall include the the receipts and expenditures on account of the national-bank fund for the time named, I have the honor to submit the following table:

Receipts from July 1, 1891, to December 31, 1891, inclusive.

From customs	$85,722,341.83
internal revenue	77,057,281.60
miscellaneous	11,364,265.88
national-bank-deposit fund	1,601,398.00
Total	175,745,287.31

Expenditures from July 1, 1891, to December 31, 1891, inclusive.

Civil establishment	$49,798,222.18
Military establishment	24,775,572.29
Naval establishment	15,056,076.34
Indian service	6,497,810.71
Pensions	61,350,019.83
Interest on public debt	9,565,879.74
National-bank fund, redemption account	8,940,491.00
Total	175,984,072.09

The amount of cash in the Treasury used during the 6 months, July 1 to December 31, 1891, to meet the requirements of the sinking fund, amounted to $29,986,256.96.

Respectfully, yours,

O. L. SPAULDING,
Acting Secretary.

Hon. WILLIAM M. SPRINGER,
Chairman Committee on Ways and Means, House of Representatives.

Now, Mr. Chairman, I desire also to call attention to the Treasury statement of the first of the present month. I especially ask the attention of Democrats, inasmuch as I know it is not a very pleasant subject for our Republican friends. [Laughter.] Here is the Treasury statement—an original document—I received on the second of this month, showing that, for the first seven months of the current fiscal year, the expenditures of the Government exceeded its revenues $5,359,578.78.

Comparative statement of the receipts and expenditures of the United States.

Source.	1892.		1891.	
	January.	Since July 1.	January.	Since July 1.
RECEIPTS.				
Customs	$17,459,285.74	$103,181,627.57	$23,897,953.06	$148,138,148.57
Internal revenue	11,439,956.70	88,497,238.30	11,253,863.80	86,276,649.00
National-bank deposit fund	159,250.00	1,760,648.00	245,740.00	7,836,075.00
Miscellaneous	1,484,236.16	12,848,502.04	1,658,416.39	13,451,533.70
Total	30,542,728.60	206,288,015.91	37,055,973.25	255,702,406.27
EXPENDITURES.				
Ordinary. Civil and miscellaneous	9,473,708.04	59,271,930.22	9,747,655.06	61,539,224.21
Ordinary. War	4,067,179.34	28,842,751.63	4,450,327.50	27,938,204.23
Ordinary. Navy	2,489,355.26	17,545,431.60	2,336,295.82	14,603,367.59
Ordinary. Indians	950,365.05	7,448,175.76	963,690.10	4,002,007.62
Pensions	10,521,941.40	71,871,961.23	1,080,570.56	70,081,657.48
National-bank fund, redemption account	1,488,172.50	10,428,663.50	2,461,760.00	12,937,040.00
Interest	6,672,801.01	16,238,680.75	2,851,428.66	32,675,449.15
Premium			39,581.37	10,401,220.61
Total	35,663,522.60	211,647,594.69	23,981,309.07	234,778,170.89

TREASURY DEPARTMENT, WARRANT DIVISION,
February 1, 1892.

Mr. HENDERSON of Iowa. Does that include the national-bank redemption fund?

Mr. DOCKERY. It includes the national-bank redemption fund. It includes everything except the payments out of the surplus in the Treasury on account of the redemption of Government bonds.

Mr. WALKER. Will the gentleman permit a question?

Mr. DOCKERY. Certainly.

Mr. WALKER. Do I understand you to use "expenditures" as including all money paid out, without reference to what it was paid out for?

Mr. DOCKERY. I use the term "expenditures" just as the Treasury Department uses it. If the gentleman will examine this statement he will see how it is used by the Department. This is the title: "Comparative statement of the receipts and expenditures of the United States." Under "Receipts," according to Form 109 in use in the Treasury Department, there appears the item of "National-bank deposit fund," whilst under the head of "Expenditures" is exhibited the "National-bank fund redemption account."

Mr. WALKER. Which clearly means money received and paid out; not expenditure in the nature of expenses, but simply money received and paid out.

Mr. DOCKERY. Certainly, it means money received and paid out. I do not know of any better definition that could be given. "Receipts" means money received and "expenditures" means money paid out.

Mr. WALKER. Does the gentleman understand that——

Mr. DOCKERY. I accept the gentleman's definition. He need not try to improve it. [Laughter.] It is first-class and it is also Democratic. [Laughter.]

Now, Mr. Chairman, there is another matter I desire to call to the attention of gentlemen on this side of the House especially. I would not offend our Republican friends by a recital of this unfortunate situation if I could avoid it, but I am constrained to appeal to Democrats in view of the present condition of the Treasury to be economical, and in so doing I am compelled to harrow in some degree the sensitive feelings of our Republican friends. [Laughter.] In connection with this appropriation bill I want to call attention to the fact that many obligations were imposed by the Fifty-first Congress, obligations which we must meet, and therefore the paramount necessity for economy.

For illustration, in the matter of public buildings the billion-dollar Congress imposed $8,160,000 of liabilities for which they did not appropriate a dollar. This includes $2,000,000 for the Philadelphia mint, and $1,600,000 to erect the three Federal prisons, neither bill carrying any appropriation. Another obligation imposed upon us by that Congress, which we must meet at least in part, amounts to $11,331,779 on an account of rivers and harbors. I will not refer to the liabilities carried by the naval bill, inasmuch as it is impossible at this time to accurately estimate that aggregate.

Mr. Chairman, in conclusion I will say that it is apparent, it is beyond cavil, that unless this Democratic House is true to the traditions of the party and holds a tight rein upon the purse-strings of the Government we shall have an actual deficiency within the next twelve months. It seems that the Treasury officials are apprehensive. Look at the estimates of the Secretary of the Treasury. He eliminates the river and harbor requirements from the estimates for the ensuing fiscal year, whilst omitting in his estimates the sinking fund for the next year, which calls for about $49,000,000, at the same time failing to provide for about $11,000,000 of the sinking fund for the current year.

Mr. Chairman, I appeal to Democratic Representatives, whose seats were filled by the popular demand for reform in public expenditures, to strike from this bill all those provisions which are not absolutely essential for the support of the Military Academy for the ensuing fiscal year.

Mr. O'NEILL of Pennsylvania. Before the gentleman from Missouri takes his seat, I wish to say to him, if he will permit me, that I do not understand what he means by his statement that the "billion-dollar Congress," as he calls it, imposed upon the Democrats in this Congress an appropriation of $2,000,000 to build a new mint in the city of Philadelphia.

Mr. DOCKERY. I mean to say, if my friend will allow me, that at the second session of the last Congress a bill was passed authorizing the construction of a mint at Philadelphia, the cost not to exceed $2,000,000, but by an error in the bill no appropriation was provided.

Mr. O'NEILL of Pennsylvania. By the action of one of the Comptrollers of the Treasury it was decided that no appropriation was carried by the bill, that officer being very much mistaken, I think, in his judgment. But the $2,000,000 which that mint was expected to cost should not be charged up against the "billion-dollar Congress" by the gentleman from Missouri. I only wish it could be.

Mr. DOCKERY. There seems to be no controversy as to the facts between the gentleman and myself.

Mr. Speaker, I now yield fifteen minutes to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. Mr. Chairman, in addition to what has been said by the gentleman from Missouri [Mr. DOCKERY] by way of portraying the present situation of the Treasury, I wish to call attention to the Book of Estimates, page 161, in which there is asked by way of appropriations, in excess of those made for the present fiscal year, $12,000,000. I mean to say that the amount appropriated for the year ending June 30, 1892, was $135,000,000; and for the next fiscal year $12,000,000 in excess of that sum is asked. This fact of itself places this House in the presence of a prospective deficiency in the Treasury.

The gentleman from Missouri has already called attention to the fact that the Secretary of the Treasury, for the first time in more than twenty years, is proposing to suspend payments to the sinking fund. And all this at a time when, with increased rates of taxation, our receipts are reduced. This House, therefore, comes into power with the fact of a deficiency confronting it, and with the announcement on the part of the Secretary of the Treasury that there are to be for the present no more contributions to the sinking fund.

Mr. Chairman, I care not so much about the present bill. I know that the road to economy is a homely one. I well remember the struggles in the Forty-fourth Congress on this subject. All along the line, wherever reductions were proposed, it was constantly cried out from the opposition that this was a "picayune" method of treating public affairs, that it was an unworthy process of "paring." I well remember that on every bill, from the very first to the very last, we were flooded with letters from Department officials—from heads of Departments and heads of bureaus—showing how we were going to wreck the public service everywhere.

The debates of that Congress on the Military Academy bill, the Post-Office bill, the Army bill, the Navy bill, the sundry civil bill are flooded all along the line with protests from Department officers; and the Senate accepted the theories of the Departments and confronted us with arguments manufactured there. Yet this House, with steady nerve and determined purpose, in spite of these criticisms, moved on, and by these homely methods made reductions amounting to $30,000,000. And, gentlemen, it is over this same path that you are to travel if you reach reduction in the present Congress. The condition of the people themselves is a homely picture, especially in the great agricultural sections of this country. They will not find in the proposition for reduction on these bills all along the line anything strange or contrary to their own experience.

I remember, Mr. Chairman (for I happened to be at that time a member of the Appropriations Committee), that when we were taking up these various bills there was in the minority of the committee a gentleman distinguished for ability and integrity, who was afterwards elected Vice-President of the United States—Mr. Wheeler of New York. He was an experienced member of this House; he had long been a member of the Committee on Appropriations; and with a frankness which was characteristic of the man he said to us in the beginning, "Gentleman, if you want to reduce the expenditures of the Government, you can accomplish it only by your own exertions in that direction, for not a single cabinet officer will aid you." Nothing came from cabinet officers or heads of bureaus in the way of suggestion for our assistance. It was all protest. So now we must tread this path of reduction alone. We must accomplish reduction by courageous adherence to a policy of strict economy and by an acceptance of the hard situation which must result from the attitude of our opponents.

If we are not to work out this reform, then let us now make the fact known to each other. There never was a single appropriation bill presented to the House in the Forty-fourth Congress when some gentleman on one side or the other did not make the suggestion "This bill is reasonable; make your reduction on some other bill; find some larger way of economizing—something more in accord with a broad, liberal mind."

And I well remember, Mr. Chairman, when the gentleman from New York [Mr. Cox], retorting to criticisms of gentlemen on the other side of the House, declared "Oh, yes, you are always in favor of economy, but you never get to the bill you want to reduce on." The only way to do it, Mr. Chairman, is to begin at the beginning, to make reasonable reductions all along the line.

I have great respect for the intelligence of my distinguished friend from Alabama. I think, perhaps, if there was no question as to the condition of the finances of the country, I should not find myself, nor would I expect to find other gentlemen, critically examining this bill. The purpose I have in relation to the matter is to commence now, not to consider West Point alone, but to consider the whole country; its condition, the policy of the party, and on this, as on other bills, to begin and shape ourselves to reach that result we have all declared ourselves in favor of.

My friend from Alabama has referred to the condition of the gas works at West Point, and says that the eyes of the students have become very bad in consequence of defective light. It is not clear exactly what caused this trouble. At one time it is the gas works; at another it is the severe course of study required of all students; more hours of study.

Mr. WHEELER of Alabama. It is both.

Mr. BLOUNT. More hours of study than formerly, and now the gentleman from Alabama says it is both.

Mr. WHEELER of Alabama. If they had no studies they would want no gas works. The people who study must have light.

Mr. BLOUNT. I know that I happened to have the honor of going twice as a member of the Board of Visitors, to West Point. I have some knowledge of the place; and I am quite sure that there is just as much ingenuity at West Point in the matter of getting money out of the Treasury as you will find here in the

city of Washington. You may look over the reports for years past, and only within the last two years has this discovery been made that the boys were getting blind on account of the bad gaslight.

Mr. NEWBERRY. Will the gentleman allow me one moment?

Mr. BLOUNT. Certainly.

Mr. NEWBERRY. Will the gentleman bear in mind the fact that in 1890 a Democratic Congress appropriated $902,000 and more——

Mr. BLOUNT. Yes, sir; and let me say——

Mr. NEWBERRY. Let me complete my statement. They appropriated this sum to extend the buildings, but they forgot to connect the gas works and the sewers with them, and it is left now for this Congress to do it. This bill includes those items; and for that reason, and that alone, these items of the gas works and sewer have necessarily been put in and make up this large apparent increase.

Mr. BLOUNT. I submit to the House now, in the light of the debate which has just occurred, whether the gentleman from Alabama and the gentleman from Illinois agree in their views of this subject. The gentleman from Illinois has just submitted one reason for this condition of things, and the gentleman from Alabama [Mr. WHEELER] explained to us the reason for this expenditure on quite another ground. Which is correct? The language of the bill provides that these works shall be entirely renewed; so that the gentlemen who have given such extreme care to the subject, and who have taken care to append it in the report, even now do not seem to act together or agree in their conclusion.

Mr. NEWBERRY. If you will permit me, I will explain——

Mr. BLOUNT. I would do so with pleasure if I had time. I am sure it would take a great deal of time to explain or harmonize such statements or reasons to the House.

Mr. NEWBERRY. I will take only a moment of the gentleman's time.

Mr. BLOUNT. The gentleman will no doubt have ample opportunity to explain hereafter. It is not a very abstruse question.

Mr. Chairman, I do not think, in view of the fact that prior to two years ago there had been no suggestion as to the bad effect of this system of gas works on the eyes of the boys, that it could have grown to be so serious a matter in so short a time. You will find for years in every West Point Academy bill provisions for renewing and repairing the gas works, and while they may have been originally constructed thirty-odd years ago, there has been annually a considerable expenditure of money to keep the works in perfect order. The age, then, has nothing whatever to do with it. It seems to me, knowing as I do the inventive genius in the matter of obtaining appropriations from every direction where the Administration has any control, that this is not an exception, and that we may leave this item out of the bill without injury.

Mr. WHEELER of Alabama. Will the gentleman allow me to ask him a question? I believe the gentleman from Georgia, in a very eloquent speech the other day in speaking of the Post-Office Department, said that the only question for our consideration was, Is it necessary? Now, I ask him to confine himself to that line, as near as he can, in discussing this question. [Laughter.]

Mr. BLOUNT. I am trying to get my friend there. I have been trying to do it all along, and I do not believe it is necessary to do what my friend is asking now in the matter of these gas works.

And there are several other items concerning which I think the same thing. My friend has taken occasion to refer to the provision for the cadets. He has said something about officers' quarters. Why, notwithstanding they were so magnificent, as I thought, a few years ago, in 1879 and 1884, when I was there, and notwithstanding they were the delight of the Board of Visitors, there have been additions in 1891 for officers' quarters, two more sets of officers' quarters, that seemed magnificent and ample then, $20,000; for twenty sets of quarters for enlisted men and their families, to be built in sets of twos, of brick, $24,000. So in the year before you will find ten sets of quarters for enlisted men and their families, to be built in sets of twos, of brick, each to contain four rooms, $20,000. For the construction of a hospital for enlisted men, $30,000. And you may take up this little school and you will find, in my opinion, that all along the line the expenditures made by the Government have been generous. And, sir, it seems to me that in several items the gentlemen of the committee have seen fit to make increases over the bill of last year. I refer now to smaller items.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHEELER of Alabama. I ask unanimous consent that general debate be closed at 5 o'clock.

Mr. DINGLEY. I understand that I am to be recognized next.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that general debate be closed at 5 o'clock. Is there objection?

Mr. BRECKINRIDGE of Kentucky. I think we had better let it run on for awhile. There may be something we may want to talk about.

The CHAIRMAN. The gentleman from Kentucky objects. The gentleman from Maine——

Mr. DOCKERY. I had intended to yield to the gentleman from Texas [Mr. SAYERS] ten minutes at this time.

Mr. SAYERS. All that I want is ten minutes.

Mr. DINGLEY. I have no objection to the gentleman from Texas taking that time before I take the floor.

The CHAIRMAN. The Chair understands the gentleman from Missouri [Mr. DOCKERY] desires to yield ten minutes to the gentleman from Texas. The gentleman from Maine [Mr. DINGLEY] will be recognized later.

Mr. SAYERS. Mr. Chairman, I desire to confine my remarks entirely to this bill. It was understood between the gentleman from Alabama [Mr. WHEELER] and myself, that he would agree to strike out all of the increased salaries, as well as the new offices.

Mr. WHEELER of Alabama. Provided that would satisfy my friend from Texas. That was my individual statement.

Mr. SAYERS. Yet on the first page of the bill we find an increase of salaries amounting to $252.77.

Mr. WHEELER of Alabama. That is a matter provided by law, which we can not change.

Mr. SAYERS. We find in the paragraph beginning in line 25, on page 3, an increase in that item over the bill of the last Congress of $1,000.

On page 5, line 7, we find a new item covering $1,500.

In lines 23 and 24, page 5, we find a new item covering $120.

On page 6, lines 1 to 6, inclusive, we find new items amounting to $700.

In line 25, page 6, we find a new office created, amounting to $720 per annum; and from line 3 to line 7, on page 7, we find ten new offices, at an annual cost of $4,200.

In line 8 of the same page, we find another new item costing $50.

On lines 13, 14, and 15 of page 9 we find an item with an increase of $125.

On lines 16 and 17, an increase of $50.

In lines 22 and 23, an increase of $50.

On page 11, lines 14 to 18, inclusive, we find a new item amounting to $2,500.

On page 12, lines 1 to 3, we find another increase of $19.25, and in the three following lines an increase of $156.40.

On page 13, lines 1 to 3, inclusive, we find a new item amounting to $156.50, and on lines 6 to 10, inclusive, of page 13, an increase of $1,500.

Mr. WHEELER of Alabama. Will you read the decreases all along, too.

Mr. SAYERS. I will give you the net increases.

In lines 7 and 8 of page 14 we find an increase of $100; in lines 10 and 11, a new office created, with a salary of $800 per annum.

In the twelfth line a new office is created, with a salary of $900 per annum.

Items 18, 19, and 20, on page 14, are increases over the bill of last year of $100, and lines 23 and 24 contain a new item, in the shape of an organ for the chapel, amounting to $900.

On page 15, lines 14, 15 16, and 17, we find an item of increase amounting to $150.

On page 16, in lines 11, 12, 13, and 14, we find an increase of $700.

In lines 1 and 2, page 17, an increase over the current year of $500.

In lines 13, 14, 15, and 16, as stated by the gentleman from Missouri [Mr. DOCKERY], there is an amount of $50,000, for which there has been no estimate sent to Congress by the Secretary of the Treasury.

Mr. OUTHWAITE. What item is that?

Mr. WHEELER of Alabama. The estimate for a part of it was made by the Secretary of the Treasury, and for the whole amount by the Secretary of War.

Mr. SAYERS. Now, Mr. Chairman, it does seem to me, in view of the present condition of the Treasury, and of the country, that the Committee on Military Affairs should have been willing, at least, to bring their bill within the limits prescribed by the act for the support of the Academy during the present year. Instead of that they have gone along, and, after allowing them credit for all their reductions, we find that they have increased the amount carried by this bill to the extent of $53,399.30.

Mr. WHEELER of Alabama. And $98,000 is for permanent

improvements, of great value; and in other directions we have reduced the expenditures $43,000.

Mr. SAYERS. Could not these permanent improvements have been postponed for another year without any detriment?

Mr. WHEELER of Alabama. We feel that it would be a crime to postpone the improvements that are to give light to the students to study by.

Mr. SAYERS. Having called the attention of the committee to these several increases of amounts and the creation of new offices, I yield the remainder of my time to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. How much time have I remaining?

The CHAIRMAN. The gentleman from Texas has three minutes remaining of his ten minutes.

Mr. DOCKERY. I reserve the balance of my time.

Mr. DINGLEY. Mr. Chairman, when the gentleman from Missouri [Mr. DOCKERY] was speaking a short time ago he made a statement to the effect that $54,000,000 of the bank redemption fund which was covered into the Treasury under the act of July 14, 1890, had been used for the ordinary expenses of the Government, in addition to the current revenue. I interrupted him, by his permission, to say that he was mistaken with reference to that, but he insisted that his statement was correct. I repeat now, that not one dollar of the bank redemption fund has been used for any other purpose than the reduction of the principal of the public debt.

Gentlemen will bear in mind that this bank redemption fund was deposited in the Treasury as a quasi-trust fund, under the national-bank act, by national banks reducing their circulation and banks in liquidation, to redeem their outstanding notes to the extent of the withdrawal of bonds, and that at one time—in August, 1887—it reached the aggregate of nearly $106,000,000, and on March 1, 1889, was $82,577,000. When the sum had reached the largest amount, in the Forty-ninth Congress, I believe, I introduced into the House a bill providing that the fund should be covered into the Treasury for use in the purchase of bonds. I had two objects in view: First, that the currency of the country might not be contracted by the deposit of so great a volume of legal tenders, and, secondly, that the people might have the benefit of the interest upon the idle fund.

While there was a general disposition in both the Forty-ninth and Fiftieth Congresses to pass this act, and it was favorably reported, yet it did not become a law because a few gentlemen who controlled the order of business would not give it the right of way. But in the Fifty-first Congress, at the first session, this measure became a law as one of the sections of what is known as the silver-bullion purchase act.

Under that act, on the 14th day of July, 1890, $54,207,975, what remained of these trust funds after the payment of notes presented up to that time for redemption, was covered into the Treasury and became available, the Government undertaking to redeem the remaining notes as presented. For what purpose was it used? Obviously, Mr. Chairman, it could not have been used for the current expenditures for the fiscal year ending June 30, 1891, for the revenue of the Government for that year was $37,239,762 more than the expenditures; and that thirty-seven millions was devoted to the reduction of the public debt. Not only this, but the $54,207,975 of the bank redemption fund covered into the Treasury on the 14th day of July, 1890, was also used for the purpose of reducing the public debt; for between the 1st day of July, 1890, and the 1st day of January, 1892, there was applied to the redemption of the public debt the sum of $139,315,543. Where did the funds come from? From the $54,207,975 of the bank redemption fund, from the $37,239,762 of surplus revenue for the fiscal year ending June 30, 1891, and the balance from the surplus in the Treasury on the 30th day of June, 1890.

Now, in the fiscal year ending June 30, 1891, as I have already said, there was no necessity for using a dollar of this bank redemption fund for current expenditures, because the revenue of the Government exceeded the expenditures by over $37,000,000. For the six months of the present fiscal year ending December 31, 1891, excluding, of course, the payment of $7,339,093 in excess of deposits on account of the bank redemption fund, the revenue exceeded the expenditures by $7,065,629; and this surplus was used in the reduction of the principal of the public debt. In the first six months of the present fiscal year over twenty three million of the 4½ per cent bonds were paid, and about twenty-five millions extended at 2 per cent interest, payable at the pleasure of the Government.

Evidently the payment on account of this bank redemption fund was not for ordinary current expenditures, but for the reduction of the public debt, because the fund which it supplied had been used for the latter purpose. In the six months ending December 31, 1891, there was deposited in the Treasury by the banks reducing their circulation and banks in liquidation $1,601,390. There was paid out in the same period, for the redemption of the national-bank notes for which the deposits had been made, the sum of $8,940,491, leaving a balance of $7,065,629 to be paid from the Treasury, and to be charged to the redemption of the public debt, because the fund from which it would have been paid had been used by the Government in buying or redeeming the bonded debt.

The payments on account of this bank fund are treated by the Secretary of the Treasury, not as ordinary expenditures, but as payments on account of the public debt. I hold in my hand the last report of the Secretary of the Treasury. On page 1 the Secretary gives a statement of the receipts and expenditures for the current fiscal year. In those receipts the deposits of national banks reducing their circulation and in liquidation is not included. A separate account of that item is kept in the Treasury because it is an item chargeable really to the reduction of the public debt. In the expenditures for that period the payments on account of that fund are not placed, because they are not ordinary current expenditures, but an expenditure precisely like the money that is devoted to the reduction of the principal of the public debt. In fairness, no gentleman should quote upon this floor a payment that is chargeable to the reduction of the public debt as an item of current ordinary expenditure.

Now, for the six months ending December 31, 1891, the expenditures were $7,065,629 less than the revenue. If there is to be included in this the $7,339,093 paid on account of the bank redemption fund, of course it would make a deficit of $273,464, and if all the payment on account of reduction of public debt should also be included, the so-called deficit would be much more. But that is not, as I have already said, a proper charge to current expenditures, but one to be placed to the account of the reduction of the public debt.

On the 1st day of January, therefore, the revenue for the first six months of the present fiscal year exceeded the ordinary expenditures, including the interest on the public debt, by $7,065,629, as appears by the following official statement:

Comparative statement of receipts and expenditures from June 30, 1891, to December 31, 1891, and the same period in the fiscal year 1890.

Items.	1891.	1890.
RECEIPTS.		
Customs	$85,722,341.83	$124,240,195.51
Internal revenue	77,057,281.60	75,022,785.20
Miscellaneous	11,364,265.88	11,793,117.31
Total	174,143,889.31	211,056,098.02
EXPENDITURES.		
Civil and miscellaneous	49,840,452.59	51,955,699.64
War	24,776,705.35	23,491,488.31
Navy	15,056,945.57	12,216,437.56
Indians	6,497,975.46	3,637,185.21
Pensions	61,341,227.16	69,001,970.10
Interest	9,564,954.74	29,834,538.66
Total	167,078,260.88	190,136,319.48
Surplus	7,065,628.43	

Mr. Chairman, the gentleman from Missouri [Mr. DOCKERY] in the course of his speech took occasion to denounce the last Congress as "the billion-dollar Congress," which had imposed upon the country extravagant appropriations; and in a previous speech he stated that the increase of appropriations by the last Congress over those of the preceding Congress was $194,000,000. Now, Mr. Chairman, such charges as these have gone on about long enough to merit something more than a categorical denial. What are the facts about this matter?

Let me point out the way in which gentlemen are enabled to make such allegations. I have before me the statement of the appropriations by several Congresses, presented by the gentleman from Missouri as the basis of his charge, for the two fiscal years which each Congress covers, from the Forty-seventh to the present. This statement, which has been repeatedly published, was prepared by the clerks of the House Committee on Appropriations and of the Senate Committee on Appropriations, and when properly used will lead to correct conclusions.

Now the gentleman takes that statement and quotes simply the footings, ignoring the notes, and makes it appear that the appropriations of the Fifty-first Congress were $170,000,000 more than the appropriations of the Fiftieth Congress; and then adds to this sum so much as he thinks will be required for deficiencies to be supplied and indefinite appropriations not included in the estimates.

The aggregate appropriations by the several Congresses from the Forty-seventh to the Fifty-first, inclusive, as given in the table prepared by the clerks of the Senate and House Appropriations Committees and submitted by the gentleman from Missouri [Mr. DOCKERY] as the basis of his charge, including not only the general appropriation bills but also estimated permanent and indefinite appropriations, were as follows:

Forty-seventh Congress, for 1883 and 1884	$777,435,948
Forty-eighth Congress, for 1885 and 1886	655,269,402
Forty-ninth Congress, for 1887 and 1888	746,342,496
Fiftieth Congress, for 1889 and 1890	817,963,860
Fifty-first Congress, for 1891 and 1892	988,417,183

To this last the gentleman added $19,000,000, and subsequently $24,000,000 for deficiencies and indefinite appropriations, carrying up his aggregate for the Fifty-first Congress to over a billion of dollars. This was the basis of his charge that the appropriations of the Fifty-first Congress were one hundred and ninety-four millions more than those of the Fiftieth.

There were appended to this table certain notes which greatly modified the meaning of these figures, which the gentleman from Missouri ignored. If he had examined these notes he would have observed statements which would have clearly shown that these footings required correction. What is the first fact that he would have found? That of the appropriations of the last Congress over thirty-eight and a half million dollars—to be exact, $38,617,448—were deficiencies which the previous Congress ought to have provided for. Now, if thirty-eight and a half million dollars be deducted from the appropriations of the last Congress and charged to the prior Congress, where they belong, that would make a very serious correction of the gentleman's statement. Why, Mr. Chairman, there is no more deceptive way of undertaking to determine what are the expenditures for any two fiscal years that may come under one Congress than to assume that the footing up of the appropriation bills of the two sessions of such Congress determines the matter. It does not determine it, and why not? Suppose this Congress, for example——

Mr. TURNER. Will the gentleman from Maine tell us what the deficiencies of the Fifty-first Congress will be?

Mr. DINGLEY. I will consider them when I reach that point in the discussion.

Mr. TURNER. Let us compare them at this point.

Mr. DINGLEY. I will come to that later. Suppose, I say, that we go forward in this Congress and deliberately appropriate a hundred million dollars less than are required to carry on the Government, and then go to the country and claim that we have reduced expenditures a hundred million dollars? If we should do so, we may deceive somebody else, but we shall not deceive ourselves. What is not appropriated by one Congress for the current ordinary expenditures of Government becomes a deficiency which the next Congress must provide for.

Why, what did the Fiftieth Congress do? not deliberately, I assume, but the fact illustrates the point I am making. The Fiftieth Congress at its second session did not appropriate enough for pensions by $25,321,907, but turned that deficiency over to the Fifty-first Congress; and now the gentleman from Missouri proposes to give the Fiftieth Congress credit for what it ought to have done but failed to do, and to charge the amount against the Fifty-first Congress, which did the work that the previous Congress ought to have done! Not only that, but the Fiftieth Congress left $13,295,541 deficiencies outside of pensions, making a total of deficiencies of over thirty-eight and a half millions. And now gentlemen claim that because the Fiftieth Congress did not appropriate thirty-eight and a half millions required for pensions and for the ordinary expenditures of Government for the fiscal year 1890, as it should have done, therefore it reduced expenditures! It did not do anything of the kind. It simply imposed upon the Fifty-first Congress the necessity of appropriating these thirty-eight and a half millions, which ought to have been appropriated by the Fiftieth Congress.

Footing up the appropriations, without reference to deficiencies, the Fiftieth Congress, on the basis of the tables submitted by the gentleman from Missouri, appropriated $817,000,000 and the Fifty-first Congress $988,000,000; and now gentlemen say: "Lo! behold the wicked work of the 'billion-dollar Congress' in appropriating $170,000,000 more than the Fiftieth Congress appropriated!"

Correcting the table presented by the gentleman from Missouri in accordance with the notes appended to it, the gross appropriations shown by it would be as follows:

Forty-seventh Congress, for 1883 and 1884	$889,501,432
Forty-eighth Congress, for 1885 and 1886	695,078,612
Forty-ninth Congress, for 1887 and 1888	752,039,160
Fiftieth Congress, for 1889 and 1890	837,017,925
Fifty-first Congress, 1891 and 1892	949,799,735

This change of footings is wrought simply by placing the deficiencies where they belong.

The Fifty-first Congress appropriated for pensions $10,000,000 more than will be expended during the current fiscal year; but the Fiftieth Congress appropriated $25,000,000 less for pensions than was required. Yet the gentlemen who did that go around and say, "Lo! behold how much we saved!" Obviously, gentlemen, the fact that twenty-five millions less was appropriated by the Fiftieth Congress for pensions than was required does not change the fact which every candid man understands, that this sum is chargeable not to the Fifty-first but to the Fiftieth Congress. No intelligent man is deceived by such a performance.

Now, foot up the appropriations as a candid man should do. Of the $988,417,183 appropriated by what you call the "billion-dollar Congress," $38,647,448 belonged to the previous Congress. That leaves $949,799,735. More than that, $10,000,000 too much was appropriated for pensions by the Fifty-first Congress. Deduct that, and you have $939,799,735. More than that; among the estimated permanent appropriations for 1892 there appears for the first time in the estimates $16,000,000 on account of the bank redemption fund, of which I have spoken. In the revised estimates for 1891 there also appears over twenty-three millions for this same purpose for 1891, which lifts the last estimates to that extent. Now, all through previous Congresses the bank redemption fund had not been counted in as a part of the estimated permanent appropriations, although the payments then were larger than now. Deduct $16,000,000 from the estimates of permanent appriations presented by the gentleman from Missouri, and you have as the amount of the actual appropriations of the last Congress $923,799,735, taking as a basis the tables submitted by the gentleman from Missouri, to which is to be added whatever deficiencies may be required and whatever amount the actual permanent and indefinite appropriations may exceed the estimates.

If the revised estimates for 1891 are to be used as the basis of permanent appropriations for that year, then over twenty-three millions of payments on account of bank redemption fund must be deducted from them.

Now, the gentleman from Georgia [Mr. TURNER] asks how much the deficiencies of the fiscal year ending June 30 next are likely to be. We have communications from the Treasury Department and the Superintendent of Census asking for the appropriation of deficiencies for the current fiscal year. We have already appropriated $200,000 for the Census, and probably $100,000 more will be added to that sum. The estimates for deficiencies, outside of the Census, submitted to Congress call for about $2,000,000. I am justified, therefore, in assuming that the deficiencies will not exceed two and a half millions, unless there may be some unusual requirements.

The gentleman from Missouri [Mr. DOCKERY], in his first speech, assumed, I believe, that the actual expenditures under the head of permanent and indefinite appropriations, outside of deficiencies, would be $18,000,000 larger than stated in the estimates included in the clerks' tables which he submitted as the basis of his charges against what he calls "the billion-dollar Congress." If this be correct, then $20,500,000 should be added to $923,500,000, making nine hundred and forty-four millions as the total gross appropriations by the Fifty-first Congress for 1891 and 1892, including the sinking fund and postal expenditures paid by postal revenue; or, if the revised estimates be taken as a basis of the increase of permanent and indefinite appropriations, then about nine and a half millions more should be added, carrying up the total gross appropriations for these two years to $953,797,369, instead of over $1,000,000,000 as charged.

But it should be borne in mind that this sum is the gross appropriations, and not the appropriations involving a charge on the Treasury for annual expenditures. Included in this sum was $98,030,295 for the sinking fund for 1891 and 1892, which is simply a payment for reduction of the principal of the public debt, and $136,931,785 for postal expenses paid by postal revenue. Deducting these sums, and there remains as the net appropriations by the so-called "billion-dollar Congress," chargeable to the Treasury for annual expenditures, seven hundred and nine millions on the basis of the first estimates of permanent and indefinite appropriations by the gentleman from Missouri, or $718,835,289 on the basis of the revised estimates, which, I think, will be found to be considerably in excess of the actual expenditures as they will appear at the close of the fiscal year.

Taking even the highest figure of permanent appropriations and the fact stands out that the actual appropriations by the Fifty-first Congress chargeable to the Treasury for the fiscal years ending June 30, 1891 and 1892, is less than seven hundred and nineteen millions, instead of the billion which has been so recklessly charged to its account, against six hundred and seventeen millions for 1889 and 1890.

That this covers the whole is made apparent by the official statement of expenditures, including interest, which shows that for the fiscal year 1891 they were in round figures three hundred

and fifty-five millions, and that for the present fiscal year they are estimated by the Secretary of the Treasury at three hundred and thirty-eight millions—making six hundred and ninety-three millions as the actual expenditures for the fiscal years 1891 and 1892, or about $350,000,000 for each year, including pensions, interest, and charges growing out of the war of the rebellion.

Evidently gentlemen on the other side, who have been making swelling speeches on the stump, denouncing the wicked extravagance of the "billion-dollar Congress" in imposing billion-dollar expenditures, will find it necessary, if they have any regard for the facts, to modify them by substituting "seven-hundred-million-dollar Congress" for the "billion-dollar Congress." It would, to be sure, make a difference of $300,000,000 between the fact and the campaign story, but the truth must sooner or later prevail.

Now, Mr. Chairman, how much were the appropriations for 1889 and 1890 for which it was the duty of the Fiftieth Congress to provide? The gentleman from Missouri [Mr. DOCKERY]—and he is imitated by all the gentlemen who have undertaken to maintain the "billion-dollar" charge—again ignores the notes appended to the table which he presents, and places the appropriations for these years at only $817,963,860. He ignores entirely the fact told by the notes of his own tables, that the Fiftieth Congress left a deficiency of $38,617,448, which the Fifty-first Congress was obliged to appropriate. Adding this deficiency, and deducting the deficiency for 1888, which the Fiftieth Congress was compelled to appropriate, and it is found (as the tables which I will append to my remarks will show) that the gross appropriations for the fiscal years 1889 and 1890, which it was the duty of the Fiftieth Congress to provide for, were $19,054,065 more than the gentleman stated, or $837,017,925, adopting the amounts given in his tables for permanent and indefinite appropriations. Adopting the revised estimates of permanent appropriations for those years, and deducting the sinking fund and postal appropriations paid by postal revenue, and the net appropriations for 1889 and 1890 are found to be $617,223,769, against $718,835,289 for 1891 and 1892.

This shows an increase in the appropriations of the Fifty-first Congress, chargeable to the Treasury for annual expenditures, of exactly $101,611,520, instead of $194,000,000. And that this is not far from what the actual result will be is shown by the fact that the increase of expenditures for 1891 and 1892 over 1889 and 1890 is estimated by the Secretary of the Treasury at about $113,000,000. But as there was an increase of $56,168,537 in the appropriations for pensions, the increase of net appropriations outside of pensions is only $45,442,983 for the fiscal years 1891 and 1892. Even the appropriations of the Fiftieth Congress increased over those of the Forty-ninth Congress in full equal proportion as to all ordinary expenditures, and where the increase of the Fifty-first over the Fiftieth is larger it is due to the fact that the expenditures were unusual, such as paying old obligations for the census, the new navy, carrying out treaties with Indians, etc.

I have here a table showing the increase of the regular appropriation bills of the Fiftieth Congress over the Forty-ninth, and the Fifty-first over the Fiftieth, which I will insert in my printed remarks. Here is the table:

Increase of regular annual appropriations.

Appropriations.	Fiftieth over Forty-ninth Congress.	Fifty-first over Fiftieth Congress.
Agricultural	$1,708,335	$1,441,473
Army	1,310,131	32,084
Diplomatic	614,483	(*)
District of Columbia	2,723,266	438,253
Fortifications	5,205,594	2,802,144
Indians	5,567,904	7,307,147
Legislative	202,427	1,500,000
Military Academy	500,669	†381,050
Navy	†1,621,910	14,042,345
Post-Office	17,405,065	22,668,343
Rivers and harbors	7,923,717	2,738,678
Sundry civil and miscellaneous	12,194,551	6,386,278
Increase	53,733,932	59,356,745

*No increase. †Less.

You will observe that the bill in which the appropriations by the Fifty-first Congress are seemingly most increased is the postal bill—the increase being over $22,000,000.

I am reminded of this because the gentleman from Georgia [Mr. BLOUNT] the other day commended this increase of appropriations for the postal service as a wise and proper thing, entirely consistent with the growth of a prosperous country.

Mr. HOPKINS of Illinois. And he was correct in that statement.

Mr. DINGLEY. Yes, he was correct in so stating.

Mr. BLOUNT. Will the gentleman allow me to make a statement?

Mr. DINGLEY. Certainly.

Mr. BLOUNT. I do not wish to take anything back, but I wish to be understood correctly.

Mr. DINGLEY. I knew the gentleman would stand by what he stated.

Mr. BLOUNT. Of course; but I do not think the gentleman understood it.

Mr. DINGLEY. I hope the gentleman is not going to give a construction that would practically take back what he said the other day.

Mr. BLOUNT. Not at all; but the gentleman evidently did not understand me. I showed how by reason of the increased mileage and the increase of the pay of mail transportation as fixed by law, the same during these several periods, the increase of necessity arose.

Mr. DINGLEY. Now, my friend from Georgia knows that the appropriations for the postal service for the two fiscal years 1891 and 1892 were $22,000,000 more than the appropriations for the two fiscal years covered by the Fiftieth Congress, 1889 and 1890, and that increase he concedes was necessary and proper.

Mr. BLOUNT. Yes.

Mr. DINGLEY. And every dollar of it was paid, not by taxation, but from the revenues arising from the postal service itself.

Mr. BLOUNT. I do not recollect exactly the figures, but I agree with the gentleman, so far as the postal service is concerned, that it largely takes care of itself.

Mr. DINGLEY. Precisely; and yet this twenty-two million increase of appropriations for postal service is counted as a large part of the "extravagant appropriations" of the so-called "billion-dollar Congress!"

Mr. HOPKINS of Illinois. But not by the gentleman from Georgia.

Mr. DINGLEY. No; not by the gentleman from Georgia.

Now, this goes to show how misleading any statement of aggregate appropriations may be without a full understanding of the facts. The figures on the face of them show an increase of over $22,000,000 by the "billion-dollar Congress" for the postal service, and we have had the swelling tide of talk all over the country about the vicious and wanton extravagance of that Congress. Yet, as a matter of fact, while the figures show that the increase of appropriations for the postal service was over $22,000,000, yet the actual amount to be paid from the Treasury for 1891 and 1892 is four millions less than for 1889 and 1890. And why? Because all this increase of appropriations for postal service was paid for by postal revenue.

The apparent increase is only the method of bookkeeping in the Department, but it helps gentlemen who do not want to be candid to create the impression that appropriations by the other party are swelling extravagantly. Indeed, it was not till 1890 that so much of the postal expenditures as is paid by postal revenue was included in the statement of current expenditures. There is charged up, for example, in the last fiscal year over $77,000,000 postal appropriations and in the year preceding over $72,000,000. Now, these sums make about $150,000,000, which appear here as being expenditures that the people are called on to pay by taxation for the support of the postal service. But is that a fact? How much do you really suppose it required Congress to appropriate outside of the actual amounts derived from the postal service itself? One hundred and fifty millions of dollars? Oh, no; nothing like it; only about $14,000,000 for the two years; that was all. Now, by bookkeeping you charge to the appropriations of a wicked Congress $150,000,000, whereas, as a matter of fact, only $14,000,000 have been appropriated to be paid from the Treasury. It is only a difference of $136,000,000, it is true, but it helps to swell "the billion-dollar" speeches.

Now, Mr. Chairman, it seems to me that every gentleman ought to preserve a reasonable degree of candor when discussing a matter like this. As I have already said, the increase of appropriations by the Fiftieth over the Forty-ninth Congress, chargeable to the Treasury, outside of pensions, for ordinary annual expenditures, was very nearly as much as the increase of the Fifty-first over the Fiftieth; and nobody ever charged the Democratic Fiftieth Congress as extravagant. Our friends on the other side were making a party issue on a principle then.

Mr. SAYERS. Will you allow an interruption?

Mr. DINGLEY. Certainly.

Mr. SAYERS. I believe the gentleman stated that both the Forty-ninth and Fiftieth Congresses were Democratic?

Mr. DINGLEY. I think I did.

Mr. SAYERS. That can not be so, for the Democrats did not have the Senate.

Mr. DINGLEY. I was referring, of course, to the House, which initiates appropriation bills.

Mr. SAYERS. Very well; and it will be found by examina-

tion that every single appropriation bill after it passed the House was increased by the Republican Senate.

Mr. REED. And do you remember that Senator Beck supported the increases? You remember that vigorous speech in which he lashed the Democracy?

Mr. SAYERS. I am not talking of speeches now. I am talking of the fact. I am calling the attention of the House to the fact that these increases were made by the Senate. But I am glad to see that the gentleman is getting aroused.

Mr. DINGLEY. My friend, the gentleman from Texas [Mr. SAYERS], is one of the fairest-minded men on that side of the House, and I respect him exceedingly, and he knows that when the House was Democratic and the Senate was Republican—and I do not know but it would be the same if the situation was reversed—we have seen the by-play of trying to escape responsibility for what the gentlemen controlling the House knew had got to be done by carefully appropriating here some millions of dollars less than they actually knew would be required, and giving as an excuse that the Senate would put it on.

Mr. SAYERS. That is merely your opinion. That is not the fact, but your opinion.

Mr. WALKER. And then they go over to the Senate and put it in.

Mr. DINGLEY. I have seen this performance too many times, and it would not surprise me if I were to see the same thing again. [Laughter on the Republican side.]

Now, Mr. Chairman, I want to say that in my judgment all this business is unworthy of statesmen to whom is committed the trust of caring for a great Government like this. I do not know when I have been more encouraged, and have felt more encouraged that we were indeed about to rise to the height of the occasion, than when I heard the gentleman from Georgia [Mr. BLOUNT] the other day, in response to a suggestion of wicked extravagance in postal expenditures, promptly respond, with the spirit of common sense and patriotism, that the expenditures have grown no more than the country has grown.

Mr. BOUTELLE. That was his former speech.

Mr. DINGLEY. That was worthy of the gentleman.

But, Mr. Chairman, I had begun to read a comparative statement of increase of appropriations. I will not take the time to read it in full. It is surprising, while they run on different items, how uniform the increases are. The increase of the Fiftieth over the Forty-ninth was $1,708,335 in the agricultural appropriation. The increase of the Fifty-first over the Fiftieth was $1,441,473; simply showing that neither increase was extravagant, but that it was merely following the growth of the country and of the interests of agriculture. Only half of the District of Columbia appropriations are paid by the United States.

Now, where did the great increase outside of the postal service come? It so happened that in the Fiftieth Congress there was but very little increase of appropriations for the Navy, because the new vessels had not been advanced sufficiently. It was in the Fifty-first Congress that there began to come upon us large bills for the new vessels that had been properly authorized by preceding Democratic Houses. Of course we did not pay for them or largely appropriate until they were in process of construction. We appropriated in the Fifty-first Congress $14,000,000 more for the Navy than the Fiftieth Congress did. It was not extravagance; it simply happened that the vessels came along so that we had to pay for them at that time. The vessels were not authorized by the Fifty-first Congress, they were authorized by preceding Congresses; and we simply followed, as every Congress will have to do, the practice of paying the bills as they mature, no matter who may have authorized them. Why, my friends, I do not charge upon the Democratic House of the Fiftieth Congress extravagance. And yet there was as much occasion to charge extravagance upon the Fiftieth Congress as the Fifty-first.

I think there was little in either. In some minor items there may always be extravagance; but in the main the House of that Congress was composed of as earnest, as honorable, and as statesmanlike men as any Congress that has assembled here. And so was the last Congress. I am aware that for partisan reasons its work was assaulted all along the line and misrepresented; but time will set all matters right. What our increases of appropriations outside of Navy were for may be stated in a nutshell. First there was $2,802,000 for fortifications. We had adopted the policy of preparing our coast for defense as a preparation for possible war and the best preventive of war. Was that wrong? Was that wicked? Was that extravagant? No one will pretend that it was. The fortification bill was passed by a substantially unanimous vote of this House.

There was an increase of $7,307,000 to carry out our treaties with the Indians. Part of this was necessitated by the ratification of certain treaties by which large quantities of the public lands were turned over to the nation. And while it appears now as an expenditure, most of it will be repaid by and by, by the sale of the public lands.

Mr. HENDERSON of Iowa. Repaid and more too.

Mr. DINGLEY. Yes, it will be repaid and more too, as suggested by the gentleman from Iowa. Yet that is one of the items about which some gentlemen, who have certain ends which I can not approve of in view, go around in chorus throughout the country and charge that the Fifty-first Congress was wickedly extravagant.

The increase of nearly three millions in the river and harbor bill, and over five millions including the Mississippi River appropriations in the sundry civil bill, were pressed and almost unanimously supported by our Democratic friends.

The only appropriations of the Fifty-first Congress which were opposed on the Democratic side were those to encourage the cultivation of sugar, to encourage the establishment of American steamship lines, and to refund the direct tax—and the latter received the support of even my friend from Indiana [Mr. HOLMAN], and would have been passed by the Fiftieth Congress had not filibustering prevented the majority from carrying out their wishes. As I have already said, the item of increase which most swelled the appropriations was that for pensions, caused largely by the disability pension bill. Let gentlemen who denounce the "billion-dollar" Congress for its wicked extravagance be frank, and distinctly say that what they complain of is the expenditure caused by the bill which pensions disabled soldiers in such straits that they are in danger of becoming, or already are, objects of charity.

Some of the increases appearing under the head of permanent appropriations—notably, over ten millions for repayments to importers for deposits and for drawbacks in excess of those made in 1889 and 1890—are not actual expenditures, but simply appear so because of the system of bookkeeping. Others, like the $14,258,497 for refunding of direct tax, and $1,120,082 rebate on tobacco tax, are in no sense current expenditures, but a just return of taxes paid into the Treasury. The $7,000,000 increase in appropriations for census is an inevitable additional expenditure, to be provided for by the Congress that exists in the census years. The $1,085,240 appropriated for judgments rendered by the Court of Claims in favor of the heirs of the French spoliation sufferers, is simply the payment of a long-deferred debt. In fact, nearly all the increase of appropriations by the Fifty-first Congress over the Fiftieth, outside of pensions, arises from unusual causes in no manner having reference to ordinary expenditures, and are due to the increase of the Navy, refunding of the district tax, payment of French spoliation claims, the census, and the bounty on sugar.

Mr. Chairman, I was very much amused awhile ago by the discussion as to whether there should be an appropriation for a new gas plant for the Military Academy. The gentleman from Alabama [Mr. WHEELER] in charge of the bill stated there was great necessity for the improvement of that plant, and that it would cost $50,000 to do it. Gentlemen began to declaim against such extravagance, and really I thought that some of them were about to ask whether we could not go back to tallow dips and reduce expenditures in that way. [Laughter on the Republican side.] Why, Mr. Chairman, this is indeed a great country, and the people of this country are not in favor of such a picayune method of dealing with the public expenditures as will lose money rather than save it.

There is a wise economy and an unwise economy. When the gentleman from Alabama [Mr. WHEELER] told the committee that by expending $50,000 on the gas plant at the Military Academy we would save from ten to twelve thousand dollars a year in our gas bills, it struck me that demonstrated that it was a measure of economy; and I supposed every gentleman would say, "Let us do it, for it gives us an interest of 20 per cent on our investment." But I soon discovered that gentleman were looking at something else than the public interest. They were looking at capital for an approaching election. They were thinking of what they could say upon the platform, and they were willing to damage the interests of this great nation if they could say that $50,000 had been apparently saved by withholding an appropriation, while we were losing $10,000 a year by refusing to give a public institution the best and most economical appliances.

Now, that is not economy, gentlemen. That is not the broad spirit with which this House should approach such a question as this. Gentlemen should approach it, not with a view of seeing how little they can spend without regard to the results, but when they do appropriate a dollar they should see that it is appropriated in such a way as to best promote the public service. If the House will do that, money expended wisely by way of taxation is as profitable an investment as any the American people can make.

Mr. Chairman, suppose in your municipalities and townships, where it is proposed to expend $5,000 or more to build a highway,

some one rises up and poses as an economist and says, "No; our people are poor. We can not afford good roads. Let us continue traveling over the corduroy roads that formerly existed." A citizen who had a particle of breadth of mind and foresight would reply, "Why, gentlemen, by expending $5,000 for this road we will so reduce the cost of transportation that our people at the end of each year, instead of being poorer, will be richer than ever before." The question should be whether or not the money is to be wisely expended for the public good, and not how much you can cut the figures down, by taking off this and that without regard to the benefits to be obtained by the expenditure. Let us act from broader and higher motives than these.

Gentlemen, a great deal has been said about the growth of the expenses of this country. They have grown. They have grown, first, because the country has increased rapidly in population; they have grown, secondly, because the business of the country has increased more rapidly than the population; they have grown because the Government has been doing more and more from year to year to increase the comfort and opportunities of our people; and they have grown more since 1861 because of the war of the rebellion, which we all so much regret.

Why, Mr. Chairman, I have here, culled from the expenditures of the last fiscal year, a statement of those that arose from the war of the rebellion. It is twenty-six years since the war closed, and yet last year we expended, aside from the reduction of the principal of the public debt, $184,000,000 for purposes that never would have existed if it had not been for the war of the rebellion. While the whole expenditures last year amounted to $355,000,000, or $5.45 per inhabitant, nearly $3 of that $5.45 was for purposes that grew out of the war of the rebellion. Here is the statement:

Expenditures in fiscal year 1891 for objects rendered necessary by the war of the rebellion.

For pensions and Pension Office	$129,475,963
For interest on war debt	38,030,108
For bounties	575,368
For national cemeteries	235,566
For artificial limbs and appliances	532,359
For maps of battlefield and Chickamauga Park	23,246
For publication Records of the War of the Rebellion	199,560
For national soldiers' homes	2,838,638
For support of national soldiers' homes and interest account	516,954
For refund to certain States expenses of volunteers	62,500
For horses and other property lost in service	79,306
For commutation of rations to prisoners of war	51,064
For stores and supplies taken by Army	75,481
Refund of direct tax	11,521,497
	184,217,621

Or nearly $3 per inhabitant.

There are other minor items, not included in the above, to be added that will make our expenditures on account of the war of the rebellion last year full $3 per inhabitant. That is, while the expenditures of the Government for 1891 and 1892, under what gentlemen on the other side call "the billion-dollar Congress," are about seven hundred millions, at least three hundred and seventy millions of this sum are necessitated by expenditures forced upon the country by secession.

Now, the gentleman from Georgia [Mr. LIVINGSTON] the other day in debate said, that in 1859 our expenses were about $2 per inhabitant, but that now, under Republican rule, they are $6 per inhabitant. The exact per capita expenditure last year was $5.45 per inhabitant. Let my friend bear in mind, and tell his Georgia constituents when he returns home, that of this $5.45, $3 came from the war of the rebellion, leaving about $2.45 per inhabitant for all other purposes. Well, now, how small an increase—45 cents per inhabitant—is this, when you come to get at the facts?

Now, it seems to me, Mr. Chairman, that when we come to realize that this Government has inevitably in the growth of population, business, and civilization broadened out and become a mighty power, we must see that necessarily this growth has caused an increase of expenditures, and wisely, too. We expend a million dollars in the Life-Saving Service. We did not do that before the war. We did not spend anything then, but left the poor sailors wrecked upon the coast to their own fate, and took no steps for the preservation of their lives. We spend a million dollars for that purpose now. We spend millions for other public objects, such as agricultural experiment stations, colleges of agriculture, improvement of rivers and harbors, light-houses, etc. Is it wrong? I believe that is in accordance with the civilization of the age and the highest practical wisdom, and when gentlemen talk about going back they forget that we have all grown. The nation has grown, our business has grown, our industries have grown, our store of learning has grown, and we have become a great nation and a people whose equal in all respects is not to be found on the face of the earth.

Now, Mr. Chairman, in approaching the subject of appropriations—for this Military Academy bill is the first general appropriation bill—it seems to me that we ought to approach it as statesmen and patriots, and not with any low hustings motives. We are charged with the best interests of the nation, and if we do not fulfill our trusts, appropriating wisely where appropriation will be wise, I am sure that history will record that we have been faithless to the responsibilities put upon us. Let us rise to the height of the occasion. Wherever there is a dollar improperly spent let it be cut off; but wherever there is an important public object to be furthered like that to which the bill which is now pending applies, the work of appropriately providing for our great Military Academy—the Military Academy which has been the nursery of so many heroes in the past, and to which we must look in the future whenever peril threatens us—whenever, I say, any meritorious public object is to be advanced, let us do our duty.

Let us be statesmen in this matter and cease this bickering as to whether this Congress or that Congress has spent a dollar more or a dollar less than some other. There must necessarily be variations in appropriations from year to year. I take it that one side of this House is as desirous of avoiding improper appropriations as the other side. It is not a partisan question. Let us strip it of partisanship and approach this subject in the spirit in which it should be considered; for I am sure, Mr. Chairman, that if we do so we shall cease such unprofitable criticism as has already been made on this and that item, and shall be willing to vote a reasonable sum for the protection and the promotion of the interests of this nation, the greatest nation upon the face of the earth, a nation that, in the lifetime of some gentlemen now on this floor, is to number a population of more than one hundred millions of people; a nation that stands for all that is noble, for all that relates to the advancement of human liberty; a nation that is the hope of the world. [Prolonged applause on the Republican side.]

The tables referred to in the above speech are as follows:

A.—*Appropriations of the Fifty-first Congress for fiscal years 1891 and 1892.*

Regular annual appropriations for two years	$764,301,922
Deduct deficiencies appropriated for 1890	38,617,448
	725,684,474
Add estimated deficiency to be appropriated for 1892	2,500,000
	728,184,474
Deduct excess of pension appropriation beyond requirements for 1892	10,000,000
	718,184,474
Add permanent and indefinite appropriations, estimated at $275,166,193, less $39,553,298 for estimated payments on account bank redemption fund	235,612,895
	953,797,369
Deduct $98,030,295 for estimated requirements of sinking fund for 1891 and 1892, which is simply a reduction of principal of debt, and $136,931,785 for appropriations for postal service, paid by postal revenue	234,962,080
Net appropriations for Government expenditures to be paid from Treasury, 1891 and 1892	718,835,289
Appropriations for pensions, 1891 and 1892	253,007,844
Net appropriations, less pensions, 1891 and 1892	465,825,445

B.—*Appropriations of the Fiftieth Congress for fiscal years 1889 and 1890.*

Regular annual appropriations for two years	$593,632,004
Deduct deficiencies appropriated for 1889	19,563,383
	574,068,621
Add deficiency appropriated by Fifty-first Congress for 1890	38,617,448
	612,686,069
Add permanent and indefinite appropriations	200,514,420
	813,200,489
Deduct $78,914,012 for sinking fund for 1889 and 1890, and $117,057,708 for postal service, paid by postal revenue	195,976,720
Net appropriations for Government expenditures to be paid from the Treasury, 1889 and 1890	617,223,769
Deduct appropriations for pensions, 1889 and 1890	196,839,307
Net appropriations, less pensions, 1889 and 1890	420,384,462
Increase of net appropriations, Fifty-first Congress over Fiftieth Congress	101,611,520
Increase of appropriations for pensions	56,168,537
Increase net appropriations, outside of pensions	45,442,983

C.—*Expenditures for fiscal years 1889 to 1892, inclusive.*

1889 and 1890, Fiftieth Congress	$579,732,102
1891 and 1892, Fifty-first Congress	693,372,684
Total expenditures, 1891 and 1892 in excess of 1889 and 1890	113,640,582
Total expenditures, 1891 and 1892, outside of pensions in excess of 1889 and 1890	68,786,285

Mr. OUTHWAITE. Mr. Chairman, I desire to say a few words upon the merits of this bill, but I desire more to proceed

to the consideration of the bill under the five-minute rule, and probably I shall then have an opportunity of submitting what I wish to state. I therefore ask unanimous consent that general debate be closed at this time, and that the committee proceed to consider the bill by paragraphs under the five-minute rule.

The CHAIRMAN. The gentleman from Ohio [Mr. OUTHWAITE] asks unanimous consent that general debate be now closed. Is there objection?

Mr. WALKER. I certainly object, and I hope there will be more opportunity given for general debate on the bill itself.

Mr. OUTHWAITE. There will be an opportunity under the five-minute rule.

Mr. WALKER. But I shall speak more than five minutes on this bill.

Mr. OUTHWAITE. Well, I will see that the gentleman has a reasonable time.

Mr. WALKER. I move that the committee do now rise.

Mr. OUTHWAITE. I have the floor, Mr. Chairman.

The CHAIRMAN. The question is upon the request of the gentleman from Ohio [Mr. OUTHWAITE] for unanimous consent that general debate now close.

Mr. WALKER. I object.

Mr. OUTHWAITE. Mr. Chairman, I move that the committee rise, for the purpose of limiting general debate.

The motion was agreed to.

The committee accordingly rose; and, the Speaker having resumed the chair, Mr. MCCREARY, from the Committee of the Whole House on the state of the Union, reported that they had had under consideration the Military Academy bill, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its secretaries, announced that the Senate had passed the bill (S. 2056) to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to steamers plying exclusively upon any of the lakes, bays, or sounds of the United States; in which concurrence was requested.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. OUTHWAITE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of House bill No. 4636, making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1893, and for other purposes; and, pending that, I move that general debate thereon be limited to thirty minutes.

Mr. WALKER. Mr. Speaker, I hope the gentleman will allow more time for general debate, and that we shall have it in the morning.

Mr. OUTHWAITE. There have been three hours allowed for general debate, and only about one-third of that time has been devoted to this bill.

Mr. BUCHANAN of New Jersey. That is a large proportion. [Laughter.]

The motion of Mr. OUTHWAITE, limiting general debate to thirty minutes, was then agreed to.

The SPEAKER. The question now is on the motion of the gentleman from Ohio, that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the bill indicated by him.

Mr. OUTHWAITE. Mr. Speaker, pending that, I move that the House do now adjourn.

The motion was agreed to; and the House accordingly (at 5 o'clock and 13 minutes p. m.) adjourned.

BILLS AND JOINT RESOLUTIONS.

Under clause 3 of Rule XXII, bills and joint resolutions of the following titles were introduced and severally referred as follows:

By Mr. ENLOE: A bill (H. R. 5671) to reclassify and prescribe the salaries of railway postal clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. WILSON of Kentucky: A bill (H. R. 5672) to construct a macadamized road from the town of Somerset, Pulaski County, to the national cemetery at Logans Cross Roads—to the Committee on Military Affairs.

By Mr. HAYNES: A bill (H. R. 5673) to amend section 3117 of the Revised Statutes of the United States, in relation to the coasting trade on the Great Lakes—to the Committee on Interstate and Foreign Commerce.

By Mr. DIXON: A bill (H. R. 5674) to amend sections 2474 and 2475 of the Revised Statutes of the United States, setting apart a certain tract of land lying near the headwaters of the Yellowstone River as a public park—to the Committee on the Public Lands.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 5675) to reduce the rate of postage on letters written by the blind—to the Committee on the Post-Office and Post-Roads.

By Mr. TAYLOR of Illinois: A bill (H. R. 5676) admitting the Quincy stub identification receipt blank to the mails of the United States for the same postage as that charged on postal cards—to the Committee on the Post-Office and Post-Roads.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 5677) to provide for military telegraph lines—to the Committee on Military Affairs.

By Mr. COMPTON (by request): A bill (H. R. 5678) relating to the office of recorder of deeds in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RAY: A bill (H. R. 5679) to provide for a settlement with the Indians who were parties to and beneficiaries under the treaty concluded at Buffalo Creek, in the State of New York, January 15, 1838, for the unexecuted stipulations of that treaty—to the Committee on Indian Affairs.

By Mr. WATSON: A bill (H. R. 5680) to regulate the employment of certain persons to do the work of guards, etc., and for other purposes—to the Committee on the Judiciary.

By Mr. OATES: A bill (H. R. 5682) to exempt surgical instruments from import duties and to place the same upon the free list—to the Committee on Ways and Means.

By Mr. SIMPSON: A bill (H. R. 5683) for relief of certain settlers within what was formerly the Fort Dodge military reservation, in Ford County, Kans., and to confirm entries of public lands erroneously allowed thereon—to the Committee on Military Affairs.

By Mr. TARSNEY: A bill (H. R. 5684) to authorize the Denison and Northern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. CAMPBELL: A bill (H. R. 5685) to incorporate the Metropolitan Gaslight and Fuel Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. MCKINNEY: A bill (H. R. 5686) to establish an intermediate rate of pension between $30 and $72 per month—to the Committee on Invalid Pensions.

By Mr. BABBITT: A joint resolution (H. Res. 84) proposing as amendment to the Constitution so as to permit the choosing of United States Senators by a direct vote of the people when any State shall so elect—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

PRIVATE BILLS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. ALLEN: A bill (H. R. 5687) for the relief of Lindsey Stout, administrator of Joseph Stout, deceased—to the Committee on War Claims.

By Mr. ARNOLD (by request): A bill (H. R. 5688) granting an increase of pension to Henry W. Hahs—to the Committee on Invalid Pensions.

Also (by request) a bill (H. R. 5689) granting a pension to George B. Stone—to the Committee on Invalid Pensions.

By Mr. BLANCHARD: A bill (H. R. 5690) for the relief of Katherine E. Thomas, legal representative of George C. Thomas—to the Committee on Claims.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 5691) for the relief of Parketta S. Goins—to the Committee on War Claims.

By Mr. BRETZ: A bill (H. R. 5692) to increase the pension of John C. L. Campbell—to the Committee on Invalid Pensions.

By Mr. COMPTON (by request): A bill (H. R. 5693) for the relief of John Webster, of Washington City, D. C.—to the Committee on the District of Columbia.

Also, a bill (H. R. 5694) for the relief of the estate of Jerome C. Berry, deceased—to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 5695) for the relief of Zadock M. Waters—to the Committee on War Claims.

Also, a bill (H. R. 5696) to provide for the payment of the outstanding claim of the heirs of Richard B. Mason, deceased, late of Virginia, against the United States—to the Committee on Claims.

By Mr. COOMBS: A bill (H. R. 5697) for the relief of Julius A. Kaiser—to the Committee on Naval Affairs.

Also, a bill (H. R. 5698) for the relief of Capt. John T. Bruen, late of Tenth Independent Battery New York Volunteers—to the Committee on Claims.

By Mr. COOPER: A bill (H. R. 5699) for the relief of Sylvester Nation—to the Committee on Pensions.

Also, a bill (H. R. 5700) for the relief of James P. Catterson—to the Committee on War Claims.

By Mr. COX of Tennessee: A bill (H. R. 5701) for the relief of Mrs. Sarah J. Waggoner—to the Committee on Invalid Pensions.

By Mr. ENGLISH: A bill (H. R. 5702) granting an honorable discharge to Patrick Kelly—to the Committee on Naval Affairs.

By Mr. FITHIAN: A bill (H. R. 5703) granting pension to John W. Obrist—to the Committee on Invalid Pensions.

By Mr. FUNSTON: A bill (H. R. 5704) to remove charges of absence without leave standing against Henry C. Seaman—to the Committee on Military Affairs.

By Mr. HARTER: A bill (H. R. 5705) to increase the pension of Amelia Graham—to the Committee on Pensions.

By Mr. HOUK of Tennessee (by request): A bill (H. R. 5706) authorizing the President to take action on certain bills favorably reported in either House of Congress—to the Committee on Claims.

By Mr. HAYNES: A bill (H. R. 5707) for the relief of Augusta Cooper—to the Committee on Invalid Pensions.

By Mr. HENDERSON of Iowa: A bill (H. R. 5708) granting a pension to George W. Jones—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 5709) granting a pension to Jane House—to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 5710) to correct the military record of John Russell, jr.—to the Committee on Military Affairs.

Also, a bill (H. R. 5711) for relief of James O. Bryant, of Johnson County, Ky.—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 5712) for the relief of Riley Moutrey—to the Committee on Claims.

By Mr. LITTLE: A bill (H. R. 5713) to remove the charge of desertion from the military record of Alfred Carlen—to the Committee on Military Affairs.

By Mr. LAYTON: A bill (H. R. 5714) for the relief of Thomas A. McLaughlin—to the Committee on Military Affairs.

By Mr. McRAE (by request): A bill (H. R. 5715) for the relief of Robert Burton—to the Committee on Military Affairs.

By Mr. MEREDITH: A bill (H. R. 5716) to compensate Arthur M. Chichester and W. B. Chichester, heirs of Mary Chichester, for her house burned by Federal troops in 1862—to the Committee on War Claims.

Also, a bill (H. R. 5717) for relief of Washington Haines, a loyal citizen of Loudoun County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5718) for the relief of John L. Moore's executrix—to the Committee on War Claims.

By Mr. McKINNEY (by request): A bill (H. R. 5719) for the relief of Harriet W. Shacklett—to the Committee on War Claims.

By Mr. McCREARY: A bill (H. R. 5720) for the relief of John C. Maxwell, of Boyle County, Ky.—to the Committee on War Claims.

By Mr. McCLELLAN: A bill (H. R. 5721) granting a pension to Samuel Emmet—to the Committee on Invalid Pensions.

By Mr. MOSES: A bill (H. R. 5722) increasing the pension of Meridy Smith, a Revolutionary pensioner—to the Committee on Pensions.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 5723) for the relief of Mary C. Winslow—to the Committee on Invalid Pensions.

By Mr. OTIS: A bill (H. R. 5724) granting a pension to A. H. Aldrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5725) granting a pension to Joseph Noggle—to the Committee on Invalid Pensions.

By Mr. PRICE: A bill (H. R. 5726) to authorize the Lake Charles Road and Bridge Company, of Lake Charles, La., to construct and maintain bridges across English Bayou and Calcasieu River—to the Committee on Interstate and Foreign Commerce.

By Mr. RAYNER: A bill (H. R. 5727) granting an increase of pension to Sarah J. Cahill—to the Committee on Pensions.

Also, a bill (H. R. 5728) granting an increase of pension to Emily Williams—to the Committee on Pensions.

Also (by request), a bill (H. R. 5729) for the relief of John M. Robinson—to the Committee on Claims.

By Mr. SIMPSON: A bill (H. R. 5730) pensioning John R. Lee—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois (by request): A bill (H. R. 5731) for the relief of David C. Thompson—to the Committee on Military Affairs.

Also, a bill (H. R. 5732) for the relief of William F. Wilson—to the Committee on Claims.

By Mr. STEWART of Texas: A bill (H. R. 5733) authorizing the Postmaster-General, in the settlement of the accounts of John McBride as postmaster at Woodville, Tex., to credit said McBride with certain money lost in the mail—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 5734) granting a pension to Eliza M. Boatright, the surviving widow of Alexander M. Boatright, who was a soldier in the Black Hawk war—to the Committee on Pensions.

Also, a bill (H. R. 5735) granting an increase of pension to Jesse J. Jurgins, a soldier in the war with Mexico—to the Committee on Pensions.

By Mr. WILLIAM A. STONE: A bill (H. R. 5736) to extend the provisions of the act entitled "An act referring the claim of the owners of the steamer I. N. Bunton to the Court of Claims," approved March 2, 1889, to the claims arising out of the loss of life on said steamer—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5737) for the relief of John H. Humphrey—to the Committee on Military Affairs.

Also, a bill (H. R. 5738) granting a pension to Mary P. Watters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5739) to increase the pension of A. J. Cowan—to the Committee on Pensions.

Also, a bill (H. R. 5740) to increase the pension of William Duckworth—to the Committee on Pensions.

By Mr. WILSON of West Virginia: A bill (H. R. 5741) for the relief of the minor heirs of John W. Coonts, deceased—to the Committee on Invalid Pensions.

By Mr. YOUMANS: A bill (H. R. 5742) to grant an honorable discharge to Caleb Woolpert—to the Committee on Military Affairs.

Also, a bill (H. R. 5743) to grant an honorable discharge to Frederick Stewart—to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. ENLOE, from the Committee on War Claims: A bill (H. R. 5467) for the relief of William F. Gibson (Report No. 238), with the following resolution as a substitute:

Resolved, That the bill (H. R. 5467) entitled "A bill for the relief of William F. Gibson," now pending in the House, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," to find and report to the House of Representatives the facts bearing upon the merits of the claim, including the loyalty of the claimant, and all other facts contemplated by the provisions of said act.

By Mr. HOUK of Tennessee, from the Committee on War Claims:

A bill (H. R. 1405) to grant relief to Francis A. Bliss, only surviving child and heir of William Bliss, deceased. (Report No. 239.)

A bill (H. R. 1018) for the relief of Alfred Smith. (Report No. 240.)

By Mr. ENLOE, from the Committee on War Claims:

A bill (H. R. 775) for the relief of Emma C. Lovelace and Stephen D. Clark. (Report No. 241.)

A bill (H. R. 2692) to provide for the settlement of claims of officers and crews of the Navy to certain moieties, and conferring jurisdiction on the Court of Claims to hear and determine the same. (Report No. 242.)

By Mr. WINN, from the Committee on War Claims:

A bill (H. R. 2556) for the relief of estate of Frank H. Nichols, deceased. (Report No. 243.)

A bill (H. R. 3505) for the relief of Benjamin F. Rodgers. (Report No. 244.)

By Mr. COWLES, with an amendment, from the Committee on Mines and Mining: A bill (H. R. 1169) to submit to the Court of Claims the title of William McGarrahan to the rancho Panoche Grande, in the State of California, and for other purposes. (Report No. 245.)

By Mr. PARRETT, from the Committee on Pensions: A bill (H. R. 3885) to increase the pension of George R. Allen. (Report No. 247.)

RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolutions were introduced and referred as follows:

By Mr. BUSHNELL:

Resolved by the House of Representatives (the Senate concurring), That this first session of the Fifty-second Congress will adjourn without day on Tuesday, the 31st day of May next, at 2 o'clock p. m., and that when that hour arrives the President of the Senate and the Speaker of the House of Representatives, as to their respective Houses, shall so declare—

to the Committee on Rules.

Also:

Resolved, That a special committee of this House to consist of nine members, be appointed to investigate, ascertain, and report, as soon as may be, whether any classes or articles of United States manufactures are sold in foreign countries cheaper than the same classes or articles of manufacture are sold to our own citizens; and if so, what, and the reasons therefor—

to the Committee on Rules.

By Mr. BURROWS:

Resolved, That there be printed 20,000 copies of the annual message of the President of the United States for the use of the House of Representatives—

to the Committee on Printing.

By Mr. DOCKERY:

Resolved, That the Committee on Judiciary be, and they are hereby, directed to inquire and report whether, under the act entitled "An act to provide for the resumption of specie payments," approved January 14, 1875, the Secretary of the Treasury has the right to use the proceeds of any moneys in the Treasury arising from the sale of bonds or otherwise, as authorized under section 3 of said act, for any purposes other than those mentioned in said section 3—

to the Committee on Rules.

By Mr. SEERLEY:

Resolved, That the Doorkeeper of the House be, and he is hereby, authorized to employ fifteen additional folders in the folding room of the House for the purpose of folding public documents, at a compensation at the rate of $60 each per month, to be paid out of the contingent fund of the House; provided that all such employés shall be dropped from the rolls of the Doorkeeper at a period not later than one month from the expiration of the present session of Congress—

to the Committee on Accounts.

By Mr. WIKE: Resolutions declaratory of some of the principles governing just taxation, and instructing the Committee on Ways and Means to report a bill or bills enlarging the free list and reducing compensatory, specific, and ad valorem tariff duties; and also to report a bill to levy a graduated income tax on all incomes in excess of $5,000, to meet any increased demands of the Treasury arising from any such reduction of tariff duties, or from any other cause whatever—to the Committee on Ways and Means.

CHANGES OF REFERENCE.

Under clause 2 of Rule XXII, committees were severally discharged from the consideration of the following bills and memorials; which were respectively re-referred as follows:

A bill (H. R. 5210) for the relief of J. E. Coburn—Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 5166) to refund certain import duties on steamship appliances to Oelrichs & Co. for North German Lloyd Steamship Company—Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 5084) authorizing the refunding of duty on a clock and chime of bells for St. Timothy's Church, of Catonsville, Baltimore County, Md.—Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 650) to refund certain taxes collected by the United States on raw cotton during the years 1863, 1864, 1865, 1866, 1867, and 1868—Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 1635) for the relief of Ames & Detrick, of San Francisco, in the State of California—Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 3231) for the relief of A. Cusimano & Co.—Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 4775) to refund certain duties on wreckage collected at San Francisco—Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 3244) referring to the Court of Claims claim for moneys paid as customs duties and as internal-revenue taxes on cigars imported from the island of Cuba by Francis A. Gonzales and by Francis A. Gonzales and Antonio Gonzales—Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 4875) granting a pension to Margaret Hyatt—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BERGEN: Resolution of Haddon Grange, Patrons of Husbandry, Camden County, N. J., urging the passage of the option bill—to the Committee on Agriculture.

Also, resolution of Haddon Grange, Patrons of Husbandry, of Camden County, N. J., asking free delivery of mail in rural districts—to the Committee on the Post-Office and Post-Roads.

By Mr. BLANCHARD: Petition of the patrons of the Bermuda post-office of Louisiana, for increased compensation to the postmaster there—to the Committee on the Post-Office and Post-Roads.

By Mr. BLOUNT: Papers in the claim of James R. Thompson of Wilkinson County, Ga., of Creed T. Wise of Butts County, and of William H. Whitehead, trustee for Mary L. Whitehead and others—to the Committee on War Claims.

By Mr. BOUTELLE: Petition of Mary L. Longfellow and others of Maine against the exportation of alcoholic liquors from the United States to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BRANCH: Papers in the claim of John Brady of Gatesville, N. C., of George W. Wescott of Dare County, of T. H. Russell of Gates County, and of John S. McCoy of Camden County—to the Committee on War Claims.

By Mr. BRECKINRIDGE of Arkansas: Petition of 23 citizens of Redfield, Ark., in favor of the improvement of the Arkansas River—to the Committee on Rivers and Harbors.

Also, papers in the claim of Isaac C. Askillen, of Arkansas—to the Committee on War Claims.

By Mr. BUCHANAN of New Jersey: Petition of Rev. O. W. Wright, of New Jersey, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Medford Grange, No. 36, of Burlington County, N. J., in favor of the Butterworth option bill and the Conger lard bill—to the Committee on Agriculture.

By Mr. CAPEHART: Petition for relief of Martin Parks—to the Committee on Military Affairs.

By Mr. COBB of Missouri: Memorial for the improvement of Eighth and Ninth Streets, abutting property owned by the United States Government, with granite blocks—to the Committee on Claims.

By Mr. COOPER: Papers of George Marshall, of Nashville, Ind., to accompany House bill for increase of pension—to the Committee on Pensions.

Also, petition of Private Ren, crippled son of James O. Lawless—to the Committee on Invalid Pensions.

By Mr. CULBERSON: Papers in the claim of John M. Aycock, of Gordon County, Ga.—to the Committee on War Claims.

By Mr. DICKERSON: Papers relating to and to accompany a bill granting a pension to David E. Redmon, of Kentucky—to the Committee on Invalid Pensions.

By Mr. DOAN: Resolution of the Ohio State board of health, urging the adoption of measures to establish a national department of public health, and the appointment of a medical secretary of health—to the Committee on Interstate and Foreign Commerce.

By Mr. DOCKERY: Petition of George Bram and others, asking for relief—to the Committee on Invalid Pensions.

By Mr. EVERETT: Papers in the claim of Mary H. Burge, of Floyd County, Ga.; of John Scott, of Hugh R. Love, of Catoosa County, Ga., and of William Henry, administrator of Joshua Gob—to the Committee on War Claims.

By Mr. FELLOWS: In the matter of the application of Mrs. Mary C. Murray, to accompany House bill 5370, for arrears of pension, with official documents relating to the war record of Gen. Edward Murray—to the Committee on Invalid Pensions.

By Mr. FITCH: Petition of Michael Pfoertner, for removal of the charge of desertion and for an honorable discharge, to accompany House bill 2966—to the Committee on Military Affairs.

Also, petition for the relief of Christiana Flockin—to the Committee on Invalid Pensions.

By Mr. FITHIAN: Papers to accompany House bill granting a pension to John W. Obrist, of Marshall, Ill.—to the Committee on Invalid Pensions.

By Mr. FLICK: Petition of A. Hamilton and others, of Decatur County, Iowa, in favor of the antioption bill—to the Committee on Agriculture.

By Mr. GEISSENHAINER: Petition of Louis V. Bomford, for a pension—to the Committee on Invalid Pensions.

By Mr. GEARY: Petition of Cornelius D. Hughes, for increase of pension—to the Committee on Pensions.

By Mr. GORMAN: Papers relating to pension claim of Mrs. E. M. Banister, army nurse, to accompany House bill 5509—to the Committee on Invalid Pensions.

Also, petition of 23 citizens of North Adams, Mich., for 1-cent postage—to the Committee on Coinage, Weights, and Measures.

By Mr. GRADY: Papers in the claim of Kinchen Pemmington, of Wayne County, N. C., and of Eliza Musgroove—to the Committee on War Claims.

By Mr. HALL: Papers to accompany House bill in regard to the desertion of Benjamin Cornwall—to the Committee on Military Affairs.

By Mr. HENDERSON of North Carolina: Papers in the claim of John Miller, of Davidson County, N. C.—to the Committee on War Claims.

By Mr. HENDERSON of Iowa: Petition of 32 citizens of Black Hawk County, Iowa, urging the passage of the Butterworth bill, defining options, futures, etc.—to the Committee on Agriculture.

By Mr. JOHNSON of North Dakota: Petition for the repeal of the Yosemite National Park law—to the Committee on the Public Lands.

By Mr. KEM: Two petitions of citizens of Nebraska, one from

Holt and the other from Custer County, praying for the free delivery of mails in country precincts—to the Committee on the Post-Office and Post-Roads.

Also, six petitions of citizens of Sheridan, of Madison, of Cedar, of Buffalo, of Cuming, of Cheyenne, and Keith Counties, Nebr., praying for the passage of the Conger lard bill—to the Committee on Agriculture.

Also, eleven petitions of citizens of Nebraska, praying for the passage of the Butterworth option bill—to the Committee on Agriculture.

Also, two petitions of citizens of the United States, for the same purpose—to the Committee on Agriculture.

By Mr. LANHAM: Memorial of citizens of Val Verde County, Tex., asking for the establishment of a four-company military post at Del Rio, Tex.—to the Committee on Military Affairs.

By Mr. LAYTON: Petition of D. S. Moore and 36 other citizens of Hardin County, Ohio, praying for the passage of a law prohibiting gambling in agricultural products—to the Committee on Agriculture.

Also, of John Conway, of Cold Springs, Cal., for the repeal of the Yosemite National Park law—to the Committee on the Public Lands.

By Mr. LESTER of Virginia: Papers in the claim of Henry Fields and Alfred Sherman, of Chatham County, Ga.—to the Committee on War Claims.

By Mr. LIVINGSTON: Papers in the claim of Charles L. Bawker, of Newton County, Ga.—to the Committee on War Claims.

By Mr. MCKEIGHAN: Petition of citizens of Franklin County, Nebr., praying for the passage of the Conger lard bill—to the Committee on Agriculture.

Also, petition of citizens of Furnas County, praying for the passage of a law to prevent dealing in options—to the Committee on Agriculture.

Also, petition of 64 citizens of Franklin County, Nebr., praying for a law to prevent dealing in options—to the Committee on Agriculture.

By Mr. MEREDITH: Petition of John W. Elgin, of Prince, William County, Va., praying for the reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

Also, petition of John H. Grump, of Fauquier County, Va., praying that his war claim be referred to the Court of Claims under the provisions of the act of March 3, 1883, commonly called the Bowman act—to the Committee on War Claims.

By Mr. MEYER. Papers in the claim of Eliza E. Phillips and others—to the Committee on War Claims.

By Mr. PARRETT: Protest of 59 citizens of Princeton, Ind., against opening the Columbian Exposition on the Sabbath, with reasons thereon—to the Select Committee on the Columbian Exposition.

By Mr. PEEL: Papers in the claim of John Johnson, by J. J. Johnson, of Washington County, Ark., and of Elum Carter—to the Committee on War Claims.

By Mr. PRICE: Papers in the claim of Celestin T. Carlin, of St. Mary's Parish, La.—to the Committee on War Claims.

By Mr. RAINES: Petition of the United Presbyterian Church of Towlesville, N. Y., against opening the World's Columbian Exhibition on Sunday, and against the sale of liquors on the grounds—to the Select Committee on the Columbian Exposition.

By Mr. ROBINSON of Pennsylvania: Petition to repeal the Yosemite National Park law passed by the late Congress of the United States—to the Committee on Public Buildings and Grounds.

By Mr. RUSK: Paper to accompany House bill 5641—to the Committee on War Claims.

Also, papers to accompany House bill for the relief of Mrs. Jennie Turnt—to the Committee on Military Affairs.

By Mr. SCULL: Eight petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. SEERLEY: Petition of the Young People's Society of Christian Endeavor of Linton, Iowa, in reference to closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. STEWART of Texas: Petition of the voters of Newton, of Sabine, of Marion, of Red River, of Panola, and of Shelby Counties, Tex., and of Vernon Parish, La., asking for an appropriation of $50,000 for the improvement of navigation in Sabine River, Louisiana and Texas—to the Committee on Rivers and Harbors.

Also, petition of the voters of Sabine, Marion, Red River, Shelby, Panola, and Newton Counties, Tex., and of Sabine, Calcasieu, and Vernon Parishes, La., asking for a survey, etc., of Sabine Lake—to the Committee on Rivers and Harbors.

Also, petition of the voters of Newton, of Sabine, of Panola, of Shelby, and of Marion Counties, Tex., and of the parishes of Vernon, of Sabine, of Calcasieu, and of Nacogdoches, La., asking for an appropriation for deep water at Sabine Pass—to the Committee on Rivers and Harbors.

Also, petition of the voters of Orange County, Tex., asking for an appropriation for deep water at Sabine Pass—to the Committee on Rivers and Harbors.

Also, petition of Orange County, asking an appropriation of $50,000 for the improvement of navigation in Sabine River, Louisiana and Texas—to the Committee on Rivers and Harbors.

Also, petition asking that an appropriation be made for Sabine River, Tex.—to the Committee on Rivers and Harbors.

Also, petition of the voters of Orange County, Tex., asking for a survey, etc., of Sabine Lake—to the Committee on Rivers and Harbors.

By Mr. STOCKDALE: Papers in the claim of James A. G. Winston, of Adams County, Miss.—to the Committee on War Claims.

By Mr. TILLMAN: Memorial of the County Alliance of Richland County, S. C., praying the enactment of the Butterworth option bill into law, to prohibit future speculation in agricultural products—to the Committee on Agriculture.

By Mr. TUCKER: Papers in the claim of Jacob Myers, of Augusta County, Va.; of Andrew J. Palmer, of Augusta County; of Hamed W. Cangee, of W. D. Erving, and of Jacob Bowman—to the Committee on War Claims.

By Mr. WASHINGTON: Papers to accompany the petition of William Denike—to the Committee on War Claims.

Also, petition of William Denike, Robertson County, Tenn., for reference of his case to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. WHEELER of Alabama (by request): Papers for the relief of George Tait—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: Claim of William Duckworth—to the Committee on Pensions.

Also, papers in the case of J. T. Cowan—to the Committee on Pensions.

Also, papers in the claim of George L. Frymire—to the Committee on Invalid Pensions.

By Mr. WINN: Papers in the claim of Richard Maeger, a Cherokee County, Ga.—to the Committee on War Claims.

By Mr. WISE: Petition for the relief of the depositors of the Freedman's Saving Bank and Trust Company—to the Committee on Claims.

By Mr. WRIGHT: Petition of citizens of Rome, Bradford County, Pa., against Sunday opening of the World's Fair—to the Select Committee of the Columbian Exposition.

Also, memorial of the Young People's Society of Christian Endeavor of Canton, Pa., against exportation of intoxicating liquors to Africa—to the Select Committee on the Alcoholic Liquor Traffic.

SENATE.

WEDNESDAY, *February 10, 1892.*

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a draft of a bill to amend an act amending chapter 67, volume 23, of the Statutes at Large of the United States, with reference to the retirement of enlisted men of the Army from active service; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 497) to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin; and

A bill (H. R. 3927) to amend "An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice-President," approved January 19, 1886.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a communication from the Secretary of War transmitting a letter of the 3d instant from

Col. L. L. Livingston, Third Artillery, inclosing a communication from Lieut. C. W. Hobbs, Third Artillery, setting forth objections to the proposed change from regimental to lineal promotion as working injustice to the older first lieutenants of artillery who saw service during the rebellion; and also a letter from Lieut. L. D. Green, Seventh Infantry, on the same subject; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. WILSON presented the petition of John Conway, of Cold Springs, Mariposa County, Cal., praying for the repeal of the Yosemite National Park law; which was referred to the Committee on Public Lands.

Mr. CASEY presented a memorial of the Minneapolis (Minn.) Clearing House Association and a memorial of the Minneapolis (Minn.) Business Union, remonstrating against the passage of Senate bill 685, known as the Washburn option bill; which were referred to the Committee on the Judiciary.

Mr. DOLPH presented a petition of the Coos Bay Board of Trade, of Oregon, praying that liberal appropriations be made for the continuance of the work for the improvement of the harbor of Coos Bay; which was referred to the Committee on Commerce.

Mr. MANDERSON presented a petition of Cheyenne County, Nebr., praying for the passage of the bill known as the Butterworth option bill; which was referred to the Committee on the Judiciary.

Mr. ALLISON presented the petition of G. N. Hauser and other citizens of Gowrie, Iowa, and the petition of Charles Burk and other citizens of Johnson County, Iowa, praying for the passage of what is commonly known as the option bill; which were referred to the Committee on the Judiciary.

Mr. FAULKNER. I present a memorial of the Legislative Assembly of the Territory of Utah to the Senate and House of Representatives. As I understand that it is usual for memorials from Legislatures to be printed in the RECORD, I ask that this memorial be printed in the RECORD, and referred to the Committee on Territories.

The memorial was referred to the Committee on Territories, and ordered to be printed in the RECORD, as follows:

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

We your memorialists, the Legislative Assembly of the Territory of Utah, respectfully represent:

Utah contains an aggregate wealth of more than $200,000,000. The proceeds of her farms, live stock, mines, and manufactures for the year 1890 amounted to $23,000,000.

She has near a quarter of a million of civilized people who, in point of intelligence, industry, and all the essential qualities of good citizenship, are up to the standard of any American community. Polygamy, once practiced by a small portion of her people, has yielded to the supremacy of the law by a sense of the evils flowing from it and of the utter futility of further attempting to maintain an institution obnoxious to general public sentiment.

In the midst of wonderful material progress her people have recently turned their attention to the study of questions of government and legitimate politics and are espousing the cause of one or the other of the national parties.

These new conditions have come naturally and honestly, and for the future are absolutely secure. A patriotic people are pledged to their preservation. Retrogression, involving, as it would, dishonor and dire misfortune, is impossible.

Utah, in the feelings of her people, has been lifted from her humiliation and disgrace. To-day she is imbued with the hope and determination to be free—free in the full sense of American constitutional freedom, which means something more than liberty-permitted; which consists in civil and political rights absolutely guarantied, assured, and guarded; in one's liberties as a man and a citizen, his right to vote, his right to hold office, his equality with all others who are his fellow-citizens—all these guarded and protected and not held at the mercy and discretion of one man or popular majority or distant body unadvised as to local needs or interests.

Be it known how little of such freedom Utah and her people possess.

The governor, the secretary, the members of the judiciary, except justices of the peace, the marshal, the public prosecutor and his assistants, the board of commissioners, who appoint all registration and election officers, and control the elections, are elected by a distant appointing power, and are utterly unaccountable to the people for the manner in which they perform the duties of their offices.

The governor nominates the auditor of public accounts, the treasurer, the governing boards of all public institutions, such as the university, agricultural college, reform school, and insane asylum. Thus the people have no voice in the selection of persons to manage the public funds and institutions created and maintained at their expense.

The Territorial school commissioner is selected by the supreme court, and owes no responsibility to the people.

Clerks selected by the district judges and the probate judges appointed by the President, by and with the advice of the Senate, select the regular panels for jurors. The regular panel is supplemented by persons summoned at the discretion of the United States marshal. The determination of rights of life, liberty, and property rests with tribunals, no part of which owe any accountability to those most vitally concerned in the faithful performance of their duties. The marshal and his deputies are clothed with the most far-reaching authority, under which they may usurp the functions of all the local constabulary and police of the Territory. Even the justices of the peace are shorn of their limited jurisdiction by commissioners appointed by the supreme court, and whose jurisdiction is made coextensive with that of such justices.

The will of the representatives of the people in the enactment of needed legislation is liable to be defeated at the caprice of a gubernatorial autocrat clothed with the power of absolute veto.

While county prosecuting attorneys elected by the people are permitted to initiate prosecutions in the inferior courts, no such prosecution can be carried forward to success except according to the pleasure of the district attorney imposed upon our people from abroad. The most vicious interference with the vestige remaining of our local liberties is in the maintenance and action of the Utah Commission, who, in their appointment of registration officers, have often selected corrupt and irresponsible persons. These have filled the registration lists with fictitious names and resorted to other devices by which repeating and other frauds might be successfully perpetrated at elections.

There is no province or dependency, it is believed, of any civilized nation wherein the people are not accorded more of liberty and the rights of man than are possessed by American citizens in Utah. The situation is intolerable to freemen. The people, through us, their chosen but helpless representatives, demand relief. The officeholders, their patrons, those who fatten upon the degradation and misfortune of our people, all the hordes of beneficiaries of the present system will resist the appeal.

Your memorialists, however, confidently relying upon the justice of the representatives of the American people, ask the Congress of the United States to enact into a law, as a measure which will afford immediate relief, the bill introduced in the Senate by Senator FAULKNER, and in the House of Representatives by Delegate CAINE, "for the local government of Utah Territory, and to provide for the election of certain officers in said Territory."

Your memorialists further ask that as all essential conditions exist entitling Utah to admission into the Union as a State, and that as soon as your honorable body is satisfied of this fact, a law may at once be enacted permitting her to take the position for which she is so eminently fitted.

And your memorialists will ever pray.

WILLIAM H. SEEGMILLER,
Speaker of the House of Representatives.
WILLIAM H. KING,
President of the Council.

Mr. FELTON. I present a petition of citizens of California, in which they say:

The undersigned citizens of the United States of America, residing on the Pacific coast, respectfully and urgently petition Congress to provide or guarantee such necessary means as will assist, protect, and hasten the completion and secure the national control of the Nicaragua Maritime Canal, as recommended to Congress by the President of the United States in his annual message.

In this connection I wish to say that the gentlemen who signed this petition were all aware what they were doing. They realize the fact that the building of that great water way would shorten the transportation between the east and west coasts of America some 7,000 miles, and would bring us by the width of a great ocean nearer in connection with our foreign commerce south from our east and west coast; that it would be nature's great highway, free to all of small and great means, that it could not be controlled or monopolized by combinations concentrating receipts of transportation into a few hands, but would be a factor to distribute the profits of production among the producers and consumers.

I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. STEWART. I present a petition of citizens of the State of Nevada, praying for the passage of a law ceding, in trust, to the States and Territories of the arid region, respectively, the unsold public lands within their borders for the purpose of reclaiming the same.

The petition is very numerously signed by prominent citizens of Nevada residing in many localities in the State. I should like to remark, with regard to the matter, that I have no doubt the local Legislatures are very much better advised than Congress can be as to the peculiar condition of the arid lands, and if the public lands should be ceded to the States and Territories for that purpose it would undoubtedly be a great good, provided that such limitations be made as would secure the absolute use of the lands to permanent settlers. I have found great difficulty in framing a bill satisfactory to myself on this subject, although there is a strong demand throughout the arid region for the donation of this land for this purpose, and it is a grand purpose.

I move that the petition be referred to the Committee on Irrigation and Reclamation of Arid Lands, not intending to infringe upon the jurisdiction of the Committee on Public Lands, but for the purpose of calling the attention of that committee to the subject, and having them discuss the propriety of such a measure. I suppose if such a bill is reported it will probably come from the Committee on Public Lands, but the Committee on Irrigation might look over the matter, and if they have any recommendations to make they might submit them to the Committee on Public Lands.

Mr. DOLPH. I should like to ask the Senator what the provisions of the bill are.

Mr. STEWART. There is no bill; it is merely a petition. I have not been able to frame a satisfactory bill.

Mr. DOLPH. For what does the petition pray?

Mr. STEWART. It prays Congress to cede the arid lands to the States and Territories for the purpose of irrigation.

Mr. DOLPH. I have been quite willing to concede, so far as I am concerned and so far as I am entitled to act for the Committee on Public Lands, the jurisdiction over bills proposing to provide a method for the irrigation of desert lands or to aid in the reclamation of desert lands to the Committee on Irrigation. I myself introduced a bill early in the session which I had referred to that committee, but I also introduced a bill proposing to make changes in the existing law and superseding all existing enactments for the disposition of the desert lands, and I shall be in-

clined to contend, unless instructed otherwise by the Committee on Public Lands, for jurisdiction over any provision looking to the disposition of the public lands; that is, the sale or disposal of them by the United States. I mention this so that the Senator may understand how far I think the Committee on Public Lands should retain jurisdiction.

Mr. STEWART. My object in asking to have the petition referred to the Committee on Irrigation is simply to have the opinion and investigation of that committee for the Senate in discussion; and probably if the committee has any recommendation to submit we shall report it back and refer it to the Committee on Public Lands, if it is thought that any action should be taken at this session with regard to ceding public lands to the States and Territories. For that purpose I have moved that the petition be referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. DOLPH. The Senator is a member of that committee?

Mr. STEWART. I am.

Mr. DOLPH. The Senator seems to speak with some doubt about any action being taken at the present Congress on the subject. I suggest to him that if any legislation which is to prove at all valuable in the matter is enacted, it should be enacted at once. If a bill had been prepared some years ago for ascertaining private rights due individuals it would have been comparatively easy now to enact legislation on this subject. It will now encounter great difficulty.

Mr. STEWART. I will inquire of the Senator what disposition was made of the resolutions that were passed at the Salt Lake convention?

Mr. DOLPH. The memorial went to the Committee on Public Lands.

Mr. STEWART. Then I will allow this petition to go with it.

Mr. PADDOCK. I should like to suggest to the Senator from Nevada that somewhere along the line it might be well enough to have this matter go to the Committee on Agriculture and Forestry, for that committee to investigate as to the agricultural aspects of the particular questions involved. Perhaps it might be well for the Committee on Irrigation and Reclamation of Arid Lands to determine first whether the lands to be dealt with are arid; then the matter might go to the Committee on Agriculture and Forestry to determine what kind of irrigation would be best to develop them agriculturally, and then it might be referred to the Committee on Public Lands for them to determine whether these particular lands should be thus segregated from the great body of the public lands and turned over to the States and Territories in which they may happen to be located for their use and benefit as proposed.

Mr. STEWART. I think it is well to let the petition go to the Committee on Public Lands in the first instance, because they have jurisdiction to dispose of these lands.

Mr. PADDOCK. Oh, it is all right. I accept the Senator's apology.

The VICE-PRESIDENT. The petition will be referred to the Committee on Public Lands.

Mr. TELLER presented a petition of the board of county commissioners of Arapahoe County, Colo., praying for the passage of a bill to provide for the establishment of a coinage mint at Denver, Colo.; which was referred to the Committee on Finance.

Mr. VEST presented the petition of George S. Hillhouse and other citizens of Lawrence County, Mo., praying for the free coinage of silver; which was referred to the Committee on Finance.

Mr. SQUIRE. I present resolutions adopted by the Tacoma (Wash.) Chamber of Commerce, favoring the equitable adjustment of the salaries of the local inspectors of hulls and boilers for the Puget Sound district. The sense of justice of the petitioners in this behalf will be met by adopting the provisions of Senate bill 1629, of the Fifty-first Congress, known as the "Frye shipping bill." I present similar resolutions adopted by the Seattle (Wash.) Chamber of Commerce. I move that the resolutions lie on the table to accompany the bill, which I understand has been again reported.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. CHANDLER. I am directed by the Committee on Naval Affairs, to whom was referred the bill (S. 136) for the presentation of badges to the officers and men of the Greely relief expedition, to report it favorably with amendments, and I ask for its present consideration.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill.

Mr. MORGAN. I think the bill ought to go on the Calendar.

Mr. CHANDLER. I have no objection, Mr. President.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 1391) to authorize the Secretary of the Treasury to settle the account stated between the General Government and the State of Florida by the said Secretary, under the authority of the act approved March 2, 1889, known as the deficiency appropriation act, and to pay the balance found to be due said State, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 1982) for the relief of Avery D. Babcock and wife, of Oregon, reported it without amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 354) for the relief of John Schierling, administrator *de bonis non* of the estate of Gallus Kerchner, deceased, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 349) to increase the rate of pensions for certain cases of deafness, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 1910) to amend an act entitled "An act to increase the pensions of certain soldiers and sailors who are totally helpless from injuries received or from diseases contracted in the service of the United States," approved March 4, 1890, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 1911) to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the United States Navy and become disabled in the line of duty, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 2137) to amend an act entitled "An act amending the pension law so as to remove the disability of those who, having participated in the Rebellion, have since its termination enlisted in the Army of the United States, and become disabled," approved March 3, 1877; which was read twice by its title.

He also, from the same Committee, to whom was referred the bill (S. 1907) to amend section 3 of the act approved June 27, 1890, granting pensions to soldiers and sailors, reported it with amendments, and submitted a report therein.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1307) to provide a permanent system of highways in that part of the District of Columbia lying outside of cities, reported it with an amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 263) for the relief of the heir or heirs of John Howard Payne, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 261) for the relief of the legal representatives and devisees of James W. Schaumburg, reported it without amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Public Lands, to whom was referred the bill (S. 126) to authorize the trustees of Trinity Church, Hot Springs, Ark., to purchase certain lots, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. SQUIRE, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 618) providing for the erection of a public building at the city of Seattle, in the State of Washington, reported it without amendment, and submitted a report thereon.

Mr. PEFFER, from the Committee on Claims, to whom was referred the petition of Edwin Gomez, of New York City, praying compensation for losses, etc., inflicted by the United States Government in the war of the rebellion, submitted an adverse report thereon; which was agreed to, and the committee was discharged from the further consideration of the petition.

BOARD OF GEOGRAPHIC NAMES.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed 10,000 extra copies of the report of the United States Board on Geographic Names, transmitted to Congress by the President on December 23, 1891; 1,000 copies of which shall be for the use of the Senate; 2,000 copies for the use of the House of Representatives, and 7,000 copies for distribution by said Board among the Government Departments, public libraries, and other suitable depositories.

BILLS INTRODUCED.

Mr. VANCE introduced a bill (S. 2138) for the relief of John

Webster, of Washington City, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BUTLER introduced a bill (S. 2139) for the relief of Agnes and Marie De Leon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PEFFER introduced a bill (S. 2140) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein for homes for old soldiers and their families; which was read twice by its title.

Mr. PEFFER. I ask that the bill be referred to the Committee on Military Affairs.

Mr. DOLPH. I think it should go to the Committee on Public Lands.

Mr. PEFFER. It refers to a cession of a reservation, or, rather, the granting of the use of the military reservation of Fort Hays. I thought on that account perhaps the bill ought to go to the Military Committee.

Mr. DOLPH. All bills for disposing of abandoned military reservations have gone to the Committee on Public Lands, without any exception whatever.

Mr. PEFFER. Very well; if the Senator from Oregon thinks the bill should be referred to the Committee on Public Lands, let it go to that committee.

The VICE-PRESIDENT. The bill will be referred to the Committee on Public Lands.

Mr. CHANDLER introduced a bill (S. 2141) granting a pension to Elizabeth H. Lord; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 2142) for the relief of M. S. Hellman, of Canyon City, Oregon; which was read twice by its title, and referred to the Committee on Claims.

Mr. VEST introduced a bill (S. 2143) to place on the pension roll the name of Nancy M. Gunsolly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM. By request, as I have not had time to read it since it was handed to me, I introduce a bill.

The bill (S. 2144) constituting eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, or by or on behalf of the District of Columbia, or by contractors doing work for the Government of the United States or the District of Columbia, and providing penalties for violation of the provisions hereof, was read twice by its title, and referred to the Committee on Education and Labor.

Mr. DAWES introduced a bill (S. 2145) providing for the carrying of fourth-class mailable matter under the third class; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. GEORGE introduced a bill (S. 2146) for the relief of the Baptist Church at Redbanks, in Marshall County, Miss.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

AMENDMENT TO A BILL.

Mr. MORRILL submitted an amendment intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations.

HOUSE BILLS REFERRED.

The following bills, this day received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 497) to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin; and

A bill (H. R. 3927) to amend "An act to provide for the performance of the duties of the office of President in the case of the removal, death, resignation, or inability both of the President and Vice-President," approved January 19, 1886.

PAPERS WITHDRAWN AND REFERRED.

Mr. WASHBURN. I ask for the adoption of the following order:

Ordered, That all papers relating to Senate bill No. 1184, "For the relief of the heirs of Joseph Anderson," be withdrawn from the files of the Senate and referred to the Committee on Claims.

The VICE-PRESIDENT. The order will be agreed to, subject to the rule.

Mr. HARRIS. There is a standing rule which requires the file clerk to send to the appropriate committees all business on file when bills have been introduced and referred to the committees, and such special orders are wholly unnecessary.

HON. R. H. M. DAVIDSON.

Mr. VANCE submitted the following resolution; which was referred to the Committee on Privileges and Elections:

Resolved, That there be paid out of the contingent fund of the Senate the sum of $1,258 to Hon. R. H. M. Davidson for expenses in prosecuting his claim to a seat in the Senate under the appointment of the governor of Florida.

STENOGRAPHER FOR WOMAN SUFFRAGE COMMITTEE.

Mr. VANCE submitted the following resolutions; which were referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Select Committee on Woman Suffrage have authority for the employment of a stenographer to report the hearings of February 24, 1890, and January 20, 1892, before that committee, of representatives of sundry State woman suffrage associations; and that the expense of such employment be paid out of the contingent fund of the Senate.

Resolved, That the recent hearings before the Committee on Woman Suffrage be printed with the report of said committee.

MADRID COLUMBIAN HISTORICAL EXPOSITION.

Mr. SHERMAN. There is a bill on the Calendar, Senate bill 1971, that ought to be acted upon promptly if at all. It is in regard to the Columbian Historical Exposition to be held in Madrid. I ask the consent of the Senate to take it up now. I think there will be no objection to it. It was reported from the Committee on Foreign Relations.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1971) providing for the appointment of representatives from the United States to the Columbian Historical Exposition at Madrid in 1892.

The VICE-PRESIDENT. The bill was reported from the Committee on Foreign Relations with an amendment, which will be stated.

The CHIEF CLERK. In section 1, line 4, the committee report to strike out the word "three" and to insert "a commissioner-general and two assistant:" so as to read:

That the President of the United States be, and he hereby is, authorized and requested to appoint a commissioner-general and two assistant commissioners.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WASHINGTON MARKET COMPANY.

Mr. MORGAN. I offer a resolution, and before having it read I wish to say that I am not at all informed about the subject-matter to which the resolution relates. It was presented to me by citizens of Washington who feel that they have a grievance, and I introduce the resolution because I am obedient to the right of every citizen of the United States to petition this body for redress. After the resolution has been read I will ask its reference to the Committee on the District of Columbia.

The resolution was read, and referred to the Committee on the District of Columbia, as follows:

Resolved by the Senate, That the Commissioners of the District of Columbia are hereby directed to inform the Senate under what authority and under what appropriation B street, between Seventh and Ninth streets NW., in front of the Center Market, has been paved 20 feet out from the footwalk on each side, while the rest of the carriageway is left as heretofore. Also under what authority of law the Washington Market Company has been allowed to obstruct the footwalks of said B street, in front of said market house, by the erection of an elevator, a stairway, and an eating house thereon, and the width of said footwalks and the number of feet said obstructions are extended out from the building line, with the amount of rental received per month by said market company for said eating house.

Also, under what law the said market company is allowed to space off and rent out the foot walks on B and Ninth streets, around the Center Market to farmers and others, and what is the total amount received annually by said market company for rental of said spaces, and what disposition is made of the money.

Also, if the corporation attorney for the District of Columbia, or his assistant, has given an opinion adverse to the right of said market company to jurisdiction over the foot walks outside of its walls, or to collect rents for the use thereof; and, if so, what action, if any, has been taken upon said opinion.

Also, the amount of franchise rental paid to the District of Columbia by said market company for the year ending June 30, 1891, whether said franchise rental has been reduced, which was fixed in amount and set aside by act of Congress for the benefit of the poor of Washington; and, if so, how much, and for what reason or reasons.

Also, that said Commissioners furnish a statement showing the assessed value of the land and improvements of the Washington Market Company under the assessment recently made.

And also, a statement of the rental paid said market company for the District Militia armory during the year ending June 30, 1891, and the amount paid said market company by farmers and others for the use of foot walks covering the same period, stated separately, with the total of said amounts, and whether they do not amount to more than the franchise rental received from said company for the benefit of the poor during the same period.

Also, under what law or permit the Washington Market Company has been granted permission to erect a bridge leading from Pennsylvania avenue on the line of Eighth street to said market, with the number of square feet of land occupied by said bridge, its market value, and what rental is paid for the use of the same, and if said bridge was not erected for the purpose of giving access to certain rooms over said market building, to enable said market company to rent said upper rooms to the District government for an armory, and if the amount of rental paid for said upper rooms does not amount to more than the entire rental paid for all the other District buildings that are used for executive or clerical purposes.

Also, a statement showing under what law said market company is allowed to hold possession of the two squares of ground bounded by Tenth and Twelfth streets, B street and Ohio and Louisiana avenues, given by act of Congress to the city of Washington for a wholesale market; the present assessed value of said squares; what rental said market company receives for them, and what proportion of said rentals, if any, is paid over to the District of Colum-

bia; and why farmers are not required to sell their produce on said squares as required by act of Congress approved May 20, 1870, instead of selling said produce on the public streets, in violation of law, and to the great obstruction thereof.

Also, the date of the establishment of a cold storage and ice plant by said market company, and the extra quantity of water used in consequence thereof, with the date that water meters were put on to measure water used by said company, and if there was any increase in the water rents charged against said company in consequence of the extra water used by said plants up to the time meters were put on, and if there was no increase in said water rents the reasons why said market company has not been required to pay its just proportion of water rents as private citizens are required to pay.

Also, if said market company is in arrears for special assessment or other taxes, and if so, to what amount, how long such taxes have been due, and why they have not been collected.

NICARAGUA CANAL COMPANY.

Mr. HIGGINS. I offer a resolution and ask that it lie on the table and be printed.

The resolution was read, as follows:

Resolved, That the Secretary of the Interior be, and is hereby, instructed to obtain and transmit to the Senate, at the earliest convenient day, a detailed statement, properly certified by the chief engineer of the Nicaragua Canal Company, of the amount and kind of work done, and of the materials, tools, and supplies furnished upon the said canal, and the cash cost of the same.

Also a detailed statement, properly certified by the appropriate officer of the canal company, of all contracts and obligations now in existence between the said canal company and all other governments, persons, or companies, and the actual cash received and expended by it, and for what purposes; the amount of cash paid in upon subscriptions to its stock and bonds; the amount of cash now on hand available for the prosecution of its work; the amount of bonds and stock issued, to whom and for what purposes; the amount subscribed; for and by whom, and upon what terms, together with a complete balance sheet showing the said company's resources, assets, and liabilities of every name and nature, all as of January 1, 1892.

Also a detailed statement showing the capital and organization of any contracting or constructing company with whom the said canal company may have entered into a contract or contracts for constructing any part of its canal, or furnishing any labor, services, machinery, materials, or supplies, for the said canal, and setting forth the amount of stock and bonds issued by the said contracting company, to whom and under what terms, the amount of cash received by the said contracting company from all sources, the amounts paid out, and to whom and for what purposes; the amount of stock or bonds subscribed for, and by whom and upon what terms; the amount of cash on hand available for carrying out its contracts with the said canal company and others; the amount and cash value of its assets of every kind, and, finally, a complete balance sheet as of January 1, 1892, showing the said contract company's assets, resources, and liabilities, of every name and nature.

The Secretary of the Interior is also requested to furnish copies of all contracts made and entered into by either of the companies hereinbefore described, together with any other information he may have or can obtain in reference to the operations or responsibility of either of the said companies.

Mr. MORGAN. Before the resolution is acted on, I wish to say that I am very glad indeed to find the Senate is drawing closer and closer to this question and undertaking to exercise a stronger jurisdiction over it than has heretofore been supposed to be within its reach. I think, however, the Senator from Delaware will find that a portion of the resolution requires duties to be performed by the Secretary of the Interior which are not provided for by law. The Secretary of the Interior has the right, doubtless, to catechise the Maritime Canal Company in respect to all the matters that are alluded to in the resolution, but another company is mentioned here, a construction company, with which Congress has had heretofore nothing to do, which has no right to rely upon Congress at all, and which the Committee on Foreign Relations have heretofore ignored so far as its legal relations were concerned, but have inquired diligently into its operations because it was one of the instrumentalities employed for the purpose of building this canal.

At the proper time I shall ask that the resolution be referred to the Committee on Foreign Relations, stating, however, that the Senate has already passed a resolution on this subject which the committee supposed to confer upon them quite as ample power as is attempted to be imposed upon the Secretary of the Interior by this resolution. The committee, having authority to send for persons and papers, can make a perfect investigation of this matter by witnesses under oath, whereas the Secretary of the Interior would have no authority under the law to require persons to appear with papers and to submit to investigation under oath who are not officers of or connected with the Maritime Canal Company. The resolution contemplates an examination of the operations of two companies with one of which Congress has had nothing to do in any official sense.

I merely wished to make that explanation, and to say to the Senator from Delaware that the resolution which I had the honor to offer the other day, and which the Senate passed, I think covers in every particular all that he desires to accomplish by this resolution. Certainly the Committee on Foreign Relations will not pretermit an inquiry into any of the matters which are suggested in this resolution. They are very anxious, and have already taken steps by summoning persons here, with proper papers and vouchers, to accomplish the very object which is sought to be accomplished through the Secretary of the Interior by the resolution of the Senator from Delaware.

Mr. HIGGINS. Mr. President, the resolution which I have just offered seems to supplement the resolution offered by the Senator from Alabama as amended by the Senator from Missouri.

Mr. MORGAN. That was amended by consent, I will say to the Senator. I amended it myself on his suggestion.

Mr. HIGGINS. Yes, and it is the standing order of the Senate upon that subject. This resolution is intended merely to point the inquiry to what is a matter of the largest concern to all who are interested in the success of this great enterprise and is merely instructing in the line of inquiry which has been laid out by the Committee on Foreign Relations for itself. My present request is merely that the resolution lie on the table and be printed, so that the Senate may see what is the object of it.

The VICE-PRESIDENT. The resolution will lie on the table and be printed.

Mr. HIGGINS. I think there can be no objection to its ultimate adoption, because it only leads to the eliciting of light on a subject on which of course no one wants darkness.

WEST VIRGINIA DIRECT TAX.

Mr. FAULKNER. I move that the Senate proceed to the consideration of Senate joint resolution No. 9.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress, approved August 5, 1861."

Mr. FRYE. There are certain provisions in our rules for the government of debate on all measures before the Senate under Rule VIII. Those provisions have been utterly disregarded from the beginning of the present session up to now. One is that no Senator shall speak more than five minutes, and another that he shall only be entitled to speak once.

Now, we have opened up under Rule VIII a measure which, knowing as I do the capacity of the Senators from the two Virginias for debate, I should say might be liable to occupy the rest of the session in the morning hour. The business on this Calendar is accumulating rapidly; we have made no progress with it for about ten days, and I wish to call the attention of the Senator from West Virginia and of the Senate to the fact that this Calendar is governed by certain special rules. Of course I do not expect to limit him now to five minutes, because the other side has had about an hour.

Mr. FAULKNER. An hour and a half

Mr. FRYE. But I shall certainly enter an objection to the consumption of any other morning hour than this on this joint resolution.

Mr. FAULKNER. Mr. President, I appreciate fully the present condition of the Calendar and the delay in passing unobjected bills which would result if there should be a protracted discussion of Senate joint resolution No. 9 to the exclusion of other matters on the Calendar. I feel under many obligations to the Senate for its courtesy in extending, not only to the Senator from Virginia [Mr. DANIEL] an unlimited time for the discussion of this resolution by unanimous consent, but in extending to me a similar courtesy for a reply to the Senator from Virginia.

I shall endeavor this morning to be very brief. I shall only refer to matters directly coming within the scope of the report of the committee and upon which they have founded their action. I shall not permit myself to be drawn into a discussion of any irrelevant matters.

Mr. President, in the discussion yesterday I think I answered fully the objections of the Senator from Virginia [Mr. DANIEL] as to any inaccuracy of facts appearing in the record. I think I answered satisfactorily his argument that the report of the committee was an attempt to overrule the decision of the Attorney-General. I think I showed from the record in this case that there was no attempt on the part of the committee to overrule the Attorney-General, but that the objection of the committee to the action of the Treasury Department was that it had not carried out the instructions of the Attorney-General by ascertaining what was the equitable proportion of the debt due by West Virginia to Virginia, if any.

I think I further showed in that discussion that there were no powers or instrumentalities within the control of the Treasury Department to ascertain that fact, and it could not be ascertained in any manner, except through a settlement voluntarily entered into between the two States, or an involuntary settlement made before the Supreme Court of the United States, as the only tribunal having jurisdiction to hear and determine those questions.

Mr. President, I desire to call the attention of Senators to the fact I shall now lay before them. In my judgment it was the purpose and intention of Congress, in passing the act which refunded the direct tax to all the States which had paid that tax, and to release those which had not, to wipe out completely and entirely the original liability, whether it was assumed by the State or a liability resting upon the inhabitants thereof, as though

the act had never been passed. The only States that were liable on bonds held by the Federal Government and which, in the payment of principal or interest, were in default, were those south of the Potomac. None of those States had paid a dollar of direct tax from their treasuries.

Whatever had been paid by them had been collected from the inhabitants directly by the officers of the Federal Government. Consequently when this law was passed and the Government determined to settle that whole question of the direct tax, to wipe it out as though it had never existed, it provided that all funds received either from the State or the inhabitants should be returned dollar for dollar, and that all uncollected amounts due from the inhabitants of the several States should be released by that act; but for fear that the Treasury Department would attempt to set off against these States south of the Potomac the amount collected from their inhabitants against liabilities due by the State and held by the Treasury Department, Congress inserted a provision in this act declaring that no such set-off should be made by the Treasury Department, and that this fund should be considered a trust fund, to be returned to the governor of the State whose inhabitants had paid it, and be by him returned to the parties entitled to it or their legal representatives when ascertained.

The representatives of West Virginia would, of course, have watched carefully the passage of this law if there had not been a decision already made by the Treasury Department that under facts similar to those which have now been made the basis of a different ruling, the Department had not held that there was no authority or right or justice upon the part of the United States Government to set off a demand by the State of West Virginia against the Government and apply it to the payment of the bonds of Virginia held in the Indian trust fund.

The VICE-PRESIDENT. The Senator's time, under Rule VIII, has expired.

Mr. KENNA. I ask unanimous consent that my colleague's time may be extended so that he may conclude his statement.

The VICE-PRESIDENT. Is there objection to the request of the Senator from West Virginia? The Chair hears none.

Mr. COCKRELL. The time was extended yesterday during the discussion of this case, as I understood.

The VICE-PRESIDENT. The Chair thought it was his duty to call the attention of the Senate to the fact The Senator will proceed.

Mr. FAULKNER. If this ruling of the Treasury Department is now permitted to stand, what will be the result? Take, for an illustration, the two States, the State of West Virginia and the State of Virginia. Under this act the State of Virginia, through its governor, has received, for money which was obtained from its inhabitants and collected by Federal officers, $442,000. The inhabitants of the State of Virginia have been released by this same act from the payment of $286,000 uncollected taxes under the direct-tax act of 1861; with that liberality on the part of Congress to the State of Virginia and to her citizens, is West Virginia to be punished and a penalty to be imposed upon that State by reason of the fact that, through its treasury, $153,000 of the amount of the direct tax due from the inhabitants of that State has been paid to the Federal Government?

In other words, we impose a penalty for the payment of the tax and release the unpaid tax of the individual citizens of those States and refund to those who have paid every dollar of the amount. It would be a very strange position for Congress to place itself in, to hold that a premium should be set upon the nonpayment of taxes and a penalty imposed for a compliance with the law.

Recognizing the fact that the Treasury Department has held that this fund should not be applied to the Virginia debt as early as 1868, the representatives of West Virginia did not attempt in the passage of the act refunding the direct tax to make any limitation which would have protected that State and which would have been acquiesced in, beyond question, by Congress.

I would say to the Senators who have so kindly given me their attention, that if this is enforced against the State of West Virginia by the Federal Government, it is the only State or Territory of this Union against which the direct-tax fund would be set off for any liability due by a State to the Federal Government. That is another equitable claim which I propose to submit to the Senate, and ask that it be fairly and earnestly considered.

Mr. President, I am going to hurry on and only allude to two other questions, and they will appeal, it strikes me, very strongly to the minds of Senators in considering this resolution. The first is as to whether or not in equity and good conscience, outside of any legal proposition at all, the United States is in a position to ask that the $153,000 due to the State of West Virginia should be applied to any indebtedness, even if it was an indebtedness due by the State to the United States.

When the United States approved the constitution of the State of Virginia it was then a creditor of the State, and when by the approval of that constitution it restored Virginia to all its rights in the Union it did so under a constitution which in express terms provided that the State of West Virginia, if it owed any indebtedness whatever to the State of Virginia, should pay that indebtedness into the treasury of that State.

Is there any conceivable position in which private parties could have a transaction similar to that between the State of Virginia, the State of West Virginia, and the United States as a creditor and be permitted to come in and make such a demand. The United States when a creditor approved the provision of the constitution of Virginia requiring West Virginia to pay any indebtedness existing prior to January, 1861, into the treasury of Virginia, but it now comes in and says, "I am not bound, I am not estopped by reason of the approval of that constitution at the very time when I held those bonds, but I demand now that, instead of acting according to the provisions of that constitution, you, the State of West Virginia, shall pay that money to me as a creditor of Virginia."

I say in honor, in conscience, and in equity the United States is estopped and should be barred from making any claim of that character, even though it had a legal right in this case to demand of the State of West Virginia, under other circumstances, the recovery of this $153,000 to be applied to the debt of Virginia.

Now, I will refer to the other proposition, on which the committee mainly rest their report. It is well-known to every lawyer that the right of set off is a right that exists not under any general principle of common law, but is a right that rests entirely for its enforcement upon statutory enactment. It can have no existence as a right except by virtue of a statute. Congress, realizing that fact, has in the case of individuals passed one statute, and in the case where there are bonds held by the government of a State in its corporate capacity another, allowing setoffs under certain circumstances.

In construing this act of setoffs, it is not to be construed, I admit, with the rigor and strictness of a criminal statute, but the full force and effect at least of the language of that statute, the object and purpose and policy of that statute, must be taken into consideration in the construction of it; and I will ask any Senator here whether he would vote for a statutory enactment which would give to the Secretary of the Treasury the power in a disputed matter between two sovereign States, or even in a dispute that did not appear as a finality upon the books of the Treasury Department, the power to go into disputed and intricate settlements, and to adjudicate those questions without reference to any tribunal whatever, except the Comptroller or the Auditor's Bureau of the Treasury Department. There is not a Senator who would vote for a bill embodying a power to a Secretary of the Treasury similar to that which I have described. If not, then the question is, whether a previous Congress has passed any law giving such a broad, wide, and unlimited power of investigation of complicated accounts and of disputed items to the Treasury Department, or to any bureau of it? I conceive there can be no question of doubt on that subject.

Mr. ALLEN. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Washington?

Mr. FAULKNER. I do.

Mr. ALLEN. I should like to ask the Senator from West Virginia if it is not a fact that the Government freely concedes that it owes the State of West Virginia $153,000?

Mr. FAULKNER. That is correct.

Mr. ALLEN. Is it not also a fact that the Government claims it has no express or liquidated offset against that demand?

Mr. FAULKNER. It is so certified by the Assistant Secretary of the Interior, in whose hands these bonds are.

Mr. ALLEN. I understand it has no ascertained offset against that demand at all.

Mr. FAULKNER. None whatever.

Mr. ALLEN. It is not even known that it has an unascertained offset against it; but whether it might have an unascertained or an unliquidated demand against the State of Virginia would be dependent upon the fact of there being such a balance due upon an equitable adjustment between old Virginia and West Virginia. Does not the Attorney-General disclaim all ability to cite the sovereign States to come before him in order that the executive department of the Government may ascertain whether or not there is such a balance existing in favor of the Government against the State of West Virginia on any settlement that might be made between these two States?

Mr. FAULKNER. I think in substance he does, by a doubt expressed as to the right to bring Virginia into any such suit before the Court of Claims.

Mr. ALLEN. It seems to me of necessity he must disclaim all authority for adjusting any such claim as that.

Mr. FAULKNER. In answer to the Senator from Washing-

ton as to the question whether there is any ascertainment of any indebtedness of a fixed and definite sum to which this set-off has been applied by the Comptroller of the Treasury, I will read the certificate of the Comptroller himself, which appears on the first page of the report, and the quotation will be found to be as follows:

To be credited as a set-off against the amount due from the State of West Virginia for her proportion of the undivided indebtedness of the State of Virginia to the United States for Indian trust funds that were invested in Virginia bonds prior to the division of the State.

He admits by the certificate in which he applies the $153,000 as an offset that it is an undivided indebtedness, unascertained by the Department, and in fact has not even certified that there is an existing indebtedness.

Mr. ALLEN. It is a mere conjecture that there is a possibility of an indebtedness.

Mr. FAULKNER. A mere conjecture of a possibility of indebtedness.

Mr. DANIEL. Will the Senator permit me?

Mr. FAULKNER. Yes.

Mr. DANIEL. I ask the Senator what is the undivided indebtedness which is referred to? Is it not the whole amount invested in the Indian trust fund, which is the obligation of both States undivided?

Mr. FAULKNER. It is not, in the judgment of the First Comptroller of the Treasury, for the reason that in his letter, which I have taken the trouble to read, he tells the State of West Virginia that the undivided indebtedness to which he applies this set-off is the equitable proportion of the indebtedness due under the constitutional provision of the State of West Virginia: that it is not, as the Senator claims, the whole of the indebtedness due by both States to the Government of the United States.

Mr. DANIEL. When the equitable proportion is ascertained and accepted, it is then a divided indebtedness, but until the equitable proportion is ascertained, he refers to it as an undivided indebtedness.

Mr. FAULKNER. Not at all, because he states that he acts in accordance with the opinion of the Attorney-General, which requires of him to ascertain what is the equitable proportion of that debt, and before he can ascertain whether there is a debt due by West Virginia to Virginia under the terms of settlement and the constitution of that State he must find what this equitable proportion is. The Attorney-General says, "I know nothing as to this debt; I can not ascertain; it does not come within the jurisdiction of my Department;" and the Comptroller of the Treasury has certified that it has been applied to an undivided indebtedness in accordance with the judgment and the opinion of the Attorney-General, which required of him to ascertain the equitable proportion of the indebtedness between those States based upon the article of separation found in the ninth section of the ordinance of separation. That has not been done, and no attempt has been made to do it. Therefore there is no amount ascertained, and it is a guess, a speculation, a hope.

Mr. President, I have never understood until the unfortunate controversy which has arisen here in the Senate that Virginia or any representative of that State has ever paid the slightest attention to any previous settlements between West Virginia and the United States; and I desire to observe that so far as I am advised—and I have endeavored to ascertain the facts—and I am not blaming Virginia or any representative of Virginia for the ruling of the Treasury Department—I do not know and never have been informed that any official representing that government has ever interfered, though the settlement was a matter of public notoriety. The discussions of this question before the Attorney-General and before the Secretary of the Treasury were published in all the papers, but I have never heard that Virginia through any official action of hers interfered at that time or at any previous period in the history of these settlements between the State of West Virginia and the United States Government. On this floor for the first time have the representatives of Virginia interfered with this question at issue between the State of West Virginia and the United States.

When my friend, the distinguished Senator from Washington [Mr. ALLEN], interrupted me I was discussing the statute which alone is relied upon by the Treasury Department in sustaining its position in applying this as a set-off to the debt of Virginia. What is the language of that statute?

Whenever any State is in default in the payment of interest or principal on investments in stocks or bonds issued or guarantied by such State.

The language used by the framers of this was guarded. It said, so far as the Treasury Department was concerned, that if the books of the Department or those of any other Department of the Government showed that there were bonds issued or guaranteed by any State held and owned by this Government, and that the State had defaulted in its interest or on the principal of those bonds, the Treasurer might then offset any debt due by the United States to that State to the amount of the default upon the principal or interest due by that State.

But, sir, will any Senator construe that act to give the Secretary of the Treasury the authority, when the Secretary of the Interior certifies to him that there is not a dollar's liability appearing against the State of West Virginia upon the books of the Interior Department, but that the liability appears as that of the State of Virginia—would any Senator construe this statute as authorizing the Treasury Department to go into an examination entirely *dehors* the record, and upon proof *aliunde* the records to adjudicate that demand. Would not this confer upon the Treasury Department judicial functions, and authorize it by oral testimony, affidavits, or other means to ascertain whether a State whose bonds are not held by the Government, but who has, by some agreement affecting its political organization, become indebted to a State against whom the Government stands in the attitude of a creditor, and thus compel such State, without ascertaining any fixed and definite indebtedness due by it to the State whose bonds are held by the Government, to pay a portion of those bonds.

It strikes me, Mr. President, that such a construction of this statute would be an outrage upon common sense, would place the States in a position where any Secretary of the Treasury could summon the representatives of those States before him almost as a court could summon a third party to try a question of attachment, and enter judgment in favor of the United States against a State when no liability is shown by the records of his Department.

Mr. MITCHELL. May I ask the Senator a question?

Mr. FAULKNER. Certainly.

Mr. MITCHELL. I ask the Senator if it ever has been claimed at any time by the Government of the United States that it had a claim against the State of West Virginia, either directly or indirectly, on account of the debt of old Virginia?

Mr. KENNA. None whatever.

Mr. FAULKNER. Never has it been made but once, in 1868.

Mr. MITCHELL. Indirectly, of course, in that letter of the Attorney-General. That is the only record that I have been able to find looking to any claim upon the part of the Government, either directly or indirectly, against West Virginia, on account of the claim it has against old Virginia.

Mr. FAULKNER. Never has it been claimed by any Department of the Government of the United States or by Virginia up to this time, except in the year 1868. Then Mr. Browning, Secretary of the Interior, addressed a letter to Secretary McCulloch, of the Treasury Department, calling his attention to the fact that certain bonds of Virginia were held by him in trust for the Indians, and asking the Secretary of the Treasury to hold back from payment to West Virginia the amount of $456,000 to be applied upon that indebtedness due by Virginia and held by the Secretary of the Interior; and I desire to incorporate in my answer to the Senator from Oregon the reply of the Secretary of the Treasury to the Secretary of the Interior. I will only read the last clause. After quoting the ninth section of the ordinance of separation, he uses this language:

From this it is apparent that the adjustment of this question is a matter purely and entirely between the States, and depending upon debits and credits of which the accounting officers of the Government know nothing, and which are entirely beyond their reach.

Mr. MITCHELL. Then the Treasury Department said virtually in so many words that so far as the Treasury Department was concerned there was no claim.

Mr. FAULKNER. No claim. He proceeds further and says:

We have no charges against the State of West Virginia on account of this Indian trust fund, and of course no cause of action against her on that account. The bonds referred to by the Secretary of the Interior as held by that Department as Indian trust funds are those of the State of Virginia, and as that State took no measures to devolve the payment of any part of those bonds upon the State of West Virginia, and as the State of West Virginia entirely ignores all liability for them on grounds not only legal but entirely equitable, I am clearly of opinion that the Department has its remedy only against the State of Virginia, and that the State of West Virginia is entitled to receive the amount found due her, without any offsets or drawbacks on account of any of the debts or liabilities of the State of Virginia.

I maintain, Mr. President, that that is as clear, concise, and lucid a statement of the case now before the Senate as could be made by any official, and the correctness of it can not, it strikes me, be questioned by any lawyer.

To hold that under this statute of set-off the fund due to West Virginia should be taken and applied to the bonds of Virginia, you would have to find under the language of this statute, first, that West Virginia was in default in the payment of interest or principal—on what? Not on bonds that might have been issued by somebody else, which, under some political arrangement which had occurred would perhaps legally make West Virginia liable, even accepting the argument of my friend from Virginia, for the entire debt, but you must find that we were in default of interest or principal upon the bonds issued—that is the language of the

statute—or upon bonds guarantied by the State of West Virginia. Is there a lawyer who, in construing this statute, will say that there has been default upon the part of West Virginia on any bonds issued by that State?

Mr. President, you are compelled to hold, in construing this statute to make West Virginia liable, that West Virginia in her corporate capacity issued or guarantied those bonds, and that West Virginia is in default in the payment of the interest or principal of bonds issued or guarantied by her. Can there be a doubt in the mind of a Senator that the Comptroller of the Treasury has committed an error when he held that there were bonds in the possession of the Government of the United States issued or guarantied by the State of West Virginia in her corporate capacity, and against which this offset could be applied.

I am satisfied, Mr. President, that it does not require a decision of the Judiciary Committee of the Senate to advise us of this error. It is too simple a proposition, it is too plain a legal question to leave any question of doubt but that it was an erroneous conclusion.

Mr. President, I admit I have taken up more time than was perhaps necessary in the discussion of this report. I feel a great interest in it, because it is a matter which affects very seriously the interests of my State.

I feel a further interest in the report that has been made, because I am the author of it, and I feel that if there were any inaccuracies in that report, if its legal conclusions could not be properly sustained by the judgment of the lawyers in this body, that perhaps some one might have the conception born in his mind that, by reason of a bias in favor of my State, I have been influenced in my conclusions either as to the fact or as to the law. But, sir, I think the case is so clear, it is so plain, it is so simple, it is so condensed that it takes very little time for anyone who will calmly, impartially, and without bias take it up and examine it to come to the conclusion that the facts are fairly and impartially stated and the conclusions are sustained by ample authority.

Mr. President, in reference to the motion of the Senator from Virginia, I desire to observe that if the Senate has lost confidence in the integrity, the judgment, or the ability of the Committee on Claims to pass upon legal questions which legitimately and properly come before them, then let the motion of the Senator from Virginia be carried, and stamp upon that committee the sentiment of your disapproval of their action and remove from that committee all the important cases affecting vitally the interests of the Government of the United States; transfer from that committee, also, the claims of the Commonwealth of Virginia itself, involving complicated questions of law and fact, and transfer it, with all other claims which involve questions of law, to the Judiciary Committee.

Go further, Senators, and say to the country and say to the Senate that the Committee on Claims as now constituted should be abolished, that it has no longer your confidence, and its usefulness is a thing of the past. Such action would place the Senate in the attitude of declaring that in every important claim that involves a legal question, its action, though unanimous, must be referred for the supervision, correction, and final adjudication of some other committee. I do not believe that the Senate is ready to take this step, and yet I say to Senators that if they vote in favor of the motion to refer, no other interpretation can be placed upon their act than the one which I here indicate.

I admit questions have arisen since I have been a member of this body upon the proper reference when a bill was introduced, but for the first time during my service has the Senate been asked to have reviewed by another committee the unanimous report of a standing committee of this body.

Mr. President, we stand here as coequals; the rights, privileges, and functions of each of these committees are fixed and determined by the rules of the Senate, and when one of the committees of this body has properly taken jurisdiction of a matter submitted to it, it is going very far for any Senator to rise in his place and say, "We are not satisfied with the report, we will take an appeal from the action of that committee by referring the question aleady adjudicated to another standing committee."

I earnestly hope that this question will be met on the floor of this Senate frankly, firmly, and according to the legal rights of the parties.

No Senator can accuse me of trying to take an unfair advantage of any one in reference to the claim presented by the State of West Virginia. It was introduced the first day of the session. It was known by every one in interest that it was pending before the Committee on Claims. It was not reported until some time after the recess, and I delayed calling it up, at the request of the Senators from Virginia, for a week. I had notified them that it would be taken up the day it was passed.

On the evening of the day of its passage, the senior Senator called my attention to a note received from the junior Senator, stating that he desired to be present when the resolution was before the Senate and that he was detained at his home by sickness.

While I did not conceive that his State had any interest in the matter, yet that was a question for his determination, and his alone, I at once promptly on the next morning, in accordance with an understanding with the senior Senator from Virginia, [Mr. DANIEL] entered the motion to reconsider.

Asking nothing at the hands of the Senate in behalf of the State of West Virginia that in law, justice, and equity she is not entitled to, I went further than that. I did not ask that this discussion should come up on the motion to reconsider. I asked unanimous consent of the Senate that the motion to reconsider should be agreed to; that the case should be put back upon the Calendar, No. 74, just where it stood before the action of this body; that it be submitted at once to the Senate as in Committee of the Whole, open to any amendment, any criticism, and any discussion that could occur upon the resolution as though it had never been before the Senate.

I invited discussion, I invited a thorough argument of the legal questions, but I insist that the Senate shall now consider this resolution as it considers all other bills. If the Committee on Claims has committed an error in its unanimous report in favor of Senate joint resolution No. 9 then the Senate should not pass it. It is either the right of the State to have the money or it is the right of the Government of the United States to have the $153,000 credited upon Virginia's bonds. Meet the issue squarely. Do what is right, do what justice and equity require, but do not try to sidetrack a resolution of this import reported by one committee unanimously, by referring it to another. I sincerely hope the Senate will not sustain the motion of the Senator from Virginia.

Mr. BARBOUR. Mr. President, I always rise to address the Senate with diffidence, and nothing but my position here as one of the Senators from Virginia would induce me to come forward to prolong this discussion. I do not propose to go into the law of this case, which has been fully presented and elaborately argued by the two gentlemen who have preceded me. I propose to call your attention to the question which is before the Senate: to its practical effect, to the objects which the Senators who brought the matter to the attention of the Senate intended.

Let me say, so far as the report of the Committee on Claims is concerned, that there is no effort, as I understand it, on the part of myself or of my colleague, to reflect upon that committee. I understood that in the motion to refer the question to the Committee on the Judiciary the object was to present the facts to the Senate. It so happened when that matter was considered in the Committee on Claims that Virginia was not heard at all. It so happened that her attendance was not invited. The matter was passed on *ex parte* statements, and the report was so made to the Senate. Unfortunately, I have been indisposed for the last two or three weeks, a great deal of the time confined to my house, and I have not been able to give much attention to the proceedings of the Senate. Our object has been gained now that the report has been brought to the attention of the Senate, and so far as I am concerned I am indifferent whether the subject goes to the Committee on the Judiciary or not. I believe that would be the appropriate committee to consider it.

When the joint resolution got down to the House of Representatives, what was done with it? One of the Representatives from West Virginia got up and moved its passage. The vigilant chairman of the Committee on Appropriations in the other House at once stopped it. He moved its reference to what committee? To the Committee on Claims? To the Committee on War Claims? No, sir. The experienced and able parliamentarian to whom I refer moved that the resolution be referred to the Committee on the Judiciary.

Mr. President, what is the question presented in the resolution? The Senators have talked a great deal about the law of the case. My friend from West Virginia [Mr. FAULKNER] has planted himself upon the law; he has given references to the decisions of the courts, and he has talked before the Senate of the United States as if he had a slow jury to hammer.

Sir, this is not a question of law. The Attorney-General says it is a mixed question of law and fact. I presume there is law enough around this Chamber, if you can get at the facts, to apply the law. It does not require these learned gentlemen in the law from the two Virginias or anywhere else to instruct the Senate as to the application of the law. If the Senator from West Virginia stood upon the law why does he come here and ask the Senate to adopt this joint resolution? If your legal rights are sufficient, why did you not get your money? That is the question. But the Senator asks the Senate to reverse the action of the executive department of the Government, to set aside the opinion of the Attorney-General, and when he can not draw his money, he comes here with his resolution and asks Congress to give him

the money which the executive department had declined upon mixed questions of law and fact. What is it the Senator wants? The resolution authorizes what can not be done without it. It authorizes the State of West Virginia to come here and put its hands in the United States Treasury for $153,000. That is what you want, and why?

Suppose Virginia, the parent State, were to come forward and ask that some money which has to be paid should go into her pocket, would not she have been met with the act of Congress which authorizes the Secretary of the Treasury to retain any fund where it appears that any State owes the Government of the United States? Of course the State of Virginia would have been stopped, the State of Virginia could not have drawn the money; and how is it with the State of West Virginia, which is here only because she was a part of Virginia? She comes forward here and is known only in the Senate because she sprang from Virginia, the parent stock. It so happens that there was an old debt prior to 1861, which had been incurred by Virginia when West Virginia and the present Virginia were one and the same State.

Bonds of that old State had been issued to borrow money to carry on the internal improvement system of the State mainly, a system in which West Virginia was largely interested. Now, if you concede that Virginia could not come here under similar circumstances and ask for this money, how is it that West Virginia can do it? Did not West Virginia, at the time these bonds were created, belong to Virginia? Does West Virginia, after having withdrawn her resources from the old State, when these very bonds were created upon the strength of those resources, now with the taxable subjects all withdrawn, so far as West Virginia was concerned; does the young and vigorous State want to go off with all the money in her pocket and contribute nothing to meet the past obligations of Virginia, which she had jointly incurred with Virginia?

It seems to me, Mr. President, that this case is not so plain as my friend from West Virginia would made it. Looking at it as a business transaction, looking at it from whatever light you may, it seems to me that West Virginia is honorably bound to share the burden with the parent State.

But you have got to bear in mind another fact, that before that division took place, before West Virginia was erected into a separate and independent State, she had to make terms. In the ordinance of the Legislature of Virginia, which allowed the creation of the new State, it was declared that she should assume a just proportion of the debt of Virginia prior to January, 1861.

Under that ordinance she had to follow up those provisions further by putting in the constitution under which she was admitted as one of the States of the United States a provision that she would bear her equitable proportion of the old debt of Virginia.

Why has she not done it? That is a question that I do not care to go into. I claim that she is bound by her own act to make a contribution to this debt of Virginia.

It must be remembered, Mr. President, that the debt to the United States is now about $1,600,000. Virginia paid a little interest on it from 1867 to 1870, and it is but a small portion of that which West Virginia, in case of the defeat of this resolution, is called upon to contribute. It would have been thought, notwithstanding all the declamation which we have heard on the subject, that the young and rich State of West Virginia, with her great mineral resources, with her undeveloped material wealth, would have been only too happy to have stepped forward and to have assisted the old State in relieving her of her obligations, when she remembered that she had gone through all the struggles of the war untouched, as it were, while the old mother State, battle-scarred and war-worn, had been traversed from the east to the west and in every direction by armed forces; her barns had been burned, her personal property destroyed, and the taxable values out of which to raise money to pay debts had been removed by the act of war.

I do not think that West Virginia is entitled to any great credit when she saw a little chance of throwing something into the Treasury of the United States—not into the treasury of Virginia—but she should have stepped forward and said, "We have lost nothing; we have contributed nothing in the past. Virginia carried us financially for years and years, and why should not we, by virtue of our own acts and under all the surroundings, let this small amount go to the relief of Virginia?"

I doubt very much, Mr. President—and the ground has been taken by an abler mind than my own—whether the State of Virginia is bound for its antewar debt. After having its personal property destroyed, after having all the values which attach to a civilized community removed by the hand of war, I doubt whether the conquering power, under the public law which has always prevailed, should not have taken up the debt and released the State of Virginia. I believe that ground is taken by Mr. Blaine in his celebrated work. But, be that as it may, we are not here asking for any recognition of that sort. All that we ask is that if these gentlemen of West Virginia are to get this $153,000, the State of Virginia, which could not have got it under similar circumstances, shall have a credit in the adjustment of her debt to the Federal Government of this amount of $153,000. If the Senator is willing to accept that amendment, I have no sort of objection to the passage of the resolution.

I claim, however, that if the Senate decides that West Virginia is not bound to contribute to Virginia her proportion of the debt to the United States, it would be an unfair resolution on your part, as far as Virginia is concerned.

This is not the place to decide these questions between Virginia and West Virginia, I admit; but so far as the Government of the United States is concerned, so far as their interests are attached to either Virginia or West Virginia, I claim that a release to the one State ought to operate as a release to both. I do not know—I am not lawyer enough to decide—that such will be the effect of the adoption of the resolution

The PRESIDING OFFICER (Mr. CALL in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the bill (S. 1549) providing for the public printing and binding and the distribution of public documents.

Mr. ALLISON. Before the matter which was pending is passed over, I should be glad to learn from the Senators from Virginia and West Virginia, as I have not been able to hear the whole discussion, how much the State of Virginia owes the United States.

Mr. DANIEL. I think it has been stated, including interest from January, 1861, to amount to $1,600,000.

Mr. FAULKNER. There is an offset by Virginia against that which the senior Senator from Virginia [Mr. DANIEL] stated yesterday in the discussion brings it down about $150,000.

Mr. ALLISON. I shall be glad to know of the Senator from West Virginia if the State of West Virginia admits any liability, either equitable or otherwise, to pay any portion of this debt, or does she regard herself as absolutely excluded from any obligation to pay it?

Mr. FALKNER. The State of West Virginia, according to the opinion of the junior Senator from West Virginia, recognizes any liability resulting from the separation of the old State into two sovereignties in accordance with the basis fixed by the ordinance of separation in the ninth section, which the Senator from West Virginia regards as a condition-precedent to the formation of the State of West Virginia, and that when West Virginia was formed into a State under the Constitution and laws of the United States, it was an acceptance by all parties of the condition precedent prescribed in the ordinance of separation, and whenever that settlement is made, if there is anything due, the constitution of West Virginia authorizes the issuing of bonds for the payment of that liability to the State of Virginia, but not to a creditor.

Mr. ALLISON. I understood the Senator from Virginia [Mr. BARBOUR], who has just taken his seat, to state that by our votes here on this question we are about to decide whether the United States is to hold the State of West Virginia for its proper proportion of the entire debt that may be due from the old State of Virginia to the United States. Now, for one, I do not wish to so vote. I wish by any vote I may cast here to hold on to the obligation, which I think is just on the part of the old State of Virginia, including the new State, to pay its creditors, whoever they may be and wherever they may be.

Mr. FAULKNER. I will state, with the indulgence of the Senator from Nebraska [Mr. MANDERSON]——

The PRESIDING OFFICER. The Chair calls attention to the fact that this discussion is proceeding by unanimous consent.

Mr. MANDERSON. I feel obliged to object to further discussion. This, as I understand, is merely a motion to refer the joint resolution to a committee.

Mr. FAULKNER. The joint resolution is before the Senate for its consideration, and a motion to refer has been made.

Mr. MANDERSON. This discussion does not bear upon the merits of the measure. While it is exceedingly interesting, it is blocking the way to other matters that are somewhat important, and I feel constrained to object. If the Senator wishes simply to answer the question of the Senator from Iowa, I shall feel differently, but it simply seems to be prolonging the agony into another long debate.

Mr. FAULKNER. I will state to the Senator from Iowa that according to my honest judgment, so far as his vote is concerned on this resolution, it would not affect that question at all. That question at least would not be affected by the result of the vote of the Senate.

The PRESIDING OFFICER. Is there unanimous consent to the discussion proceeding?

Mr. MANDERSON. I call for the regular order now, Mr. President.

Mr. FRYE. I wish to suggest to the Senator from West Virginia that he make this joint resolution the special order for to-morrow after 2 o'clock.

Mr. FAULKNER. Well, Mr. President, I shall be very glad to make it in this form, that it shall follow the unfinished business now before the Senate.

Mr. FRYE. It would do so if made the special order.

Mr. FAULKNER. Suppose we do not finish the bill which is now the unfinished business by to-morrow, then the joint resolution would lose its place.

Mr. FRYE. No, it remains the special order until the unfinished business is concluded.

Mr. FAULKNER. Then I ask unanimous consent that the joint resolution which has been under consideration this morning be made the unfinished business for to-morrow at 2 o'clock.

Mr. KENNA. With the understanding, as I understood the Senator from Maine [Mr. FRYE] to suggest, that the joint resolution shall not interfere with the printing bill, as it is called, which remains the unfinished business.

Mr. PADDOCK. I have been waiting here for two weeks for the printing bill to get out of the way, so that the pure-food bill could take the place to which it was entitled before the printing bill was considered. I can not give way for any other purpose. I gave notice some days ago that when the consideration of the pending bill was determined, whatever might be the situation, I should move to take up the pure-food bill, and I shall do it.

Mr. FAULKNER. The joint resolution which has been under consideration I am satisfied will not take up much more time of the Senate.

Mr. MANDERSON. I call for the regular order.

The PRESIDING OFFICER. The regular order being the printing bill, so called, it is now before the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a bill (H. R. 4631) to amend an act entitled "An act to authorize the construction of a railroad, wagon, and foot-passenger bridge at Burlington, Iowa," approved August 6, 1888, as amended by act approved February 21, 1890; in which it requested the concurrence of the Senate.

SENATOR FROM MARYLAND.

Mr. GORMAN. I present the credentials of my colleague, Mr. GIBSON, and ask that they be read.

The credentials of Mr. CHARLES H. GIBSON, elected by the Legislature of Maryland a Senator from that State for the term beginning March 4, 1891, were read, and ordered to be filed.

Mr. GORMAN. I ask that the oath of office be now administered to my colleague.

The VICE-PRESIDENT. The Senator-elect will please advance to the desk to receive the oath of office.

Mr. GIBSON, escorted by Mr. GORMAN, advanced to the desk of the Vice-President, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

PRINTING AND DISTRIBUTION OF DOCUMENTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1549) providing for the public printing and binding, and the distribution of public documents.

Mr. MANDERSON. I ask that lines 75 to 83 of section 77 may be read. I think there should be a correction there, as it has been amended.

The Secretary read, beginning in line 75 of section 77, on page 35, as follows:

> The Secretary of State shall cause to be printed and bound at the Government Printing Office as many volumes of the Revised Statutes of the United States and the supplement to the Revised Statutes of the United States, volume 1, second edition, 1874 to 1891, authorized under the act of April 9, 1890, and the second Supplement to the Revised Statutes authorized under the act of April 9, 1890, as he may deem needful for public distribution and for sale by his office at the cost thereof.

Mr. MANDERSON. I move to strike out the words "and the second Supplement to the Revised Statutes authorized under the act of April 9, 1890," as those words are repeated.

The amendment was agreed to.

Mr. MANDERSON. Now, I move, in lines 81 and 82 of the same section, to strike out the words "he may deem needful for public distribution," and insert in lieu thereof what I send to the desk.

This amendment will reach the suggestion of the Senator from Missouri [Mr. COCKRELL], made when the bill was last under consideration, and also by the Senator from Iowa [Mr. ALLISON].

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In line 81, section 77, on page 35, it is proposed to strike out "he may deem needful for public distribution" and insert "may be needed for distribution to designated depositories, State and Territorial libraries, and the United States courts not already supplied."

Mr. MANDERSON. That then makes as to State, Territorial, and public libraries, to the designated depositories, and to the courts, a distribution of the second Supplement where they have not already been supplied.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Nebraska.

The amendment was agreed to.

The Secretary resumed the reading of the bill at line 84 of section 77, and read to line 122.

Mr. MANDERSON. On behalf of the committee I offer an amendment to come in at the end of line 122. I move to insert at the end of that line—

> and the superintendent of documents 500 copies, for distribution to State and Territorial libraries and to designated depositories.

Mr. COCKRELL. What is the effect of that amendment? This is an economical bill, as I understand it, and here is proposed an increase of 500 copies of one of the most costly publications. What is the necessity for it?

Mr. MANDERSON. It is a very large decrease of the gross amount, and it is a better distribution. This amendment is moved by the committee because of the demand from nearly every librarian in the United States that the session laws and the Statutes at Large should be distributed to public libraries and to State and Territorial libraries. Hitherto none of the laws, whether they were the pamphlet laws published at the end of a session or the Statutes at Large, have been received by these libraries. It is thought well to supply them with these publications, as they are also to be supplied under the terms of the bill with the CONGRESSIONAL RECORD, which they have never heretofore received.

Mr. TELLER. With the bound CONGRESSIONAL RECORD?

Mr. MANDERSON. With the bound CONGRESSIONAL RECORD.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Nebraska.

The amendment was agreed to.

The Secretary read to line 157 of section 47.

Mr. MANDERSON. I offer an amendment to come in after the word "copy," in line 153.

The VICE-PRESIDENT. The amendment moved by the Senator from Nebraska will be stated.

The SECRETARY. In line 153 of section 77, after the word "copy," insert:

> And the Public Printer shall deliver 500 copies of the Statutes at Large to the superintendent of documents for distribution to State and Territorial libraries and to designated depositories.

The amendment was agreed to.

The Secretary read to line 169 of section 77, the last paragraph read being as follows:

> The message of the President, without the accompanying documents and reports, shall be printed, immediately upon its receipt by Congress, in pamphlet form. Fifteen thousand shall be printed, of which 5,000 shall be for the Senate and 10,000 for the House.

Mr. COCKRELL. That is, to print the message of the President, with the accompanying documents and reports? They are to be printed immediately upon their receipt by Congress, in pamphlet form?

Mr. MANDERSON. Without the accompanying documents, not with them.

Mr. COCKRELL. Without the accompanying documents?

Mr. MANDERSON. That is, the bare message of the President. This is new legislation, and it is inserted simply because of the fact that it is the custom of each House of Congress to order a varying number, from 10,000 to 25,000 copies, of the message of the President of the United States by either simple or concurrent resolution. It is thought well, as that has been done at nearly every session of Congress, that it should be made a part of the general law.

The Secretary read from line 170 to line 178 of section 77, as follows:

> Of the President's message and accompanying documents and of the annual reports of the Departments to Congress there shall be printed 1,000 copies for the Senate and 2,000 for the House: *Provided*, That of the reports of the Chief of Engineers of the Army, the Commissioner of Patents, the Comptroller of the Currency, the Commissioner of Internal Revenue, the report of the Chief Signal Officer of the War Department, and of the Chief of Ordnance the usual number only shall be printed.

Mr. COCKRELL. "The President's message and accompanying documents." Does that contain all the reports of the heads of Departments?

Mr. MANDERSON. It contains the reports of all the heads of Departments, with the exception, I think, of the report of the Secretary of the Treasury, and perhaps of the Secretary of State. At any rate, I think two of the Departments make report directly to Congress. The language of the paragraph is that "of the President's message and accompanying documents and of the

annual reports of the Departments to Congress," following the language of the existing law.

Mr. ALLISON. The Secretary of the Treasury reports directly to Congress.

Mr. MANDERSON. Yes, the Secretary of the Treasury reports directly to Congress, and I think one other Department chief.

Mr. COCKRELL. Has the Senator a copy of the message and accompanying documents last issued?

Mr. MANDERSON. I have not at my desk. It is rather a voluminous document to bring into the Senate.

Mr. COCKRELL. I have sent for a copy. It is remarkably strange to me, if I am not mistaken in my supposition, that the report of the Attorney-General is not included in the message and accompanying documents. You will find the report of the Secretary of the Treasury, the Comptroller of the Currency, the Director of the Mint, the heads of the bureaus, and all that, but we have no report from the State Department. The report of the Secretary of State is printed in a separate volume, "Diplomatic Correspondence." I wanted to inquire why it is, if I am correct, that the report of the Attorney-General, the head of one of the oldest Departments, is left out of the President's message and accompanying documents.

Mr. MANDERSON. That is because of some legislation not found in any printing act, and it is not found in this bill. We have not attempted in this bill to provide as to the character of reports or how they should be made. That the committee did not consider within the purview of their duty. But as to such reports as are made by the Departments, whether they go to the President and are by him transmitted with his message, or whether they come directly to Congress, as is the case with the report of the Secretary of the Treasury, we provide that there shall be printed (besides the usual number printed in the same quantity that they have heretofore been printed) 1,000 for the Senate and 2,000 for the House. We except, however, from this additional number to be printed certain reports very voluminous in their character and very expensive to print, and we think that as to those the usual number will probably be sufficient. Congress could, of course, at any time order an additional number printed.

Mr. COCKRELL. I shall move to strike out from the proviso the words "the Comptroller of the Currency." There is a good reason why extra copies of the report of the Chief of Engineers of the Army should not be printed, because that is a very voluminous report and does not contain information that is of general value and that is appreciated, but the first volume of the report of the Comptroller of the Currency and the report of the Commissioner of Internal Revenue are important documents. I have a great many calls particularly for the reports of the Comptroller of the Currency. A great many people apply for them. I have never been able to supply the demand, but have generally exhausted the supply of the document room in unbound form of the report of the Comptroller of the Currency. In that report is discussed the question of circulation per capita, the amount of money in the Treasury, and how the business of the country is transacted, whether by actual money handled, or by receipts, drafts, checks, confidence money, and so on. I hardly think it would be wise policy to restrict the publication of the report of the Comptroller of the Currency. As to the reports of the Chief of Engineers, the Commissioner of Patents, the Chief Signal Officer of the War Department, and the Chief of Ordnance, I do not know that there is any necessity for extra copies of them, but I think we had better not include in the proviso the report of the Comptroller of the Currency and the Commissioner of Internal Revenue.

Mr. MANDERSON. Let me call the attention of the Senator to the fact that both the reports to which he refers contain a very large amount of matter in the form of appendices that I do not think are important.

Mr. COCKRELL. The appendixes are never printed.

Mr. MANDERSON. They are printed as part of the reports.

Mr. COCKRELL. No, I beg pardon, not in the one volume, and never have been.

Mr. MANDERSON. I do not care whether there is one volume or two or three, they constitute in general terms the report of the Comptroller of the Currency. In other words, his report is not only the report proper, but it is the report with the appendixes, and it is in that form that it comes to Congress.

There is a provision here which permits the Department head to order as many of these reports as he may desire within reasonable limits. Perhaps that might reach the end the Senator has in view. The object of the committee in having only the usual number of these particular reports printed was to save what seemed to be an unnecessary expense in printing. For instance, the list of banks, with the officers of banks and their capitalization, forms part of the report of the Comptroller, and the report of the Commissioner of Internal Revenue contains that detailed accounting which he has with the different collectors of internal revenue. If the Senator thinks that it is important to print 3,000 copies in addition to the usual number of these reports, I of course have no objection, but it seemed to the committee that it was not advisable.

Mr. COCKRELL. Let me ascertain the fact now. Is the number that is to be printed simply for the use of the Senate and House? We do not get any bound copies of the reports of the Comptroller of the Currency. We do not get bound copies of any of the reports here mentioned except the one volume containing the message, and that is one bound volume called the Abridgment. In the abridgment there is no part of the appendixes ever printed. If these are the unbound documents for the document rooms, I admit very frankly that there is very little necessity for publishing the whole number of the second volume of the report of the Comptroller of the Currency, which only gives a list of all the national banks in the United States, their location, the amount of their capital, their liabilities, etc., and there they come in one after the other, all through. It is a large volume, and there is very little call for it; but the report of the Comptroller of the Currency discussing the question belonging to his Bureau is an important document. I have very frequent calls for it, and for some years it has always been printed, as I say, in a separate form.

If the proviso refers simply to those that are going to the document room, I would only want volume 1 of the report of the Comptroller of the Currency excepted, because it comes to us now all the time in two volumes. One volume is the report proper, and that is the one which is called for. That gives the amount of business transacted in the country, the kind of money with which it is transacted, and the increase or decrease of the bank circulation, etc.

Mr. MANDERSON. This provision of the bill is in no respect different from the existing law as passed in the year 1864, except that we exclude certain documents from the printing of extra numbers. This language is based on section 3798 of the Revised Statutes:

> Of the documents named in this section there shall be printed and bound, in addition to the usual number for Congress, the following numbers of copies, namely:
>
> First. Of the documents accompanying the annual reports of the Executive Departments—

That unquestionably means the reports that come direct to Congress from the Executive Departments—

> 1,000 copies for the use of the members of the Senate and 2,000 copies for the use of the members of the House of Representatives.
>
> Second. Of the President's message, the annual reports of the Executive Departments, and the abridgment of accompanying documents, unless otherwise ordered by either House, 10,000 copies for the use of the members of the Senate and 25,000 copies for the use of the members of the House of Representatives.

That refers to the abridgment, which is disposed of in another section of the bill.

> Third. Of papers relating to foreign affairs, accompanying the annual message of the President, 2,000 copies for the use of the members of the Senate and 4,000 copies for the use of the members of the House of Representatives.
>
> Fourth. Of the Commercial Relations, annually prepared under the directions of the State Department, 2,000 copies for the use of the members of the Senate and 3,000 copies for the use of the members of the House of Representatives.
>
> Fifth. Of the annual report on the statistics of commerce and navigation, exports and imports, merchandise in transit, manufactures, and registered and enrolled vessels, prepared by the Chief of the Bureau of Statistics, 2,000 copies for the use of the members of the Senate and 6,150 copies for the use of the members of the House of Representatives.
>
> Sixth. Of the public Journals of the Senate and of the House of Representatives, 1,550 copies.

What we have aimed to do is to base this proposed legislation upon that old statute, having it in no wise different except in the respect I have mentioned.

Mr. COCKRELL. Will the Senator tell me where is the section that provides for the publication of the abridgment of the President's message and accompanying documents?

Mr. MANDERSON. It is at the foot of page 42, commencing at line 251:

> The Joint Committee on Printing shall appoint, etc.

Mr. COCKRELL. If I understand the way it is done now, a certain number of the reports of the different Departments are printed in unbound form.

Mr. MANDERSON. That is a part of the usual number.

Mr. COCKRELL. Yes, the usual number. Then we have printed "Foreign Relations." That is from the State Department. Then we have a report from the Secretary of State. We then have the War Department report. Then we have the Navy Department report. They all come in separately. In 1880–'81 we commenced printing these Department reports separately. In 1881–'82 the report of the Navy Department was in one volume, in 1882–'83 three volumes, in 1883–'84 two volumes, and so on, and in 1886–'87 it was in only one volume. Of the reports of the Interior Department we commenced separate volumes in 1880–'81,

at the same time, and they form three volumes, four volumes, five volumes, etc. The Post-Office Department report never has been in more than one volume. The State Department report, which now comes under the designation of "Foreign Relations," never made more than one volume, except in 1888-'89, when it made two volumes. The War Department commenced in 1880-'81 with six volumes, and in 1889-'90 ran up to eight volumes. Prior to that time we got them in the form of the message of the President and accompanying documents unabridged. That included the whole of them.

I do not think that the Treasury Department report contains these appendices. I do not see it put down here in this list of documents that I have, which purports to be a list of all documents that are furnished to the document room. I have never found that the Finance Report, as it is put down here, ever had more than one volume, except in certain years. The Finance Report of the Treasury Department contains the report of the Secretary of the Treasury and the reports proper of the heads of Treasury bureaus, but it does not contain an appendix. The report of the Comptroller of the Currency has never contained more than one volume, while the War Department reports contain all the appendices and everything of the kind.

I have here the abridgment of the message and accompanying documents. I can not find in that any report at all from the Attorney-General. Now, we ought to have some uniformity in this matter. If the reports of the other Departments are printed I do not see why the Attorney-General's report should not be printed. It is never a very large report; it is generally a small report. In the message and documents which I have here, the abridgment of 1890-'91, we have the message of the President, the report of the Secretary of the Treasury, without any of the accompanying documents; then comes the report of the Secretary of War, the report of the Secretary of the Navy, the report of the Secretary of the Interior, and that contains the pension report, the Land Office report, the report on railroads, education, etc. It is very voluminous compared with the others; it embraces over half the book. Then comes the report of the Postmaster-General and of the Secretary of Agriculture, but there is nothing from the Attorney-General.

I wished to call attention to this because we ought to understand that if this is an abridgment of the message and documents it ought to contain the reports of the heads of all the Departments at least, whether it has the bureau reports in it or not. A gentleman picking up this volume would expect to find in it the report of the Attorney-General, which is never a long one, and yet it is not here, although the Department of Justice is one of the oldest Departments; it began with the organization of the Government. I understand that the report of the Attorney-General does not form any part of this abridgment.

Mr. MANDERSON. The Attorney-General makes a report annually.

Mr. COCKRELL. Of course he makes a report.

Mr. MANDERSON. To whom does he make the report?

Mr. COCKRELL. He makes the report to the President.

Mr. MANDERSON. And does not the President transmit that report to Congress?

Mr. COCKRELL. Certainly.

Mr. MANDERSON. Then why is it not included?

Mr. COCKRELL. The Lord only knows, unless it is the Printing Committee, who ought to know about it. I can not divine the reason why it is not here.

Mr. MANDERSON. Perhaps the Committee on Printing ought to have all wisdom; and if they were required to know all the gentleman does not seem to know about printing they would have a vast deal of information.

Mr. COCKRELL. I am just calling attention to the fact, and I can not account for the report of the Attorney-General being left out.

Mr. MANDERSON. Does not this language include it: "The President's message and accompanying documents?"

Mr. COCKRELL. Unless it is changed from the existing language used so as to make it specific it will not do it, because they will go on in the same way. I am trying to assist the Senator in getting it so that we shall know what is in these documents and not leave it to Tom, Dick, and Harry down at the Printing Office or somewhere else to say whether this report or that report shall go in the volume.

I hold in my hand this document, as I stated. It is remarkable. Take another one of these volumes. In all probability you will find not only the report of the Secretary of the Treasury, but the report proper of the Comptroller of the Currency, and so on. But in this abridgment, "Message and Documents," we have, first, the message of the President of the United States; then comes the report of the Secretary of the Treasury proper, just that part which is sent to us in a little bit of a pamphlet at the beginning of a session, without anything else added to it, and which, as compared with the other, is a very small report. It contains, however, matter from the Treasurer, and so on. Then we come to the Interior Department, and it contains a large number of the bureau reports. All I want is to have some uniformity; and if we have an abridgment of the message and documents let it contain the President's message and the report proper of each head of a Department, and then of as many bureaus condensed as can be put in. I do not know whether this section will reach that.

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri will be stated.

Mr. MANDERSON. Before departing from this subject, if the Senator is really desirous of information, I think he will find it, with reference to the report of the Attorney-General, by referring to the Attorney-General's letter on page 353 of the committee's report, in which he gives the number of his reports that have been printed on the requisitions of his Department. If the Senator will turn to page 270 of the report of the committee he will find, as to the report of the Comptroller of the Currency, that of his annual report to Congress there are two editions:

The first is a small volume, limited to the report proper.

Not the first volume, but the first edition.

The second or large volume exhibits the condition of the national banks.

Mr. COCKRELL. It is in two volumes always.

Mr. MANDERSON—

The number of volumes of the latter printed each year will average about 70 per cent of the whole.

Then he gives in other terms the number distributed and how distributed, and the cost. All this has been printed under requisitions from the Treasury Department.

Mr. COCKRELL. We all know that these reports are printed by the Departments; but this provision is not for the regulation of the printing of the Departments, is it?

Mr. MANDERSON. I was trying to give the Senator information as to what is contained in the two volumes to which he has referred. If he will turn to this page of the report he will discover it.

Mr. COCKRELL. I am trying to get the Senator to understand that the report of the Attorney-General is not printed in the abridgment, the "Message and Documents," and that is what is referred to here, I understand, by "the President's message and accompanying documents." I know it is printed separately, but I am trying in this connection to get at what ought to be printed with the President's message in what is known as the abridgment.

Mr. MANDERSON. As to the abridgment, we shall reach that later. That provision is on page 42.

Mr. COCKRELL. I move to strike out the words "the Comptroller of the Currency," in line 175, because I think there ought to be no restriction on that report.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 175 strike out the words "the Comptroller of the Currency."

Mr. MANDERSON. While perhaps that amendment is not strictly in order at this time, I have no objection to its being moved and voted on. Let us perfect the section as we go along if we can.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The Secretary read the next paragraph of section 77, as follows:

The following reports required by law to be made to Congress shall not be printed unless the printing be recommended by the head of the Department making the same, and ordered by concurrent resolution of Congress, namely: Report of contracts for conveying the mails, report of fines and deductions in the Post-Office Department, and accounts of the First Comptroller of the Treasury, and the report of the proceedings of the annual meetings of the Board of Supervising Inspectors of Steam Vessels.

Mr. MANDERSON. I call attention to this provision. These documents we provide shall not be printed unless recommended by the head of a Department and ordered by concurrent resolution of Congress. If Senators will examine they will find that it is utterly useless to go to the expense of publishing these volumes. Take the report, for instance, of contracts for conveying the mails. That is an enormous quarto volume.

Mr. COCKRELL. It is about as large as these two volumes together (indicating "Message and Documents, Abridgment").

Mr. MANDERSON. It is about that size. We have been printing them for years, and I doubt if any Senator has been called on for a single copy.

Mr. COCKRELL. I think I have sent away three or four of them.

Mr. MANDERSON. We certainly ought to discontinue the publication. Take the report of the fines and deductions in the Post-Office Department. The volume is one even larger than we have described. When a post-office clerk is fined fifteen or twenty

cents his name and the amount of the fine inflicted will be found in this publication. I can not imagine that it is of interest to anybody. The same criticism might be made upon the other documents mentioned here that have been printed in the usual number. I think a very important change in this bill is the economy in that direction.

The Secretary resumed the reading of the section, and read to line 198, the last paragraph read being as follows:

Of the Registers of the Army and Navy, 1,500 copies of each, 500 for the Senate and 1,000 for the House.

Mr. MANDERSON. This is a new provision of law. The Registers of the Army and Navy have always been printed under the requisition of those Departments, and the only way that members of Congress obtained them was by making calls upon the Departments. It seemed to the committee that it was desirable that we should have at least a few copies for distribution by members of Congress.

Mr. COCKRELL. I must confess that I am a little astounded at the statement that the Army and Navy Registers have not been printed for distribution by Congress.

Mr. MANDERSON. They have not, except the usual number.

Mr. COCKRELL. What is meant by "the usual number"—for the document room?

Mr. MANDERSON. Yes.

Mr. COCKRELL. I think if the Senator will look in his "list of documents" he will find in the folding room to his credit the Army Register and Navy Register for every solitary year, with one or two exceptions. It has been printed in limited numbers, I think for awhile we got either 10 or 11 copies, and I think the last distribution was about 9. I can recall only one year when we did not get the Army Register placed to our credit in the folding room of the Senate, and not among the unbound documents in the document room.

Mr. MANDERSON. I do not know a better authority upon the proposition in dispute between the Senator and myself than the superintendent of the document room. These books have been printed in the usual number, and extra numbers for distribution by Congress have rarely been printed. I thought they had not been printed at all, but I am informed by the superintendent of the document room that at rare intervals extra copies have been printed by concurrent resolution of Congress.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read to line 219 of section 77.

Mr. COCKRELL. The last clause read is as follows:

Of the Finance Report of the Secretary of the Treasury, the Report on Commerce and Navigation, on Internal Commerce, of the Director of the Mint on the Production of Precious Metals, and of Mineral Resources of the United States.

Is "Mineral Resources of the United States" a part of the description of the Report of the Director of the Mint on the Production of Precious Metals, or is it the volume published by the Geological Survey and called Mineral Resources of the United States?

Mr. MANDERSON. My impression is that it is the latter, but I am not positive about it. My impression is that this is a report from the Geological Survey and that the other is the report of the Director of the Mint. Yes, the Senator is correct in his statement; it is the report of the Geological Survey, the "Mineral Resources of the United States." The Report of the Director of the Mint on the Production of Precious Metals, as the term signifies, comes from the Director.

Mr. COCKRELL. That is one book that is referred to, and the Mineral Resources of the United States is a separate one?

Mr. MANDERSON. That is a separate one.

Mr. COCKRELL. That is what I wanted to get at.

The Chief Clerk continued the reading of the bill and read to line 234 of section 77, the last paragraph read being as follows:

There shall be printed of eulogies of deceased Senators, Representatives, and Delegates 5,000 copies, of which number one-half shall be delivered to the Senators, Representatives, or Delegates of the State or Territory represented by the deceased. The remaining number shall be distributed equally among the Senators, Representatives, and Delegates of other States and Territories. The engraving for such eulogies shall be done at the Bureau of Engraving and Printing and paid for out of the appropriation for that Bureau. Of the "usual number" the bound volume shall contain in one volume for each House all eulogies during the session of Congress upon Senators and Representatives, respectively.

Mr. MANDERSON. This is a material departure from the existing condition. If Senators interested in this subject will turn to page 456 of the committee's report and read No. 29 they will find that heretofore there have been printed varying numbers of copies, reaching from 4,500 in 1876 to 25,000 copies in 1891. For a long time the number of copies printed was 12,500. It seemed to the committee that if there was a new method of distribution a smaller number of copies could be profitably printed. So, instead of there being an even division of eulogies among all Senators from the Senate quota and among all Representatives and Delegates from the House quota, the proposition is that 2,500 copies of the 5,000 shall be delivered to the Senators, Representatives, or Delegates of the State or Territory represented by the deceased member.

Of course the demand would naturally be greater from the State represented by the deceased. The remainder is to be distributed equally among Senators, Representatives, and Delegates. I certainly think this is a very wise provision and one that will commend itself to Senators upon thought.

Then we provide, in the direction of saving expense, that instead of printing in the usual number a small volume for each of the eulogies they shall be collected in each session of Congress and bound in one volume of what used to be called the reserve documents. That is also an important change.

Mr. COCKRELL. The Senator will observe that there is no distribution made between the Senate and House of these 5,000 copies. I think we ought to have a distribution there. Who is to determine how this distribution shall be made?

Mr. MANDERSON. There is a distribution provided by the bill.

Mr. COCKRELL—

The remaining number shall be distributed equally among the Senators, Representatives, and Delegates of other States and Territories.

Mr. MANDERSON. That is, 2,500 copies go to the Senators and Representatives from the State represented by the deceased in Congress; and the other 2,500 shall be equally distributed among all Senators, Representatives, and Delegates.

Mr. COCKRELL. That is not the distribution we have been having?

Mr. MANDERSON. No; it is not the distribution we have been having.

Mr. COCKRELL. The ratio of distribution is not just. A Senator, for distribution in the whole State, gets just as many copies as a member of Congress for a district. I ask the Senator if he thinks that is just?

Mr. MANDERSON. I do. I think that is very fair and a better distribution than the present method.

Mr. COCKRELL. I do not think so.

Mr. MANDERSON. I know it is a new departure. I know Senators representing entire States——

Mr. COCKRELL. I am opposed to this departure, and I shall certainly move to amend this proportion, and make it entirely different from what it is now. I want so many distributed to the Senate and so many distributed to the House. Let the proportion that goes to the House be divided one-half among the members in the House from that State, and let one-half that come to the Senate go to the Senators from that State, the balance to be divided equally.

Mr. MANDERSON. It is the Senator's privilege to move to amend the bill at the proper time.

Mr. COCKRELL. Such a provision I think would be just. I think there is some propriety in the general idea of giving the Senators and Representatives from the State of the deceased a larger number than the others, although I have always found by application to Senators that they very cheerfully and cordially extended the courtesy of delivering a part of their quota to the Senator from the State of the deceased. I do not know whether it is better to leave that as it is or not, but if we are going to change the distribution I want to make it that way, and I give notice that I shall move that amendment when the committee amendments have been acted upon.

The Chief Clerk read to line 255 of section 77, the last clause read being as follows:

The Joint Committee on Printing shall appoint a competent person, who shall edit such portion of the reports and documents accompanying the annual message of the President as they may deem suitable for popular distribution, and prepare an alphabetical index thereto.

Mr. MANDERSON. I think here very properly may come in the suggestion made by the Senator from Missouri, with which I am in full accord.

The report of the Attorney-General comes, I have ascertained, directly to Congress, and does not go to the President, just as the report of the Secretary of the Treasury comes directly to Congress, and does not go to the President. I think it might be well, perhaps, after the word "President," in line 254, to insert "and executive reports made directly to Congress." That probably would reach the idea. I quite agree with the Senator from Missouri that, in this abridgment, there should be not only an abridgment of the reports made through the President to Congress, but also those made directly to Congress. I think, perhaps, the change I suggest will meet the Senator's view.

Mr. COCKRELL. Yes; right after the word "President," insert "or made directly to Congress;" so as to read:

Who shall edit such portion of the reports and documents accompanying the annual message of the President or made directly to Congress.

Mr. MANDERSON. That is it.

Mr. COCKRELL. I thought it was a very great anomaly that